ORDINANCE NO. 2026-018

AN ORDINANCE ADOPTING THE OFFICIAL ZONING MAP, REVISING THE COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF JONESBORO, LOUISIANA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS LA. R.S. 33:4721—33:4730, AND THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the Town of Jonesboro Zoning Map has not been updated and maintained to properly reflect changes of the Town's boundaries, relocation of roadways, and various zoning amendments to parcels throughout the Town over the past 20 years;

WHEREAS the Town of Jonesboro needs to have a current and accurate map of the zoning of land within its borders;

WHEREAS, the Town of Jonesboro has previously adopted zoning regulations, ordinances, and procedures in Chapters 120 and 140 of the Jonesboro Code of Ordinances that need to be updated to reflect current procedures and to comply with Louisiana State Law;

WHEREAS, this proposed ordinance including the Official Zoning Map was reviewed and recommended by the Planning and Zoning Commission after a public hearing and proper notice of said hearing having been advertised as required by law;

THEREFORE, BE IT ORDAINED by the Board Aldermen of the Town of Jonesboro, Louisiana that the Zoning Map attached hereto is adopted as the Official Zoning Map of the Town of Jonesboro, Louisiana.

BE IT FURTHER ORDAINED by the Board Aldermen of the Town of Jonesboro, Louisiana that Chapter 120 and Chapter 140 of the Jonesboro Code of Ordinances are hereby repealed in their entirety and the following Chapter 120 consisting of Sections 120.1 through 120.69 and Chapter 140 consisting of Sections 140-1through 140-212 are hereby enacted to read as follows:

Chapter 120 PLANNING AND DEVELOPMENT
ARTICLE I. - IN GENERAL

Sec. 120-1. Improvements on Properties to be Annexed.

No additions or subdivisions on which there are to be constructed improvements requiring streets, sewer lines and similar improvements will be accepted and taken into the corporate limits of the Town of Jonesboro until such time or times as the party or parties petitioning for annexation constructs and builds such improvements at their own expense. Such improvements shall comply with the Town's subdivision ordinance and such other rules and regulations as may be required by the Mayor and Board of Aldermen.

Secs. 120-2 - 120-20. Reserved

ARTICLE II. PLANNING AND ZONING COMMISSION

Sec. 120-21. Planning and Zoning Commission Created.

There is hereby created a Planning Commission which shall also serve as a Zoning Commission. This commission shall be known as the Planning and Zoning Commission.

Sec. 120-22. Membership.

(a) The Planning and Zoning Commission shall consist of five members, all to be appointed by the Mayor, who may remove any member of the commission, after public hearing for inefficiency, neglect of duty or malfeasance. The members of the Planning and Zoning Commission shall be appointed for a term of five years from and after the expiration of the term of their predecessors in office. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment for the unexpired term.

(b) All members of the Planning and Zoning Commission shall serve without compensation. However, members may be reimbursed expenses incurred in performing official duties.

(c) Members shall not hold any other public office of the Town of Jonesboro.

(d) Any member of the Planning and Zoning Commission who fails to attend at least 50 percent of the regularly scheduled meetings within a six-month period shall have said seat declared vacant and shall be replaced. Attendance shall be deemed to be excused, with the absence not counted for this section, if a member fails to attend due to illness, family bereavement or emergency, or extraordinary work schedule reasons.

Sec. 120-23. Powers and Duties of the Planning and Zoning Commission.

(a) The Planning and Zoning Commission shall make, adopt, publish, and occasionally revise a master plan for the continued physical development of the town, considering present and future conditions.

(1) Such plan, with its accompanying maps, plats, charts, and other descriptive matter shall show a commission's recommendations for the development of the town, including, among other things:

i. The general location, character, and extent of public rights-of-way, facilities, utilities, etc.;

ii. The nature and extent of land use regulations that may be adopted or amended by the town;

iii. The character, extent, and layout of public housing and of the replanning of blighted districts and slum areas; and

iv. The character, extent, and layout of subdivisions according to duly adopted subdivision ordinance provisions.

(2) The Planning and Zoning Commission may promote interest in and understanding of the master plan and employ such means necessary to do so.

(3) As the work of making the whole master plan progresses, the Planning and Zoning Commission may from time to time adopt and publish a part or parts thereof, any such part to cover one or more major sections or divisions of the town or one or more of the functional matters to be included in the plan.

(4) After adoption of such plan, all new or expanded rights-of-way, public and private facilities, utilities, etc. shall be in accordance with such plan.

(5) The Planning and Zoning Commission may from time to time amend, extend, or add to the master plan.

(b) The Planning and Zoning Commission shall recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof.

(c) The Planning and Zoning Commission shall also serve as the Zoning Commission for the Town of Jonesboro.

(d) The Planning and Zoning Commission shall perform all the duties required of it by Jonesboro Code of Ordinances Chapter 130 regarding subdivisions.

(e) The Planning and Zoning Commission shall perform all duties required of it by Jonesboro Code of Ordinances Chapter 140 regarding zoning.

Sec. 120-24. Chairman of the Planning and Zoning Commission.

The Town of Jonesboro Compliance Officer/Zoning Administrator shall serve as the Chairman of the Planning and Zoning Commission.

Sec. 120-25. Appeals to the Board of Aldermen.

(a) Any person not satisfied with a decision of the Planning and Zoning Commission may appeal such decision to the Mayor and Board of Aldermen by filing a written notice of appeal with the Town Clerk within ten (10) days from the date of the decision of the commission unless another deadline is specified herein.

(b) The Mayor and Board of Aldermen shall hear and decide the appeal at the earliest convenient date.

Secs. 120-26—120-49. Reserved.

ARTICLE III. - MOBILE HOME PARKS

Sec. 120-50. Purposes.

(a) **Statement of Authority and Intent.**

(1) The Board of Alderman finds that properly planned and operated Mobile Home Parks promote the safety and health of the residents of the Town of Jonesboro and encourage economical and orderly development of such communities and of other nearby communities. It is, therefore, declared to be the policy of the Town of Jonesboro to eliminate and prevent health and safety hazards and to promote the economical and orderly development and utilization of land by providing for planned Mobile Home Parks by providing for the standards and regulations necessary to accomplish these purposes. This section is enacted in order to achieve orderly development of mobile home communities, to promote and develop the use of land to minimize possible impacts, and to promote the health, safety and general welfare of the public.

(2) It is the intent of this article to provide for the harmonious design of parks for mobile homes; for the convenient and attractive arrangement of mobile home sites; for adequate vehicular and pedestrian circulation and parking; for recreation and other common open spaces and facilities; and in general for the creation of conditions favorable to health, safety and convenience of mobile home parks in residential areas.

(3) This article supplements other codes that have been adopted by the Mayor and Board of Aldermen including, but not limited to, housing codes, building codes, electrical codes and plumbing codes, etc., as such regulations may be amended from time to time.

(4) This Article does not govern the construction, plumbing, wiring or other characteristics of mobile homes as structures, nor does it govern the location of a single mobile home located outside a Mobile Home Park as hereinafter defined.

(b) **Application of Regulations.**

(1) From and after the effective date of the ordinance from which this Article is derived, every Mobile Home Park, as herein defined, shall be designed and constructed in conformance with these regulations.

(2) These regulations shall govern all Mobile Home Parks within the territorial boundary of the Town of Jonesboro, as same now exists or may be extended from time to time.

(3) Mobile Home Parks shall be allowed only in an approved zoning district as set forth in Chapter 40 of the Jonesboro Code of Ordinance.

Sec. 120-51. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings

ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory Structure means any structural addition to the mobile home or site, including, but not limited to, awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

Block means a tract or plot of land entirely surrounded by park streets, streams, railroad rights-of-way, parks or other public spaces or by a combination thereof or by the boundaries of the mobile home park.

Developer means any person, group or corporation acting as a unit, or any agent thereof, developing or proposing to develop land so as to constitute a Mobile Home Park as defined herein.

Easement means a grant by the owner of the use of a strip of land by others for specific purposes.

Engineering Plans means the drawings on which the proposed improvements are shown and which, if approved, will be used for construction of the improvements.

Final Plan means the final map or drawing on which the mobile home park plan is submitted for approval and which, if approved, will be used to lay out and construct the mobile home park.

Health Officer means the health officer of the parish or his authorized representative; the term "health officer" may jointly mean the state health officer or his authorized representative.

Improvements means street surfacing, with curb and gutter, walkways and walks, water mains and service lines, sanitary sewers and service lines, storm sewers and other drainage structures and utilities installations.

Master Plan means a comprehensive plan made and adopted by the Planning and Zoning Commission, for the physical development of the Town and surrounding area; the term “master plan” includes any unit or component of such plan separately adopted and any amendment to such plan or part thereof.

Mobile Home means a factory-built, residential dwelling unit constructed to standards and codes, as promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq., as amended, and designed to be connected to utilities for year-round occupancy. For purposes of this Article, the terms “mobile home”, “manufactured home”, and “manufactured housing” may be used interchangeable and apply only to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development. A travel trailer is not to be considered a mobile home. Modular Homes are not mobile homes.

Mobile Home Lot/ Site means a tract or plot of land rented for the exclusive use of the occupants of a single mobile home.

Mobile Home Park means a tract or plot of land, whether publicly or privately-owned, which has been planned and improved for the placement of mobile homes for non-transient use; and the definition of a Mobile Home Park shall also mean any tract or plot of land upon which more than two mobile homes are located regardless of whether or not a charge is made for such accommodation.

Mobile Home Stand means that part of a mobile home lot which has been reserved for the placement of a mobile home, appurtenant structures or additions.

Modular Home. Modular Home means a sectional prefabricated building or house that consists of multiple sections called modules, and that are required to be built in accordance with International Residential Code ("IRC") standards as adopted by the Louisiana State Uniform Construction Code Council. They do not rest on a chassis and are assembled on a fixed foundation.

Park Management. The person who owns or has charge, care or control of the Mobile Home Park.

Park Street means a private roadway within a Mobile Home Park which provides vehicular access to adjacent properties.

Permit. A written permit or certification issued by the building inspector permitting the construction, alteration, and/or extension of a Mobile Home Park after same has been approved by the Planning and Zoning Commission and the Board of Alderman.

Public street means a public right-of-way which provides vehicular and pedestrian access to adjacent properties.

Sketch plan means the sketch map or drawing showing the general design of a proposed mobile home park.

Walk means a pedestrian way. A common walk is one intended for general pedestrian traffic and a private walk is one serving only an individual mobile home stand.

Sec. 120-52. Procedures.

(a) **General Procedure.** All new Mobile Home Parks and any additions or extensions to any existing Mobile Home Park must first go before the Planning and Zoning Commission for review and approval of a Mobile Home Park Plan. After the process has been completed before the Planning and Zoning Commission, the construction, addition, and/or extension of a Mobile Home Park must be approved by the Board of Alderman.

(b) **The Planning and Zoning Commission Procedures** consists of two consecutive steps as follows:

(1) Preparation and submission of a Sketch Plan of the proposed Mobile Home Park,

together with the attendant items specified herein.

(2) Preparation and submission of a Final Plan, together with the attendant items required herein is required.

(b) **Sketch Plan.**

(1) **Purpose.** The purpose of the Sketch Plan is to develop a general design on which to base the Final Plan, and to avoid having to revise such design to make it conform to the master plan, to the provisions of this article and to other regulations, and to relate it to surrounding development. To this end, the Developer should consult informally with the building inspector of the town, the Compliance Officer/ Zoning Administrator, the town engineer, the parish health officer, the utility agencies, companies or department concerned, and/or other appropriate officials.

(2) **Submission and review**. Prior to the filing of an application for approval of the final plan, the Developer shall submit to the Compliance Officer/ Zoning Administrator of the Town two copies of the Sketch Plan of the proposed Mobile Home Park, together with the attendant items specified herein. This step does not require formal application or fee. The Sketch Plan shall be reviewed by the Compliance Officer/ Zoning Administrator. The review shall take into consideration, in addition to the requirements set out in this article, the relation of the proposed Mobile Home Park to the master plan and to other plans, programs of regulations that might affect the design and development of the Mobile Home Park.

