

ORDINANCE NO. 4705

AN ORDINANCE TO AMEND BOSSIER PARISH ORDINANCE NO. 3908 OF 2003, WHICH ADOPTED A UNIFIED DEVELOPMENT CODE FOR THE BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION AND THE PARISH OF BOSSIER, LOUISIANA, TO REFLECT CHANGES TO THE UNIFIED DEVELOPMENT CODE

BE IT ORDAINED, by the Bossier Parish Police Jury in regular and legal session convened on this 19th day of December, 2018, that Ordinance No. 3908 of 2003, which adopted a Unified Development Code for the Bossier City-Parish Metropolitan Planning Commission and the Parish of Bossier, be and are hereby amended to reflect the changes in the noted Sections and Subsections and to read as follows: (new language is underlined)



UNIFIED DEVELOPMENT CODE
Bossier City/Parish, Louisiana

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Revised by

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*** A Limited Liability Company ***

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Article 1. Title and Applicability

1.1 Title

This Code shall be known as "The Bossier City-Parish Unified Development Code" (hereinafter referred to as "this Code") and may also be cited as Ordinance No. 133 of 2018 of the Municipal Code of the City of Bossier City (2018) and as Ordinance No. 4705 of 2018 of the Parish Code of Bossier Parish (2018). Individual sections or subsections of this Code may be cited by their section number.

1.2 Authority

This Code is adopted pursuant to the authority granted by Louisiana Revised Statute 33:4721 *et. seq.*

1.3 Effective Date

The Effective Date of this Code shall be November 6, 2018, for the City of Bossier City and December 19, 2018, for Bossier Parish.

1.4 Existing Codes to be Repealed

Upon the Effective Date of this Code, the following ordinances that are currently in effect and any subsequent amendments to them shall be repealed:

1.4.1 Bossier City

- A. Zoning Ordinance 126 of 2003

1.4.2 Bossier Parish

- A. Zoning Ordinance No. 3908 of 2003

1.5 Purpose

This Code is adopted for the purposes of guiding development in accordance with the Bossier City-Parish Comprehensive Plan and existing and future needs of the City and Parish in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity and general welfare. The regulations hereby enacted are designed to exercise the full range of authority available to the City and Parish under Louisiana law to:

- 1.5.1** Promote the public health, safety and general welfare, while recognizing the rights of real property owners, by adopting a comprehensive zoning ordinance for the City and Parish and providing for administrative procedures and development standards.
- 1.5.2** Help achieve the goals, objectives and policies of the Bossier City-Parish Comprehensive Plan, as amended.
- 1.5.3** Prevent the overcrowding of land and avoid undue concentration of population by creating zoning districts consistent with the character of each area within the City and Parish and its peculiar suitability for particular uses and by adopting an Official Zoning Map consistent with the creation of such districts.

- 1.5.4** Lessen congestion in the streets and to secure safety from natural disaster, fire, panic and other dangers by establishing open space requirements within each zoning district and further by providing a means by which the rate of growth within the City and Parish can be monitored and managed.
- 1.5.5** Facilitate the adequate provision of transportation, water, sewerage, drainage, schools, parks, and other public requirements by providing a means for regulating the impact of development on community infrastructure.
- 1.5.6** Regulate the subdivision and development of land, ensuring its orderly development and the concurrent provision of appropriate and necessary public facilities.
- 1.5.7** Maintain a balance between the total development in the City and Parish and the capacity of the City and Parish and its infrastructure to serve such development.
- 1.5.8** Protect designated corridors and maintain desirable and unique neighborhood character and integrity within the City and Parish by establishing Corridor and Neighborhood Conservation Conditional Use Overlay Districts and by establishing such regulations related to the maintenance of quality use, aesthetic, and environmental standards as may be found to be appropriate.
- 1.5.9** Carry out such other purposes in the public interest as may be specifically cited hereinafter.

1.6 Jurisdiction

- 1.6.1** This Code and the provisions contained herein shall hereafter govern all land development within the incorporated areas of the City of Bossier City, Louisiana, as now or may be hereafter established, together with such adjacent unincorporated areas of Bossier Parish which the Bossier City Council and the Bossier Parish Police Jury may jointly agree to become governed by this Code.
- 1.6.2** The area of jurisdiction shall be depicted on a map that has been formerly adopted by the Bossier City-Parish Metropolitan Planning Commission.

1.7 Applicability

- 1.7.1** No activity regulated by this Code shall be undertaken unless the same is in conformity with the express provisions of this Code.
- 1.7.2** No activity that is the subject of any permit or approval issued pursuant to the provisions of this Code shall be undertaken unless the same is in conformity with said permit or approval, including any conditions attached thereto.
- 1.7.3** The commencement or continuation of any activity regulated by this Code that is not in conformity with the express provisions of this Code, or that is not in conformity with the express provisions of any permit or approval, including any conditions attached thereto, issued pursuant to this Code, shall be a violation of this Code, and upon conviction thereof, shall be punishable under the provisions of this Article.

1.8 Fees

Each year, if fees are changed, the Bossier City-Parish MPC may approve a schedule of fees for the various applications and approvals required in this Code.

Article 2. Administrative Powers and Duties

2.1 Purpose

This Article establishes the responsibilities of decision-making and administrative bodies created by this Code. This Article does not attempt to recite all responsibilities granted under the State enabling act, only those required of this Code.

2.2 Summary of Responsibilities

The codes listed below are used in Table 2.2 to indicate the responsibilities and duties of administrative boards and agencies. A group may have more than one responsibility, typically holding a hearing in addition to any action. Further, regardless of the appeal notation, all decisions are appealable to the courts in accordance with the Louisiana Statutes.

Table 2.2 PROCEDURAL RESPONSIBILITIES					
Type of Action	Executive Director	Metropolitan Planning Commission (MPC)	Zoning Board of Adjustment	Parish Police Jury	Bossier City City Council
Discretionary					
Zoning Text Amendment	RR	PH / RR	-	FA	FA
Zoning Map Amendment	RR	PH / RR	-	FA	FA
Provisional Use	FA		(see appeals below)		
Conditional Use Permit	RR	PH / FA	-	-	-
Planned Unit Development	RR	PH / FA	-	-	-
Special Exception Use	RR	-	<u>PH</u> / FA	-	-
Variance	RR	-	<u>PH</u> / FA	-	-
Administrative Actions					
Enforcement	FA	-	PH / AP	-	-
Zoning Permit	FA	-	PH / AP	-	-
Certificate of Occupancy	FA	-	PH / AP	-	-
Sign Permit	FA	-	PH / AP	-	-
Plat Review	RR/FA	PH / FA	-	PH	-
Appeals					
Written Interpretation	-	-	AP	-	-
Administrative Appeals	-	-	PH / FA	-	-
MPC Decision	-	-	-	-	-
RR = Review/Recommendation; the body makes recommendations to the decision makers. PH = Public Hearing; the body must hold a public hearing. FA = Final Approval; the body makes the decision. AP = Appeal; The body hears an appeal to the decision.					

2.3 City Council and Parish Police Jury

In addition to any responsibility indicated in Table 2.2 above, the Bossier City Council and Bossier Parish Police Jury shall have the following powers and duties under this Code:

- 2.3.1** To appoint members of the Metropolitan Planning Commission (Police Jury) or approve members of the Metropolitan Planning Commission appointed by the Mayor (City Council).

- 2.3.2 To appoint members of the Zoning Board of Adjustment (Police Jury) or approve members of the Zoning Board of Adjustment appointed by the Mayor (City Council).
- 2.3.3 To approve or disapprove proposed Text Amendments to this Code.
- 2.3.4 To approve or disapprove proposed map (rezoning) amendments to this Code.
- 2.3.5 To ratify approvals of Conditional Use Permits by the Metropolitan Planning Commission as required by this code.
- 2.3.6 To take such other action not delegated to the Metropolitan Planning Commission, Zoning Board of Adjustment, or heads of City or Parish departments, as the City Council or Police Jury may deem desirable and necessary to implement the provisions of the Comprehensive Plan and this Code.

2.4 Administrative Bodies

2.4.1 Bossier City-Parish Metropolitan Planning Commission

A. Powers and Duties

The Bossier City-Parish Metropolitan Planning Commission (MPC) shall have the following powers and duties:

1. To hear, review and make recommendations to the City Council or Police Jury in regard to Text Amendments to this Code, as set forth in Table 2.2;
2. To hear, review and make recommendations to the City Council or Police Jury in regard to amendments to the Official Zoning Map, as set forth in Table 2.2;
3. To hear and approve or disapprove Conditional Use Permit requests;
4. To review, make recommendations on and approve or deny subdivision plats; and
5. To make studies of the City's and Parish's resources, possibilities, and needs and to report its findings and recommendations, with reference thereto, from time to time, to the City Council and/or Police Jury.

B. Membership

The Metropolitan Planning Commission shall consist of 7 members.

1. The City and Parish shall appoint 3 members each.
2. A seventh member shall be selected as a joint appointment by both governing bodies.

C. Terms of Office

Members shall serve 6-year staggered terms.

D. Officers

1. Chairman and Vice-Chairman

At an annual regular meeting, the members of the Metropolitan Planning Commission shall elect a Chairman and Vice-Chairman from among its members. The Chairman's and Vice-Chairman's terms shall be for 1 year with eligibility for reelection. The Chairman shall preside over all procedures before the MPC, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the MPC. In the absence of the Chairman, the Vice-Chairman shall act as Chairman. In the absence of both the Chairman and Vice-Chairman, the remaining members in attendance shall select an acting chairman for the meeting.

2. Secretary

The MPC Executive Director shall serve as Secretary of the Metropolitan Planning Commission or provide a staff person to act as such. The Secretary shall keep minutes of all proceedings. The minutes shall be a summary of all proceedings before the MPC, which shall include the vote of all members upon every question, and be attested to by the Secretary. The minutes shall be approved by a majority of the MPC members voting. In addition, the Secretary shall maintain all records of the MPC meetings, hearings, proceedings and correspondence.

3. Staff

The MPC Executive Director shall be the Planning Commission's professional staff person but may delegate responsibilities to staff members, as needed.

4. Quorum and Voting

Four or more Metropolitan Planning Commission members shall constitute a quorum of the MPC necessary to take action and transact business. All actions shall require a simple majority of the quorum present except for the adoption of a Master Plan which shall be by resolution carried by the affirmative votes of not less than four members of the commission.

5. **Removal from Office**

In the event that any member is no longer a resident of Bossier City or Parish, or is convicted of a felony or an offense involving moral turpitude while in office, or have 3 unexcused absences in 1 year, the governing body that originally appointed such person may terminate the appointment of such person as a member of the Metropolitan Planning Commission and appoint a new member after a public hearing. For other reasons, the governing body may remove any member, which it had earlier appointed, for any cause stated in writing and after public meeting.

6. **Vacancy**

Whenever a vacancy occurs on the Metropolitan Planning Commission, the appropriate governing body shall appoint a new member within 180 days of the vacancy subject to the provisions of this Section.

7. **Compensation**

The Metropolitan Planning Commission members shall serve as volunteers with no compensation but may be reimbursed for any travel, mileage and/or per diem expenses as may be authorized by the Metropolitan Planning Commission's approved budget.

E. Meetings

The Metropolitan Planning Commission meetings shall be held each month (as advertised at the beginning of the year) to dispense of matters properly before the MPC. Additionally, meetings may be called by the Chairman or at the request of any 3 MPC members. The location of all MPC meetings shall be in a place accessible to the public. The following shall apply to the conduct of all meetings:

1. **Rules of Procedure**

The Metropolitan Planning Commission shall, by a majority vote of the entire membership, adopt rules of procedure for the transaction of business and shall keep a record of meetings, resolutions, findings and determinations. The Planning Commission may provide for transcription of such hearings and proceedings, or portions of hearings and proceedings, as may be deemed necessary.

2. **Meetings Open to Public**

All meetings and public hearings of the Metropolitan Planning Commission shall be open to the public.

3. **Recommendations or Decisions**

All recommendations shall be by roll-call votes of all members present. A tie vote or failure to take action shall constitute a denial recommendation. All recommendations shall be accompanied by a written summary of the action and recommendations.

2.4.2 Bossier City-Parish Zoning Board of Adjustment

A. Powers and Duties

The Zoning Board of Adjustment shall have the powers and duties as follows:

1. To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, interpretation or determination made by the Executive Director or other official in the enforcement of this Code;
2. To review and make recommendations to the City Council or Police Jury in regard to Text Amendments to this code, as set forth in Table 2.2;
3. To hear, and approve or disapprove Variance requests.
4. To hear, and approve or disapprove Special Exception requests.

B. Membership

The Zoning Board of Adjustment shall consist of 5 regular members and 1 alternate member.

1. Bossier City shall appoint 3 regular members.
2. Bossier Parish shall appoint 2 regular members.
3. Bossier City and Bossier Parish shall jointly select 1 alternate member.

C. Terms of Office

Members shall serve 5-year staggered terms.

D. Officers, Quorum, Rules of Procedure

1. Chairman and Vice-Chairman

At an annual regular meeting, the members of the Zoning Board of Adjustment shall elect a Chairman and Vice-Chairman from among its members. The Chairman's and Vice-Chairman's terms shall be for 1 year with eligibility for reelection. The Chairman shall be in charge of all procedures before the Zoning Board of Adjustment, and shall take such action as necessary to preserve order and the integrity of all proceedings before the Zoning Board of Adjustment. In the absence of the Chairman, the Vice-Chairman shall act as Chairman. In the absence of the Chairman and Vice Chairman, the remaining members in attendance shall select an acting chairman for the meeting.

2. Secretary

The MPC Executive Director shall provide a staff person to serve as Secretary of the Zoning Board of Adjustment. The Secretary shall keep minutes of all proceedings. The minutes shall be a

summary of all proceedings before the Zoning Board of Adjustment, which shall include the vote of all members upon every question, and be attested to by the Secretary. The minutes shall be approved by a majority of the Zoning Board of Adjustment members voting. In addition, the Secretary shall maintain all records of the Zoning Board of Adjustment meetings, hearings, proceedings and the correspondence.

3. **Staff**

The Executive Director shall be the professional staff for the Zoning Board of Adjustment but may delegate responsibilities to staff members, as needed.

4. **Removal from Office**

In the event that any member is no longer a resident of the Bossier MPC jurisdiction, or is convicted of a felony or an offense involving moral turpitude while in office, or have 3 unexcused absences in 1 year, the appropriate governing body may terminate the appointment of such person as a member of the Zoning Board of Adjustment and appoint a new member after a public hearing. For other reasons, the governing body may remove any member for cause stated in writing and after public meeting.

5. **Vacancy**

Vacancies upon the Zoning Board of Adjustment shall be filled for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such members.

6. **Compensation**

The Zoning Board of Adjustment shall serve as volunteers with no compensation but may be reimbursed for any travel, mileage and/or per diem expenses as may be authorized by the Metropolitan Planning Commission's approved budget.

E. Meetings

Meetings of the Zoning Board of Adjustment shall be held at a regularly scheduled time each month, unless no cases have been submitted, or otherwise when it has been determined, by the Chairman or the MPC Executive Director, that a hearing or business meeting is needed. Additionally, meetings may be called at the request of 3 members of the Zoning Board of Adjustment.

1. **Location**

The location of all Zoning Board of Adjustment meetings shall be in a place that is accessible to the public.

2. **Quorum and Voting**

Three or more members of the Zoning Board of Adjustment shall constitute a quorum necessary to take action and transact business. An affirmative vote by a majority of the entire regular membership shall be necessary to approve any variance, special exception or appeal or for any interpretation of the Executive Director to be overturned or modified in any way. For all other actions, a simple majority is required.

3. **Role of the Alternate Member**

a. The alternate member may participate fully in all functions of the Zoning Board of Adjustment except initiating, seconding or voting on motions.

b. When any regular member is not present at the time of roll call, the alternate member may serve as a full voting member in his/her place. If the regular member who was absent at the time of roll call and replaced by the alternate subsequently arrives at the meeting, that late-arriving regular member shall function as the alternate for the remainder of the meeting.

4. **Rules of Procedure**

The Zoning Board of Adjustment shall, by a majority vote of the entire membership, adopt rules of procedure for the transaction of business and keep a record of meetings, resolutions, findings and determinations.

5. **Record of Action**

The Zoning Board of Adjustment shall maintain records of attendance, all motions made, roll-call votes made by each person, and the grounds for each decision made. The Zoning Board of Adjustment may provide for transcription of such hearings and proceedings, or portions of hearings and proceedings, as may be deemed necessary.

6. **Meetings Open to Public**

All meetings and public hearings of the Zoning Board of Adjustment, in their entirety, shall be open to the public.

2.5 Executive Director

2.5.1 The Executive Director shall serve as Staff to the Bossier City Council, Bossier Parish Police Jury, Bossier City-Parish Metropolitan Planning Commission and Zoning Board of Adjustment.

2.5.2 The Executive Director shall be hired by the Bossier Metropolitan Planning Commission board.

2.5.3 In addition to the jurisdiction, authority and duties which may be conferred upon the Executive Director by other provisions of the Bossier City-Parish codes and the Louisiana Statutes, the Executive Director shall have the following jurisdiction, authority, and duties under this Code and may delegate duties to staff as needed:

- A. To administer and enforce the provisions of this Code;
- B. To provide written interpretations of this Code;
- C. To review and approve or disapprove Provisional Use requests;
- D. To review and approve or disapprove Sign Permits, Zoning Permits, and Certificate of Occupancy applications;
- E. To review and make recommendations to the Zoning Board of Adjustment in regard to Special Exception and Variance requests;
- F. To review and make recommendations to the Metropolitan Planning Commission in regard to Conditional Use and Planned Unit Development requests;
- G. To review amendments to the text of this Code and to the Official Zoning Map;
- H. To perform other duties set forth in the provisions of this Code; and
- I. To review and make recommendations on Preliminary and Final Subdivision Plats.

Article 3. Procedures and Administration

3.1 Purpose

This Article establishes the procedures for all approvals, administrative reviews, relief, and appeals provided for in this Code. It provides diagrams for the major procedures to be followed.

3.2 Zoning Permit and Certificate of Occupancy

No structure or land shall be used, occupied or changed in use until a Certificate of Occupancy or Zoning Permit is issued by the Metropolitan Planning Department as required by this code.

3.2.1 Zoning Permit

When applicable, no building or other permit, license or other document of approval, for which the use of may be subject to the provisions of this Code, shall be issued by any department, agency, or board of the City/Parish until zoning approval is obtained from the Metropolitan Planning Department stating that the intended occupancy of the permit, license or other document is in full compliance with the provisions of this Code.

A. Documentation

Approval shall be documented through either of the following:

1. A Zoning Permit issued by the Metropolitan Planning Department.
2. Signoff by the Metropolitan Planning Department on the appropriate section of the Building Permit application forwarded.

B. Application

To receive a Zoning Permit or Building Permit signoff, an applicant shall submit all required application fees and 2 copies of each of the following:

1. A survey plat of the lot(s) on which the intended occupancy or improvements are to be situated, prepared and certified by a Registered Surveyor or Professional of Record as required.
2. A Site plan indicating
 - a. Location of the building on the site.
 - b. Accurate dimensions of the site, building and setbacks.
 - c. Location and intended layout of off-street parking and loading spaces.
 - d. Location, layout, size and species of required landscaping and buffering.
 - e. Such other information as may be necessary for the enforcement of this Code.

3.2.2 Certificate of Occupancy

A Certificate of Occupancy may be issued by the Metropolitan Planning Department only after all intended site improvements and building construction has been completed in accordance with the Zoning or Building Permit and all applicable requirements of this code.

A. Application and Fees

Fees for a Certificate of Occupancy shall be approved by the MPC as part of the schedule fees. The Certificate of Occupancy shall be issued only after any required final inspections have been conducted and approved by the appropriate agency.

B. Inspections

An inspector from the Metropolitan Planning Department or a designated inspector from the Bossier City Inspections Department may perform a field inspection to determine compliance with the regulations of this Code under the following circumstances.

1. Any change in business name, occupancy, ownership, or proprietorship.
2. Any change in use or increase in intensity of existing uses.
3. Any change in exterior dimension(s) of the principal structure.
4. Any change in off-street parking or loading configuration.
5. Any subdivision of or sale in property that results in reduction of lot size.

C. Certificate of Occupancy without Zoning Permit

If a change in use or occupancy requires no site improvements or structural changes that require a Building Permit or other certificate, an applicant may apply directly for a Certificate of Occupancy.

D. Period of Effect

Once issued, a Certificate of Occupancy shall be in effect for its specified occupant, use, lot, and site configuration for an indefinite period. Any changes specified in 3.2.2.B that occur may require a new Certificate of Occupancy.

E. Exclusion for Residential Occupancy Changes

Single Family construction and any change in residential occupancy of a residential unit within a multiple-family structure, or manufactured housing park site shall be excluded from the requirements of obtaining a Certificate of Occupancy, unless the change in occupancy occurs directly in conjunction with:

1. New construction (Single Family residential exempt),
2. Remodeling that results in a change of exterior dimensions, or
3. Increase in the number of dwelling units within a structure.

3.2.3 Temporary Use Permits

Application requirements, general standards, and approval procedures for temporary uses are specified in Subsection 3.4.4.

3.3 Land Use Review Procedures

The provisions in this Section shall apply to any intended change in land use, temporary use, or accessory use.

3.3.1 Provisional Uses

A. Applicability

If a proposed change in land use, land development project or other improvement is listed in the Use Table referenced in Section 5.3 as a Provisional Use (P*) for its intended district, the Executive Director shall make a determination that all appropriate provisional use standards in Section 5.6 are met before issuing a Certificate of Occupancy or Zoning Permit.

B. Review

The Executive Director may request additional information from the applicant in making a determination that the standards in Section 5.6 will be met.

C. Notification

The Executive Director shall approve or disapprove the application following the receipt of a complete application and shall advise the applicant of approval or non-approval.

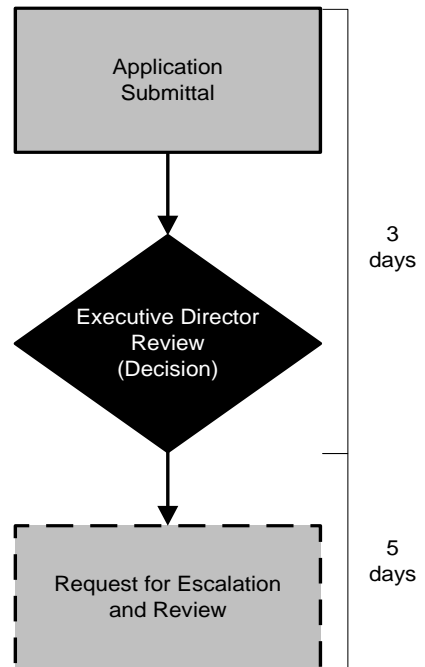
D. Expiration

A Provisional Use determination shall expire after 1 year unless the applicant submits a request for extension. The Executive Director may grant one 6-month extension.

E. Review of a Provisional Use Decision

1. Any determination of a Provisional Use by the Executive Director may be affirmed, reversed or revised by the Bossier City-Parish Metropolitan Planning Commission at the request of the following:
 - a. The Executive Director.
 - b. The applicant.
 - c. Any member of the Bossier City-Parish Metropolitan Planning Commission.
 - d. The Mayor of Bossier City or any City Council Member.

Provisional Uses



- e. Any Member of the Bossier Parish Police Jury.
- 2. The request must be submitted to the Executive Director in writing within 5 business days of the determination.
- 3. The Bossier City-Parish Metropolitan Planning Commission shall follow the same review procedures as a Conditional Use, as stated in Section 3.2.2, for a Provisional Use review.
- 4. If the applicant initiates the request for escalation, he/she shall be responsible for payment of any associated application fees for processing the request.

3.3.2 Conditional Uses

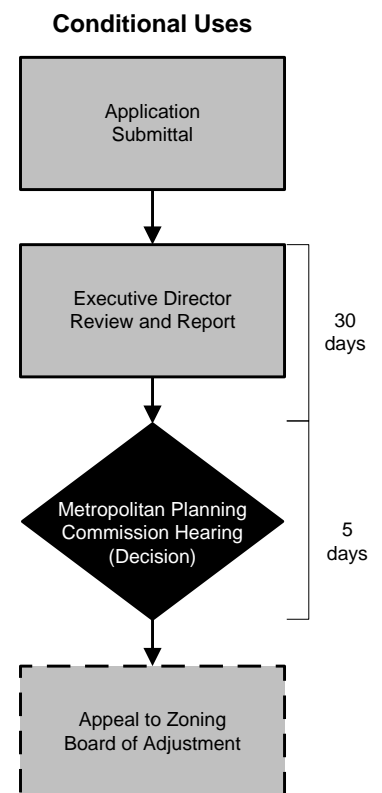
A. Applicability

If a proposed change in land use, land development project or other improvement is listed in the Use Table as a Conditional Use (“C”) for its intended district, the Bossier City-Parish Metropolitan Planning Commission shall make a determination that all appropriate Conditional Use standards in Section 5.6 are met before issuing a zoning certificate.

B. Submission Requirements

An application for Conditional Use review shall consist of information necessary for the Metropolitan Planning Commission to make a determination regarding the Conditional Use request, including, but not limited to the following:

- 1. Documentation for a Major or Minor Site Plan Review as specified in Subsection 3.7.3.
- 2. A site plan showing the proposed siting of structures and uses on the subject property.
- 3. The proposed land coverage of intended development, expressed in terms of acres if applicable.
- 4. An analysis addressing the consistency of the proposed conditional use with the character and purpose of the zoning district in which it would be located shall be provided by MPC staff.
- 5. Any relevant information regarding the traffic impact of such proposed use.
- 6. The consistency of the proposed use with the Comprehensive Plan shall be provided by the MPC staff.



7. Any additional documentation supporting the appropriateness of the intended use as might be required by Section 5.6.
8. Either an operational site plan or floor plan as recommended by the planning staff.

C. Staff Review and Report

1. Within 30 days after receipt of a complete application and required fees, the Executive Director shall add the Conditional Use request to the next available scheduled regular meeting of the Metropolitan Planning Commission and prepare a staff report that reviews the proposed development in light of the Comprehensive Plan, the review criteria listed above, and the requirements of this Code.
2. The Executive Director shall mail or provide a copy of the report to the Metropolitan Planning Commission and the applicant at least 7 days prior to the scheduled hearing.
3. Notification of surrounding property owners, for a Conditional Use request, shall follow the same procedure as a zoning amendment as required in Section 3.9.7.

D. Action by Metropolitan Planning Commission

1. The Metropolitan Planning Commission shall hold a public hearing on the Conditional Use application.
2. After review of the conditional use application and the public hearing, the Metropolitan Planning Commission shall make a written finding and give its approval; approval with modifications or conditions; or disapproval to the conditional use request.
3. If approval or approval with modifications and conditions is granted, the decision shall be communicated in writing to the applicant; and the applicant shall thereby be authorized to submit a development plan application consistent with this Code.

E. Action by the Bossier City Council or Bossier Parish Police Jury

The MPC will forward, to the appropriate Legislative body, its recommendations regarding the Conditional Use, including but not limited to, that development must be in accordance with any approved site or operational site plan. The Legislative body may, after public hearing and review, vote to approve the conditional use, deny the conditional use, modify or impose such additional conditions to the conditional use application as it deems appropriate, or remand to the MPC for further consideration of the conditions to be imposed. This procedure shall only apply to Alcohol and Conditional Uses as listed in the Use Table of Article 5 of this code.

F. Conditional Use Review Criteria

The Metropolitan Planning Commission may approve a Conditional Use application only if the applicant demonstrates that the proposed use and any associated development:

1. Will conform to any specified standards for the intended use enumerated in Section 5.6.
2. Is consistent with the goals, objectives and policies of the Bossier City-Parish Comprehensive Plan, as amended.
3. Will be consistent with the “purpose statements” of the applicable district specified in Section 4.1.

G. Appeal

An applicant or resident of the Metropolitan Planning Commission’s jurisdiction that is aggrieved by the Metropolitan Planning Commission’s Conditional Use determination, may appeal such determination to the District Court of Bossier Parish within 30 days of the Metropolitan Planning Commission’s finding.

H. Expiration of Approval

A Conditional Use approval shall expire after one year unless the applicant re-submits a complete development plan review application to the MPC board. Conditional Use approval of alcohol sales are exempted from this expiration.

3.3.3 Special Exception Uses

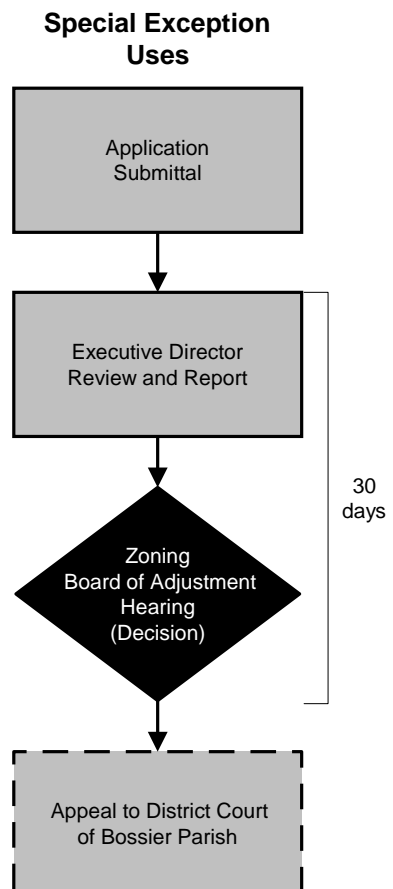
A. Applicability

If a proposed change in land use, land development project or other improvement is listed in the Use Table as a Special Exception Use (“S”) for its intended district, the Bossier City-Parish Zoning Board of Adjustment shall make a determination that all appropriate Special Exception use standards in Section 5.6 are met before issuing a Certificate of Occupancy or Zoning Permit.

B. Submission Requirements

An application for special exception review shall consist of information necessary for the Board of Zoning Adjustment to make a determination regarding the special exception request, including, but not limited to the following:

1. If required as a condition for approval, documentation for a Major or Minor Site Plan Review as specified in Subsection 3.7.2.
2. The proposed land coverage of intended development, expressed in terms of area covered by buildings, paved surfaces and unpaved open space areas.



3. An analysis addressing the consistency of the proposed special exception use with the character and purpose of the zoning district in which it would be located shall be provided by the MPC staff.
4. Any relevant information regarding the traffic impact of such proposed use.
5. The consistency of the proposed use with the Comprehensive Plan.

C. Staff Review and Report

1. Within 30 days after receipt of a complete application and required fees, the Executive Director shall add the Special Exception Use request to the next available agenda of the Zoning Board of Adjustment and prepare a staff report that reviews the proposed development in light of the Comprehensive Plan, the review criteria listed below, and the requirements of this Code.
2. The Executive Director shall mail or provide a copy of the report to the Zoning Board of Adjustment and the applicant at least 7 days prior to the scheduled hearing.

D. Action by Zoning Board of Adjustment

1. The Zoning Board of Adjustment shall hold a public hearing on the Special Exception application.
2. After review of the special exception application and the public hearing, the Zoning Board of Adjustment shall make a written finding and give its approval; approval with modifications or conditions; or disapproval to the special exception request.
3. If approval or approval with modifications and conditions is granted, the decision shall be communicated in writing to the applicant; and the applicant shall thereby be authorized to submit a development plan application consistent with this Code.

E. Special Exception Review Criteria

The Zoning Board of Adjustment may approve an application for use by Special Exception only if the applicant is able to demonstrate that the proposed use and any associated development:

1. Will conform to any specified standards for the intended district and use enumerated in Section 5.6.
2. Will be in accordance with the Bossier City-Parish Comprehensive Plan.
3. Will be consistent with the “purpose statements” of the applicable district specified in Subsection 4.1.
4. Will be compatible with the existing uses adjacent to and near the property.
5. Will not be hazardous, detrimental or disturbing to present surrounding land uses due to noise, glare, smoke, dust, odor, fumes, water pollution or general nuisance.
6. Will not otherwise adversely affect the development of the general neighborhood or of the district in which the use is proposed.
7. Will be consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property.
8. Will have adequate water supply, sewage collection and disposal, stormwater facilities, waste disposal and other public services.
9. Will not be contrary to the public health, safety and welfare, provided that a denial based exclusively on this language shall include explicit findings regarding the way in which granting the special exception would be contrary to the public health, safety and welfare.

F. Appeal

Any applicant aggrieved by the Board's determination may appeal such determination to the District Court of Bossier Parish within 30 days of the Board's decision.

G. Expiration of Approval

A Special Exception approval shall expire after one year unless the applicant re-submits a complete development plan review application to the Board of Adjustment.

3.3.4 Temporary Use Permits

Temporary uses, which are allowed in accordance with Section 6.7, require a Temporary Use Permit from the Bossier City-Parish Planning Department before the proposed use or activity may begin.

- A. A completed application form and the required fees shall be submitted to the Planning Department. The Executive Director may request other data, plans, and information necessary to assess the potential impacts of the

proposed temporary use, to make findings, and to establish appropriate conditions for the temporary use.

B. A temporary use permit shall be approved, modified, conditioned, or denied by the Executive Director within 5 business days after submittal of a complete application.

C. Findings

The Executive Director may approve, or conditionally approve a 10 day temporary use permit application, only when all of the following findings are made:

1. The site is physically suitable for the type and intensity of the temporary land use;
2. The proposed temporary use is compatible with the land uses presently on the site and with existing land uses in the general area;
3. There are adequate provisions for public and private utilities and services to ensure that the proposed temporary use would not be detrimental to public health and safety;
4. Adequate provisions for public access to serve the proposed temporary use are provided;
5. Any negative impacts of the proposed temporary use are mitigated; and
6. Adequate provisions for emergency access to serve the proposed temporary use are provided.

D. Conditions of Approval

In approving an application for a temporary use permit, the Executive Director may impose conditions deemed reasonable and necessary to ensure that the permit will be in accordance with the findings required by this Subsection and to satisfy public needs directly caused by the proposed temporary use. These conditions may involve any pertinent factors affecting the operation of such temporary event, or use, and may include, but are not limited to:

1. The applicant for a temporary use permit, if a natural person, shall be at least 18 years of age. If the applicant applies for a permit on land belonging to another, the applicant must provide the building official with a notarized copy of the owner's written consent. The applicant must be domiciled in Louisiana or provide a registered agent for service of process within Louisiana.
2. Provision for a fixed period of time, not to exceed the provisions in Section 6.7 for a temporary use, or for a shorter period of time as determined by the Executive Director.
3. Provision for temporary parking facilities, including vehicular ingress and egress and appropriate circulation.

4. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination on adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases, and heat.
5. Regulation of temporary structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards.
6. Provision of sanitary and medical facilities.
7. Provision of solid, hazardous and toxic waste collection and disposal.
8. Provision of security and safety measures.
9. Provision of regulation of signs.
10. Regulation of operating hours and days, including limitation of the duration of the temporary use.
11. Upon expiration or revocation of a temporary use permit, the applicant shall clean the site of all debris, whether generated by the temporary use or not.
12. A requirement that the approval of the requested temporary use permit is contingent upon compliance with applicable provisions of the Federal, State, Parish and City Codes.
13. Required off-street parking for temporary and principal commercial uses, in accordance with Article 12 may be reduced up to 10 percent.
14. Any other conditions which will ensure the operation of the proposed temporary use in an orderly and efficient manner and in accordance with the intent and purpose.

E. Revocation

A temporary use permit may be revoked or modified effective immediately upon written notice of violation by the Executive Director, or his official designee, if any one of the following findings can be made:

1. Circumstances have materially changed so that one or more of the required findings is no longer present;
2. The temporary use permit was obtained by misrepresentation or fraud;
3. One or more of the conditions of the temporary use permit have not been met; or
4. The use is in violation of any statute, ordinance, law, or regulation.

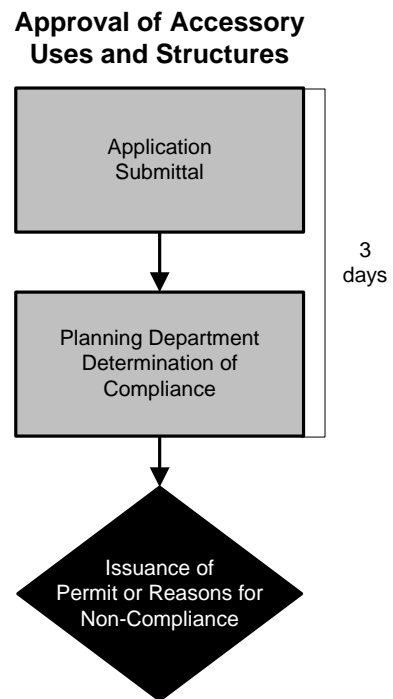
F. Appeals

Any decision of the Executive Director on a temporary use permit application may be appealed to the Zoning Board of Adjustment within 10 days of the action of the Executive Director.

3.3.5 Approval of Accessory Uses and Structures

Accessory uses and structures, which are allowed by right in conjunction with a principal use in accordance with Subsection 6.5, require a determination of compliance by the Bossier City-Parish Planning Department before any building permit is issued by the Bossier City Permits Department or appropriate Bossier Parish agency.

- A. The Bossier City Permits Department or Bossier Parish agency shall, upon receipt, forward a copy of any building permit application involving an accessory structure or use to the Planning Department.
- B. The Planning Department shall determine compliance with existing yard, height, use and other zoning requirements after submittal of a complete application and shall return this determination to the referring agency.
- C. If an intended accessory use or structure is determined to be non-compliant with this Code, the department shall indicate the reasons for non-compliance and any appropriate remedies or conditions that would enable compliance. The Bossier City Permits Department or appropriate Bossier Parish agency may issue a building permit on the basis of these recommended conditions.
- D. The Metropolitan Planning Commission, City of Bossier City and the Bossier Parish Police Jury cannot enforce deed restrictions or covenants as they are private agreements between the seller and the property owner. Because the governing bodies and the planning department are not party to the covenants or deed restrictions, they have no legal authority or jurisdiction to enforce them. Enforcement action is typically taken by an active Homeowner’s Association, or an individual property owner who is also part of the same covenants or restrictions. Either party may take the violation before a court of law for judgement and enforcement of the covenants or restrictions.



3.4 Miscellaneous Application Reviews

3.4.1 On-premise Signs

- A. Sign Location Permit Required

On-premise signs requiring a permit under Subsection 8.4.1 shall be installed, constructed, or modified only in accordance with a duly issued and valid Sign Location Permit and if required, a subsequent Building Permit issued by the Permits and Inspections Office. No Building Permit shall be reviewed or issued for a sign until a Sign Location Permit has been first issued by the Executive Director.

1. One application for a Sign Location Permit may include multiple signs on the same lot or parcel.
2. An application for a Sign Location Permit shall include:
 - a. The name, address and telephone number of the sign owner;
 - b. The name and address of the person or firm who will install, construct, or modify the sign, if not the sign owner; and
 - c. Detailed drawings that show the dimensions, design, structure, and location of each particular sign.
3. During a (1) year period after the issuance of a Sign Location Permit, the zoning department shall inspect the premises that are the subject of the permit.
 - a. If the sign installation, construction, or modification has not been substantially completed at the time of inspection, the sign permit shall lapse and become void.
 - b. If the sign installation, construction, or modification is substantially complete, but the sign does not comply with the requirements of Section 8.3, then the Executive Director or their official designee shall notify the owner in writing of the nature of the noncompliance, upon which notice the owner shall have 30 days to correct the noncompliance.
 - c. If the noncompliance is not corrected within the 30-day period, the sign permit shall lapse and become void.

B. Previously Approved and Preexisting On-Premise Signs

Whenever any use having one or more previously approved or preexisting on premise signs requires a Certificate of Occupancy due to change in ownership or land use, the signs requiring a permit under Subsection 8.2.1 shall be permitted to remain only in accordance with a duly issued and valid Sign Location Permit issued by the Executive Director.

1. One application for a Sign Location Permit may include multiple signs on the same lot or parcel.
2. A Sign Location Permit application for a previously approved or preexisting sign shall include:
 - a. The name, address and telephone number of the sign owner; and
 - b. Photographs that adequately depict the design, structure, and location of each particular sign. Photos shall be at least 4 inches by 6 inches in size and shall include a scale reference item, such as a surveyor's rod, near the sign so that dimensions can be reasonably determined.

- c. A copy of the previously approved Sign Location Permit, if any exists.
3. If a previously approved or preexisting sign is not in compliance with this Code, it shall be removed or brought into compliance before the Certificate of Occupancy may be issued.

C. Assignment of Permits

Sign Location Permits may not be assigned to a successor as owner of the premises or holder of a business license for the premises.

D. Sign Inspection; Warning and Removal

The Planning Department may from time to time inspect signs. Such inspection shall be to determine continuing compliance with this Article and with the terms and conditions of the sign construction or continuance permit, if any.

1. If a sign does not comply with the requirements of this Article and/or the terms and conditions of the permit, then the Executive Director shall notify the sign owner in writing of the nature of the noncompliance, upon which notice the sign owner shall have 30 days to correct the noncompliance. If a sign is prohibited pursuant to this Section or Section 8.2, then no such notice is required and the Executive Director may proceed pursuant to Paragraph 3 for uncorrected noncompliance.
2. If the noncompliance is corrected within the 30-day period, then the Executive Director shall issue a letter to the sign owner stating that the sign that was the subject of the noncompliance notice under Paragraph 1 is now in compliance.
3. If the noncompliance is not corrected within the 30 day period, the Executive Director shall issue notice to that effect to the sign owner and:
 - a. The Sign Location Permit, if any, shall lapse and become void; and
 - b. The sign owner shall remove the sign within 10 days of receipt of the notice. If the sign is not removed within that time, the Planning Department may remove the sign without further notice and at the permit holder or sign owner's expense.
4. If there are multiple signs on the premises, including multiple signs subject to a single Sign Location Permit, the Executive Director may simultaneously proceed according to Paragraph 2 above for compliant signs and Paragraph 3 above for noncompliant signs.

3.4.2 Off-Premise Signs

A. Sign Location Permits

1. **Purpose**

The purpose of the Sign Location Permit is to assure compliance, through review of plans and inspection during construction, with all of the requirements established by this Ordinance and related provisions of the Building Code.

2. Applicability or Activities Subject to Review

- a. No off-premise sign shall hereafter be demolished, erected, moved, added to, or structurally altered without a Sign Location Permit issued by the Planning Department in conformity with the provisions of this Section. No Sign Location Permit or Building Permit issued under the provisions of this Chapter shall be considered valid unless signed by the Building Official and the Executive Director or their designees.
- b. Normal maintenance of a sign shall not require a Sign Location Permit.

B. Application

1. An application for an off-premise Sign Location Permit shall be filed with the Executive Director shall include the following:
 - a. A completed application on the form provided by the Executive Director.
 - b. One copy of a site plan showing data about the site and distances to all existing signs and the location, design, materials, colors, height, width, depth, and square footage of the sign;
 - (1) The site plan shall also show all clear visibility triangles, proximity to interstate or arterial that it is directed to and all required setbacks from adjoining properties;
 - (2) If not shown on the site plan, a separate drawing shall show the distance from the nearest residential property and from all On-Premise signs larger than 72 square feet and located within 1,000 feet of the proposed sign.
 - c. The name, address and telephone number of the sign owner and of the sign contractor;
 - d. Information on the zoning of the site, surrounding zoning and site access; and
 - e. Any other pertinent data as may be required to ensure compliance with this Article.
 - f. A copy of a recorded lease or memorandum of understanding between the sign company and the property owner. Article 9 of this code must be referenced and attached to the lease or memorandum.

2. **Approval Criteria**

The sign must comply with the requirements of Article 9 and all other applicable requirements of this Code.

3. **Review**

If the application is complete, the Executive Director shall schedule the application for the next meeting of the Metropolitan Planning Commission Zoning Board occurring at least 30 days after receipt of the complete application. At that meeting, the MPC shall consider the application and take testimony from the applicant and other interested persons.

4. **Action**

The Metropolitan Planning Commission may approve the application, disapprove the application or approve the application with conditions.

5. **Permit**

If the Metropolitan Planning Commission approves the application or approves it with conditions, the Executive Director or their designee shall issue a Sign Location Permit upon receipt of a site plan, making the site plan a condition of the permit and including in the permit any non-message oriented conditions imposed by the MPC. If the application is disapproved, the Executive Director shall notify the applicant in writing of the disapproval.

6. **Duration, Effect**

The permit shall contain an expiration date, which shall be 180 days after the date of approval or approval with conditions by the Metropolitan Planning Commission. From the date of issuance until the expiration date, the Sign Location Permit shall entitle the holder to apply for a Building Permit for the sign subject to the sign location permit. A sign location permit may be extended once by the zoning board for a period of not more than 180 days. After the expiration of a sign location permit or any extension thereof, no application for a sign from the same sign vendor on the same lot of record or the same tax parcel may be accepted or considered for a period of at least 1 year from the date of expiration.

C. Enforcement

1. The Director of Permits and Inspections and the Executive Director or their designees are hereby authorized and directed to enforce all the provisions of this code. Upon presentation of proper credentials, the Director of Permits and Inspections and the Executive Director or their designees may enter any building, structure or premises in the Bossier City-Parish MPC planning limits to perform any duty imposed by this Code.
2. The Director of Permits and Inspections or the Executive Director may order the removal of any sign erected or maintained in

violation of the ordinance. The Director of Permits and Inspections or the MPC Executive Director or their designee shall give 10 days' notice in writing to the owner of such sign or of the buildings structure or premises on which such sign is located, to remove the sign or bring it into compliance. If the sign owner fails to comply with that order, the Director of Permits and Inspection or the MPC Executive Director may:

- a. Seek prosecution of the sign owner;
- b. Request that the attorney for the Parish or the City, as applicable, seek a court order of abatement or seek appropriate injunctive relief; or
- c. Authorize the removal of the sign after a temporary restraining order is obtained with the costs to be assessed against the property if the MPC Executive Director or Director of Permits and Inspections finds that the sign presents an immediate threat of danger to the safety of the public.

3.4.3 Telecommunications Facilities

- A. Application for a telecommunications facility shall be made upon a form to be provided by the Metropolitan Planning Commission. The Zoning Board may waive submittal requirements or require additional information based on project specific factors.
- B. The initial submittal shall include:
 1. A site plan drawn to a measurable scale showing the metes and bounds and existing features of the site including existing structures, roads, trees, and other significant natural features.
 2. A map identifying the applicant's existing telecommunications facilities within the MPC jurisdiction. The map shall include an illustration of the estimated coverage area for all existing and proposed antenna sites for the applicant and/or service provider.
 3. A letter to the Executive Director stating that the system, including the antennas and associated equipment, conforms to the radio-frequency radiation emission standards adopted by the FCC.
 4. All applicable filing fees for processing and monitoring the application as established by the MPC.
- C. If warranted by the project (as determined by the MPC), the applicant may also be asked to provide:
 1. A letter explaining the site selection process including information about other sites that were considered and reasons for their rejection. In addition, carriers may be asked to demonstrate that facilities have been designed to attain the minimum height required from a technological standpoint for the proposed site.
 2. Visual impact demonstrations using photo-simulations, story poles, elevations or other visual or graphic illustrations to determine

potential visual impact including proper coloration and blending of the facility with the proposed site (number of copies, if applicable, to be determined by the Executive Director).

3. A landscape plan that shows existing vegetation, indicating any vegetation proposed for removal, and identifying proposed planting by type, size, and location.

3.4.4 Temporary Uses

Temporary uses not to exceed 1 year in duration, may be approved in the districts specified in the Use Table contained in this Code, by application to the MPC Board. Temporary Uses may be approved no more than two consecutive time periods on the same site.

A. Application

1. Applicant

An applicant must be an adult resident of the State of Louisiana, a Louisiana-registered agent of that person, or a Louisiana corporation.

2. Required Information

The applicant shall provide the Planning Department with the following information:

- a. Proof of ownership of the subject property or, if the application is for a permit on a site belonging to another, a notarized copy of or the owner's written consent and proof of ownership;
- b. Boundaries and dimensions of the site;
- c. Distance to nearest buildings and adjacent streets and curbs;
- d. Details of on-site traffic circulation and parking;
- e. Locations and specifications of necessary electrical sources;
- f. Locations of available permanent or portable sanitary facilities;
- g. Locations, types and sizes of temporary structures or enclosures;
- h. Estimates of daily attendance, if applicable;
- i. Other information, if requested and reasonably related to the protection of public health, welfare and safety.

B. Approval Procedure

A temporary use shall be approved as a Permitted, Provisional, or Conditional Use or as a Special Exception in accordance with the Use Table.

C. General Location and Setbacks

Setbacks for temporary uses are exempt from the yard requirements specified in Section 6.4 of this Code, provided they conform to the following requirements:

1. Front (street) yard: 25 feet.
2. Side yards:
 - a. 5 feet, non-industrial districts
 - b. 10 feet, industrial districts
3. Rear yard: 25 feet
4. Temporary, open-air tent canopies having no sides and intended primarily to provide shading must be set back a minimum of 5 feet from the property line. These canopies may be permitted for up to 90 days.

D. Exemptions

1. Construction Offices

Temporary construction offices, to be used for construction management purposes during the construction period of a project, are exempt from the requirement of applying for a permit.

2. “Ten-Day” General Merchandise Sales Permits

The Executive Director may approve a Temporary Use Permit for a duration of up to 10 days, subject to the following standards.

- a. The applicant must provide a display diagram for tent sales, which illustrates how the merchandise will be displayed inside the tent. Other than samples of the merchandise intended to be sold, all sale merchandise shall be inside the tent. During hot weather conditions, sides of an enclosed tent may be raised.
- b. Applicant must post the company name, address and telephone number along with product warranty information, if applicable, in a conspicuous place within the tent at the permitted site. Lettering must be a minimum of 1 inch tall.
- c. Ten-day permits for retail sales shall not be approved in the R-E, R-LD, R-MD, R-HD, or R-MHP districts.
- d. A Temporary Use Permit for retail use must be applied for a minimum of 48 hours in advance of setup.

E. Other Requirements

1. Upon expiration or revocation of a Temporary Use Permit, the applicant shall clean the site of all debris, whether generated by the temporary use or not.
2. The Metropolitan Planning Commission or Executive Director may specify additional requirements or restrictions on temporary uses including but not limited to hours of operation, noise mitigation measures, lighting restrictions, architectural appropriateness or appearance and/or materials, odor controls, and other conditions.

F. Revocation Provisions

The Temporary Use Permit may be revoked if:

1. The applicant has misrepresented any material fact on his or her application and supporting materials;
2. The temporary use fails or ceases to comply with applicable standards or criteria for issuance of a permit;
3. The operation of the temporary use violates any statute, law, ordinance or regulation;
4. The operation of the temporary use constitutes a nuisance or poses a real or potential threat to the health, safety or welfare of the public;
5. The Executive Director or Metropolitan Planning Commission reserves the right to revoke a Temporary Use Permit, if it is determined that the use has become a traffic hazard based on standards established in the current edition of the Manual of Uniform Traffic Control Devices.

3.5 Planned Unit Developments

3.5.1 Purpose

A Planned Unit Development (PUD) is utilized for Mixed Use Developments and for the purpose of allowing and encouraging greater variety of design and flexibility from existing zoning requirements for Commercial, Industrial, and Multi-Family Residential buildings comprising a planned unit and for allowing of mixing of zoning classifications within a proposed development. The provisions of this Subsection, waives the requirement for a separate lot for each building and permits two or more buildings to be erected on the same lot. Additionally, district development standards may be modified when it is determined that the overall benefits of the proposed Planned Unit Development to the community justify their adjustment.

3.5.2 Submission Requirements

- A. An application form as provided by the Planning Department for a Minor or Major Planned Unit Development and appropriate fee as required by the current Schedule of Fees.
- B. A project description and plan documents in conformance with Section 11.4.7 and the requirements of major or minor Site Plan Review, in accordance with Section 3.7.

3.5.3 Site Plan Review and Administration of Modifications during Development

- A. Site Plan Review and administration of modifications of a proposed Planned Unit Development shall be performed in accordance with the Site Plan Review procedures contained in Section 3.7.
- B. A Minor Planned Unit Development may be approved by the Executive Director after submittal of a site plan to the MPC office. A Minor PUD is defined as a second, commercial or industrial, building located on the same building site as the primary building and requires no dimensional or other modifications to the District Development Standards in which the PUD is located. Any additional buildings, after the administrative approval of the second building, shall require an approval as a Major PUD.
- C. All Major Planned Unit Developments shall be reviewed by the Metropolitan Planning Commission, using the procedures for approval of a Conditional Use as specified in Subsection 3.8.2D.
- D. Requirements and review procedures for a Single Family Detached Residential Planned Unit Development are listed in Article 11 of this code.

3.5.4 Planned Unit Development Documentation

If approved, the Planned Unit Development shall be considered part of the Zoning Map.

3.5.5 Effect and Amendments

- A. Approval of a Planned Unit Development shall be binding upon the property owner, heirs and assigns. All subsequent building permit applications, zoning permit applications, Zoning Map amendments or intended subdivision actions shall consider the adopted site plan and all conditions of its approval.
- B. Any intended change in occupancy that results in a higher intensity of use or change in site configuration that results in a change in traffic patterns, reduction in required green or open space, or modification of any approved condition, shall require an amendment to the Planned Unit Development, following the procedures contained in this Section.

3.6 Appeals

3.6.1 Variances

A. Purpose

A variance may be approved by the Zoning Board of adjustment if the Board concludes that the strict enforcement of any dimensional or performance standard set forth in this Code would result in unnecessary hardship to the applicant and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished, and substantial justice will be done.

B. Who May File

The owner, developer or otherwise responsible agent, shall initiate a request for a variance by filing an application with the Executive Director.

C. Submission Requirements

An application for variance shall consist of information necessary for the Zoning Board of Adjustment to make a determination regarding the variance request, including but not limited to the following:

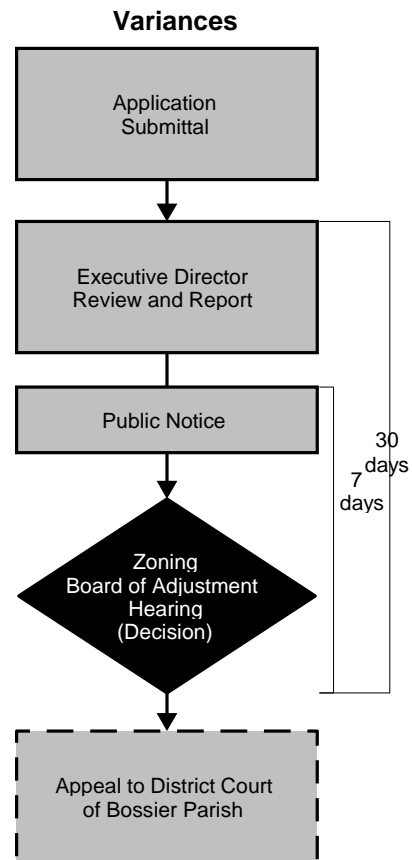
1. A site plan to scale accurately showing the variance(s) requested.
2. Certification, written and signed by the development site owner of record, that such owner formally consents to the proposed development or signature on an application provided by the zoning office.
3. Any supporting documentation deemed necessary by the applicant or Executive Director.

D. Staff Review and Report

The Executive Director shall schedule the variance for consideration the next scheduled public meeting, of the Zoning Board of Adjustment within 30 days after receipt of a complete application and required fees. The Executive Director shall provide a copy of the agenda and staff recommendations to the applicant and to the Zoning Board of Adjustment within 7 days of the meeting for which the application is scheduled to be reviewed.

E. Action by Zoning Board of Adjustment

1. The Zoning Board of Adjustment shall hold a public hearing on the variance application.



2. Public Notification shall follow the same notification procedure as a zoning amendment.

3. After review of the variance application and the public hearing, the Zoning Board of Adjustment shall make a written finding and give its approval; approval with modifications or conditions; or disapproval to the variance request.

4. If approved, or approved with modifications or conditions, the decision shall be communicated in writing to the applicant; and the applicant shall thereby be authorized to submit a development plan application consistent with this Article.

F. Variances approved by Administrative Action by the Executive Director

1. Insubstantial features of an application for a rear or side setback variance may be approved administratively by the Executive Director in accordance with MPC Policy.

G. Criteria for Approval of Variances

1. **Required Findings of Fact**

A variance may be granted by the Zoning Board of Adjustment if the Board concludes that the strict enforcement of any design and performance standard set forth in this Code would result in a practical difficulty and unnecessary hardship to the applicant and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished and substantial justice done. A variance may only be granted in an individual case of unnecessary hardship if the Board determines and expresses in writing all or part of the following findings of fact:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
- b. These conditions do not generally apply to other properties in the vicinity.
- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
- d. The need for the variance(s) is not the result of the applicant's own actions.
- e. Granting of the variance(s) does not substantially conflict with the Bossier City-Parish Comprehensive Plan and the purposes of this Code; and
- f. Authorization of the variance(s) will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by the granting of the variance.

2. **Limitations**

The Board may not grant a variance, the effect of which would be any of the following:

- a. To permit any use of land or a structure that is not allowed in the applicable district.
- b. To allow the physical extension of a nonconforming use.
- c. To increase the density of a use above that permitted by the applicable district.
- d. To vary the On Premise or Off Premise sign regulations.

3. **Factors not to be Considered**

The fact that property may be utilized more profitably, should any variance(s) be granted, may not be considered grounds for the variance(s).

4. **Hardship Due to *Eminent Domain***

Where the alleged hardship results from the taking of part of the property of the applicant by *eminent domain*, thus reducing the land area available for required parking, unpaved open space, buffers and other purposes, the applicant shall have the burden of proving that, after good faith efforts by the applicant or the applicant's predecessor, the condemning authority failed or refused to provide the applicant compensation adequate to cover the value of both the land actually taken and the economic impacts of the reduction in the size of the remaining property; only if the applicant meets such burden of proof will a hardship under these conditions be considered adequate to justify the granting of a variance.

H. Appeal

Any party aggrieved by the Board's determination may appeal such determination to the District Court of Bossier Parish within 30 days.

I. Expiration of Approval

A variance approval shall expire after one year unless the proposed development is pursued as set forth below.

1. The applicant re-submits a complete development plan review application to the Board of Adjustments; or
2. Where development plan approval is not required, the applicant completes the approved activity designated in the variance.

3.6.2 Written Interpretations

A. Responsibility

The Executive Director may, subject to the procedures, standards and limitations hereinafter set out, render interpretations of any provision of this Code or any rule or regulation issued pursuant to it. Types of interpretation include but are not limited to:

1. Applicability of a specific land use as a permitted, provisional, conditional or special exception use in Table 5.3 [Use Table].
2. Definition of specific land uses within the context of the Classification of Uses specified in Section 5.4.
3. Precise location of mapped district boundary lines.

B. Initiation

A request for interpretation of the text provisions or Zoning Map of this Code may be initiated by any resident of the Bossier City-Parish Metropolitan Planning Commission jurisdiction, or may be initiated by the Executive Director in response to a particular application.

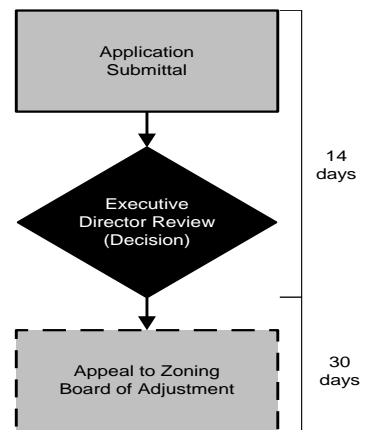
C. Procedure

1. **Written Request for Non Use Interpretation**

Except as provided in Paragraph 2 below, a request for interpretation of any provision of this Code shall be submitted in writing to the Executive Director. It shall set forth the specific provision or provisions to be interpreted, the

facts of the specific situation interpretation, and the precise applicant to be correct. Before the interpretation, the Executive Director may require facts and information as are, in his judgment, necessary to a meaningful interpretation of the provision in question.

Written Interpretations



giving rise to the request for an interpretation claimed by the rendering of any such further

2. **Application for Use Interpretation**

Applications for a use interpretation shall be submitted to the Executive Director. The application shall be in such form and contain such information as shall be prescribed from time to time by the Executive Director.

3. **Action by Executive Director**

Within 14 days following the receipt of a completed request or application for interpretation, the Executive Director shall inform the applicant in writing of the interpretation. The Executive Director shall state any specific precedent, reasons and analysis upon which such interpretation is based.

4. **Criteria for Use Interpretations**

The following criteria shall govern the Executive Director, and the Zoning Board of Adjustment on appeals from the Executive Director, in issuing use interpretations:

- a. Section 5.4, "Use Categories," shall guide the decision of the Executive Director.
- b. No use interpretation shall permit a use listed as a prohibited use in any district to be established in any such district or any less restrictive district.
- c. No use interpretation shall permit any use in a particular district unless such use is substantially similar to other uses permitted in such district and is more similar to such other uses than to uses permitted or specially permitted in a more restrictive district.
- d. If the proposed use is most similar to a use permitted as a provisional, conditional or special exception use in the district in which it is proposed to be located, then any use interpretation permitting such use shall be conditioned on the appropriate approval procedure determined by Subsections 3.3.1 - 3.3.3.

5. Effect of Favorable Use Interpretation

No use interpretation finding a particular use to be permitted or specially permitted in a specified district shall be construed to authorize the establishment of such use nor the development, construction, reconstruction, alteration or moving of any building or structure. The finding shall merely authorize the subsequent preparation, filing and processing of applications for any permits and approvals that may be required by this or other codes.

6. Documentation of Interpretations

Following an interpretation by the Executive Director, such interpretation shall be appended to the official copy of this Code and distributed with any future copies until such time as a formal amendment renders such appendix redundant.

7. Appeal

A request for appeal of an interpretation made by the Executive Director may be submitted to the Zoning Board of Adjustment within 30 days of the action of the Executive Director.

3.6.3 Appeal of Administrative Decisions

An appeal of any decision by the Executive Director or Administrative Official, in the enforcement of this code, may be made to the Zoning Board of Adjustment.

- A. Request for appeal must be submitted to the Executive Director within 10 days of said decision.
- B. The Executive Director must place the appeal on the agenda of the next available scheduled meeting of Zoning Board of Adjustment and notify the appellant of the date, time and place of that meeting.
- C. The Zoning Board of Adjustment, at its discretion, may receive sworn testimony from the appellant, Executive Director, Metropolitan Planning Commission Members, and others deemed appropriate to the issues.
- D. The appeal shall be heard and considered in open session.
- E. Decision and notification by the Zoning Board of Adjustment shall be made in the same manner as a Special Exception, as described of Subsection 3.3.3D.

3.7 Site Plan Review

3.7.1 Purpose

It is the purpose of this section to establish procedures that will enable the City or Parish to review certain proposed improvements of property within the Metropolitan Planning Commission's jurisdiction in order to ensure the orderly and harmonious development of property in a manner that shall:

- A. Promote the most beneficial relation between present and proposed uses of land.
- B. Allow development of property commensurate with the present and foreseeable availability and capacity of City or Parish facilities and services. The following factors shall be considered in arriving at a conclusion concerning proposed development of property:
 - 1. The projected population of the proposed development or the proposed intensity of use and the effect the proposal will have on the capacity of existing water and sanitary sewer lines to avoid overloading existing systems;
 - 2. Zoning restrictions at the time of the proposal;
 - 3. The Bossier City-Parish Comprehensive Plan, as amended, and other specific community plans;
 - 4. The City's or Parish's plans for future construction and provision for public facilities and services; and
 - 5. The existing and planned public facilities and utility services for the area that will be affected by the proposed site use.

- C. Encourage adequate provision of surface and subsurface storm water drainage, in order to assure that future development and other properties in the MPC jurisdiction will not be adversely affected.
- D. Provide screening of parking, truck loading, waste disposal and outdoor storage areas from adjacent properties in accordance with Article 12 of this Code.
- E. Provide for orderly, safe and efficient circulation of traffic in the development and throughout the City and Parish.
- F. Minimize adverse environmental impacts on the developing property and adjoining properties.

3.7.2 Site Plans Required

- A. Site plan submittal and review is required for all actions specified in Table 3.7.2

Table 3.7.2 Actions Requiring Site Plan Review		
Action	Type of Site Plan Review Required	
	Major	Minor
New Construction or Exterior Expansion		
Individual single-family or duplex residence		X
Individual commercial structure < 5,000 sq. ft.		X
All other new construction	X	
Accessory Structures		
Individual single-family or duplex residence	(none required)	
All other accessory structures		X
Land Development		
General planting, landscaping and ground improvements.	(none required)	
Non-residential driveway and parking lot modifications.		X
Subdivisions with 3 or fewer lots.		X
All other land development projects.	X	
Planned Unit Developments		
Multiple buildings on single lot < 2 acres and requiring no adjustment in dimensional standards.		X
All other Planned Unit Developments	X	

- B. In addition to the requirements specified in Table 3.7.2, a Major Site Plan is required for all provisional, conditional and special use requests when specified in Section 5.4.

3.7.3 Site Plans Required for Single-Family Residential Lots and all Commercial/Retail, Commercial/Office and Industrial Properties

- A. Minor Site Plan – Single-Family Residential Lots, Commercial or Industrial development less than 5,000 square feet and Accessory

Structures. Submittal requirements for a minor site plan shall include the following information:

1. Date of preparation and a north arrow.
2. A site plan prepared to a legible scale.
3. Property lines with dimensions to the nearest 1/10 of a foot, and total acreage or square footage of the site.
4. Location and exterior dimensions, and square footage of the proposed building.
5. Locations and dimensions of all easements located on the site.
6. Indicate the front building setback line, as well as the side and rear setback lines.
7. Location and dimensions of existing or proposed driveways.
8. Legal description or street address of the property.
9. Name and address of the owner of record of the property, the applicant, and the name of the person preparing the site plan.
10. A Floodplain Statement is required.

B. Major Site Plan – Commercial/Retail, Commercial/Office, Industrial Property, and Planned Unit Developments. Submittal requirements for a major site plan shall include the following information:

1. Date of preparation and a north arrow.
2. A site plan prepared to a legible scale.
3. Property lines with dimensions to the nearest 1/10 of a foot, and total acreage or square footage of the site.
4. Location, exterior dimensions, square footage and intended uses of the proposed buildings(s) (For use in determining parking & loading zones).
5. Indicate the front building setback line, as well as the side and rear setback lines.
6. Location, grade and dimensions of all existing and proposed paved surfaces, including parking and loading areas,
7. Location and dimensions of existing structures, including setback distances from property lines and the distances between structures.
8. Location of all existing and proposed outdoor recycling, trash, solid waste and dumpster areas, including methods of screening these areas.
9. Location and type of all existing and proposed signs. A separate Sign location and Building permit shall be required for all signage.

10. Plans and proposed methods of erosion control for the development. This information may be provided on a sheet separate from the site plan.
11. Location of streams, bodies of water and wetlands on the site or intruding from an adjacent property.
12. Location of areas within the 100 year floodplain,
13. Location, amount and type of proposed lighting, fencing, walls and other screening. This should include a separate lighting plan with sufficient detail to indicate compliance with Section 12.6 of this Code. A photoelectric plan may be required by the Executive Director.
14. Indication of traffic circulation and parking plan, including the number of required parking spaces based on the square footage of the proposed building and its intended use. This should include an inset of a typical cross-section of proposed streets and parking areas showing roadway location, type of curb and gutter, paving and sidewalks to be installed, adjacent to the landscape buffer.
15. Location and size of all easements, location and size of existing and proposed utilities, including water, sanitary sewer, storm sewer, gas electrical, telephone, cable T.V., plus all existing or proposed fire hydrants. This information may be provided on a sheet separate from the site plan.
16. Indicate existing and proposed contours at intervals not to exceed five feet, provided that at least two contours are shown. This information may be provided on a sheet separate from the site plan. Contours of adjacent property may be requested as deemed necessary by the City Engineer.
17. When deemed necessary, a complete storm water runoff plan for the site, including grades or elevations of storm sewer systems, direction of surface flow, detention areas, outlet control structures and devices, and storm water calculations. This information should be provided on a sheet separate from the Site Plan.
18. Location, species of trees and plants, and amount of all proposed landscaping materials. This information may be provided on a Landscaping Plan Sheet separate from the site plan.
19. Legal description or street address of the property.
20. Name and address of the owner of record of the property, the applicant, and the name of the person preparing the site plan. Site plans must be signed and sealed by a Louisiana licensed surveyor or a professional of record.
21. Location and specifications for any existing or proposed above ground or below ground storage facilities for any chemical, salts, flammable materials or hazardous materials.

3.7.4 Operational Site Plan

An Operational Site Plan, as defined in Section 3.9.4E, may be required as a component of a zoning amendment, planned unit development, conditional use or other applicable approvals by the MPC or staff as stated in this code.

3.7.5 Subdivision Covenants and Deed Restrictions

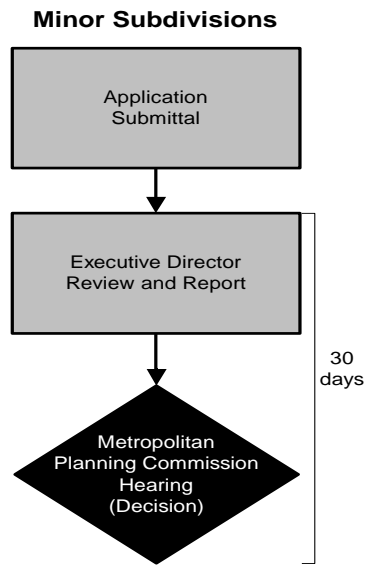
The City of Bossier City, Bossier Parish Police Jury and the Metropolitan Planning Commission cannot enforce deed restrictions or covenants as they are private agreements between the seller and the property owner. Because the governing bodies and the MPC are not party to the covenants or deed covenants or deed restrictions, they have no authority or jurisdiction to enforce them. Enforcement action is typically taken by an active Homeowner’s Association, or an individual property owner who is also part of the same covenants or deed restrictions. Either party has the option take the violation before a court of law for judgement and enforcement of the covenants or deed restrictions.

3.8 Subdivision Approval

3.8.1 Minor Subdivisions

A. Purpose

The minor subdivision procedures of this subsection are intended to provide an alternative to the major subdivision process that is a less costly and time-consuming. The minor subdivision process allows for a one-step approval process with final action by the Metropolitan Planning Commission or the Executive Director.



B. Applicability

1. Amended plats, street dedications, revocation plats, subdivisions, or re-subdivisions that:
 - a. Create no more than two buildable lots,
 - b. Do not include the creation of any new street or other public improvement,
 - c. Do not reduce lot size below the minimum area or frontage requirements established by ordinance,
 - d. Otherwise meet all the requirements of the subdivision regulations and zoning ordinances, may be considered for approval under minor subdivision procedures of this subsection under authority of La. R.S. 33:113.1.A.
2. Any proposed minor subdivision that is clearly intended to evade the major subdivision procedures of this section and would result in a de facto major subdivision through the combination of previous contiguous minor subdivisions, is not eligible to use the provisions of this subsection.

3. Parcels are eligible for a minor subdivision approval only once, and further divisions of the original or newly created parcel shall be processed as a major subdivision.

C. Application Submittal

1. Requests for minor subdivision approval shall be submitted to the Planning Department.
2. Each application shall be accompanied by:
 - a. The applicable filing fee.
 - b. A completed minor subdivision application form, including a statement of its intended purpose.
 - c. The plat shall contain the information specified by the City or Parish Engineer.

D. Review by the Executive Director

1. Upon receipt of a complete application, the Executive Director or their official designee shall review the application for completeness and compliance with appropriate provisions of this Code, other City or Parish ordinances, and other applicable regulations.
2. If the application and accompanying information are complete, the Executive Director shall place the minor subdivision on the agenda of the next Metropolitan Planning Commission meeting, unless the Minor Plat is to be approved administratively. The Executive Director shall provide a copy of the agenda and any staff recommendations to the applicant within 7 days of the meeting for which the application is scheduled to be reviewed.
3. Minor subdivision plats, amended plats, in which lot density is not increased, and street dedication or abandonment plats located within the jurisdiction of the Bossier MPC may be approved by the Executive Director. If approved, the Executive Director shall affix his/her signature on an original copy of the minor subdivision plat and the MPC staff shall forward the plat to the appropriate governmental body or offices.

E. Review and Action by the Metropolitan Planning Commission or Executive Director.

1. Review Criteria

Approval or disapproval of Minor Subdivisions shall be based on the following criteria:

- a. Any new lots created by the minor subdivision will meet the land area, open space, and yard requirements for the district in which the minor subdivision is located.
- b. Any easements created or extended as a result of approval will satisfy the requirements of the respective parties to the easements and the City or Parish Engineer.

- c. The minor subdivision will not result in a substantial increase in service requirements (e.g. utilities, schools, traffic control, street, etc.) or will not constitute a significant deviation from the criteria upon which ratification of any original plat was granted.

2. **Action by the Metropolitan Planning Commission**

- a. If required, the Metropolitan Planning Commission shall review the minor subdivision application, accompanying information, any staff recommendations and public comments at its regularly scheduled meeting.
- b. The Metropolitan Planning Commission shall make a written finding and give its approval; approval with modifications or conditions; or disapproval to the minor subdivision.
- c. If approved, the current chairman of the Metropolitan Planning Commission shall affix his/her signature on an original copy of the minor subdivision plat and the MPC staff shall forward said plat to the appropriate governmental body or offices.
- d. If approved with conditions or modifications, the applicant shall submit a revised plat to the Executive Director that complies with all conditions or modifications specified by the Metropolitan Planning Commission. Upon approval by the Executive Director, the Chairman of the Metropolitan Planning Commission or the Executive Director shall affix his/her signature on an original copy of the minor subdivision plat.

3. **Parish Police Jury Approval**

All minor subdivisions located in the unincorporated areas of the Metropolitan Planning Commission jurisdiction must be reviewed by the Bossier Parish Police Jury, or by the Bossier Parish Engineer, if authorized under the parish subdivision regulations. If heard by the governing body, the plat must receive a majority vote to be approved.

3.8.2 **Major Subdivisions**

A. Purpose

The major subdivision procedures of this section are intended to provide a standardized review process for major subdivisions. The major subdivision process may require a three-step review process with final action by the Metropolitan Planning Commission and acceptance of any dedications by the governing body.

B. Applicability

1. The major subdivision procedures of this section apply to all subdivisions that create 3 or more lots, or involve the construction and dedication of new streets, utilities or other public facilities.

2. For residential subdivisions located in the unincorporated areas of the Bossier MPC jurisdiction, resubdividing of previously platted and recorded lots within an individual unit of said subdivision, or the entire subdivision if comprised of only one unit when the intent is to create a separate buildable lot, shall not be of a size less than the average size of all the buildable lots within that recorded unit or create a lot of lesser than this average size without the permission of the Bossier Parish Police Jury. Permission must be obtained prior to submittal of a plat to the Bossier MPC.

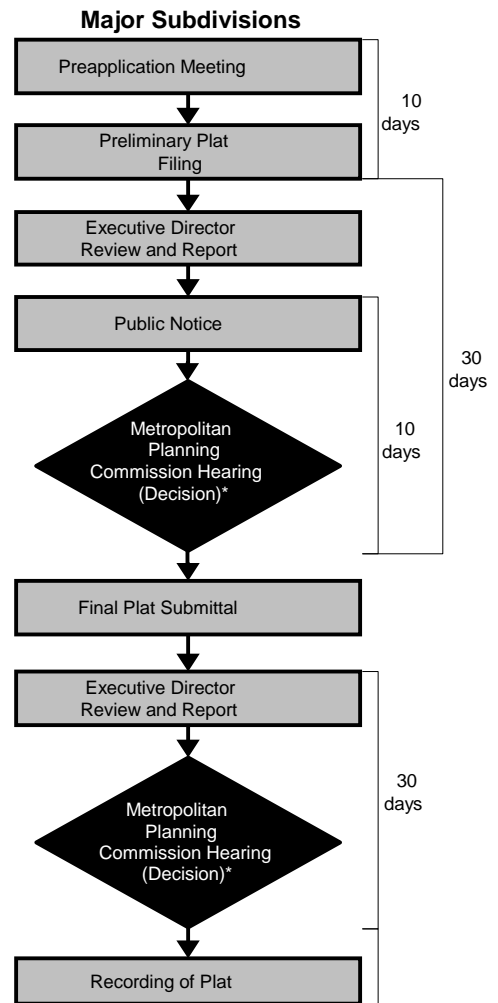
C. Pre-application Meeting (Unincorporated area)

1. At least 10 days before filing a preliminary plat application, the applicant shall meet with the Bossier Parish Engineer and the Planning staff and present the following information:

a. A sketch or preliminary concept plan for the proposed subdivision, prepared in accordance with the requirements of Subsection 11.3.1.

b. A general description of the existing conditions of the site and the suitability of the site for the proposed development. This information should include data on existing land and soil characteristics, existing covenants and utilities, agreements, and other public facilities, proposed use of each portion of the subdivision, proposed lot sizes and building sizes and other pertinent data as may be needed to describe the proposed development.

2. The Bossier Parish Engineer and the Planning Department shall alert the developer to any special known problems and request additional exhibits, if needed.



*Police Jury approval is required for plats in the unincorporated areas.

3. Favorable consideration or comment by the Bossier Parish Engineer or Planning Department staff shall, under no circumstances, be construed as preliminary or tentative approval. This must come from the Metropolitan Planning Commission and Bossier Parish Police Jury, if applicable.

D. Preliminary Plat

1. Application

The developer shall file a preliminary plat with the Executive Director in accordance with the following conditions:

- a. The developer shall submit a minimum of 2 copies of the preliminary plat of the proposed subdivision, together with any supplementary data specified by these regulations, at least 30 days prior to being scheduled for a regularly scheduled Metropolitan Planning Commission meeting.
- b. The subdivision fee, as published in the Metropolitan Planning Commission's fee schedule, before the preliminary plat is accepted for Planning staff review and Metropolitan Planning Commission consideration.
- c. The contents of the preliminary plat submittal, as required by the application provided by the Planning office and any additional information required by City or Parish Engineer.
- d. The preliminary plat approval may run concurrently with a zoning amendment application.

2. Public Notification

Upon determination that the developer's application material is complete and the pre-application meeting, if required has been held, the Executive Director shall:

- a. Cause a notice to be published in an officially designated newspaper qualified to publish legal notices in Bossier Parish giving the name of the proposed subdivision, the owner, a brief description of the intended project, and the approximate acreage. The notice shall be published at least 10 days prior to a regular meeting of the Metropolitan Planning Commission at which the preliminary plat is to be considered initially.
- b. Notify all property owners within a 300' radius of the proposed preliminary plat and the HOA if one exists, by mail according to a list of such property owners provided by the developer.

3. Major Subdivision Review

The Planning Department shall review the proposed subdivision and prepare a written evaluation report for the Metropolitan Planning Commission. Approval or disapproval of major subdivisions shall be based on the following criteria:

- a. The proposed master development plan and subdivision is in substantial compliance with the Bossier City-Parish Comprehensive Plan and all applicable codes and statutes.
- b. Any new lots created by the proposed subdivision shall meet the land area, open space, and yard requirements for the zoning district in which the subdivision is located.
- c. Layout of all proposed blocks, streets, lots and public improvements shall conform to the design requirements specified in Section 11.4.
- d. Proposed public improvements to the subdivision shall conform to the standards specified in Section 11.5.
- e. Offsite factors, such as the adequacy of existing street or utility systems serving the proposed site, may be taken into consideration such that a subdivision is not rendered as scattered or premature.

4. **Action by the Metropolitan Planning Commission**

- a. In the public hearing, the Metropolitan Planning Commission shall review the, master development plan, subdivision application, accompanying information, any staff recommendations and public comments.
- b. The Metropolitan Planning Commission shall make a written finding and give its approval; approval with modifications or conditions; or disapproval to the subdivision.
- c. The Executive Director shall give written notice to the developer of the action of the Metropolitan Planning Commission. If the preliminary plat has been disapproved, or conditionally approved, the notice shall specifically state the ways in which the preliminary plat fails to conform to these regulations or state any conditions set forth by the Metropolitan Planning Commission.
- d. If the tract depicted on a Preliminary Plat is located in the unincorporated area of the MPC jurisdiction and is intended to be annexed into the Bossier City limits, the annexation of such tract into the city limits shall be completed prior to the plat being heard at a public hearing before the MPC.

5. **General Conditions of Preliminary Plat Approval**

- a. Approval of a preliminary plat does not constitute acceptance of the subdivision; it only authorizes preparation of the final plat. No improvements shall take place within the platted area prior to approval of the preliminary plat, and the submittal and approval of construction plans by the City or Parish Engineer.

- b. Approval of a preliminary plat by the Metropolitan Planning Commission shall be effective for no more than 2 years from the date approval was granted unless, upon application by the developer, the Metropolitan Planning Commission may grant a one-time extension to not exceed one (1) year. If construction of improvements has not been started within such 2 year period, or within an extension period, a preliminary plat must be resubmitted and approved following the procedures of Section 3.8.2.D.
- c. A final plat may cover a part of the area included in the approved preliminary plat; provided, that:
 - (1) The area represented by the final plat is of sufficient size to permit the economical installation of public improvements.
 - (2) The proposed improvements are consistent with those proposed in the preliminary plat.

E. Final Plat

1. **General Standards**

Following approval of the preliminary plat for a major subdivision, the final plat may be submitted to the Executive Director for review.

2. **Submittal Requirements**

The developer shall submit all of the following:

- a. Completed final plat application form
- b. A signed original plat.

3. **Approval Criteria**

The final plat shall be approved if all provisions of these regulations have been met, including any conditions set forth by the Metropolitan Planning Commission on the preliminary plat. No final plat shall be considered if it differs materially from the preliminary plat as previously approved. If the final plat differs materially from the previously approved preliminary plat, a new public hearing shall be required to consider the changes. Material differences may be, but are not limited to the following:

- a. A change in lot density.
- b. A change in street alignment.
- c. A change in lot configuration.
- d. A decrease in Green/Open space approved on the Preliminary Plat.

4. **Approval Procedures**

- a. Upon receiving a complete final plat submittal and any supplemental documentation, the Executive Director may endorse the Final Plat if the plat does not differ materially from the preliminary plat and all conditions of the Preliminary Plat approval set forth by the MPC have been completed.

A final plat shall not be considered for approval, by the appropriate entity, until any accompanying zoning amendment application, if applicable, has received final approval by the appropriate governing body.

5. **MPC approval of Final Plats**

If the Final Plat is reviewed by the MPC, the chairperson of the Metropolitan Planning Commission shall date and endorse the original final plat.

- a. The Metropolitan Planning Commission's approval of any final plat located in the unincorporated portions of the MPC jurisdiction must also receive approval by a majority vote of the Bossier Parish Police Jury.
- b. After the Final Plat is approved and recorded, the developer shall submit electronic media as specified by the City or Parish Engineer to the appropriate offices.

F. Recording of Final Plat

The developer shall submit the endorsed Final Plat to the Clerk of Court of Bossier Parish within 2 years of the approval by the Metropolitan Planning and when applicable, the Bossier Parish Police Jury.

1. If the Final Plat is not recorded within 2 years of Final approval of the appropriate entity, the plat must be re-submitted for review by the Metropolitan Planning Commission and Bossier Parish Police Jury when applicable.

G. Acceptance of Public Land and Improvements

1. Approval of the final plat shall constitute acceptance by the City or Parish of the dedication of any street or other public way, all easements, any recreational facility or any other space shown on the plat.
2. The City or Parish shall become the owners of said property and improvements at the time of recording by the Clerk of Court and Recorder of Bossier Parish and shall assume maintenance responsibility for same.

H. Lot Pinning, Warranty of Improvements and Provision of "As Built" Drawings

1. The developer shall provide survey monuments in accordance with the pinning requirements specified in Subsection 11.3.5.

2. The developer shall comply with any post-acceptance warranty requirements specified in Section 11.6.

3.9 Amendment Procedures

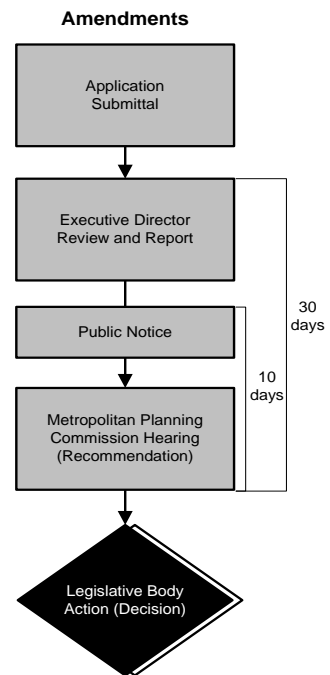
3.9.1 Purpose

The provisions of this section are intended to prescribe procedures by which amendments may be made to this Code, including changes to the text and the boundaries of districts as shown on the Zoning Map.

3.9.2 Amendment Policy

This Code is based on the Bossier City-Parish Comprehensive Plan and is intended to carry out the objective of a sound, stable and desirable development environment. It is recognized that casual change or amendment to the chapter would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this chapter only when one or more of the following conditions prevail:

- A. Changed or changing conditions in a particular area or in the metropolitan area generally, as documented in the Bossier City-Parish Comprehensive Plan, make a change in the chapter necessary and desirable.
- B. 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.
- C. The subdivision or imminent subdivision of open land into individual building sites makes reclassification necessary and desirable.
- D. There is a manifest error in this Code.



3.9.3 Initiation of Amendments

Amendments to the text or zoning maps contained in this code may be initiated by any of the following bodies or persons:

- A. The City of Bossier City Council
- B. The Bossier Parish Police Jury
- C. The Bossier City/Parish Metropolitan Planning Commission
- D. Any person by filing a written application with the Bossier City-Parish Metropolitan Planning Commission.

3.9.4 Application Requirements

An application for amendment to this Code shall contain at least the following:

- A. Applicant and owner

1. Name and address of the applicant
2. If the amendment would require a change in the zoning map,
 - a. The names and addresses of all persons directly owning property that would be rezoned.
 - b. The names and addresses of all persons that own 5 percent or more of any corporation, partnership, or entity that owns property that would be rezoned.
3. Signed concurrence of all direct owners of the property for which rezoning is being requested.
4. A listing of all parties to encumbrances of parcels and structures on the property for which rezoning is being requested.
5. Sufficient evidence to establish that the applicant represents the interests of all owners of the property and structures that would be rezoned.
6. Sufficient evidence to establish that the applicant intends to actually develop the property and has the means and ability to do so.

B. Property description

If the proposed amendment would require a change in the Zoning Map, the applicant shall submit a written metes and bounds legal description of the land area involved.

C. Listing of Surrounding Property Owners

The applicant shall provide a listing of the names and addresses of all owners of property that are within a 300-foot radius of the rezoning.

D. Reason for amendment

The applicant shall submit a written statement of the nature of and reason for the amendment in accordance with Subsection 3.9.2 above, Amendment policy. In addition, if the proposed amendment would require a change in the Zoning Map, the applicant shall submit a site plan and development schedule of the proposal with the application.

E. Required Land Use Designation and Site Plan Submission; Optional Operational Site Plan Submission

1. The applicant shall designate the land use of the property which is the subject of the application.
2. The applicant shall submit a Major or Minor site plan in accordance with Section 3.7.
3. Review of the proposed land use and site plan shall be conducted concurrently during the MPC public hearing of the application as a Conditional Use following the procedures of Sec. 3.3.2.d. If

approved, the proposed land use and site plan shall be binding upon the property owner, successors, heirs, and assigns.

4. The applicant for any commercial land use has the option to submit for concurrent review with the proposed land use in lieu of a Major or Minor site plan, an Operational Site Plan meeting the site plan requirements of Sec. 3.7 and reviewed as a Conditional Use under the procedures of Sec. 3.3.3.2.d. but also designating and limiting areas for on-site operations related to the proposed commercial land use, which may include but not be limited to:
- a. Designated and limited areas for placement of cargo container units,
 - b. Designated and limited areas for placement of garbage/trash compactors,
 - c. Designated and limited areas for placement of recycled cardboard, store racks, and wooden pallets,
 - d. Designated and limited truck routes for 18-wheeler type vehicles,
 - e. Designated and limited parking/unloading areas for delivery vendors,
 - f. Designated and limited areas for outdoor sales and storage of display items (if applicable)
 - g. Designated and limited areas for seasonal sales (if applicable), particularly if proposed to be conducted in any parking area,
 - h. Designated and limited areas for retail outdoor garden center/landscaping sales (if applicable),
 - i. Designated and limited trash and waste pickup hours,
 - j. Designated and limited hours for any forklift usage at the rear of a building,
 - k. Landscaping and landscaping maintenance schedule (as provided in any landscape plan submitted),
 - l. Site lighting (as provided in any site lighting plan submitted).

If approved, the proposed land use and Operational Site Plan shall be binding upon the property owner, successors, heirs, and assigns.

- F.** Any intended change in occupancy or site configuration resulting in a higher intensity of use, change in traffic patterns, reduction in required open space, or modification of any approved condition shall require a new public hearing. Notification of the public hearing shall follow the procedures of a zoning amendment as specified in Subsection 3.9.4.C.

G. Fee

Deposit with the planning commission a fee in the amount specified in the current schedule for processing and advertising the application.

3.9.5 Administrative Examination

- A.** Upon receipt of an initial application, the Executive Director shall determine whether the application requirements specified in Subsection 3.9.4 have been met. If the application is incomplete, it shall be returned to the applicant with notification of which items are still needed.
- B.** Upon receipt of a complete application with fees, the Planning Department shall examine the application and make such investigation as is necessary to determine the appropriateness of the proposed amendment.
- C.** Within 30 days of receipt of a complete application with fees, the Executive Director shall transmit the application, together with any reports and recommendations, to the Metropolitan Planning Commission.

3.9.6 Preliminary Hearing by Metropolitan Planning Commission

The Metropolitan Planning Commission shall hold a preliminary hearing on any Code amendment application.

- A.** The hearing shall be held at the Metropolitan Planning Commission's next available regularly scheduled monthly meeting following receipt of the application and recommendations from the Executive Director.
- B.** The Executive Director shall notify the applicant and appropriate Bossier City/Parish departmental staff persons of the time and place of the preliminary hearing.
- C.** After conducting a preliminary hearing the Metropolitan Planning Commission shall approve the application for public hearing and shall notify the applicant of the time and place of such public hearing.
- D.** If the Metropolitan Planning Commission determines that additional information is required, the applicant shall furnish said information within 14 days of the scheduled public hearing.
- E.** If the amendment involves a change in zoning classification of land located within the unincorporated area of the MPC jurisdiction and is intended to be annexed into the city limits of Bossier City, the annexation shall be completed prior to any public hearing being scheduled for review before the MPC.

3.9.7 Public Hearing Notification

The Executive Director shall give public notice thereof, as required by law. The Planning Department shall:

- A.** Notify the owners of surrounding property within a 300' radius, by regular mail within 10 days of the public hearing, of the time and place of the hearing. The applicant shall provide the names and mailing addresses of all recipients.

- B. Shall post a notice of such hearing on the property or in the public right-of-way near the subject property in a location that can be easily read from the property line.
- C. At least 10 days prior to the public hearing, shall cause a notice of the public hearing be printed in a newspaper having general circulation within the Metropolitan Planning Commission's jurisdiction. The notice shall include.
 1. Time and place of the public hearing.
 2. Address or description any properties intended to be rezoned.
 3. Purpose of the amendment.

3.9.8 Public Hearing

- A. The Metropolitan Planning Commission shall prepare a record of its proceedings for each proposed Code amendment, showing the grounds of its recommendation.
- B. The record of the proceedings shall be filed in the office of the Planning Department and shall be a public record.
- C. A copy of the record of proceedings shall be placed on the Bossier Metropolitan Planning Commission website after adoption by the zoning board.

3.9.9 Legislative Body Action

The appropriate legislative body for the jurisdiction affected by the proposed Code amendment shall examine all applications and reports submitted to it and shall take such further action as it deems necessary and desirable. Before enacting any amendment, the appropriate legislative body may hold a public hearing thereon, and shall give public notice thereof, as required by law. In cases of an unfavorable recommendation from the Planning Commission, the appropriate legislative body may overturn the unfavorable recommendation by a 2/3 vote of the entire membership of the City Council or Bossier Parish Police Jury, as the case may be.

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 submitted site plan and time schedule, and if the area is rezoned substantially as proposed in the application, the appropriate legislative body may fix conditions that may include:

1. Posting of a performance bond so as to insure development in accordance with such plan and time schedule and
2. Requiring that 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 most appropriate use.

3. Conditions fixed in Zoning Map amendments shall run with the land in the area involved and shall be binding upon the applicants, their heirs, successors and assigns for amendments.

B. Reconsideration

1. No land for which an application for rezoning has been denied by the appropriate legislative body shall be considered again by the Metropolitan Planning Commission for at least 6 months from the date such application was denied.
2. The Bossier Parish Police Jury permits the rehearing of an earlier decision with approval by a 2/3 vote, if notified within 10 days of the original decision.

C. Consideration of Rollback Action

In all cases where property is rezoned and is not used for the purpose for which it was rezoned within a period of 1 year from the date of legislative body approval, the Metropolitan Planning Commission may, upon its own notice, call a public hearing for the purpose of considering return of the zoning classification back to that which existed at the time of the original application.

Article 4. Zoning Districts

4.1 Purpose

The purpose of this Article is to establish and describe a series of general and overlay zoning districts in which the use of land, separation and height of structures, intensity of development, sign limitations, parking requirements and other development factors will be regulated in accordance with the Bossier City-Parish Comprehensive Plan.

4.2 Establishment of General Zoning Districts

For this Ordinance’s purpose, all land and water areas in the Bossier City/Parish Metropolitan Planning Area are divided into the zoning districts listed in the table below.

Category	Abbreviation	District Name	Zoning Ord. 126 and 3098 of 2003
Residential	R-A	Residence-Agricultural District	R-A
	R-E	Residential Estate District	R-E
	R-LD	Residential, Low Density	R-LD
	R-MD	Residential, Medium Density	R-MD
	R-HD	Residential, High Density	R-HD
	<u>R-MHP</u> <u>R-MHS</u>	<u>Residential, Manufactured Housing Park</u> <u>Residential Manufactured Home Sub.</u>	<u>R-MHP</u> <u>None</u>
Commercial	B-1	Business, Commercial Office	B-1
	B-2	Limited Business	B-2
	B-3	General Business	B-3
	B-4	Downtown Business	B-4
	B-5	Interchange Business	B-5
Industrial	I-1	Light Industrial	I-1
	I-2	Heavy Industrial	I-2
Special Purpose	RFD	Riverfront Development	RFD
	RT	Racetrack	RT
	A-1	Airbase Buffer Zone--North	A-1
	A-2	Airbase Buffer Zone--South	A-2

4.2.1 Residential Districts

A. Residence-Agricultural (R-A) District

The R-A Residence-Agricultural District is composed mainly of non-subdivided lands that are vacant or in agricultural or forestry uses, with some dwellings and accessory uses. Any future land development would be of a rural residential character and intended for areas in the MPC boundaries in which utilities necessary for urban or suburban development are not readily available. Multi-lot residential subdivisions within the R-A District shall be comprised of lots that are a minimum of two (2) acres in area with the intent of allowing the raising or keeping of farm animals and livestock. The type of animals and livestock shall be governed by the subdivision covenants and restrictions.

B. Residential Estate (R-E) District

The R-E Residential Estate District is intended to provide for single-family residential development consistent with a fully-serviced suburban environment. Development in the R-E district is expected to have a neighborhood orientation with parks, schools, religious institutions and related neighborhood public facilities located in or near the development.

C. Residential Low Density (R-LD) District

The Residential Low Density District is primarily intended to provide for the compact development of single-family dwellings on medium- and small-sized lots. Development should be in close proximity to all public services and facilities, especially parks, schools and recreational facilities. Special attention should be given to landscaping and site development. Special provisions of this district permit dwellings with no side yards to accommodate attached single-family dwellings.

D. Residential Medium Density (R-MD) District

The Residential Medium Density District is composed mainly of areas containing a mixture of single-family, two-family and multiple-family dwellings. Development should be in close proximity to all public services and facilities, especially parks, schools and recreational facilities.

E. Residential High Density (R-HD) District

The Residential High Density District is intended to establish areas for the development of high density multiple-family dwellings and group living quarters situated in or near the downtown area. This district shall be located near an arterial street for proper access. Due to the higher density and taller buildings that are characteristic of development in the R-HD district, careful attention to site and building is expected to assure that all development is compatible.

F. Residential Single Family Manufactured Home (R-MHS) District

The Residential Single-Family Manufactured Home (R-MHS) District is primarily intended to provide for the development of single-family manufactured homes or modular homes on lots of medium size. Development should be in close proximity to available public services and facilities. The R-MHS District shall be developed utilizing the same development requirements of the R-LD District and Article 11: Subdivision and Land Development.

G. Residential Manufactured Housing Park (R-MHP) District

This district is composed mainly of areas containing manufactured home sites arranged on a large tract, usually under a single ownership and designed to accommodate manufactured housing units. The R-MHP district also provides a location for the placement of those mobile homes that, due to their age of construction, are not classified under the U.S. Department of Housing and Urban Development (HUD) standards as “manufactured homes” and may not comply with current building, electrical, plumbing or housing codes and for those manufactured homes that are less than 20 feet wide. In addition, the district provides for a

limited number of commercial and service uses, which may be included as a part of a residential development project to serve its residents.

4.2.2 Business Districts

A. Business, Commercial Office (B-1) District

The Commercial Office District is generally intended to function as a medium-intensity district for office and medical uses. It is intended to prevent strip commercial development by allowing office uses but not allowing other commercial uses. The district allows freestanding office buildings, research facilities and clinics as well as office parks. The district is intended to be located only along collector or arterial Streets.

B. Limited Business (B-2) District

The purpose of the Limited Business District is to provide for commercial retail and service uses intended to serve a neighborhood or the entire community but, due to the size limitations of structures, would have a limited impact on traffic or nearby neighborhoods.

C. General Business (B-3) District

The General Business District is intended to provide commercial areas for a wider range of retail goods and services that satisfy all needs of the City, Parish and region. Located at or near the convergence of major freeways and arterials, locations of the B-3 districts should be placed for the convenience of all residents of the area. To protect the abutting and surrounding residential areas, certain restrictions are placed on the intensity of uses, and emphasis is placed on standards for lighting, buffering, parking, and location of access roads.

D. Downtown Business (B-4) District

The Downtown Business District is created to control and guide the attractive development of commercial uses in Bossier City's original downtown area and to provide dimensional standards that will encourage construction of a compact, pedestrian-oriented "main street" commercial environment.

E. Interchange Business (B-5) District

The Interchange Business District is intended to permit development of service uses relating to expressway interchanges or near other major arterial intersections, particularly at the edge of Bossier City and within the Bossier Parish portion of the jurisdiction. It is designed to make conveniently available at certain access points food, fuel, lodging, and motor vehicle services to the thoroughfare user, while avoiding general retail and service development.

4.2.3 Industrial Districts

A. Light Industrial (I-1) District

The purpose of the Light Industrial District is to provide for the development of most types of industrial firms. The district is designed primarily for industrial service, warehousing, and wholesaling uses. Requirements of the district protect adjacent nonresidential and other industrial uses in the district.

B. Heavy Industrial (I-2) District

The Heavy Industrial District is intended to provide for intense or heavy industries. It is designed for manufacturing and production industries, particularly those having external effects that could impact less intense adjacent uses.

4.2.4 Special Purpose Districts

A. Riverfront Development (RFD) District

The purpose of the Riverfront Development District is to provide for complementing recreational and commercial uses that take advantage of the Red River riverfront's scenic characteristics, convenient location, and proximity to existing commercial activities.

B. Racetrack (RT) District

The Racetrack District is created to provide a highly limited range of uses that accommodate the racetrack complex, supporting services associated with racing, and gaming activity allowed by state law.

C. Air Base Buffer – North (A-1) District

The North Airbase Buffer District is established to limit uses and development within and near the north-northwest approach to Barksdale Air Force Base to those activities that reflect land uses recommended in the most current Air Installation Compatible Use Zone (AICUZ) Study. The recommended land uses in the AICUZ Study are uses that are less sensitive to aircraft activities and that will not hamper flight operations.

D. Air Base Buffer – South (A-2) District

The South Air Base Buffer District is established to restrict development within and near the south-southeast approach to Barksdale Air Force Base, which is an undeveloped area having no existing or planned municipal services.

4.3 Overlay Districts

Overlay districts provide the means for superimposing certain additional requirements upon the general zoning districts, established and described in this Article, without disturbing the requirements of the underlying general zoning districts. The following overlay districts are created.

4.3.1 Gateway Overlay District (GW-OD)

The Gateway Overlay District is created to enhance the visual character of gateways into Bossier City that link the Interstate 20 interchanges to major focal points of the community. It is intended to ensure that land development adjacent to gateways occurs in a manner that is compatible with the use of the transportation corridor while minimizing traffic hazards and congestion.

4.3.2 National Cyber Research Park Overlay District

The National Cyber Research Park Overlay District Guidelines and Regulations are intended to serve as a guide for optimal growth and development; ensuring that it is a continuing asset to the City of Bossier City and Bossier Parish, LA. The Master Plan for this area promotes a concept of new innovative development that advances technology, progress and research. The guidelines contained in Article 5 of this code, are minimum criteria to ensure proper development while encouraging a campus-type setting that incorporates a variety of land uses and promotes excellence in design, aesthetics and construction. These guidelines also protect tenants from undesirable and improper uses that will detract from the purpose of the National Cyber Research Park (NCRP).

Proposed development will create outdoor spaces, pedestrian pathways and streetscapes as well as create uniformity in development and high quality architectural and environmental uses.

(Overlay District boundaries and site maps are available in the MPC office).

4.3.3 Barksdale Boulevard Redevelopment Overlay District (B-BROD)

The purpose of the Barksdale Boulevard Redevelopment Overlay District (B-BROD) is to preserve and improve the economic vitality of the corridor, preserve its commercial character, enhance its visual appeal, improve motorist and pedestrian safety, and encourage new investment and redevelopment with the B-BROD;

(Overlay District boundaries and site maps are available in the MPC office.)

4.4 Zoning Map

The zoning districts and their respective boundaries are graphically shown on the Zoning Map, and said map is made part of this Ordinance by reference and on file in the Office of Zoning Administration. All planned unit developments and planned building groups previously adopted under Bossier City Ordinance No. 33 of 1978 and Bossier Parish Ordinance No. 783 of 1978 shall be adopted by reference and made part of this Ordinance.

4.4.1 District Boundaries

Except where specifically shown by dimension or otherwise on the Zoning Map, the boundaries of districts are lot lines or other property lines, the centerlines of streets or alleys or such lines extended, railroad rights-of-way, natural boundary lines such as watercourses, and the municipal corporate limit lines. In separate tracts not subdivided and in non-subdivided property, the zoning boundary lines may follow section or quarter-section lines or may be determined by scaling.

4.4.2 Interpretation of Boundaries

Questions concerning the exact location of any district, planned unit development or planned building group boundary shall be determined by the Executive Director.

4.4.3 Expansion of Area Jurisdiction and Annexation

In the event that the jurisdictional boundary for this Ordinance expands, such new territory shall be in the R-A district classification until changed in accordance with the Amendment procedure set forth in Section 3.9. Territory hereafter annexed to the City of Bossier City shall retain its existing zoning district classification until changed in accordance with the Amendment procedure set forth in Section 3.9.

Article 5. Use Regulations

5.1 Purpose

The purpose of this Article is to assure that all land shall be developed, used, or occupied in conformity with the regulations herein prescribed for the district in which such structure or use is located.

5.2 Types of Uses

The Use Table in Section 5.3 enumerates the status of permitted, provisional, conditional, and special exception uses for each use category and zoning district. All of the non-temporary use categories listed in the Use Table are defined and described in the Subsection 5.4.1.

5.2.1 Uses Permitted by Right

A "P" in a cell of the Use Table indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this Title.

5.2.2 Provisional Uses

A "P*" in a cell of the Use Table indicates a use category that is also permitted by right, provided that it is determined by the Executive Director to meet the additional listed standards contained in Section 5.6. Such uses are subject to all other applicable regulations of this Ordinance.

5.2.3 Conditional Uses

A "C" in a cell of the Use Table indicates a use category that is allowed conditionally, provided that it is determined by the Planning Commission to meet the additional listed standards, if any, contained in Section 5.6 and approved in accordance with in the Conditional review procedures of Section 5.6. Such uses are subject to all other applicable regulations of this Ordinance.

5.2.4 Special Exception Uses

An "S" in a cell of the Use Table indicates that a use category is allowed only if reviewed and approved as a Special Exception Use, in accordance with the Special Exception review procedures of Section 3.3.3. Special Exception Uses are subject to all other applicable regulations of this ordinance.

5.2.5 Prohibited Uses

A blank cell in the Use Table indicates that a use category is not allowed in the respective district.

5.2.6 Uses Not Listed

The Executive Director shall determine whether or not an unlisted use is part of an existing use category defined in Subsection 5.4.1 or is substantially similar to an already defined use, using the criteria in Subsection 5.4.1A.

	Residential Districts						Business Districts					Industrial Districts		Special Districts				Reference	
	R A	R E	R L D	R M D	R H D	R M H P	B 1	B 2	B 3	B 4	B 5	I 1	I 2	A 1	A 2	R T	R F D		
Commercial																			
Commercial Parking							P*	P*	P*	P*		P*	P*	P*				S	5.6.13
Commercial recreation/entertainment: indoor									P	P		P					P	P	
Commercial recreation/entertainment: outdoor	C								P	P		P					P	P	
Eating establishments																			
Fast-food restaurant									P*	C*	P*							P*	5.6.14
High-turnover restaurant								P	P	P*							P	P*	
Drinking establishments																			5.4D.2
Bar or lounge									C	C	C						C	C	5.6.15
Microbrewery or Microdistillery										C	C	C					C	C	5.4.D4
Nightclub										C	C	C					C	C	
Major event entertainment										P*	P*						P*	P*	5.6.16
Office							P	P	P	P		P		P*				P	
Public accommodation (hotel, motel, etc.)	C	C	C							P*	P*	P*					P*	P*	5.6.17
Retail sales and service																			
Bank or financial institution							P*	P*	P*	P*								P*	5.6.20
Bicycle sales, rental and repair										P	P							P	
Convenience store									P	P	P								
Department or discount store										P	P*							P	
Dry cleaning and laundry									P*	P	P	P		P*				P	5.6.19
Fine arts studio							P	P	P	P									
Funeral home										P									
Furniture store										P	P*							P	
Hardware, paint, glass, wallpaper, or floor covering store												P	P	P				P	

	Residential Districts						Business Districts					Industrial Districts		Special Districts			Reference
	R A	R E	R L D	R M D	R H D	R M H P	B 1	B 2	B 3	B 4	B 5	I 1	I 2	A 1	A 2	R T	
Health Club/Gym									P	P		<u>P</u>					P
Landscape nursery	P*							P	P			P		P*			5.6.21
Liquor store									C	C						C	5.6.22
Mobile home sales and service									P			P	P	P			
Pawn Shop									P*			P*					5.6.20
Pharmacy							P*	P*	P*	P*							P* 5.6.23
Sexually oriented business									C								5.6.18
Supermarket								P	P	P							P
Teen Club									P*	P*							P* 5.4.4J
Veterinary services	C								P*	P*		P*					5.6.24
Watercraft sales, rental or service									P*			P*		P*			P* 5.6.26
Other retail sales and service								P	P	<u>P</u> *				P*			P
Vehicle sales and service																	
Auto rental									P	P	P	P					P
Auto repair									P*			P	P	P*			5.6.25
Auto sales									P*	<u>P</u> *		P*		P*			P* 5.6.26
Car wash									P	P							
<u>Used Tire Dealer</u>									<u>P</u> *			<u>P</u> *		<u>P</u> *			
Towing service												P	P				
Truck and travel plaza											P						
Truck or trailer rental									P*			P	P	P*			5.6.26
Industrial																	
Industrial service												P	P	P*			
Manufacturing and production													P	P*		C	5.6.27
Warehousing and freight service	C								<u>C</u>			P	P	P*		C	5.6.28
Waste-related service													C	C			5.6.29
Wholesale sales									P*	P*		P	C	P*			

	Residential Districts						Business Districts					Industrial Districts		Special Districts				Reference
	R A	R E	R L D	R M D	R H D	R M H P	B 1	B 2	B 3	B 4	B 5	I 1	I 2	A 1	A 2	R T	R F D	
Utilities and Transportation																		
Ambulance service									P	P	P							
Radio frequency transmission facilities	C								C	C		C	C	C			5.6.31	
Rail lines and utility corridors	P *	C	C	C	C	C	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	5.6.32	
Telecommunications facilities/towers	C						C	C	C	C		C	C				0	
Vehicle storage												P	P	P *			P	
Major utilities	S	S	S	S	S	S	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	5.6.32	
Minor utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Other																		
Agriculture	P	C	C	P *									P *	P *	P *	P *	5.6.33	
Kennel, boarding	C											P	P	P *				
Mining	C													C	C		5.6.34	
Temporary Uses																		
Christmas tree sales	P *							P *	P *	P *	P *	P *			P *	P *	6.7.1	
Construction site contractor's office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Concrete/asphalt batch plant	P *								P *	P *	P *	P *	P *	P *	P *	P *	6.7.3	
Fireworks sales	P *						P *	P *	P *	P *		P *					6.7.5	
Manufacturing plant temporary building												P *	P *				6.7.4	
Model homes/sales office	P *	P *	P *	P *	P *												6.7.6	
Outdoor storage of commercial merchandise									P *	P *	P *	P *	P *				6.6.7	
Produce sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6.7.1	
Public interest and special events	P *				P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	6.7.8	
Temporary office/classroom modules or trailers	P	P	P	P	P							P	P	P *				
Temporary sales of non-seasonal merchandise	P						P *	P *	P *	P *	P *						6.7.2	

5.4 Use Categories

Use categories classify land uses and activities into use categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories provide a systematic basis for assigning present and future land uses to appropriate districts.

5.4.1 Classification of Uses

Principal uses are assigned to the category that most closely describes the nature of the principal use. The "Characteristics" subsection of each use category describes the common characteristics of each principal use.

A. Considerations Regarding Principal Uses

Determination of appropriate categories for proposed principal uses shall be made by the Executive Director in accordance with the provisions of Subsection 3.6.1, Written Interpretations. The following considerations shall be used to determine the appropriate category for a use not specifically listed in the Use Table or the examples in the use category descriptions contained in this Section, and whether the activities are to be considered principal or accessory uses:

1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category;
2. The relative amount of site area or floor space and equipment devoted to the activity;
3. Relative amounts of sales from each activity;
4. The customer type for each activity;
5. The relative number of employees in each activity;
6. Hours of operation;
7. Building and site arrangement;
8. Vehicles used with the activity;
9. The relative number of vehicle trips generated by the use;
10. Signs;
11. How the use advertises itself; and
12. Whether the activity is likely to be found independent of the other activities on the site.

B. Developments with Multiple Principal Uses

When all principal uses of a development fall within one use category, the entire development is assigned to that use category. For example, a development that contains a coffee shop, bookstore and bakery would be classified in the Retail Sales and Service category because all of the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is

classified in the applicable category and each use is subject to all applicable regulations for that category. Developments with multiple principal uses, such as shopping centers, shall incorporate only those uses allowed in the underlying district.

C. Accessory Uses

Accessory uses are allowed by right in conjunction with a principal use unless otherwise stated elsewhere in this Ordinance. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as examples in the use category descriptions.

D. Use of Examples

The "Examples" subsection of each use category lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself "Wholesale Warehouse" but sells mostly to consumers is included in the Retail Sales and Service category rather than the Wholesale Sales category. This is because the activity on the site matches the characteristics of the Retail Sales and Service category.

5.4.2 Residential Use Categories

A. Group Living

1. Characteristics

Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group may be larger than the average size of a household. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see Public Accommodation category). Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment, as long as the care givers also reside at the site.

2. Accessory Uses

Accessory uses commonly associated with Group Living are recreational facilities, dining facilities and parking of vehicles for occupants and staff.

3. Examples

Examples of Group Living include dormitories; fraternities and sororities; monasteries and convents; nursing and convalescent homes; some group homes for the physically disabled, mentally disabled, or emotionally disturbed; some residential programs for drug and alcohol treatment; and alternative or post incarceration facilities.

4. Exceptions

- a. Lodging where tenancy may be arranged for periods of less than 30 days is classified in the Public Accommodations category.
- b. Lodging where the residents meet the definition of Household and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as Household Living.
- c. Congregate care facilities where individual units meet the definition of a dwelling unit in Section 18.2 are classified as Household Living.

B. Household Living

1. Characteristics

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis.

2. Accessory Uses

Accessory uses commonly associated with Household Living are recreational activities, raising of pets, hobbies and parking of the occupants' vehicles. Home occupations are accessory uses that are subject to additional requirements, enumerated in Subsection 6.6.4.

3. Examples

Uses include living in houses, duplexes, triplexes and other multiple-dwelling structures; retirement center apartments; some congregate care facilities; manufactured housing and other structures with self-contained dwelling units.

4. Exceptions

Lodging in a dwelling unit or where units are rented on a less than monthly basis is classified in the Public Accommodations category.

5.4.3 Public and Civic Use Categories

A. Community Service

1. Characteristics

Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature.

2. Accessory Uses

Accessory uses may include offices; meeting areas; food preparation areas; parking; health and therapy areas; and athletic facilities.

3. Examples

Examples include libraries, museums, senior centers, community centers, youth club facilities, hospices and social service facilities.

4. Exceptions

- a. Private lodges, clubs and private or commercial athletic or health clubs are classified as Retail Sales and Service.
- b. Parks are classified as Parks and Open Areas.
- c. Resident treatment centers are classified as Group Living.
- d. Uses where tenancy is arranged on a month-to-month basis or for a longer period are residential and are classified as Household or Group Living.

B. Day Care

1. Characteristics

Day Care uses provide care, protection and supervision for more than 6 children or adults on a regular basis away from their primary residence for less than 24 hours per day.

2. Accessory Uses

Accessory uses include offices, recreation areas and parking.

3. Examples

Examples include preschools, child care centers, nursery schools, latch key programs and adult day care programs.

4. Exceptions

Day Care does not include public or private schools or facilities operated in connection with an employment use, shopping center or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity. In-home care for 6 or fewer individuals is considered a home occupation (accessory use) and subject to additional requirements, enumerated in Subsection 6.6.4.

C. Educational Facilities

1. Characteristics

This category includes public and private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. This category also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree or certification. Colleges tend to be in campus-like settings or on multiple blocks.

2. Accessory Uses

Accessory uses at schools include play areas, cafeterias, recreational and sport facilities, auditoriums and before- or after-school day care. Accessory uses at colleges include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial.

3. Examples

Examples include public and private daytime schools, boarding schools, military academies, universities, liberal arts colleges, seminaries, community colleges, nursing and medical schools not accessory to a hospital, extension centers, and leased office and commercial space used as a classroom.

4. Exceptions

Preschools are classified as Day Care uses. Commercial business colleges or trade schools are classified as Retail Sales and Service uses.

D. Government Facilities

1. Characteristics

Government facilities include offices, storage, maintenance and other facilities for the operation of local, state or federal government.

2. Accessory Uses

Accessory uses include storage, maintenance and fueling facilities, satellite offices and parking areas.

3. Examples

Examples include city and parish administrative offices, maintenance facilities, fire stations, police stations and emergency medical and ambulance stations, detention centers, post offices, and local, state or federal offices.

4. Exceptions

- a. Passenger terminals for airports and regional bus service are classified as Passenger Terminals.
- b. Town, parish or state parks are classified as Parks and Open Areas.
- c. Water and wastewater facilities, gas, electric and other infrastructure services, whether public or private, are classified as Utilities.
- d. Waste and recycling services are classified as Waste Related Services.

E. Medical Centers

1. Characteristics

Medical Centers include uses providing medical or surgical care to patients and offering overnight care.

2. Accessory Uses

Accessory uses include out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities and housing facilities for staff or trainees.

3. Examples

Examples include medical centers and hospitals.

4. Exceptions

- a. Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents of the program, are classified in the Group Living category.
- b. Medical clinics that provide care where patients are generally not kept overnight are classified as Office.

F. Parks and Open Areas

1. Characteristics

Parks and Open Areas are uses of land focusing on natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.

2. Accessory Uses

Accessory uses may include club houses, maintenance facilities, concessions, caretaker's quarters and parking.

3. Examples

Examples include parks, beach accesses, publicly-owned golf courses, cemeteries, public squares, plazas, recreational trails, botanical gardens and nature preserves.

4. Exceptions

Privately-owned golf courses are classified as Commercial Recreation/Entertainment, Outdoor uses.

G. Religious Institutions

1. Characteristics

Religious Institutions provide a variety of facilities, including buildings that primarily provide meeting areas for religious activities.

2. Accessory Uses

Accessory uses include religious school facilities, meeting rooms, parking, and caretaker's housing.

3. Examples

Examples include churches, temples, synagogues and mosques.

4. Exceptions

Congregate care facilities where individual units meet the definition of a dwelling unit in Section 18.2 are classified as Household Living.

5.4.4 Commercial Use Categories

A. Commercial Parking

1. Characteristics

Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.

2. Accessory Uses

Small structures intended to shield parking attendants from the weather.

3. Examples

- a. Examples include short- and long-term fee parking facilities and mixed parking lots (partially accessory to a specific use, partly for rent to others), and off premises remote parking sites with shuttle service for casino employees.
- b. A standalone truck parking area, where commercial vehicles are used each day but are stored during non-business hours.

4. Exceptions

- a. Parking facilities that are accessory to a principal use, but that charge the public to park for occasional events nearby, are not considered Commercial Parking facilities.
- b. Parking facilities that are accessory to a principal use are not considered Commercial Parking uses, even if the operator leases the facility to the principal use or charges a fee to the individuals who park in the facility.
- c. Public transit park-and-ride facilities are classified as Major Utilities.
- d. Sales or servicing of vehicles is classified as Vehicle Sales and Service.

B. Commercial Recreation/Entertainment, Indoor

1. Characteristics

Indoor Recreation/Entertainment uses are commercial uses that offer recreation or entertainment activities, events or attractions to the general public.

2. Accessory Uses

Accessory Uses may include offices, food and beverage concessions, and parking.

3. Examples

- a. Indoor Recreation/Entertainment includes such uses as movie theaters, video game arcades, bowling alleys, pool halls, dance halls, and indoor firing ranges.
- b. Indoor Recreation/Entertainment also includes casinos, casino support areas, riverboat casino onshore facilities, and enterprises operating more than 10 video poker devices.

4. Exceptions

- a. Health Clubs and Spas are classified as Retail Sales and Service.
- b. Night Clubs and Bars are classified as commercial Drinking Establishments.
- c. Rooms or areas within hotels or commercial Eating and Drinking Establishments that are exclusively designated for the use electronic gambling machines such as video poker are classified as accessory uses, provided the gaming area does not exceed 10 percent of the total floor area of the occupancy.
- d. An enclosed area containing 10 or fewer video poker devices is classified as an accessory use to an eating establishment, drinking establishment, or public accommodation facility.
- e. Sexually oriented entertainment establishments are classified as Sexually Oriented Businesses.

C. Commercial Recreation/Entertainment, Outdoor

1. Characteristics

Outdoor Commercial Recreation/Entertainment uses are privately owned commercial uses that provide recreation or entertainment-oriented activities.

2. Accessory Uses

Accessory uses may include indoor or outdoor restaurants, bars, food and beverage concessions, pari-mutuel wagering activities, parking and maintenance facilities.

3. Examples

- a. Outdoor Commercial Recreation uses that are participatory in nature and include such facilities as golf courses; driving ranges; miniature golf courses; and active sports complexes including such uses as tennis courts, ball fields and basketball courts.
- b. Theme park, amusement park, boardwalk, or midway type attractions such as rides, bumper cars, go-cart tracks, game booths and all other similar attractions.
- c. Outdoor Commercial Entertainment uses that are for the benefit of spectators and include such facilities as amphitheaters, race tracks, and band shells.
- d. Privately-owned outdoor areas for temporary, short-term overnight accommodations such as commercial campgrounds and recreational vehicle parks.

4. Exceptions

- a. Publicly-owned golf courses and campgrounds are classified as Parks and Open Areas.

D. Eating and Drinking Establishments

1. Fast-food restaurant

a. Characteristics

Establishments characterized by large carry-out clientele, long hours of service and high turnover rates for eat-in customers. Such establishments typically feature extensive window service, counter-service and self-service with limited if any table-service.

b. Examples

Franchised hamburger, fish, and chicken establishments; similar non-franchised establishments; ice cream, donut, and yogurt stores; delicatessen counters; coffee bars that feature coffees and similar drinks with very limited food service.

c. Accessory Uses

Off-street customer and employee parking areas; drive-through windows.

d. Uses Not Included

Any establishment serving alcoholic beverages, lounges or bars, Microbreweries or Microdistilleries or any establishment classified as a High Turnover restaurant.

e. Related but Different Uses and Distinctions

- (1) High turnover restaurants generally have table service and limited carry-out service. Any establishment otherwise meeting the definition of fast-food restaurant but including non-amplified live entertainment shall be considered a High Turnover restaurant.
- (2) A coffee shop with sit-down service and complete meal offerings is considered a high turnover restaurant, while a coffee bar, offering primarily coffee and related drinks, falls under this category.