(3) **Action on Sketch Plan.** Within 15 days, the Compliance Officer/ Zoning Administrator shall inform the Developer and the building inspector of the Town that the Sketch Plan as submitted or as modified does or does not meet the objectives of this article. When the Compliance Officer/Zoning Administrator finds that the Sketch Plan does not meet the objectives of this Article, the reasons therefore shall be given, together with any changes recommended to be made. In the event the Developer does not agree to changes recommended by the Compliance Officer/ Zoning Administrator, the Developer may request and shall receive review and approval or disapproval by the Planning and Zoning Commission at its next regular meeting.

(c) **Final Plan.**

(1) **Purpose.** The purpose of the Final Plan, together with the attendant items required herein, is to provide plans for the design and construction of the Mobile Home Park and its improvements. During the preparation of the Final Plan, the Developer should consult with the building inspector of the town, Compliance Officer/ Zoning Administrator, the town engineer, the parish health officer, the utility agencies, companies or departments concerned, and/or other appropriate officials.

(2) **Submission and Review**. The Developer shall submit to the Compliance Officer/ Zoning Administrator four copies of the Final Plan together with the attendant items

required herein, with written application for final approval at least ten days prior to the Planning and Zoning Commission meeting at which it is to be considered. The Final Plan, together with the attendant items required herein, shall be reviewed by the Planning and Zoning Commission and will be referred for review and report to the Building Inspector, Town Engineer, the parish health officer, the utility agencies, companies, or departments concerned, and/or other appropriate officials as warranted. The review shall take into consideration conformance to the approved Sketch Plan and fulfillment of any conditions of such approval.

(3) **Action on Final Plan.** The Planning and Zoning Commission shall act upon the Final Plan within 45 days after its submission, taking into consideration the reports from the officials and agencies named above, and shall communicate in writing to the Developer its approval or disapproval. In the case of approval, the Compliance Officer/ Zoning Administrator shall enter such approval upon the Final Plan. In the case of disapproval, the Planning and Zoning Commission shall state the ground(s) for disapproval in writing to the Developer.

(4) **Effect of Approval by Planning and Zoning Commission.** Approval of a Final Plan shall not constitute acceptance of the Mobile Home Park but shall be deemed a recommendation to the Board of Aldermen that the Mobile Home Park Plan be approved. The Compliance Officer/ Zoning Administrator shall place the Mobile Home Park on the next Board of Aldermen Agenda for consideration.

(5) **Effect of Disapproval by Planning and Zoning Commission.** In the event that the Planning and Zoning Commission does not approve the Final Plan, the Developer may refile a revised Final Plan correcting and in compliance with the reasons set forth in the denial within 30 days of the denial. The Planning and Zoning Commission shall consider the revised Final Plan at its next meeting. Alternatively, the Developer may file an appeal to the Board of Aldermen within 30 days in which the Developer specifies all reasons why the denial should be reversed by the Board of Aldermen. Any such appeal shall be placed on the Board of Aldermen agenda for the next meeting following receipt of the appeal. The Board of Aldermen can affirm or reverse the decision with or without any conditions it deems are necessary and in the best interest of the Town. In the event the Developer shall fail to take either of these alternate actions within 30 days, the Developer shall be deemed to have abandoned the Final Plan and request for a Mobile Home Park Permit.

(6) **Effect of Approval by the Board of Aldermen.** Approval of a Final Plan by the Board of Aldermen shall not constitute final acceptance of the Mobile Home Park but shall be deemed only as an expression of approval of the Final Plan submitted as a guide to construction. Final acceptance of the Mobile Home Park for occupancy shall be by action of the building inspector of the Town after completion of the construction and by the Developer applying for and obtaining an Occupational License from the Town.

(7) **Street Acceptance.** Approval of a Final Plan shall not constitute acceptance by the

public of the dedication of a street or other public way, park or space.

Sec. 120-53. Required Documents for Plans.

(a) **Specifications for Sketch Plan.**

(1) **General form.** The Sketch Plan shall show in simple outline the general design of the proposed Mobile Home Park in relation to existing conditions and to its surroundings. It may be either a mechanical drawing or a free-hand sketch, made at any convenient scale and size.

(2) **Information to be Shown.** The Sketch Plan should contain the following information:

a. **Location.** A diagram showing the relation of the proposed Mobile Home Park to main traffic arteries, schools, recreation areas, business and industrial areas and other important features.

b. **Survey Data.** Contours or spot elevations required for the Final Plan or a sufficiently close approximation of such contours or spot elevations to determine necessary drainage.

c. **Miscellaneous Data.** The scale of the Sketch Plan, north arrow and date, and the name and address of the Developer, the owner (if a person other than the developer), and the professional engineer or land surveyor.

d. **Park Streets and Walks.** The park street pattern in relation to existing public streets, including those shown on the plan for circulation (major street plan) or on a neighborhood plan, and the pattern of common walks and parking areas.

e. **Lots and blocks.** The general arrangement of mobile home lots and blocks, with dimensions of typical lot width and depths.

f. **Mobile home stands.** The location and grouping of mobile home stands.

g. **Nonresidential sites**. Identification of proposed recreation areas, service buildings and their sites, and any other nonresidential uses or sites; the general locations of nonresidential buildings.

h. **Easements.** The approximate locations, widths and purposes of existing easements.

i. **Utilities.**

1. The approximate locations and sizes of existing utility lines to which connections are proposed to be made.
2. A statement of the utilities, street, and other improvements to be made.

3. Water and sewerage service will be that of the town.

(b) **Specifications for Final Plan**.

(1) **General Form.** The Final Plan shall show accurately and in sufficient detail for construction of the Mobile Home Park and its improvements, the design of the park in relation to existing conditions and the surroundings. It shall be drawn to a scale of one inch equals 100 feet, or larger, and the sheet size shall not be larger than 32 inches by 32 inches. Where necessary, the Final Plan may be on several sheets accompanied by an index sheet showing the entire mobile home park.

(2) **Information to be Shown.** The Final Plan shall contain the following information:

i. **Location.** A diagram showing the location of the proposed Mobile Home Park.

ii. **Survey Data.** The boundary line of the Mobile Home Park with length and bearing of lines; section and corporation lines, if any; mobile home lot lines; contours at intervals of two feet, based on a datum plane that is mean sea level; where contours will not provide adequate information for drainage determinations, spot elevations in sufficient number to show drainage conditions shall be given.

iii. **Miscellaneous Data.** The title or name by which the proposed Mobile Home Park is to be known, with name and address of the Developer, the owner of the property (if a person other than the Developer); notations giving scale, (true) north arrow, and date of final plan.

iv. **Park Streets and Walks.** The locations of part streets, common walks and other walkways.

v. **Lots and Blocks.** Identification by letter of each block and by number of each mobile home lot.

vi. **Mobile Home Stands.** The location of each mobile home stand on its lot.

vii. **Nonresidential Sites.** The purpose for which sites, other than mobile home lots, are to be used.

viii. **Utilities, Safety, & Other Requirements.** The locations and dimensions of any utility rights-of-way or easements, fire hydrants, and other items required by this Article.

ix. **Easements.** The locations, dimensions of any rights-of-way or easements.

x. **Building Setback Lines.** Minimum building setback lines on all mobile home lots and other sites in accordance with the requirements set forth herein.

xi. **Adjoining Land.** The names of recorded subdivision plats of adjoining platted land; the names of record of owners of adjoining unsubdivided land.

xii. **Certificate.** Notarized certification by the land owner of the adoption of the Mobile Home Park Plan.

xiii. **Certificate of Survey.** Certification by the registered professional engineer or land surveyor that the plan represents a survey made by him and that all dimensional and other data are correct.

xiv. **Approvals.** Space for certification of approval of the Planning and Zoning Commission, the town engineer, the building inspector of the town, and the parish health officer.

(c) **Attendant Items**. The Final Plan shall be accompanied by the following items:

(1) **Engineering Plans.** The cross-sections and profiles of streets showing grades approved by the town standard scales, and elevations shall be based on a datum plane that is mean sea level. Plans for water supply and sanitary sewerage.

(2) **Plan Review Fee.** A check payable to the Town of Jonesboro for the payment of the fee for review of the Final Plan of $500. The required fee may be amended by the Mayor and Board of Aldermen from time to time.

(d) **Development of Site.**

(1) **Nonresidential Use.** Any nonresidential use shall be subordinate to the residential use and character of the property and shall be such as not to adversely affect the desirability of the park or adjacent or neighboring properties for residential use or family occupancy.

(2) **Natural Features.** Natural scenic features of the land, such as streams, shall be considered to be community assets, and the design of the park shall protect and utilize such scenic feature. Because of their value in soil conservation, health and community appearance, large trees shall be preserved where ever possible.

(3) **Buffer Park Strips.** Where a Mobile Home Park site adjoins land used for a railroad right-of-way, an industrial area, a commercial area or other land use which would have a depreciating effect on the residential use of the land, a buffer park strip of not less than 30 feet in width shall be provided. Buffer park strips shall comply with the following regulations:

i. **Landscaping.** Screen planting shall be provided in sufficient density and of sufficient height (but in no case less than eight feet two years after planting) to afford protection to the Mobile Home Park site from glare of lights, from

blowing paper, dust and debris, from visual encroachment, and to effectively reduce the transmission of noise. Screen planting shall be maintained in a clean and neat condition.

ii. **Use of land.** No part of a buffer park strip shall be used for any purpose other than screen planting unless such screen planting is provided adjacent to the nonresidential use or district in sufficient depth and density to accomplish the purpose of protection, in which case as much as 20 feet of the required 30 feet may be used for parking or other open space uses or service uses not in conflict with the purpose of protection nor in violation of any other provisions of this article.

iii. **Fencing**. Depending on the location of the proposed Mobile Home Park, the Town may require privacy fencing on one or more sides of the perimeter of the Mobile Home Park to assist with the buffering and overall appearance of the Mobile Home Park.

Sec. 120-54. General Design Criteria.

(a) **Minimum Area of Site.** The minimum area of a tract to be developed as a Mobile Home Park shall be two (2) acres for Mobile Home Parks designed for 15 or less mobile Homes and three (3) acres for Mobile Home Parks designed for more than 15 mobile homes. The minimum frontage on a public street shall be 50 feet. The minimum number of mobile home lots completed and ready for occupancy, together with all required improvements and services before the first occupancy shall be determined by the Planning and Zoning Commission based on the overall size and design of the planned Mobile Home Park and considering any recommendations by the Building Inspector and Town Engineer.

(b) **General Location.** The location of the Mobile Home Park shall be convenient to community facilities and services such as employment centers, shopping centers, schools and recreation areas. Police and fire protection shall be reasonably accessible or provisions shall be made assuring those facilities and services. Mobile Home Parks may only be located in zoning districts authorized in Chapter 140.

(c) **Access to the Site.** Direct vehicular access to the Mobile Home Park shall be provided by means of an abutting improved street of such width and construction as to be adequate for vehicular traffic requirements of the Mobile Home Park as well as the other properties served by the access street.

(d) **Character of the Site.** The Mobile Home Park site shall be selected with consideration of the proximity and possible effect of environmental factors which exist or may result from the change in land use with regard to the health and safety or comfort of persons who are to reside in the park or persons using land in the vicinity of the Mobile Home Park. No site shall be used which does not have municipal water supply or municipal sanitary sewerage. No site shall be used which is subject to undue pooling of water, or air pollution by smoke, dust or fumes.

Sec. 120-55. Site Planning.

(a) **General Considerations.**

(1) **Objective.** Site planning and improvements shall provide for the facilities and amenities appropriate to the needs of the occupants, for safe, comfortable and sanitary use by the occupants under all weather conditions, and for practical and efficient operation and maintenance of all facilities. The site, including mobile home lots, structures and all site improvements, shall be harmoniously and efficiently organized in relation to topography, the shape of the site, and the shape, size and position of structures and common facilities and with full regard to use, appearance and livability.

(2) **Protection from Adverse Influences.** Adequate protection shall be provided against any undesirable off-site views or any adverse influence from adjoining and access areas.

(b) **Park Street, Walks and Parking.**

(1) **Park Street Layout.** The park street layout shall be devised for the most advantageous development of the land. Park streets shall provide access to the mobile home lots or other sites. The street system shall provide convenient circulation by means of properly located streets. Closed-end streets (cul-de-sacs) shall be no longer than 600 feet and shall be provided at the closed end with a vehicular turnaround.

(2) **Alignment and Gradient.** Park streets shall be adopted to the topography and shall have suitable alignment and gradient for safety of traffic, satisfactory surface and groundwater drainage, and proper functioning of sanitary and storm sewer systems.

(3) **Intersections.** Park street intersections shall be at right angles or nearly so. Where for topographic or other reasons an intersection cannot be at right angles, the intersection shall be so designed as to ensure safety. Street jogs with centerline offsets less than 125 feet shall be avoided.

(4) **Pavement Widths.** Pavements shall be of adequate widths to accommodate the contemplated traffic load. The minimum widths of pavements shall be:

i. **Street:** Twenty-two (22) feet from the back of curb to back of curb with no less than eighteen (18) feet of rolling surface.

ii. **Closed End Street (cul-de-sac)**: Turn around diameter of 80 feet.

(5) **Common Walks.** Common walks shall be provided where pedestrian traffic is concentrated and where necessary for convenient access to recreation areas, service buildings and other community use facilities. They should be located preferably through interior areas removed from the vicinity of streets. Walks shall be at least three

(3) feet wide.

(6) **Individual Walks**. Individual walks to each mobile home stand shall be provided from a common walk or paved street or from a paved driveway or parking space or area connecting to a paved street. Individual walks shall be at least two (2) feet wide.

(7) **Vehicle Parking.** Off-street parking shall be provided; provided, however, that required off-street parking may be located either on the mobile home lot or within 200 feet of such lot. The park streets of the Mobile Home Park shall not be considered to answer the requirement for off-street spaces.

(c) **Blocks and Mobile Home Lots.**

(1) **Sign and Shape of Blocks.** The lengths, widths and shapes of blocks shall be determined with consideration of the limitations and opportunities of topography, the provision of the mobile home lots and the need for convenient access, circulation, control of and safety from traffic. In general, block lengths shall not exceed 800 feet and block lengths shall not be less than 300 feet. Common walks shall be provided across blocks longer than 300 feet.

(2) **Size and Shape of Mobile Home Lots.** The size, depth, shape and orientation of mobile home lots and the minimum building setback lines shall be appropriate to the location of the Mobile Home Park and to the type of development and use contemplated. Mobile home lots shall be laid out at such angle with the street as to provide for placing of mobile homes to the best advantage.

(3) **Minimum Width and Area.** Mobile home lots shall be at least 40 feet wide at the building setback line and shall contain at least 4,000 square feet.

(4) **Setbacks (Yards).** Mobile homes shall be located at least ten (10) feet from any side or rear property line of the park boundary and at least twenty (20) feet from any front property line. Mobile homes shall be placed no closer than fifteen (15) feet to any park street or guest parking area and no closer than five (5) feet to any mobile home lot line.

(5) **Spacing of Mobile Homes**. Mobile homes shall be placed not less than 25 feet from any other mobile home. There shall be a minimum of fifteen (15) feet of space in all directions between a mobile unit and any permanent building. For the purpose of the section, covered patios, carports or individual storage buildings shall not be considered as permanent buildings, provided that no such patio roof, carport, or storage building shall be located closer than five (5) feet to any mobile lot line.

(6) **Lot Coverage.** The mobile home together with accessory structures such as storage buildings and roofed-over patios or carports shall not cover more than seventy-five (75) percent of a mobile home lot.

(7) **Location of Mobile Homes.** Mobile homes or their appendages shall not be placed

over sewer main lines.

(d) **Public Spaces and Facilities.**

(1) **Recreation Areas.** Not less than eight percent of the gross site area shall be devoted to recreational facilities, generally provided in a central location or, in the larger parks, decentralized. Recreation area includes space for community building and community use facilities, such as guest parking, adult recreation and child play areas, swimming pools, utilities and drying yards.

(2) **Utility Easements.** Where easements are required for public utilities, they shall be at least 15 feet wide. The width of easements shall be increased, or they shall be extended, where necessary, to provide for utility pole bracing or other construction.

(3) **Drainage Easements.** Easements for watercourses, drainageways or streams shall conform essentially with the lines of such watercourses having such width or construction, or both, as will be adequate for maintenance.

(4) **Service Buildings.** One or more service buildings shall be provided at such locations as to be reasonably accessible to residents of the Mobile Home Park. Service buildings shall include space and separation for a park manager's office, storage of maintenance equipment and supplies, recreation management, and adequate individual storage compartments for each lot in the mobile home park.

(e) **Types of Mobile Homes Permitted.**

(1) All mobile homes placed inside the Mobile Home Park must comply with the standards set forth in Chapter 140, Section 140 -55.

(2) A permit to place a mobile home in a Mobile Home Park must be obtained as provided for in Chapter 140 Section140 -55(k)

Sec. 120-56. Improvements.

(a) **General requirements.**

(1) Street, utility and other improvements shall be installed in each Mobile Home Park in accordance with the standards and requirements specified herein.

(2) Improvements required by these regulations shall be made in accordance with the specifications and under the supervision of the Building Inspector, Town Engineer, health officer, the utility agencies, companies or departments concerned and/or other appropriate authorities.

(b) **Required improvements.**

(1) **Park Streets.** Park streets shall be surfaced for their entire width and shall have roll-top or valley-type gutter at each edge. The minimum acceptable all-weather surfacing shall be two and one-half (2½) inches of hot asphalt on six inches of compacted gravel, or equivalent base, to provide adequate subsurface drainage.

(2) **Walks.** Common walks shall be concrete at least four inches thick. Individual walks shall be concrete at least three inches thick.

(3) **Car Parking Areas.** Car parking areas shall have all-weather surfacing on compacted base the same as park streets.

(4) **Water Supply.** The Developer shall install a water supply system connected to the public water supply of the town. An individual water connection and water meter shall be provided for each mobile home stand.

(5) **Sanitary Sewerage.** The Developer shall install a sanitary sewerage system connected to the public sanitary sewer of the town. A sewer connection suitably located for connection to the mobile home shall be provided for each mobile home stand in accordance with the state sanitary code and the general sewer regulations of the town.

(6) **Surface Drainage**. The Mobile Home Park shall be so designed that surface water will be drained into natural watercourses or into the municipal stormwater drainage system. Necessary facilities for drainage of roadways and for drainage of surface water in the Mobile Home Park shall be installed. All streets shall be designed with curb and underground drainage. No valley drains will be allowed.

(7) **Utilities.** Aboveground utilities shall be placed along streets or on rear or side line of mobile home lots in easements provided for this purpose. Installations shall be constructed in accordance with the requirements and under the supervision of the Public Works Director, Town Engineer, and the utility agencies, companies or department concerned as appropriate.

(8) **Illumination.** Adequate lights shall be provided to illuminate streets, driveways and walkways for the safe movement of vehicles and pedestrians at night.

(9) **Street Signs.** Each intersection shall have a sign identifying the streets which form the intersection, constructed and installed in accordance with the requirements of the town engineer.

(10) **Landscaping.** Lawn and ground cover shall be provided for all exposed ground surfaces not paved or covered with other solid material or in such areas as woods and ravines which are to be preserved in their natural state. Screen planting shall be provided as necessary to screen objectionable views such as laundry drying yards, garbage and trash collection stations and rear yards of adjacent properties.

(c) **Guarantees of Performance.** The Town Building Inspector and/or the Compliance Officer shall not issue a certificate of compliance with the provisions of this article for any Mobile Home Park unless the improvements required by this article have been installed in accordance with the standards and specifications of the appropriate officials and agencies and their approval has been certified. A certificate of compliance must have been issued prior to the occupancy of the Mobile Home Park.

Sec. 120-57. Enlargement or extension.

(a) No mobile home park and no extension or enlargement of a mobile home park shall be constructed without prior approval of the planning commission and the building inspector.

(b) Increasing the number of mobile homes in a mobile home park and/or enlarging the land area devoted to this use shall both be considered an enlargement or extension.

Sec. 120-58. Administration.

(a) **General provisions.** This article shall be administered by the Compliance Officer/ Zoning Administrator of the Town.

(b) **Modifications.**

(1) **Hardship.** Where the Planning and Zoning Commission finds that extraordinary physical circumstances related to the layout of the land prevent strict compliance with these regulations, it may modify the regulations so that substantial justice may be done and the public interest secured, provided that such modifications will not have the effect of nullifying the intent and purpose of the master plan or these regulations.

(2) **Conditions.** In granting modifications, the Planning and Zoning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

(c) **Enforcement.** No Mobile Home Park and no extension or enlargement of a Mobile Home Park shall be constructed without having been issued a building permit. No such permit shall be issued until the plans for such Mobile Home Park or extension or enlargement thereof have been submitted to and approved by the Planning and Zoning Commission and the Board of Aldermen.

(d) **Penalties**.

(1) Violation of the provisions of this Article or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than $500.00 or imprisoned for not more than thirty days, or both, and, in addition, shall pay all costs and expenses involved in the case. Each day such violation

continues shall be considered a separate offense.

(2) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(3) Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 120-59. Interpretation, Validity and Effective Date.

(a) **Interpretation.** In interpreting and applying the regulations set forth in this Article, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Whenever this Article requires higher standards than are required in any other applicable statute, ordinance or regulation, the requirements set forth in this Article shall govern. Whenever other applicable statutes, ordinances or regulations require higher standards than this Article, such other applicable statutes, ordinances or regulations shall govern.

(b) **Validity.** Should any section or provision of this Article be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Article as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

ARTICLE IV. RECREATIONAL VEHICLES PARKS

Sec. 120-60. Purposes.

(a) **Purpose.** The Board of Aldermen finds that properly planned and operated Recreational Vehicle Parks:

(1) Promote the safety and health of the residents of such communities and of other nearby communities; and
(2) Encourage economical and orderly development of such communities and of other nearby communities.

It is therefore declared to be the policy of the Town to eliminate and prevent health and safety hazards and to promote the economical and orderly development and utilization of land by providing for planned and supervised recreational vehicle communities by providing for the standards and regulations necessary to accomplish these purposes. This ordinance is enacted in order to achieve orderly development of Recreational Vehicle Parks, to promote and develop the use of land to minimize possible impacts and to promote the health, safety and general welfare of the public.

(b) **Application of Regulations.**

(1) From and after the effective date of the ordinance from which this article is derived,

every Mobile Recreational Vehicle Park, as herein defined, shall be designed and constructed in conformance with these regulations.

(2) These regulations shall govern all Recreational Vehicle Parks within the territorial boundary of the Town of Jonesboro, as same now exists or may be extended from time to time.

(3) Recreational Vehicle Parks shall be allowed only in an approved zoning district as set forth in Chapter 40 of the Jonesboro Code of Ordinance.

Sec. 120-61. - Definitions.

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

Accessory Structure means any structural addition to the recreational vehicle or site, including but limited to awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

Back-in Site means backing in or positioning an RV in so that the shore power and other hook ups are on the driver's side of the RV.

Biodegradable means any substance or object that is capable of being decomposed by biological agents, especially bacteria or other living organisms.

Opaque fence means a fence made of solid materials designed to shield the RV park from public view, i.e., is difficult to see through.

Park Management means the person who owns or has charge, care or control of the Recreational Vehicle Park.

Park Street means a private roadway within a Recreational Vehicle Park which provides vehicular access to adjacent properties.