2. High-turnover restaurant

a. Characteristics

High-turnover restaurants typically feature sit-down service and/or table service, although some cafeterias and buffets also fall in this category. The high turnover restaurant has little carry-out service but may have a drive-thru and provide drive up service. Turnover times are typically 1 hour or less per customer. These restaurants may in some cases feature live entertainment.

b. Examples

Chain, family-style restaurants featuring modest prices; high-volume, cafeteria service steakhouses; coffee shops; franchised and chain pizza restaurants that emphasize sit-down, eat-in service.

c. Accessory Uses

Off-street customer and employee parking areas; accessory bar or lounge, when occupying less than 25 percent of the total floor area.

d. Uses Not Included

Fast-food restaurant.

e. Related but Different Uses and Distinctions

- (1) Fast-food restaurants are characterized by a high percentage of carry-out service and have limited table service.

3. Bar or Lounge

a. Characteristics

A bar is an establishment that may include food service but that emphasizes the service of alcoholic beverages for consumption on the premises.

b. Examples

Lounge or bar.

c. Accessory Uses

Live entertainment; off-street parking for employees and customers; in some districts, as a Conditional Use, a nightclub.

4. Microbrewery or Microdistillery

a. Characteristics

A brewpub or microbrewery is a bar, accessory bar in a restaurant or a small brewery that manufactures up to 12,500 barrels of fermented malt beverages per year on premises, for either consumption on premises or for off-premise consumption in sealed containers sold directly to the consumer. Approval shall follow the procedures of a “Conditional Use” as stated in Article 3.3.2 of this code. (For amounts greater than 12,500 barrels per year, see Manufacturing and Production, Section 5.4.5B)

A microdistillery is a bar, accessory bar in a restaurant or a small distillery that manufactures up to 12,000 gallons per year of alcoholic beverages per year on premises for either consumption on premises or for off-premises consumption in sealed containers sold directly to the consumer. Approval shall follow the procedures of a “Conditional Use” as stated in Article 3.3.2 of this code. (For amounts greater than 12,000 gallons per year, see Manufacturing and Production, Section 5.4.5B).

b. Examples

Brewpub, Microbrewery or Microdistillery

c. Uses Not Included

(1) Sales of alcoholic beverages produced elsewhere and sold for consumption off the premises

(2) Production greater than 12,500 barrels of fermented malt beverages per year, 12,000 gallons of distilled beverages or production and packaging for off premises sales of any amount of product greater than 60 percent of those amounts. (Manufacturing and Production, Section 5.4.5).

d. Related but Different Uses and Distinctions

Distinctions from bars are generally not critical because the uses are typically allowed in the same locations and under the same conditions.

5. Accessory Restaurant

a. Characteristics

An accessory restaurant is not necessarily separated by a permanent wall from the Principal Use to which it is accessory, and generally shares one or more entrances, as well as restrooms, coatrooms and other facilities, with the restaurant. No sales of alcoholic beverages shall be permitted.

b. Examples

Bowling alley snack bar; school cafeteria; hospital cafeteria; cinema snack bar; soda fountain; supermarket delicatessen.

c. Accessory Uses

Not applicable.

d. Uses Not Included

Clubhouse; Bar or Lounge.

6. Accessory Bar

a. Characteristics

An accessory bar is a part of a high turnover restaurant offering alcoholic beverages. An accessory bar is typically not separated by a permanent wall from the restaurant to which it is accessory, and generally shares 1 or more entrances, as well as restrooms, coatrooms and other facilities, with the restaurant. An establishment with an accessory bar will generally characterize itself in its signs, advertising and other promotions as a restaurant or food-service establishment rather than as a bar.

b. Examples

Lounge or bar area in a restaurant used in part as a waiting area for restaurant customers; pool bar; service bar in a restaurant but without separate seating; lounge or bar area integrated into the space used by a quality or high turnover restaurant.

c. Accessory Uses

Not applicable.

E. Major Event Entertainment

1. Characteristics

Major Event Entertainment uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.

2. Accessory Uses

Accessory uses may include restaurants, bars, concessions, parking and maintenance facilities.

3. Examples

Examples include stadiums, arenas, race tracks, auditoriums, exhibition and meeting areas, and fairgrounds.

4. Exceptions

- a. Banquet halls that are part of hotels or restaurants are accessory uses to those uses, which are included in the Eating Establishments and Public Accommodation categories.
- b. Theaters are classified as Commercial Recreation/Entertainment.
- c. An entertainment event associated with a casino is accessory to the casino.

F. Office

1. Characteristics

Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

2. Accessory Uses

Accessory uses may include cafeterias, day care and health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

3. Examples

Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses or real estate agents; data processing; sales offices; public utility offices; TV and radio studios; medical and dental clinics, medical and dental labs; and blood-collection facilities.

4. Exceptions

- a. Offices that are part of and located with a principal use in another category are considered accessory to the firm's

primary activity. Headquarters offices, when in conjunction with or adjacent to a principal use in another category, are considered part of the other category.

- b. Contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on-site and fabrication, services, or similar work is not carried on at the site.

G. Public Accommodation

1. Characteristics

Dwelling units or other accommodations normally arranged for short term stays of less than 30 days for rent, lease or interval occupancy.

2. Accessory Uses

Accessory uses may include pools and other recreational facilities; limited storage; and offices. Restaurants, bars, nightclubs or other eating, drinking or entertainment establishments are permitted as Accessory Uses when occupying less than 10 percent of the total floor area.

3. Examples

Examples include hotels, motels, inns, bed and breakfast establishments, and resorts.

4. Exceptions

- a. Recreational Vehicle Parks and on-water marina slips, which are classified as Commercial Recreational/Entertainment.
- b. Any facility that does not provide regular housekeeping services shall be classified as Residential, Household Living.

H. Retail Sales and Service

1. Characteristics

Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide services or product repair for consumer and business goods.

2. Accessory Uses

Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.

3. Examples

Examples include uses from the two following groups:

- a. Sales-Oriented: Stores selling, leasing, or renting consumer, home and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary and videos; and food sales.
- b. Service-Oriented: Banks; laundromats; laundry and dry-cleaning drop-off establishments; photographic studios; photocopy and blueprint services; hair, tanning and personal care services; psychics and mediums; martial arts schools; dance or music studios; health clubs and gyms; taxidermists; funeral homes; veterinarians; animal grooming; repair of televisions, bicycles, clocks, watches, shoes, guns, canvas products, appliances and office equipment; photo drop-off; tailor; locksmith; and upholsterer.

4. Exceptions

- a. Restaurants are classified as Eating Establishments.
- b. Laundry and dry-cleaning plants are classified as Industrial Service.
- c. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
- d. Repair and service of consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Service.
- e. Sexually oriented retail establishments are classified as Sexually Oriented Businesses.

I. Vehicle Sales and Service

1. Characteristics

Vehicle Sales and Service uses provide sales, leasing or service of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, boats and recreational vehicles.

2. Accessory Uses

Accessory uses may include offices, sales of parts and vehicle storage.

3. Examples

Examples include automobile, truck, trailer, boat or other vehicle dealerships; full-service, mini-service and self-service gas stations; car washes; quick lubrication services; vehicle repair, transmission or muffler shop; towing service; auto body shop; alignment shop; auto upholstery shop; auto detailing; and new and used tire sales and mounting.

4. Exceptions

- a. Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the principal use.
- b. On-water boat sales and services shall be classified as a marina in the Commercial Recreation/Outdoor category.

J. Teen Club

1. Characteristics

A business establishment, which advertises, holds itself out to the public as, or is operated primarily as a “Teen Club” providing entertainment to patrons between the ages of 16 and 19. Clubs shall be closed between the hours of 12:00 a.m. and 6:00 a.m. and provided further that on Sunday mornings such clubs shall be closed until twelve o’clock (12:00) noon. Person’s over the age of 19 shall not enter, frequent or remain on the premise of any teen club. Duly authorized city inspectors, parents, legal guardians or chaperons of any of the patrons are not prohibited from remaining on or inspecting the premise of a teen club.

2. Accessory Uses

Accessory uses may include offices, storage areas, food service, off-street parking for employees and customers in some districts.

3. Uses not included

Any establishment selling or serving alcoholic beverages.

K. Truck and Travel Plaza

1. Characteristics

Truck and Travel Plaza is a business of which the primary purpose is to sell fuel and to provide services to local and over the road truck drivers and their vehicles.

2. Accessory Uses

Accessory uses may include restaurants, overnight parking for trucks, trucker's rest lounges, sales of parts and vehicle service, grocery stores, and video poker rooms.

5.4.5 Industrial Use Categories

A. Industrial Service

1. Characteristics

Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

2. Accessory Uses

Accessory activities may include offices, parking and storage.

3. Examples

Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; building, heating, plumbing or electrical contractors; printing, publishing and lithography; exterminators; janitorial and building maintenance services; fuel oil distributors; research, testing and development laboratories; centralized laundry, dry-cleaning and carpet cleaning plants; and photo-finishing laboratories.

4. Exceptions

Contractors and others who perform services off-site are included in the Office category, if major equipment and materials are not stored on-site and fabrication or similar work is not carried on at the site.

B. Manufacturing and Production

1. Characteristics

Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are clearly a subordinate part of sales. Relatively few customers come to the manufacturing site.

2. Accessory Uses

Accessory activities may include offices, cafeterias, parking, employee day care and health facilities, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.

3. Examples

Examples include catering establishments; woodworking, including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products; movie production facilities; concrete batching and asphalt mixing; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of equipment, instruments, including musical instruments, appliances, precision items and other electrical items; production of artwork and toys; and sign making.

4. Exceptions

- a. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
- b. Manufacture and production of goods from composting organic material is classified as Waste Related Service.
- c. Processing of food and related products or slaughter houses, which must be approved as a Conditional Use following the procedures of Section 3.3.2.

C. Railroad Yards

1. Characteristics

Railroad yards are areas containing multiple railroad tracks used for rail car switching, assembling of trains, and transshipment of goods from other transportation modes to or from trains.

2. Accessory Uses

Accessory uses include offices, employee facilities, equipment storage areas, and rail car maintenance and repair facilities.

3. Exceptions

Long-term storage of inactive railroad cars is classified as Vehicle Storage.

D. Warehouse and Freight

1. Characteristics

Warehouse and Freight Movement firms are involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or directly to the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.

2. Accessory Uses

Accessory uses may include offices, truck fleet parking and maintenance areas.

3. Examples

Examples include separate warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants, including frozen food lockers; parcel services; and the stockpiling of sand, gravel, or other aggregate materials.

4. Exceptions

- a. Uses that involve the transfer of storage of solid or liquid wastes are classified as Waste Related Service.
- b. Mini-Warehouses or Climate Controlled warehouse facilities may also be classified as Retail Sales and Service and are allowed in the B-3; General Business District in addition to the Industrial Districts.
- c. In the unincorporated portions of the jurisdiction of the Bossier City-Parish MPC, mini-warehouse facilities may be approved in the R-A, Residential Agriculture District as a Conditional Use in accordance with the procedures of Section 3.3.2. Site Plan Review, as specified in Section 3.7.1 is also required for approval or expansion.
- d. Regional warehousing and freight services, with a total square footage of less than 125,000 sq. ft. in size, may be approved in the B-3 district as a Conditional Use following the procedures of Section 3.3.2.

E. Waste Related

1. Characteristics

Waste Related services are characterized by uses that receive solid or liquid wastes or broken items from others for disposal on the site or for transfer to another location; uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material.

2. Accessory Uses

Accessory uses may include salvage or recycling of materials, offices and repackaging and transshipment of by-products.

3. Examples

Examples include automobile salvage yards, waste transfer or composting facilities and recycling centers.

4. Exceptions

Disposal of dirt, concrete, asphalt and similar non-decomposable materials is considered fill.

F. Wholesale Sales

1. Characteristics

Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

2. Accessory Uses

Accessory uses may include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.

3. Examples

Examples include sale or rental of commercial or industrial machinery, equipment, heavy trucks, automobile and equipment auctions, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; internet/mail order distribution centers; and wholesalers of food, clothing, auto parts, and building hardware.

4. Exceptions

- a. Firms that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service.
- b. Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight.
- c. Order processing activities associated with mail order or Internet businesses, where the product is intangible (such as a computer file containing music) or where handling and delivery of the tangible product is performed off premises, are classified as Commercial Office.

5.4.6 Utilities and Transportation

A. Passenger Terminals

1. Characteristics

Passenger Terminals includes facilities for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. Facilities may be improved or unimproved. Passenger Terminals also includes passenger terminals for bus service.

2. Accessory Uses

Accessory uses include freight handling areas, concessions, offices, parking and maintenance and fueling facilities.

3. Examples

Examples include airports, bus passenger terminals, helicopter landing facilities, and water taxi docking areas.

4. Exceptions

- a. Bus passenger stations for local service such as mass transit stops and park-and-ride facilities are classified as Utilities.
- b. Private helicopter landing facilities that are accessory to another use may be considered Accessory Uses subject to all the regulations and approval criteria for helicopter landing facilities.

B. Radio Frequency Transmission Facilities

1. Characteristics

Radio Frequency Transmission Facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Towers may be self-supporting, guyed, or mounted on poles or buildings.

2. Accessory Uses

Accessory use may include transmitter facility buildings.

3. Examples

Examples include broadcast towers, communication towers, and point to point microwave towers.

4. Exceptions

- a. Receive-only antennae are not included in this category.
- b. Radio and television studios are classified in the Office category.
- c. Radio Frequency Transmission Facilities that are public safety facilities are classified as Utilities.

C. Rail lines and utility corridors

1. Characteristics

This category includes railroad tracks and lines for the movement of trains. The land may be owned or leased by the railroad. The category also includes public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, natural gas, petroleum products, water, sewage, communication signals, or other similar services on a regional level.

2. Examples

Examples include rail trunk and feeder lines; regional electrical transmission lines; and regional gas and oil pipelines.

3. Exceptions

- a. Railroad lead and spur lines for delivery of rail cars to sites or for unloading of rail cars on specific sites are classified as accessory to the primary use of the site.
- b. Rail lines and utility corridors that are located within motor vehicle rights-of-way are not included.
- c. Light rail lines are not included.
- d. Electrical distribution lines and minor transmission lines, which customarily occupy highway and street rights-of-way are not included.
- e. Railroad yards are classified in the Railroad Yards category. A rail line used for the long-term storage of rail cars is classified in the Vehicle Storage category.

D. Telecommunication Facilities/Towers

1. Characteristics

A telecommunications facility is typified by a freestanding tower or tall, unoccupied structure used for the transmission of radio- or microwave-frequency signals. Rooftop tower or monopole extensions to an existing occupied building shall also be included as a telecommunications tower. Commercial satellite dishes, horns, or ground-array antennae for transmittal and receiving of messages outside the atmosphere, often located on the premises of a television or radio broadcasting studio.

2. Accessory Uses

Equipment structures, utility sheds or vehicle garages, and fences.

3. Examples

Radio antenna, television antenna, microwave antenna, mast extension to a tall building, commercial satellite dish located adjacent to a television studio.

4. Exceptions

Residential satellite dish, amateur radio aerial or antenna, rooftop television aerial, vehicle-mounted antennae or dish used for remote broadcasting, military communications installations.

E. Vehicle Storage

1. Characteristics

Vehicle storage occupancy is typified by large, open exterior areas where automobiles, trucks, busses, construction equipment, railroad cars, boats, semi-trailers, and similar vehicles are stored for extended periods. Vehicle storage areas generally are not open to the public and are often surrounded by a security fence.

2. Accessory Uses

Accessory uses may include a small office for check-in and check-out or a watch-person shelter.

3. Examples

Transit vehicle storage area, long-term railroad car storage spur, police automobile impoundment yard, postal vehicle storage, and commercial long-term automobile storage lot.

4. Exceptions

Long-term storage of vehicles in a state of disrepair is classified as a Waste Related use. Storage areas adjacent to a vehicle sales or maintenance facility, manufacturing plant, or freight terminal are accessory uses to their respective principal uses.

F. Utilities

1. Characteristics

Major Utilities are infrastructure services providing area-wide service. Minor utilities are infrastructure services that need to be located in or near the area where the service is provided. Utility uses generally do not regularly have employees at the site. Services may be publicly or privately provided.

2. Accessory Uses

Accessory uses may include parking and control, monitoring, data or transmission equipment.

3. Examples

- a. Examples of Major Utilities include water towers, waste treatment plants electrical substations and pipeline pump stations.

- b. Examples of Minor Utilities include water and sewage pump stations, storm water retention and detention facilities, and natural gas pressure regulators.

4. Exceptions

- a. Maintenance yards and buildings are classified as Industrial Services.
- b. Utility offices are classified as Offices.

5.4.7 Other Use Categories

A. Agriculture

1. Characteristics

Agriculture includes activities that primarily involve raising, producing or keeping plants or animals.

2. Accessory Uses

Accessory uses include produce stands; dwellings for proprietors and employees of the use; and animal training.

3. Examples

Examples include breeding or raising of fowl or other animals; dairy farms; stables; riding academies; kennels or other animal boarding places; farming, truck gardening, forestry and tree farming; and wholesale plant nurseries.

4. Exceptions

- a. Processing of animal or plant products are classified as Manufacturing and Production.
- b. Livestock auctions are classified as Wholesale Sales.
- c. Plant nurseries that are oriented to retail sales are classified as Retail Sales and Service.

B. Mining

1. Characteristics

Mining includes mining or extraction of energy, mineral, aggregate or soil resources from the ground or water for off-site use.

2. Accessory Uses

Accessory uses include storage, sorting, stockpiling, or transfer off-site of the mined material.

3. Examples

Examples include quarrying or dredging for sand, gravel or other aggregate materials; topsoil extraction, mining; and oil, gas, or geothermal drilling.

5.5 Individual Use Standards

Reserved [This section is reserved for additional standards governing permitted uses, as designated in the Use Table]

5.6 Provisional, Conditional, and Special Exception Use Standards

This section describes the standards governing individual provisional, conditional and special exception uses, including: common standards for buffering, location, bulk, and scale; and standards of an environmental nature that apply to open space uses. When specified, an application for provisional, conditional or special exception Approval or expansion shall comply with the site plan review process specified in Section 3.7, to ensure that standards specified herein are met. If the use is to be contained in a subdivision, the lots for such uses shall be so designated in the preliminary and final plat.

5.6.1 Single-family Detached Dwellings

- A. Single-family detached dwellings in the RFD district shall be situated on lots that front a local street. Single-family dwellings on corner lots abutting either Arterial or Collector streets shall face the intersecting local street.
- B. Only Modular Homes, as defined in Article 18, shall be utilized as infill housing in existing residential subdivisions, review and approval shall be by the Board of Adjustment following a public hearing in accordance with the procedures of Section 3.3.3 and meeting the requirements of 5.6.1.C.
 1. Exceptions
Subdivisions zoned and approved for the placement of Manufactured or Modular homes.
- C. Within the unincorporated jurisdiction of the Bossier MPC the placement of a Manufactured or Modular Home, as defined in Article 18, on a single parcel of land that is located within 300' of a R-LD, R-MD or R-E zoning classification, shall require approval by the Board of Adjustment following a public hearing in accordance with the procedures of Section 3.3.3, Special Exception Use. Measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the tract where a manufactured or modular home is to be located to the nearest property line of the residentially zoned tract.
 1. The home shall be designed to blend in with the neighboring residences. For example:

- a. The home shall have a composition roof with a minimum of 3:12 pitch.
- b. Proportions of the modular or Manufactured home shall be comparable to those of the existing neighboring residences.
- c. A modular home shall be erected on a foundation system the same as the majority of the neighboring residences, if used as infill of an existing subdivision.
- d. Neighboring residence shall be defined as any residence located within a 300' radius of the tract of land or lot on which the home is to be located.
- e. If required, the home shall meet all tie-down requirements as stated in Table 14.7.3.
- d. If required, One Hundred (100) percent of the undercarriage of the home shall be skirted. The color of the skirting shall complement the manufactured or modular home.

D. Separate Dwelling Unit for a Caregiver

In the unincorporated areas of the Bossier City-Parish MPC planning area, a single manufactured or modular home may be permitted on the same tract of land as a primary residence without the requirement of a subdivision plat in the R-A; Residential Agriculture District. The occupant of the separate dwelling shall be a designated caregiver as defined below. Approval shall be as a Special Exception and shall follow the procedures described in Section 3.3.3 of this code. The following conditions for approval shall apply:

- 1. Caregiver is defined as an individual who is responsible for the care of an elderly, ill or disabled person residing in the primary dwelling.
- 2. The primary residence on the property shall be occupied by the sole or majority owner of the property.
- 3. The tract of land on which the separate single family dwelling is to occupy shall be a minimum of two acres in area and only one separate Dwelling Unit shall be allowed per individual tract.
- 4. The tract of land must meet all Bossier Parish Health Department standards for potable water and sewage treatment.
- 5. The additional single family dwelling shall be separated from the primary residence by a distance of at least twice the minimum side yard setback requirement. The residence shall not be located in the front yard and all efforts should be made to locate the separate dwelling in the rear yard.

6. All efforts should be made to allow the separate dwelling to share a driveway with the primary residence. Any new driveway cuts must be approved by the Bossier Parish Engineer prior to applying for the Special Exception Use.
7. The Special Exception Use approval shall not supersede any subdivision covenants that would not allow a separate residence.
8. If approved, the owner of the property shall within 10 days, file in the office of the Parish Recorder, with a filed stamped copy to the Planning Department, a declaration of covenants, which have been approved by the Executive Director, stating the right to maintain a separate dwelling ceases upon transfer of title of the land. Failure to timely submit the required copy of the recorded covenant will be grounds to revoke the Special Exception Use for occupation of the separate dwelling and shall be considered a violation of this code and subject to the penalties herein. Upon transfer of the title, the separate single family dwelling must be removed or the new owner must apply for Special Exception Use as a residence under 5.6.1D. to continue using the separate dwelling.
9. If approved, the owner of the property shall submit a new Special Exception Use application and the appropriate fees to the Zoning Board of Adjustment every second year that the separate residence is occupied. The purpose of the hearing is to confirm the status of the occupant is the same as the original approval if the occupant has changed, the relationship of the individual to the land owner will still comply with the above requirements.

5.6.2 Accessory Dwelling Unit (ADU)

One freestanding single-family Accessory Dwelling may be constructed in rear or side yard of an existing owner-occupied single-family residence within the R-A; Residence Agriculture district, or in the rear yard of the R-E, R-LD and R-MD districts, within the incorporated area of Bossier City, provided that:

- A. Approval of an Accessory Dwelling Unit shall be by “Conditional Use” following the approval procedures of Section 3.3.2 of this code.
- B. The Accessory Dwelling Unit shall be utilized strictly as a guest house for visitors and shall not be utilized for short or long term rental. The ADU shall only be occupied for durations of no longer than 30 consecutive days at one time and for a cumulative time period of no more than 50% of any one (1) year period.
- C. Accessory Dwelling Unit Size

The permitted size of the ADU shall be determined by lot size as stated below.

1. Up to 12,000 square feet in area – 800 Sq. Ft heated area.
2. 12,001-25,000 square feet in area-1,200 Sq. Ft. heated area.

3. 25,001 square feet to 1 acre in area- 1,600 Sq. Ft. heated area.
4. Tracts or Lots greater than 1 acre in area – Up to 50% of the heated area of the primary dwelling or 1600 Sq. Ft of heated area, whichever is greater.

D. Minimum Setback Requirements:

1. The Accessory Dwelling Unit shall be separated from the Primary Dwelling by a minimum distance of twice the side yard setback requirement and shall be located in any required yard.
2. Rear yard setback shall be a minimum of 20’.
3. Side yard setback shall be a minimum of 10’.

5.6.3 Residential Uses in the RFD, B- Districts and Industrial Districts.

Residential development, not to include Detached Single Family infill, may be permitted in the Riverfront Development (RFD) District when included as a component of a mixed-used project. Residential uses, when located within an operating business, in the RFD and B – Districts, are limited to an apartment or living area located within the establishment. Apartments or living areas are reserved for the owner or a live-in manager of the business. In the I-1, I-2 and A-1 Districts, in addition to the living areas allowed in the commercial districts, a detached residence for security personnel may be granted as a Conditional Use by the Metropolitan Planning Commission following the procedures of Section 3.3.2.

5.6.4 Community Service Facility within Residential Districts

A public library may be permitted in certain residential districts shown in the Use Table, provided it abuts and draws access from an Arterial or Collector street.

5.6.5 Day Care Facility

- A. A day care facility may be permitted in certain residential districts shown in the Use Table, provided it abuts and draws access from an Arterial or Collector street. Site Plan Review, as specified in Section 3.7, is required for any day care center located within a residential district for approval or expansion.
- B. State licensing requirements shall be met, including those pertaining to building, fire, safety and health codes.
- C. Outdoor play or activity areas shall be fenced or otherwise enclosed on all sides, as approved by the Executive Director, and shall consist of developable lands, but shall not include driveways, parking area or drop off areas.
- D. An on-site vehicle turnaround, or separate entrance and exit points, as well as passenger loading/unloading areas, shall be provided.
- E. When a day care facility is located in a shopping center or shares parking and/or access with other commercial uses, the parking area and drop off areas shall function independently of and be physically separate from the general parking and circulation pattern of the other stores or businesses. It

is recommended that the day care facility should occupy either the end unit of the multiple occupancy building or a separate structure.

- F. In residential districts, no structural or decorative changes that will alter the exterior residential character of an existing residential structure used for a day care center shall be permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood.

5.6.6 Elementary, Middle or Junior High School

A public or private elementary, middle or junior high school shall be permitted in certain residential districts shown in the use table provided it abuts and draws access from an Arterial or Collector street. The minimum site area shall be 2 acres.

5.6.7 High School or College Campus

A public or private high school or college campus shall abut and draw access from an Arterial or Collector street. The minimum site area shall be 2 acres. Site Plan Review, as specified in Section 3.7, is required for approval or expansion.

5.6.8 Educational Facilities, Other

Private business schools, trade schools, and other specialized learning centers shall be permitted provided the interior space of the total occupancy shall not exceed 7,000 square feet as a "Provisional Use". Educational facilities, with total occupancy greater than 7,000 square feet may apply for approval as a Conditional Use" following the procedures as specified in Section 3.3.2.

5.6.9 Government Facilities

A fire station shall be permitted in the residential districts indicated in the Use Table and the RFD District provided it abuts and draws access from an Arterial or Collector street.

5.6.10 Medical Centers

A medical center may be permitted in the commercial districts indicated in the Use Table provided it abuts and draws access from an Arterial or Collector street. Site Plan Review, as specified in Section 3.7.1, is required for approval or expansion.

5.6.11 Cemetery

- A. Any new cemetery shall be located on a site containing not less than 20 acres. Grave sites or burial lots shall be situated on land that is not subject to periodic inundations.
- B. All structures, including, but not limited to, mausoleums, permanent monuments or maintenance buildings, shall be set back not less than 30 feet from any property line or street right-of-way line. All grave sites or burial lots shall be set back not less than 10 feet from any property line or street right-of-way.

5.6.12 Religious Institution

This use is permitted in various districts as a Provisional or Conditional Use. Particularly in residential districts, religious institutions are considered good neighbors based on their scale. Most of the standards deal with ensuring the scale and location of the use are consistent with the character of the district and neighborhood in which it is located and with limiting the associated adverse impacts so they are consistent with other uses permitted in the district. The following standards for Provisional and Conditional are presented below:

A. Scale

Building scale is a key element in this designation. Three scale types are identified--neighborhood, community, and regional--based on floor area.

1. Neighborhood scale limits the total floor area of all development on the site to 25,000 square feet. In the R-A, R-E, R-LD, R-MD, R-HD, RFD, and districts, neighborhood scale is the maximum permitted as a Conditional Use.
2. Community scale consists of buildings with floor area of 25,001 to 80,000 square feet. In the R-A, B-1, B-2, and B-3 districts, community scale is the maximum permitted as a Provisional Use, provided the scale of the facility is compatible with the neighboring residential uses and that the traffic will not have any negative impacts of large numbers of trips cutting through the neighborhoods.
3. Regional scale institutions are those greater than 80,000 square feet. Regional scale uses are permitted only in the R-A and B-3 districts as a Conditional Use following the approval procedures of Section 3.3.2.

B. Street Location

1. A community or regional scale religious institution should be in close proximity to an Arterial or Collector street to service a larger community.

5.6.13 Commercial Parking

- A. A commercial parking lot shall have asphalt or concrete paving for all surfaces used for vehicle parking. The facility shall comply with the landscaping standards for off-street parking contained in Section 13.1.
- B. The vehicle parking area in a commercial parking lot shall comply with all yard requirements for the district in which it is located.
- C. Display of any “for sale” or similar temporary signage on a vehicle is prohibited.
- D. A commercial parking lot with a capacity greater than 100 vehicles shall be subject to Site Plan Review, as specified in Section 3.7.2, as a requirement for approval or expansion.

5.6.14 Fast-food Restaurant

- A. A fast food restaurant that utilizes a drive-through-pickup lane, or drive-up service is a permitted use in the B-3, B-5 and RFD districts.
- B. A fast-food restaurant, with a drive-through pickup lane, or drive-up service shall be permitted as a Conditional Use in the B-4 District. Approval or expansion shall be subject to Site Plan Review, as specified in Section 3.7.2.

5.6.15 Drinking Establishments

A. Location

- 1. No drinking establishment (lounge or bar) that offers alcohol for retail sale shall be located within 300 feet of the uses disallowed by state or local ordinances. Measurement from these uses shall be conducted as stated in state or local ordinances.
- 2. Any Conditional Use approval for a drinking establishment by the Planning Commission must be sustained through adoption of an Ordinance by the appropriate governing body for the jurisdiction in which the premises is located. Specific procedures are described in Subsection 3.3.2.

B. Separation and Buffering

- 1. When the premises of a drinking establishment abuts any residential district, the structure(s) shall be at least 50 feet from the nearest point within that residential district.
- 2. When the premises of a drinking establishment abuts any residential, all off-street parking areas shall be at least 25' from the nearest point within that residential district.

C. Hours of Operation and Outdoor Service

The Planning Commission may restrict the hours of operation and outdoor services when it is determined that the noise, glare or traffic might adversely impact a nearby residential neighborhood.

D. Site Plan Review

Approval or expansion shall be subject to Site Plan Review, as specified in Section 3.7.

E. Approval by Governing Body

Any Conditional Use approval for the sale of alcoholic beverages by the Planning Commission, must be sustained through adoption of an Ordinance by the appropriate governing body for the jurisdiction in which the premises is located.

F. Exclusion of Right

Nothing contained in this Ordinance shall be construed to mean that approval or expansion of a drinking establishment may be obtained under these provisions as a matter of right.

G. Discontinuation of Sales

Discontinuation of the actual sales of alcoholic beverages, in any drinking establishment for a period of six months, shall require the submittal of a new application for a Conditional Use Permit to sell alcohol.

5.6.16 Major Event Entertainment

A. Access

1. Major event entertainment facilities with an attendance capacity of less than 5,000 persons shall abut and draw access from an Arterial or Collector Street.
2. Major event entertainment facilities with an attendance capacity of 5,000 persons or more shall abut and draw access from 2 arterial streets or an arterial and collector street.

B. Approval or expansion shall be subject to Site Plan Review, as specified in Section 3.7.2.

5.6.17 Public Accommodation

A. Public accommodation in the R-A, R-E, and R-LD districts shall be limited to owner-occupied bed and breakfast facilities having 6 or less guest rooms.

B. Approval or expansion of any public accommodation facility having 100 or more rooms shall be subject to Site Plan Review, as specified in Section 3.7.2.

5.6.18 Sexually Oriented Business

It is the purpose of this ordinance to regulate sexually oriented businesses located within the Bossier City Parish Metropolitan Planning Commission jurisdiction to promote the health, safety, and general welfare of the citizens of the City of Bossier City and the Parish of Bossier, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses. The provisions of the ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials or activities. Similarly, it is not the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment to the United States Constitution or the corresponding provisions of the Louisiana Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to in any way condone or legitimize the distribution of obscene material harmful to minors.

A. Characteristics

A sexually oriented business provides commercial products and/or fee-based services directed toward human sexual stimulation or titillation for non-medical purposes.

B. Location Requirements

1. No sexually oriented business shall be operated within 1,000 feet of:
 - a. A bona fide religious institution, public library, public playground or school, except a school for business education as a business college or school.
 - b. A residential zoning district.
 - c. A lot dedicated or devoted to a residential use.
 - d. A day care center or kindergarten.
 - e. Another sexually oriented business or located within a structure that contains another sexually oriented business.
 - f. A non-profit educational museum.
2. Sexually oriented businesses shall be allowed only in the B-3, General Business District.

C. Measurement

1. Measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the structure where a sexually oriented business is located or conducted to the nearest property line of the premises of a religious institution, public park, public or private elementary or secondary school, day care or kindergarten, residential district, or lot dedicated or devoted to a residential use.
2. Measurement between any two sexually oriented businesses shall be made in a straight line, without regard to intervening structures

or objects, from the closest exterior wall of one establishment to the exterior wall of the other establishment.

D. Exceptions

Sexual activities or treatment therapies associated with a licensed medical or psychological practice are excluded from this category. Artistic nude or semi-nude modeling within a classroom or studio of a state approved college is also excluded.

E. Nonconformities

1. Any sexually oriented business lawfully operating on March 15, 1994 shall be deemed nonconforming. A non-conforming use shall not be enlarged, increased or altered. Any change in use shall require full compliance with all of the provisions of this chapter and the applicable codes. If two or more sexually oriented businesses are within 1,000 feet of one another and other-wise in a permissible location, the business which was established first and continually operating at a particular location is the con-forming use and the later-established business (es) is nonconforming.
2. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to approval of the sexually oriented business, of a religious institution, public park, public or private elementary or secondary school, day care or kindergarten, residential district or residential lot within 1000 feet of the sexually oriented business.

F. Issuance of Certificate of Occupancy

Prior to issuance of a Certificate of Occupancy, the owner or applicant shall be required to sign a written statement verifying that a sexually oriented business is being operated as defined by this Code.

G. Definitions

1. Adult Arcade

Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any time, and where the images so displayed are distinguished or characterized by the depicting or describing of “specified sexual activities” or “specified anatomical areas,” defined herein.

2. Adult Bookstore or Adult Video Store

A commercial establishment in which a substantial portion of its stock in trade consists of books, videos, tapes, cassettes, photographs, slides, magazines, and other periodicals which are distinguished or characterized by an emphasis on “specified sexual activities” or specified anatomical areas,” as defined herein.

3. Adult Cabaret [SOB]

A night club, bar, restaurant, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified sexual activities” or “specified anatomical areas.”

4. Adult Retail Store

A business in which a substantial portion of the stock in trade consists of items or products other than printed matter which are characterized by an emphasis on “specified sexual activities” or “specified anatomical areas,” as defined herein.

5. Adult Theater

Any theater, concert hall, auditorium or similar establishment with a capacity of more than five persons where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas,” as defined herein, or features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified sexual activities or specified anatomical areas, as defined herein.

6. Escort

A person who, for consideration, agrees or offers to act as a companion, or date for another person, and/or agrees or offers to privately model lingerie or perform a striptease for another person.

7. Escort Agency

A person or commercial establishment who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip or other consideration.

8. Nude Model Studio

Any place where a person who appears in a state of nudity or displays “specified anatomical areas,” as defined herein, is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

9. Nudity or State of Nudity

The appearance of a human bare buttock, anus, male genitals, female genitals, or female breast.

10. Semi-Nude

A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

11. Sexual Encounter Center

A commercial establishment which, as one of its primary business purposes, offers for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex or activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

12. Sexually Oriented Business

Any adult arcade, adult bookstore or adult video store, adult cabaret, adult retail store, adult theater, escort agency, nude model studio, or sexual encounter center.

13. Specified Anatomical Areas

Less than completely and opaquely covered human genitals, pubic region, buttock; human genitals in a discernibly erect state, even if completely and opaquely covered; or any combination of the aforementioned.

14. Specified Sexual Activities

Depiction of male genitals in a state of sexual arousal, female genitals; acts of masturbation, sexual intercourse, oral copulation, sodomy, bestiality; touching of human genitals, pubic region, buttocks, anus; or any combination of the aforementioned.

5.6.19 Dry Cleaning Facility

Dry cleaning establishments in the B-2 district shall be for pick-up and delivery of dry cleaned items only. The dry-cleaning process shall be conducted off-site. Conventional laundering, packaging, pressing, and alteration services are permitted.

5.6.20 Bank, Financial Institution or Pawn Shop

- A. Any drive-through lanes accessory to a bank, savings and loan organization, or similar financial institution shall meet the vehicle stacking space requirements specified in Subsection 12.5.12.
- B. Exterior display or storage of any motor vehicle, boat, trailer, camper or other large item for sale is permitted only in the B-3 district. Occupancy shall comply with the requirements of Subsection 5.6.26.

5.6.21 Landscape Nursery

In the R-A district, retail sales of a landscape nursery shall be limited to plant materials, seeds, bulbs, soil, mulch, fertilizer, and growing containers. A landscape nursery in the R-A district shall not include sales of hardware, tools, or non-organic accessories. A gift shop may be approved as a “Conditional Use” following the procedures of Section 3.3.2.

5.6.22 Liquor Store and Retail Sales (Off-Premise consumption)

A. Location

No establishment selling alcohol shall be located within 300 feet of the premises of a public playground or of a building occupied exclusively as a bona fide church, synagogue, public library, daycare or school except a school of business education as a business college or school. Measurement shall be conducted as stated in state and local ordinances.

B. Approval by Governing Body

Any Conditional Use approval for alcohol sales by the Planning Commission must be sustained through adoption of an Ordinance by the appropriate governing body for the jurisdiction in which the premises is located. Specific procedures are described in Subsection 3.3.2.

C. Exclusion of Right

Nothing contained in this Ordinance shall be construed to mean that approval or expansion of a liquor store may be obtained under these provisions as a matter of right.

D. Discontinuation of Sales

Discontinuation of the actual sales of alcoholic beverages for a period of six months shall require the submittal of a new application for Conditional Use approval.

5.6.23 Pharmacy

Any drive-through lanes accessory to a pharmacy shall meet the vehicle area stacking area requirements specified in Subsection 12.5.12.

5.6.24 Veterinary Service

Veterinary services are divided into the following sub-categories:

A. General Veterinary Service

This sub-category includes all veterinary medical services for large and small animals and includes overnight boarding of animals in outdoor pens. Occupancy in this sub-category is permitted only in the R-A and I-1 districts.

B. Small Animal Hospital

This sub-category includes veterinary medical services with the establishment providing overnight boarding in indoor pens for domestic pets and other small animals generally weighing less than 100 pounds. Occupancy in this sub-category is permitted only in the R-A, B-3, B-4 and I-1 districts.

5.6.25 Motor Vehicle Repair

The following restrictions shall apply to motor vehicle repair facilities.

- A. Visibly damaged customer vehicles awaiting painting or body repair shall not be parked in the front yard.
- B. In any side or rear yards, vehicles awaiting painting or body repair shall be screened by a minimum 6' wood fence or wall.
- C. Vehicle tire sales or repair operations shall only store tires, new or used, inside the primary building the business is operating from or in an enclosed accessory structure that complies with all the requirements of this code.
- D. When automobile repair or maintenance is performed in a side yard, the work area shall be screened from view by a minimum of a 6 foot screening fence or wall.
- E. Within B-4; Downtown Business District motor vehicle repair is only permitted as an accessory use with a new vehicle sales establishment.

5.6.26 Motor Vehicle Sales, Watercraft Sales, Rental or Service

- A. Parking and storage of boats or motor vehicles, such as automobiles and trucks, shall be on an asphalt or concrete surface and not parked within the public right of way.
- B. Approval or expansion of a boat or vehicle sales, service or rental establishment occupying a lot larger than 30,000 square feet shall be subject to Site Plan Review, as specified in Section 3.7.1.
- C. Repair of vehicles shall not take place within the building frontage portion of the property, as defined in Subsection 18.2.17.
- D. Vehicle tire sales or repair operations shall only store tires, new or used, inside the primary building the business is operating from or in an enclosed accessory structure that complies with all the requirements of this code.
- E. Used motor vehicle sales in the RFD; Riverfront District is permitted as an accessory use to a new vehicle sales establishment only.
- F. In the B-4 Downtown District, vehicle sales are limited to new vehicle sales facilities only.
- G. All vehicles displayed at a vehicle sales facility shall be in operating condition as defined in Article 18 of this code.

5.6.27 Manufacturing and Production

Small-scale manufacturing, cooking, assembly or fabricating activities customarily associated with a retail artisan shall be permitted in the B-4 and RFD districts provided the following conditions are met:

- A. Floor area of the occupancy shall be less than 1,500 square feet. Uses requiring a floor area of greater than 1,500 square feet may be approved as a “Conditional Use” following the procedures of Section 3.3.2.
- B. All production activities shall be conducted indoors.

5.6.28 Warehouse and Freight Service, Personal and Climate Controlled Warehouse Facilities

Warehousing and freight service activities may be permitted in the B-3 District as a Conditional Use following the approval procedures of Section 3.3.2. The following minimal conditions shall apply:

- A. Warehouse and Freight Services are limited to a single building that is no more than 125,000 square feet in size. The premises shall abut and draw access from an Arterial or Collector Street as designated in the Comprehensive Plan. Storage of all merchandise shall be conducted inside the primary building.
- B. Mini Warehouses or Climate Controlled warehouse facilities are for storage purposes only. Individual units shall not be utilized for offices. Parking areas and drive aisles shall not be used for the repair and maintenance of motor vehicles or other similar activities.
- C. Site Plan Review, as specified in Section 3.7, is required for approval or expansion.

5.6.29 Waste-Related Service

- A. The site must be located at least 1000 feet from the nearest R-E, R-LD, R-MD, R-HD, RMHP or RMHS district boundary.
- B. Site Plan Review, as specified in Section 3.7, is required for approval or expansion.
- C. Salvage yards must be screened by a fence no less than 8 feet in height on all sides. The fence must be opaque and constructed of materials specifically designed for fences. The screening fence must be kept clean of any signage. Waste materials stored at the site shall not exceed the height of the screening fence. The site shall comply with all applicable landscaping buffers.

5.6.30 Wholesale Sales

Wholesale Sales in the B-3, General Business District is limited to uses such as wholesale clubs that sell to businesses and the general public usually by membership.

5.6.31 Radio Frequency Transmission Facilities

All towers, transmitters and accessory facilities shall comply with the provisions of 3.7 of this Ordinance.

5.6.32 Rail Lines and Utility Corridors

Approval for establishment or expansion of any rail or utility corridor shall be subject to Site Plan Review, as specified in Section 3.7.

5.6.33 Agriculture

Except in the R-A district, agriculture shall be limited to the growing of row and field crops.

- A. The raising of farm animals may be allowed as a “Special Exception Use” in the R-E; Residential classification. All buildable lots within the entire development shall be no smaller than two (2) acres in area. Types and number of animals shall be controlled by the Covenants and Restrictions of the development. Approval shall follow the procedures of Section 3.3.3 of this code.

5.6.34 Mining

The premises of a mining operation must be located at least 500 feet from the nearest boundary of an R-E, R-LD, R-MD, R-HD, or R-MHP district.

5.6.35 A-1 District Uses

Uses in the North (A-1) District are allowed as Provisional and Conditional uses only in the Accident Potential Zone I (APZ I) and the Accident Potential Zone II (APZ II) areas. Uses allowed in these districts will follow the recommendations and guidelines in the most current AICUZ Study. The allowed uses in these Accident Potential Zones are restricted to the number of individuals on the site at any given time. The gathering of employees and customers cannot result in a gathering on site of a density of more than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time. Uses allowed in the North (A-1) District zone cannot produce smoke emissions of a nature that could interfere with aircraft or conduct operations that would attract birds. Land uses in this district will not be allowed outdoor neon lighting, flashing lights, or lighting of an intense nature that would be detrimental to the operation of aircraft. All allowed uses in the A-1 district will follow the guidelines recommended in the Land Use Compatibility Use Zone (AICUZ) Study.

5.6.36 Teen Club

A. Location

1. The premises of a teen club must be located at least 500' from the nearest boundary of an establishment selling or serving alcoholic beverages and at least 1000' from any establishment classified as a Sexually Oriented Business.
2. Measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the structure where a Teen Club is located or conducted to the nearest property line of the premises of an establishment classified as a Sexually Oriented Business.

B. Separation and Buffering

1. When the premises of a Teen Club abuts any residential district, the structure(s) shall be at least 50' from the nearest point within the residential district.
2. When the premises of a Teen Club abuts and residential district, all off-street parking areas must be at least 25 feet from the nearest point within the residential district.

5.6.37 Manufactured or Modular Commercial and Industrial Buildings

When used as a primary structure and placed in the RFD District or within the B-1- B-3 Districts, a factory built, manufactured or modular commercial or industrial building, shall be reviewed as a "Conditional Use" following the procedures of Section 3.3.2. The modular or manufactured building shall comply with, but not limited to, the following requirements:

- A. Should be compatible in character to the surrounding structures.
- B. When located within 300 feet of residential properties the building shall be compatible with the surrounding residences, such as, but not limited to the following standards:
 1. The structure shall have a pitched roof rather than a flat roof. Pitched roofs should be of a similar pitch to the surrounding residences.
 2. The exterior of the structure shall meet the architectural standards of this code.
 3. The structure shall have residential style windows with divided panes to blend in with the surrounding residences.
- C. The building shall comply with all the requirements of a permanent, site-built structure, as stated in this code.

5.6.38 Monuments and Accessory Structures

Within the unincorporated areas of the Bossier MPC jurisdiction, monuments and accessory structures, as defined in Article 18 of this code, desiring additional height not allowed by district development standards, may apply for the additional

height as a Special Exception Use following the approval procedures of Section 3.3.3. The following standards shall apply:

- A. Additional height may be allowed in the R-A; Residence Agriculture District and the B-3; General Business District only.
- B. The structure shall be sited so as to provide a minimum fall zone measured by a radius that is equal to the height of the structure. A fall zone is an area within the site, which is wholly under ownership control of the applicant. A fall zone is an area within which no other structure or property or use can be located around a monument or accessory structure. This provision shall apply unless a dedicated easement is provided by the affected property owner(s).
- C. Each required front, side and rear yard shall be increased at least 1 foot per foot of excess height requested.
 - 1. The increased height requirement, when adjacent to a public street, may be waived if the applicant provides a satisfactory site plan that illustrates the minimum fall zone of the monument or accessory structure does not fall upon any portion of the public street pavement or paved shoulder area.
- D. The applicant shall provide written verification that the structure meets all FAA requirements.
- E. Lighting of the structure shall follow FAA requirements and not be deemed hazardous or detrimental to any local airfield operations. Lighting shall not consist of beacons, colored lights or revolving reflective clear bulbs, strobe lights, or incandescent lights that expose the face of the bulb to any public thoroughfare or adjacent property.
- F. The applicant shall provide a statement from a Louisiana-licensed engineer attesting that the monument or accessory structure is designed to be structurally sound.
- G. The structure shall not incorporate into the design of or have as part of any architectural feature of the structure any language, trademark or any other feature that can be construed as commercial signage.
- H. Basic structure materials should be muted with matte and earth tones colors in the family of beige, tans, or other neutral colors indigenous to the surrounding areas in effort to preserve the original appearance of Bossier Parish. Avoid using highly reflective surfaces that will generate glare, especially at the pedestrian level. Neon and bright colors are prohibited. High quality and low maintenance materials are encouraged. Select building materials that will age with grace and avoid colored materials that may streak or fade.

5.6.39 Used Tire Dealer

This use is permitted in the B-3; General Business, I-1; Light Industrial and the A-1; North Airbase Buffer zoning classifications as Provisional Use. A used tire dealer shall comply with the following requirements;

- A. By January 31 of every year, renewal of the Certificate of Occupancy (C/O) shall be required for all retail used tire dealers. Renewal of the C/O

may be granted if the dealer has remained in compliance with all the Provisional Use requirements during the previous year. Appropriate fees for a C/O shall apply to the yearly renewal. Failure of renewal of the C/O or non-compliance during the previous year, are grounds for revocation or denial of the business's Certificate of Occupancy and occupational license. A Certificate of Occupancy shall not be issued without proof of compliance of state law as stated in R.S. 47:350(E).

- B. A schedule of regular pickup of scrap tires shall be provided to the MPC office. Tire pickup and disposal shall be by a licensed carrier and evidence of disposal at a properly licensed disposal site, such as a disposal receipt, shall be provided to the MPC office prior to renewal of the Certificate of Occupancy. Scrap tires shall be disposed of a minimum of every three (3) months unless otherwise approved by the MPC inspectors following a site inspection.
- C. Storage of tires shall be inside the primary building, or inside an accessory building(s) no greater than 3200 cubic feet in volume, so that all tires are shielded from the elements at all times. Movable trailers or other similar vehicles shall not be utilized for use as tire storage. Storage of tires within the service bay area, shall not be in a manner that prohibits the service bay area for use of the removal or installation of tires.
- D. Outdoor display of tires is limited to the building frontage only and no more than sixteen (16) tires at any given time. Display tires shall not be placed in the street right of way and shall be removed from sight during closing hours.
- E. Tire removal and installation shall not be conducted in parking areas or within the building frontage, as defined by this code.
- F. Used tire dealers shall comply with all applicable State of Louisiana requirements.

5.7 Overlay District Uses

5.7.1 Gateway Overlay District

A. Uses Permitted by Right

Uses that are allowed as permitted or provisional uses in the underlying district, except the following, which shall become conditional uses if they are permitted or provisional in the underlying district:

1. Eating establishments; drinking establishments; commercial entertainment, indoor; commercial entertainment, outdoor.
2. Vehicle sales and service, commercial parking, and transportation terminals.

B. Prohibited Uses

The following uses shall be prohibited:

1. All uses prohibited in the underlying district.
2. Lumber yards.
3. Vehicle storage.
4. Warehouses.
5. Accessory outdoor storage of merchandise.
6. Off-premise advertising signs.
7. Electrical substations and transmission lines.

C. Setback and Area Requirements

1. Outdoor sales and dining areas shall be set back at least 20 feet from the frontage right-of-way.
2. The minimum landscape surface shall be 30 percent or the amount specified for the underlying district in Section 0, whichever is greater.

D. Miscellaneous Requirements

1. All on-site utilities shall be underground.
2. Parking shall be in the rear yard, except as permitted by the Metropolitan Planning Commission.
3. All garbage and refuse containers shall be screened from view from streets and adjacent sites.
4. Satellite dishes greater than 18 inches in diameter shall be screened from view from the frontage street.
5. Roof-mounted equipment, including but not limited to, storage tanks, compressor units, vent stacks greater than 4 inches in diameter, and elevator machinery, shall be integrated into the building design and screened from the view from the frontage street. Roof-top screening shall use building materials similar to the façade of the building on which such items are located to create a smooth, clean appearance.

5.7.2 Neighborhood Conservation Conditional Use Overlay Districts

A. Purpose

Neighborhood Conservation Conditional Use Overlay Districts are intended to promote the health, safety, economic, cultural and general welfare of the citizens of the City of Bossier City and the Parish of Bossier by encouraging the conservation and enhancement of the urban environment. Specifically, the goal of such districts is to reduce conflicts

between expanding or robustly stabilized residential development in established neighborhoods and the operation of mixed uses on tracts zoned for non-residential purposes which are within, adjacent to, or in proximity with such established residential neighborhoods and made such a part of such districts.

The purposes of these overlay districts for neighborhoods which voluntarily seek and qualify for designation as a Neighborhood Conservation Conditional Use Overlay District are:

1. To maintain desirable and unique neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social, and economic resources; the protection and strengthening of distinctive and recognized neighborhood identity, charm and flavor; and the accommodation of desirable mixed uses on tracts zoned for non-residential purposes which are within, adjacent to, or in proximity with such established residential neighborhoods and made a part of the district;
2. To promote reinvestment in the neighborhood by fostering stable property values and enhancing the economic viability of the neighborhood and the City of Bossier City/Parish in general;
3. To preserve the mature cultural character of the neighborhood;
4. To encourage and strengthen civic pride;
5. To set standards for the maintenance of the character of the neighborhood by guiding operations on commercial and other property zoned for non-residential purposes within the Neighborhood Conservation Conditional Use Overlay District so as to be compatible with existing residential development in the type of uses and site-specific activities permitted, including setback and area requirements and hours of operation, by declaring all uses on such property to be conditional uses and, therefore, subject to the site plan review process specified in Section 3.7 and as further provided herein, and;
6. To foster the harmonious, orderly, and efficient growth, development, and redevelopment of the City of Bossier City and the Parish of Bossier.

B. Designation Criteria

To be designated a Neighborhood Conservation Conditional Use Overlay District, an area must meet the following criteria:

1. The proposed district must contain a minimum contiguous area of 4 acres and at least 25 parcels;
2. The proposed district should be a logical neighborhood unit;
3. The proposed district must have been originally platted or developed at least 10 years ago prior to the application;

4. At least 75% of the land area in the proposed district must be presently improved;
5. At least 80% of the land area in the proposed district must be zoned residential; and
6. The proposed district must be considered “stable,” meaning it is expected to remain substantially the same over the next 20 years with continued maintenance on property. While some changes in structures, land uses, and densities may occur, all such changes are expected to be compatible with surrounding residential development.

C. Initiation

1. Designation of an area as a Neighborhood Conservation Conditional Use Overlay District must be initiated by a group of persons who collectively own more than 50% of the assessed value of the land, within the area of the request. An agent or representative (hereafter, “applicant”) for a group that satisfies this requirement may file an application with the Planning Office on a form furnished by the Metropolitan Planning Commission.
2. An application for designation as a Neighborhood Conservation Overlay District must include the following:
 - a. An application fee as set by the Metropolitan Planning Commission;
 - b. A map showing existing zoning and land uses on all of the land in the area of the request, and on all land (including streets and alleys) within 200 feet, measured from the boundary of the area of the request;
 - c. A list of names and addresses of all property owners in the area of the request;
 - d. A list of all neighborhood associations, homeowners associations, or other organizations representing the interests of property owners in the area of the request. This list shall include information such as the number of members and the officer’s names, mailing addresses, and phone numbers.
 - e. A statement of justification. This statement should:
 - (1) Specifically point out the factors which render the area of request eligible for designation as a Neighborhood Conservation Conditional Use Overlay District, and
 - (2) Explain in detail how and why such a classification would be in the best interests of the City of Bossier City or Parish of Bossier as a whole.
 - f. Any additional information that the Planning Director determines to be necessary.

D. Determination of Eligibility

1. Upon receipt of an application for designation of an area as a Neighborhood Conservation Conditional Use Overlay District, the Planning Director shall determine the eligibility of the area for such classification in accordance with the criteria set forth in Section 5.7.3.B, Designation Criteria.
2. If the Planning Director determines that the proposed area is not eligible for designation, he shall notify the applicant of this fact in writing, sent to the address shown on the application. This decision is appealable to the Metropolitan Planning Commission. The appeal must be filed and the appropriate application fee paid within 30 days of the date written notice is given to the applicant of the Planning Director's decision.
3. The decision of the Metropolitan Planning Commission as to eligibility is final. If the Metropolitan Planning Commission determines that the area is not eligible for classification as a Neighborhood Conservation Conditional Use Overlay District, no further applications for such classification may be considered for the area of request for two years from the date of decision, unless waived by action of the Metropolitan Planning Commission.

E. Neighborhood Conservation Plan Formulation, Presentation, and MPC Review

1. If the Planning Director determines that an area is eligible for classification as a Neighborhood Conservation Conditional Use Overlay District, he shall notify the applicant of this fact in writing, sent to the address shown on the application.
2. Thereafter, the group making the application is responsible for formulating a draft Neighborhood Conservation Conditional Use Overlay Plan. With the help of the MPC office, the plan will consist of a map and such other textual and graphic material as may be necessary, indicating land uses, building types and designs, existing site uses (designated as developed or undeveloped), traffic circulation, signage, off-street parking, and proposed regulation of non-residential uses proposed as conditional uses, including types of uses and site-specific operations permitted, including setback and area requirements and hours of operation, to promote the purposes of the district.
3. The group making the application is responsible for scheduling a public meeting to receive comment regarding the draft plan. The group making the application shall be responsible for providing written notice of the public meeting to all property owners in the proposed district. The notice must be given not less than 10 days before the date set for the meeting. Notice is given by depositing the notice, properly addressed and postage paid, in the United States mail to the property owners as evidenced by the last approved tax roll. At or following the public meeting, written approval of the draft plan must be obtained by more than 50% of the group making the initial application. This written approval can be made in the form a petition.

4. Upon satisfying the prerequisites of subsections 2 and 3 of this section, the group making the application shall notify the Planning Director, providing evidence of the satisfaction of such prerequisites as reasonably suitable to the Planning Director.
5. Thereafter, the Planning Director shall prepare a conceptual Neighborhood Conservation Conditional Use Overlay Plan for the proposed district, utilizing but not limited to the draft plan provided by the group making application, for presentation to the Metropolitan Planning Commission.
6. The Metropolitan Planning Commission shall make a recommendation regarding the plan.
7. If the Metropolitan Planning Commission recommends the adoption of the plan, the plan shall be incorporated in a proposed Neighborhood Conservation Conditional Use Overlay District ordinance which shall be reviewed by the MPC prior to being forwarded to the appropriate governing body for further action. The ordinance shall provide that all uses on tracts located within the district which are zoned for non-residential purposes shall become Conditional Uses, with required sub-mission and approval of site plan review under Section 3.7.

This review shall also incorporate and require such operational site plan features as types of uses and site-specific operations permitted, including setback and area requirements and hours of operation.

F. City Council or Bossier Parish Police Jury Review

The appropriate governing body shall hold a public hearing before making a decision regarding the recommendation of the MPC concerning the proposed Neighborhood Conservation Conditional Use Overlay District. After holding the public hearing, the City Council or Parish Police Jury shall make a decision regarding the proposed district and if adoption has been recommended by the Metropolitan Planning Commission, the proposed ordinance creating the district.

5.7.3 National Cyber Research Park Overlay District (NCRP-OD)

Research Park District Regulations

Standards Clause

To the extent any portion of this Overlay District requires a more restrictive provision or more specific standard than the remaining terms of the Bossier City-Parish Unified Development Code (“UDC”), such provision or standard of this Overlay District shall govern; otherwise, the remaining terms of the UDC, as it may be amended, shall apply. The more restrictive provision shall be considered to be the one that imposes the greater restriction or more stringent control on development.

A. Purpose and Intent

The intent of the Research Park (RP) District Regulations is to produce a high quality and aesthetically pleasing development that complements the sites’ natural beauty. The following will help preserve and enhance an environment pleasing to occupants, visitors and neighbors.

B. Department of Defense (DoD) Minimum Antiterrorism Standards for Buildings

The Research Park will be home to many new facilities including facilities that require high security. With the need for this level of security, the Research Park wants to provide the tools and the most economical method to minimize fatalities in the event of an attack.

The United Facilities Criteria (UFC) is arranged to provide a set of standards and design strategies that minimizes the probability of mass casualties and potential terrorist attacks for which DoD personnel work and live.

C. Standards for Buildings

All new development must refer to the latest adoption of the Unified Facilities Criteria, (UFC) 4-010-01 for design standards designated for buildings, equipment, landscaping, parking, roads and other protective building measures.

Facilities not intended for DoD personnel, may apply for a waiver from the DoD Standards.

D. Amendments of Guidelines

From time to time these Guidelines may be amended, repealed and adopted. At such time all appended will be made a part of these Guidelines. Each owner/applicant is responsible for obtaining a copy of the most current Guidelines for development.

E. Architectural Review

All applications, submitted for development within the Research Park Overlay District, shall be subject to review by the Design Review Board (DRB). The following will be considered:

1. Materials

Materials shall be appropriate for the use of buildings and for relationship to other materials including those uses on buildings in surrounding areas.

2. Colors and Textures

Colors and textures shall be appropriate for the size and scale of the building, and for relationship to the site and surrounding buildings.

3. Architectural details and ornaments

Architectural details and ornaments shall be meaningful to the overall design and appropriate for the size and scale of the building.