Permit. A written permit or certification issued by the building inspector permitting the construction, alteration, and/or extension of a Recreational Vehicle Park after same has been approved by the Planning and Zoning Commission and the Board of Alderman.

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

Pull-Through Site means a site that allows a Recreational Vehicle to be driven in from one direction and exit out the other side.

Recreational Vehicle means a motor vehicle originally designed or permanently altered, and equipped for human habitation, or to which a camper has been permanently or temporarily

attached and designed as temporary living quarters for recreational, camping, travel, or seasonal use. The term “recreation vehicle” includes within its meanings the terms “recreation vehicle,” “travel trailer," "motor home," "housecar" and "camp car," "camper vehicles" and "campers."

Recreational Vehicle Park means any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made.

Recreational Vehicle Site means that part of a lot or area in a Recreational Vehicle Park that has been reserved for the placement of one recreational vehicle.

Sketch plan means the sketch map or drawing showing the general design of a proposed

Sec. 120-62. Procedures.

(a) **General Procedure.** All new Recreational Vehicle Parks and any additions or extensions to any existing Recreational Vehicle Park must first go before the Planning and Zoning Commission for review and approval of a Recreational Vehicle Park Plan. After the process has been completed before the Planning and Zoning Commission, the construction, addition, and/or extension of a Recreational Vehicle Park must be approved by the Board of Alderman.

(b) **The Planning and Zoning Commission Procedures** consists of two consecutive steps as follows:

(1) Preparation and submission of a Sketch Plan of the proposed Recreational Vehicle Park, together with the attendant items specified herein.

(2) Preparation and submission of a Final Plan, together with the attendant items required herein is required.

(b) **Sketch Plan.**

(1) **Purpose.** The purpose of the Sketch Plan is to develop a general design on which to base the Final Plan, and to avoid having to revise such design to make it conform to the master plan, to the provisions of this article and to other regulations, and to relate it to surrounding development. To this end, the Developer should consult informally with the building inspector of the town, the Compliance Officer/ Zoning Administrator, the town engineer, the parish health officer, the utility agencies, companies or department concerned, and/or other appropriate officials.

(2) **Submission and review**. Prior to the filing of an application for approval of the final plan, the Developer shall submit to the Compliance Officer/ Zoning Administrator of the Town two copies of the Sketch Plan of the proposed Recreational Vehicle Park, together with the attendant items specified herein. This step does not require formal application or fee. The Sketch Plan shall be reviewed by the Compliance Officer/ Zoning Administrator. The review shall take into consideration, in addition to the

requirements set out in this article, the relation of the proposed Recreational Vehicle Park to the master plan and to other plans, programs of regulations that might affect the design and development of the Recreational Vehicle Park.

(3) **Action on Sketch Plan.** Within 15 days, the Compliance Officer/ Zoning Administrator shall inform the Developer and the building inspector of the Town that the Sketch Plan as submitted or as modified does or does not meet the objectives of this article. When the Compliance Officer/Zoning Administrator finds that the Sketch Plan does not meet the objectives of this Article, the reasons therefore shall be given, together with any changes recommended to be made. In the event the Developer does not agree to changes recommended by the Compliance Officer/ Zoning Administrator, the Developer may request and shall receive review and approval or disapproval by the Planning and Zoning Commission at its next regular meeting.

(c) **Final Plan.**

(1) **Purpose.** The purpose of the Final Plan, together with the attendant items required herein, is to provide plans for the design and construction of the Recreational Vehicle Park and its improvements. During the preparation of the Final Plan, the Developer should consult with the building inspector of the town, Compliance Officer/ Zoning Administrator, the town engineer, the parish health officer, the utility agencies, companies or departments concerned, and/or other appropriate officials.

(2) **Submission and Review**. The Developer shall submit to the Compliance Officer/ Zoning Administrator four copies of the Final Plan together with the attendant items required herein, with written application for final approval at least ten days prior to the Planning and Zoning Commission meeting at which it is to be considered. The Final Plan, together with the attendant items required herein, shall be reviewed by the Planning and Zoning Commission and will be referred for review and report to the Building Inspector, Town Engineer, the parish health officer, the utility agencies, companies, or departments concerned, and/or other appropriate officials as warranted. The review shall take into consideration conformance to the approved Sketch Plan and fulfillment of any conditions of such approval.

(3) **Action on Final Plan.** The Planning and Zoning Commission shall act upon the Final Plan within 45 days after its submission, taking into consideration the reports from the officials and agencies named above, and shall communicate in writing to the Developer its approval or disapproval. In the case of approval, the Compliance Officer/ Zoning Administrator shall enter such approval upon the Final Plan. In the case of disapproval, the Planning and Zoning Commission shall state the ground(s) for disapproval in writing to the Developer.

(4) **Effect of Approval by Planning and Zoning Commission.** Approval of a Final Plan shall not constitute acceptance of the Recreational Vehicle Park but shall be deemed a recommendation to the Board of Aldermen that the Recreational Vehicle Park Plan be approved. The Compliance Officer/ Zoning Administrator shall place the Recreational

Vehicle Park on the next Board of Aldermen Agenda for consideration.

(5) **Effect of Disapproval by Planning and Zoning Commission.** In the event that the Planning and Zoning Commission does not approve the Final Plan, the Developer may refile a revised Final Plan correcting and in compliance with the reasons set forth in the denial within 30 days of the denial. The Planning and Zoning Commission shall consider the revised Final Plan at its next meeting. Alternatively, the Developer may file an appeal to the Board of Aldermen within 30 days in which the Developer specifies all reasons why the denial should be reversed by the Board of Aldermen. Any such appeal shall be placed on the Board of Aldermen agenda for the next meeting following receipt of the appeal. The Board of Aldermen can affirm or reverse the decision with or without any conditions it deems are necessary and in the best interest of the Town. In the event the Developer shall fail to take either of these alternate actions within 30 days, the Developer shall be deemed to have abandoned the Final Plan and request for a Recreational Vehicle Park Permit.

(6) **Effect of Approval by the Board of Aldermen.** Approval of a Final Plan by the Board of Aldermen shall not constitute final acceptance of the Recreational Vehicle Park but shall be deemed only as an expression of approval of the Final Plan submitted as a guide to construction. Final acceptance of the Recreational Vehicle Park for occupancy shall be by action of the building inspector of the Town after completion of the construction and by the Developer applying for and obtaining an Occupational License from the Town.

(7) **Street Acceptance.** Approval of a Final Plan shall not constitute acceptance by the public of the dedication of a street or other public way, park or space.

Sec. 120-63. Required Documents for Plans.

(a) **Specifications for Sketch Plan.**

(1) **General form.** The Sketch Plan shall show in simple outline the general design of the proposed Recreational Vehicle Park in relation to existing conditions and to its surroundings. It may be either a mechanical drawing or a free-hand sketch, made at any convenient scale and size.

(2) **Information to be Shown.** The Sketch Plan should contain the following information:

i. **Location.** A diagram showing the relation of the proposed Recreational Vehicle Park to main traffic arteries, schools, recreation areas, business and industrial areas and other important features.

ii. **Survey Data.** Contours or spot elevations required for the Final Plan or a sufficiently close approximation of such contours or spot elevations to determine necessary drainage.

iii. **Miscellaneous Data.** The scale of the Sketch Plan, north arrow and date, and the name and address of the Developer, the owner (if a person other than the developer), and the professional engineer or land surveyor.

iv. **Park Streets and Walks.** The park street pattern in relation to existing public streets, including those shown on the plan for circulation (major street plan) or on a neighborhood plan, and the pattern of common walks and parking areas.

v. **Recreational Vehicle Sites.** The location and grouping of the Recreational Vehicle Sties.

vi. **Nonresidential sites**. Identification of proposed recreation areas, service buildings and their sites, and any other nonresidential uses or sites; the general locations of nonresidential buildings.

vii. **Easements.** The approximate locations, widths and purposes of existing easements.

viii. **Utilities.**

1. The approximate locations and sizes of existing utility lines to which connections are proposed to be made.

2. A statement of the utilities, street, and other improvements to be made.

ix. **Fencing.** Location and type of fencing as required by this Article.

(b) **Specifications for Final Plan**.

(1) **General Form.** The Final Plan shall show accurately and in sufficient detail for construction of the Recreational Vehicle Park and its improvements, the design of the park in relation to existing conditions and the surroundings. It shall be drawn to a scale of one inch equals 100 feet, or larger, and the sheet size shall not be larger than 32 inches by 32 inches. Where necessary, the Final Plan may be on several sheets accompanied by an index sheet showing the entire Recreational Vehicle Park.

(2) **Information to be Shown.** The Final Plan shall contain the following information:

i. **Location.** A diagram showing the location of the proposed Recreational Vehicle Park.

ii. **Survey Data.** The boundary line of the Recreational Vehicle Park with length and bearing of lines; section and corporation lines, if any; drainage information; where contours will not provide adequate information for drainage determinations, spot elevations in sufficient number to show drainage conditions shall be given.

iii. **Miscellaneous Data.** The title or name by which the proposed Recreational Vehicle Park is to be known, with name and address of the Developer, the owner of the property (if a person other than the Developer); notations giving scale, (true) north arrow, and date of final plan.

iv. **Park Streets and Walks.** The locations of part streets, common walks and other walkways.

v. **Recreational Vehicle Sites.** Identification of each Recreational Vehicle Site, including whether said sites are pull-through sites, location of water, electrical and other utility connections for each site.

vi. **Nonresidential Sites.** The purpose for which sites, other than Recreational Vehicle Sites, are to be used, including but not limited to location of trash bins, Waste-Water Facilities,

vii. **Utilities, Safety, & Other Requirements.** The locations and dimensions of any utility rights-of-way or easements, fire hydrants, and other items required by this Article.

viii. **Easements.** The locations, dimensions of any rights-of-way or easements.

ix. **Building Setback Lines.** Minimum building setback lines on all mobile home lots and other sites in accordance with the requirements set forth herein.

x. **Adjoining Land.** The names of recorded subdivision plats of adjoining platted land; the names of record of owners of adjoining unsubdivided land.

xi. **Certificate.** Notarized certification by the land owner of the adoption of the Mobile Home Park Plan.

xii. **Certificate of Survey.** Certification by the registered professional engineer or land surveyor that the plan represents a survey made by him and that all dimensional and other data are correct.

xiii. **Approvals.** Space for certification of approval of the Planning and Zoning Commission, the Town engineer, the building inspector of the Town, and the parish health officer.

(c) **Attendant Items**. The Final Plan shall be accompanied by the following items:

(1) **Engineering Plans.** The cross-sections and profiles of streets showing grades approved by the town standard scales, and elevations shall be based on a datum plane that is mean sea level. Plans for water supply and sanitary sewerage.

(2) **Plan Review Fee.** A check payable to the Town of Jonesboro for the payment of the fee for review of the Final Plan of $500. The required fee may be amended by the Mayor and Board of Aldermen from time to time.

(d) **Development of Site.**

(1) **Nonresidential Use.** Any nonresidential use shall be subordinate to the residential use and character of the property and shall be such as not to adversely affect the desirability of the park or adjacent or neighboring properties for residential use or family occupancy.

(2) **Natural Features.** Natural scenic features of the land, such as streams, shall be considered to be community assets, and the design of the park shall protect and utilize such scenic feature. Because of their value in soil conservation, health and community appearance, large trees shall be preserved wherever possible.

Sec. 120-64. General Design Criteria.

(a) **Park Size and Density.** The minimum size of a Recreational Vehicle Park is two acres and the maximum size is four acres. The maximum site density for Recreational Vehicle Parks shall be ten sites per acre. Only one recreational vehicle is permitted per recreational vehicle site. A minimum of ten percent common open space is required.

(b) **Size of Individual Sites; Pad Requirements; Landscaping.**

(1) Each recreational vehicle site within the Recreational Vehicle Park shall have a minimum area of 2,000 square feet. In addition, the space shall be clearly marked identifying the space number.

(2) The individual Recreational Vehicle pad and parking area for two vehicles must be paved with impervious materials such as cement or asphalt. The remaining area must be planted with grass and other landscaping.

(3) There shall be a minimum of ten feet between recreational vehicles with each unit at least three feet from the boundary of the rental space.

(c) **Street Access; Street Lighting.**

(1) Each recreational vehicle site within the Recreational Vehicle Park shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have pavement wide enough to permit free movement of emergency vehicles in accordance with Town standards. All internal streets are to be constructed with asphalt or concrete materials with the objective to prohibit dust. All internal streets shall be maintained by the Park owner and/or Park Management.

(2) Street lighting for the Recreational Vehicle Park shall be installed to minimize offsite

reflection.

(3) Metal signs shall be placed along the emergency access lane, by the owner or agent of the Recreational Vehicle Park stating that parking is prohibited. The sign type, size, height and location shall be approved by the town.

(d) **Required Facilities**.

(1) Each Recreational Vehicle Park must have bathroom and shower facilities, as well as laundry facilities. These facilities must comply with the Louisiana Administrative Code Title 17, Part 1. All facilities used by residents must be well lit inside and out during the night hours. All facilities must meet the Louisiana State Plumbing Code.

(2) All Recreational Vehicle Parks shall have at least one common area, which is an open green area, located as to be free of traffic hazards, easily accessible to all park residents and centrally located where topography permits. A minimum of ten percent green area is required in each Recreational Vehicle Park and shall be calculated as ten percent of the total park area.

(3) A minimum of two parking spaces for every Recreational Vehicle space shall be provided and can be located throughout the park. On street parking is prohibited.

(e) **Soil And Ground Cover**. Exposed ground surfaces in all parts of Recreational Vehicle Parks shall be protected with vegetative cover that is capable of preventing soil erosion and eliminating dust. A minimum of grass is required for exposed ground surfaces. Pavement and rock are also acceptable. All pavement shall be kept in good repair.

(f) **Drainage.** The Recreational Vehicle Park shall be so designed that surface water will be drained into natural watercourses or into the municipal stormwater drainage system. Necessary facilities for drainage of roadways and for drainage of surface water in the Recreational Vehicle Park shall be installed.

(g) **Water Supply.** Each site within an Recreational Vehicle park shall be provided with a connection to the Town water supply. The water distribution system shall be installed as follows:

(1) The water supply system, fixtures and other equipment must be installed in accordance with the applicable code adopted by the Town.

(2) A master water meter shall be installed to serve the Recreational Vehicle park. Sub-metering or re-metering of Recreational Vehicle sites is not permitted.

(3) A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter. In addition, one backflow preventer must be placed at each of the connections for each Recreational Vehicle Site and located on the left side of the site.

(4) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.

(5) The owner/operator shall have complete maintenance responsibility for the water system within the Recreational Vehicle Park.

(6) The Town has no maintenance responsibility for service lines within the Recreational Vehicle Park. The responsibility of the Town stops at the property line.

(h) **Wastewater Facilities**.

(1) Each site within the Recreational Vehicle Park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the Town wastewater system.

(2) The wastewater system and materials must be installed in accordance with Louisiana law and all applicable codes adopted by the Town.

(3) The owner/operator shall have complete maintenance responsibility for the wastewater system within the Recreational Vehicle Park. The responsibility of the Town stops at the property line.

(i) **Electrical Service**. Each site within the Recreational Vehicle Park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with Louisiana law and all applicable codes adopted by the Town.

(j) **Sanitary Facilities.** Each Recreational Vehicle park shall provide sanitary facilities in accordance with Louisiana Administrative Code, Title 51, Public Health Sanitary Code, Part XIV, Plumbing, Chapter 15, Travel Trailers and Travel Trailer Parks.

(k) **Storage, Collection and Disposal of Refuse and Garbage.** Each Recreational Vehicle Park shall be provided with safe and adequate facilities for the collection and removal of waste and garbage. Storage, collection, and handling shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, or fire hazards. Every Recreational Vehicle site shall be located within 200 feet of a refuse facility measured along the Recreational Vehicle Park internal roadway. Trash dumpsters shall be screened on three sides.

(l) **Fire Safety Standards; Fire Hydrants.**

(1) A fire hydrant(s) must be placed such that each Recreational Vehicle Site is within at least 500 feet from one. Fire hydrants can be installed on a minimum of six-inch water line. If a public six-inch waterline with fire hydrant is not accessible, then the park must be designed to accommodate fire hydrants.

(2) Portable fire extinguishers rated for classes A, B and C fires shall be kept in service buildings and at other locations conveniently and readily accessible for use by all occupants and shall be maintained in good operating condition.

(3) Barbecue pits, fireplaces and stoves. Barbecue pits, fireplaces and wood burning stoves shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property.

(4) Open fire pits shall be allowed only in a manner and within a container approved by the Town fire chief.

(m) **Fencing.** At a minimum, a fence at least six feet in height constructed of wood or a screened metal fence must be placed on the sides and rear property line to buffer the Recreational Vehicle Park from view.

Sec. 120-65. Recreational Vehicle Park Owner/Management Responsibilities

(a) **Registration of Guests.** Each person renting a site within a Recreational Vehicle Park shall be registered with the manager in charge of the Recreational Vehicle Park. Registration information will consist of renter's name and home address, site being rented, date of arrival and expected departure date, automobile and recreation vehicle plate numbers.

(b) **Property Maintenance.** Park grounds shall be maintained in a clean and orderly condition in accordance with the Town's ordinances.

Sec. 120-66 Permanent Occupancy Prohibited. No Recreational Vehicle Park or recreational vehicle therein shall be used as a permanent residence for any period of time except for permanent full-time employees of the Recreational Vehicle Park. No more than one space shall be allowed for use as a permanent residence for full-time employees. Occupancy or parking of a recreational vehicle within the Recreational Vehicle Park extending beyond a 6 month period shall be presumed permanent occupancy and is hereby prohibited.

Sec. 120-67. Administration.

(a) **General provisions.** This article shall be administered by the Compliance Officer/ Zoning Administrator of the Town.

(b) **Modifications.**

(1) **Hardship.** Where the Planning and Zoning Commission finds that extraordinary physical circumstances related to the layout of the land prevent strict compliance with these regulations, it may modify the regulations so that substantial justice may be done and the public interest secured, provided that such modifications will not have the effect of nullifying the intent and purpose of the master plan or these regulations.

(2) **Conditions.** In granting modifications, the Planning and Zoning Commission may

require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

(c) **Enforcement.** No Recreational Vehicle Park and no extension or enlargement of a Recreational Vehicle Park shall be constructed without having been issued a building permit. No such permit shall be issued until the plans for such Recreational Vehicle Park or extension or enlargement thereof have been submitted to and approved by the Planning and Zoning Commission and the Board of Aldermen.

(d) **Penalties**.

(1) Violation of the provisions of this Article or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than $500.00 or imprisoned for not more than thirty days, or both, and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(2) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(3) Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 120- 68. Violations of Article.

(a) **Suspension.**

(1) Whenever, upon inspection of any Recreational Vehicle Park, the Town finds that conditions or practices exist which are in violation of any provisions of this Article applicable to such park, the Town shall give a notice of code violation in writing to the owner and/or manager of the Recreational Vehicle Park, and if such conditions or practices have not been corrected in the timeframe set forth in the notice, the Town may suspend the occupational license and give written notice of such suspension for the health, safety, and welfare of its citizens. Upon suspension of the occupational license, the owner/operator shall cease operation of such park.

(2) Code violations may be appealed to the Planning and Zoning Commission as set forth in this Article.

(b) **Inspections.**

(1) **Authorized.** The Compliance Officer or his designee and the Building Inspector are hereby authorized to make such inspections as are necessary to determine compliance

with this Article and Town ordinances.

(2) **Entry on Premises. T**he Compliance Officer or his designee and the Building Inspector are authorized to enter a Recreational Vehicle Park at reasonable times for the purpose of inspecting and investigating conditions relating to the enforcement of this section.

(c) **Notice of Violation.** Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this section, the Town shall give notice of such alleged violation to the owner or agent, as hereinafter provided. Such notice shall:

i. Be in writing.

ii. Include a statement of the reasons for its issuance.

iii. Allow ten days for compliance.

iv. Be served upon the owner/ permittee or his agent, provided that such notice or order shall be deemed to have been properly served upon such owner/permittee or agent when a copy thereof has been served in person or sent by certified mail to his/her last known address.

v. Contain an outline of remedial action that, if taken, will effect compliance with the provisions of this section.

vi. After all procedures outlined above are exhausted, citations may be issued if the permittee fails to comply with the remedial action required by said notice.

If a notice to a property owner in accordance with subsection (a) of this section and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected, and the notice is considered as delivered.

(d) **Appeal From Notice.** Any owner/permittee affected by any notice that has been issued in connection with the enforcement of any provision of this section applicable to such Recreational Vehicle Park may request a hearing before the Planning and Zoning Commission; provided that such person shall file, within ten days after receipt of the notice was served, a written petition requesting such hearing with the director of planning and setting forth a brief statement of the grounds thereof. The filing of a request for a hearing shall operate as a stay of the notice and of the suspension.

(e) **Issuance of Order.** After such hearing, the Planning and Zoning Commission shall issue an order in writing sustaining, modifying, or withdrawing the notice of suspension, which order shall be served by certified mail upon the petitioner. Any failure to comply with an order sustaining or modifying the finding of a violation shall constitute grounds for immediate revocation of the permit and occupational license of the Recreational Vehicle Park affected by the order.

(f) **Order Without Notice.** Whenever the Town finds that an emergency exists which requires immediate action to protect the public health or safety, the Compliance Officer and/or the Building Inspector may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this section, such order shall be effective immediately, but upon written petition to the Planning and Zoning Commission, a hearing shall be scheduled within 7 days which shall be in compliance with paragraph e of this section.

(g) **Violations Declared Nuisance; Abatement; Penalty.** Any noncompliance with this Article is hereby deemed a nuisance. The Town may abate and remove the nuisance and punish the person(s) responsible for causing or allowing the nuisance condition to exist. Any person(s) violating this Article shall be subject to a fine not to exceed $500.00 for each provision violated, and each day that there is a failure to comply with the terms of any provision of this section is declared to be a separate offense. For violations of the provisions of this Article that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, the fine may not exceed $2,000.00 per day, per violation. Any code official shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this section.

Sec. 120-69. Interpretation, Validity and Effective Date.

(a) **Interpretation.** In interpreting and applying the regulations set forth in this Article, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Whenever this Article requires higher standards than are required in any other applicable statute, ordinance or regulation, the requirements set forth in this Article shall govern. Whenever other applicable statutes, ordinances or regulations require higher standards than this Article, such other applicable statutes, ordinances or regulations shall govern.

(b) **Validity.** Should any section or provision of this Article be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Article as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Chapter 140 - ZONING

ARTICLE I. - AUTHORITY AND APPLICATION

Sec. 140-1. Authority.

This Chapter is adopted under authority of La. R.S. 33:4721- 4732. The requirements set forth therein as prerequisite to the adoption of a zoning ordinance have been fulfilled.

Sec. 140-2. Intent.

It is the intent of this Chapter to provide for the harmonious development of the Town of Jonesboro in accordance with the master plan previously adopted by the Town to lessen congestion

in the public streets, secure safety from fire, provide adequate light and air, avoid undue concentration of population, promote health and general welfare and conserve the value of buildings by encouraging the most appropriate use of the land by districting according to the particular suitability of the land for particular purposes, all to create conditions favorable to health, safety, convenience and prosperity.

Sec. 140-3. Area of Jurisdiction.

This Chapter shall apply to all land within the corporate limits of the Town of Jonesboro as such corporate limits exist or may exist in the future.

Sec. 140-4. Application of Regulations.