4. Mechanical equipment

Mechanical equipment shall be considered as it affects rooftop appearance, sidewall openings, sound levels, smoke, and other nuisance aspects.

5. Drives, and parking areas

Drives and parking areas shall be considered as they affect the appearance from the street and from the site as well. The relationship of paving to the building shall be appropriate considering factors such as landscaping, safety, and drainage from the site.

6. Lighting

Lighting shall be considered for appropriateness of nighttime illumination of the grounds, drives, walks, parking areas, the building, and its effect upon surrounding areas.

7. Signs

Signs shall be considered for appropriateness of size, scale, shape, color, content, text and illumination in relation to the site.

8. Utilities

Adequate utilities, parking, access roads, drainage, landscape planting and other essential facilities and amenities to be provided.

9. Ingress and egress

Adequate measures will be taken to provide ingress and egress designed so as to minimize traffic congestion in the public streets.

10. Roof Utilities or Mounted Units

Any equipment, mechanical or otherwise, located on the roof shall be screened from public view on all sides of the building including the rear.

Rooftop screening shall be integrated into the architecture of the building in terms of massing, materials and details. Ideally, the screening for rooftop equipment shall be part of the roof design.

F. Permitted Uses:

Intent

It is the intent of this article to encourage Research and Development within the National Cyber Research Park (NCRP). This district is devoted to business, research, education, science, and other related production activities. The uses are, but not limited to development facilities, corporate, divisional, regional headquarters, pilot plants and prototype production facilities that require a high degree of scientific input, information processing and human interaction. All allowable uses will be determined on a case by case basis by the Cyber Innovation Center (CIC) Board.

No building structure, or land shall be used and no building structure shall be hereafter erected, structurally altered, enlarged, or maintained, except for one or more of the following uses:

1. Agricultural Uses and agribusiness will be allowed based on CIC approval.
2. Laboratories and related facilities intended for basic and applied research, development of the technology based products and services, or testing of technology-based products and services.
3. Facilities intended for production or assembly of products of scientific or technologic nature, provide that this production is supported by on-site research or product development activities.
4. Pilot plants in which prototype production processes can be tested and used for assembly of products of a technological nature.
5. Corporate, regional and divisional headquarters of technology-based or knowledge-driven companies and organizations.
6. Technology-dependent or computer-based facilities dedicated to the processing of data or analysis of information, provided that these information services are supported by on-site research or product development.
7. Offices and related facilities of not for profit research or educational institutes, as well as professional, training, research or engineering associations.
8. Professional training facilities provided that these facilities maintain ongoing cooperative relationships with Continuing Education or Extension Programs.

9. Private and Public Colleges, scientific, experimental research testing facilities.
10. Limited sleeping quarters for scientist and laboratory technicians, custodians and caretakers that are demonstrated to be necessary to carry out a permitted use.
11. Federal, state, parish, city or public owned or operated uses.
12. Any other facilities reasonably related to Research and Development and the intended character of the Research Park, provided these uses are specifically approved by the director of the NCRP.
13. Services and Retail consumer service establishments and other accessory uses (not including wholesale sales) are allowed in connection with any permitted use. Such uses will be primarily for the convenience of employees, students, or faculty of establishments permitted as principal uses; provided, however, that commercial uses shall not occupy more than five percent of the total floor area of all buildings on any lot or group of contiguous lots in common ownership or control.
14. Accessory Structures may be permitted in the Research Park for support of the principle structure for mechanical purposes only.

The NCRP board will determine final approval.

G. Temporary Uses

No temporary uses shall be allowed within the Research Park.

H. Nonconforming Uses

Except as otherwise provided herein, the lawful use of land, buildings, signs and structures existing at the effective date of this Ordinance and does not conform to the provisions thereof, shall be contained and herein legally defined as a Nonconforming use. The uniform provisions for the regulation of these uses can be found in Article 7, Nonconformities, of the Unified Development Code.

I. Outdoor Storage

Storage of equipment, materials, motor vehicles, boats, trailers, recreational vehicles, portable storage containers, or the like shall not be kept or stored on any lot or yard within the Research Park.

J. Building Height and Limitations

No building structure or improvement shall exceed 70 feet, above grade, except as permitted by the Design Review Board. Building height will also be evaluated in concert with the overall architectural character of each building and the relationship of the building to existing and proposed development within the Research Park.

K. Performance Standards

Intent

The intent of this article is to provide that research and related activities conducted in the Research Park shall be established and maintained with proper appearance from streets and adjoining properties and to provide that such permitted uses shall be good neighbors to adjoining properties by the control and or mitigation of pollutants, odor, noise, vibration, glare, fire hazards, water pollution, liquid wastes, toxic materials, radioactivity, radiation, electromagnetic emissions, and any other factors considered to be offensive and hazardous.

Tenants and/or property users within the Research Park shall comply with all applicable governmental laws with respect to the environment, health and safety, in addition to the Environmental Performance Standards.

The following performance standards shall be required for all permitted uses located in the Research Park District.

1. Air Pollution – Any use that emits any air contaminant, as defined by the State air pollution laws, shall conform to all applicable federal, state and local laws, rules and regulations regarding air quality.
2. Odor – No odors shall be emitted that are detectable with Instruments at or beyond and property line.
3. Noise – Every use shall be operated to comply with the noise limitations specified in Article 15.5.1, Noise, Unified Development Code of the Bossier City, Louisiana, as the same may be amended or revised.
4. Heat and Vibration – There shall be no emission by any use or occupancy of objectionable heat or vibration that is humanly perceptible beyond any boundary of the lot on which the use is located.
5. Glare – No direct or reflected glare shall be produced so as to be visible at or beyond any lot line.
6. Site Lighting – Site lighting should create safe lighting conditions visibility, accenting important elements of the building and to create clear visual night time order to the site, and distinguish between various site uses such as roads, parking, walkways, recreation spaces, etc.

Site lighting will be provided to meet the following:

- a. All exterior wiring, including but not limited to driveway, walkways, area, parking and decorative lighting must be underground.
 - b. All light fixtures will be oriented to avoid glare, direct or reflected, onto the adjacent properties and streets are minimized.
 - c. Each tenant will maintain all light fixtures in proper operating condition.
7. Fire, Trenching and Explosive Hazards – All tenants using and or storing explosive or hazardous materials shall be in accordance with Fire Prevention and Protection, Chapter 50, Article II, Section 31-43 Code of Ordinances, Bossier City, Louisiana. All buildings should be built with reasonable precautions in accordance with all applicable codes regarding such hazards.
 8. Water Pollution and Disposal of Liquid Wastes – For wastewater Disposal, refer to the requirements and limitations in Chapter 114, Article III, Code of Ordinances, City of Bossier City, Louisiana. No use in any zone may discharge any waste contrary to the provisions of the City or State law governing discharges of radiological, chemical or biological wastes into surface or subsurface waters.
 9. Drainage and Storm Water Management – The overall storm water management system should be designed to minimize water collection at building foundations, entrances, and service ramps. Owner/tenant should provide positive drainage away from all buildings in accordance with the accepted drainage practice approved by a City of Bossier Engineer. Incorporating fountains and water sculptures in the landscape design is encouraged, for aesthetic reasons, as well as for recirculation and aeration of water.
 10. Electromagnetic Emissions – The tenant shall not operate any device in such a manner that it will cause electromagnetic interference with other Research Park tenants' communication systems. If it is found that a Tenant is producing interference, NCRP will work with the Tenant to eliminate the interference. The tenant will be responsible for any costs associated with corrective actions required.
 11. Radiation and Radioactive Materials – At a minimum, tenants must comply with the requirements of Federal, State, and local laws and any other regulations applicable to the property. The Research Park Director may establish additional, acceptable limits and standards in writing.
 12. Waste – It is the responsibility of the tenant to follow all restrictions, directives, guidelines and laws of all applicable governmental bodies and under its own industrial safety standards to treat and dispose of wastes in a manner that complies with all applicable laws.

L. Required Yards*

Yards facing an existing or proposed street, other than a controlled access highway, shall be considered front yards. Such yards shall have a minimum depth of one hundred and fifty (150) feet.

All other yards shall have a minimum depth of fifty (50) feet.

* Facilities not intended for DoD Personnel may apply for a waiver from the Department of Defense Antiterrorism Standards. (Final approval to be determined by the NCRP Board). If the waiver is approved, the Required Yard standards are to be used in place of DoD Standards.

M. Density Regulations

Density of development will be subject to design review by the Design Review Committee. It will be evaluated with the objective of creating a campus-like environment.

1. Buildings should not cover an area greater than thirty percent (30%) of the total area of the tract upon which the buildings are located.
2. Buildings and paved areas shall not cover an area greater than fifty (50%) of the total area of the tract.
3. The minimum lot size for development is five (5) acres.
4. Minimum lot width of each tract shall not be less than three hundred (300) feet measured at the minimum building line.

N. Utilities

Water, sewer, gas, electric, and telecommunications services shall be located underground.

O. Parking Requirements

1. Off-Street Parking Standards

All parking will be designated to be consistent with the campus like amenities with the Research Park.

The minimum number of off-street parking spaces shall be provided as follows:

- a. Research & Development: 1/400 sq. ft. of gross floor area
- b. Office and Business Uses: 1/400 sq. ft. of gross floor area
- c. Warehouse & Storage Uses: 1/100 sq. ft. of gross floor area
- d. Educational Uses: 1/250 sq. ft. of gross floor area

Parking will not be permitted on any Street, Driveway, Alley, right of way or any portion of the common areas.

All parking areas shall be paved with concrete.

P. Loading Areas

Loading areas shall provide sufficient on-site loadings facilities to accommodate the proposed site activities. Truck loading and receiving areas shall not have the docks or the dock doors directly facing the public roads, or front yards within the Research Park. All loading areas shall be screened on all sides as not to be visible from existing or proposed streets. Avoid placing service and loading areas where they will be visible from adjacent buildings or where they will impact designed view corridors.

Service areas such as loading or dumpster service shall also be constructed with concrete paving.

Q. Landscape Standards and Design

The overall landscaping concept for the NCRP is to use plant materials and landscape elements along all streets and major public open space areas. By contrast, more individual landscape designs may be used close to the buildings, although some similarity among each lot is encouraged. In this way the overall uniformity of landscaping for the park as a whole is balanced with the individual expressions that give identity to each building. Landscaping within the Research Park shall be used in a manner to enhance the architecture of the buildings, to provide windbreaks, shade and to create pleasant pedestrian areas and to soften and break-up parking and other paved areas.

1. Landscape Requirements

All landscaping that is approved by the Design Review Board shall be completed and installed within 90 days of substantial completion of construction, and in any event prior to the issuance of the Certificate of Occupancy.

Every building site on which a building shall be placed, shall be landscaped in the following manner:

- a. All yards required under this ordinance shall be landscaped and maintained. A minimum of one tree per 20 linear feet of distance for each boundary line shall be planted in the required yards;
- b. All off-street parking areas shall be screened, from view from streets by the use of earth berms and landscaping materials;
- c. All off-street parking areas, to include drives within the parking areas, greater than either twenty (20) automobile spaces or 6,000 square feet shall have at least five (5) percent of the interior of the parking area landscaped in planting islands or peninsulas. Width of islands or peninsulas shall be a minimum width of at least five (5) feet between backs of curbs and at least one tree per twenty (20) parking spaces shall be planted within the planting islands

or peninsulas in addition to other landscaping materials and plants;

- d. One Hundred (100) percent of all landscaped and grassed open areas shall be watered or irrigated by means of an automatic irrigation system.

2. Plant Materials

Listed below are the recommended plant materials that should make up the majority of plant materials used within the Research Park and the Research Park Commercial District. These plants are well adapted to the region and well suited to the climate and soils found within the park. The landscape scheme should express the character of the region. While not all plants shown on the recommended list are native, they visually blend with native plant materials. Some variation from the list might be allowed with approval, but the list should be adhered to so that a visual continuity is developed throughout the park.

Recommended Plant Materials List:

COMMON NAME	BOTANICAL NAME	SIZE
ANNUALS		JUMBO
CHINESE PISTACHE	PISTACIA CHINENSIS	4" CAL.
CLEYERA	CLEYERA JAPONICA	5 GAL.
CREPE MYRTLE	LAGERSTROEMIA INDICA	8-10'
CREPE MYRTLE	LAGERSTROEMIA INDICA	12-14'
CYPRESS	TAXODIUM DISTICHUM	4" CAL.
DAYLILY	HEMEROCALLIS FULVA	1 GAL.
DRAKE ELM	ULMUS PARVIFOLIA	10-12'
DWARF ABELIA	ABELIA GRANDIFLORA	3 GAL.
DWARF AZALEA FASHION	AZALEA OBTUSUM	5 GAL.
DWARF BURFORD HOLLY	ILEX CORNUTA "BUFORDIINANA"	5 GAL.
DWARF HAMELIN GRASS	PENNISETUM ALOPECUROIDES	3 GAL.
DWARF YAUPON	ILEX VOMITORIA "NANA"	5 GAL.
FRINGE TREE	CHIONANTHUS VIRGINICUS	5 GAL.
GREEN ASH	FRAXINUS PENNSYLVANICA	4" CAL.
HOLLY-NELLIE STEVENS	ILEX CORNUTA	5-6'
HOLLY-SAVANNAH	ILEX X ATTENUATA "SAVANNAH"	5-6 GAL.
INDIAN HAWTHORNE	RAPHIOLEPIS INDICA	3 GAL.
JAPANESE YEW	PODOCARPUS MACROPHYLLA	7 GAL.
JUNIPER-SHORE	JUNIPERUS CONFERTA	1 GAL.
KNOCKOUT ROSE	ROSA SPECIES	3 GAL.
LIGUSTRUM	LIGUSTRUM JAPONICUM	8-10'
LIRIOPE	LIRIOPE MUSCARI	1 GAL.
LIVE OAK	QUERCUS VIRGINIANA	4" CAL.
LOROPETALUM	LOROPETALUM CHINENSE	3 GAL.
MAGNOLIA	MAGNOLIA GRANDIFLORA	30 GAL.
MARY NELL HOLLY	ILEX CORNUTA X LATIFOLIA	30 GAL.
PALMETTO	SABEL MINOR	5 GAL.
PAMPASS GRASS	CORTADERIA SELLOANA	5 GAL.
PURPLE LEAF PALM	PRUNUS CERASIFERA	8-10'

COMMON NAME	BOTANICAL NAME	SIZE
RED MAPLE	ACER RUBRUM	4" CAL.
RIVER BIRCH	BETULA NIGRA	10-12'
SHUMARD OAK	QUERCUS SHUMARDII	10-12'
TREE LIGUSTROM	LIGUSTROM JAPINICUM	15 GAL.
VITEX	VITEX AGNUS-CASTUS	6-7'
WATER OAK	QUERCUS PHELLOS	8-10'
WEeping WILLOW	SALIX BABYLONICA	4" CAL.
WILLOW OAK	QUERCUS PHELLOS	8-10'
YAUPON	ILEX VOMITORIA	7-8'
YELLOW FLAG IRIS	IRIS PSEUDACORUS	1 GAL.

Listed below are the plant materials that are specifically **not recommended** for the Research Park. These are inappropriate because of maintenance and/or visual characteristics. Visual landscape character of individual sites, which are incongruous with the rest of the park are not allowed.

Plant Materials Specifically Not Recommended for the Site:

COMMON NAME	BOTANICAL NAME
BRADFORD PEAR	PYRUS CALERYANA
DOGWOOD	CORNUS FLORIDA
DWARF AZALEA-GUMPO	AZALEA OBTUSUM
JAPANESE MAPLE	ACER PALMATUM
LOBILLY PINE	PINUS TAEDA
ROSE-HYBRID TEA	ROSE SPECIES
TULIP POPLAR	LIRIODENDRON TULIPIFERA
WAX MYRTLE	MYRICA CERIFERA
PALMS	

3. Site Run-Off Detention Areas

Where site run-off requires detention areas, the areas should be designed as a public amenity and is aesthetically pleasing to the public view. Use storm water retention ponds to create new park-like settings or natural areas within the development. Take measures such as adding fountains, creating pathways around the ponds and adding landscaping to enhance the park-like setting. Generally avoid fencing around ponds; however, in some cases, limited architectural fencing of modest height may be included to enhance the park-like setting.

4. Tree Preservation

Existing natural areas should be preserved whenever possible, and provide for a windbreak, shade and public amenity.

5. Open Space

Open space and landscaped areas shall be covered with a variety of trees, shrubs, ground cover, and sod or with materials like mulch, not exposed gravel rock. Colored mulch shall be avoided. Boulders are encouraged.

Use species from the recommended plant list. This should be appropriate for site conditions including available sunlight, water

and root and canopy space. Landscape architects may propose alternatives. Creativity is encouraged and will be reviewed as a part of the architectural review.

6. Auxiliary Landscaping Elements

The Research Park encourages the use and application of other landscaping elements that provide overall consistency in design and character of the Research Park. Other elements include, but not limited to:

- a. Installation of additional vegetated buffers providing additional color and variety within parking lots.
- b. Water features (must have circulatory water; no standing water will be permitted)
- c. Benches, walls, stairs, ramps, sculptures etc....

7. Public Art

Site features and elements play a very large role in helping define visual character and are especially important for new development within the NCRP. By actively engaging the public, designers, artists decision makers, we can work collaboratively to create unique places that transform the way people see and experience the NCRP. Public art is encouraged throughout the development. This type of art establishes a strong visual identity within the Research Park. It is recommended that this type of artwork be location within reasonable visibility or accessibility to the public from a major road or located at the building entrance.

8. Recycling

The Research Park encourages reduction in product usage. Recycling makes good business sense and, it is *everyone's* business: it saves resources and energy; it saves money; it protects landfill space; it reduces litter and illegal dumping; it creates new jobs; and it may be a new source of income. There is considerable need to conserve Earth's precious resources. We can help educate our families and communities about the importance of recycling for our environment, and how each of us can make a difference for a better world by recycling.

The Research Park encourages this effort and wants to be better stewards towards the environment and create a place that is in favor of keeping "Bossier Beautiful"

9. Leadership in Energy and Environmental Design (LEED)

The NCRP would like to encourage the adoption of environmental friendly guidelines based on the Leadership in Energy and Environmental Design, or LEED. These rating systems are designated by the U.S. Green Building Council and have been incorporated in buildings all across the nation.

The guidelines include performance targets and have recommendations for energy efficiency, storm water management and drainage, reductions in potable water and the management and recycling of material resources. Including these guidelines within development aims to meet human needs while preserving the environment so that these needs can be met, not only in the present, but in the indefinite future.

The National Cyber Research Park believes that there is a way to Design, construct and operate our built environments in harmony with the natural environment. The adoption of the LEED is a powerful demonstration of civic responsibility. These development practices Are consistent with the purpose of the NCRP and reinforces that the NCRP is a place where innovation lives!

R. Research Park Sign Regulations

Purpose and Intent

The Intent of this article is to encourage attractive signage, lighting and visual media that aid in the orientation and or identification of uses and activities within the Research Park. These provisions further intend to enhance a park-like environment by controlling the number, placement, materials and size of signs located in the Research Park. All exterior signs will be evaluated by the Design Review Board and must be designed in keeping with the architectural character of the Research Park. The size, color, location, design, format and materials of the sign will be consistent with the lot design and building architecture. The emphasis of signs shall be identification of businesses, **not on product or service advertising.**

1. Definition

A sign is defined as any device, object, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of any person or entity, or to communicate information of any kind to the public.

2. Permits Required

For permitting requirements, reference Article 8.2, Permitted and Prohibited On-premise Signs, Unified Development Code.

3. Signage Limitations

Signs containing moving devices/elements, flashing lights, or banners are prohibited. No off-premise, billboards, roof signs, portable signs, pole signs or temporary signs, other than construction signs and real estate signs shall be allowed.

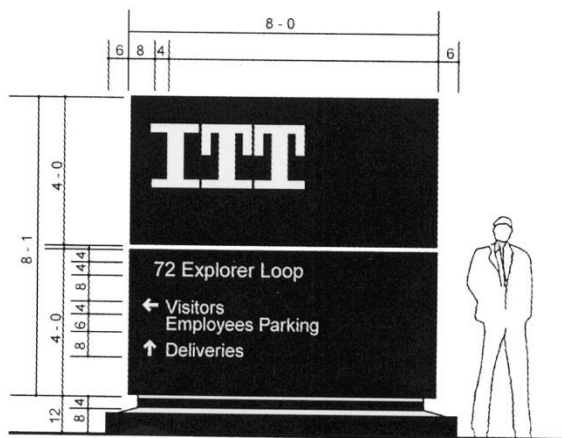
4. Permitted Signs

The following signs are permitted:

a. Monument Signs

The monument sign signals a site entrance, identifies the occupant(s) and/or facility name, gives the street address, and may contain site directional information.

- (1) A monument sign shall have the following dimensions: a height of eight feet one inch; a width of eight feet; and a depth of 12 to 18 inches.
- (2) A monument sign shall have one face. The upper four feet of that face shall display only the name(s) and/or logo(s) of the resident firm(s) or of the complex. The address and directional information may be displayed on the bottom four feet of the face. A one-inch reveal shall separate the two halves.
- (3) The names on the upper half of the monument should be so positioned as to leave a minimum clear margin of eight inches along the top and each side and four inches along the bottom.



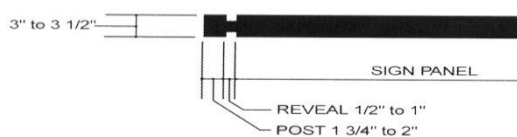
- (4) A monument sign may contain one, two, or three company names and logos. If more than three companies occupy a single facility, only the facility name may be placed on the monument sign.
- (5) The color, typography and logo combination used on the upper half of the monument sign may be selected by the tenant firm, but the background must be one continuous color.
- (6) Only the upper half of the monument sign may be internally illuminated.
- (7) One monument sign per access road to a site shall be permitted.
- (8) The monument sign shall be placed parallel to an existing public road, either within or outside the public street right-of-way and must be located a minimum of 20 feet from the curb of said public

road and 15 feet from the curb of the site access road.

b. Incidental ground signs.

Incidental ground signs provide information needed to move about within a site. The signs can display standard traffic control symbols, speed limits, and directional and identification information.

- (1) Incidental ground signs shall display only regulatory, directional, traffic control, and identification information and the firm(s) or complex name or and/or logo
- (2) Incidental ground signs shall be of post and panel construction and shall not exceed six feet in height and four feet in panel width. Dimension details are presented in the following illustration.



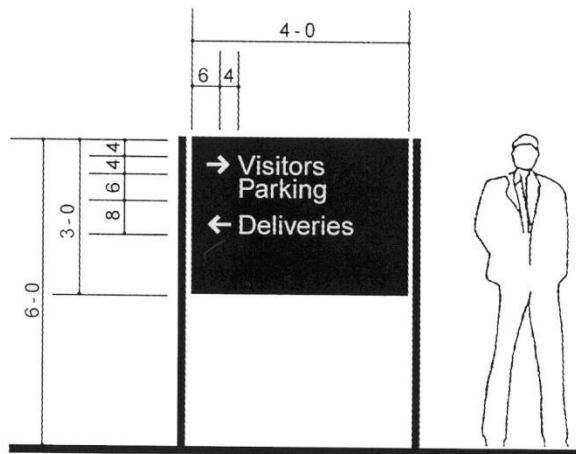
- (3) Incidental ground signs shall not be located closer than 50 feet to an existing or proposed public street right-of-way and shall be a minimum of ten feet from an existing or proposed curb of any entrance drive or access way.

c. Building mounted signs

Building mounted signs allow the tenant(s) or facility to identify itself on the face of the building.

- (1) Building mounted signs shall include only the name and/or logo of the resident firm(s) or complex.
- (2) Only one building mounted sign per firm, complex or building may be erected per street frontage.
- (3) Building mounted sign for a firm or complex shall not exceed ten percent of the gross area of the face of the main building fronting a street.
- (4) A building mounted sign shall be part of or mounted directly on the building wall and shall not project more than 12 inches from the building surface. *Signs and murals painted directly upon the building are not permitted.*
- (5) Roof mounted signs are prohibited.

- (6) If a building has two or three tenants, each may have a building mounted sign. Where multiple tenant building mounted signs occur, their combined area shall not exceed 20 percent of the gross area of the face of the main building fronting a street, and they shall be visually equal in size and positioned according to a consistent format.



- (7) If a building has four or more tenants, no tenant names shall appear on the building, but the facility name may be placed on the building and said sign shall not exceed ten (10) percent of the gross area of the face of the main building fronting a street.
- (8) The building tenant(s) may select the material, color, typography and format for building mounted signs. Illumination of such signs is optional.

d. Identity, information and traffic control signs

Entry, directory, and loop, traffic control, street name and directional monument signs installed and maintained by the City of Bossier City are permitted in street rights-of-way only if they don't impede on the traffic visibility.

e. Ingress and egress signs

f. Real Estate signs

Provided the area on one side of any such sign shall not exceed twenty (20) square feet; on unimproved property the area on one side of such signs shall not exceed thirty two (32) square feet; and not more than one such sign shall be erected for each 250 feet of frontage or fraction thereof.

S. Commercial District Regulations

Purpose and Intent

Acceptable	Not Permitted
Brick	Metal Siding
Stone	Painted concrete block
Wood	Vinyl siding
Cementitious Siding	Corrugated metal siding
Artificial slate systems	Standard single or Double tee concrete
Aluminum	
Some artificial stone products	
Stucco	
EFIS	

The National Cyber Research Park Commercial District is designed to provide an appropriate location for services, restaurants,

and limited retail activities that primarily serve immediate personnel and visitors. This district will provide the amenities and services that cater to the needs of people that work and/or frequent the area.

The Commercial District is an integral part of the Research Park and is here to promote the most desirable use of land and direction of development in accord with a well-considered Master Plan and to strengthen the economic base of the area.

T. District Development Standards

The uses within the Research Park Commercial District shall follow the development standards of the B-3 General Business District as stated in Article 6, District Development Standards, of the Unified Development Code.

U. Architectural Review

All applications are subject to be reviewed by the Design Review Board. The following will be considered:

1. Materials

Materials shall be appropriate for the use of building and for relationship to other materials including those used on buildings in surrounding areas.

2. Colors and textures

Colors and textures shall be appropriate for the size and scale of the building, and for relationship to the site and surrounding buildings.

3. Architectural details and ornaments

Architectural details and ornaments shall be meaningful to the overall design and appropriate for the size and scale of the building. Long expanses of blank walls shall be avoided through the use of wall articulation. Breaking the continuous plane of the wall can be accomplished by recessing vertical segments of the wall at several intervals also a course of brick or other masonry material can be applied to the exterior wall to add visual interest at certain junctures in the wall.

4. Mechanical Equipment

Mechanical equipment shall be considered as it affects rooftop appearance, sidewall openings, sound levels, smoke, and other nuisance aspects.

5. Approaches, drives and parking areas

Approaches, drives and parking areas shall be considered as they affect the appearance from the street and from the site as well. The relationship of paving to the building shall be appropriate considering factors such as landscaping, safety, and drainage from the site.

6. Lighting

Lighting shall be considered for the appropriateness of nighttime illumination of the grounds, drives, walks, parking areas, the building and its effect upon surrounding areas.

7. Signs

Signs shall be considered for appropriateness of size, scale, shape, color, content, text and illumination in relation to the site.

8. Adequate utilities

Adequate utilities, parking, access roads, drainage, landscape planting and other essential facilities and amenities are to be provided.

9. Ingress and egress

Adequate measures will be taken to provide ingress and egress designed so as to minimize traffic congestion in the public streets.

10. Roof Utilities or Mounted Units

Any equipment, mechanical or otherwise, located on the roof shall be screened from public view on all sides of the building including the rear.

Rooftop screening **shall be integrated into the architecture of the building** in terms of massing, materials and details. Ideally, the screening for rooftop equipment shall be part of the roof design.

V. Permitted Uses

No building, structure, or land shall be used and no building or structure shall hereafter be erected, structurally altered, enlarged, or maintained except for one or more of the uses herein cited and subject to the conditions stated herein:

1. Ambulatory health care facilities, including dental care.
2. Bakeries, where the products made are sold exclusively at retail on the premises.
3. Banks and credit unions.
4. Barber shops, beauty parlors, reducing salons.
5. Book stores and newsstands.
6. Confectionery stores.
7. Conference/convention centers.
8. Climate Controlled Warehouses
9. Drug stores and apothecaries.
10. Dry cleaning establishments utilizing only non-flammable dry cleaning fluids.
11. Emergency health care clinics.
12. Florist shops
13. Gift Shops
14. Supermarket
15. Health clubs or gyms.

16. Hotels
17. Municipal, Parish, State or Federal uses.
18. Nurseries, kindergartens or day care centers for children.
19. Office buildings.
20. Office supply and computer supply stores.
21. Off-premise liquor sales are conditionally allowed provided that such uses shall be located in a commercial establishment with gross sales of more than fifty percent in grocery/food items and further provided that such uses shall not be located within 300' of the premises of a religious institution, educational facility, or library.
22. Performing arts center.
23. Print shops and copying services.
24. Restaurants, delicatessens, and cafes.
25. Shoe stores, shoe repair shops, and tailor shops.
26. Spa or Wellness centers.
27. Teleconferencing centers.
28. Other Retail sales and services may be permitted if it supports and/or complements uses permitted with the Research Park District. (Final approval shall be determined by the NRCP Board)

W. Temporary Uses

No temporary uses shall be allowed in the NCRP Commercial District.

X. Outdoor Storage

Storage of equipment, materials, motor vehicles, boats, trailers, recreational vehicles, portable storage containers, or the like shall not be kept or stored on any lot or yard within the Research Park Commercial District.

Y. Research Park Commercial District Sign Regulations

All exterior signs will be evaluated by the Design Review Board and must be designed in keeping with the architectural character of the Research Park. The size, color, location, design, format and materials of the sign will be consistent with the lot design and building architecture. The emphasis of signs shall be on identification of businesses, **not on product or service advertising.**

1. Permits Required

For permitting requirements, reference Article 8.2, Permitted and

Prohibited On-Premise Signs, of the Unified Development Code.

2. **Freestanding signs are limited to ground-mounted Monument Signs only.**

3. Monument Sign Dimensions

All monument signs shall have the following dimensions: a height of eight feet, a depth of eight feet, a width of eight feet; and a depth of 12 to 18 inches.

4. Sign Materials

Sign materials should be compatible with the architectural character of the building or the development in style, location, size, configuration, materials, and color.

Acceptable	Not Permitted
Brick	Smooth-faced CMU
Stone	Exposed neon
Rock-faced SMU	Foam molded lettering
Limestone	Plastic corrugated
Molded concrete	
Aluminum	
Bronze	
Brass	
Routed metal sign faces	
Sentra plaques	

5. Sign Limitations

Signs containing moving devices/elements, flashing lights, or banners are prohibited. No off-premise, billboards, roof signs, portable signs or temporary signs, other than construction and real estate signs shall be allowed.

5.7.4 Barksdale Boulevard Redevelopment Overlay District (B-BROD)

Overlay District Standards

Standards Clause

The uses within the B-BROD shall follow the development standards of the B-3; General Business District as stated in Article 6; District Development Standards, of the Unified Development Code. Existing uses, structures and sites shall be subject to the provision of Article 7; Nonconformities, of the Unified Development Code.

The following additional criteria shall be included as conditions for new developments with the B-BROD which are not subject to the provision of Article 7; Nonconformities, of the Unified Development Code:

A. In addition to any landscaping and buffering requirements contained in Article 13, a twenty foot (20') bufferyard/landscaping strip shall be provided and maintained on the Barksdale Boulevard frontage. A bufferyard is defined as a unit of land together with required landscaping which may be required between land uses to eliminate minimize conflicts between them.

- B. New driveways along Barksdale Boulevard shall be limited to a maximum of thirty-five feet (35'), subject to all requirements and approvals of the Louisiana Department of Transportation and Development.
- C. A reduction in parking requirements shall be provided as an incentive for existing developed sites to install or provide cross-access easements. Existing sites which add cross-access easements shall be given a 20 percent reduction in required parking spaces and exempt from replacing parking eliminated by the cross-access easement.

Article 6. District Development Standards

6.1 Purpose

The purpose of this Article is to assure that all development and uses are provided adequate light, air, access and separation from other uses and structures; that sufficient open space is available for parking, loading and landscaping; and that the density of development and intensity of land use are maintained in accordance with the adopted Comprehensive Plan.

6.2 Minimum Lot Area Requirements

Except as provided in Section 15.2, all structures shall comply with the minimum lot area requirements contained in the following table:

District	Minimum Lot Area
Residential Districts	
R-A Residence-Agriculture	1 acre
R-E Residential Estate	12,000 sq. ft.
R-LD Residential, Low Density and R-MHS Residential Manufactured Housing Subdivision	
Single-family dwelling	6,000 sq. ft.
Any other permitted use	8,000 sq. ft.
R-MD Residential, Medium Density	
Single-family dwelling	6,000 sq. ft.
Multiple-family dwelling	8,000 sq. ft. for first 2 units plus 2,000 sq. ft. for each additional unit
Any other permitted use	6,000 sq. ft.
R-HD Residential, High Density	
Single-family dwelling	6,000 sq. ft.
Multiple-family dwelling	6,000 sq. ft. for first 2 units plus 1,600 sq. ft. for each additional unit
Any other permitted use	6,000 sq. ft.
R-MHP Residential, Manufactured Housing Park	
Entire Park	3 acres plus 5,000 sq. ft. per unit
Individual Manufactured Housing Unit Sites	4,500 sq. ft.
Commercial Districts	
B-1 Business, Commercial Office	
Residential uses	6,000 sq. ft. per unit
Any other permitted use	None
B-2 Limited Business	
Residential uses	6,000 sq. ft. per unit
Any other permitted use	None
B-3 General Business	
Residential uses	6,000 sq. ft. per unit
Any other permitted use	None
B-4 Downtown Business	
Residential uses	Same as R-MD, Medium Density Residential District
Any other permitted use	None
B-5 Interchange Business	None
Industrial Districts	
I-1 Light Industrial	10,000 sq. ft.
I-2 Heavy Industrial	10,000 sq. ft.
Special Purpose Districts	

District	Minimum Lot Area
RFD Riverfront Development	Same as B-3, General Business District
RT Racetrack	None
A-1 Airbase Buffer Zone—North	10,000 sq. ft.
A-2 Airbase Buffer Zone—South	Same as R-A, Residence-Agricultural District

6.3 Maximum Occupancy Size

The maximum floor area of any individual occupancy in the B-1; Commercial Office district shall be 15,000 square feet.

6.4 Yard Requirements

Except as provided in Section 15.4, all structures shall comply with the minimum and maximum yard requirements and unpaved area (“landscape surface”) contained in the following table:

District	Lot Width	Minimum Bldg. Setback Required			Maximum Yard Permitted		Minimum Landscape Surface
		Front	Side	Rear	Front	Side	
Residential Districts							
R-A Residence-Agriculture	100 ft.	25 ft.	10 ft.	25 ft.	n/a		80% of lot area
R-E Residential Estate	70 ft.	40 ft.	10 ft.	25 ft.			60% of lot area
<u>R-LD Residential, Low Density and R-MHS; Residential Manufactured Housing Subdivision</u>	60 ft.	25 ft.	5 ft.	20 ft.			30% of lot area
R-MD Residential, Medium Density	60 ft.	25 ft.	5 ft.	25 ft.			15% of lot area
R-HD Residential, High Density	60 ft.	25 ft.	5 ft.	25 ft.			10% of lot area
R-MHP Residential, Manufactured Housing Park							
Park Boundaries	100 ft.	35 ft.	25 ft.	25 ft.	n/a		15% of lot area
Individual Manufactured Housing Park Lots	35 ft.	20 ft. ¹	10 ft.	10 ft.			n/a
Commercial Districts							
B-1 Business, Commercial Office	60 ft.	25 ft.	10 ft.	25 ft.	n/a		20% of lot area
B-2 Limited Business	60 ft.	25 ft.	10 ft.	25 ft.			20% of lot area
B-3 General Business	60 ft.	35 ft.	10 ft.	25 ft.			15% of lot area
B-4 Downtown Business							
Commercial Uses	60 ft.	<u>20/0 ft. ³</u>	None	20 ft.	20 ft.	5 ft.	None
Residential Uses	60 ft.	25 ft.	5 ft.	25 ft.	n/a		30% of lot area
B-5 Interchange Business	100 ft.	40 ft.	20 ft.	25 ft.			20% of lot area
Industrial Districts							

I-1 Light Industrial	100 ft.	25 ft.	10 ft.	25 ft.	n/a	None
I-2 Heavy Industrial	100 ft.	25 ft.	10 ft.	25 ft.		None
Special Purpose Districts						
RFD Riverfront Development	60 ft.	25 ft.	5 ft.	25 ft.	n/a	15% of lot area
RT Racetrack	60 ft.	40 ft.	20 ft.	25 ft.		20% of lot area
A-1 Airbase Buffer Zone--North	60 ft.	25 ft.	10 ft.	25 ft.		15% of lot area
A-2 Airbase Buffer Zone--South	60 ft.	25 ft.	10 ft.	25 ft.		80% of lot area
Notes:						
<p>1 The Minimum required front yard for a manufactured housing unit may be reduced to 10 ft. from a private drive.</p> <p>2 Front setbacks on major arterials are 50 ft. (Any reductions must be approved by the MPC Board)</p> <p>3 Lots which front Barksdale Blvd. are allowed a 0' front setback and are required to have a 0' side yard setback, unless granted a variance by the BOA following the procedures of Section 3.6.1.</p>						

6.5 Height Restrictions

Except as provided in Section 15.3, all structures shall comply with the height requirements specified in the following table:

District	Maximum Height
Residential Districts	
R-A Residence-Agriculture	3 stories or 45 ft., whichever is less
R-E Residential Estate	3 stories or 45 ft., whichever is less
R-LD Residential, Low Density	2 stories or 35 ft., whichever is less ¹
R-MD Residential, Medium Density	3 stories or 45 ft., whichever is less
R-HD Residential, High Density	6 stories or 90 ft., whichever is less
R-MHP Residential, Manufactured Housing Park and R-MHS; Residential Manufactured Housing Subdivision	35 feet
Commercial Districts	
B-1 Business, Commercial Office	2-stories or 35 ft., whichever is less
B-2 Limited Business	2-stories or 35 ft., whichever is less
B-3 General Business	2-stories or 35 ft., whichever is less
B-4 Downtown Business	35 ft. ²
B-5 Interchange Business	2-stories or 35 ft., whichever is less
Industrial Districts	
I-1 Light Industrial	3 stories or 45 ft., whichever is less
I-2 Heavy Industrial	3 stories or 45 ft., whichever is less
Special Purpose Districts	
RFD Riverfront Development	Same as the B-3, General Business District
RT Racetrack	150 ft. for racetrack 35 ft. for all other uses
A-1 Airbase Buffer Zone—North	Same as the B-3, General Business District
A-2 Airbase Buffer Zone—South	Same as the R-A, Residence-Agriculture District

District	Maximum Height
<p>Notes:</p> <p>1 Maximum height in the R-LD district may be increased to 45 ft., provided that each side and rear yard minimums are increased by 1 foot for each additional foot of height above 35 ft.</p> <p>2 <u>Commercial structures fronting Barksdale Blvd. shall have a minimum two story facade.</u></p>	

6.6 Accessory Uses

6.6.1 Review and Approval

Any accessory use customarily associated with a primary use that may be permitted by right consistent with applicable provisions of this Article may be permitted. However, any accessory use customarily associated with a principal use permitted only by conditional use or special exception, must meet all conditional use or special exception requirements.

6.6.2 Elderly Cottage Housing Units

One freestanding single-family housing unit may be constructed in the rear yard of an existing owner-occupied single-family residence as an accessory use in the following residential districts: R-A, R-E, R-LD and R-MD, if the R-MD is developed as single family detached residences, provided that:

- A. In the R-LD and R-MD districts, the minimum lot area shall be 12,000 square feet. For lots less than 12,000 square feet in area, the owner may apply for an Elderly Cottage as a Conditional Use following the procedures as provided in Section 3.3.2.
 - 1. In the R-LD and R-MD, the housing unit shall not utilize more than 40% of the rear yard. The square footage of existing accessory structures shall be included as part of the 40% maximum requirement calculation.
- B. It is separated from the principal residence by a distance of twice the minimum side yard setback requirement.
- C. The accessory cottage shall be a complete, separate dwelling unit that functions independently from the principal residence.
- D. The owner of the property on which an accessory cottage is located must occupy at least one of the dwelling units on the premises as the permanent legal resident, except for bona fide temporary absences not to exceed 6 months at any one time.
- E. One additional off-street parking space shall be provided for the accessory cottage.
- F. The height of the elderly cottage shall not exceed the height of the primary structure.
- G. The elderly cottage shall be clearly subordinate in area to the principal residence. The accessory cottage shall have at least 300 square feet but no more than 1,500 square feet of heated area. It shall be designed to complement the exterior appearance of the principal residence.

- H. Prior to the issuance of an accessory cottage zoning permit, the owner shall file, in the office of the Parish Recorder, a declaration of covenants stating that the right to maintain an accessory cottage ceases upon transfer of title, and that the right to maintain an accessory cottage in no way constitutes approval of the cottage as a permanent structure and shall not be utilized as rental property.
- I. Prior to issuance of an accessory cottage occupancy permit, the owner shall submit a notarized affidavit to the Planning Department, verifying that the owner will occupy one of the dwelling units on the premises, except for bona fide temporary absences, and that one of the occupants is an elder or a person with disabilities. In order to continue the accessory cottage use, the owner must submit a notarized affidavit certifying compliance with this requirement by January 31 of every year. At no time shall the dwelling unit be utilized as a rental unit.
- J. The zoning permit shall be effective for 3 years. At the end of every 3 years, renewal of the accessory cottage permit shall be granted only after completion of a routine housing inspection verifying that the property remains the principal residence of the owner and that all of the conditions of this Section have been met.

6.6.3 Outdoor Eating, Drinking or Smoking areas

Lounges and bona fide eating establishments, as defined in Subsection 5.4.4, which include accessory outdoor eating and/or drinking areas must be located, developed, and operated in compliance with applicable local and state ordinances and shall comply with the following standards:

A. Location

Outdoor eating areas may be located within a required front yard. If located within the public right-of-way, permission from the appropriate jurisdiction is required, and a 6-foot clear space between the outdoor eating area and the curb must be provided for pedestrian movement. A 15-foot radial clear space also must be provided for outdoor eating areas located at the intersection of 2 streets.

B. Barriers

Temporary or permanent decorative walls or fencing must enclose an outdoor eating area. Such barriers must be no less than 3 feet in height and shall be constructed in a manner that shall prevent patrons from entering the area from outside the establishment.

C. Kitchen Facilities

Kitchen facilities in outdoor eating areas are strictly prohibited unless approved as a Conditional Use following the procedures of Section 3.3.2.

D. Enclosures

Awnings or umbrellas may be used in conjunction with an outdoor eating area, although permanent roofs or shelters may not be installed within a

required yard. Awnings must be adequately secured, retractable, and must comply with the provisions of the building code.

E. Entertainment

Live entertainment and dancing in outdoor eating areas requires approval as a Conditional Use.

F. Fixtures and Greenery

When located within a required yard or the public right-of-way:

1. Furnishings provided for use in an outdoor eating or drinking area may consist only of movable tables, chairs, umbrellas, planters, lights, and heaters.
2. Lighting fixtures may be permanently affixed onto the exterior front of the building. Free standing lighting is prohibited.
3. All movable fixtures must be removed during the off-season.

G. Hours of Operation

The hours of operation of an eating and/or drinking area shall be limited to between 6:00 a.m. and 2:00 a.m.

H. Refuse Storage Areas

No structure or enclosure to accommodate the storage of garbage may be erected or placed on, adjacent to, or separate from an outdoor eating area on the public sidewalk or right-of-way, and all refuse storage areas shall be screened from view.

6.6.4 Home Occupations

A home occupation as defined by this Ordinance shall be deemed an accessory use provided that such home occupation:

- A. Is conducted entirely within a dwelling or integral part thereof and has no outside storage of any kind related to the home occupation or in the case where activities take place away from the dwelling such activities are in full compliance with the provisions of this Title;
- B. Is clearly incidental and secondary to the principal use of the dwelling and does not utilize more than 25 percent of the floor area;
- C. Is conducted only by persons residing on the premises and no more than one (1) non-resident employee;
- D. Does not necessitate or cause the exterior appearance of any structure to be other than residential and is not disruptive of the residential character of the neighborhood;
- E. Has no advertising of the home occupation on the site or structures, except as permitted in Section 8.2.3A [Small name plate will be permitted];

- F. Creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic or parking problem;
- G. Does not involve retail sales or services that bring more than 10 customers per day to the dwelling;
- H. Home occupations shall not involve the outside area of the residence;
- I. Work conducted in an Accessory Building, such as an outdoor workshop, is prohibited unless approved as a Special Exception Use following the procedures of Section 3.3.3 and shall comply with the above standards.

6.6.5 Satellite Dishes

Satellite dishes larger than 18 inches in diameter shall be screened so as not to be visible from any road right-of-way. Satellite dishes and any screening must meet the height restrictions, setback requirements and buffer requirements of the principal use. No satellite dish larger than 18 inches in diameter shall be located in a required yard.

6.6.6 Residential and Commercial Accessory Structure Requirements

A. Residential Setback and Yard Requirements

No accessory structure shall be located in a front or side yard except for the R-A and R-E districts. The following standards shall apply:

1. In all residential districts, including the R-A, semi-trailers, manufactured homes, modular shipping containers, dumpsters, motor vehicles or other similar structures, modified or otherwise, shall not be utilized as permanent accessory structures.
2. Within the R-A and R-E districts, no accessory structure shall be located in any required yard.
3. An accessory structure(s) shall occupy no more than 40 percent of any yard it is located in.
4. No accessory structure shall be erected or altered so that it is closer than 5 feet to any rear or side lot line and shall not encroach on any utility, drainage or any other type of easement.
5. Detached garages or similar structures such as a Porte Coche're, that are considered the primary garage or integral component of a residence are allowed in the front or side yard. All required for the district shall apply.

B. Commercial and Industrial Setback and Yard Requirements

No accessory structure shall be located in a required yard and the following standards shall apply:

1. In all Commercial or Mixed Use districts, including the R-A, semi-trailers, manufactured homes, modular shipping containers, dumpsters, motor vehicles or other similar structures, modified or otherwise, shall not be utilized as permanent accessory structures.

2. Modular shipping containers may be utilized for temporary storage of seasonal merchandise and shall be approved by the MPC as a Temporary Use following the procedures of Section 3.3.4.
3. Trash dumpsters may be located in the required front yards if approved by the MPC staff and shall meet any applicable landscaping requirements of Article 13.
4. Industrial districts, including the A-1 zone, are exempt from the requirements of 6.6.6.B1 with the exception of manufactured homes which shall not be used for storage.

6.6.7 Carports

Carports shall comply with the following requirements:

- A. Only one carport or extension is permitted per lot if located in the front yard.
- B. The entire area beneath the roof of the carport shall be paved with a hard surface material as defined in Article 12 of this code.
- C. The size of the carport shall be limited to two parking spaces.
- D. Carports may not exceed the height of the house.
- E. Portable carports shall not be allowed in the front or side yards.
- F. Carports shall be open on two or more sides.
- G. The carport shall be kept in good repair.
- H. When a new carport extends into the front building setback, the following standards shall apply:
 1. The size of the carport shall be limited to two parking spaces and the roof pitch shall be similar to the existing roof pitch and the carport roof shall architecturally tie into the existing roof.
 2. No portion of the carport may be within 5 feet of the front lot line.
 3. No portion of the carport may be located in a side yard or extend further than the existing roofline of the principal structure unless approved otherwise by the MPC Board of Adjustment.
 4. The carport shall be used solely for the storage of a vehicle; no other storage is permitted.
 5. The carport shall be constructed of building materials which are similar to the principal structure and shall be painted in complementary colors which are similar to the primary structure; no canvas or other non-rigid materials are permitted.
 6. One side of the carport shall be parallel to the front facade of the principal structure for which it is attached.
 7. The carport shall be located on the driveway, or a logical extension of the driveway.

8. Approval of the carport shall be reviewed as a Special Exception following the procedures of Section 3.3.3.

6.6.8 Swimming Pools and Tennis Courts

In-ground swimming pools and tennis courts shall comply with the following requirements:

- A. In the R-E and R-LD and R-MD districts, swimming pools shall not be located in a front yard of a single family residence.
- B. Swimming pools shall be set back at least 5 feet from the side and rear lot lines and shall not be located within a utility or drainage easement.

6.6.9 Motor Vehicle Repair or Service in Residential Districts

The following restrictions to home repair, servicing or maintenance of motor vehicles and boats shall apply in the R-A, R-E, R-LD, R-MD, R-HD, R-MHS and R-MHP districts:

- A. The motor vehicle being repaired, serviced or maintained must be owned by a person who resides in the residence. Commercial repair of motor vehicles or boats is prohibited.
- B. Not more than one commercial motor vehicle shall be repaired, serviced, maintained, or stored for future servicing at any one time and the vehicle shall be owned and/or driven by a person who resides in the residence.
- C. All vehicle parts, components and repair tools shall be stored within an enclosed garage or accessory structure and kept out of view of the general public.
- D. Painting or body repair of a personal vehicle shall not take place in an outdoor area. Spray paint cannot drift into any adjoining property or nearby residences.
- E. The motor vehicle being repaired, serviced or maintained shall be registered or titled to the occupant, or one of the occupants of the residence. Proof of registration or title may be requested by an official charged with the enforcement of this code.

6.6.10 Fences and Walls

Fences and walls shall comply with the requirements of Section 13.12.

6.6.11 Self-Service Accessory Structures or Vending Machines

Placement of large self-service machines and structures such as off-site, free-standing ATM Vestibules, Ice Making and Vending machines or other large self-service machines as defined in Section 18.2.1.a shall be allowed in the B-3, B-4, RFD, I-1 and A-1 Districts only and shall comply with the following standards:

- A. When placed within the building frontage:
 1. A self-service accessory structure shall be reviewed as a Conditional Use following the procedures of Section 3.3.2.

2. The accessory structure shall be permanently landscaped to comply as closely as feasible to the requirements of this code or have an alternate landscaping plan approved by the MPC.
 3. The self-service accessory structure shall be constructed in a manner that meets the architectural standards of this code or enclosed within a structure that meets the architectural standards, unless otherwise approved by the MPC.
 4. The accessory structure shall not displace any required off-street parking spaces for the use it is placed with.
 5. The accessory structure shall not disrupt the vehicle paths within the parking lot where it is placed.
 6. The accessory structure shall be located behind the building setback for the zoning district in which it is located, unless otherwise approved by the MPC.
 7. All proposed signage shall be approved by the MPC.
 8. All rooftop equipment shall be completely screened from public view on all sides and a trash receptacle placed on the site for use by the Ice machine customers.
 9. A means of storage of refuse, such as trash cans, plastic bags or other such means shall be provided on site and regularly emptied.
 10. All self-service accessory structures shall display the following Information:
 - a. The name and mailing address of the owner.
 - b. A telephone number to which calls for service to the machine or cleaning of refuse from the site can be made.
- B. When placed in the side yard or rear yard of the primary use:
1. A self-service accessory structure shall be approved by the Executive Director following the procedures of approval of Accessory uses and structures as stated in Section 3.3.5.
 2. The self-service accessory structure shall meet all the setbacks required of an accessory structure as stated in Section 6.6.6.
 3. Meet all requirements of Section 6.6.11.A. above.
- C. When the self-service accessory structure is the primary use on a site:
1. The structure will have to meet all requirements of permanent structures, as stated in this code.
 2. Meet all requirements of Section 6.6.11.A. above.

6.6.12 Little Free Libraries and similar structures

Little Free Libraries and other similar structures are allowed as a Permitted Use in all R-Districts and shall comply with the following standards.

- A. The Little Free Library shall not be placed in any public right of way and must be located on private property within the front yard.
- B. The Little Free Library shall be located a minimum of five (5) feet from any side property line and three (3) feet from the front property line.
- C. The Little Free Library shall only be placed on property that has access by way of a public sidewalk. Exceptions may be granted by the appropriate governing body.
- D. The Little Free Library structure shall not be over five (5) feet in height, measured from ground level, and not more than two (20 feet in width.
- E. The owner of the library or the property the library is located on shall be responsible for ensuring that the library is maintained in good condition and in the proper location.
- F. The owner of the library or the property shall be responsible for the content for all of the reading material placed in the Little Free Library.

6.7 Temporary Use Regulations

All temporary uses, unless specifically excluded in this subsection, shall obtain a Temporary Use Permit, as provided for in Subsection 3.4.4. Further, certain temporary uses shall comply with the additional temporary use requirements enumerated below:

6.7.1 Temporary Seasonal Sales

Sales of seasonal merchandise such as, but not limited to, crawfish sales, snow cone sales, Christmas tree sales, Christmas lighting display sales, live plant sales, may be approved by the MPC Executive Director or his official designee and are subject to the following conditions:

A. Christmas Lighting/Décor Sales

Christmas lighting and décor sales shall not operate for more than sixty (60) consecutive days on the same lot or parcel for any consecutive (12) month period within the same respective season.

B. Christmas Tree Sales

Christmas tree sales shall encompass the sale of healthy, non-hazardous, cut or live evergreen trees, wreaths and tree stands. Christmas tree sales shall expire December 26.

C. Crawfish Sales

Crawfish Sales shall not operate for more than seven (7) consecutive months on the same lot or parcel for any consecutive (12) month period.

D. Live Plant Sales

Sales of live plants shall be limited to ninety (90) consecutive days for any consecutive twelve (12) month period.

E. Snow Cone Sales

A snow cone stand in a portable building, shall not operate for more than seven (7) months beginning April 1st and ending October 31st on the same lot or parcel, for any consecutive twelve (12) month period.

1. During the seasonal time allowed for the Snow Cone sales to operate, snack sales such as candy, chips, peanuts or other typical concession stand snack items may be sold.

F. Produce Sales

The selling of locally grown produce shall be allowed beginning on April 1st and ending November 30th. The sale must be conducted on private property with the property owner's permission. A zoning certificate shall be required for each location.

6.7.2 Temporary Outdoor Display of Merchandise

Any lawfully existing commercial use shall be permitted to display and sell its merchandise outdoors only under the following conditions.

- A. No display of merchandise shall occupy any required parking spaces nor obstruct any pedestrian or vehicular traffic.
- B. Display of merchandise shall not be located in a required front yard as defined in Article 18 of this code.

- C. Outdoor display shall be conducted only by the business licensed on the property, and shall only include merchandise that is regularly offered for sale inside such business.

6.7.3 Concrete/Asphalt Batch Plant

Such temporary uses shall meet the following standards:

- A. No such use shall be located within 500 feet of an adjoining residential use.
- B. If any adjoining land use is residential, hours of operation shall be limited to 8:00 a.m. to 8:00 p.m. In all other instances, hours of operation shall be limited to 6:00 a.m. to 10:00 p.m.
- C. The applicant shall provide a written agreement and advanced surety in the amount of one 125 percent of the estimated site restoration cost to ensure complete site restoration upon the facility's dismantling or if the permit should be revoked.
- D. The applicant shall provide a written agreement and advance surety in the amount of 125 percent of the estimated road restoration/replacement costs along anticipated principal truck routes. This amount will be determined by the City or Parish Engineer. This surety ensures roads will be reconstructed to Louisiana Department of Transportation specifications.
- E. If deemed necessary by the City or Parish Engineer, the property access shall be controlled by special traffic personnel paid for by the applicant. Such instances warranting traffic personnel may include locations at busy intersections or other extensive interference with primary traffic from trucks.
- F. No high-intensity flood lights shall be permitted if an adjacent use is residential.

6.7.4 Temporary Manufacturing Plant Buildings

Temporary buildings used as part of industrial or plant operations should be located behind secured fencing and shall not be permitted public access.

6.7.5 Fireworks Sales

A. Bossier City

Fireworks may be sold between June 30 and July 4 and between December 23 and January 1 of each respective holiday season.

B. Bossier Parish

1. Fireworks may be sold between June 25 and July 5 and between December 15 and January 1 of each respective holiday season.
2. Fireworks sales in the portions of the R-A district that are within the jurisdiction of Bossier Parish must also receive approval by the Police Jury.

6.7.6 Model Home/Sales Office

A. Temporary Structures

1. A model home and/or sales office that is temporary and not intended to be sold as a dwelling at its location shall be removed from the site within 30 days following the sale of the last residential lot within that development or subdivision.
2. The use of the temporary home and/or sales office as a sales office or model home for a nearby development project is permitted; provided, that:
 - a. There are not less than 3 unsold dwellings within the subdivision or not less than 5 percent unsold dwellings within the subdivision, whichever is greater.

B. Permanent Structures

1. A model homes and/or sales offices that is intended to be sold as a dwelling at its location is permitted; provided that the sales office use must cease and be converted to a dwelling within 12 months following the sale of the last residential lot within that subdivision.
2. Use of a structure as a sales office or model home for other subdivisions is permitted; provided that:
 - a. There are not less than three 3 unsold dwellings within the subdivision or not less than five 5 percent unsold dwellings within the subdivision, whichever is greater.

6.7.7 Outdoor Display of Seasonal and Large Merchandise

A. Temporary or permanent outdoor storage or display of seasonal retail merchandise, storage sheds, playground equipment, lawn equipment, plants and planting materials shall not be placed in the required front yard, but kept behind the building setback line or on the side or rear and shall not utilize any required parking spaces. The following standards shall apply:

1. The storage or a display shall not impede pedestrian and/or vehicular traffic, and shall be in a designated area.
2. The storage of salvage, trash, or inoperable vehicles on the premises is not permitted.

B. Temporary or seasonal outdoor display of merchandise for sale is permitted under the following circumstances:

1. Trailers, garden supplies, lawn and yard equipment, storage sheds and plant materials may be stored outdoors. The display of these items shall not impede pedestrian and/or vehicular traffic.
2. Merchandise shall not be placed within any required yards.
3. Businesses with areas designated for this use as a component of an operational site plan, which has been submitted to the MPC board for review and approval, are exempt from these requirements.
4. The outdoor storage or display should include only merchandise that is regularly offered for sale inside such business. An operational site plan may be required.

6.7.8 Public Interest and Special Events

- A. Events include outdoor concerts, carnivals, circuses and similar activities that are intended to appeal to the public at-large rather than any specific, targeted group. Permitting decisions shall be made without regard to the content of protected speech.
- B. The activity shall be permitted only during hours when the on-site parking would not be used for the primary occupancy's high traffic generation activities.
- C. The special event or activity is limited to no more than 6 times per year and each event shall be no longer than 10 days. Each event requires its own specific approval and permit.
- D. When the event has been concluded, the site shall be left clean and restored to its previous condition or improved condition, as appropriate.

6.7.9 Garage, Yard or Estate Sales

Yard sales or garage sales may be conducted in residential districts without obtaining a permit, subject to the following conditions:

- A. Sales shall be conducted under supervision of the occupant of the residence or property owner.
- B. Sales events shall be limited to 2 per year, with a maximum of 3 days per event.

6.7.10 Temporary Use Structures

Temporary buildings used for seasonal sales of products shall be required to meet the following standards:

- A. The temporary building shall be placed a minimum of 25 feet from the front property line and 5 feet from any side property line, or in the case of a corner lot 20 feet.
- B. The temporary building shall be skirted to provide screening of the underside or frame of the building.

- C. The exterior of the temporary building shall be painted and kept in good repair. The paint scheme of the building shall complement the primary building, if applicable, and the paint scheme shall be at least 80% one solid earth tone color. Earth tones are defined as colors naturally found in the Bossier City and Bossier Parish region and include colors and shades of the following: red, orange, yellow, tan, beige, off-white, black and taupe.
- D. Any refrigeration or air conditioning units should be screened from view of the public right of way.
- E. Landscaping, either live or artificial, shall be placed around the skirting.
- F. The temporary building shall be removed from the site no later than 30 days after the approved operating season is over. Failure to remove the temporary building after 30 days, may be deemed a reason for denial of future site approval for a Certificate of Occupancy.

6.7.11 Portable Storage Containers

Portable Storage Containers are permitted as an accessory use within the jurisdiction of the Bossier MPC subject to the following restrictions:

- A. Portable storage containers may be placed in the front yard or rear yard of a residence up to two times per year for a period not to exceed 15 days for each period.
- B. The size may not exceed 400 sq. ft. in an R-E, R-LD, or R-MD District.
- C. No more than two containers, at one time, may be placed on site in an R-E, R-LD, or R-MD District.
- D. Placement of a portable storage container shall require a zoning permit from the MPC office which includes the container identification number, date of placement, required removal date and the name of the resident.
- E. No Off-Premise advertising devices or signs are allowed on the portable storage container.