The regulations set by this Chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly. Except as hereinafter provided:

a. No land shall be used or occupied, no structure shall be designed, erected, altered, used, or occupied, and no use shall be operated unless in conformity with the regulations herein prescribed for the district in which such structure or land is located.

b. No structure shall be designed, erected, altered, used, or occupied to exceed the height limits herein established, to have less building site area, or to have narrower or smaller front, side, and rear yards than herein prescribed for the district in which the structure is located.

c. No part of a yard or other open space required about any structure for the purpose of complying with the provisions of this ordinance shall be included as a part of the yard or other open space similarly required for another structure.

d. No Building Site shall be so reduced or diminished that the building site area, yards, or other open spaces shall be smaller than prescribed by this Chapter.

e. Every structure, other than an accessory structure, hereafter designed, erected, altered, used, or occupied shall have provided and continuously maintained for it a separate Building Site as herein defined.

f. Every use, unless expressly exempted by this Chapter, shall be operated entirely within a completely enclosed structure.

Sec. 140-5. Definitions.

When used in this chapter, the following words and phrases have the meaning ascribed to them in this section, unless the context indicates a different meaning:

Accessory Structure. A detached subordinate building located on the same Building Site with

the main building, the use of which is incidental to that of the main building including but not limited to detached garage, outdoor advertising system, storage building, etc.

Accessory Use. A use customarily incidental to the principal use of a Building Site or to a building located upon the same Building Site with the accessory use, including parking lots, open storage activity, etc.

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

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

Barber Shop or Beauty Shop. All establishments (including those customarily referred to as a salon or spa) whose primary activity includes the rendering of personal services by those licensed by the Louisiana Board of Barber Examiners, by the Louisiana Board of Cosmetology, or by those who apply permanent cosmetics (permanent eyeliner, eye shadow, lip color or similar enhancements).

Bed & Breakfast. A building where, for compensation, a room and/or rooms (not exceeding 4 guest rooms) are rented for temporary residential tourist lodging for a period not to exceed fourteen (14) days. Common bathroom facilities may be provided rather than private bathrooms for each room, however no cooking facilities are permitted in individual rooms. This use in no way shall allow for the occupancy of a residence by permanent boarders.

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

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

Building Inspector. A person employed by or contracted with the Town of Jonesboro who is charged with the administration and enforcement of building codes.

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 Chapter; every Building Site shall abut upon a street.

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

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

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

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

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

Dwelling, Cluster. A one-family detached dwelling, excluding mobile homes, built in a cluster subdivision according to design specifications in Chapter 130 section 130-4.

Dwelling, Condominium. A group of two or more dwellings, similar to an apartment complex or townhouse subdivision providing for joint ownership of the underlying land and physical facilities and for individual ownership of the living spaces within.

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

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

Dwelling, Town House. Single family attached dwellings, excluding mobile homes, attached in a row served by servitudes of access and providing common open spaces and distinguished from condominium units by the ownership of the underlying land resting with the dwelling's owner rather than in common ownership

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

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

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

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

Home Occupation. an accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services within the limits imposed on such uses according to Sec. 140-56.

Hotel. A building containing guest rooms in which lodging is provided with or without meals for compensation, and which is open to transient or permanent guest, or both, and where no provision is made for cooking in any guest room or provision is made for cooking in not more than 25 percent of the guest rooms. The term includes "motel".

Livestock Keeping, Raising, or Breeding. The keeping, raising, or breeding of any animals, including fowl, of any type or nature whatsoever. However, the term "livestock keeping, raising, or breeding" does not include:

1. Keeping common household pets such as dogs, cats, hamsters, or caged birds for personal comfort and not as a commercial activity or with any expectation of realizing any proceeds or otherwise profiting therefrom;

2. The occasional sale of pet offspring; and

3. Small animal veterinary clinics and kennels.

Lot. A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be separated owned, used, developed or built upon.

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 Jackson 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 Jackson Parish.

Mobile Home means a factory-built, residential dwelling unit constructed to standards and codes, as promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq., as amended, and designed to be connected to utilities for year-round occupancy. For purposes of this Article, the terms “mobile home”, “manufactured home”, and “manufactured housing” may be used interchangeable and apply only to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development. A travel trailer is not to be considered a mobile home. Modular Homes are not mobile homes.

Mobile Home Lot/ Site means a tract or plot of land rented for the exclusive use of the occupants of a single mobile home.

Mobile Home Park means a tract or plot of land, whether publicly or privately-owned, which has been planned and improved for the placement of mobile homes for non-transient use; and the definition of a Mobile Home Park shall also mean any tract or plot of land upon which more than mobile homes are located regardless of whether or not a charge is made for such

accommodation.

Mobile Home Stand means that part of a mobile home lot which has been reserved for the placement of a mobile home, appurtenant structures or additions.

Modular Home. Modular Home means a sectional prefabricated building or house that consists of multiple sections called modules, and that are required to be built in accordance with International Residential Code ("IRC") standards as adopted by the Louisiana State Uniform Construction Code Council. They do not rest on a chassis and are assembled on a fixed foundation.

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

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

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

Off-Premises Sign. A permanently placed sign, other than an outdoor general advertising structure, not on the same premises with the establishment it advertises, identifies, or enhances. A sign identifying a planned residential or commercial development according to section 130-4(9) is considered to be an on-premises sign.

On-Premises Sign. A sign serving to identify or enhance commercial or other establishments which is on the premises of the establishment being served. An on-premises sign is considered to be part and parcel of the use to which it is associated.

Outdoor General Advertising Structure. A billboard or other off-premises sign for advertising.

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

Permitted Use. A use meeting all the requirements established by this Chapter for the district in which the use is located.

Planning and Zoning Commission. The Planning and Zoning Commission appointed in accordance with Chapter 120 Article II.

Recreational Vehicle. A motor vehicle originally designed or permanently altered, and equipped for human habitation, or to which a camper has been permanently or temporarily attached and designed as temporary living quarters for recreational, camping, travel, or seasonal use. The term "recreation vehicle" includes within its meanings the terms "recreation vehicle," "travel

trailer," "motor home," "housecar" and "camp car," "camper vehicles" and "campers."

Recreational Vehicle Park. A parcel (or contiguous parcels) of land divided into two (2) or more lots for the temporary placement of recreational vehicles. For purposes of this definition, temporary shall mean placement not to exceed sixty (60) consecutive days.

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

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

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

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

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

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

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

ARTICLE II. - DISTRICTS

Sec. 140-26. -General provisions.

(a) **Types of districts**. The town is hereby divided into the following types of districts:

(1) **Residential Districts.**
   a. R-1 Districts: Single-Family Residential.
   b. R-1H Districts: High Density Single Family Residential.
   c. R-2 Districts: Multi-Family Residential.

(2) **Business Districts.**

a. B-1 Districts: Transitional Business.
b. B-2 Districts: General Business.
c. B-3 District: Downtown Business.

(3) **Industrial Districts** (I-1).

(4) **Open Land Districts** (O-L).

(b) **Order of Restriction.** These districts shall be ranked with respect to degree of restriction, in descending order of restriction as follows: R-1, R1-H, R-2, B-3, B-1, B-2, I-1, and O-L.

(c) **Official Zoning Map.**

(1) The zoning districts and the boundaries thereof are shown on the attached Official Zoning Map of the Town of Jonesboro which map is hereby adopted by reference and declared to be a part of this Chapter.

(2) The Official Zoning Map shall be identified by the signature of the Mayor, attested by the Town Clerk, under the following words: This is to certify that this is the Official Zoning Map of the Town of Jonesboro, Louisiana referred to in Jonesboro Code of Ordinance Chapter 140, Section 140-26 as adopted on the date of the adoption of this ordinance.

(3) If, in accordance with the provisions of this ordinance and La. R.S. 33:4721—33:4732, changes are made in district boundaries, parcels are rezoned, or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Board of Aldermen.

(d) **District Boundaries**. Except where specifically shown by dimension or otherwise on the Zoning Map, the boundaries of districts are lot or property lines, the center lines of streets or alleys or such lines extended, railway right-of-way lines, natural boundary lines such as water courses, and the municipal corporate limit lines as they may exist from time to time. Questions concerning the exact location of any district boundary shall be decided by the Planning and Zoning Commission.

(e) **Utility Lines.** Water, electric transmission, sanitary sewer, telephone, and telegraph, stormwater drainage, and natural gas lines, regardless of any other provision or regulation appearing in these regulations, shall not be deemed and shall not constitute uses requiring planned approval or special exception uses in any district insofar as their placement, erection, or construction on dedicated streets, alleys, and public ways is concerned; but on such streets, alleys and public ways, they shall constitute uses by right, and no permit, license or other document of approval for such use shall be required under this Chapter. However, this exception does not preclude the necessity of construction and other permits required by other Chapters of the Jonesboro Code of Ordinances.

(f) **Annexed Territory.**

(1) Where property hereafter annexed to the Town of Jonesboro had, prior to its annexation, a zoning classification corresponding to one of the classifications provided for in this Chapter, such annexed territory shall retain such classification until and unless changed in accordance with the amendment procedure set forth in this Chapter.

(2) Where property hereafter annexed to the Town of Jonesboro had, prior to its annexation, a zoning classification not corresponding to one of the classifications provided for in this Chapter or had no classification, such annexed territory shall be classified by the Board of Aldermen at the time of annexation. Such classification shall be included in the ordinance annexing the property into the Town.

Sec. 140-27. - Permitted Uses in All Districts.

In all districts, uses are categorized into three groups: Uses by Right, Conditional Uses Requiring Planning and Zoning Commission approval, and Uses allowed only by Special Exception.

(a) **Uses by Right** are permitted subject to any conditions specified in the relevant section of this Article.

(b) **Conditional Uses Requiring Planning and Zoning Commission Approval** are permitted upon approval of the location and site plan thereof by the Planning and Zoning Commission as being appropriate with regard to transportation and access, water supply, water disposal, fire and police protection, and other public facilities, as not causing undue traffic hazard, and as being in harmony with the orderly and appropriate development of the District in which the use is located.

(c) **Special Exception Uses** are declared to possess such characteristics of unique or special form that each specific use shall be considered on an individual case and shall be subject to approval of the Board of Aldermen after a Public Hearing before the council held after the application is reviewed by the Planning and Zoning Commission.

(d) **Classification Of Unlisted Uses.** The classification of uses not readily determinable by this Chapter shall be fixed by the Zoning Administrator.

Sec. 140-28. R-1 Districts: One-Family Residence Districts.

These districts are composed mainly of areas containing one-family dwellings and open areas where similar residential development seems likely to occur; few two-family and multiple-family dwellings are found in these areas. The construction of future two-family and multiple family dwellings will not be allowed in R-1 Districts. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such

facilities as schools and churches, and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

(a) **Permitted Uses.** In R-1 Districts only the following uses are permitted:

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

Accessory Use

Dwelling, One-Family

Farming and Truck Gardening; need not be enclosed within structure

Home Occupation as allowed by Sec. 140-56.

Modular Homes

Mobile home, Class A

Name Plate, not exceeding one square foot in area, need not be enclosed within structure

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

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

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

Fire Station

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

Library (public)

Mobile home, Class B

On Premises Signs identifying a subdivision in accordance with Article X of this Chapter.

On Premises Signs for churches, schools, and/or public buildings approved by the Planning and Zoning Committee and permitted in accordance with Article X of this Chapter.

On Premises Signs for other nonresidential structures approved by the Planning and Zoning Committee and permitted in accordance with Article X of this Chapter.

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

Telephone exchange, but not including administrative offices, shops, or garages.

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

Water Storage; need not be enclosed within structure

Water or Sewage Pumping Station

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

Art gallery or museum.

Cemetery

College or University

Convalescent Home

Counseling Center

Electric Substation; need not be enclosed within structure but must be enclosed within a wall or fence at least ten (10)feet high and adequate to obstruct view, noise, and passage of persons

Hospital

Institution for children or the aged

Nursery, Day Care, or Kindergarten

On Premises Signs for other nonresidential structures approved by the Board of Aldermen and permitted in accordance with Article X of this Chapter.