6.7.12 Temporary Storage of Sand, Topsoil, Gravel or other Aggregate

Within the Business, Special Purpose and Residential zoning districts the storage of small amounts of sand, topsoil, gravel or other aggregate materials, over One (1) cubic yard, that is used for daily operations of a business or for personal use are subject to the following restrictions:

- A. The R-A; Residential Agriculture District is exempt from the following requirements.
- B. The storage of the material shall not be visible from the public right of way.
- C. Material intended to be used as fill on the same site, shall be spread within 30 days. A construction project that possesses a current building permit is exempt from this requirement.

Article 7. Nonconformities

7.1 Purpose

This Article establishes uniform provisions for the regulation of uses, occupancies, lots, structures and signs that were lawfully established prior to the Effective Date of this Code, but would be prohibited or regulated differently under the requirements of this Code. It is the intent of this Article to encourage the conversion of non-conforming situations to conforming status.

7.2 Creation of Nonconforming Situation Forbidden

7.2.1 Single Lot

A single lot shall not be subdivided and sold or used in any manner that would diminish compliance with the standards of this Code.

7.2.2 Abutting Lots

If a structure, use or occupancy is situated on 2 or more abutting lots or portions thereof, the land involved shall be deemed a single parcel for the purposes of this Code, and no portion of said parcel shall be sold or used in a manner that would diminish compliance with the standards of this code.

7.3 Continuation, Alteration, Enlargement or Conversion of Nonconforming Situation

7.3.1 Nonconforming Use or Occupancy

- A. Only a lawful use or occupancy may be extended into any portion of a nonconforming structure or lot.
- B. A nonconforming use that occupies any portion of a structure or lot may not be expanded to occupy additional building area or land area.
- C. A nonconforming use shall not be expanded in intensity or hours of operation.
- D. The resumption of a non-conforming use may be granted by the Bossier City Council or the Bossier Parish Police Jury.

7.3.2 Nonconforming Structures

- A. A nonconforming structure shall not be altered, enlarged, or moved unless:
 - 1. The action is required by law or
 - 2. The moving, alteration, or enlargement will result in reduction or elimination of the nonconformity.
- B. A nonconforming structure may be enlarged in compliance with other provisions of this code provided that the nonconformity is not increased.

7.3.3 Nonconforming On-premise Sign Structures

Permanent On-premise signs, preexisting on the Effective Date of this Code, that do not conform to the standards in 0 shall be deemed as nonconforming but may be continued by the current occupant under the following conditions:

- A. The sign shall be maintained as legible and in good repair, with no indication of abandonment.
- B. A nonconforming sign may be indefinitely utilized by the current occupant until:
 - 1. There is a change in use, ownership, new occupancy or business proprietorship that requires issuance of a new Certificate of Occupancy. Before any new Certificate of Occupancy is issued, the occupant shall either:
 - a. Bring the nonconforming sign into conformity and obtain a Sign Location Permit under the provisions of Section 3.4.1, or
 - b. Remove the sign, or
 - c. Provide the planning department with written notice as to the timetable of complying with the above requirements. The planning office may grant an extension of up to 90 days.

7.3.4 Nonconforming Accessory Structures and Temporary Signs

- A. Unless provided for under an ordinance or directive established prior to the Effective Date of this Code, any nonconforming temporary sign, portable sign or banner must be removed or relocated, if allowed by Article 8, within 1 year of the Effective Date of this Code.
- B. Any nonconforming temporary sign, portable sign or accessory structure put in place after the original Effective Date of this Code shall be brought into conformance or be subject to immediate removal.

7.4 Abandonment of a Nonconforming Situation

7.4.1 Cessation of Nonconforming a Use, Occupancy or Sign

A nonconforming use, occupancy or sign that has been abandoned or discontinued for a period of 6 months shall not thereafter be reestablished.

7.4.2 Request for Determination of Abandonment

- A. If a property owner believes a nonconforming use, occupancy or sign has not been abandoned, he/she may file a written request with the Metropolitan Planning Department for a determination of nonconforming use and abandonment status by the Executive Director.

- B. In the absence of a property owner request, the Executive Director may conduct a determination of any nonconforming use and abandonment status.

7.4.3 Determination of Abandonment

The Executive Director shall review the request to determine whether the nonconforming use, occupancy or sign had been abandoned. The occupant or property owner shall have the burden of establishing the intent not to have abandoned the use, occupancy or sign. The Executive Director shall set forth a decision in writing, which shall be mailed to the occupant or property owner by first class mail within 30 days of the filing of the request.

7.4.4 Appeal of Executive Director's Determination of Abandonment

Anyone may request an appeal of the Executive Director's determination to the Zoning Board of Adjustment within 10 working days of the date of mailing the written decision. Procedures for the appeal are specified in Subsection 3.6.3.

7.5 Repair or Rebuilding a Damaged Structure

The right to operate and maintain any nonconforming use or occupancy shall terminate whenever the structure or structures in which the nonconforming situation is operated and maintained are damaged, destroyed or no longer maintained in a state of good repair.

- 7.5.1** If a nonconforming structure has been damaged so that the cost of repair or rebuilding in compliance with current construction codes is less than 60 percent of the replacement value of the structure prior to the damage, the structure may be restored, provided that:

- A. Restoration shall be begun within 1 year of the damage event and completed within 2 years of the damage event.

- 7.5.2** If a nonconforming structure has been damaged so that the cost of repair or rebuilding in compliance with current construction codes equals or exceeds 60 percent of the value of the structure prior to the damage, the structure may be repaired or rebuilt, but only in conformance with this Code.

7.6 Nonconforming Off-Premise Signs

All off-premise signs legally in existence on January 1, 1987 [the effective date of the original off-premise sign ordinance] but not meeting the provisions of this Code shall be classified "nonconforming" and permitted to remain with reasonable repair and maintenance. Any nonconforming sign damaged beyond 60 percent of replacement cost of the structure (as determined by an independent appraiser engaged by the Metropolitan Planning Commission with costs payable by the current sign vendor) shall be removed.

7.6.1 Existing Permits

All building permits previously issued for signs not yet erected will be valid for 6 months from the date of issuance. No renewals shall be granted for signs or locations which would be in violation of this ordinance.

7.6.2 Burden of Proof

In any matter in which a property owner, sign owner, sign user or other person seeks the protection provided to lawful, nonconforming signs under this section, the burden of proof shall be on the person seeking such protection to prove:

- A. The date of erection or installation of the sign;
- B. The substance of the sign ordinance then in effect;
- C. That the sign fully conformed to the sign ordinance then in effect, as to height, size, location on the property, sign design and lighting;
- D. That the person erecting the sign obtained all necessary permits for the erection of the sign; and
- E. That any changes to the sign have been made in accordance with the requirements of Article 8 and all other parts of this Code and in compliance with all applicable permit requirements.

7.6.3 Optional Registration

- A. A sign owner or user may register a lawful, nonconforming off-premise sign in accordance with this subsection. The registration shall be filed on or before May 1, 2003, on a form to be provided by the Executive Director. The form shall require at least the following:
 - 1. Date of installation of sign or building permit date;
 - 2. Address of premises;
 - 3. Location of the sign on the premises (drawing and precise description of the location with GPS coordinates noted)
 - 4. Dimensions of the sign;
 - 5. Height of the sign; and
 - 6. Photograph of the sign as it exists at time of filing registration.
- B. The Executive Director shall review the registration within 30 days and notify the applicant of any inaccuracies or other deficiencies in the registration. The applicant shall have the right to cure any noted deficiencies and to resubmit the registration prior to May 1, 2003. Such inaccuracies or deficiencies in the registration shall be noted in the file. All provisions of the registration not subject to a notice shall be deemed to be accepted by the Metropolitan Planning Commission.
- C. In any proceeding in which the legal status of a sign is material, the unchallenged facts set forth in a registration under this sub-section shall be presumed to be true; any facts subject to a notice from the Executive Director questioning the accuracy or other matters shall not receive such protection unless the applicant amends the registration to cure the deficiencies.

7.6.4 Alterations of Legally Non-Conforming Off-Premise Signs

Legally non-conforming Off-Premise signs within the jurisdiction of the Bossier MPC may be eligible for alterations that will eliminate the non-conformities of the

sign. Alterations may be approved by the MPC as a “Conditional Use” following the procedures of Section 3.3.2 under the following conditions:

- A. Alterations or upgrades to the non-conforming sign, or rebuilding of a non-conforming sign to a steel single pole design on the same parcel within a 50’ radius of the existing location, shall be conducted for the purpose of making the Off-Premise sign compliant with the current requirements for Off-Premise signs as stated in this code. The alterations shall include, but not be limited to the following:
1. Reduction of the sign faces to the current size requirements as listed in Table 9.7.1.
 2. The removal of nearby Off-Premise signs to meet current spacing requirements between signs as listed in Table 9.5.6. The removal of nearby signs, if required, shall be completed prior to the issuance of an Off-Premise sign permit for alterations to the non-conforming sign.
 3. The newly altered Off-Premise sign shall comply with current height limitations as stated in Table 9.6.
 4. If the non-conforming sign alteration involves a change to an electronic technology face, the requirements of Section 9.9.1 shall apply.
 5. After the alterations are complete, and if necessary any nearby signs have been removed, the new sign shall be classified as a legally conforming Off-Premise sign.

Article 8. On-Premise Sign Regulations

8.1 Authority and Purpose

8.1.1 Authority

This Article is adopted pursuant to the zoning and land-use regulatory authority of the City and Parish in furtherance of the more general purposes of the Unified Development Code of which this Article is a part.

8.1.2 Purpose

The purpose of this Article is to maintain and enhance the aesthetic environment of the City and Parish, the ability to attract economic development and growth to the area, improve pedestrian and traffic safety, and minimize the potential adverse effects of signs on nearby property through the consistent enforcement of reasonable sign regulations.

8.1.3 Applicability and Exclusions

- A. This Article applies to outdoor signs, located on the premises of the occupancy to which the sign is associated, that are visible from the public right-of-way or adjacent properties.
- B. This Article does not apply to signs or displays that are unreadable 10 feet or more beyond the lot line of the building in which the sign or display is located.
- C. Any exceptions to the On-Premise sign requirements must be requested by the applicant as a Conditional Use Approval, following the procedures of Section 3.3.2, with the submission of a complete proposal, including location, size, material, and elevations of the sign or signs. Exceptions should only be granted for unusual circumstances, such as but not limited to, obstructions impairing the view of a new sign location, extreme narrowness of the lineal frontage of the property, or a request for smaller multiple signs instead of one large sign. All exceptions granted should be done so utilizing good judgement and common sense and remain within the intent of the code.

8.2 Permitted and Prohibited On-Premise Signs

8.2.1 Permit Required

Except as provided below in Subsections 8.2.2 and 8.2.3, all on-premises signs shall not be erected, altered, or relocated unless a Sign Location Permit is issued in accordance with Section 3.4 of this Code.

8.2.2 No Permit Required

The following signs are permitted anywhere in the jurisdiction of this Ordinance without a permit, if compliant with the structural and safety requirements of Subsection 8.3.3:

- A. Public signs, which are exempt from all provisions of this Article except for structural and safety regulations required by the building and electrical codes of the City or Parish.

- B. Decorative banners and flags of any type, displayed on publicly-owned light poles within a street right-of-way.
- C. Identification signs, limited to no more than one such sign per entrance.
- D. The flags of the United States and/or the State of Louisiana, when displayed in accordance with the National Flag Code (36 U.S.C., §173-178).
- E. One additional flag displayed only in conjunction with Paragraph D, above, either on the same staff or mast, or on its own mounting.
- F. Construction signs identifying the architects and engineers, owners, and other individuals and firms involved. Such signs shall:
 - 1. Any face of such signs shall not be larger than 64 square feet unless approved otherwise by the MPC board as a Temporary Use.
 - 2. Not include any advertisement of any product or direct advertising of any service.
 - 3. Be removed within 10 days after a certificate of occupancy has been issued.
- G. Small outdoor signs integral to Retail Sales and Service uses, directed to persons who have already entered the premises; such as drive-in restaurant menu boards, filling station fuel pump signs or instructions on using an automatic car wash. To qualify for this exclusion, no lettering on the sign shall be greater than 8 inches tall.
- H. Temporary real estate signs notifying that the property or premises are for sale, lease, or rent; provided that:
 - 1. The signs are on the property or premises being so advertised.
 - 2. One sign only is permitted for each street on which the property fronts.
 - 3. All such signs shall be removed within 30 days of the sale, leasing, or rental of the property or premises.
 - 4. All such signs shall be no more than 35 square feet per side and containing no commercial message except information indicating that the property is available for sale or lease and that no two such signs shall be located within 500' of each other on the same property.
- I. Political signs, which identify and urge citizens to support a particular candidate, political party, election issue, or non-commercial public cause. Such signs shall be limited to 9 square feet in size in the R-Districts, excluding the R-A district. All political signs shall be outside any public right-of-way. Political signs shall be placed out no earlier than 60 days prior to said election and shall be removed no later than 14 days after said election.

8.2.3 No Permit Required – Specific Districts

The following commercial advertising signs are permitted in the specified zoning districts without a permit, if compliant with the structural and safety requirements of Subsection 8.3.3:

- A. In all residential districts, one business sign of no more than 4 square feet in area, on each side, and only 1 sign is allowed per residence. The residence must have a Certificate of Occupancy for a home occupation to be eligible for a home based business sign.
- B. In any nonresidential district, a maximum of one (1) banner per building façade, and two(2) wind feather flags displayed on each street frontage and one inflatable sign, such as a Grand Opening or a Special Event or Sale, provided that:
 - 1. The banner's area is no larger than the wall sign permitted for that use by this Article and the entire banner shall be completely attached or located on the building facade or hanging from a building awning. Banners shall not be attached to any poles or other such supports, but firmly attached flat on an awning or building façade or hanging from an awning.
 - 2. One (1) inflatable sign is permitted temporarily for special events and the display period is limited to 10 consecutive days and for no more than six (6) times in one calendar year.
 - 3. Wind Feathers or other similar eye catching devices, no larger than 30 square feet in size. More than two devices may be displayed on sites with linear street frontage greater than 300 feet on any one street. In this situation, the number of wind feathers or similar devices may be displayed at a rate of one device per 50 linear feet on each street frontage.

8.2.4 Prohibited Signs

The following signs are prohibited anywhere in the jurisdiction of this Ordinance:

- A. Signs imitating an official traffic sign, signal, or traffic-control device. The determination of whether a sign so imitates shall consider:
 - 1. The size, shape, location, movement, content, coloring, or manner of illumination of the sign; and/or
 - 2. Whether the sign contains the words “stop” “caution” “danger,” “warning” or similar words.
- B. All temporary signs, unless approved in conjunction with a Certificate of Occupancy for a temporary use. Such signs are limited to one sign per temporary use and no larger than 16 square feet per side.
- C. Banners or similar cloth-based signs shall not be used as permanent signage or to cover an existing sign to block out the previously displayed message, for a period of more than 30 days while the sign is being maintained.
- D. Signs over three (3) feet in height, within a clear visibility triangle, as defined in Section 13.13.

- E. Window and door signs, where any individual sign or accumulation of signs occupy more than 50 percent of an individual window or door frame's total area.
- F. No sign or portion of a sign, to include the supporting poles may be constructed of wood, cloth, vinyl or similar fabric type material.

8.2.5 Signs Prohibited in Residential Districts

All commercial advertising signs are prohibited in residential districts, with the following exceptions:

- A. Signs provided for in Subsections 8.2.2 and 8.2.3A.
- B. Signs on the premises of permitted nonresidential uses in the R-A District.

8.2.6 Permitted Temporary Retail Sale Signage

The following signs are permitted for a temporary retail sales such as Christmas Tree and Fireworks, and operating for a period of no more than 30 consecutive days.

- A. One temporary freestanding sign that does not exceed 16 sq. ft. per side. The freestanding sign may include a message board.
- B. One inflatable advertising device.
- C. Any number of flags, streamers, pennants or wind feathers with size calculated as determined in Section 8.3.1.D.
- D. One temporary banner for each street frontage. The size of the banner shall be no larger than 50 square feet.

8.3 On-Premise Sign Standards

8.3.1 Signs Allowed

A. Canopy, Projecting or Wall Signs

1. Single Frontage Lots

- a. Each nonresidential occupancy may have a maximum of five (5) canopy, projecting or walls signs with total area of up to 1 ½ (one and one half) square feet for each lineal foot of building frontage.
- b. Raised channel letter signs shall be measured by placing a rectangle around the perimeter of the sign and will be allowed 30% additional square footage to the above calculation for allowance of empty spaces between the letters.

2. Corner and Multiple Frontage Lots

If the occupancy abuts more than one street, Interstate Highway or private drive it may have a maximum of five (5) canopy, projecting or wall signs exposed to each street frontage, provided:

- a. The total area of signs shall not exceed 1 ½ (one and one half) square feet for each lineal foot of building frontage to which the sign is exposed.
 - b. The total of the sign area exposed to any single street frontage shall not exceed 60 percent of the total allowable area for all signs.
3. Multi-Tenant Buildings
- a. Each individual tenant in a multi-tenant center may have no more than 3 canopy, projecting or wall signs with a total area of up to 1 ½ (one and one half) square foot for each lineal foot of tenant space.
 - b. As an option to the signs allowed above, tenant spaces with lineal footage of 30 feet or less, may elect to use the following calculation: one canopy, projecting or wall sign that shall not exceed 75% of the width of the front of the tenant space with lettering and spacing not to exceed 60" in height.

B. Freestanding Signs

In addition to the canopy, projecting or wall signs permitted above in Paragraph A, each nonresidential occupancy may have one or more on-premise freestanding signs as stated below.

- 1. Individual Lots
 - a. A single occupancy on an individual lot may have 1 sign with an area of square foot for each lineal foot of street frontage distributed over all faces of the sign. For example, a business with a 100-foot frontage may erect a pole sign or monument sign with a total area of 100 square feet distributed over all faces of the sign. A single face sign's size shall be calculated at one half (1/2) the size allowed for a multi-face sign. Any single occupancy sign that qualifies for a single sign face greater than 400 square feet, must be approved by the MPC board following the procedures stated in Section 8.1.3C.
 - b. For corner or multiple-frontage lots, the entire lineal frontage of the lot is used to calculate the area of the sign. For example, a corner lot with a total of 200 lineal feet of street frontage may erect a sign with total area of 200 square feet distributed over all faces of the sign. One additional sign of equal or smaller size shall be allowed on each street frontage. Sign faces shall be oriented to the street frontage they are located on. Occupancies adjoining an Interstate Highway or a raised expressway, are not considered multi-frontage lots.
 - c. Sign pole covers are strongly encouraged. If the width of a sign pole cover is a minimum of 50% of the length of the bottom coping of the sign face, a 50% increase in the

allowable square footage of the sign face shall be granted. This allowance is for single occupancy signs only. The area of the pole cover shall not be calculated as a portion of the sign face for any sign and shall not include advertising on the cover.

d. Single round sign poles shall be covered. No minimum width along the bottom coping of the sign is required.

2. Occupancy Groups and Multi-tenant Buildings

a. A group of nonresidential occupancies occupying a single premise, such as a shopping center or multi-tenant building, may have one multi-tenant sign for each street frontage, with twice the area permitted by Paragraph B.1 above.

C. Gas Station Canopies

In addition to the wall and freestanding signs permitted in this subsection, gas stations and convenience stores with fuel pump islands are permitted one or more canopies that cover the fueling area.

1. The total area of sign lettering on each face of the canopy shall not exceed 30 square feet.
2. Canopy supports shall be located on the pump island or be set back at least 25 feet from any property line.
3. The roof or outermost projection of any canopy shall be set back at least 5 feet from any property line.

D. Advertising Flags and Pennants

Commercial occupancies shall be permitted an unlimited number of flags and pennants provided that:

1. The total area of flags and pennants shall not exceed 1 square foot for each foot of street frontage.
2. No single flag or pennant shall exceed 20 square feet.
3. Flags and pennants shall be kept out of the street right-of-way.
4. Flags and pennants shall not be attached or tied to utility poles.

E. Incidental Signs

Nonresidential uses may have incidental signs as needed for informational or traffic control purposes. Each driveway or access way to a parking area may have one permanent incidental sign, although two may be permitted if visibility requires it. Such signs shall not exceed 3' in height, for traffic visibility, with a maximum size of 6 square feet per side and may include a logo covering no more than 50% of the sign.

F. Changeable Copy Signs

Changeable copy is permitted as a wall, marquee or canopy sign. Size calculation of the changeable copy sign is the same as a typical wall sign.

1. When used as a component of a freestanding or monument sign, the changeable copy shall be no more than 90% sign surface.
2. Electronic message boards are prohibited within the A-1 or A-2 buffer zones. Electronic message boards may be allowed within the North Approach Zone, as identified by the current AICUZ or Joint Land Use Study, by Conditional Use approval following the procedures of Section 3.3.2 of this code.

G. Roof Signs

On-premise roof signs are permitted in the RFD district only, subject to the following provisions:

1. Construction or enlargement of a roof sign must be approved by the Metropolitan Planning Commission as a component of a planned unit development project.
2. Signs must be oriented to the Red River, approaching bridges, Interstate Highways or to internal activities within the boundaries of a development project.
3. The backs of roof signs shall be covered to prevent light spillage behind the sign or its supporting structure.

H. Historic Structures

Any structure that has been declared an historic landmark or is an integral part of an historic district under Federal or Louisiana law or local ordinance may have one sign per street frontage.

8.3.2 Sign Height

- A. On-premise advertising signs shall not exceed the maximum building height of the zoning district it is located in or 45', whichever is less. Sign height is defined as the vertical distance between the highest part of the sign and the ground level at its supports.
- B. Signs oriented toward an interstate highway or raised expressway and located on property no further than 400' from the nearest point of the right of way of said interstate or raised expressway shall not exceed 75 feet in height, measured as the vertical distance between the highest part of the sign and the ground level at its supports, or 25 feet above the centerline of the raised expressway, whichever is taller. Measurements shall be taken in a straight line, without regard to intervening structures or objects, from the nearest portion of the sign face to the nearest point of right of way of said interstate highway or raised expressway. Signs oriented toward an expressway are allowed twice the area allowed for an individual freestanding sign as described in Section 8.3.1.

8.3.3 Structural and Safety Requirements

- A. All signs shall be maintained in good structural condition and damaged and missing faces shall be replaced within 180 days after written notification from the zoning office.

- B. All freestanding and wall signs shall be constructed and installed by a Louisiana licensed sign company and shall comply with the applicable provisions and requirements of the City or Parish building codes, and of the City or Parish electrical codes if a sign is illuminated or electrically animated.
- C. Illuminated signs shall be located and constructed so as to protect the general welfare of the public and the safety of the traveling public. In particular, illuminated signs shall:
 - 1. Have their light shaded, shielded, or directed so that the light intensity or brightness is neither a nuisance to the surrounding area nor a hazard to the operators of motor vehicles on public thoroughfares;
 - 2. Not include or consist, on any exterior surface, of exposed reflective or clear bulbs, strobe lights, or incandescent lamps over 15 watts that expose the face of the bulb, light, or lamp to any public thoroughfare or adjacent property;
 - 3. Not include or consist of beacons or revolving lights; and
 - 4. Not include or consist of colored lights that by location or manner of use may be confused with traffic control devices.
 - 5. Digital signs shall not be allowed in the area defined as the North Approach to Barksdale AFB unless approved as a Conditional Use following the procedures of Section 3.3.2 of this code.
- D. No sign may be closer to any property line than 5 feet, except for the following:
 - 1. In the Downtown Business (B-4) district, between the 400 and 1000 blocks of Barksdale Boulevard, only wall sign or projecting signs are permitted. The projecting sign is allowed to abut or overhang the public right of way only by permission of the appropriate governing body.
 - 2. Suspended pennants and flag poles shall be located so as not to impede pedestrian traffic or motor vehicle visibility at street intersections.
- E. The bottom coping of the face of a single pole sign shall be at least 10 feet above ground level. Pole joints shall be at least 8 feet above ground level or shall be free of sharp edges and exposed bolts. The first 3 feet above ground may be enclosed provided there is an unobstructed clearance of at least 7 feet, to deter climbing, vandalism, and view obstruction.

8.4 Sign Location Permit Required

8.4.1 Building Permit Required

On-premise signs requiring a permit under Section 8.2 shall be installed, constructed, or modified only in accordance with a duly issued and valid Sign Location Permit and a separate Building Permit issued by the Permits and Inspections Office.

- A. No Building Permit shall be reviewed or issued for a sign until a Sign Location Permit has been first issued by the zoning office.
- B. One application for a Sign Location Permit may include multiple signs on the same lot or parcel.
- C. An application for a Sign Location Permit shall include:
 - 1. The name, address and telephone number of the sign owner;
 - 2. The name and address of the person or firm who will install, construct, or modify the sign, if not the sign owner; and
 - 3. Detailed drawings that show the dimensions, design, structure, and location of each particular sign.
- D. During the sixth month after the issuance of a Sign Permit, the Executive Director shall inspect the premises that are the subject of the permit.
 - 1. If the sign installation, construction, or modification has not been substantially completed at that time, the sign construction permit shall lapse and become void.
 - 2. If the sign installation, construction, or modification is substantially complete, but the sign does not comply with the requirements of Section 8.3, then the Executive Director shall notify the owner in writing of the nature of the noncompliance, upon which notice the owner shall have 30 days to correct the noncompliance.
 - a. If the noncompliance is not corrected within the 30-day period, the sign construction permit shall lapse and become void.

8.4.2 Previously Approved and Preexisting On-Premise Signs

Whenever any occupancy having one or more previously approved or preexisting signs, requires a Certificate of Occupancy due to change in ownership or land use, the signs requiring a permit under Section 8.2.4 shall be permitted to remain only in accordance with a duly issued and valid Sign Location Permit issued by the Executive Director.

- A. One application for a Sign Location Permit may include multiple signs on the same lot or parcel.
- B. A Sign Location Permit application for a previously approved or preexisting sign shall include:
 - 1. The name, address and telephone number of the sign owner; and
 - 2. Photographs or drawings that adequately depict the design, structure, and location of each particular sign. Photos shall be at least 4 inches by 6 inches in size and shall include a scale reference item, such as a surveyor's rod, near the sign so that dimensions can be reasonably determined.
 - 3. A copy of the previously approved Sign Permit, if any exists.
- C. If a previously approved or preexisting sign is not in compliance with this Ordinance, it shall be removed or brought into compliance before the Certificate of Occupancy may be issued. Removal of signs shall include the pole or poles supporting the sign. The Executive Director may grant a 30 day removal period as a condition of the Certificate of Occupancy.

8.4.3 Assignment of Permits

On-Premise Sign Location Permits may not be assigned to a successor as owner of the premises or holder of a business license for the premises.

8.4.4 Sign Inspection; Warning and Removal

The Zoning office may from time to time inspect signs. Such inspection shall be to determine continuing compliance with this Article and with the terms and conditions of the sign construction or continuance permit, if any.

- A. If a sign does not comply with the requirements of this Article and/or the terms and conditions of the permit, then the zoning official shall notify the sign owner in writing of the nature of the noncompliance, upon which notice the sign owner shall have 30 days to correct the noncompliance. If a sign is prohibited pursuant to this Section or Subsection 8.2.4, then no such notice is required and the Zoning official may proceed pursuant to Paragraph C. for uncorrected noncompliance.
- B. If the noncompliance is corrected within the 30-day period, then the Zoning official shall issue a letter to the sign owner stating that the sign that was the subject of the noncompliance notice under Paragraph A. is now in compliance.
- C. If the noncompliance is not corrected within the 30 day period, the Zoning official shall issue notice to that effect to the sign owner and:

1. The Sign Permit, if any, shall lapse and become void; and
 2. The sign owner shall remove the sign within 10 days of receipt of the notice. If the sign is not removed within that time, the Executive Director may remove the sign without further notice and at the permit holder or sign owner's expense.
 3. May take action as permitted under Section 17.3 of this code.
- D. If there are multiple signs on the premises, including multiple signs subject to a single Sign Permit, the Executive Director may simultaneously proceed according to Paragraph B. for compliant signs and Paragraph C. for noncompliant signs.

Article 9. Off-Premise Advertising Signs

9.1 Intent

- 9.1.1** The purpose of this Article is to establish standards and regulations to insure the orderly and effective display of off-premise advertising and to define those structures that are not in compliance. This will effectuate the intent of the U. S. Congress and the Louisiana State Legislature in adopting the Highway Beautification Act and the state version of that law, who, in so acting, have declared that it is in the public interest to regulate and restrict the erection and maintenance of outdoor advertising devices along the Interstate and Primary Highway Systems, to promote the safety of public travel, and to enhance the beauty and attractiveness of the city to its residents and visitors for residential and commercial growth in an orderly plan.
- 9.1.2** These regulations, when properly enforced, will control the locations, size, spacing, illumination and maintenance of all off-premise advertising devices thereby resulting in the overall enhancement of the safety, health and welfare of the citizens residing in the planning limits of the Bossier City-Parish Metropolitan Planning Commission.

9.2 Applicability

This Article shall apply to “off-premise advertising devices,” as herein defined in Section 18.2.64. Signs with subject matter relating to the premises (business signs) or signs of a non-commercial nature placed on the premises by the owner or occupant thereof are subject to regulation under 0 of this Code. All signs located in the public right-of-way are expressly prohibited.

9.3 Permits Required

- 9.3.1** No off-premise sign shall be erected, altered, or relocated without first securing a Sign Location Permit from the Metropolitan Planning Commission and a Building Permit from the Permits and Inspections Department. The sign location permit shall contain the location of the sign structure, the name and address of the sign owner, the sign erector, a drawing showing the type, size, location and zoning and such other pertinent information as the MPC may require to ensure compliance with this Code and all ordinances affecting the subject property.
- 9.3.2** Application and approval procedures for construction or modification of an off-premise sign are specified in Subsection 3.4.2 of this Code.

9.4 Off-Premise Signs Allowed Without a Permit

The following off-premise signs shall be allowed and shall not require a permit, although they may otherwise be subject to this ordinance:

- 9.4.1** A traffic control sign on private property, such as “Stop,” “Yield” and similar signs, the face of which meet Traffic Engineering standards and which contain no commercial message of any sort;
- 9.4.2** Flags of the United States, state flags, municipal flags, flags of foreign nations and any other flag representing a governmental agency. These flags shall not be associated with any commercial message whatsoever.

9.5 Location of Off-Premise Signs

- 9.5.1** No new off-premise outdoor advertising device shall be permitted unless it is located adjacent to and oriented toward an Interstate Highway.
- 9.5.2** Approved off-premise outdoor advertising displays, signs or billboards may be constructed, erected and maintained in the commercial and industrial zoned areas listed in this sub-section and as further defined by the Zoning Ordinances of the City and Parish and the respective official zoning maps. Off-premise signs shall be permitted only in the following zoning districts and not in any others: B-1, B-2, B-3, B-4, RT, I-1, I-2, A-1.
- 9.5.3** No property shall be rezoned to one of the specified zoning districts for the sole purpose of allowing the erection of an off-premise advertising device unless the property proposed for rezoning:
- A. Is designated on the adopted Comprehensive Plan for future industrial or business use or at least 25 percent of the perimeter of the property proposed for rezoning abuts land zoned for industrial or business use and has actually been developed for one or more industrial or business uses other than outdoor advertising devices; and
 - B. Has contiguous access to a major arterial or Interstate Highway frontage road and is otherwise suitable for industrial or business use, although it is not essential that sewer and water service be immediately available.
- 9.5.4** Off-premise advertising devices shall be separated from one another and from other specified uses as set forth in Table 9.5.6. Measurements between off-premise signs shall be performed without regard to which side of the street or highway the sign is on, except the Interstate.
- 9.5.5** For the purpose of these regulations, each side of the interstate system shall be considered separately.
- 9.5.6** V-type or back-to-back sign surfaces on the same device shall be considered one sign.

Table 9.5.6 Separation Requirements for Off-Premise Advertising Devices (feet)			
OAD Size	< 72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
Separation from OAD facing same flow of traffic, along major arterials			
OAD <72 sq.ft.,	200	300	500
OAD 72-390 sq.ft.	300	500	720
OAD 390-672 sq.ft.	500	720	1000
Separation from OAD not facing same flow of traffic, along major arterials			
OAD <72 sq.ft.,	200	300	500
OAD 72-390 sq.ft.	300	500	720
OAD 390-672 sq.ft.	500	720	1000
Separation from OAD not facing same flow of traffic, along major arterials			
OAD <72 sq. ft.	100	150	250
OAD 72-390 sq. ft.	150	300	500
OAD 390-672	250	500	600
Separation of OAD within 660 feet of Interstate Highway from other OAD within 660 feet of same Interstate Highway			
OAD <72 sq.ft.,	1000	1000	1000
OAD 72-390 sq.ft.	1000	1000	1000

Table 9.5.6 Separation Requirements for Off-Premise Advertising Devices (feet)			
OAD Size	< 72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
OAD 390-672 sq.ft.	1000	1000	1000
Separation of OAD from property zoned R-a, if developed or used for residential, R-LD, R-E or R-MD if vacant for developed for single family residences, or from property used for school or park purposes as measured from the nearest property line of residential to the sign.			
Residential Property Line	100	200	400

9.5.7 Off-premise advertising devices shall be setback from the front property lines on the properties on which they are located by the distances set forth in this paragraph. Set-backs shall be measured from the sign surface. Minimum front yard set-backs shall comply with the requirements of Table 9.5.7.

Table 9.5.7 Required Setbacks for Off-Premise Advertising Devices from Front Property Lines (in feet)			
District	Sign Size		
	<72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
Any B District and RT-3	30	30	30
Industrial District and A-1	10	15	15

9.5.8 Side and rear minimum setbacks shall be 5 feet.

9.5.9 Where Table 9.5.6 requires a separation from another sign or another use and that separation requirement is greater than the setback requirement under this paragraph, the greater separation requirement shall apply.

9.5.10 No off-premise sign shall be located on or project over a building.

9.5.11 No off-premise sign shall be located in such a manner as to obscure, obstruct, or otherwise physically interfere with the clear or unobstructed view of an official traffic sign, signal, or device, or obstruct or physically interfere with the driver's view of approaching merging or intersecting traffic.

9.5.12 No off-premise outdoor advertising device shall be located within 1,000 feet of the Arthur Ray Teague Parkway.

9.5.13 No off-premise advertising sign larger than 72 square feet, except temporary signs may be built on wooden poles; all other off-premise signs must be constructed on steel beams, metal pipes, or similar material and painted with a neutral or subdued color.

9.5.14 Public transportation benches and transit shelters or similar structures are permitted within the public right of way only and must have approval of the Bossier City Council or Bossier Parish Police Jury. Off-Premise advertising on the bench or shelter shall not exceed 50% of the surface area.

9.6 Off-Premise Sign Height Limitations

No off-premise advertising device shall exceed the most restrictive height applicable to it under Table 9.6, subject to the further specific conditions set forth in this section:

Table 9.6 Height Limits for Off-Premise Advertising Devices (in feet)			
OAD Size	< 72 sq.ft.	72 – 390 sq.ft.	390-672 sq.ft.
B-1 District	15	Not Permitted	Not Permitted
B-2 District	15	50 (Up to 300 sq.ft.)	Not Permitted
B-3, B-4, & Industrial Districts	15	60	60
A-1 District	45		
Within 199 feet of residential property	15	Not Permitted	Not Permitted
200 - 599 feet from residential property	20	1 foot additional height above 20 feet for every 10 feet in additional distance separation beyond 200 feet	Not Permitted
600 feet or more from residential property	20	Same as above	60
Oriented toward raised expressway and at least 600 feet from residential	Height allowed by other cells on table or 25 feet above centerline of expressway, whichever is taller		
Note: The maximum height of any signs 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 shoulder of the adjacent Interstate highway right-of-way or public street right-of-way, whichever is higher in elevation.			

9.7 Off-Premise Sign Size Limitations

9.7.1 Table 9.7.1 below specifies the maximum permitted sizes for off-premise advertising devices by zoning district.

Table 9.7.1 Size Limits on Off-Premise Advertising Devices, by Zoning District (sizes in square feet)			
	Zoning District		
	Industrial, RT, A-1, B-3 & B-4	B-2	B-1
Maximum area of total sign surface per side (sq. ft.)			
I-20 and I-220 oriented	672	300	72
Major Streets	390	300	72

9.7.2 The maximum area, heights of surface, and length of surface dimensions in the above table are exclusive of any border or trim, the base or supports, and other structural members. For signs in I-1, I-2, A-1, RT, B-3 and B-4 Districts, cut-outs or extensions up to 50 square feet of additional area may be allowed without MPC approval and cut-out from 51 to 150 square feet may be permitted with MPC approval.

9.7.3 When 2 off-premise sign surfaces are placed back-to-back or V-type on the same device with an angle between them of not more than 60 degrees, each side shall conform to the maximum size limitations. No more than 2 sign surfaces are

allowed on one device. Two-sided signs must have the same surface area on each side.

- 9.7.4 Signs and sign faces shall not be stacked; only one sign face is allowed on each side.
- 9.7.5 The maximum area, heights of surface, and length of surface dimensions in the above table are exclusive of any border or trim, the base or supports, and other structural members.
- 9.7.6 For purposes of measurement, Trivision technology, or comparable electronic video or animation technology, faces shall be considered to be one face.

9.8 Distancing Bonus for Landscaping of Off-Premise Signs

A 5 percent distancing reduction shall be available as a bonus to applicants who choose to landscape **non-interstate oriented** sign location sites. To be eligible for the distancing reduction, the required landscaping shall be shown on the site plan, and maintenance of such landscaping shall be required as a continuing condition of the permit for the sign. The landscaping shall meet at least the following standards:

9.8.1 Area to be Landscaped

An 8-foot radius around the base of the sign.

9.8.2 Required Plant Materials, Type, Quality and Quantity

Acceptable plant materials include shrubs, grasses, ground covers, and other plants. Note: Landscaped boards accepted under the distance bonus program shall be considered conforming locations.

9.9 Lighting of Off-Premise Signs

Signs may be illuminated, subject to the following restrictions:

- 9.9.1 A sign location permit for a new sign or changing a legally existing sign to include LED or similar electronic technology, shall only be issued if the applicant agrees in writing to remove one or more existing off-premise signs, including the poles, with a total area of two (2) times the square footage of the sign face or faces to be approved, altered or upgraded.

For example: An Off-Premise sign with a sign face area of 300 square feet may be upgraded if one or more signs, including the sign poles, that have a sign face area of at least 600 square feet, are removed from the MPC jurisdiction. For the purpose of upgrading to LED or other electronic technology, each sign face shall be treated separately. Any additional square footage, greater than the required amount that is removed, may be credited toward future sign face conversions. Approval shall follow the same process as a new sign location and the location and square footage of signs to be removed shall be included in the application package.

- 9.9.2 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 except illuminated signs which indicate such customary public service information such as time, date, temperature or other similar information. No flashing sign shall be allowed within 1,000 feet of residential property.

- 9.9.3** No animated signs, including message center or video boards, shall be allowed within 720 feet of property zoned for residential use from which the sign face can be seen; no animated signs, including message center or video boards, shall be allowed under any circumstances within 500 feet of property zoned for residential use. LED or similar electronic static face signs shall not be closer than 200' from residential property as defined in table 9.5.6.
- 9.9.4** No neon, LED or similar electronic technology signs shall be allowed within the Air Base Buffer-North (A-1) District or within the area designated by Barksdale Air Force Base as the North Approach Zone. (Site Map and legal description available in the MPC office.
- 9.9.5** External Lighting, such as flood lights, 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. All lighting shall be located below the sign face and directed upward at the sign. Within the A-1 District and the North Approach Zone any legal alterations to existing signs shall include conversion of external lighting so that the lights will be located above the sign and directed downward at the sign face. Any new sign location within the A-1 District and North Approach Zone shall have all external lighting located above the sign and directed downward at the sign face.
- 9.9.6** Neon signage and back-lit signage is permitted subject to the same guidelines as external lighting.

9.10 Temporary Off-Premise Signs without Commercial Message

Temporary signs containing no commercial message and related to an election or other event or matter of public interest may be erected in any zoning district of the City or Parish but not within the public right-of-way. Such signs shall not exceed 9 square feet in residential districts. For the purposes of this paragraph, "temporary signs" shall refer to those described in Subsection 18.2.90.

9.11 Off-Premise Signs Not Allowed

The following signs or sign components shall not be permitted to remain or be erected as a part of an off-premise sign:

- 9.11.1** Any sign that copies or imitates an official sign or purports to have official status;
- 9.11.2** Beacons;
- 9.11.3** Windblown devices;
- 9.11.4** Pennants;
- 9.11.5** Portable signs, including any sign that is 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 skid mounted or trailer mounted signs;
- 9.11.6** Any sign attached to an accessory structure, except an incidental sign, if such sign is legible from the public right-of-way or from other property;

- 9.11.7 Any other attention-attracting device, except for those conforming to the dimensional, design, lighting and other standards applicable to a sign in the same location;
- 9.11.8 Any sign which is obsolete or abandoned, including any sign which does not have 100 percent of the sign surface fully covered with a promotional panel for a continuous period of 6 months;
- 9.11.9 Any sign which is illegal under State laws or regulations;
- 9.11.10 Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features;
- 9.11.11 Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority;
- 9.11.12 Signs which contain statements, words, or pictures of an obscene nature as defined by law;
- 9.11.13 Signs which contain as part of the message mirror-like surfaces; (Note: 1” reflective discs that do not cover more than 5 percent of the sign surface and produce no traffic impeding glare will be permitted.)
- 9.11.14 Signs which are constructed so as to periodically change the direction toward which any place containing the sign surface area is oriented; and
- 9.11.15 Signs which emit smoke, vapor, particles, or odor.

9.12 Design, Construction and Maintenance Standards for Off-Premise Signs

9.12.1 Construction Standards

All off-premise signs shall be designed, constructed and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the City or Parish building code.
- B. All wiring to new signs and existing signs that are being upgraded shall be placed underground. Electric signs that have internal wiring or lighting equipment, and external lighting equipment that directs lights on signs, shall not be erected or installed until an electrical permit has been obtained from the appropriate building official. Signs and their installation shall conform to applicable construction and electrical codes. All wiring to electric signs or to freestanding equipment that lights a sign shall be installed underground, unless a hardship variance is approved by the Metropolitan Planning Commission. All electric signs shall have a power disconnect switch located either on the exterior of the sign or accessible through an operable cover, and shall be labeled with a sticker or other notice on the exterior of the sign to indicate the voltage and amperage of electrical circuits connected to the sign.

- C. Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this Article, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to a wall, frame or structure.

9.12.2 Backs of Signs

Visible backs of signs shall be suitably painted or otherwise covered to present a neat and clean appearance.

9.12.3 Maintenance Standards

All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code. Specifically:

- A. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 successive days.
- B. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than ten successive days.
- C. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 successive days.
- D. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than 30 successive days.
- E. Electronic signs, such as LED illuminated, with a static face shall have a minimum display time of 8 seconds and transition time between
- F. All internally illuminated signs shall meet the following brightness standards:
 - 1. No sign shall be brighter than .3 footcandles over ambient lighting conditions and shall have automatic dimming capability. An automatic light sensing device (such as photocell or similar technology) shall be utilized for automatically adjusting the digital billboard's brightness. Brightness measurement shall be taken with a footcandle meter, perpendicular to the sign face from a distance of 200' for signs less than 390 square feet in size and 250' for all others.
 - 2. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
 - 3. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

9.12.4 Signs in A-1 or A-2 Airbase Buffer District

In addition to meeting the above standards, any sign constructed in the A-1 district must also meet regulations set forth by the Federal Aviation Administration and the U.S. Air Force.

9.13 Nonconforming Off-Premise Signs

Nonconforming off-premise signs shall comply with the requirements specified in Section 7.6 of this Code.

9.14 Eminent Domain Relocation of Off-Premise Signs

In the event of Eminent Domain, the relocation of an existing sign on the same land parcel shall follow the same approval procedures of Section 3.4.2 of this code. The new location shall meet all requirements of this article.

Article 10. Telecommunications Facilities/Towers

10.1 Purpose

The purpose and intent of this Article is to provide a uniform and comprehensive set of standards for the orderly development of telecommunications facilities consistent with applicable federal standards. The standards contained in this Article are designed to minimize adverse visual impacts and operational effects of these facilities using appropriate design, siting and screening techniques while providing for the personal communications needs of residents, local business and government.

10.2 Background

- 10.2.1** In order to protect the public health, safety and welfare, it is necessary to insure that the siting of a telecommunications facility is compatible in scale and design with its locale and is sited so as to minimize adverse visual impacts on natural resources, neighborhoods, vistas, view corridors, architecture and structures.
- 10.2.2** Location of telecommunications facilities on publicly owned sites is preferred because they already appear to be institutional or infrastructure uses. Telecommunications facilities may be more visually compatible with such facilities and may appear less noticeable than on other sites. Similarly, facilities on structures, which already have installations (co-location sites), appear less noticeable, up to the point where too many structures create visual clutter. Installations on commercial or industrial structures are also generally more compatible with and less noticeable than installations on residential structures due to the design, scale and location of such structures.
- 10.2.3** Therefore, in order to protect the public health, safety and welfare, it is necessary to adopt the following regulations, which will avoid or minimize these impacts and will insure the proper design, location and scale of wireless telecommunications facilities.
- 10.2.4** The Metropolitan Planning Commission (MPC) must approve all telecommunications facilities as a Conditional Use. In the unincorporated jurisdiction of the MPC, the Bossier Parish Police Jury shall hold a public hearing to review and ratify by majority vote, any approval of a Telecommunications facility by the Bossier MPC.

10.3 Submittal Requirements

Application for approval of a telecommunications facility or tower shall be submitted in accordance with the requirements of Subsection 3.4.3.

10.4 General Standards

- 10.4.1** All applications for a telecommunications facility require Conditional Use approval from the MPC. A preliminary and a public hearing are required, unless indicated otherwise herein.
- 10.4.2** Modifications to existing wireless communications facilities, such as but not limited to, the addition of new antenna arrays, shall be subject to the review and approval by the Executive Director or MPC.
- 10.4.3** The applicant shall provide written notification to the Director upon cessation of operations on the site exceeding a 90-day period. The applicant shall remove all

obsolete or unused facilities from the site within 180 days of termination of its lease with the property owner or cessation of operations.

10.4.4 The applicant shall provide signage as required, including phone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment/structure.

10.4.5 Telecommunication facilities must meet the building setback and yard requirements set forth in Section 6.4 of this Code.

10.5 Location of Wireless Communications Facilities

10.5.1 Location preference for wireless communications facilities should be given to publicly owned structures, co-location sites and industrial or commercial sites. New wireless communications facilities should avoid sites located near residential areas unless the application includes information sufficient to demonstrate: the location and type of preferred sites which exist within the proposed or technically feasible coverage area; that good faith efforts and measures were taken by the carrier to secure the preferred locations sites; specific reasons why such efforts and measures were unsuccessful; and why the location of the proposed facility site is essential to meet the service demands of the applicant.

10.5.2 Preference shall also be given to locations for wireless communications facilities attached or sited adjacent to existing structures. Appropriate types of existing structures may include, but not be limited to buildings, water tanks, telephone and utility poles, signage and sign standards, traffic signals, light standards, and roadway overpasses.

10.5.3 Facade and roof mounted telecommunications facilities may be allowed in all zoning districts subject to MPC approval upon compliance with established development standards. Lattice, Guy-wired telecommunication facilities and freestanding monopoles are generally only permitted in the following districts: R-A, B-3, I-1 and I-2. However, stealthed facilities, as defined in Subsection 18.2.100, may be approved by the MPC in B-1 and B-2 districts.

10.6 Visual Requirements

10.6.1 All proposed telecommunications facilities shall be located so as to minimize their visual impact to the maximum extent feasible.

10.6.2 All façade-mounted telecommunications facilities shall be sited and designed to appear as an integral part of the structure.

10.6.3 Facade-mounted antennas shall be integrated architecturally with the style and character of the structure or otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly created architectural feature so as to be completely screened from view. To the extent feasible, facade-mounted antennas should not be located on the front or most prominent facade of a structure and should be located out of the pedestrian line-of-sight, unless stealthing techniques reasonably eliminate visual impacts.

10.6.4 Whenever possible, equipment structures, back-up generators, and other equipment associated with building mounted antennas should be installed within the existing building compound. If this is not feasible, the equipment shall be screened, fenced, or landscaped to minimize its appearance from off-site locations and to visually blend with the surrounding natural and built environment. Equipment buildings should be designed in an architectural style and constructed

of exterior building materials that are consistent with surrounding development and/or land use setting (if applicable).

- 10.6.5** Roof-mounted antennas and associated equipment shall be located as far back from the edge of the roof as technically possible to minimize visibility from street level locations. Where appropriate, construction of a rooftop parapet wall or other appropriate screening to hide the facility may be required.
- 10.6.6** No advertising signage or identifying logos shall be displayed on any telecommunications facility, except for small identification plates used for emergency notification or hazardous or toxic materials warning.
- 10.6.7** The applicants are encouraged to consider providing architectural treatments and to use “stealth techniques” to reduce potential visual impacts for all telecommunication facilities, and especially for those proposed in areas easily visible from a major traffic corridor, commercial center or residential area. Stealth techniques can be required as conditions of approval when determined to be necessary to mitigate adverse visual impacts.
- 10.6.8** The colors and materials of telecommunications facilities shall be chosen to minimize the visual impact of the facilities.
- 10.6.9** Landscaping, wherever appropriate, shall be used as screening to reduce the visual impacts of telecommunications facilities. Any proposed landscaping should be visually compatible with existing vegetation in the vicinity.
- 10.6.10** The use of lighting shall not be allowed on telecommunication facilities unless required as a public safety measure by the Federal Aviation Agency.

10.7 Landscaping/Vegetation of Telecommunications Towers

- 10.7.1** Existing trees and other screening vegetation in the vicinity of the proposed facility and associated access ways shall be protected from damage both during and after construction. Submission of a Tree Protection Plan may be required to ensure compliance with this requirement.
- 10.7.2** The emphasis of the landscape plan shall be to visually screen the proposed facility and stabilize soils on sloping sites.
- 10.7.3** Introduced vegetation shall be native, drought tolerant species compatible with the predominant natural setting of the project area.

10.8 Public Safety

- 10.8.1** In addition to providing visual screening, each telecommunications facility may require fencing, anti-climbing devices, electronic devices or other techniques to prevent unauthorized access and vandalism; however, the use of fencing shall not add to the visual impact of the facility, and the design of the fencing shall be subject to MPC review and approval.
- 10.8.2** All security fencing or walls shall be designed to be graffiti-resistant. The applicant shall be responsible for graffiti-free maintenance of all telecommunication facilities.
- 10.8.3** The telecommunications facility shall be sited so as to provide a minimum fall zone measured by a radius that is equal to the height of the facility. (Exception: The fall zone requirement may be waived if the applicant provides a statement from a Louisiana-licensed engineer attesting that any damage resulting from tower

failure, wind, ice loading or other factors that could impact the tower structure would be wholly limited to property that is under lease or ownership control of the applicant.) A fall zone is an area within which no other structure or property or use can be located around a telecommunications facility. This provision shall apply unless a dedicated easement is provided by the affected adjacent property owner(s).

10.8.4 The applicant shall provide the MPC with documentation that the applicant or telecommunication provider has coordinated with the spectrum manager, or other appropriate personnel at Barksdale Air Force Base, to identify technical parameters of the tower and the amount of spectrum occupied by the transmitted signal and the geographic area to be served by the communication device.

10.9 Facade Mounted Stealth Telecommunications Facilities

10.9.1 Facade mounted telecommunications facilities may be allowed in all zoning districts subject to MPC approval and must comply with the development standards included herein.

10.9.2 Facade mounted antennas shall be camouflaged by incorporating the antennas as part of the dominant design element of the building.

10.9.3 Facade mounted antennas shall be painted and textured to match the existing structure.

10.9.4 Antennas and the associated mountings shall generally not project beyond a maximum of 18 inches from the face of the building.

10.10 Roof Mounted Telecommunications Facilities

10.10.1 Roof mounted telecommunications facilities may be allowed in all zoning districts subject to MPC approval but must comply with the development standards included herein.

10.10.2 Freestanding roof mounted antennas shall not be allowed when they are located in the direct line of sight of significant view corridors or where they significantly affect scenic vistas. However, such facilities shall be allowed with incorporation of appropriate stealth techniques.

10.10.3 The height of freestanding roof mounted antennas including the support structure, shall not exceed the maximum height allowed for buildings in the zoning district in which the antenna is to be constructed, plus nine feet.

10.10.4 All roof-mounted antennas shall be located in an area of the roof where the visual impact is minimized.

10.10.5 All roof-mounted facilities shall be painted a non-reflective matte finish using an appropriated color that blends with the backdrop. The final choice of colors shall be determined by the MPC on a case-by-case basis.

10.10.6 The equipment cabinets, if located on the rooftop of buildings, shall be so located as to be minimally visible from public rights-of-way.

10.11 Lattice and Guy-Wired Telecommunication Facilities

10.11.1 Lattice and guy-wired antennas are generally only permitted in R-A, I-1 and I-2 districts, subject to approval of MPC and must comply with the development

standards included herein. However, lattice and guy-wired antennas may be approved by the MPC in B-1, B-2 and B-3 if they are stealthed.

10.11.2 Lattice and guy-wired telecommunications facilities shall generally not be allowed within 3,000 feet of an existing telecommunications facility, unless the MPC can make a determination that the cumulative visual impacts are not significant. Factors taken into consideration in this determination include but are not limited to: the type, number, height and proximity of existing structures within the same line of sight as the proposed facility.

10.11.3 Lattice and guy-wired antennas shall be no taller than 200 feet, including the height of the antennas. Any antenna higher than 200 feet requires a variance from the MPC.

10.11.4 Proposed lattice and guy-wired telecommunications facilities may require a visual analysis that includes photo simulations demonstrative of the appearance of the site prior to and after installation.

10.11.5 Lattice and guy-wired telecommunication facilities shall be painted using non-reflective matte finish; the final choice of colors shall be determined on a case-by-case basis by the MPC.

10.11.6 Landscaping shall be used to minimize any visual impacts. All proposed vegetation shall be compatible with existing vegetation in the area and shall be drought tolerant.

10.12 Free Standing Monopoles

10.12.1 Monopoles are only allowed in R-A, B-3, I-1 and I-2 districts, subject to approval of a permit by the MPC and must comply with the development standards included herein. However, monopoles may be approved by the MPC in B-1 and B-2 if they are stealthed.

10.12.2 Freestanding monopoles shall be located and designed to minimize visual impacts. Freestanding monopoles in high visibility locations as determined by the MPC (as in some commercial areas), shall incorporate stealth techniques to camouflage them as a piece of art/sculpture, a clock tower, flag pole or other interesting, appropriate and compatible visual form.

10.12.3 Monopoles may not be located within the required front yard setback of any property, unless appropriate architectural elements for a stealth facility are incorporated in the design of the monopole.

10.12.4 Freestanding monopoles shall generally not be allowed within 1000 feet of each other, except when the visual impacts are not significant.

10.12.5 All monopoles shall be designed at the minimum functional height required.

10.12.6 As a condition of approval for all freestanding monopoles, all telecommunications carriers proposing a monopole shall provide a written commitment to the Director that they shall allow other wireless carriers to co-locate antennas on the monopoles where technically and economically feasible.

10.12.7 Minor modifications to the communications equipment design, location, elevations, and other elements of the above standards may be allowed, subject to the approval of the MPC if such modifications are in keeping with the architectural statement and layout design of the original approval.

10.13 Co-Location of Telecommunications Facilities

10.13.1 Facilities should make available unutilized space for co-locations of other antennas and equipment.

10.13.2 Second and third tier co-location antenna projects shall not require a preliminary hearing. The Executive Director may approve the location through administrative review. He or she may also elect to forward the application to the MPC for public hearing for additional review if warranted as determined by the Executive Director.

10.13.3 All telecommunications carriers shall provide a letter to the Executive Director stating their willingness to allow other carriers to co-locate on their facilities wherever technically and economically feasible.

10.13.4 The letter shall also state that the wireless telecommunications facility and his or her successors and assigns agree to:

- A. Respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response.
- B. Negotiate in good faith for shared use of the wireless telecommunications facility by third parties.
- C. Allow shared use of the wireless telecommunications facility if an applicant agrees in writing to pay reasonable charges for co-location.
- D. Require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the useful life span of the facility.

10.14 Equipment Structures

10.14.1 Equipment structures shall be placed in areas so they are least visible from public rights-of-way and have minimal visual impacts. Wherever possible, equipment structures shall be located away from open spaces and required yard setbacks and shall be placed within the building envelope area. Any visible portion of an equipment structure shall be treated to be architecturally compatible with the surrounding structures and screened using appropriate techniques.

10.14.2 Proposed equipment structures must be screened from public view. Screening techniques may include landscape treatment and/or architectural treatment to make it compatible with existing buildings.

10.14.3 The equipment structure shall be the absolute minimum required to function. Any future additions to the equipment shall require MPC approval.

10.14.4 Additional acoustical baffling equipment or techniques may be required if the equipment structure exceeds acceptable noise levels.

Article 11. Subdivision and Land Development

11.1 Purpose

11.1.1 The purpose of subdivision regulations is to ensure that the subdivision of land, which is an initial step in urbanization, will be in the public interest and for the general welfare. Since the allocation and arrangement of parcels of land for both private uses and public uses helps to influence the health, safety, economy, livability, and amenities of an area, these regulations are intended to:

- A. Provide for the harmonious and orderly development of land within Bossier City and the surrounding unincorporated area of Bossier Parish by making provisions for adequate open space, traffic, recreation, drainage, utilities, light and air, and other public needs.
- B. Contribute to conditions conducive to health, safety, aesthetics, convenience, prosperity, and efficiency.
- C. Provide for the conservation and protection of human and natural resources.

11.1.2 The Subdivision Regulations of this Code are designed, intended and should be administered to:

- A. Ensure that development in the Bossier City-Parish Metropolitan Planning Area is consistent with the Comprehensive Plan; any adopted area plans covering the subject subdivision; the applicable zoning regulations contained in this Code; and the Shreveport-Bossier Area Metropolitan Area Transportation Plan, as updated.
- B. Provide for the conservation of existing neighborhoods.
- C. Prevent the development of substandard subdivisions and blighted areas that will be a detriment to the community.
- D. Coordinate the development of each parcel of land with the existing community, and to facilitate the proper development of adjoining land.
- E. Provide accurate records of all land subdivisions.
- F. Provide that the cost of improvements which benefit primarily the tract of land being developed be borne primarily by the owners or developers of the subject tract, and that the appropriate costs of any additional improvements that provide benefits to both the subject tract and to the community as a whole be shared by the developer and the community.
- G. Ensure that subdivisions are designed and developed in a manner that is consistent with all applicable flood protection and stormwater management regulations and other applicable land use and development regulations of the City and Parish.
- H. Provide for the efficient arrangement and orderly location of streets.
- I. Encourage the reduction of vehicular congestion.
- J. Provide for the reservation or dedication of lands for open space and other community facilities.

- K. Require the provisions of off-site and on-site public improvements that are necessary to serve the tract land being developed.
- L. Provide for any other services, facilities and improvements deemed necessary to serve the tract land being developed.

11.2 Applicability

All proposed development defined as a subdivision in this Code shall comply with the provisions of this Article as a prerequisite to its recording by the Parish Clerk of Court or Recorder.

11.3 Submittal Requirements

11.3.1 Pre-application Concept Plan and Adopted Master Development Plans

- A. Prior to formal application and submittal of a preliminary plat for a major subdivision, as specified in Subsection 3.8.2, the applicant shall meet with the MPC staff and City or Parish Engineer to discuss the intended development and any specific provisions of this Code that relate to the project. To facilitate this meeting, the developer shall provide a preliminary Concept Plan containing the initial site planner's notations over a base map or aerial photograph. Provided information should include but not be limited to:
 - 1. General street and lot layout and its relation to the existing street system. Lot sizes and right of way widths shall be dimensioned.
 - 2. Locations of watercourses, wetlands, floodplains and sensitive areas.
 - 3. Soil and drainage conditions.
 - 4. Existing utility service information.
- B. A master development plan of the proposed subdivision and all land area of which has been properly zoned and/or is intended to be part of the subdivision, must be approved by the MPC concurrently with the Preliminary Plat. Approval of the Master Development Plan shall be by Conditional Use, following the procedures of Section 3.3.2. Any future plat approvals of the subdivision shall not differ materially, as defined in Section 3.8.2.E, from the conditionally approved Master Development Plan. If the new preliminary plat differs from the approved masterplan, a new Conditional Use hearing shall be held in accordance with the procedures of Section 3.3.2 of this code, prior to review of any future plats.