Radio and Television Broadcasting Transmitter, but not including studio

Respite Care Facility

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

University or College (non-profit)

(b) **Building Site Area.** Except as provided in Section III, the minimum building site area in R-1 Districts shall be:

For a one family dwelling ....7,200 sq. ft.

For elect substation, gas regulator station, water or sewage pumping station …. none

For any other permitted use .....10,000 sq. ft.

(c) **Building Height Limit.** Except as provided in Article III, no structure shall be designed, erected, or altered in R-1 Districts to exceed thirty-five (35) feet.

(d) **Yards Required.** Except as provided in Article III, the minimum dimensions of yards in R-1 Districts shall be:

Front Yard .....25 ft.
Side Yard .....5 ft.
Rear Yard .....25 ft.

Sec. 140-29. -R-1H Districts; Higher Density Single-Family Residential Districts

These districts are composed of areas containing only single-family detached and townhouse residential developments. It is anticipated that they will be established to encourage innovative planned residential developments, according to article IV of this chapter, of a higher density than in R-1 zones while maintaining a suitable neighborhood environment for family life. To foster a suitable family environment, these districts require certain minimum yard and area standards, allow only very specific nonresidential uses such as parks and senior citizen facilities, and exclude all commercial uses.

(a) **Permitted Uses.**

(1) **Uses by right.** In R-1H Districts, only the following uses are permitted as of right:

All uses by right permitted by right in the R-1 Districts.

Dwelling, cluster (according to provisions of section 130-4(9))

Dwelling, townhouse (according to provisions of section 130-4(9))

Recreation center (indoor, publicly-owned)

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

All Conditional Uses Requiring Planning and Zoning Commission Approval permitted in the R-1 District.

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

All special exception uses permitted in R-1 Districts.

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(b) **Building Site Area.** Except as provided in Article III, the minimum building site area in R-1H Districts shall be:

For a one family dwelling ....7,200 sq. ft.

For elect substation, gas regulator station, water or sewage pumping station …. none

For any other permitted use .....10,000 sq. ft.

(c) **Building Height Limit.** Except as provided in Article III, no structure shall be designed, erected, or altered in R-1H Districts to exceed thirty-five (35) feet.

(d) **Yards Required.** Except as provided in Article III, the minimum dimensions of yards in R-1H Districts shall be:

Front Yard .....25 ft.
Side Yard .....5 ft.
Rear Yard .....25 ft.

Sec. 140-30. R-2 Multiple Family Residence Districts.

These districts are composed mainly of areas containing a mixture of one-family, two-family, and multiple family dwellings and open areas where similar residential development seems likely to occur. There is evident a trend toward increased population density through conversion

of large houses into duplexes or apartments and through use of remaining vacant land for apartment buildings. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

(a) **Permitted Uses.** In R-2 Districts only the following uses are permitted:

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

All uses by right permitted by right in the R-1 Districts.

Churches

Dwelling, cluster (according to provisions of section 130-4(9))

Dwelling, condominium (according to provisions of section 130-4(9))

Dwelling, multi-family

Dwelling, townhouse (according to provisions of section 130-4(9))

Dwelling, Two-Family

Mobile Home Park (in conformance with Chapter 120, Article III.

Mobile Home Class A, B and C

On Premises Sign identifying a multi-family complex or mobile home park.

On Premises Signs for churches, schools, and/or public buildings.

Recreation Center (indoor, publicly-owned)

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

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

Unless specified in paragraph (a)(1) of this section, all Conditional Uses Requiring

Planning and Zoning Commission Approval permitted in the R-1 District.

Nursery, Day Care Center, or Kindergarten.

On Premises Signs for other nonresidential structures approved by the Planning and Zoning Committee and permitted in accordance with Article X of this Chapter.

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

Unless specified in paragraph (a)(1) or (a)(2) of this section, all special exception uses permitted in R-1 Districts.

Bed & Breakfast

College Fraternity or Sorority House

On Premises Signs for other nonresidential structures approved by the Board of Aldermen and permitted in accordance with Article X of this Chapter.

(b) **Building Site Area.** Except as provided in Article III, the minimum building site area shall be:

For a single-family dwelling .....7,200 sq. ft.

For a single-family town house dwelling .....1,750 sq. ft.

For a multiple-family dwelling
First two dwelling units ..... 7,200 sq. ft.
Each additional dwelling unit .....2,000 sq. ft.

For any other permitted use .....10,000 sq. ft.

For electric regulator, gas regulator, water or sewage pumping station … None

(c) **Building Height Limit.** Except as provided in Article III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.

(d) **Yards Required.** Except as provided in Article III, the minimum dimensions of yards shall be:

Front Yard .....20 ft.
Side Yard .....5 ft.
Rear Yard .....20 ft.

(e) **Townhouses.**

(1) Each townhouse shall have its own lot yard space of at least 400 square feet, reasonably secluded from view from streets or from neighboring property. Such yard shall not be used for off-street parking or for any accessory building.

(2) Townhouses may be intermingled with other types of housing except that they shall not be located on lots of less than 150 feet of frontage.

(3) Not more than six contiguous townhouses shall be built in a row with the same or approximately the same front building line, and not more than 12 townhouses shall be contiguous.

Sec. 140-31. B-1 Districts: Transitional Business District.

These districts are composed of land and structures occupied by or suitable for such uses as offices, studios public parking lots, and some retail goods and services to satisfy the daily household needs of the surrounding residential neighborhoods. Although usually located between residential areas and business areas, these districts are in some instances free-standing in residential areas or they may include public entities and related uses. The district regulations are designed to protect and encourage the transitional character of the districts by limiting the permitted uses of those of a semi-commercial nature and to protect the abutting and surrounding residential areas by requiring certain minimum yard and area standards to be met, standards that are comparable to those called for in the residence districts. The construction of new residences in these districts, while permitted, is not encouraged.

(a) **Permitted Uses.** In the B-1 Districts only the following uses are permitted:

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

Accessory Use

Altering and Repairing of Apparel

Antique Store

Apparel and accessory store

Apothecary (limited to the sale of pharmaceuticals and medical supplies)

Art Gallery or Museum

Automobile and Truck Gas Station (no repair, salvage, or body work)

Automobile and truck parts store, retail (excluding all mechanical operation)

Bakery, retail

Bank

Barber shop or beauty shop

Book store

Camera and photographic supplies store

Candy, nut and confectionery store.

Catering shop.

Clinic, Dental and Medical

College or University

Convalescent Home

Counseling Center

Dairy products sales (retail)

Delicatessen

Department Store

Dry cleaning pick-up station only

Dry goods store, retail

Fire station

Fix-it-shop

Fruit store, retail

Funeral home, mortuary or undertaking establishment

Garden supplies store (handling pre-packaged fertilizers)

Gift shop

Grocery store, retail

Hardware store, retail

Health food store

Hobby supply store

Home Occupation as allowed by Sec. 140-56.

Hospital or Outpatient Surgery Clinic

Ice cream store

Interior Decorating Shop

Jewelry Store

Laundry, self-service only

Leather or luggage store

Library (public)

Library or reading room

Loan or Finance Office, no repossessed or acquired items or automobiles can be displayed or stored on premises.

Music Store

Name Plate or Sign, not exceeding three square feet in area, need not be enclosed within structure

Nursery, Day Care or Kindergarten

Offices

Office equipment and supplies, retail

On-Premises Sign – with permit as provided in Article X of this Chapter.

Optician

Pharmacy

Photographic studio and/or processing

Picture framing

Post office

Printing, publishing, and copying services

Record and music shop

Reducing salon

Respite care facility

Restaurants, but not including alcoholic beverages

Restaurants, drive thru, but not including alcoholic beverages

Retail auto parts store, excluding all mechanical operations.

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

Shoe store, retail.

Sporting goods store, retail.

Studio for Professional Work or teaching of any form of fine arts, photography, music, drama, dance, but not including commercial gymnasium

Tobacco store

Toy store

Variety store

Veterinary Clinic

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

Alcoholic Beverage Retail Sales (carry-out only, not to be consumed on premises)

Ambulance service

Bakery, wholesale

Barber and beauty supplies and equipment sales

Bicycle and/or lawn mower sales and repair

Bingo Parlor (state regulated)

Blueprinting and photostating

Business college

Business incubator

Cabinet or carpenter shop

Church; including Parish House, Community House and Educational Building

Club or Lodge, Private, not including one the chief activity of which is a service customarily carried on as a business

College Fraternity or Sorority House

Dry cleaning, laundry, linen, diaper and/or uniform service

Dwelling, cluster (according to provisions of section 130-4(9))

Dwelling, condominium (according to provisions of section 130-4(9))

Dwelling, multi-family

Dwelling, one-family

Dwelling, townhouse (according to provisions of section 130-4(9))

Dwelling, two-family

Electric equipment repair shop

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

Exterminators

Farm equipment and supplies sales (need not be enclosed within structure)

Feed store

Fixture sales

Floor covering sales

Floral Shop

Food locker plant renting only individual lockers for home customer storage of food

Food vendor (on street, licensed)

Fruit and produce, wholesale

Furniture refinishing, repair, and/or upholstering

Furniture Store

Glass store

Golf course (not commercial miniature amusement) (need not be enclosed in structure)

Gymnasium, commercial

Hotel, motel, tourist home

Institution for children or the aged

Laboratory, dental or medical

Landscape garden sales (need not be enclosed within structure)

Laundry

Locksmith

Machinery, tools and construction equipment, sales and service

Marine store

Mini-warehouses (as regulated in section 140-83)

Mobile Home Park (in conformance with Chapter 120, Article III)

Mobile home, Class A

Mobile home, Class B

Mobile home, Class C

Mobile home or portable building for business permitted in this zone provided that it meets the standards in Sec. 140-55.

News stand

Paint and wallpaper store

Painting and decorating contractor

Paper supplies, wholesale

Park or public playground including recreation center, need not be enclosed within structure

Pipe Line or Electric Transmission Line

Police Substation

Post office

Radio and Television Broadcasting Studio, but not including transmitter

Radio and television store and repair shop

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

Restaurants where food including alcoholic beverages is served and consumed inside the enclosed structure, the serving or consumption of foods or beverages is not allowed outside the enclosed structure.

Revival church (temporary) on a one week permit.

Seafood store, retail

Seed store

Shoe repair shop

Small animal clinic (with kennels)

Tailor shop

Telephone Exchange, but not including administrative offices, shops, or garages

Theater, indoor

Tile shop

Town hall, police station, courthouse, federal building

Vending machines operations

Venetian blind and metal awning fabrication and cleaning

Vulcanizing shop

Water distillation

Water or sewage pumping station

YMCA, YWCA and similar institutions

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

Amusements, commercial

Automobile and truck sales, rentals, repair (need not be enclosed within structure).

Automobile and truck body repair (enclosed, no salvage or wrecking).

Automobile and truck filling station and/or repair (no salvage, wrecking or body work)

Automobile and truck laundry, not to include mechanically operated rotating brushes.

Automobile and truck storage (commercial) (need not be enclosed within structure)

Automobile and truck tire store (sales and installation of tires and accessories)

Bars and lounges for consumption of alcohol on premises.

Bed and Breakfast

Building specialties store

Creamery

Dry cleaning, laundry, linen, diaper and/or uniform service

Food products, wholesale storage and sales

Fur dyeing, finishing and storage, no tanning

Greenhouse

Lumber yard and building materials (need not be enclosed within structure)

Miniature golf course

Mobile home sales (need not be enclosed within structure)

Off-Premises Sign – with permit as provided in Article X of this Chapter.

Parcel service (e.g.: UPS, Fedex)

Passenger depot, railway or bus

Pawn shop

Pet shop

Recording studio

Rug Cleaning

Small engine repair

University or College, non-profit

Water Storage: need not be enclosed within structure

Water or Sewage Pumping Station

YMCA, YWCA, and similar institutions

(b) **Building Site Area**. Residential structures in B1, shall have the same building site Area required in R1. There is no minimum required building site area for businesses.

(c) **Building Height Limit.** Except as provided in Article III, no structure shall be designed,

erected, or altered to exceed forty-five (45) feet.

(d) **Yards Required**. Except as provided in Article III, the minimum dimensions of yards shall be:

Front Yard .....25 ft.
Side Yard ..... 5 ft.
Rear Yard .....20 ft.

Sec. 140-32. B-2 Districts: General Business Districts.

These districts are composed of land and structures occupied by or suitable for furnishing the range of retail goods and services required by the residents of the Town and its greater trade area. The district regulations are designed to permit the development of the districts for their purposes subject to limitations designed to prevent congestion of the area that would result from over-intensive development. It is intended that additional general business districts will be created in accordance with the amendment procedures set forth herein as they are needed to serve new neighborhoods.

(a) **Permitted Uses.** In B-2 Districts only the following uses are permitted:

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

All uses permitted by right in B-1 Districts

Ambulance service

Air conditioning sales and service

Apothecary

Automobile and truck parts store, retail (excluding all mechanical operation)

Automobile and truck sales, rentals, repair (need not be enclosed within structure).

Automobile and truck storage (commercial) (need not be enclosed within structure)

Automobile and truck tire store (sales and installation of tires and accessories)

Bakery, wholesale

Barber and beauty supplies and equipment sales

Bicycle and/or lawn mower sales and repair

Bingo Parlor (state regulated)

Blueprinting and photostating

Boat body repair (non-metal)

Building specialties store

Business College

Business incubator

Cabinet or carpenter shop

Creamery

Electric equipment repair shop

Electric Substation; need not be enclosed within structure but must be enclosed within a wall or fence at least ten (10) feet high

Exterminators

Feed store

Fixture sales

Floor covering sales

Floral Shop

Food locker plant renting only individual lockers for home customer storage of food

Food products, wholesale storage and sales

Furniture Store

Furniture refinishing, repair, and/or upholstering

Fruit and produce, wholesale

Glass store

Hotel, motel, tourist home provided

Landscape garden sales (need not be enclosed within structure)

Laundry

Locksmith

Machinery, tools and construction equipment, sales and service

Mini-warehouses (as regulated in section 140-83)

Miniature golf course

News stand

Paint and Wallpaper store, retail

Painting and decorating contractor

Paper supplies, wholesale

Pawn shop

Pet shop

Plumbing shop

Police substation

Post Office

Radio and Television Broadcasting Studio, but not including transmitter

Radio and television store and repair shop

Railway right of way but not including shops, yards, and team tracks; need not be enclosed within structure

Recording studio

Rug Cleaning

Seafood store, retail

Seed store

Sporting Goods Store retail, excluding repair and testing of motors and outdoor boat display

Tailor shop

Telephone Exchange, but not including administrative offices, shops or garages

Theater

Tile shop

Vending machines operations

Venetian blind and metal awning fabrication and cleaning

Vulcanizing shop

Water distillation

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

Unless specified in paragraph (a)(1) of this section, all Conditional Uses Requiring Planning and Zoning Commission Approval permitted in B-1 Districts

Automobile and truck body repair (enclosed, no salvage or wrecking)

Automobile and truck filling station and/or repair (no salvage, wrecking or body work)

Boat body repair (metal and non-metal)

Fairgrounds

Farm equipment and supplies sales (need not be enclosed within structure)

Fur dyeing, finishing and storage, no tanning

Golf driving range (need not be enclosed within structure)

Laboratory, dental or medical

Lumber yard and building materials (need not be enclosed within structure)

Rooming house and boarding house

Sign, Outdoor General Advertising structure, need not be enclosed within structure

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

Unless specified in paragraph (a)(1) or (a)(2) of this section, all special exception uses permitted in B-1 Districts.

Truck shop (as defined by state law)

Off-Premises Signs approved by the Board of Aldermen and permitted in accordance with Article X of this Chapter.

(b) **Building Site Area**. Residential structures in B2, shall have the same building site Area required in R1. There is no minimum required building site area.

(c) **Building Height Limits.** Except as provided in Article III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.

(d) **Yards Required**. Except as provided in Article III, the minimum dimensions of yards shall be:

Front Yard .....25 ft.
Side Yard .....5 ft.
Rear Yard .....20 ft.

Sec. 140-33. B-3 Downtown Development District.

This district is composed of land and structures occupied by or suitable for furnishing a range of retail goods, entertainment, cultural, and personal services required by the residents of the town and its greater trade area. The regulations explicitly recognize the historical contexts within which the district's structures were designed and occupied, particularly during the era before the advent of the automobile, more modern circulation patterns, and construction techniques. The intent of the district's regulations is to encourage the close association of compatible and mutually beneficial uses and structures which:

(1) Encourage preservation of the district's unique architectural character;

(2) Promote pedestrian oriented traffic patterns;

(3) Invite patrons from beyond the district's boundaries;

(4) Discourage uses and structures deemed harmful to the overall prosperity of the

district's residents and businesses; and

(5) Otherwise seek to accomplish the goals of the comprehensive plan as adopted by the town, including any amendments to said plan as may be from time to time adopted.

(a) **Permitted Uses.** In B-3 Districts only the following uses are permitted:

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

Antique shop

Apothecary (limited to the sale of pharmaceuticals and medical supplies)

Apparel and accessory store

Appliance store

Art gallery or museum

Bakery, retail

Barber shop or beauty shop

Book store

Camera and photographic supplies store

Candy, nut, and confectionery store

Dairy products sales (retail)

Delicatessen

Department store

Dry cleaning pick-up station only

Dry goods store, retail

Furniture store, retail

Gift shop

Hardware store, retail

Health food store

Hobby supply store

Hotel, motel, tourist home provided

Ice cream store

Interior decorating service

Jewelry Store

Library or reading room

Music store

News stand

Office

Office equipment and supplies, retail

On-Premises Sign – with permit as provided in Article X of this Chapter.

Optician

Photographic studio and/or processing

Picture framing

Post office

Printing, publishing, and copying services

Radio and television store and repair shop

Record shop

Restaurants, but not including alcoholic beverages

Restaurants, drive thru, but not including alcoholic beverages

Shoe sales, retail

Sporting goods store, retail

Theater, indoor

Tobacco store

Town hall, police station, courthouse, federal building

Toy store

Variety store

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

Amusements, commercial (indoor)

Auditorium

Bank

Business college

Catering shop

Church, including parish house, community house, and educational buildings

Clinic, dental or medical

Computer sales and service

Dairy products sales (wholesale)

Dwelling, condominium

Dwelling, multi-family

Dwelling, one-family

Dwelling, two-family

Floral shop

Food vendor (on street, licensed)

Grocery store, retail

Home Occupation as allowed by Sec. 140-56.

Loan office

Nursery, day care, or kindergarten

Parcel service (e.g.: UPS, Fedex)

Park, playground, or recreation center (public) (need not be enclosed within structure)

Passenger depot, railway or bus

Pawn shop

Pet shop

Pipe line or electric transmission line (need not be enclosed within structure)

Police Substation

Radio and television broadcasting studio

Railroad right-of-way (not including shops, yards, and team tracks)

Recording studio

Reducing salon

Restaurants where food including alcoholic beverages is served and consumed inside the enclosed structure, the serving or consumption of foods or beverages is not allowed outside the enclosed structure.

Revival church (temporary) on a one week permit.

Rug Cleaning

Seafood store, retail

Seed store

Shoe repair shop

Studio for professional work or teaching of any form of fine arts

Tailor shop

Telephone exchange (not including shops or garages)

Vegetable store

Vending machines operations

Water or sewage pumping station

YMCA, YWCA and similar institutions

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

Accessory Use

Bars and lounges for consumption of alcohol on premises.

Business incubator

Club or lodge (private) not including any service customarily carried on as a business

Fee-charged parking lots (privately-owned)

Furniture refinishing, repair, and/or upholstering
School, elementary and/or secondary (meets all compulsory education laws of the state).

Recreational Vehicle Park in accordance with Chapter 120 Article IV.

Small business development center

(b) **Building Site Area.** Residential structures in B2, shall have the same building site Area required in R1. The minimum building site area for all other buildings shall be 3,000 square feet.

(c) **Building Height Limit.** Except as provided in Article III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.

(d) **Yards Required**. Except as provided in subsection (g) of this section, no yards are required.

(e) **Parking.** The requirements of Article V of this Chapter, concerning required off-street parking

and loading, are waived in the downtown development district.

(f) **District Use Regulations.**

(1) **Purpose.** The placement of high-level pedestrian attractors are encouraged to be situated on ground-floor levels adjacent to pedestrian traffic areas to enhance the district as a healthy retail and personal service district.

(2) **Standards.**

i. Uses by right are encouraged in ground-floor locations adjacent to sidewalks and other pedestrian traffic lanes.

ii. Uses shown as permitted by planning approval are encouraged to be situated in above-ground locations or other locations that are not immediately adjacent to high pedestrian traffic lanes as deemed appropriate by the planning commission.

(3) **Compliance.** Notwithstanding the provisions of section 140-130(f), the district use regulations in this section shall apply to all new construction, and to any re-establishment of any non-conforming use in any existing building if such non-conforming use has been abandoned or discontinued for any period of time, regardless of duration. Change of ownership alone shall not constitute abandonment or discontinuance.

(g) **District Structural Regulations.**

(1) **Purpose.**

i. Blank walls on the ground-floor level are limited:

1. To encourage continuity of retail and consumer service uses;
2. To encourage retail and commercial activities at street level;
3. To provide a pleasant, rich, and diverse experience for pedestrians by visually connecting activities occurring within a structure to adjacent sidewalk areas;
4. To enhance crime prevention by increasing opportunities for surveillance of the street from the interiors of buildings and vice versa;
5. To restrict unpleasant, blank-wall facades at the street level; and
6. To avoid a monotonous environment.

ii. Building setbacks, shapes, and bulk are regulated to encourage a harmonious association of compatible buildings.

(2) **Standards.**

i. **Transparency Requirements**.

1. At least 50 percent of the length and at least 25 percent of the area of ground-level exterior walls abutting sidewalks, plazas, or other public open spaces or rights-of-way must be devoted to windows affording views into retail, office, or lobby space, pedestrian entrances, or retail display windows.

2. This limitation on blank walls does not apply to sides of buildings having residential units located adjacent to the exterior ground-floor wall.

3. Buildings having less than 50 percent of their ground-level floor area in retail, office, or lobby use:

   (i) Where a building contains other active uses found by the planning commission to be of visual interest to the pedestrian, windows affording views of that active use may be provided as an alternative to subsection (a)(2)a of this section. Examples of such uses are pressrooms, classrooms, kitchens, or manufacturing processes. Parking areas, truck loading areas, vehicular access ways, and storage areas are not to be considered active uses.

   (ii) Artwork such as murals or reliefs may be substituted to meet the requirements of subsection (a)(2)a of this section, if the proposed artwork is found by the planning commission to meet the intent of this section. Artwork and displays relating to activities occurring within the building or historical subjects relating to the downtown area are encouraged.

ii. **Building Setback Limitations.**

1. Along a street or pedestrian right-of-way, building walls must extend to the right-of-way line for at least 75 percent of said line.

2. As an alternative to (a)(2)b of this section, walls may extend to within 12 feet of said line with the remaining space between the building and line designed as an extension of the sidewalk and committed to active uses, including, but not limited to, sidewalk cafes, vendors' stands, public art, or pedestrian rest areas with street furniture.

3. Alleys unusable by the public for pedestrian access may not be created between buildings.

iii. **Exterior Design Compatibility (Existing Development).**

1. Every reasonable effort shall be made to provide a compatible use for an existing building which requires minimal alteration of the building, structure, or site and its intended purpose.

2. The distinguishing original qualities or character of a building, structure, or site

and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier or later appearance shall be