11.3.2 Minor Plats

- A. A minor plat shall be drawn to a scale no smaller than 1 inch equals 100 feet and shall include the following and any other information required by the City or Parish Engineer:
 - 1. The name of the proposed subdivision.
 - 2. List of names of the owners of record.

3. The following certification, signed by a land surveyor registered in the State of Louisiana, “I hereby certify this subdivision conforms to all regulations and requirements of the subdivision ordinance of the City of Bossier and the Bossier Parish Police Jury.”
4. Date of preparation, north arrow, and graphic scale.
5. Indication that the submittal is a minor plat.
6. Legal description of location, including the section, township, range, parish, state, and acreage.
7. Boundary lines of the subdivision with length and bearings of lines.
8. Numbers and dimensions of the lots.
9. Front building setback lines.
10. Drainage channels and other significant features.
11. Location of private or public streets, alleys, and all easements.
12. Names of streets within and adjoining the plat.
13. A signature line for approval by the Metropolitan Planning Commission, City Engineer, Bossier Parish Engineer, and a signature line for acceptance by the Mayor.
14. If deemed necessary by the Executive Director the bearing and distances of the nearest section corner, quarter section corner or center of section if same has been established, with section, township, and range numbers shown.
15. Length of all arcs, radii, internal angles, points of curvature and tangents.
16. The Minor Plat shall be submitted to the City or Parish Engineer’s office in an electronic format as required by the applicable jurisdiction.

11.3.3 Preliminary Plats – Major Subdivisions

- A. A preliminary plat shall be drawn to a scale no smaller than 1 inch equals 100 feet, unless otherwise approved by the MPC, and shall include the following information:
 1. The name of the proposed subdivision.
 2. List of names of owner/developer and the land surveyor.
 3. Date of preparation, north arrow, and graphic scale.
 4. Indication that the submittal is a preliminary plat.
 5. Legal description of location, including the section, township, range, parish, state, and acreage.

6. Names of adjoining subdivisions or, in the case of unplatted land, the names of the owner or owners of adjoining property.
7. Boundary lines of the subdivision with length and bearings of lines.
8. Contours (contour interval no greater than five feet) of the property either shown on the plat or on a separate document.
9. Location of natural features, such as wetlands, ponds, etc.
10. Location and dimensions of private and public streets, alleys, and easements.
11. Type of soil and water table information when requested by the Metropolitan Planning Commission.
12. Drainage channels and other significant features.
13. Front building setback lines on each lot.
14. Rear building setback lines if it differs from the minimum zoning requirement.
15. Location and dimensions of private and public streets, alleys and easements.
16. Provide signature line for endorsement by the chairperson of the Metropolitan Planning Commission.

11.3.4 Final Plat

A. General

1. If the full subdivision is intended to be developed in two or more phases, the final plat may consist of a portion of the approved plat.
2. The final plat shall be prepared by a licensed land surveyor on tracing mylar or other permanent reproducible material.
3. All drawings and signatures of certification shall be submitted in a paper format that conforms to the requirements of the City or Parish Engineer.
4. If the plat has been prepared on a computerized drafting system, a copy of the computer file shall be provided on media that is acceptable to the City or Parish Engineer after approval of the Final Plat.
5. Submit 1 mylar copy of the final plat to the Metropolitan Planning Commission and 1 mylar copy to the City and/or Parish Engineer's office as needed.
6. The Final Plat shall be submitted to the City or Parish Engineer's office in an electronic format as required by the applicable jurisdiction.

B. Requirements for the Final Plat

1. Name under which the subdivision is to be recorded.
2. List of names of the developer, land planner and the surveyor.
3. Date of preparation, north arrow and graphic scale.
4. Indication that it is a final plat.
5. Legal description of location, including the section, township, range, parish, state, and acreage.
6. Names of adjoining subdivision, or in the case of unplatted land the name or names of the owners of the adjoining property.
7. Contours (contour interval no greater than 5 feet) of the property, shown on the plat or as a separate document.
8. Location of natural features, such as wetlands, ponds, etc.
9. Location and dimensions of private and public streets, alleys and easements.
10. Type of soil and water table information when requested by the Metropolitan Planning Commission.
11. Drainage channels and other significant features.
12. Front building setback lines for each lot.
13. Rear building setback lines for each lot if it differs from minimum zoning requirements.
14. Proposed streets (including location, dimensions and approved names), and their relation to platted streets or to proposed streets and shown on any adopted general development plan of adjacent property.
15. Dimensions of lots and lot numbers.
16. Location description and elevation of all benchmarks established or source for vertical control.
17. Accurate dimensions for all lines, angles, and curves used to describe boundaries, streets, alleys, easements and areas to be reserved for public use. Boundary survey of the subdivision shall satisfy the minimum standards. Data for all curves shall include radius, arc length, chord length, and central angle.
18. Flood statement on the final plat.
19. A certificate signed, sealed and dated by the licensed engineer or land surveyor responsible for the survey of the final plat.

20. The following certification, signed by a land surveyor registered in the State of Louisiana, "I hereby certify this subdivision conforms to all regulations and requirements of the subdivision ordinance of the City of Bossier and the Bossier Parish Police Jury."
21. Provide signature lines for owner or owners, dedicating all parcels of land which are intended for public use.
22. Provide signature line for endorsement by the secretary of the Metropolitan Planning Commission.
23. Provide signature lines for acceptance by the appropriate agency, either Bossier City Engineer or Mayor, or Bossier Parish Engineer.
24. Other information required by the City or Parish Engineer if needed.

11.3.5 Lot Pinning

- A. All lots shall be pinned according to Louisiana state law.

11.3.6 Engineering Drawings and Specifications for the City or Parish Engineer

- A. Submission of detailed engineering plans and profiles for streets and utilities, adhering to the standards of the City or Parish Engineer, prepared and certified by a registered professional engineer is required.
- B. Specifications and engineering shop drawings for all manholes, hydrants, valves, lift stations, traffic signals, or other mechanical devices installed by the developer should be included in the drawings.
- C. Final engineering construction documents shall be submitted to the City
- D. Engineer's office in electronic format. (Auto-Cad or other approved format)

11.4 Subdivision and Land Development Design

11.4.1 General

A. Applicability

All subdivisions shall comply with the Design and Improvement Standards of this section.

B. Consistency with Adopted Plans

Subdivisions shall be designed so that they comply with the Bossier City-Parish Comprehensive Plan, the Shreveport Bossier Area Metropolitan Area Transportation Plan and any neighborhood plan adopted by the Metropolitan Planning Commission for the area in which the subdivision is located.

11.4.2 Lots

- A. Lots shall be laid-out and designed to comply with all applicable zoning district regulations. The size, width, depth, shape, and orientation of each lot in a subdivision shall also take into consideration topography, physical features, type of use contemplated and effect on adjacent lots.
- B. Lots for commercial and industrial use shall be of appropriate size and arrangement to allow for adequate off-street parking and loading facilities.
- C. The width of a residential lot abutting any street shall be not less than 35 feet and the length of the front building line shall not be less than required by applicable zoning district regulations. The Executive Director shall be authorized to require that the building envelope for proposed lots be shown on preliminary plats.
- D. Flag lots may be permitted by the MPC following the approval procedures for a Major or Minor plat, where appropriate, to allow for proper and legal access of back land areas:
 - 1. The access strip or flag pole section of the proposed lot shall be a minimum of 30' wide unless approved otherwise by the City or Parish Engineer.
 - 2. The minimum lot area requirements, for the applicable zoning district, shall be met exclusive of the land contained in the access or flag pole strip.
 - 3. Setback requirements shall be met excluding the narrow access strip.
 - 4. Only one lot shall be served by a single access strip. Access strips shall be a minimum distance apart of at least the minimum lot width of the zoning district.
 - 5. An access or flag pole strip shall not be right of way, but shall be a portion of the lot or parcel.
- E. Double-frontage and reverse-frontage lots shall be avoided except where they are necessary to provide for the separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet shall be provided along the portion of the lots abutting such an arterial street if required by the Metropolitan Planning Commission.
- F. Corner lots should be wider than interior lots to allow for appropriate building setbacks and sufficient yard space. The Executive Director shall be authorized to require that the building envelope be shown on preliminary plats.

- G. Whenever an area is divided into lots with an area of 1 acre or more, and there is a possibility that such lots may eventually be re-subdivided into smaller lots, consideration shall be given to the street, and lot arrangement of the original subdivision so that additional streets can be provided later to permit a logical arrangement of smaller lots.
- H. Provision for easements for the future opening and extension of such streets may be made a condition of plat approval.
- I. Lot numbers shall be assigned by starting in the northeast corner of each block and proceeding in a counterclockwise direction.

11.4.3 Access

All lots shall have frontage on a public street except that:

- A. Private streets may be approved if built to City and Parish construction standards.
- B. Joint-use driveways with a minimum paved width of 24 feet may be approved as part of the subdivision approval process for campus-like commercial or industrial developments.

11.4.4 Blocks

- A. General

The lengths, widths, and shapes of blocks shall be determined with due regard to:

1. Limitations and opportunities of topography.
2. Provision of building sites adequate for the special needs of the type of use contemplated. Building envelope (yard setback requirement) lines, based on the current or proposed zoning district designation, may be required to be shown on the plat for all odd-shaped lots.
3. Zoning requirements as to lot sizes and dimensions.
4. Need for convenient access, circulation, and control of street traffic for safety.

- B. Length

1. Bossier City and Village Development Areas

Block length for local streets within Bossier City or the Village Development Areas depicted in the Land Use Element of the Bossier City-Parish Comprehensive Plan shall not exceed 1200 feet in length (centerline to centerline of streets) unless the developer demonstrates that a block must be greater than 1200 feet in length because of the existence of one or both of the following:

- a. Physical conditions preclude a block length of less than 1200 feet. Such conditions may include, but are not limited

to, topography or the existence of natural resource areas such as wetlands, floodplains, wildlife habitat areas, steep slopes or woodlands.

- b. An existing street terminating at the boundary of the subdivision has a block length exceeding 1200 feet, or is situated such that the extension of the street into the subdivision would create a block length exceeding 1200 feet.

2. Remaining Rural Areas

Block length for local streets within the rural area shall not exceed 1,320 feet in length (centerline to centerline of streets) unless the developer demonstrates to the satisfaction of the Metropolitan Planning Commission that a block must be greater than 1,320 feet in length because of the existence of one or both of the following:

- a. Physical conditions preclude a block length of less than 1,320 feet. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands, floodplains, wildlife habitat areas, steep slopes or woodlands.
 - b. An existing street terminating at the boundary of the subdivision has a block length exceeding 1,320 feet, or is situated such that the extension of the street into the subdivision would create a block length exceeding 1,320 feet.
- C. A residential block shall have sufficient width to allow for 2 tiers of lots of appropriate depth unless it adjoins a limited-access street, railroad or nonresidential use, in which case it may have a single tier of lots.
- D. Blocks may be irregular in shape, provided their design meets the requirements of lot standards, traffic flow and control considerations, the Comprehensive Plan, and any adopted local area plan.

11.4.5 Streets

A. General Design Criteria

- 1. All streets within subdivisions shall be laid-out, arranged and designed in accordance with the Comprehensive Plan or any adopted Area Plan or, in the absence of such plans, with all applicable street layout and design standards of this article.
- 2. Arterial and collector streets shall be laid-out, arranged and designed in accordance with the Bossier City-Parish Comprehensive Plan or the Shreveport-Bossier Area Metropolitan Area Transportation Plan, as amended.
- 3. Subdivisions shall provide a logical street layout in relation to topographical conditions, public convenience, safety and the proposed use of the land to be served by such streets.

4. Geometric features for arterial and collector streets shall be based on a minimum design speed of 35 miles per hour; however, posted speed limits may be less.

B. Connections

1. Any existing or platted street that terminates at the boundary line of a proposed subdivision shall be continued into the subject subdivision in such a manner as to provide street connections to adjoining lands and streets within the subject subdivision.
2. Streets shall provide for street connections to adjacent undeveloped land when the City or Parish Engineer, as applicable, determines that such connections are necessary to avoid landlocked property.

C. Intersecting Streets

1. Whenever possible, local streets shall not intersect arterial streets.
2. Collector streets intersecting the same side of an arterial street shall be spaced at intervals of at least 1,320 feet or in accordance with any adopted major street plan, whichever standard calls for greater spacing.
3. Streets shall intersect as nearly as possible at right angles.
4. Not more than 2 streets shall intersect at any one point.

D. Cross-Sections

Public highways and streets shall be designed to the standards recommended in the Transportation Element of the Comprehensive Plan and to the specifications of the appropriate jurisdiction in which the subdivision is located.

1. Bossier City and Village Development Areas

- a. All residential and nonresidential subdivisions, with the exception of industrial, lying within Bossier City or the Village Development Areas depicted in the Comprehensive Plan shall comply with the following cross section standards:

Table 11.4.5a Urban Street and Sidewalk Requirements					
Street Type	Right-of-Way	Roadway			Sidewalks (See §)
	Min. Width (feet)	Min. Width (feet) [1]	Paving	Curb and Gutter	
Principal Arterial (with Median)	100	24/24	Required	Required	4 ft., both Sides
Minor Arterial	80	48	Required	Required	4 ft., both Sides
Collector	70	44	Required	Required	4 ft., both Sides
Alternative Collector	60	36	Required	Required	4 ft., both Sides

Table 11.4.5a Urban Street and Sidewalk Requirements					
Street Type	Right-of-Way	Roadway			Sidewalks (See §)
	Min. Width (feet)	Min. Width (feet) [1]	Paving	Curb and Gutter	
Local	60	25	Required	Required	4 ft., both Sides
Alternative Local (Residential)	38	25	Required	Required	4 ft., both Sides
Cul-de-Sacs	60	25	Required	Required	4 ft., both Sides
[1] Measured from back of curb to back of curb.					

- b. With approval by the Metropolitan Planning Commission and the Parish Engineer, alternative local residential street cross sections, listed in the table above, may be utilized by developers in return for added or preserved green space within a development.
- c. Within the unincorporated portions of the Village Development Area, residential subdivisions located in areas in which utilities necessary for urban or suburban development are not readily available and are comprised of multi-acre lots with a minimum street frontage of two hundred and fifty feet (250'), may provide local and collector streets without sidewalks, curb and gutter construction and underground drainage with the permission of the Bossier Parish Police Jury.

2. Remaining Rural Areas

Rural subdivisions with lot sizes of 1 acre or larger may provide alternative collector and local streets without sidewalks or curb and gutter to maintain the look and feel of a rural area.

E. Grades

Unless designed as part of an integrated flood protection or drainage system, the finished grade for all streets shall be at or above the Base Flood Elevation. The grades of streets shall comply with the following standards:

Table 11.4.5c Street Grade Requirements		
Street Type	Maximum Grade (%)	Minimum Grade (%)
Arterials (Principal and Minor)		
City or Village Development Area	5	0.3
Rural Area	7	0.3
Collector	10	0.3
Marginal Access	10	0.3
Local	10	0.3

F. Radii of Curvature

The minimum radius of curvature of the centerline of street rights-of-way shall be as follows:

Table 11.4.5d Street Curvature Requirements		
Design Speed (MPH)	Minimum Curvature Radius (feet)	Minimum Tangent Length (feet)
20	125	75
25	125	75
30	250	150
35	375	200
40	550	250
45	700	250
50	850	250
55	1,200	250

G. Cul-de-Sacs

1. Cul-de-sac lengths shall not exceed 10 times the required minimum lot width of the base zoning district in which it is located or 1,000 feet, whichever is less. A cul-de-sac's length shall be measured from the center point of the cul-de-sac bulb or turn-around to the centerline of the right-of-way of the nearest intersecting through street.
2. Maximum cul-de-sac length may be increased by up to 25 percent above the maximum specified in paragraph G1 of this subsection during the subdivision approval process if the Metropolitan Planning Commission determines that the proposal meets all of the following criteria:
 - a. It is impracticable to connect the street to another street or to provide a second means of access that would avoid the cul-de-sac or allow the cul-de-sac to meet the cul-de-sac length limit because:
 - (1) The area is separated from other parts of the subdivision or a possible street connection by floodplains, wetlands, steep slopes or other natural resource areas, making it impracticable to provide the area a second means of access that would avoid the cul-de-sac or allow the cul-de-sac to comply with the maximum cul-de-sac length limit (e.g., by providing a loop street into the area instead of the cul-de-sac, or extending the cul-de-sac to connect to another street), and
 - (2) Other properties adjoining the area have already been subdivided or developed in a manner that precludes connecting the cul-de-sac to an existing or proposed street, or the area is so separated from adjoining properties providing potential access by floodplains, wetlands, steep slopes or other natural resource areas thereby making it impracticable to

extend or connect the cul-de-sac to the adjoining properties.

- b. Use of conservation subdivision (clustering) provisions of this Code would not reasonably allow compliance with the cul-de-sac length limit specified in paragraph G1 of this Subsection and realization of at least 75 percent of the maximum lot density allowed by the site's base zoning.
 - c. The degree of increase in allowable cul-de-sac length is the minimum necessary to allow the above findings.
 - d. The developer bears the burden of demonstrating that the criteria have been met.
3. In subdivisions with cul-de-sacs, easements may be provided to ensure that the water supply system is looped.
 4. All cul-de-sacs shall have a minimum right-of-way radius of 50 feet.
 5. Streets longer than one lot that terminate at the property boundaries of undeveloped land shall provide an improved temporary turnaround.

H. Construction Standards

Streets shall be constructed in accordance with the design and construction requirements of the City and/or Parish as provided in these regulations and as set forth in Subsection 11.5.2. If asphalt construction is utilized, all intersections and cul-de-sac bulbs shall be constructed of concrete.

I. Street Names

No street names shall be proposed that will duplicate or be confused with the names of existing streets. Existing street names shall be used where the street to be named is, or would be, a logical extension of an existing street even though separated by undeveloped land, natural physical barriers or man-made obstructions. Street names shall be proposed by the developer and approved by the Metropolitan Planning Commission and the Bossier Parish E-911 District.

J. Private Streets

1. Private streets are to be built to City or Parish construction standards, except for those that were approved prior to the effective date of this Code.
2. Before the City or Parish will consider a request to assume maintenance of any existing private street, by dedication or otherwise, the property must be platted and the street must be brought into compliance with all applicable street standards.

K. Alleys

1. Alleys designed to serve commercial and industrial areas shall have a right-of-way width of not less than 30 feet.

2. Alleys shall comply with the construction standards of the City and/or Parish, as provided in these regulations.
3. Intersecting alleys shall be prohibited except when no feasible alternative exists. When alley intersections are unavoidable, a turning radius shall be provided to permit safe vehicular movement.
4. Dead-end alleys shall be prohibited. When such alleys are necessary, they shall be designed with adequate turn-around facilities

11.4.6 Easements

A. Permanent Utility Easements

Permanent utility easements shall be provided where necessary to accommodate utilities that will serve the subdivision. Permanent utility easements shall be centered on rear or side lot lines and shall be at least 15 feet and 10 feet wide respectively, except that easements for street lighting purposes only need not exceed 10 feet in width.

B. Temporary Utility Easements

Temporary utility easements may be provided where necessary to accommodate any future installation of utilities that will eventually serve the subdivision. Temporary utility easements shall be centered on rear or side lot lines and shall be at least 30 feet and 25 feet wide respectively. The temporary utility easement shall expire after the initial installation of the required utilities. After the expiration of a temporary utility easement, the permanent utility easement will govern. *[An example of this would be in a subdivision initially served by a temporary lift station that is to be replaced by a future interceptor]*

C. Drainage Easements

1. Drainage easements for water courses, drainage channels or streams which traverse a subdivision may be required. When required, drainage easements shall be exclusively for that use and separate from the dedication of other utility easements. Upon the request of the Metropolitan Planning Commission, the City Engineer or Parish Engineer, as applicable, shall make recommendation to the Metropolitan Planning Commission regarding the desired width of the drainage easement. Such study and report shall be based on the 100-year flood depth, or other regulatory flood elevation when provided by the Federal Emergency Management Agency.
2. Drainage easements shall remain free of any structures such as driveways, parking areas, accessory buildings or other similar structures without the permission of the City of Bossier City Engineer or the Bossier Parish Engineer and Bossier Parish Police Jury as determined by jurisdiction.

D. Pedestrian-Way Easements

1. Pedestrian-way easements may be required for subdivisions within Bossier City or future Village Development Areas when block lengths exceed 1200 feet in length. Such easements shall extend entirely across the width of the block at approximately the midpoint of the block. Pedestrian-way easements shall have a minimum width of 10 feet.
2. Pedestrian-way easements may be required to provide pedestrian connections from a subdivision to schools, parks, shopping, employment or other nearby uses or to link pedestrian paths in adjacent subdivisions or neighborhoods (e.g., to provide pedestrian connections at the terminus of a cul-de-sac). Pedestrian-way easements shall have a minimum width of 10 feet.

E. Parks, Open Space, Schools and Other Public Facilities

1. The Metropolitan Planning Commission shall encourage or require the donation, reservation, or dedication of sites for parks, open space, and other public facilities in accordance with the Parks and Open Space Element of the Comprehensive Plan.
2. Conservation (cluster) subdivision development practices are encouraged for areas that are designated as “Sensitive Development Areas” in the Comprehensive Plan or are located adjacent to the Barksdale AFB AICUZ. Land outside of the AICUZ should be designated for residential development, and lands impacted by the AICUZ should be preserved as open space.
3. When a proposed subdivision is located near a proposed or future public school site, as designated in the Comprehensive Plan or plans of the Bossier Parish School District, the School District shall be provided a reasonable opportunity to acquire a portion of the proposed subdivision site.

F. Resource Preservation

1. Subdivisions shall be designed to preserve natural resources and environmentally valuable features, such as watercourses, wetlands, woodlands and other natural vegetation, significant wildlife habitat and topography.
2. Valuable trees shall be preserved wherever possible.
3. Subdivisions shall be designed to preserve archaeological and historical sites.

11.4.7 Residential Planned Unit Development

The purpose of Planned Unit Development regulations is to encourage and allow more creative and imaginative design of land development than is possible under normal residential zoning regulations. A Planned Unit Development (PUD) is intended to allow flexibility in planning and designing a project. This flexibility should result in a development that is better planned, and that contains more amenities for the future homeowner. The intent of a Planned Unit Development (PUD) is based upon the concept of allowing greater density or more lenient site requirements, such as building setbacks and lot sizes while gaining other features not normally required of traditional Single Family residential developments. In

order to realize these objectives, in-depth scrutiny of the proposed PUD should be conducted. To enable thorough analysis of a PUD adequate information is needed about the development.

Applications for a zoning amendment for a Planned Unit Development shall be processed in the same manner as any zoning amendment application. The zoning amendment application shall be accompanied by a preliminary plan for the entire PUD. The preliminary plan, if approved, shall become a part of the adopting ordinance and shall be referenced to the ordinance as an exhibit. The preliminary plan accompanying the zoning amendment ordinance may constitute preliminary subdivision plat approval.

Requirements for Detached Single Family, Townhomes, Condominiums or Multi-Family when included as part of a mixed use project, shall be in compliance with the following standards as applicable:

- A. To allow for the design of developments that are architecturally and environmentally innovative, and that achieve more efficient use of land than is possible through standard subdivision regulations.
- B. To combine and coordinate architectural styles, building forms, and structural/visual relationships within a development that may allow the mixing of different land uses in an innovative and functionally efficient manner.
 - 1. Mixed use developments allow for the inclusion of commercial uses within or adjacent to the residences. If any commercial structures are located within the residential PUD, they shall be architecturally compatible with the residences.
 - 2. A sample of the minimum architectural style of the homes within the Planned Unit Development shall be submitted as part of the PUD application and shall include details of types and quantity of exterior materials that will be utilized on the proposed homes. The PUD Home Owner's Association shall be responsible for the enforcement of the Architectural style of the residences.
- C. To provide for adequate, accessible, open "green space" for recreational use by the homeowners. This open space should be composed of several smaller areas interspersed throughout the development, and connected by a green belt to ensure accessibility by the residents. This goal can be achieved through clustering of home sites on smaller lots, thus freeing more land for open "green space". Walking and hiking trails may be used for connectivity throughout the subdivision.
 - 1. A minimum area of ten (10) percent of the total development shall be set-aside as "open space". Of this amount, no more than fifty (50) percent shall be utilized as a water feature or drainage detention.
- D. To encourage land development that to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affecting floodways, soil retention, natural drainage and other ecological conditions. Designated Wetlands, within a proposed development may be incorporated into the "open space" requirements.

E. The following minimum dimensional requirements shall be included in the PUD:

1. If a zero (0) foot side yard is planned the opposite side yard shall be no less than 7', unless otherwise approved by the MPC.
2. A 20' minimum front yard setback if front facing garage entries are allowed within the Planned Unit Development.
3. The side yard setback on corner lots shall not be less than the front setback for an adjacent lot that is fronting the side street.

F. Within the unincorporated jurisdiction of the MPC, reduced building setbacks for front facing garages, will increase the need for visitor parking available to all the residents within the subdivision. The number of parking spaces shall comply with the following standards. Subdivisions which allow only J-Turn or side entry garages are exempt from these requirements.

1. A minimum of 10 off-street parking spaces provided for every 50 residential lots are required and shall be prorated at 1 space for every 5 lots for units of less than or greater than 50 lots.
2. Parking spaces should be interspersed throughout the various units of the development to provide easy accessibility to the residents and guests.

G. Filing requirements shall be as follows:

1. Prior to review of the PUD by the Planning Commission, the applicant shall meet together with the planning staff and the city and/or parish engineer and other necessary personnel as needed. After the pre-application meeting and submittal of a complete application, the PUD shall be placed on the next available regular scheduled hearing of the Bossier City-Parish Metropolitan Planning Commission.
2. The Planned Unit Development plan shall include a phasing schedule for the development. The plan shall include specific dates for the installation of any necessary components of the PUD and all amenities for the residents. Amenities such as but not limited to, swimming pools, park areas, community centers and other similar uses, that are to be included within the development. Installation of these necessary components and amenities should be constructed with the first phase or unit of the PUD, or if this is not feasible, as early as possible. Failure to construct the necessary components or amenities as provided on phasing schedule shall be grounds to deny approval of any future additional units or components of the PUD. Changes to previously approved phasing schedule shall only be allowed approval of the Planning Commission along with approval of a majority of the landowners within the Planned Unit Development.
3. A Single Family Detached Residential Planned Unit Development shall be a minimum of 3 acres in area and an overall Master Plan of the development shall be provided. The Master Plan must be approved by the Planning Commission and will be considered a

permanent plan of the PUD and shall be subject to the amendment procedures below.

4. A request to amend the originally approved or an amended Masterplan shall be filed with the Planning Commission office on an application provided by the Planning Commission staff. A major change to the PUD must be approved by at least 51 percent of the property owners of either the area of the lots involved in the change or within a 300' radius of the area proposed for the change.
 - a. A Major change is defined as any change of the Planned Unit Development such as, but not limited to, changes of lot sizes, increases of buildable lot density, reduction of open space requirements and any changes to street standards or alignments approved as part of the Master Plan.
5. A minor amendment may be approved by the Executive Director upon recommendation of the appropriate City or Parish departments. A minor amendment may only be approved if such amendments appear necessary in light of technical or engineering considerations.

Examples of Minor Amendments are, but not limited to, the following:

- a. Minor change to landscaping requirements.
 - b. Minor changes to lighting, signs, or screening.
 - c. Minor relocation of buildings, lot lines and/or easements.
 - d. Minor parking changes.
 - e. Minor relocation of access points which will improve traffic circulation as determined by either the City or Parish Engineer.
6. Restrictive covenants, including the assurance of maintenance of open spaces and common areas, shall be included with the PUD application. The covenants must be approved as part of the plan submission prior to recording with the Clerk of Court.

11.5 Improvements

11.5.1 General Public Improvement Standards

- A. All public improvements, including but not limited to streets, curbs, gutters, storm sewers and storm drainage, shall comply with the construction standards established by the Bossier City or Bossier Parish Engineer. Such standards, when higher than those specified in this Code or in the Comprehensive Plan, are incorporated herein by reference.
- B. Construction of improvements for projects within Bossier City shall not be commenced until a Project Permit has been issued by the City Engineer.

- C. Sufficient grade and alignment stakes shall be set by a licensed professional engineer or licensed land surveyor to assure compliance with plan, profile and drainage of streets and other proposed public improvements, and submitted with the final plat for approval by the Bossier City or Bossier Parish Engineer.
- D. Compliance with the items listed above and use of appropriate construction methods shall be determined by the Bossier City or Bossier Parish engineer, as applicable. The developer shall comply with any applicable permitting and fee requirements.

11.5.2 Streets

- A. Bossier City and the Village Development Areas

Subdivision streets located within Bossier City and areas designated as Village Development Areas in the Comprehensive Plan shall be paved with Portland cement concrete or a combination of asphalt and concrete and constructed to comply with standards adopted by the Bossier City Engineer.

- B. Rural Area

Subdivision streets located within the Rural Area, at a minimum, shall be constructed to the adopted Bossier Parish roadway standards.

11.5.3 Sidewalks and Pedestrian Ways

- A. Required Sidewalks

Sidewalks shall be provided in accordance with Tables 11.4.5a.

1. Within the corporate limits of Bossier City, sidewalks shall be installed and completed concurrently with the street.

- B. Minimum Width and Alignment

Minimum required sidewalks are indicated in Tables 11.4.5a. However, width and location of a new sidewalk may be varied to match the width and location of existing sidewalks in the area, provided the sidewalk width is not to less than 4 feet.

- C. Construction Material and Thickness

Sidewalk construction shall be of non-reinforced Portland cement concrete with a minimum thickness of 4 inches, over 4 inches of compacted sand. Sidewalks shall have a uniform texture with a broom finish.

- D. Grades and Ramps

1. Sidewalk slopes may be varied to match the general topography of the area; however, transitions should be gradual.
2. The elevations of a new sidewalk shall match exactly with the elevation of any existing sidewalk at the point of connection.
3. Sidewalks shall provide a curb ramp for accommodation of the handicapped at all intersections and designated crossings.

E. Trails

With approval of the Metropolitan Planning Commission, hiking and bicycle trails may be substituted for sidewalks under certain situations where a subdivision is located near a recreational facility or existing trail system. Trail design shall conform to the requirements of the City or Parish Engineer.

11.5.4 Sewers and Sewage Treatment

A. Septic Tanks

1. Septic tanks are strongly discouraged in any new subdivision that is platted within the Bossier City limits or in the following areas:
 - a. Areas indicated as wetlands or that are located below the 100-year flood plain elevation in the Comprehensive Plan.
 - b. Any area designated as a “Village Development Area” in the Comprehensive Plan.
2. Septic tanks may be permitted for new subdivisions in remaining unincorporated areas of the Bossier City-Parish MPC planning area, subject to the following minimum lot area standards:
 - a. For lots that use well water as the primary potable water source, the minimum lot area for septic tank use is 1 acre.
 - b. For all other lots, the minimum lot area requirement for septic tank use is 22,500 square feet.
 - c. Any portion of land located within the 100 year floodplain shall not be counted calculating lot area for the purpose of meeting minimum lot area requirements for septic tank use.
 - d. In situations where septic systems are permitted, no subdivision shall receive final approval until the developer has presented evidence that percolation conditions for each lot have been approved by the Louisiana Department of Health.

B. Community Sewage Systems

1. Community sewage collection and treatment facilities (including lagoons) shall be provided for any such land and shall be approved by the Louisiana Health Department and shall be designed to allow for future connection to a public sewer system.
2. Maintenance of such facilities shall be provided by a homeowner’s association, special purpose district, or other appropriate entity. Evidence shall be submitted at the time of subdivision approval showing the establishment of such an entity to be responsible for maintenance and management of the system.

C. Bossier City Sewer System

Subdivisions connecting to the Bossier City sanitary sewer system shall meet the appropriate size requirements and design standards specified by the City Engineer.

11.5.5 Drainage and Stormwater Management

Drainage ditches, storm sewers, storm drainage courses and stormwater detention facilities shall comply with the design standards established by the City or Parish Engineer, as applicable.

11.5.6 Water Distribution and Supply

A. Individual Wells

1. Individual wells are discouraged within the Bossier City limits.
2. Individual wells are strongly discouraged in any new subdivisions platted within 1,000 feet of the Bossier City limits or in unincorporated areas designated as a “Village Development Area” in the Comprehensive Plan.
3. If a public water supply is not available to the subdivision, any alternate water supplies must be approved by the Louisiana Health Department.

B. Bossier City Water System

Subdivisions connecting to the Bossier City water system shall comply with the requirements of the City Engineer and Fire Department.

11.5.7 Electrical Service, Cable Service, Gas, and Telephone

For subdivisions located within the Bossier City limits or areas designated as a “Village Development Area,” telephone, cable television and electrical lines shall be located underground.

11.5.8 Street Lighting

Street lights shall be provided by the developer and shall comply with all AEP/SWEPCO standards and the following requirements:

A. Output and Mounting Height

1. Within the Bossier City limits or areas designated as a “Village Development Area,” street lighting shall be installed in compliance with the Bossier City municipal street lighting ordinance.
2. In remaining unincorporated areas of Bossier Parish the required lumen output and mounting height shall be as follows:

Table 11.5.8 Street Lighting Standards						
Street Classification	Bossier City and Village Development Areas			Remaining Areas of the MPC Jurisdiction		
	Mounting Height	Output (lumens ASA)	Distribution Pattern	Mounting Height	Output (lumens ASA)	Distribution Pattern
Local	Varies	9,500	Type III or V	Varies	8,500	Type III or V
Collector		9,500 – 16,000	Type III, IV or V		14,500	Type III,
Arterial		30,000	Type III or V		23,000	Type III

B. Light Source

The light source shall be high pressure sodium or metal halide lamps with output Lumens as follows:

100 W HPS	9,500 Lumens
150 W HPS	16,500 Lumens
250 W HPS	30,000 Lumens
400 W HPS	50,000 Lumens
175 W HPS	14,000 Lumens

C. Location of Street Lights

The general criteria for location of street lights shall be as follows:

1. Within Residential Subdivisions in Bossier City, Bossier Parish and designated Village Development Areas, street lights shall be installed on metal or concrete standards and serviced by underground cable. Under normal conditions, streetlights shall be located at all street intersections and on the right-of-way spaced not to exceed 300' intervals.
2. Within the city limits of the City of Bossier City, Commercial and Industrial subdivisions or any development involving public or private street improvements shall have street lighting as described in the paragraph above with the exception that overhead cables and wooden poles can be utilized with the approval of the City Engineer.

11.5.9 Landscaping

Landscaping shall comply with applicable requirements of Article 13 of this Code.

11.6 Completion of Public Improvements

11.6.1 Inspection

- A. Public improvements for subdivisions within the Bossier City city limits, or subdivisions developed with the intent of future annexation to Bossier City, shall be constructed under the supervision and inspection of the City engineer, in accordance with the conditions of the City Project Permit.
- B. Public improvements for subdivisions in the unincorporated portions of the MPC jurisdiction shall be inspected under the supervision of the Bossier Parish Engineer or by a licensed civil engineer designated by the Parish Police Jury.

11.6.2 Assurance of Completion

No certificate of occupancy or building permit for construction of a residence or other building in the subdivision shall be issued until the developer completes the public improvements or portion thereof approved by the City or Parish engineer.

11.6.3 Responsibility to Maintain after Completion

Upon acceptance by the City or Parish, all responsibility for maintenance of public improvements shall be assumed by the City or Parish, except that the developer shall be subject to a 2 year warranty on the construction of the improvements from the time of acceptance by the City or Parish Engineer.

Article 12. Utilities, Parking, Loading, Lighting Standards, and Architectural Building Standards

12.1 Purpose

The purpose of this Article is to establish the standards for construction of utility services, parking and loading areas, and on-site lighting for individual occupancies, subdivisions and all other land development projects.

12.2 Sanitary Sewers

12.2.1 For those area designated in the Comprehensive Plan as part of the existing or future water system service area, a developer shall provide a complete sanitary sewer system, including stubs, for each lot that connects with a sanitary sewer outlet approved by the City or Parish Engineer. The sanitary sewer shall extend to the development project boundaries and beyond, as necessary, to provide for the extension of the sanitary sewers to adjacent property.

12.2.2 If the City or Parish requires a sanitary sewer system greater than that needed to service the development project itself, the developer and the affected jurisdictions shall collaborate in providing a system design, with appropriate cost sharing or reimbursement agreements, that will accommodate the needs of the proposed development and the jurisdiction.

12.3 Storm Drainage

12.3.1 A developer shall provide a subdivision or other land development project with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes and manholes to provide for the collection and removal of all surface waters. These improvements shall extend to the boundaries of the subdivision and beyond, so as to provide for extension by adjoining properties.

12.3.2 If the City or Parish requires a storm drain system greater than that needed to service the subdivision or development project itself, the developer and the affected jurisdictions shall collaborate in providing a system design, with appropriate cost sharing or reimbursement agreements, that will accommodate the needs of the proposed development and the jurisdiction.

12.4 Water Systems

12.4.1 For those area designated in the Comprehensive Plan as part of the existing or future water system service area, a developer shall provide the subdivision or development project with a complete water main supply system, including hydrants, valves and all other appurtenances, which shall be extended into and through the development to the boundary lines and beyond as may be necessary. The system shall provide for a water connection for lots and shall be connected to an approved central water system.

12.4.2 If City or Parish requires a water main to be greater in size than that needed to service the subdivision itself, the City or Parish may share in the expense thereof on a pro rata basis. The procedure of such cost-sharing shall be pursuant to the rules and regulations as prescribed by the City or Parish Engineer.

12.5 Off-Street Parking And Loading

12.5.1 Purpose

The regulations of this Section are intended to ensure that the off-street parking, loading, and access demands of various land uses will be met without adversely affecting surrounding areas. The regulations are also intended to help maintain a safe and efficient transportation system and advance other Comprehensive Plan goals related to land use and the environment. In recognition of the fact that different approaches may be appropriate in different settings, the regulations allow flexibility in addressing vehicle parking, loading, and access demand.

12.5.2 Applicability

- A. The parking, loading, and access standards of this Section apply:
 - 1. To all new buildings constructed and all new uses established in all districts.
 - 2. When an existing structure or occupancy is expanded or enlarged. In the event of such expansion, the need for additional off-street parking and loading spaces will be calculated based on the extent of the expansion or change, not the entire building or use.
- B. Additional off-street parking spaces shall be required to accommodate a change of use of a structure or parcel of land only when the new use requires 25 percent or more parking spaces than the previous use or 25 or more additional spaces. In such cases, the new use must provide at least 80 percent of the number of parking spaces required for the new use on the site.

12.5.3 Reduction below Minimums

The number of parking and loading spaces existing on a site may not be reduced below the minimum requirements of this Section, unless granted a Conditional Use approval by the MPC board, following the procedures of Section 3.3.2.

12.5.4 Mixed-Use Development Projects and Shared Parking

- A. Mixed-use development projects established in conformance with a long-term development plan shall provide 1 space for every 250 square feet of floor area.
- B. In certain cases where an establishment's period of normal operation is significantly different from adjacent or nearby establishments, formal agreements may be created that allow sharing of parking spaces in order to comply with the requirements of this Section. These arrangements must be approved by the Planning Director.

12.5.5 Exemption for B-4 Downtown Business District

Due to the unique characteristics of the B-4 Downtown Business district, permitted commercial uses in this district are exempt from providing off-street parking and loading spaces if they are fronting the following streets: Along Barksdale Boulevard between Minden Street on the west side, and Bennett Street on the East side of the B-4 District.

12.5.6 Off-Street Parking Schedule

Unless otherwise expressly stated in this Section, off-street parking spaces must be provided in accordance with the minimum ratios provided in Table 12.5.6.

Table 12.5.6 Off-Street Parking Requirements	
Use Category	Minimum Requirements
	Motor Vehicle Parking Spaces
Residential	
Group living	1 per sleeping room
Household living	
Single family, detached	1 per dwelling unit
Single family, attached	1 per dwelling unit
Two family	1 per dwelling unit
Multifamily	2 per dwelling unit
Manufactured housing park	1 per manufactured home
Public and Institutional	
Community services	1 per 250 sq. ft. GFA*
Day care	1 per 2 employees
Educational facilities	
Elementary, middle, or junior high school	1 per classroom
High school or college campus	6 per classroom
All other educational facilities	1 per 4 seats
Government facilities	1 per 250 sq. ft. GFA
Medical centers	1 per 2 beds
Parks and open areas	
Cemetery	2, plus 1 additional space for each 10 acres
All other park/open areas	1/2 per occupant load of area used for participatory sport or activity
Religious institutions, all	1 per 3 seats
Commercial	
Commercial parking	N/A
Commercial recreation/entertainment	
Indoor	1 per 250 sq. ft. GFA
Outdoor	Same as All other park/open areas
Eating establishments, all	1 per 100 sq. ft. GFA
Drinking establishments, all	1 per 100 sq. ft. GFA
Major event entertainment	1 per 3 seats
Office	1 per 250 sq. ft. GFA
Public accommodation	1 per guest room
Retail sales and service	1 per 250 sq. ft. GFA
Multi-Tenant Commercial Centers	1 per 150 sq.ft. GFA
Under roof areas dedicated strictly for storage	1 per 1000 sq. ft.
Vehicle sales and service	1 per 250 sq. ft. GFA
Industrial	
All	1 per 2 employees
Utilities and Transportation	
Rail lines & utility corridors	None
All others	1 per 2 employees
Other	
All	1 per 1,000 sq. ft.

12.5.7 Off-Street Loading Schedule

- A. Goods may not be loaded or unloaded from the right-of-way of a collector or arterial street and no part of any vehicle may extend into the right-of-way of a collector or arterial street while being loaded or unloaded.
- B. If required by the City or Parish Engineers, off-street loading spaces must be provided in accordance with the minimum requirements enumerated in Table 12.5.7.

Table 12.5.7 Off-Street Loading Space Requirements	
Gross floor area (sq. ft.)	Required spaces
0 to 5,000	none
5,000 to 12,500	1 small
12,501 to 25,000	2 small
25,001 to 40,000	1 large
40,001 to 100,000	2 large
Each additional 80,000 over 100,000	1 large

- C. Off-street loading spaces are defined as follows:
 - 1. Small spaces must have a minimum vertical clearance of 10 feet, minimum width of 8 feet, and minimum length of 20 feet
 - 2. Large spaces must have a minimum vertical clearance of 14 feet, minimum width of 12 feet, and minimum length of 50 feet
 - 3. The minimum length of off-street loading spaces does not include access or maneuvering area, platforms, or other appurtenances.

12.5.8 Calculation of Requirements

The following rules apply when calculating off-street parking and loading requirements.

- A. Unless otherwise approved, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses. (See the shared parking provisions of Subsection 12.5.10 for possible exceptions.)
- B. When measurements of the number of required spaces result in a fractional number, any fractional result must be rounded up to the next consecutive whole number. For example, if a minimum requirement of 1 space per 200 square feet is applied to a 900 square foot building, 5 spaces are required, since the fraction of 4.25 is rounded up to 5 spaces.
- C. Unless otherwise specifically noted, all area-based (square feet) parking and loading standards must be computed on the basis of gross floor area.
 - 1. Gross floor area is to be measured as all of the floor area on each floor of the building, whether or not such area is enclosed by walls.

2. Interior areas used for off-street parking or loading facilities are not counted in calculating the number of parking spaces required.
- D. For outdoor areas, calculations will be based on the portion of the lot actually being used for the specified purpose.
 - E. For the purpose of calculating parking requirements based on employees or students, calculations are to be based on the greatest number of persons working any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.
 - F. When seating consists of benches, pews or other similar seating facilities, each 24 linear inches of seating space counts as 1 seat.

12.5.9 Location

- A. Except as otherwise expressly provided in this section, required off-street parking and loading spaces must be located on the same lot as the principal use. (See the shared parking provisions of Subsection 12.5.10 for possible exceptions.)
- B. In residential districts:
 1. All driveway cuts onto the street must be approved by the City or Parish Engineer.
- C. In commercial, industrial, and special purpose districts, the location of off-street parking areas must comply with the following standards:
 1. Off-street parking shall not be placed within any required landscaping buffer without approval of the MPC board as a Conditional Use following the procedures of Section 3.3.2.

12.5.10 Shared and Off-Site Parking

The shared and off-site parking provisions of this Section are intended to encourage efficient use of land and resources by allowing users to share off-street parking facilities in situations where a mix of uses creates staggered peak periods of parking demand and to locate off-street parking facilities on a different site than the uses served by the parking.

- A. Shared or off-site parking arrangements require review and approval in accordance with the Site Plan Review procedures of Section 3.7.
- B. All shared or off-site off-street parking spaces must be located no further than 600 feet from the main entrance of the buildings or uses they are intended to serve. This distance limitation:
 1. Shall be measured along the shortest legal, practical walking route; and
 2. May be waived as part of the Site Plan Review process if adequate assurances are offered that adequate van or shuttle service will be operated between the shared or off-site parking area and the principal use or uses.

- C. Shared and off-site parking areas require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the shared or off-site parking area. Shared and off-site parking areas are to be considered accessory uses to the principal uses that the parking spaces serve.
- D. For proposed shared parking areas, the applicant must submit a shared parking analysis that clearly demonstrates the feasibility of shared or off-site parking.
 - 1. The study must be provided in a form established by the Executive Director and made available to the public.
 - 2. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
- E. The sharing or off-site location of required parking must be guaranteed by a legally binding agreement, duly executed and acknowledged, between the owner of the parking area and the owners of all uses that are located on a different lot and served by the parking area.
 - 1. The agreement must be properly drawn and executed by the parties concerned and approved as to form and execution by the City and Parish Attorney. Approved shared or off-site parking agreements must be recorded with the Parish Recorder.
 - 2. The applicant for a building permit or certificate of occupancy for the use that is served by parking spaces on the other lot must submit a copy of such agreement along with the application for the permit or certificate.
 - 3. Any violation of the agreement required under this Subsection constitutes a violation of this Ordinance.

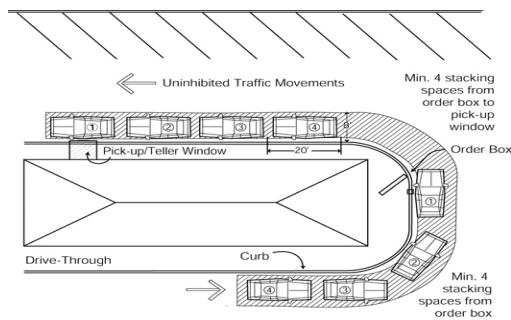
12.5.11 Use of Off-Street Parking and Loading Areas

- A. Required off-street parking and loading areas are to be used solely for loading, unloading, and the parking of licensed motor vehicles in operating condition. Required off-street parking spaces and drive aisles shall not be used for:
 - 1. Display or storage of goods for sale or lease; or
 - 2. Long or short term storage of vehicles, boats, motor homes, campers, mobile homes, manufactured housing units, or building materials or merchandise.
 - 3. Overnight parking of tractor trailers or recreational vehicles unless properly zoned and approved for that use.
- B. In residential districts, off-street parking areas may only be used by vehicles of up to one-ton manufacturer's rated capacity.

12.5.12 Vehicle Stacking Areas

The vehicle stacking standards listed in Table 12.5.12 apply unless otherwise expressly approved by the City or Parish Engineer.

- A. Off-street stacking spaces must be provided as follows:
- B. Required stacking spaces are subject to the following design and layout standards:
 - 1. Stacking spaces must be a minimum of 8 feet by 20 feet in size.
 - 2. Stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.



- C. Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the City or Parish Engineer for traffic movement and safety.

Table 12.5.12 Vehicle Stacking Area Requirements	
Activity Type	Minimum Number of Stacking Spaces
Bank teller lane	4 per teller or window
Pharmacy or other retail sales	4 per service window
Automated teller machine	2 per machine
Restaurant drive-through	4 per order box and 4 per pick-up window
Car wash stall	4 at each entrance and 1 at each exit
Gasoline pump island	1 at end of each pump island
Elementary and junior high school; day care	10 on each driveway
Senior high school	5 on each driveway

12.5.13 Accessible Parking for Physically Disabled Persons

A portion of the total number of required off-street parking spaces in each off-street parking area must be specifically designated, located and reserved for use by persons with physical disabilities.

- A. Table 12.5.13 shows the number of accessible spaces that must be provided, except as otherwise provided in Paragraphs B., C., and D. below. Parking spaces designed for persons with disabilities are counted toward fulfilling off-street parking standards. These standards may not be varied or waived.

Table 12.5.13 Accessible Parking Space Requirements			
Total Spaces Provided	Total Required Accessible Spaces	Required Accessible Auto Spaces	Required Accessible Van Spaces
1-25	1	0	1
26-50	2	1	1
51-75	3	2	1
76-100	4	3	1
101-150	5	4	1
151-200	6	5	1
201-300	7	6	1
301-400	8	7	1
401-500	9	7	2
501-1000	2% of total spaces	7 per 8 accessible spaces	1 per 8 accessible spaces
1001 and up	20, plus 1 per 100 total spaces over 1000	7 per 8 total accessible spaces	1 per 8 total accessible spaces

- B. Facilities providing medical care and other services for persons with mobility impairments must provide accessible parking spaces as follows:
1. All outpatient facilities must provide at least one accessible parking space, or spaces equal to 10 percent of the total number of parking spaces provided, whichever is greater.
 2. Facilities that specialize in treatment or services for persons with mobility impairments must provide at least one accessible parking space, or spaces equal to 20 percent of the total number of parking spaces provided, whichever is greater.
- C. Multifamily dwellings containing 4 or more dwelling units must provide accessible parking spaces as follows:
1. Designated accessible parking spaces must be provided for at least 2 percent of the dwelling units.
 2. Designated accessible parking spaces must be provided at facilities that serve accessible buildings, such as swimming pools and clubhouses.
 3. Additional designated accessible parking must be provided at the request of residents with disabilities, on the same terms and with the full range of choices that are provided for other residents of the project.
- D. Single family dwellings, detached and attached, two family dwellings, and multifamily dwelling containing 3 or fewer dwelling units are exempt from the requirements to provide accessible parking spaces. However, accessible parking must be provided at the request of residents with disabilities, on the same terms and with the full range of choices provided for other residents of the project.
- E. Accessible parking spaces must comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- F. All accessible parking spaces must comply with the parking space dimension standards of Subsection 12.5.14, provided that access aisles must be provided immediately abutting such spaces, as follows:
- G. Car-accessible spaces must have at least a 5-foot wide access aisle.
- H. Van-accessible spaces must have at least an 8-foot wide access aisle abutting the passenger access side of the accessible parking space.
- I. Accessible parking spaces must be located in close proximity to building entrances and be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path. Curb ramps must be provided whenever an accessible route crosses a curb in the parking lot. Curb ramps may not be located within required access aisle.
- J. Required spaces for persons with disabilities must be identified with signs and pavement markings identifying them as reserved for persons with disabilities.

- K. Signs must be posted directly in front of the parking space at heights that will be visible to the types of vehicles for which they are designed, specifically 60 to 82 inches.
- L. Signs must comply with the Manual on Uniform Traffic Control Devices issued by the Federal Highway Administration.

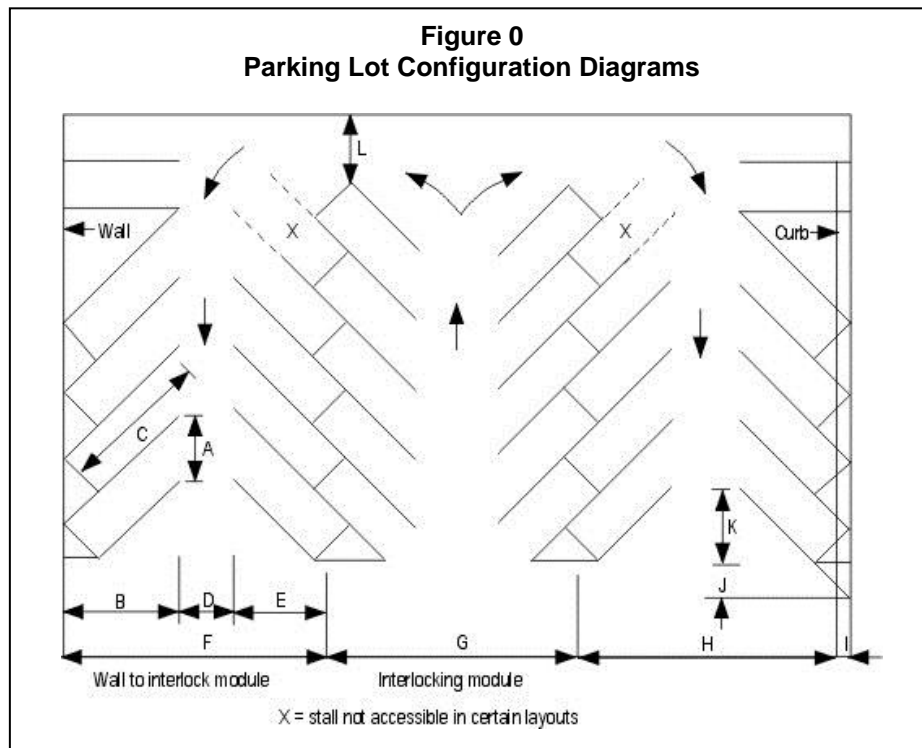
12.5.14 Parking and Loading Area Design Standards

The design standards of this Section apply to all parking areas, including commercial parking lots and “non-required” parking areas. Any alternatives as to surface type, must be approved as a “Conditional Use” using the procedures of Section 3.3.2 of this code. Single Family Residential uses in the R-A, Residence Agriculture District are exempt from the requirements of Sections E and F below.

- A. There must be a safe, adequate, well-lit and convenient arrangement of pedestrian pathways, bikeways, roads, driveways and off-street parking and loading spaces within off-street parking areas. Streets, pedestrian walks and parking areas must be designed as integral parts of an overall site design, which must be properly related to existing and proposed buildings, adjacent uses and landscaped areas.
- B. The layout and design of all off-street parking areas must be approved by the City or Parish Engineer prior to the issuance of a building permit. Before approving any off-street parking plan, the City or Parish Engineer must find that the spaces provided are useable and that they comply with the applicable design criteria.
- C. The materials used in the design of paving, lighting fixtures, retaining walls, fences, curbs and benches must be easily maintained and indicative of their function.
- D. Parking areas must be maintained in a safe operating condition so as not to create a hazard or nuisance.
 - 1. All materials used in the design of paving, lighting fixtures, retaining walls, fences, curbs and benches must be continuously maintained and kept free of debris and hazards.
 - 2. Striping and other pavement markings must be maintained in an easily readable condition.
- E. All off-street parking areas, motor vehicle and recreational vehicle storage areas and driveways and drive aisles, including those serving single family dwellings, detached and attached, and multi- family dwellings, must be surfaced with a minimum of:
 - 1. 4 inches of reinforced Portland cement concrete;
 - 2. 5 inches of full depth asphalt.
 - 3. In the A-1 and I-Districts, alternative methods of paving for areas expected to have a low use of off-street parking or vehicle movement on the site, may be approved by the MPC as a Conditional Use following the procedures of Section 3.3.2. The required off-street parking areas shall be constructed of the materials as stated in sections 1 and 2 above.

- F. As an alternative to the surfacing required in the preceding paragraph, all off-street parking for uses allowed by right within residential districts or areas of low off-street parking use as determined by the City or Parish Engineer (such as fire safety lanes or overflow parking areas), may be surfaced with the following alternative methods of paving. The surfacing must be installed per the manufacturer’s recommendations, with the pavement and base designed by a professional engineer licensed in the State of Louisiana. The pavement cross-section must demonstrate the structural ability to support the anticipated vehicle loads for the use. The pavement design must be reviewed and approved by the City or Parish Engineer.
1. Grid unit pavers with grass; or
 2. Concrete, brick, or clay interlocking paver units.
- G. Private streets and driveway approaches (aprons) shall be built to the applicable standards and maintained by the landowner.
- H. All off-street parking areas must comply with the dimensional standards in the following Table 12.5.14, except that where natural and/or man-made obstacles, obstructions, or other features such as but not limited to landscaping, support columns or grade/slope difference exist, the City or Parish Engineer may approve a reduction in stall width, stall length and/or module width. In all instances where a reduction is requested, attention to emergency vehicle access must be considered and incorporated into the parking Lot design.

Table 12.5.14 Parking Lot Stall Configuration Requirements						
All dimensions in feet	Diagram	0°	45°	60°	75°	90°
Stall width (parallel to aisle)	A	8.5	12.2	9.9	8.8	9.0
Stall length	B	24.0	24.5	21.4	19.5	18.0
Stall length of line	C	9.0	17.0	18.5	19.0	18.0
Aisle width between stall lines	D	12.0	12.0	16.0	22.0	24.0
Stall depth, interlock	E	9.0	14.8	17.0	18.3	18.0
Module, wall to interlock	F	30.0	43.8	51.5	59.3	60.0
Module, interlocking	G	30.0	41.6	50.0	58.6	60.0
Module, interlock to curb face	H	30.0	41.8	49.4	56.9	58.0
Bumper overhang (typical)	I	0.0	1.5	1.8	2.0	2.0
Offset	J	--	6.3	2.7	0.5	0.0
Setback	K	24.0	11.0	8.3	5.0	0.0
Cross-aisle, one-way	L	18.0	18.0	18.0	18.0	18.0
Cross-aisle, two way	--	24.0	24.0	24.0	24.0	24.0



- I. Bicycle parking areas, whether used publicly or privately, must be designed, built and maintained in accordance with the following specifications:
 1. They must be surfaced with a minimum of of:
 - a. 4 inches of concrete;
 - b. 4 inches of asphalt; or
 - c. 2 inches of concrete with a 2-inch brick overlay, or similar material for overlay.
 2. They must be well lit and within clear view of passersby.
 3. If bicycle and automobile parking areas or access ways abut each other, there must be provided a physical barrier between the bicycle and automobile areas to prevent a bicycle or its operator from being hit by a motor vehicle.
 4. Each bicycle parking space must provide for a secure method of locking a bicycle and be located so as to accommodate bicycle parking in a manner that is convenient to use and does not interfere with other uses of the property.
- J. To facilitate movement and to help maintain an orderly parking arrangement, all parking spaces must be clearly striped, with a minimum width of 4 inches. The width of the parking stall must be computed from the centers of the striping.
- K. The perimeter of the parking lot shall have a curb and gutter in accordance with applicable standards for concrete curbs.
- L. Parking lots must be designed to provide designated walkways for pedestrians. Walkways must connect building entrances with parking areas and with public sidewalks along adjacent streets.

12.5.15 Driveways and Access

The standards of this Section apply to all driveways providing access to multifamily dwellings or nonresidential uses.

A. General Standards

Driveways are subject to the following standards:

1. Access to property is allowed only by way of driveways. No other portion of the lot frontage may be used for vehicle ingress or egress, nor may any parking area or access drive be arranged so that any vehicle may back directly onto a street. All driveway cuts into the street must be approved by the City or Parish Engineer.
2. Driveway designs must allow an entering vehicle turning speed of 15 miles per hour to help reduce interference with through street traffic. Radii of driveway must be sufficient to achieve this standard for the types of vehicles that the driveway is intended to serve.
3. There must be sufficient on-site space to accommodate queued vehicles waiting to park or exit, without interfering with street traffic.
4. Provisions for circulation between adjacent parcels should be provided through coordinated planning or cross access agreements.
5. Driveways must be placed and designed so that loading and unloading activities will not hinder vehicle ingress or egress, and that vehicles entering the driveway from the street will not encroach upon the exit lane of a two-way driveway. Also, a right-turning exiting vehicle must be able to use only the first through-traffic lane available without encroaching into the adjacent through-lane.
6. Driveways shall intersect the street at right angles.

B. Turn Lanes and Tapers

Turn lanes and tapers are required when:

1. Expected left-turn or right-turn ingress movements meet or exceed 40 vehicles per hour during a typical weekday peak traffic period;
2. Driveway volumes are expected to meet or exceed 1,000 vehicles per day calculated using Institute of Transportation Engineers (ITE) site generated traffic standards for closest matching land use category as set forth in the most recent edition of the ITE's Trip Generation Manual; or
3. The City or Parish Engineer determines through a traffic impact analysis pursuant to Subsection 12.5.15 that such treatment is necessary to avoid congestion and/or unsafe conditions on the public street.

- C. The grade or slope of a two-way, one-way or divided driveway may not exceed 2 percent for a minimum distance of 25 feet from the edge of the pavement.
- D. Direct-access driveways must be located to allow the minimum sight distances in the following Schedule. Sight distances must be determined by a professional engineer licensed in Louisiana.

Table 12.5.15 Direct Access Driveway Sight Distance Requirements	
Design Speed of Street (MPH)	Minimum Sight Distance (feet)
30	200
35	225
40	275
45	325
50	350

E. Spacing of Driveways

Driveways shall be spaced as provided below:

1. Access to Arterial Streets

Direct access to an arterial street is prohibited except when the subject property has no other reasonable access to the street system and the City or Parish Engineer determines that access onto the arterial street can be safely accommodated. When direct access to an arterial street is approved by the City or Parish Engineer pursuant to the requirements of this section, the following standards apply. In the event that such standard cannot be met because of an unusually narrow or shallow lot size, the City or Parish Engineer may reduce the spacing so long as the reduction does not result in an unsafe traffic condition.

- a. All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 300 feet from the perpendicular curb face of the intersecting street.
- b. All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to all non-signalized street or driveway intersections is at least 200 feet from the perpendicular curb face of the intersecting street or driveway.

2. Access to Collector Streets

- a. Every effort should be made to internalize individual driveways within a subdivision to avoid direct access onto collector streets. Mutual access streets within the subdivision will connect to the collector street to minimize driveway cuts.
- b. Single-family residences (individual lots) should be discouraged wherever possible along collector streets to avoid numerous and unsafe driveway cuts.

F. At least one driveway shall be permitted for any lot.

- 1. Unless otherwise specifically restricted, one driveway opening shall be allowed per 200 feet of continuous street frontage
- 2. Parcels with 200 feet of frontage or less may apply for a second driveway if shared with an adjoining parcel, provided that the required minimum spacing is maintained. In such cases, only one shared driveway will be permitted.

G. Waiver of Standards

Waivers from these access standards may be approved by the City or Parish Engineer if the City or Parish Engineer determines that the requested waiver will not create a serious detriment to the safety or operation of traffic on the street or roadway. The City or Parish Engineer may require that the applicant for a waiver submit a traffic impact analysis in accordance with Subsection 12.5.16 if it is determined that such an analysis is necessary in order to render a competent decision on the requested waiver.

12.5.16 Traffic Impact Analysis

The City or Parish Engineer, may as provided below, conduct traffic impact analysis at the expense of the owner or developer of the premises in question, or alternatively require the owner or developer to conduct and submit a traffic impact analysis as part of an application for a permit or approval.

A. A traffic impact analysis may be required as follows:

- 1. As part of a zoning map amendment (rezoning) or Major Planned Unit Development, if required by the City or Parish Engineer for developments in which trip generation during any peak hour does not exceed 100 trips.

B. A traffic impact analysis shall always be required as follows:

- 1. When trip generation during any peak hour is expected to exceed 100 trips, based on traffic generation estimates of the Institute of Traffic Engineering's Trip Generation Manual, unless local trip generation data demonstrates a higher trip rate;
- 2. When the original traffic impact analysis is more than two years old, or where increased land use intensity will result in an increase in traffic generation; or

3. Whenever required or authorized elsewhere in this Unified Development Code.

- B. When access points are not defined or a site plan is not available at the time the traffic impact analysis is prepared, additional analysis may be conducted or required when a site plan becomes available or the access points are defined.
- C. Payment for traffic impact analysis shall be a condition of any permit or approval pursuant to this Unified Development Code.

12.6 Exterior Lighting Standards

12.6.1 Purpose

The outdoor lighting standards of this Section are intended to eliminate spillover light and light glare on motor vehicle operators, pedestrians, and land uses near light sources. Safety considerations are a primary basis for the regulations, especially pedestrian, motor vehicle and traffic safety. In other cases, the regulations are intended to protect property values and the general welfare by controlling the nuisance aspects of glare or spillover light.

12.6.2 Applicability

The regulations of this section apply to all uses except:

- A. Public street lights, which are exempt from the standards of this Section but are subject to all applicable standards of the Louisiana Department of Transportation and the City or Parish.
- B. Residential and farm uses, which are exempt from the outdoor lighting standards of this section except that:
 - 1. Spotlights or floodlights that create a glare on neighboring property are prohibited; and
 - 2. Off-street parking lots associated with residential uses are not exempt from the outdoor lighting standards of this section.
- C. Holiday lighting.
- D. Parks and Open Space and Outdoor Commercial Recreation/Entertainment uses, which are subject only to the standards of Subsection 12.6.5.

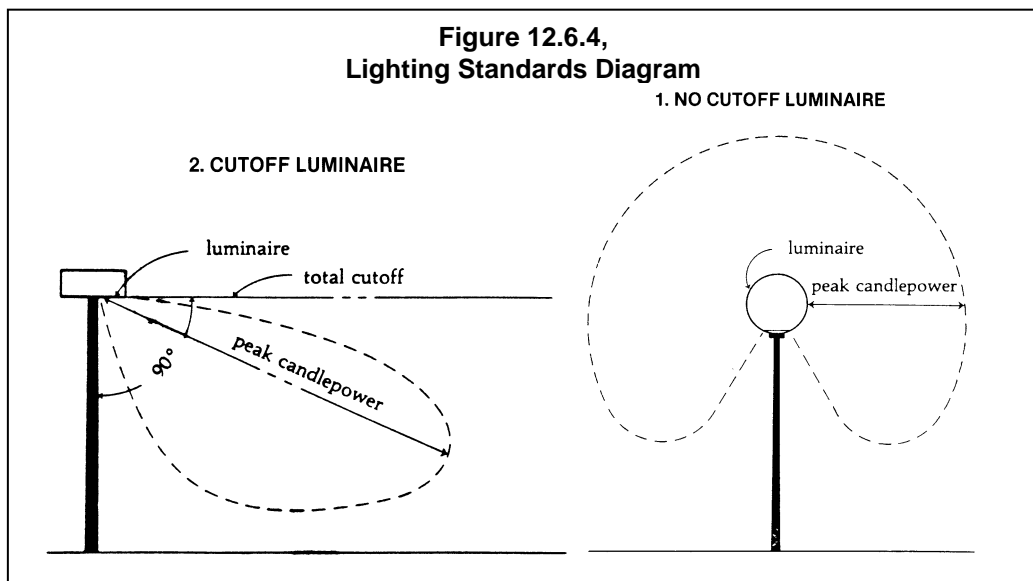
12.6.3 Exterior Lighting Plan

- A. An outdoor lighting plan must be submitted to the Executive Director whenever outdoor lighting is to be installed or whenever Site Plan Review is required. The lighting plan must be reviewed to determine whether the proposed outdoor lighting complies with the standards of this section.
- B. Outdoor lighting plans must include the following, unless the Executive Director determines that a thorough review and determination is possible without such information:
 - 1. Scale drawing of the site with all outdoor lighting fixture locations identified;

2. Lamp type and size.

12.6.4 Lighting Standards

Two types of light sources or luminaires are available, as shown in Figure 12.6.4. One is a fixture having no cut-off, directing the light to limit view of the light source or luminaire. The second is a cut-off fixture, shielding the light source from view. The maximum permitted illumination and the maximum permitted luminaire height are indicated in Table 12.6.4. All non-residential occupancies shall meet the following lighting standards:



- A. All fixtures shall be cut-off fixtures that limit lighting that is visible or measurable at the property line. Non-cutoff fixtures may only be used for decorative purposes and shall use luminaires that have incandescent sources of 100 watts or less.
- B. Abutting or nearby residential properties shall not be able to see the actual light source, unless the luminaires are less than 100-watt incandescent.
- C. The maximum illumination at a property line with abutting residential shall not exceed 0.2 footcandles. On abutting non-residential properties or public streets, the maximum illumination at the property line shall be 5 footcandles. Where residential is across a street, the maximum illumination at the occupancy's property line shall be 2 footcandles.
- D. Maximum illumination at any point on the property shall not exceed 60 footcandles. For automobile dealers or others who believe they need more illumination, they shall provide structures. These may be the tent-type canopy structures to which lights may be attached, thus blocking the light.
- E. The lighting plan should show the layout of the poles on a lot, and indicate the total footcandles, not exceeding 60 at any point on the lot. It is preferable to install more lights at lower footcandles than to provide extremely tall poles with very bright lights.
- F. Canopy lighting for uses that have sheltered outside work or service areas such as gas stations shall meet the maximum intensity of Paragraph D. above. The luminaires shall be recessed into the canopy so that they cannot be viewed from off site from an eye height of 4 feet to protect automobile drivers from glare.

- G. Any lighting fixture or luminaire that exceeds 30 feet in height or proposes more than 400 watts or more than 4 luminaires per pole shall be approved by the Planning Commission as a Conditional Use. Such approval shall be based on a review for impact on all surrounding uses.

12.6.5 Exterior Lighting for Outdoor Amusement and Recreational Uses

Baseball diamonds, athletic fields, driving ranges and tennis courts have unique requirements for nighttime visibility and generally have limited hours of operation. These uses may meet the following standards for approval of lighting in excess of the exterior lighting standards (Subsection 12.6.4), by the Planning Commission as a Conditional Use:

- A. The site plan meets all other Ordinance requirements and, to the maximum extent possible, lighting is located to avoid shining at residential uses.
- B. Exterior light sources do not exceed the maximum permitted post height of 80 feet.
- C. The light source or luminaire shall be cut-off fixtures. The luminaire may have a cut-off angle that extends beyond the property boundaries if:
 - 1. A landscaped bufferyard is provided to prevent light and glare spill-over to adjacent residential property. The Executive Director may require denser bufferyards than those in Section 13.10.2, in order to achieve this objective.
 - 2. The maximum permitted illumination shall not exceed 1 footcandle at the residential property line or the street curb, whichever is less. If the development is within 300 feet of a residential district, the lights shall be turned off by 10:00 p.m.

12.6.6 Sign Lighting, Shielded Spotlights

Shielded spots shall be screened by evergreen landscaping, walls, berms, or cut-off shielding so the light source is not visible off-site. In most cases, a combination of cut-off shielding and a landscape or other feature will be needed to provide the necessary screening. Figure 12.6.4 provides an example of how this objective is to be accomplished.

12.7 Architectural Design Standards for Building within the Business, Industrial, and Special Purpose Districts

12.7.1 Purpose

The following standards for applicable architecture throughout the Metropolitan Planning Commission (MPC) jurisdiction are intended to reflect the goal of the Bossier Comprehensive and Land Use Plan while creating development of enduring quality and unique architectural style.

12.7.2 Applicability

All new development located within an applicable district shall be subject to these provisions. Approval by the Zoning Office must be obtained before any site improvement or construction can begin, and a Certificate of Occupancy or Zoning Permit can be issued. Major rehabilitations of existing buildings, within an applicable district, are also subject to these provisions with the exception of the roofline. Major rehabilitation shall be defined as any renovation, restoration, modifications, addition, or retrofit of a building that exceeds sixty (60) percent of the current appraised value of the building. The appraised value of the land is not included in the 60% calculation. The current appraised value shall be established either by the Bossier Parish Tax Assessor's office or a current private appraisal of the building.

A. Applicable districts shall include the following:

1. Business Districts: B-1, B-2, B-3, B-4, and B-5
2. Special Purposed Districts: RFD, RT, and A-1
3. Industrial Districts: I-1 and I-2
4. All uses in the R-A district when approved as a Conditional Use and all uses approved as a component of a Planned Unit Development (PUD).

B. Exceptions:

1. Within the Barksdale Boulevard Redevelopment Overlay District (B-BROD), major rehabilitations as defined above, shall be required to meet ALL of the Architectural Standard requirements of this section when the rehabilitation exceeds 50% of the current appraised value of the building, as determined by the Bossier Parish Tax Assessor's office. The appraised value of the land is not included in this calculation.

12.7.3 Exemptions

The following uses or occupancies are exempt from the provisions:

- A. Single-family residential buildings that are occupied as a residence.**
- B. Accessory structures, with one or more side walls, with a footprint of less than 600 square feet, and the total footprint for all such structures on the premise does not exceed 2,000 square feet. Conditional Use Approval, following the procedures of Section 3.3.2 of this code, shall be required for more than two (2) accessory buildings or when total square footage**

exceeds 2,000 square feet. Accessory buildings located within the I-1, I-2, A-1 zoning classifications are exempt from this requirement.

12.7.4 Waivers and Architectural Review

- A. If a proposed development or improvement will not be visible from a public or private street once the project is completed, the MPC board may waive any or all of the architectural standard requirements. Request for a waiver shall be reviewed as a Conditional Use Approval following the procedures of Section 3.3.2 of this code. Applications shall include the submission of architectural elevations of the proposed construction in color and visual evidence that the project will not be visible from the street.
- B. If a proposed development or an improvement or addition greater than 60% of the appraised value as defined in Section 12.7.2, is adjacent to an industrial zoning classification or an existing Industrial land use, the owner or applicant may apply to the MPC board for the review of a lesser standards of architectural design that shall concentrate on the Front Façade and a minimum of 25% of the sides of the proposed structure that adjoin the Front Façade.
1. All Overlay Districts and the following arterial streets shall not qualify for the above architectural design waiver.

Airline Drive, Arthur Ray Teague Parkway, Barksdale Boulevard, Benton Road, East Texas Street, Jimmie Davis Highway, McDade Street, Old Minden Road (west of Airline Drive), Shed Road (between Benton Road and Airline Drive and east of I-220), Shreveport- Barksdale, Traffic Street, Viking Drive (between Benton Road and Airline Drive)

12.7.5 Architectural Design Review

Architectural design review of alternative façade designs and materials shall be reviewed by the Metropolitan Planning Commission board. The purpose of utilizing alternative façade materials and designs is to create a unique architectural style and is not simply a means to avoid the intent and/or requirements of the architectural standard requirements.

12.7.6 Architectural Review Procedures

Architectural review requests shall be reviewed as a Conditional Use following the procedures of Section 3.3.2.

12.7.7 Façade Materials

All buildings on the same site shall be architecturally unified in color scheme and building materials.

- A. Business and Special Purpose Districts excluding the A-1 and A-2 districts.
1. The following exterior materials are acceptable:
- a. Brick, limestone, granite, marble, stucco, glass, split-face concrete block (limited use), exterior insulation and

finishing systems (EIFS), fiber cement (hardiplank) siding and wood siding.

- b. Split face concrete block may be used for up to sixty (60) percent of the exterior walls. EIFS installed via a wall drainage system, may be used only if it is a minimum of six (6) inches above grade with approval by the appropriate City or Parish building official.

- 2. Flush architectural metal panels installed via concealed fasteners for wall systems may be used for up to fifty (50) percent of any single façade if utilized in conjunction with any



of the above permitted building materials. Façades with more than fifty (50) percent must apply to the MPC Architectural Review Committee.

- 3. As an alternative to 12.7.7.2, metal panels may be used as an accent material for up to twenty (20) percent of each façade. Accent materials are intended to be secondary façade materials that enhance the aesthetics of the building exterior. Accent materials generally consist of materials and/or colors that complement the primary materials and enhance a particular style.
- 4. The following exterior materials are prohibited when used as a visible exterior façade material:
 - a. Tilt-up concrete panels, smooth face concrete block, vinyl and aluminum siding
 - b. The provisions for façade materials apply to the front and sides of structures for a total of three (3) sides on stand-alone sites. However, these provisions apply to all four (4) sides buildings located within integrated developments with multiple buildings, out-parcels, and when facing the public right of way or a private drive.

B. Industrial and A-1 Districts

Façade materials allowed in the Business and Special Purpose Districts shall be allowed and are required on a minimum of forty (40) percent on the front façade(s) only. Any other material types shall be allowed on the remaining sixty (60) percent of the building exterior.

C. Colors

Buildings shall consist of natural earth tones that are found in the Bossier City/Parish Region. Natural earth tones include colors and shades of the following: red, orange, yellow, olive, tan, and brown. Other colors or combinations may be allowed by the Metropolitan Planning Commission. Architectural Review of alternative colors shall be reviewed as stated in Section 12.7.6 above.

12.7.8 Massing, Facades, and Entryways

A. Massing

1. Long expanses of blank walls shall be avoided through the use of wall articulation.

Breaking the continuous plane of the wall can be done by recessing vertical segments of the wall at several intervals. Also, a course of brick or other masonry material can be applied to the exterior walls to add visual interest at



certain junctures in the wall. Changes in the material colors are also encouraged to break up wall surfaces. The maximum permitted width of an uninterrupted wall plane shall be fifty (50) feet. The front façade shall be articulated regardless of width.

B. Façade

The façade of a building is defined as being all exterior walls structure. The “Front Façade” is the side that is facing the public right-of-way and/or private driveways or streets utilized for public travel or access.



1. Buildings shall have a defined base and cap.
2. All entryways used by the general public shall be identifiable and integrated into the building architecture.
3. Outdoor storage display areas shall be included on the site plan submittal for review. Additional parking shall be provided to account for temporary outdoor storage or display areas that utilize parking spaces when they are in use.



4. Awnings or canopies should be provided over pedestrian walkways within thirty (30) feet

of all primary entrances used by

the general public.

12.7.9 Roofs

Hip, gable or flat roofs may be used.

Flat or Parapet roofs should be articulated and interrupted along the sides by breaking the plane of the roof along the sides and front.

Embellishment of a flat roof shall be achieved through the use of cornice or cap and base along the front and sides of the roof.

Roof mounted mechanical and air conditioning equipment shall be screened from public view on all sides, adjacent streets, and adjoining developments, with the use of parapets, dormers, or by other means. Exceptions may be allowed when topography or other unchangeable conditions such as elevated roadways, do not permit equipment to not be visible. Alternative means of screening shall be reviewed by the Architectural Review Committee.

Green Roofs, Mansard Roofs, and other alternative roof forms may be approved as a Conditional Use by the MPC zoning Board following the procedures of Section 3.3.2.

A. Definitions

1. Parapet: An extension of the main walls of a building that runs along the edge of a roof. A parapet is often used to shield rooftop mechanical equipment and vents.



2. Gable: A triangular or ridged roof with two slopes that come to a point along a ridge in the middle.



3. Cornice: A projecting decorative molding or overhang that crowns the top course of a wall.



4. Base: The lowest part of the building or structure.



5. Cap: The head or crowning feature of a building or structure.



6. Mansard: A roof with slopes on each of four sides.



7. Dormer: A structural component of a building that protrudes from a roof slope. It may contain windows and other architectural features.



12.7.10 Garbage collection Areas

When Dumpsters, trash and recyclable material containment areas are visible from the street frontage or adjoining residential property, the following criteria shall apply to placement and construction type.

- A. Dumpster enclosures shall be constructed with masonry material and provide a gate or set of gates. If the gate side of the enclosure faces the street or adjoining residential property, the gates shall be of an opaque material. The gates shall be kept closed.

- B. The enclosure shall be at least two (2) feet taller the dumpster, but no taller than ten (10) feet in height without review by the MPC.
- C. Dumpster enclosures that are located within the front yard shall be landscaped. Landscaping shall be oriented to face adjoining properties and streets.
- D. Dumpster areas shall not be located within in any designated streetscape or buffer yard.
- E. Development within the A-1, A-2 Airbase Buffer Zones and the Industrial districts are exempt from the above requirements.

12.7.11 Exterior Building Lighting

Exterior building lighting plays an integral role in a commercial building whether its purpose is to emphasize architectural elements, landscaping or parking areas. Lighting fixtures should be compatible with the character, scale and function of the building as well as the surrounding area. Building mounted light fixtures shall not be located higher than the roofline and shall have the lamp source shielded from view as to minimize glare.



12.7.12 Appropriate Architectural Elements

Examples of appropriate and inappropriate architectural elements are provided below.

Appropriate Design



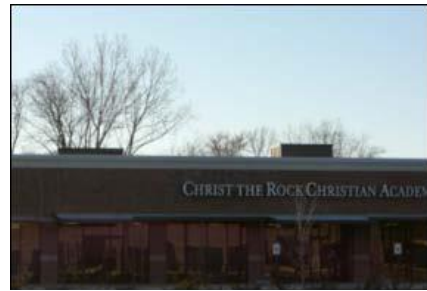
Inappropriate Design



Appropriate Roof Screening



Inappropriate Roof Screening



Appropriate Design



Inappropriate Design



Appropriate Garbage Collection Area



Inappropriate Garbage Collection Area



Appropriate Design



Inappropriate Design



12.7.13 Appeals

Any property owner aggrieved by a decision of the MPC board, Executive Director or any Administrative Official in the interpretation of the Architectural Design Standards ordinance, may file an appeal to the Board of Adjustments. An appeal shall be filed within ten (10) days from the date of the alleged erroneous order, requirement, decision, determination, or interpretation. Failure to do so within the prescribed period will constitute a waiver of all rights to an administrative hearing.

- A. An appeal must be filed with the MPC office and shall include the following:
 - 1. The name, address, and telephone number of the petitioner.
 - 2. The decisions being appealed and description of the appeal on an applicable application provided by the zoning office.
 - 3. Site plan of the property involved showing dimension of the lot, architectural elevations, and any proposed improvements thereon.
- B. Upon completion of an application provided by the MPC staff, the appeal shall be scheduled for a hearing by the Board of Adjustments on the next available regular meeting of the Board of Adjustments.

Article 13. Landscaping, Buffering, Screening and Fences

13.1 Purpose

This section is designated to provide standards for the installation and maintenance of landscaping, walls and screening devices so as to enhance the overall appearance of the community. This is accomplished by encouraging the installation of attractive landscaping along public streets and by screening from view those uses that may be unattractive to the public eye. Landscaping materials, including ground covers, shrubs and trees further facilitate the control of erosion and the reduction of glare and dust, as well as the visual softening of building masses. Walls and screening devices allow for the separation of unrelated uses and the combination thereof, help to effectuate privacy, logical development, and the enhancement of property values.

13.2 Applicability

13.2.1 Nonresidential

New nonresidential development in all districts shall be subject to all provisions of this section, provided that cumulative expansions of the floor area of buildings on a lot or building tract do not exceed fifty (50) percent of the existing floor area, shall not be subject to the requirements of this section.

A. Due to the unique characteristics and reduction of setbacks within the B-4; Downtown District, landscaping requirements are limited to the tree requirement for the off-street parking areas only.

13.2.2 Multi-family Residential

New multi-family residential development shall be subject to the following provisions of this section.

13.3 General Requirements

13.3.1 Landscape plan

Any proposed building or use shall be shown on a landscape plan indicating the location of existing and proposed buildings, parking areas, street improvements, locations and types of landscaped areas, walls, screening devices and watering devices. The appropriate number of copies of the landscape plan as outlined in the application packet shall be submitted to the Executive Director or designated representative at the time any application for a development plan or site plan is submitted. The Executive director or designated representative shall review and approve the landscape plan prior to approval of any development plan or site plan for the property. All landscape plans shall be in conformity with any development plan or site plan submitted for the property.

13.4 Waiver of Landscape Requirements

The MPC has the authority to waive or vary any portion of Sections 13.7 – 13.10.3 of this article and may do so where unusual circumstances, common sense and good judgment dictate. The affected business owner may submit a written request for waiver citing rationale therefore. The MPC will document their decision and rationale of all waiver requests and shall be reviewed following the procedures for a Conditional Use as stated in Section 3.3.2.

13.5 Enforcement

No Certificate of Occupancy shall be approved before completion of landscaping except as follows: If due to excessive heat or the seasonal nature of plant materials, landscaping has not been completed at the time that a Certificate of Occupancy could be granted, and such certificate is requested the zoning office may grant a temporary Certificate of Occupancy to the owner or his agent, which will be valid for a three month time limitation for completion of the landscaping requirements.

13.6 Maintenance requirements

13.6.1 Landscaped areas shall be reasonably maintained by the owner or the lessee of the property, including pruning, trimming, watering and other requirements necessary to create an attractive appearance for the development.

13.6.2 Any plant material not surviving shall be replaced within 30 days of its demise. The Executive Director designated representative may grant extensions because of excessive heat or seasonal requirements.

13.6.3 Lack of maintenance of required landscaping material shall constitute a violation of this chapter.

13.7 Landscaping Standards

13.7.1 Street yard landscaping

This is the area extending from the front building line to the street line. All undeveloped areas of the street yard shall be landscaped. Each lot or building tract shall be required to provide landscaped areas equal to the following minimum amounts.

- A. A minimum of 20 percent of the street yard of each lot or tract shall be landscaped.
- B. Landscaping required to satisfy other provisions of this section and lying within the street yard may be used to satisfy the requirements of this subsection.

13.7.2 Street buffer landscaping

The area of the lot adjacent to the street right-of-way line and extending into the lot for a minimum width as provided below shall be landscaped, except for necessary driveways. Street buffer landscaping shall count toward the 20 percent landscaping requirements.

- A. The minimum width of the landscaped street buffer, on arterial streets, as designated in the Comprehensive Plan, shall be 20 feet measured from the property line or street right of way.
- B. The minimum width of the landscaped street buffer for all other types of street classifications, whether public or private, shall be 10 feet measured from the property line.
- C. If the landscaping buffer is reduced, the business owner should compensate with additional landscaping in other areas on the site.
- D. The Planning Department may reduce the street buffer on arterials streets to no less than 10' in cases where strict enforcement of this code would result in undue hardship on the business owner. The business owner shall

provide additional landscaped areas, elsewhere on the site, to compensate for the loss of landscaped area due to the reduction of the street buffer.

13.7.3 Parking area landscaping

Landscaped areas shall be provided within off-street parking areas at a minimum ratio of 50 square feet per 10 parking spaces. Landscaped areas within parking lots shall be counted toward the 20 percent street yard-landscaping requirement.

13.7.4 Irrigation

All required landscaped areas shall include an irrigation system to provide for the maintenance of landscaping. The irrigation system shall be designed to provide water to 100 percent of the required landscaped areas.

13.8 Tree Planting Standards

13.8.1 Street buffer trees and shrubs

Trees shall be planted or existing trees preserved within the street buffer landscaping area according to the following provisions.

- A. Street buffer trees shall be provided in a ratio of 1 tree for every 30 feet of linear frontage. If overhead utility lines are present along the street buffer, the required trees shall be of a variety that does not exceed 25 feet in height at maturity.
- B. Street buffer trees shall be a minimum of three-inch caliper and shall be of a drought tolerant variety as noted below.
- C. Understory shrubs, designed to attain a minimum of three feet in height and be a minimum of 3 gallon in size at planting, shall be planted within the building frontage, in designated beds, at a ratio of 1 shrub per 3 lineal feet of street frontage.
- D. Additional trees may be substituted for up to 50% of the required amount of shrubs at the ratio of one (1) additional tree for every 10% of shrubs being substituted.
- E. Industrial developments are exempt from the understory shrub and irrigation requirement. Some means of irrigation is highly recommended and should be included as part of the landscaping plan.

13.8.2 Parking area trees

Trees shall be planted or existing trees preserved within off-street parking areas according to the following provisions.

- A. One tree shall be provided for each 10 parking spaces provided on the site.
- B. Parking area trees shall have a minimum of three-inch caliper at time of planting.
- C. All parking spaces shall be located within 75 feet of a tree that is located within the same parking area, measured from the trunk of the tree.

13.8.3 Tree species

Tree species included in the approved tree planting and replacement list shall satisfy the tree planting requirements of this section.

13.8.4 Measurement of trees

Unless specified otherwise, tree caliper shall be measured at a height of 12 inches above the ground. Multi-trunk trees shall be measured with the largest trunk at full caliper added to one-half of the remaining trunks at caliper.

- A. Multi trunk trees shall not be utilized within the street buffer, unless overhead utility lines are present, or for more than 50 percent of the total number of trees required to meet the landscaping requirements on a site.

13.8.5 Credit for large trees

- A. Existing trees that have either been preserved or replanted and meet the minimum standards of the following tree credit schedule may be substituted or credited against the requirements. Tree planting standards are as follows. Fractional measurements shall be rounded to the nearest whole number. Caliper width shall be measured at a point 4 feet above natural grade level.

Tree Credit Schedule	
Caliper Size (Diameter)	Tree Credits
Less than 3 inches	0
3-6 inches	1
7-10 inches	2
11-14 inches	3
15-20 inches	4
21-26 inches	5
27-32 inches	6
Greater than 32 inches	7

However, no tree credits shall be allowed or permitted for trees that are dead, dying, diseased, or infested with harmful insects; tree's which have not been adequately protected using required tree protection measures.

13.9 Screening standards

13.9.1 Parking areas

Parking areas should be screened from street view to a minimum height of 3 feet above the highest finished grade adjacent to the street or curb line of the parking area. Such screening may be accomplished by the use of a variety of plants and shrub or berms.

13.9.2 Outdoor storage areas

All outdoor storage areas for materials, trash, mechanical equipment (to include ground based satellite dishes), vehicles, or other similar items shall be screened from street view by a minimum 6-foot high screening device. Such screening device shall consist of wood fencing, or a wall constructed of or finished with materials to match the main building of the site.

13.9.3 Loading and service bays

All loading, delivery, and service bays, except for driveway openings, shall be screened from street view by a minimum 6-foot high screening device. Such screening device shall consist either of plant material or a wood, brick, masonry wall with stucco or mortar wash, or compatible alternatives approved by the Executive Director or designer. Repair bays in motor vehicle repair facilities shall not be oriented to face any arterial street. Service bays in motor vehicle service facilities such as, but not limited to oil change, automotive detailing or other similar types of service facilities shall not face arterial streets, but may apply to the MPC for Conditional Use approval of alternative means of screening the service bays from the street such as the use of berms and /or landscaping. Approval shall follow the procedures of Section 3.3.2.

13.9.4 Height of screening devices

The height of screening devices shall be measured from the highest finished adjacent grade of the element to be screened.

13.9.5 Screening Plant Selection List

Plants used to satisfy screening standards may include, but shall not be limited to, the following species.

Arborvitae (Arborvitae sp.)
Azaleas (Rhododendron sp.)
Cherry Laurel (Prunus caroliniana)
Elaeagnus (Elaeagnus sp.)
Glossy Privet (Ligustrum lucidum)
Hollies (Ilex sp.)
Indian Hawthorn (Raphiolepis indica)
Junipers (Juniperus sp.)
Oleander (Nerium oleander)
Pampas grass (Cortaderia selloana)
Photinia (Photinia fraseri – red tip)
Pittosporum (Pittosporum tobira)
Privet (Ligustrum sp.)
Pyracantha (Pyracantha sp.)
Sweet Viburnum (Viburnum sp.)

13.9.6 Recommended Tree List

Trees listed include attributes of each species. A good street tree is one that has a non-aggressive root system or a deep root system.

American Holly	Evergreen, acid soil, good screening street tree
Bald Cypress	Fast growing shade tree
Bradford Pear	Fast growing shade tree, drought tolerant
Bur Oak	Good street tree
Cedar Elm	Fast growing shade tree, good street tree
Chinese Pistachio	Fall color, drought tolerant
Crepe Myrtle	Flowering, good street tree
Dogwood	Flowering tree
Green Ash	Fast growing shade tree, drought tolerant
Honeylocust	Fast growing shade tree
Magnolia	Flowering tree, evergreen
Pecan	Edible nuts, large canopy
Red Cedar	Drought tolerant
Southern Red Oak	Fast growing shade tree
Tulip Poplar	Fast growing shade tree, good street tree
Water Oak	Fast growing shade tree, good street tree
White Oak	Good street tree

13.10 Residential compatibility standards

13.10.1 Applicability

The residential compatibility standards of this section apply to the following:

- A. Nonresidential development adjacent to single family residential property or an existing residence or vacant land zoned or designated on the Comprehensive Master Plan for residential use.
- B. Multi-family development adjacent to single-family detached residences or vacant land zoned or designated on the Comprehensive Master Plan for such use.

13.10.2 Compatibility buffer

A landscaped buffer shall be located on the site of the nonresidential or multi-family use along all property lines adjacent to the existing or proposed single family residential uses, subject to the following standards.

- A. Wood, brick, stone or masonry wall with all exterior finishes being the same, shall be constructed within the buffer. Such walls shall have no vehicular access point into or from an alley and shall be a minimum of 6 feet in height at the building line and shall be stepped down to a maximum height of 4 feet within the front building setback. Required fences or walls shall be adequately maintained, including replacing broken and warped boards or cracking and/or crumbling brick walls. If an existing fence or wall is utilized as part of the buffer, the maintenance of the existing wall shall be shared by both the owner of the existing fence or wall and the occupancy or use that is required to have the compatibility buffer installed.
- B. Landscaped setback shall consist of a minimum 10' of landscaped buffer for the B-1 zoning district and a 25' landscaped buffer for all other zoning districts. Evergreen trees being a minimum of 10' to 12' in height at time

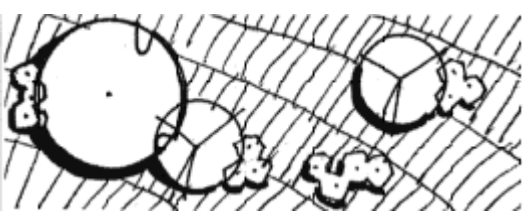
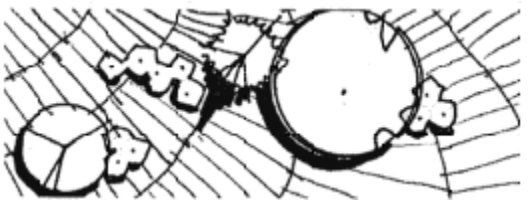
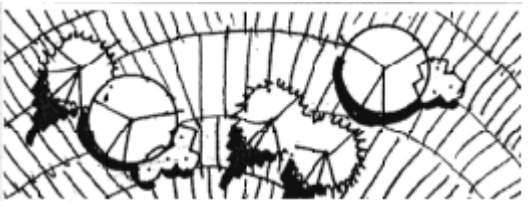
of planting and being a minimum of 3” caliper width shall be provided at a ratio of 1 tree per 20 lineal feet of buffer area and spaced evenly along and within the buffer.



13.10.3 Compatibility setback

- A. Nonresidential or multi-family buildings, main or accessory, shall be set back from the property adjacent to an existing or proposed residential use a minimum of forty feet (40’). This allows for the 25’ landscaped buffer, and a drive aisle between the properties. Drive aisles shall be placed on the building side of the buffer.
- B. Single story Nonresidential or Multi-family buildings may utilize a 25’ compatibility buffer, if the side of the building facing the adjacent residential property has no access to the general public and no parking or drive aisles exist between the building and adjacent residential property. The development shall still meet the additional setback requirement below if applicable. A 4’ wide sidewalk or 4’ square patio will be allowed within the compatibility buffer.
- C. Multiple story apartments or commercial buildings, adjacent to a Single Family residence or property zoned for single family development, shall be setback, on additional foot (1’) for every foot (1’) above the first floor level in addition to the compatibility buffer.

13.11 Plant Unit Options Table

For suggested groupings of plants and shrubs to satisfy the landscaping requirements of a site (see table below).

Plant Unit Options		
Plant Unit Options	Quantity, Size & Type of Plants	Illustration
Alternative Unit A	1 – 3 in. caliper Canopy Tree 2 – 1-1/2 in. cal./6’ high Understory 11 – 3 ft. high Shrub	
Alternative Unit B (see note 1 below)	1 – 2.5 in. caliper Canopy Tree 1 – 1-1/2 in. cal./6’ high Understory 1 – 8 ft. high Evergreen 11 – 3 ft. high Shrub	
Alternative Unit C (see note 1 below)	2 – 1-1/2 in. cal./6’ high Understory 3 – 8 ft. high Evergreen 7 – 3 in. high Shrub	

Plant Unit Options		
Plant Unit Options	Quantity, Size & Type of Plants	Illustration
Alternative Unit D (see note 1 below)	4 – 8 ft. high Evergreen 15 – 3 ft. high Shrub	
Alternative Unit E (see note 2 below)	2 – 3 in. caliper Canopy Tree 3 – 3 ft. high Shrub	

1. Preferred for year-round screen.
2. May be required where visibility is required for safe automobile operation.

13.12 Fences and Walls

Fences and walls may be permitted to enclose yards subject to the following:

13.12.1 Materials and Height

- A. All fences shall be constructed of materials expressly designed for fences, such as wood pickets, chain link, wrought iron or combination of masonry columns and any of the previously listed materials. All fences shall be maintained in a state of good repair. It is recommended that applicants review their subdivision covenants, if applicable before applying to the City or Parish for a building permit. Fence height is limited to seven (7) feet unless approved as a Conditional Use following the approval procedures of Section 3.3.2 and shall meet all or a portion of the below criteria:
1. May be approved as a component of a Planned Unit Development;
 2. May be utilized as an exterior perimeter fence for lots located on highways or other streets, railroads, and utilized for compatibility buffers, noise abatement or security.
 3. May be approved on the exterior perimeter of a subdivision as a component of the subdivision master development plan or subdivision plat.
 4. Wooden fences, taller than six (6) feet in height, shall have a minimum of three (3) cross members to prevent warping of the wooded pickets. Methods of construction, for fences taller than seven (7) feet in height, shall be reviewed as a component of the “Conditional Use” approval process
- B. On a corner lot, where a rear yard faces the street (on one side), any type of fence may extend from the rear property line along the building set back line at a height of 7 feet. Any fence that crosses the building setback line (front or side) shall not exceed 4 feet in height.

- C. Fences or perimeter walls along street yards that are also rear yards area allowed provided: The fence design along road frontages shall ensure a uniform appearance and shall conform to the street bufferyard requirements in Section 13.1.
- D. Masonry walls (brick, stone, etc.) or combination wrought iron/masonry are limited to the perimeter of subdivisions. All fencing between lots must be chain link or wood. Solid masonry, cinder block or a combination of masonry columns and wood are prohibited between lots within a residential subdivision unless approved as a component of a Planned Unit Development. Height of fences, within the PUD, shall be approved by the MPC zoning board as part of the development plan.
- E. In the A-1, A-2, I-1 and I-2 districts, security chain link fences shall be permitted within the front setback at a maximum height of 8 feet. It shall be determined by the zoning department that the fence does not interfere with visibility.
- F. Barbed wire, razor wire, spiked posts, electrified or similar fencing shall be a Permitted use in the R-A, A-1, A-2, I-1 and I-2 districts. In the B-Districts, this type of fencing must be approved by the Planning Commission as a Conditional Use following the procedures of Section 3.3.2, and shall not be located within 30 feet of an R-E, R-LD, R-MD or R-HD district boundary.
- G. In the RFD, RT and B- Districts, all fencing taller than 4 feet in a street yard must be approved as a Special Exception Use, Section 5.2.4.
- H. In all Residential Districts within the City Limits of Bossier City, fences up to eight (8') in height, may be approved by Special Exception Use, following the procedures of Section 3.3.3. The following shall apply:
 - 1. Fences taller than seven (7') feet in height shall not be erected between residences, unless the separation between the residences is at least twenty (20').
 - 2. If an active Home Owner's Association exists, approval of any fence taller than seven (7') must include review and approval by the HOA.
 - 3. The fence height should not exceed the fence height allowed within the subdivision covenants.
 - 4. The 8' fence shall meet the standards of 13.12.1.A.4 above.

13.12.2 Fences in Front or Street Yards

Fences in the front yard of corner and interior lots shall not exceed 4 feet high and shall be set back at least 1 foot from any sidewalks situated on the right-of-way.

- A. Within the unincorporated area of the Bossier Parish Metropolitan Planning Commission jurisdiction, residential front yard fences shall be approved only by Special Exception following the procedures of Section 3.3.3.
 - 1. Exceptions
Property zoned R-A; Residence Agriculture.

13.13 Clear Visibility Triangle

13.13.1 When any public right-of-way or access way intersects a public right-of-way or when the subject property abuts the intersection of two or more public rights-of-way, no fence, wall, hedge or other structure or planting shall be erected, placed or maintained that obstructs view at a level between three (3) feet and ten (10) feet above the street grade and within the clear visibility triangles as defined in Subsections (A) and (B) below. Within the clear visibility triangle, unobstructed cross-visibility shall be provided. However, trees having limbs and having foliage trimmed in such a manner that no limbs or foliage extend into the unobstructed cross-visibility area shall be allowed, provided they are located so as not to create a traffic hazard.



A. Corner Lot

On a lot at the corner of two public streets, the clear visibility triangle shall be formed by the intersecting street lines and a straight line joining the street lines at points which are the following minimum distances from the point of intersection measured along the street lines.

Table 13.13.1 Clear Visibility Triangle Distance Requirements	
Street Classification	Minimum Distance (feet)
Alley	15
Local Street	30
Collector	60
Arterial	120

B. Accessway

For an accessway other than a single-family residential driveway, the clear visibility triangle shall be formed by the intersecting lines of the accessway and the public right-of-way, and a straight line joining those two lines at points which are 15 feet distant from the point of intersection. The clear visibility triangle shall be formed on both sides of the accessway on the subject property.

13.13.2 Modification

- A. This clear visibility triangle standard may be modified by the Zoning Officer when deemed necessary by the City or Parish Engineer to ensure traffic safety.
- B. This clear visibility triangle standard shall not apply within the B-5 district.

Article 14. Manufactured Housing Park Standards

14.1 Purpose

Manufactured housing parks are permitted in the R-MHP district to provide locational opportunities for manufactured homes, constructed in accordance with standards of the U.S. Department of Housing and Urban Development. The manufactured housing park requirements are intended to provide standards for orderly development, adequate emergency vehicle circulation, open areas, and landscaping.

14.2 Districts Allowed

Manufactured Housing Parks are allowed only in the R-MHP district.

14.3 Area Requirements

All manufactured housing parks shall comply with the minimum lot area requirements contained in Table 6.2.

14.4 Types of Structures Allowed

All types of manufactured and modular homes, as defined in Article 18 of this code, are permitted in manufactured home parks. Recreational Vehicles, that are utilized for permanent housing may not occupy more than 50 percent of the Manufactured Housing Park.

14.5 General Park Requirements

14.5.1 Perimeter Landscape Area

All manufactured housing parks shall comply with the bufferyard standards contained in Article 13 of this Code.

14.5.2 Required Outdoor Areas

An outdoor area of 2,500 square feet or 100 square feet per manufactured housing site, whichever is greater, is required. There may be more than one outdoor area and each must be at least 2,500 square feet. Required open areas must be available for the use of all park residents.

14.5.3 Trees

Trees are required along all public or private streets with spacing of 40 feet.

14.5.4 Other Structures

Other structures within the manufactured housing park for uses accessory to the operation of the park, such as laundries, storage, garages, park offices, and recreational facilities are allowed and are subject to the setback and height requirements for the R-MHP district. Any accessory use that draws its trade from outside the park is prohibited. These structures may not be located within required outdoor areas.

14.6 Parking and Circulation

14.6.1 Parking

One parking space per unit is required. This parking space must be located in the area designated as part of a manufactured home space. The parking space must be paved in accordance with the standard specified in Subsection 12.5.14.E.

14.6.2 Circulation

Access and circulation within the manufactured housing park shall be provided by streets, public or private, or driveways. Access must be provided to each space. Circulation plans for manufactured housing parks must be approved by the Fire Chief of the jurisdiction in which the park is located.

- A. All private streets must be a minimum of 25 feet in width, or 30 feet if parking is allowed on the street.
- B. Streets that do not allow parking must be posted as not allowing parking.
- C. All streets, public or private, must meet the construction standards as stated in Section 11.5.2 of this code.
- D. All streets must be named and posted with their names.

14.7 Individual Manufactured Home Space Requirements

14.7.1 Minimum Lot Width and Depth

Spaces for manufactured homes must be a minimum of 35 feet. Individual spaces shall be designed with enough depth to accommodate a manufactured home that is eighty (80) feet in length and meet all building setbacks required in this Article and lot area requirements of Section 6.2.

14.7.2 Access

In addition to the dimensional standards contained in this Article, manufactured housing parks shall comply with the applicable design standards in Article 12. Each space must have access to a street constructed in accordance with the requirements in Subsection 14.6.2. Site Plan Review, as specified in Section 3.7 is required for initial approval or expansion.

14.7.3 Other Requirements

- A. Drainage and Utility Systems
 - 1. Each unit shall be provided adequate drainage and utility easements approved by the City or Parish Engineer.
 - 2. The park owner shall meet the minimum requirements established of all utility providers.

B. Sanitation

The park owner shall provide for solid waste and trash pickup and disposal.

C. Tie-Downs

Every manufactured home to be located in a manufactured housing park shall be equipped with adequate foundations and tie-downs, intended to secure such units against movement, settling and overturning.

1. Number of Tie-Downs Required

All manufactured housing sites shall be provided with tie-downs in accordance with Table 14.7.3

Table 14.7.3 Manufactured Home Park Tie-Down Requirements	
Length of Frame	Number of Ties
Up to 30 feet	2 per side
30 feet to 49 feet	3 per side
50 feet to 69 feet	4 per side
70 feet or longer	5 per side

2. Ground Anchors

In instances where the unit is not tied down to a slab, ground anchors may be provided. The following standards shall apply:

- a. Anchors shall be bolted on concrete, screw auger or anchor driven or any other type manufactured and approved for use.
- b. All anchors shall be galvanized, high tensile steel, not less than 5/8 inch in diameter, with drop forged closed eye or any other approved method of anchorage. All anchors shall be at least 4 feet long, installed to full depth according to manufacturers' recommendation, with only the eye protruding above grade for connecting the tie-down system.
- c. Connections to the housing unit I-beam frame shall be a 5/8 inch or larger drop forged closed eye, bolted through a hole drilled through the frame or by any other approved and adequate wrap-around, hood or clamp method.
- d. Drop forged turnbuckles no less than 5/8 inch with closed eyes and screw pins shall be attached to the frame above and to the ground anchor below, and securely tightened in place. Steel straps or cables may be used in lieu of turnbuckles if they are of equal or greater strength and are securely tightened in place with a tensioning tool and clamped.

14.8 Recreational Vehicle (RV) Park Standards

14.8.1 Applicability

This section applies to recreational vehicle parks only. RV parks are considered as privately-owned campgrounds and are classified in Section 5.4 as “Commercial Recreation/Entertainment, Outdoor” and are permitted only in districts where uses in this category are allowed.

14.8.2 Permitted Activities

- A. Overnight stays in a motorized or non-motorized recreational vehicle is permitted. The vehicle shall be specifically designed or modified for overnight accommodation.
- B. Overnight stays in tents or cabins for a period of 30 day or less is permitted with approval by the Executive Director provided:
 - 1. The recreational vehicle park is located at least 1,000 feet from an R-E, R-LD, R-MD, or R-HD district.
 - 2. The area for tents or cabins consists of less than 30 percent of the total area of the park.
 - 3. The area for tents or cabins is clearly designated as a separate area from the motorized and non-motorized recreational vehicles.
 - 4. Overnight stays longer than a period of 30 days may be approved by the Metropolitan Planning Commission as a Conditional Use following the procedures of Section 3.3.2 of this code.

14.8.3 Park Area

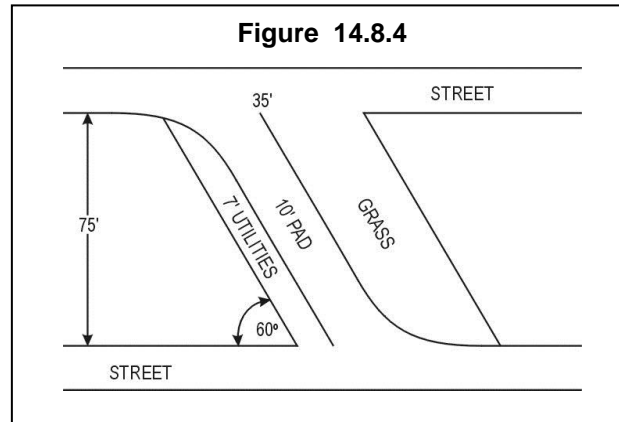
Recreational vehicle parks shall have a minimum area of 10 acres.

14.8.4 Lot Configuration

- A. Minimum size shall be 35 feet by 65 feet.
- B. Pull-through lots should be at a 60-degree angle.
- C. Lots along the perimeter may be at a 90-degree angle.
- D. Setbacks must conform with the requirements in Table 14.8.4.

Table 14.8.4 RV Park Setback Requirements	
Yard	Setback
Rear for Lots Along Exterior Boundary:	
Abutting R-E, R-LD, R-MD, R-HD Districts	40 ft.
Abutting Any Other District	5 ft.
Side Lot Lines from Parking Pad	7 ft.
From Interior Streets and Sidewalks	3 ft.

- E. Parking pads should be placed such that the side yard will be on the right side of the recreational vehicle, so that the vehicle's entry door opens to the yard. See Figure 14.8.4 below.



14.8.5 Special Conditions

- A. Adequate sidewalks shall be provided for access to any buildings used by park patrons, such as pavilion, laundry, showers or restrooms.
- B. A drainage plan shall be approved by the City or Parish Engineer
- C. Sanitation, fire protection and utility services shall be provided with approval by appropriate City, Parish, or State authorities.
- D. The park owner shall be responsible for private solid waste services.
- E. Street lighting shall be placed along interior streets with a minimum of 200 feet spacing and a maximum of 300 feet. All electrical supply lines for street lights shall be underground.
- F. If entry to the recreational vehicle park is from a Principal Arterial, acceleration and deceleration lanes shall be provided with approval by the Louisiana Department of Transportation and Development, or the City or Parish Engineer.

Article 15. Modification of Standards

15.1 Purpose

This Article provides additional conditions and exceptions to the standards or procedures specified in all other Articles of this Code.

15.2 Supplementary Lot Area Standards

15.2.1 Dwelling on Small Building Site

Where a lot, which is an existing lot of record prior to the effective date of this Code, is located in an R-E, R-LD or R-MD district and contains an area less than the required building site area for the district, such lot may be used as the building site for a single-family dwelling.

15.2.2 Visibility at Intersections

Clear visibility at intersections of local, collector and arterial streets shall be maintained in accordance with Section 13.13 of this Code.

15.3 Supplementary Height Standards

15.3.1 Height Exceptions

The height limits for the various districts shall not apply to church spires or belfries, nor to chimneys, ventilators, skylights, water tanks, parapet walls, cornices, or necessary mechanical appurtenances usually carried above the roof level, provided that such features are limited to that height necessary for their proper functioning.

15.3.2 Excess Height

In any district except the R-E and R-LD districts, a principal structure may be erected or altered to a height in excess of that specified for the district in Section 6.3 in which the structure is located provided that:

- A. Approval shall be granted by the Executive Director. However, approval may be escalated to the Metropolitan Planning Commission in accordance with Subsection 3.3.1.E.
- B. Each required front, side, and rear yard is increased 1 foot for each foot of such excess height.
- C. 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 1 foot for each 2 feet of such excess height.
- D. The principal structure shall be located a minimum of 500 feet from the closest R-E or R-LD district boundary.
- E. If the principal structure is located nearer than 500 feet from the closest R-E or R-LD district, excess height shall be reviewed following the procedures for a Variance as stated in Section 3.6.1 of this code. Measurement shall be taken in a straight line, without regard to intervening structures or objects, from the nearest property line of the tract requiring the variance to the nearest residentially zoned tract.

15.4 Supplementary Yard Standards

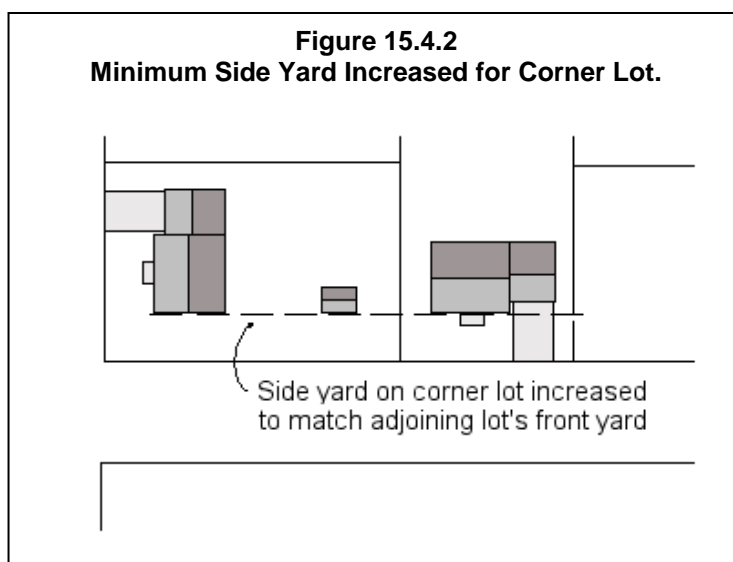
15.4.1 Front Yard Depth

In any residential district, including the R-A district, any building site lying between two adjacent building sites having dwellings erected on them shall have a front yard equal in depth at least to the average depth of the front yards of the two adjacent building sites; provided, however, that no front yard shall be less than 20 feet in depth, and no front yard shall be required to be more than 30 percent of the depth of the building site.

15.4.2 Additional Side Yard Width for Corner Lots

In any district, a corner lot abutting a lot facing toward the intersecting street shall have provided on the intersecting or side street side of the corner lot a side yard having a width equal at least to the depth of the required front yard for a structure on the lot to the rear of the corner lot;

- A. All principal and accessory structures shall be located behind this modified side yard setback line, as shown in Figure 15.4.2.
- B. This subsection shall not be applied to reduce the buildable width of the corner lot to less than 30 feet nor require a side yard of more than 20 feet. Side yards facing a Principal Arterial shall maintain a 50' setback.
- C. The provisions of this subsection shall apply if the intersecting street is undeveloped but intended for future improvement.



15.4.3 Projecting Architectural Features

- A. 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; bay, bow, and oriel windows and similar architectural features, provided that such projections shall not extend more than 2 feet into any required yard.
- B. In the R-A, R-E, and R-LD districts, an unenclosed front porch of a residential structure may project into the required front yard by up to 10 feet.

- C. Open fire escapes may extend into any required yard not more than 3-1/2 feet.
- D. Structures that provide accessibility for the handicapped, including uncovered ramps, shall be permitted in any setback.

15.5 Nuisance Factors

15.5.1 Noise

There shall be no production by any use or occupancy of noise at any boundary of the lot that is in excess of the average intensity of street and traffic noise at that boundary.

15.5.2 Heat, Glare and Vibration

There shall be no emission by any use or occupancy of objectionable heat, glare or vibration that is humanly perceptible beyond any boundary of the lot on which the use is located.

15.5.3 Dust, Dirt, Odors, Gases, Smoke and Radiation

There shall be no emission by any use or occupancy of dust, dirt, odors, gases, smoke or radiation beyond the boundary of the lot that is:

- A. In an obnoxious or dangerous amount.
- B. That does not comply with any appropriate state and Federal statutes, codes, regulations or consent agreements.

15.5.4 Hazards

- A. There shall not be created or maintained by any use or occupancy any unusual fire, explosion or safety hazard beyond the boundary of the lot on which the use or occupancy is located.
- B. Adequate security fencing or other barriers shall be provided to prevent intrusion into outdoor storage areas containing substances having associated fire, explosion or safety hazards.

15.5.5 Wastes

No materials or waste shall be stored in such a manner that they may be transferred off the lot by natural forces or causes.

15.5.6 Hours of Operation

- A. Commercial Districts
 - 1. In the B-1; Commercial Office District, no commercial or service establishment shall be open before 6:00 a.m. and after 7:00 p.m.
 - 2. In the B-2; Limited Business District, no commercial or service establishment shall be open before 6:00 a.m. and later than 12:00 midnight.

15.5.7 Limited and Extended Hours of Operation

A. Retail and Service establishments in the B-2 and B-3 zoning classifications when located within 300' of a residentially zoned property other than the R-A, are limited in hours of operation. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the residentially zoned property. The limited hours of operation are as follows:

1. In the B-2; Limited Business District, no retail or service establishment shall be open for business before 6:00 a.m. or after 10:00 p.m.
2. In the B-3; General Business District, no retail or service establishment shall be open for business before 6:00 a.m. or after 12:00 a.m.

B. Retail and Service establishments desiring to be open longer than the above stated hours may be permitted as a Conditional Use as described in Section 3.3.2, subject to any or all of the following conditions:

1. Extended hours of operation in the B-2; Limited Business District is limited to 12:00 a.m.
2. Public hearing notification shall follow the same procedure as for a Zoning Amendment.
3. Parking areas shall be configured or screened so as to prevent vehicular headlights from shining into nearby residentially zoned property. Landscaping buffers and screening shall be maintained in accordance with Article 13.
4. Deliveries and trash pickup shall be only permitted between the hours of 7:00 a.m. and 9:00 p.m.
5. All exterior site and building lighting shall comply with requirements of Article 12.
6. Ingress and Egress drives and primary circulation lanes shall be located away from residential areas where practical; to minimize vehicular traffic and noise which may be a nuisance to adjacent residential areas.
7. All building entrances and exits intended to be utilized by patrons shall be located on the side or sides of the building, which do not abut residentially zoned property, whenever possible, to minimize the potential for patrons to congregate and created noise which may become a nuisance to adjacent residential property.
8. For any Conditional Use approval for extended hours of operation, the Planning Commission may limit hours of operation during certain days of the week, month, or year as deemed necessary to protect the surrounding residential property.

Article 16. Conflicting Provisions and Severability

16.1 Conflicting Provisions

16.1.1 Conflict with State or Federal Regulations

If the provisions of this Ordinance are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls on development.

16.1.2 Conflict with other City or Parish Regulations

If the provisions of this Ordinance are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the city or parish, the more restrictive provision will control. The more restrictive provision is the one that imposes greater restrictions or more stringent controls on development.

16.1.3 Conflict with Private Agreements

This Ordinance is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. If the provisions of this Ordinance impose a greater restriction than imposed by a private agreement, the provisions of this Ordinance will control. If the provisions of a valid, enforceable private agreement impose a greater restriction than this Ordinance, the provisions of the private agreement will control. The parish does not enforce or maintain a record of private agreements.

16.2 Severability

Should any section or provision of this Ordinance be decided by the courts to be unconstitutional or invalid, such decisions will not affect the validity of the Ordinance as a whole or any part of it other than the ones held to be unconstitutional or invalid.

Article 17. Enforcement and Penalties

17.1 Violations

Any of the following shall be a violation of this Code:

- 17.1.1** To use or attempt to use any land, building or temporary structure in any way not consistent with the requirements of this Code;
- 17.1.2** To erect or attempt to erect a building or other structure in any way not consistent with the requirements of this Code;
- 17.1.3** To engage or attempt to engage in the development or subdivision of land in any way not consistent with the requirements of this Code;
- 17.1.4** To transfer title to any lots or parts of a development unless the land development plan or subdivision has received all approvals required under this Code and an approved plan or plat, if required, has been filed in the appropriate Parish office;
- 17.1.5** To submit for recording with a Parish office any subdivision plat or other land development plan that has not been approved in accordance with the requirements of this Code;
- 17.1.6** To install or use a sign in any way not consistent with the requirements of this Code;
- 17.1.7** To engage in the use of a building or land, the use or installation of a sign, the subdivision or development of land or any other activity requiring one or more approvals or permits under this Code without obtaining all such required approvals or permits
- 17.1.8** To engage in the use of a building or land, the use or installation of a sign, the subdivision or development of land or any other activity requiring one or more approvals or permits under this Code in any way inconsistent with any such approval or permit and any conditions imposed;
- 17.1.9** To use land for any purpose other than as specifically identified on an approved site development plan (e.g. using designated open space, parking spaces or walkways for display or storage; parking in open space or buffer areas) or as otherwise required by this Code;
- 17.1.10** To violate the terms of any approval or permit granted under this Code or any condition imposed on such approval or permit;
- 17.1.11** To obscure or obstruct any notice required to be posted or otherwise given under this Code;
- 17.1.12** To violate any lawful order issued by any person or entity under this Code;
- 17.1.13** To continue any violation as defined above, with each day of continued violation to be considered a separate violation for purposes of computing cumulative civil or criminal penalties.

17.2 Enforcement Responsibility, Complaints

17.2.1 Responsibility

The responsibility for the enforcement of this Code is delegated to the Executive Director.

17.2.2 Notice

If the Executive Director or an official designee shall find that any of the provisions of this Code are being or have been violated, he/she shall notify in writing the person responsible for such violations, setting forth the nature of the violation and order the action necessary to correct it.

17.2.3 Complaints

- A. Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file a signed written complaint with the Planning and Zoning office. Such complaint shall state fully the causes and basis thereof.
- B. The Executive Director shall properly record such complaint, and investigate to determine the validity of the charge, and take whatever action is necessary to assure compliance with this Code.

17.2.4 Authority

The Executive Director and inspection staff of the MPC office or Bossier City and Bossier Parish Inspections Department shall have the authority to enter upon the premises subject to this Code for the purpose of enforcing the provisions of this Code.

17.3 Enforcement Actions by City or Parish

On behalf of the City or Parish, the Executive Director may take any one or more of the following actions as a remedy for any violation of this Code.

- 17.3.1** Withhold or revoke any approvals, permits or Certificates of Occupancies required by this Code.
- 17.3.2** Issue stop orders against any work undertaken by an entity not having a proper approval or permit required by this Code.
- 17.3.3** Issue stop orders against any previously approved actions in violation of this Code.
- 17.3.4** Request the Bossier City Permits Department and/or Bossier Parish building code enforcement authority to issue a stop order on any previously approved building permits
- 17.3.5** Bring an action for an injunction (or, in appropriate cases, for mandamus) to prevent the violation and/or to prevent the occupancy or use of any site or structure involved in the violation.
- 17.3.6** Bring an action for injunction or mandamus to abate a violation.

17.3.7 Prosecute the violation as a misdemeanor.

17.4 Other Enforcement Actions

An adjacent or neighboring property owner who would be specially damaged by any violation may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate the violation, or to prevent the occupancy of the building, structure or land. This is in addition to the right of the City or Parish to bring an enforcement action.

17.5 Impoundment of Signs

17.5.1 In addition to other remedies listed above, the Executive Director shall have the authority to remove and hold any sign or sign structure subject to impoundment by the provisions of this Code.

17.5.2 The following signs shall be subject to impoundment:

- A. Any prohibited temporary or portable sign, as listed in Subsection 3.4.1A, is subject to impoundment without notice to the owner.
- B. Any sign that is installed or used in any way not consistent with these requirements of this Code, provided that notice has been given as set forth in Subsection 3.4.1 A, and no action has been taken by the owner within the specified timeframe.
- C. The owner of an impounded sign or sign structure may recover same upon the payment of \$50.00 for each sign plus the costs of removal. In the event it is not claimed within 10 days from the date of impoundment, the Executive Director shall have authority to dispose of such sign or sign structure without compensation to the owner.

17.6 Violations Under Previous Zoning Ordinance Continue

17.6.1 Any violation of the Bossier City-Parish Zoning Ordinance (Bossier City Ordinance #33 of 1978 and Bossier Parish Ordinance #783 of 1978) that was in effect prior to the adoption of this Code shall continue to be a violation. Resolving the violation shall require conformance to the regulations in effect at the time the violation is terminated, not regulations that may have been in effect at the time the violation was initiated.

17.6.2 Any violation that was not discovered by the Metropolitan Planning Commission under the previous Ordinances shall be resolved under the provisions of this Code. The lack of prior enforcement shall not constitute any degree of recognition, approval or entitlement.

17.7 Penalties

17.7.1 Fine and Imprisonment

Any person violating any provisions of this Code shall be guilty of a misdemeanor and upon the conviction thereof shall forfeit and pay such penalties as the court may decide as prescribed by Louisiana law, not to exceed \$500.00 or 30 days imprisonment or both for each violation. Each day's continued violation shall constitute a separate offense.

17.7.2 Further Penalties

In the event any development activity is undertaken prior to approval and issuance of a zoning permit and if the developer is declared guilty by a court of competent jurisdiction in accordance with the provisions of this Article, in addition to other prescribed remedies in this Article, the Executive Director shall not consider the developer's application for site plan approval and subsequent issuance of a zoning permit for that project for a period not to exceed 90 days from the date of determination of violation.

17.7.3 Other Action

Nothing herein shall prevent the City or Parish from taking such other lawful action as is necessary to prevent or remedy any violation.

Article 18. Definitions

18.1 Word Usage

- 18.1.1** Words used in the singular include the plural. The reverse is also true.
- 18.1.2** Words used in the present tense include the future tense. The reverse is also true.
- 18.1.3** The words "shall," "will," "must," and "may not" are mandatory.
- 18.1.4** "May" and "Should" are permissive.
- 18.1.5** When used with numbers, "Up to x," "Not more than x" and "a maximum of x" all include x.
- 18.1.6** Unless the context otherwise clearly indicates, conjunctions have the following meanings:
- A. "And" indicates that all connected items or provisions apply;
 - B. "Or" indicates that the connected items or provisions may apply singularly and in combination.

18.2 General Definitions

18.2.1 Accessory Structure or Building

A detached subordinate structure or building located on the same building site with the main building, the use of which is incidental to that of the main building.

18.2.2 Accessory Structures, Self Service

A detached structure or vending machine with a footprint of over 50 sq.ft. The vending machine or structure is located on the same building site with the main building. The general public is the primary user of the vending machine or structure.

18.2.3 Accessory Use

A use customarily incidental to the principal use of a building site or to a building and located upon the same building site with the accessory use.

18.2.4 Air Installation Compatible Use Zone (AICUZ)

An area, delineated by U.S. Air Force studies of a community, that is potentially impacted by accident hazards and noise created by aircraft operations at an adjacent or nearby Air Force facility.

18.2.5 Alley

A minor public right-of-way between rear or side property lines, which provides vehicular access to properties otherwise abutting on a street.

18.2.6 Alteration

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

18.2.7 Antenna

A device or system of wires, poles, rods, dishes, discs or similar devices used for the transmission and /or receipt of electromagnetic waves.

18.2.8 Automobile Salvage Yard

Any collection or aggregation of two (2) or more wrecked, junked, burned, salvaged or inoperative motor vehicles owned by one person, corporation, business firm or interest.

18.2.9 Bond

A type of security or collateral posted by a land developer approved by the City or Parish Attorney that guarantees that all required improvements are installed and maintained according to the approved plans, design criteria, approval conditions and other development standards of this Code.

18.2.10 Building

Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind. This term does not include manufactured homes, mobile homes or trailers.

18.2.11 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.

18.2.12 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.

18.2.13 Building Frontage

The length of a building face or side that faces upon a street or upon a parking and/or landscaped area between the building and a street.

18.2.14 Cellular Service

A wireless transmission technology that uses a grid of antennas or cell sites to send and receive signals from mobile telephones.

18.2.15 City

City of Bossier City, being in Bossier Parish, State of Louisiana.

18.2.16 Co-location

A telecommunications facility comprising a single telecommunications tower, monopole or building supporting antennas owned or used by more than one telecommunications carrier.

18.2.17 Code

The Bossier City-Parish Unified Development Code.

18.2.18 Conservation Subdivision

A subdivision characterized by common open space and clustered lots, intended to preserve open space and/or natural resources while allowing for the maximum number of dwelling units permitted within its zoning district.

18.2.19 Cul-de-sac

A short street having but one end open to traffic and being terminated at the other end by a vehicular turnaround.

18.2.20 Development

Development shall consist of any of the following:

- A. Any use or extension of the use of land
- B. Construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure
- C. Any mining, excavation, landfill or land disturbance
- D. Division of a parcel of land into two or more parcels

18.2.21 Director

See Executive Director.

18.2.22 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.

18.2.23 Dwelling, Single-Family

A detached building containing one dwelling unit and used exclusively by one family.

18.2.24 Dwelling, Two-Family

A detached building containing two dwelling units and used by two families living independently of each other.

18.2.25 Dwelling, Multiple-Family

A detached building containing three or more dwelling units and used by three or more families living independently of each other.

18.2.26 Dwelling, Accessory Unit

A detached single family dwelling constructed for the purpose of being utilized as a guest house for visitors.

18.2.27 Easement

A grant by a property owner of the use of a strip of land by another for specific purposes.

18.2.28 Equipment Structure

The electronic equipment housed in cabinets that together with antennas comprises a PCS facility or “site”. The cabinets include an air conditioning unit, heating unit, electrical supply, telephone hook-up and back-up power supply.

18.2.29 Executive Director

The Executive Director of the Bossier City/Parish Metropolitan Planning Commission, or any City or Parish employee officially delegated to act in his or her capacity in the performance of a specific administrative function.

18.2.30 Facade Mounted Antenna

An antenna that is directly attached or affixed to any facade of a building. Also known as a building mounted antenna.

18.2.31 Fall Zone

A fall zone is an area around a telecommunications facility within which no other structure or property or use can be located.

18.2.32 Family

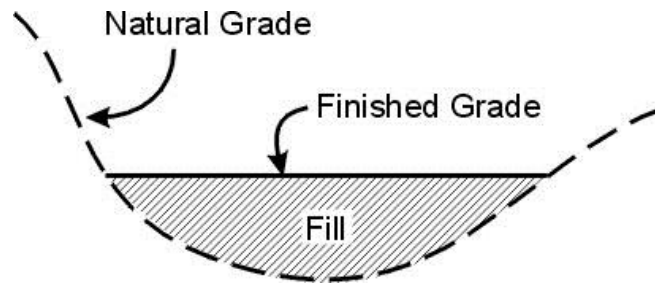
- A. One or more persons, including not more than four lodgers or boarders, living together as a single housekeeping unit.
- B. A group of individuals consisting of up to 6 unrelated residents with up to 2 live-in counselors, as defined by Louisiana Law, living together as a household.

18.2.33 FCC

Federal Communications Commission – the federal government agency that licenses all radio, television, and other broadcasting services.

18.2.34 Fill

Sand, gravel, earth, or other materials of any composition placed or deposited by humans.

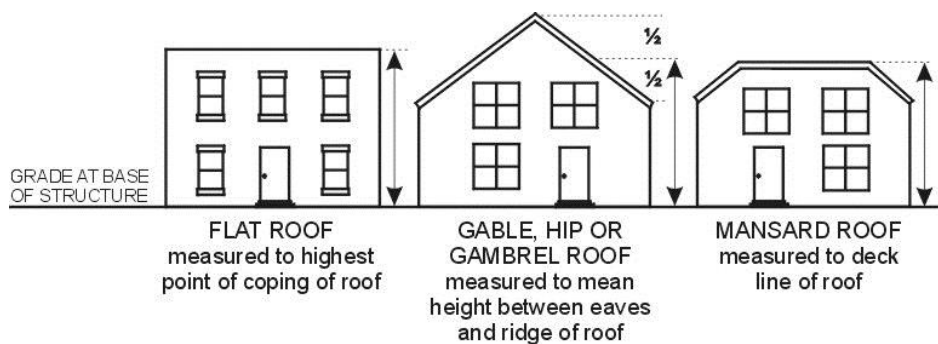


18.2.35 Gross floor area

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

18.2.36 Height, Building

The vertical distance from grade at the base of the structure to the highest point of the coping of a flat roof; the deck line of a mansard roof; or the mean height between eaves and ridge for gable, hip and gambrel roofs.



18.2.37 Home occupation

Any 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 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 25 percent 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 including the employment of no more than one non-resident employee.

18.2.38 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 guests, or both, and where no provision is made for cooking in any guest room; the term includes “motel.”

18.2.39 Hospital

An institution providing health services, primarily for in-patients, and medical and surgical care of the sick or injured including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities, and staff offices.

18.2.40 Improvements

Hard street surfacing with or without curb and gutter, sidewalks, crosswalk ways, water mains, sanitary sewer lines, storm drainage lines, and utilities.

18.2.41 Interstates

Interstate Highways I-20 and I-220

18.2.42 Inoperable Vehicle

Any motor vehicle with a non-functioning engine, and not possessing a current registration and/or not having a current inspection sticker.

18.2.43 Lattice, or Guy-Wired Antenna

An antenna with its support structure placed directly on the ground.

18.2.44 Lot Area

The total two-dimensional area within the lot lines of a lot, excluding any street rights-of-way.

18.2.45 Lot, Corner

A lot adjacent to two or more streets at their intersection.

18.2.46 Lot, Flag

A lot not meeting minimum frontage requirements and where access to a public or private road is by a narrow strip of land (flagpole or staff) which is used as private access to the bulk of the lot which is at the rear.

18.2.47 Lot Frontage

The front dimension of a lot measured along the street right-of-way.

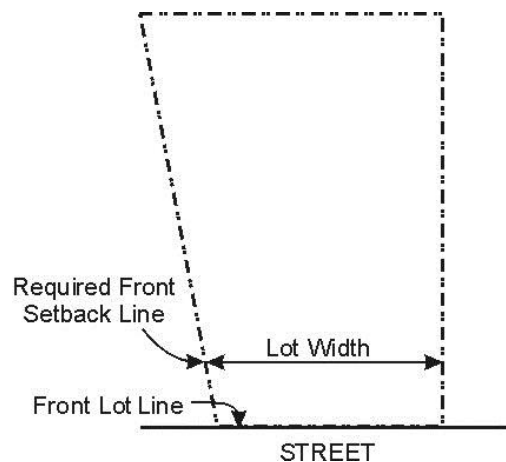
18.2.48 Lot of Record

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 Bossier 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 Bossier Parish.

18.2.49 Lot Width

The distance between the side lot lines at the point of the required front setback line measured parallel to the street right-of-way line.

18.2.50 Major Arterial



Any public street designated as a “major arterial” on the most current, adopted Major Street Plan.

18.2.51 Manufactured Housing

- A. A manufactured home is a factory built home under the Manufactured Home Construction and safety standards of HUD. Formerly known as a mobile home, the HUD inspected homes carry a red certification label on the exterior of each section. They are built on a permanent chassis and are transported in one or more sections.
- B. Manufactured homes are the successor to the mobile home. They are manufactured and sold in the traditional single-section styles, as well as homes assembled from two or more sections.

18.2.52 Modular Home

- A. A dwelling unit composed of individual, pre-constructed sections that are built at an off-premise facility, transportable in one or more sections, not constructed on a permanent chassis, placed on a permanent foundation, and assembled for permanent residential use. The structure is attached to the foundation without the chassis, towing hitch, brakes, axles, wheels and other parts of the chassis that only operate during transportation.
- B. To qualify for this definition, a modular home must be fabricated in a factory whose products are certified to meet all requirements of the Louisiana State Uniform Construction Code.

18.2.53 Monopole

A stand-alone structure that is composed of a single spire used to support communications equipment.

18.2.54 Monument

A structure, which stands or remains, to keep in remembrance something about the past; a memorial that has been executed with the specific intention of being sited or staged in the public domain, usually outside and accessible to all. It shall be site specific and physically accessible. Monuments may be commissioned if installed for public improvement, community enhancement or streetscape renovation.

18.2.55 Motor Vehicle Service and Repair

Any establishment engaged in performing maintenance, service or repairs of motor vehicles such as, but not limited to, automobiles, trucks, boats or motorcycles. This includes, but is not limited to, repairing mechanical problems, reconditioning or restoration, analyzing, diagnosing or altering the operation or appearance of various types of motor vehicles.

18.2.56 MPC

Bossier City/Parish Metropolitan Planning Commission

18.2.57 Nonconforming Use

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

18.2.58 Nonresidential Complex

One or more nonresidential uses in a single building or sharing a common parking area.

18.2.59 Nonresidential District

A commercial, industrial, or special purpose district pursuant to this Unified Development Code.

18.2.60 Nonresidential Use

A single public and institutional, commercial, industrial, or utilities and transportation use, as those categories are used in the Use Table at Section 5.3, on a single premises and under individual or common ownership.

18.2.61 Off-Premise Outdoor Advertising Device

Any outdoor sign, display, figure, painting, drawing, message, plaque, poster, billboard, flag, or any other thing 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 travel way of the interstate system or public streets of the City or Parish. Signs with subject matter relating to the premises (business signs) or signs of a non-commercial nature placed on the premises by the owner or occupant thereof shall not be considered off-premise signs for any purpose of the ordinance.

18.2.62 Off-Premise Outdoor Advertising Device (New Location)

Any location, allowed by Article 9, that has not previously had a legal Off-premise Outdoor Advertising Device located on a single parcel.

18.2.63 Official Map

The map established by the City Council pursuant to the provisions of Act 189 of the 1954 Louisiana Legislature, showing the streets existing and established as public streets and the lines of planned new streets or street extensions, widenings, narrowings, or vacations.

18.2.64 Operational Site Plan

An accurate, scaled drawing showing not only the location of buildings, landscaping, screening, trash storage and disposal, parking, and circulation to describe the existing and proposed development of a specified commercial site, but also the exterior location of activities proposed or approved to be conducted on the site, such as, without limitation, bulk sales of garden landscaping material, seasonal retail displays, and any planned temporary retail displays that encroach on any public or private sidewalks on the site.

18.2.65 Parish

Bossier Parish, Louisiana

18.2.66 Parkway

Arthur Ray Teague Parkway.

18.2.67 Plaque

A sign made of bronze, etched into masonry, or otherwise made of similar material bearing historical data on a property or structure that is a historic landmark.

18.2.68 Premise

Any parcel of land, being the smallest of the following:

- A. If in a subdivision, a lot;
- B. All adjoining property under common ownership; or
- C. Any lot or lots designated by the Bossier Parish Assessor as a single parcel.

18.2.69 Public Street

Any street dedicated to the public and accepted by the City or Parish for maintenance.

18.2.70 Radio Frequency Transmission Facility

Radio Frequency Transmission Facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Towers may be self-supporting, guyed, or mounted on poles or buildings.

18.2.71 Recreational Vehicle

A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use.

18.2.72 Religious Institution

A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building together with its accessory.

18.2.73 Roof Mounted Antenna

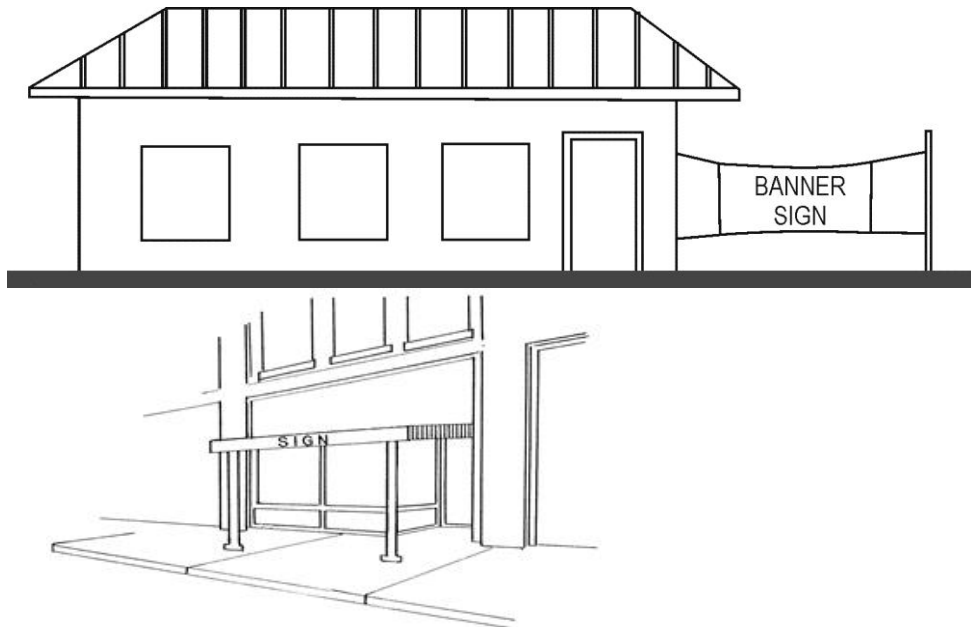
An antenna directly attached or affixed to the roof of an existing building, water tank, tower or structure other than a telecommunications tower.

18.2.74 Sign, Banner

A sign of lightweight fabric or similar material attached at one or more edges to a pole, building, or structure, except that a flag is not a banner.

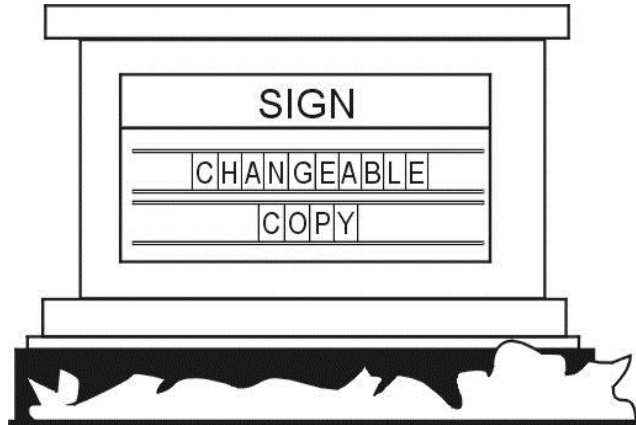
18.2.75 Sign, Canopy

A sign that is part of, or attached to, an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee sign is not a canopy sign.



18.2.76 Sign, Changeable Copy Sign

A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign.



18.2.77 Sign, Electrically Animated

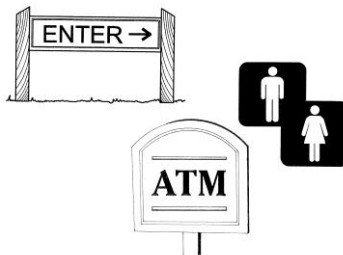
A sign that uses movement caused or powered by electricity to depict action or create a special effect or scene.

18.2.78 Sign, Flag

Any fabric or bunting containing distinctive colors, patterns, or symbols and used as a symbol of a government, political subdivision, or other entity. A photo, drawing or similar depiction of a flag on non-fabric material is not included in this definition.

18.2.79 Sign, Freestanding

A sign structure supported by a pole, post, mast or pylon that is permanently anchored in the ground and not attached to any building or other structure.



18.2.80 Sign, Home Business

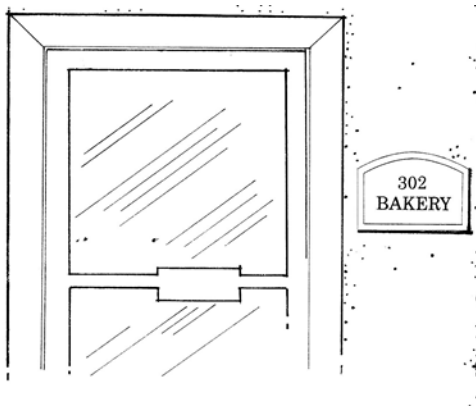
A sign located in a residential district that contains no commercial message except advertising for goods and/or services offered on the premises, where such goods or services may legally be offered on the premises under this Unified Development Code and other applicable laws and regulations.

18.2.81 Sign, Identification

A sign permanently or securely attached to a wall within 3 feet of an entrance, identifying the address of the premises and/or the name of the occupant.

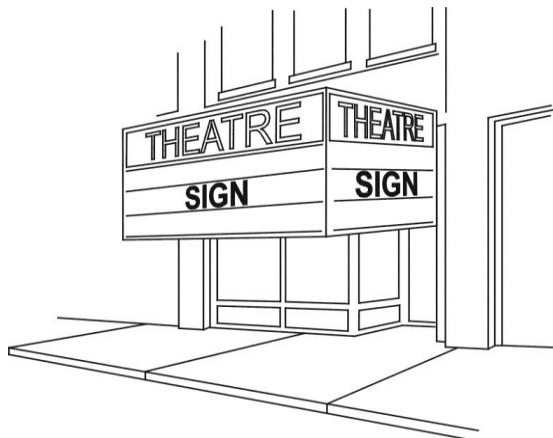
18.2.82 Sign, Incidental

A sign, generally informational, that has a purpose secondary to the use of the lot or parcel on which it is located, such as “no parking”, “entrance”, “exit”, “telephones”, or the like. No sign with a commercial message legible from a position off the lot or parcel on which the sign is located may be considered incidental.



18.2.83 Sign, Marquee

A permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.



18.2.84 Sign, Pole

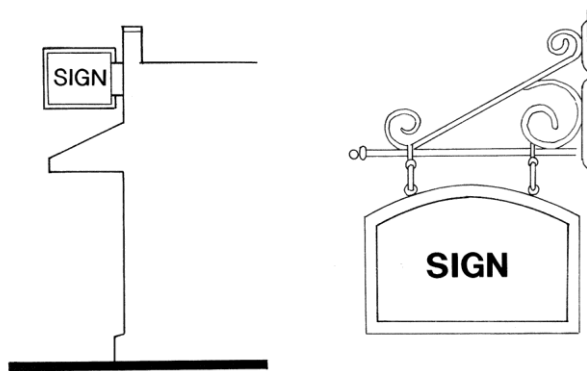
A freestanding sign where the sign face is affixed to a cylindrical pole or non-cylindrical column, which is not integral to the sign face itself but provided for support and elevation.

18.2.85 Sign, Preexisting

A sign in existence on the effective date of this Unified Development Code that was lawful before this Unified Development Code took effect.

18.2.86 Sign, Projecting

A sign affixed to a building or wall in such a manner that its leading edge extends more than 6 inches beyond the surface of such building or wall.

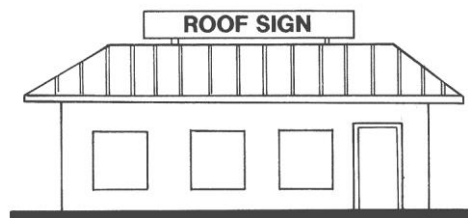


18.2.87 Sign, Public

A sign owned by a governmental entity and installed by a governmental official or employee in the performance of his or her public duty. Such signs include, but are not limited to, safety, danger, trespassing, traffic control, memorial, and historic landmark signs.

18.2.88 Sign, Roof

A sign erected or constructed on the roof of a building and supported by the roof structure.



18.2.89 Sign

Any device, object, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of any person or entity, or to communicate information of any kind to the public.

18.2.90 Sign, Temporary

Any sign that is not permanently or securely attached to a building, sign pole, other structure, or the ground and that can be used only for a designated period of time. Types of temporary signs include vehicle-, trailer- and skid-mounted signs; banners, portable signs but does not include flags displayed on permanent mountings, freestanding signs, or window signs.



18.2.91 Sign, Wall

A sign attached parallel to, but within 6 inches of, a wall or building, painted on the wall or building surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and displays only one sign surface.

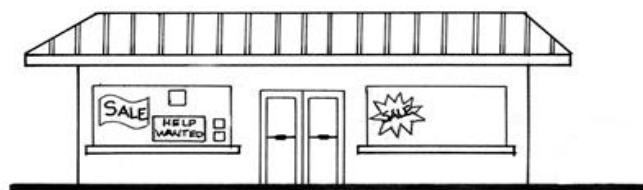
18.2.92 Sign, Window

Any sign placed inside a window or upon the panes or glass of a window and visible from the exterior of the window.



18.2.93 Stealth Communications Facility

Any communications facility which is designed to blend into the surrounding environment and is visually unobtrusive. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building mounted antennas painted and treated as architectural elements to blend with the existing building, and location on a water tower, flag pole, light or existing utility structure. Also known as concealed telecommunications facilities.



18.2.94 Street

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

18.2.95 Street, Collector

Any public street designated as a “collector street” on the most current, adopted Major Street Plan.

18.2.96 Street Line

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

18.2.97 Structure

Anything constructed or erected which required 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. This term does not include manufactured homes.

18.2.98 Subdivision

The division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, or other divisions of land for sale, development, or lease.

Minor Subdivision

The division of a parcel of land into two lots, tracts, parcels or other divisions of land for sale, donation, development or lease, sometimes referred to as a Spit-Out.

Major Subdivision

The division of a lot, tract or parcel of land into no more than two platted lots for sale, donation, development or lease, which does not include the creation of any new street or other public improvement, does not reduce lot size below the minimum area or frontage requirements established by ordinance, and otherwise meets all the requirements of the subdivision regulations and zoning ordinances.

18.2.99 Telecommunications

Any transmission, emission or reception of signals, images and sound or information of any nature by wire, radio, visual or electro-magnetic system that work on a “line-of-sight” principle.

18.2.100 Telecommunication Facility

A land use facility supporting antennas that sends and/or receives radio frequency signals. Telecommunications facilities include antennas and all other types of equipment for the transmission or receipt of such signals; telecommunication towers or similar structures built to support such equipment; equipment cabinets, and other accessory development. This definition is to also include Small Cell technology such as, but not limited to, femtocells, microcells, or picocells or Distributed Antenna Systems (DAS).

18.2.101 Telecommunication Tower

A monopole, lattice tower, guy-wired tower, free standing tower or other structure designed to support antennas.

18.2.102 Used Tire Dealer

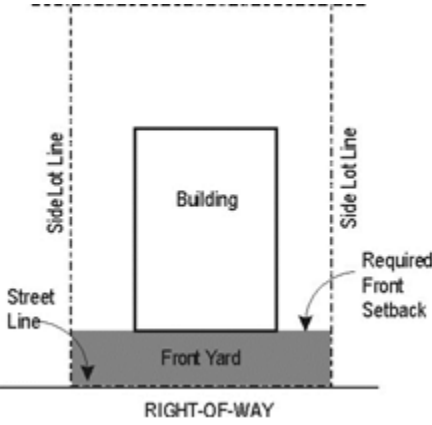
Any person or business who offers used tires for sale, trade or barter and who may or may not provide installation services as part of their business.

18.2.103 Yard, Front

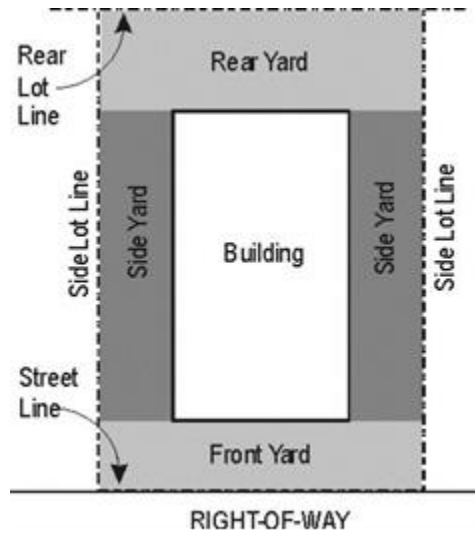
An open, unoccupied space on the same building site with a main building, extending the full width of the building site and situated between the street line and the front line of the building projected to the sidelines of the building site. The depth of the front yard shall be measured between the front line of the building and the street line.

18.2.104 Yard, Rear

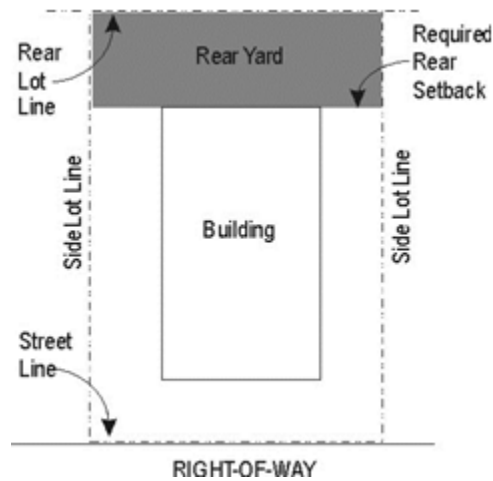
An open, unoccupied space on the same building site with a main building, extending the full width of the building site and situated between the rear line of the building site and the rear line of the building projected to the sidelines of the building site. The depth of the rear yard shall be measured between the rear line of the building site and the rear line of the building.



18.2.105 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.



The ordinance was offered by Mr. Cochran, seconded by Ms. Bennett. Upon unanimous vote, it was duly adopted on this 19th day of December, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Hauser announced the public hearing to consider the application of the Benton-Parish Parish Metropolitan Planning Commission to adopt an ordinance amending Chapter 126 of the Bossier Parish Code of Ordinances “Zoning”, to add Section 126-888 “Off-Premise Advertising Devices for Signs” to create comprehensive regulations for the approval process and location requirements for outdoor general advertising structures (off-premise signs) for areas located within the five-mile jurisdiction of the Benton-Parish Metropolitan Planning Commission.

Motion was made by Mr. Cochran, seconded by Mr. Plummer, to approve the application of the Benton-Parish Parish Metropolitan Planning Commission to adopt an ordinance amending Chapter 126 of the Bossier Parish Code of Ordinances “Zoning”, to add Section 126-888 “Off-Premise Advertising Devices for Signs” to create comprehensive regulations for the approval process and location requirements for outdoor general advertising structures (off-premise signs) for areas located within the five-mile jurisdiction of the Benton-Parish Metropolitan Planning Commission.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4706

AN ORDINANCE AMENDING CHAPTER 126, ARTICLE III, DIVISION 3, OF THE BOSSIER PARISH CODE OF ORDINANCES “ZONING”, TO ADD SECTION 126-888 “OFF-PREMISE ADVERTISING DEVICES FOR SIGNS” TO CREATE COMPREHENSIVE REGULATIONS FOR THE APPROVAL PROCESS AND LOCATION REQUIREMENTS FOR OUTDOOR GENERAL ADVERTISING STRUCTURES (OFF-PREMISE SIGNS) WITHIN THE FIVE-MILE JURISDICTION OF THE BENTON-PARISH METROPOLITAN PLANNING COMMISSION, TO ADD CERTAIN SECTIONS AND SUBSECTIONS

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 19th day of December, 2018, that Chapter 126, Article III, Division 3, of the Bossier Parish Code of Ordinances “Zoning”, be amended to add Section 126-888, as follows:

Section 126-888 Off-Premise Advertising Devices or Signs

(a) Intent

- (1) The purpose of this Article is to establish standards and regulations to insure the orderly and effective display of off-premise advertising and to define those structures that are not in compliance. This will effectuate the intent of the U.S. Congress and the Louisiana State Legislature in adopting the Highway Beautification Act and the state version of that law, who, in so acting, have declared that it is in the public interest to regulate and restrict the erection and maintenance of outdoor advertising devices along the Interstate and Primary Highway Systems, to promote the safety of public travel, and to enhance the beauty and attractiveness of the city to its residents and visitors for residential and commercial growth in an orderly plan.
- (2) These regulations, when properly enforced, will control the locations, size, spacing, illumination and maintenance of all off-premise advertising devices thereby resulting in the overall enhancement of the safety, health and welfare of the citizens residing in the planning limits of the Benton Parish Metropolitan Planning Commission.

(b) Applicability

This Ordinance shall apply to “off-premise advertising devices,” as herein defined as any outdoor sign, display, figure, painting, drawing, message, plaque, poster, billboard, flag, or any other thing 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 public or private streets of the Town of Benton or of Bossier Parish. Signs with subject matter relating to the premises (business signs) or signs of a non-commercial nature placed on the premises by the owner or occupant thereof shall not be considered off-premise advertising devices for any purpose of the ordinance. All signs located in the public right-of-way are expressly prohibited.

(c) Permits Required

- (1) No off-premise sign shall be erected, altered, or relocated without first securing a Sign Location Permit from the Benton Metropolitan Planning Commission and any applicable permits from the Town of Benton or Bossier Parish permitting agency. The sign location permit shall contain the location of the sign structure, the name and address of the sign owner, the sign erector, a drawing showing the type, size, location and zoning and such other pertinent

information as the MPC may require to ensure compliance with this ordinance and all ordinances affecting the subject property.

- (2) The application approval shall be as a “Planning Approval” and any approval by the MPC must be affirmed by majority vote of the Benton Town Council.

(d) Off-Premise Signs Allowed Without a Permit

The following off-premise signs shall be allowed and shall not require a permit, although they may otherwise be subject to this ordinance:

- (1) A traffic control sign on private property, such as “Stop,” “Yield” and similar signs, the face of which meet Traffic Engineering standards and which contain no commercial message of any sort;
- (2) Flags of the United States, state flags, municipal flags, flags of foreign nations and any other flag representing a governmental agency. These flags shall not be associated with any commercial message whatsoever.
- (3) A sign of not more than 35 square feet containing no commercial message except information indicating that the property on which it is located is available for sale or lease and that no two such signs shall be located within 1000 feet of each other on the same property;

(e) Location of Off-Premise Signs

- (1) Approved off-premise outdoor advertising displays, signs or billboards may be constructed, erected and maintained in the commercial and industrial zoned areas listed in this sub-section and as further defined by the Zoning Ordinances of the Town and Parish and the respective official zoning maps. Off-premise signs shall be permitted only in the following zoning districts and not in any others: B-1, B-2, B-3, I-1 and 1-2 Districts.
- (2) No property shall be rezoned to one of the specified zoning districts for the sole purpose of allowing the erection of an off-premise advertising device unless the property proposed for rezoning:
 - A. At least 25 percent of the perimeter of the property proposed for rezoning abuts land zoned for industrial or business use and has actually been developed for one or more industrial or business uses other than outdoor advertising devices; and
 - B. Has contiguous access to a public street and is otherwise suitable for industrial or business use, although it is not essential that sewer and water service be immediately available.
- (3) Off-premise advertising devices shall be separated from one another and from other specified uses as set forth in Table e3. Measurements between off-premise signs shall be performed without regard to which side of the street or highway the sign is on.
- (4) V-type or back-to-back sign surfaces on the same device shall be considered one sign.

<p>Table e3 9.5.6 Separation Requirements for Off-Premise Advertising Signs (feet)</p>

OAD Size	< 72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
Separation from OAD facing same flow of traffic, along major streets			
OAD <72 sq.ft.,	200	300	500
OAD 72-390 sq.ft.	300	500	720
OAD 390-672 sq.ft.	500	720	1000
Separation from OAD not facing same flow of traffic, along major streets			
OAD <72 sq.ft.,	100	150	250
OAD 72-390 sq.ft.	150	300	500
OAD 390-672 sq.ft.	250	500	600
Separation of OAD from property zoned for residential use (not including mixed use) or from property used for school or park purposes as measured from property line of residential to sign base			
Residential Property Line	100	200	400

- (5) Off-premise advertising devices shall be setback from the front property lines on the properties on which they are located by the distances set forth in this paragraph. Set-backs shall be measured from the sign surface. Minimum front yard set-backs shall comply with the requirements of Table e5.

Table e5 Required Setbacks for Off-Premise Advertising Devices from Front Property Lines (in feet)			
District	Sign Size		
	<72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
Any B District	30	30	30
Industrial District and A-1	10	15	15

- (6) Side and rear minimum setbacks shall be 5 feet.
- (7) Where Table 9.5.6 requires a separation from another sign or another use and that separation requirement is greater than the setback requirement under this paragraph, the greater separation requirement shall apply.
- (8) No off-premise sign shall be located on or project over a building.
- (9) No off-premise sign shall be located in such a manner as to obscure, obstruct, or otherwise physically interfere with the clear or unobstructed view of an official traffic sign, signal, or device, or obstruct or physically interfere with the driver's view of approaching merging or intersecting traffic.
- (10) No off-premise outdoor advertising device shall be located within 1,000 feet of Black Bayou or Cypress Lake. Measurement is to be taken in a radius around the water's edge.
- (11) No off-premise advertising sign larger than 72 square feet, except temporary signs may be built on wooden poles; all other off-premise signs must be constructed on steel beams, metal pipes, or similar material and painted with a neutral or subdued color.

(f) Off-Premise Sign Height Limitations

No off-premise advertising device shall exceed the most restrictive height applicable to it under Table f, subject to the further specific conditions set forth in this section:

Table f			
Height Limits for Off-Premise Advertising Devices (in feet)			
OAD Size	< 72 sq.ft.	72 – 390 sq.ft.	390-672 sq.ft.
B-1 District	15	Not Permitted	Not Permitted
B-2 District	15	50 (Up to 300 sq.ft.)	Not Permitted
B-3, & Industrial Districts	15	60	60
Within 199 feet of residential property	15	Not Permitted	Not Permitted
200 - 599 feet from residential property	20	1 foot additional height above 20 feet for every 10 feet in additional distance separation beyond 200 feet	Not Permitted
600 feet or more from residential property	20	Same as above	60
Oriented toward raised expressway and at least 600 feet from residential	Height allowed by other cells on table or 25 feet above centerline of expressway, whichever is taller		
Note: The maximum height of any signs 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 shoulder of the adjacent Interstate highway right-of-way or public street right-of-way, whichever is higher in elevation.			

(g) Off-Premise Sign Size Limitations

(1) Table g1 below specifies the maximum permitted sizes for off-premise advertising devices by zoning district.

Table g1			
Size Limits on			
Off-Premise Advertising Devices,			
by Zoning District (sizes in square feet)			
	Zoning District		
	Industrial, B-3	B-2	B-1
Maximum area of total sign surface per side (sq. ft.)			
Major Streets	390	300	72

(2) The maximum area, heights of surface, and length of surface dimensions in the above table are exclusive of any border or trim, the base or supports, and other structural members. For signs in I-1, I-2, and B-3 District, cut-outs or extensions up to 50 square feet of additional area may be allowed without MPC approval and cut-out from 51 to 150 square feet may be permitted with MPC staff approval.

(3) When 2 off-premise sign surfaces are placed back-to-back or V-type on the same device with an angle between them of not more than 60 degrees, each side shall conform to the maximum size limitations. No more than 2 sign

surfaces are allowed on one device. Two-sided signs must have the same surface area on each side.

- (4) Signs and sign faces shall not be stacked; only one sign face is allowed on each side.
- (5) The maximum area, heights of surface, and length of surface dimensions in the above table are exclusive of any border or trim, the base or supports, and other structural members.
- (6) For purposes of measurement, Trivision technology, or comparable electronic video or animation technology, faces shall be considered to be one face.

(h) Distancing Bonus for Landscaping of Off-Premise Signs

A 5 percent distancing reduction shall be available as a bonus to applicants who choose to landscape Off-Premise sign location sites. To be eligible for the distancing reduction, the required landscaping shall be shown on the site plan, and maintenance of such landscaping shall be required as a continuing condition of the permit for the sign. The landscaping shall meet at least the following standards:

(1) Area to be Landscaped

An 8-foot radius around the base of the sign.

(2) Required Plant Materials, Type, Quality and Quantity

Acceptable plant materials include shrubs, grasses, ground covers, and other plants. Note: Landscaped boards accepted under the distance bonus program shall be considered conforming locations.

(i) Lighting of Off-Premise Signs

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 except illuminated signs which indicate such customary public service information such as time, date, temperature or other similar information. No flashing sign shall be allowed within 1,000 feet of residential property.
- (2) No animated signs, including message center or video boards, shall be allowed within 720 feet of property zoned for residential use from which the sign face can be seen; no animated signs, including message center or video boards, shall be allowed under any circumstances within 500 feet of property zoned for residential use. LED or similar electronic static face signs shall not be closer than 200' from residential property as defined in table 9.5.6. Measurement shall be taken from the sign face to the nearest point of the residential property.
- (3) External lighting, such as flood lights, 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 a public street. Lighting may be located below the sign face and directed upward at the sign. All external lighting shall be located above the sign and directed downward at the sign face.

- (4) Neon signage and back-lit signage is permitted subject to the same guidelines as external lighting.

(j) Temporary Off-Premise Signs without Commercial Message

Temporary signs containing no commercial message and related to an election or other event or matter of public interest may be erected in any zoning district of the Town or Parish but not within the public right-of-way.

(k) Off-Premise Signs Not Allowed

The following signs or sign components shall not be permitted to remain or be erected as a part of an off-premise sign:

- (1) Any sign that copies or imitates an official sign or purports to have official status;
- (2) Beacons;
- (3) Windblown devices;
- (4) Pennants;
- (5) Portable signs, including any sign that is 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 skid mounted or trailer mounted signs;
- (6) Any sign attached to an accessory structure, except an incidental sign, if such sign is legible from the public right-of-way or from other property;
- (7) Any other attention-attracting device, except for those conforming to the dimensional, design, lighting and other standards applicable to a sign in the same location;
- (8) Any sign which is obsolete or abandoned, including any sign which does not have 100 percent of the sign surface fully covered with a promotional panel for a continuous period of 6 months;
- (9) Any sign which is illegal under State laws or regulations;
- (10) Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features;
- (11) Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority;
- (12) Signs which contain statements, words, or pictures of an obscene nature as defined by law;
- (13) Signs which contain as part of the message mirror-like surfaces; (Note: 1” reflective discs that do not cover more than 5 percent of the sign surface and produce no traffic impeding glare will be permitted.)
- (14) Signs which are constructed so as to periodically change the direction toward which any place containing the sign surface area is oriented; and

(15) Signs which emit smoke, vapor, particles, or odor.

(I) **Design, Construction and Maintenance Standards for Off-Premise Signs**

(1) **Construction Standards**

All off-premise signs shall be designed, constructed and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the Town or Parish building code.
- B. All wiring to new signs and existing signs that are being upgraded shall be placed underground. Electric signs that have internal wiring or lighting equipment, and external lighting equipment that directs lights on signs, shall not be erected or installed until an electrical permit has been obtained from the appropriate building official. Signs and their installation shall conform to applicable construction and electrical codes. All wiring to electric signs or to freestanding equipment that lights a sign shall be installed underground, unless a hardship variance is approved by the Metropolitan Planning Commission. All electric signs shall have a power disconnect switch located either on the exterior of the sign or accessible through an operable cover, and shall be labeled with a sticker or other notice on the exterior of the sign to indicate the voltage and amperage of electrical circuits connected to the sign.
- C. Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this Article, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to a wall, frame or structure.

(2) **Backs of Signs**

Visible backs of signs shall be suitably painted or otherwise covered to present a neat and clean appearance.

(3) **Maintenance Standards**

All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code.

Specifically:

- A. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 successive days.
- B. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than ten successive days.
- C. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 successive days.

- D. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than 30 successive days.
- E. Electronic signs, such as LED illuminated, with a static face shall have a minimum display time of 8 seconds and transition time between
- F. All internally illuminated signs shall meet the following brightness standards:
 - 1. No sign shall be brighter than .3 footcandles over ambient lighting conditions and shall have automatic dimming capability. An automatic light sensing device (such as photocell or similar technology) shall be utilized for automatically adjusting the digital billboard's brightness. Brightness measurement shall be taken with a footcandle meter, perpendicular to the sign face from a distance of 200' for signs less than 390 square feet in size and 250' for all others.
 - 2. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
 - 3. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

(m) Nonconforming Off-Premise Signs

All Off-Premise signs legally in existence on the effective date of this ordinance, but not meeting the provisions of this ordinance shall be classified "nonconforming" and permitted to remain with reasonable repair and maintenance. Any nonconforming sign damaged beyond 60 percent of replacement cost of the structure (as determined by an independent appraiser engaged by the Metropolitan Planning Commission with costs payable by the current sign

The ordinance was offered by Mr. Cochran, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 19th day of December, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Hauser announced the public hearing to consider approval of the application of the Benton-Parish Metropolitan Planning Commission to adopt an ordinance amending Chapter 126 of the Bossier Parish Code of Ordinances “Zoning”, to add Section 126-889 “Telecommunications Facilities/Towers” to create regulations for the approval and installation of cellular communications towers for the areas located within the five-mile jurisdiction of the Benton-Parish Metropolitan Planning Commission.

Motion was made by Mr. Cochran, seconded by Mr. Plummer, to approve the application of the Benton-Parish Metropolitan Planning Commission to adopt an ordinance amending Chapter 126 of the Bossier Parish Code of Ordinances “Zoning”, to add Section 126-889 “Telecommunications Facilities/Towers” to create regulations for the approval and installation of cellular communications towers for the areas located within the five-mile jurisdiction of the Benton-Parish Metropolitan Planning Commission.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4707

AN ORDINANCE AMENDING CHAPTER 126, ARTICLE III, DIVISION 3, OF THE BOSSIER PARISH CODE OF ORDINANCES "ZONING", TO ADD SECTION 126-889 "TELECOMMUNICATIONS FACILITIES/TOWERS" TO CREATE REGULATIONS FOR THE APPROVAL AND INSTALLATION OF CELLULAR COMMUNICATIONS TOWERS FOR THE AREAS WITHIN THE FIVE-MILE JURISDICTION OF THE BENTON-PARISH METROPOLITAN PLANNING COMMISSION, TO ADD CERTAIN SECTIONS AND SUBSECTIONS

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 19th day of December, 2018, that Chapter 126, Article III, Division 3, of the Bossier Parish Code of Ordinances "Zoning", be amended to add Section 126-889, as follows:

Section 126-889 Telecommunications Facilities/Towers

(a) Purpose

The purpose and intent of this Ordinance is to provide a uniform and comprehensive set of standards for the orderly development of telecommunications facilities consistent with applicable federal standards. The standards contained in this Ordinance are designed to minimize adverse visual impacts and operational effects of these facilities using appropriate design, siting and screening techniques while providing for the personal communications needs of residents, local business and government.

(b) Background

- (1)** In order to protect the public health, safety and welfare, it is necessary to insure that the siting of a telecommunications facility is compatible in scale and design with its locale and is sited so as to minimize adverse visual impacts on natural resources, neighborhoods, vistas, view corridors, architecture and structures.
- (2)** Location of telecommunications facilities on publicly owned sites is preferred because they already appear to be institutional or infrastructure uses. Telecommunications facilities may be more visually compatible with such facilities and may appear less noticeable than on other sites. Similarly, facilities on structures, which already have installations (co-location sites), appear less noticeable, up to the point where too many structures create visual clutter. Installations on commercial or industrial structures are also generally more compatible with and less noticeable than installations on residential structures due to the design, scale and location of such structures.
- (3)** Therefore, in order to protect the public health, safety and welfare, it is necessary to adopt the following regulations, which will avoid or minimize these impacts and will insure the proper design, location and scale of wireless telecommunications facilities.
- (4)** The Metropolitan Planning Commission (MPC) must approve all telecommunications facilities as a Planning Approval. In the unincorporated jurisdiction of the MPC, the Bossier Parish Police Jury shall hold a public hearing to review and ratify by majority vote, any approval of a Telecommunications facility by the Benton MPC.

(c) Submittal Requirements

Approval of a telecommunications facility or tower shall be submitted in accordance with the requirements of the application provided by the MPC staff.

(d) General Standards

- (1)** All applications for a telecommunications facility require Planning Approval from the MPC. A preliminary and a public hearing are required, unless indicated otherwise herein.
- (2)** Modifications to existing wireless communications facilities, such as but not limited to, the addition of new antenna arrays, shall be subject to the review and approval by the Executive Director or the MPC.
- (3)** The applicant shall provide written notification to the Director upon cessation of operations on the site exceeding a 90-day period. The applicant shall remove all obsolete or unused facilities from the site within 180 days of termination of its lease with the property owner or cessation of operations.
- (4)** The applicant shall provide signage as required, including phone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment/structure.
- (5)** Telecommunication facilities must meet the building setback and yard requirements of the zoning classification it is located in.

(e) Location of Wireless Communications Facilities

- (1)** Location preference for wireless communications facilities should be given to publicly owned structures, co-location sites and industrial or commercial sites. New wireless communications facilities should avoid sites located near residential areas unless the application includes information sufficient to demonstrate: the location and type of preferred sites which exist within the proposed or technically feasible coverage area; that good faith efforts and measures were taken by the carrier to secure the preferred locations sites; specific reasons why such efforts and measures were unsuccessful; and why the location of the proposed facility site is essential to meet the service demands of the applicant.
- (2)** Preference shall also be given to locations for wireless communications facilities attached or sited adjacent to existing structures. Appropriate types of existing structures may include, but not be limited to buildings, water tanks, telephone and utility poles, signage and sign standards, traffic signals, light standards, and roadway overpasses.
- (3)** Facade and roof mounted telecommunications facilities may be allowed in all zoning districts subject to MPC approval upon compliance with established development standards. Lattice, Guy-wired telecommunication facilities and freestanding monopoles are generally only permitted in the following districts: R-A, B-3, I-1 and I-2. However, stealthed facilities, may be approved by the MPC in B-1 and B-2 districts.

(f) Visual Requirements

- (1)** All proposed telecommunications facilities shall be located so as to minimize their visual impact to the maximum extent feasible.
- (2)** All façade-mounted telecommunications facilities shall be sited and designed to appear as an integral part of the structure.
- (3)** Facade-mounted antennas shall be integrated architecturally with the style and character of the structure or otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly created architectural feature so as to be completely screened from view. To the extent feasible, facade-mounted antennas should not be located on the front or most prominent facade of a structure and should be located out of the pedestrian line-of-sight, unless stealthing techniques reasonably eliminate visual impacts.
- (4)** Whenever possible, equipment structures, back-up generators, and other equipment associated with building mounted antennas should be installed within the existing building compound. If this is not feasible, the equipment shall be screened, fenced, or landscaped to minimize its appearance from off-site locations and to visually blend with the surrounding natural and built environment. Equipment buildings should be designed in an architectural style and constructed of exterior building materials that are consistent with surrounding development and/or land use setting (if applicable).
- (5)** Roof-mounted antennas and associated equipment shall be located as far back from the edge of the roof as technically possible to minimize visibility from street level locations. Where appropriate, construction of a rooftop parapet wall or other appropriate screening to hide the facility may be required.
- (6)** No advertising signage or identifying logos shall be displayed on any telecommunications facility, except for small identification plates used for emergency notification or hazardous or toxic materials warning.
- (7)** The applicants are encouraged to consider providing architectural treatments and to use “stealth techniques” to reduce potential visual impacts for all telecommunication facilities, and especially for those proposed in areas easily visible from a major traffic corridor, commercial center or residential area. Stealth techniques can be required as conditions of approval when determined to be necessary to mitigate adverse visual impacts.
- (8)** The colors and materials of telecommunications facilities shall be chosen to minimize the visual impact of the facilities.
- (9)** Landscaping, wherever appropriate, shall be used as screening to reduce the visual impacts of telecommunications facilities. Any proposed landscaping should be visually compatible with existing vegetation in the vicinity.
- (10)** The use of lighting shall not be allowed on telecommunication facilities unless required as a public safety measure by the Federal Aviation Agency.

(g) Landscaping/Vegetation of Telecommunications Towers

- (1)** Existing trees and other screening vegetation in the vicinity of the proposed facility and associated access ways shall be protected from damage both during and after construction. Submission of a Tree Protection Plan may be required to ensure compliance with this requirement.
- (2)** The emphasis of the landscape plan shall be to visually screen the proposed facility and stabilize soils on sloping sites.
- (3)** Introduced vegetation shall be native, drought tolerant species compatible with the predominant natural setting of the project area.

(h) Public Safety

- (1)** In addition to providing visual screening, each telecommunications facility may require fencing, anti-climbing devices, electronic devices or other techniques to prevent unauthorized access and vandalism; however, the use of fencing shall not add to the visual impact of the facility, and the design of the fencing shall be subject to MPC review and approval.
- (2)** All security fencing or walls shall be designed to be graffiti-resistant. The applicant shall be responsible for graffiti-free maintenance of all telecommunication facilities.
- (3)** The telecommunications facility shall be sited so as to provide a minimum fall zone measured by a radius that is equal to the height of the facility. (Exception: The fall zone requirement may be waived if the applicant provides a statement from a Louisiana-licensed engineer attesting that any damage resulting from tower failure, wind, ice loading or other factors that could impact the tower structure would be wholly limited to property that is under lease or ownership control of the applicant.) A fall zone is an area within which no other structure or property or use can be located around a telecommunications facility. This provision shall apply unless a dedicated easement is provided by the affected adjacent property owner(s).
- (4)** The applicant shall provide the MPC with documentation that the applicant or telecommunication provider has coordinated with the spectrum manager, or other appropriate personnel at Barksdale Air Force Base, to identify technical parameters of the tower and the amount of spectrum occupied by the transmitted signal and the geographic area to be served by the communication device.

(i) Façade Mounted Stealth Telecommunications Facilities

- (1)** Façade mounted telecommunications facilities may be allowed in all zoning districts subject to MPC approval and must comply with the development standards included herein.
- (2)** Façade mounted antennas shall be camouflaged by incorporating the antennas as part of the dominant design element of the building.
- (3)** Façade mounted antennas shall be painted and textured to match the existing structure.
- (4)** Antennas and the associated mountings shall generally not project beyond a maximum of 18 inches from the face of the building.

(j) Roof Mounted Telecommunications Facilities

- (1)** Roof mounted telecommunications facilities may be allowed in all zoning districts subject to MPC approval but must comply with the development standards included herein.
- (2)** Freestanding roof mounted antennas shall not be allowed when they are located in the direct line of sight of significant view corridors or where they significantly affect scenic vistas. However, such facilities shall be allowed with incorporation of appropriate stealth techniques.
- (3)** The height of freestanding roof mounted antennas including the support structure, shall not exceed the maximum height allowed for buildings in the zoning district in which the antenna is to be constructed plus nine feet, unless approved otherwise by the MPC.
- (4)** All roof-mounted antennas shall be located in an area of the roof where the visual impact is minimized.
- (5)** All roof-mounted facilities shall be painted a non-reflective matte finish using an appropriated color that blends with the backdrop. The final choice of colors shall be determined by the MPC on a case-by-case basis.
- (6)** The equipment cabinets, if located on the rooftop of buildings, shall be so located as to be minimally visible from public rights-of-way.

(k) Lattice and Guy-Wired Telecommunication Facilities

- (1)** Lattice and guy-wired antennas are generally only permitted in R-A, I-1 and I-2 districts, subject to approval of MPC and must comply with the development standards included herein. However, lattice and guy-wired antennas may be approved by the MPC in B-1, B-2 and B-3 if they are stealthed.
- (2)** Lattice and guy-wired telecommunications facilities shall generally not be allowed within 3,000 feet of an existing telecommunications facility, unless the MPC can make a determination that the cumulative visual impacts are not significant. Factors taken into consideration in this determination include but are not limited to: the type, number, height and proximity of existing structures within the same line of sight as the proposed facility.
- (3)** Lattice and guy-wired antennas shall be no taller than 200 feet, including the height of the antennas. Any antenna higher than 200 feet requires a variance from the MPC.
- (4)** Proposed lattice and guy-wired telecommunications facilities may require a visual analysis that includes photo simulations demonstrative of the appearance of the site prior to and after installation.
- (5)** Lattice and guy-wired telecommunication facilities shall be painted using non-reflective matte finish; the final choice of colors shall be determined on a case-by-case basis by the MPC.
- (6)** Landscaping shall be used to minimize any visual impacts. All proposed vegetation shall be compatible with existing vegetation in the area and shall be drought tolerant.

(l) Free Standing Monopoles

- (1) Monopoles are only allowed in R-A, B-3, I-1 and I-2 districts, subject to approval of a permit by the MPC and must comply with the development standards included herein. However, monopoles may be approved by the MPC in B-1 and B-2 if they are stealthed.
- (2) Freestanding monopoles shall be located and designed to minimize visual impacts. Freestanding monopoles in high visibility locations as determined by the MPC (as in some commercial areas), shall incorporate stealth techniques to camouflage them as a piece of art/sculpture, a clock tower, flag pole or other interesting, appropriate and compatible visual form.
- (3) Monopoles may not be located within the required front yard setback of any property, unless appropriate architectural elements for a stealth facility are incorporated in the design of the monopole.
- (4) Freestanding monopoles shall generally not be allowed within 1000 feet of each other, except when the visual impacts are not significant.
- (5) All monopoles shall be designed at the minimum functional height required.
- (6) As a condition of approval for all freestanding monopoles, all telecommunications carriers proposing a monopole shall provide a written commitment to the Director that they shall allow other wireless carriers to co-locate antennas on the monopoles where technically and economically feasible.
- (7) Minor modifications to the communications equipment design, location, elevations, and other elements of the above standards may be allowed, subject to the approval of the MPC if such modifications are in keeping with the architectural statement and layout design of the original approval.

(m) Co-Location of Telecommunications Facilities

- (1) Facilities should make available unutilized space for co-locations of other antennas and equipment.
- (2) Second and third tier co-location antenna projects shall not require a preliminary hearing. The Executive Director may approve the location through administrative review. He or she may also elect to forward the application to the MPC for public hearing for additional review if warranted as determined by the Executive Director.
- (3) All telecommunications carriers shall provide a letter to the Executive Director stating their willingness to allow other carriers to co-locate on their facilities wherever technically and economically feasible.
- (4) The letter shall also state that the wireless telecommunications facility and his or her successors and assigns agree to:
 - A. Respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response.
 - B. Negotiate in good faith for shared use of the wireless telecommunications facility by third parties.
 - C. Allow shared use of the wireless telecommunications facility if an applicant agrees in writing to pay reasonable charges for co-location.

- D. Require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the useful life span of the facility.

(n) Equipment Structures

- (1) Equipment structures shall be placed in areas so they are least visible from public rights-of-way and have minimal visual impacts. Wherever possible, equipment structures shall be located away from open spaces and required yard setbacks and shall be placed within the building envelope area. Any visible portion of an equipment structure shall be treated to be architecturally compatible with the surrounding structures and screened using appropriate techniques.
- (2) Proposed equipment structures must be screened from public view. Screening techniques may include landscape treatment and/or architectural treatment to make it compatible with existing buildings.
- (3) The equipment structure shall be the absolute minimum required to function. Any future additions to the equipment shall require MPC approval.
- (4) Additional acoustical baffling equipment or techniques may be required if the equipment structure exceeds acceptable noise levels.

The ordinance was offered by Mr. Cochran, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 19th day of December, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY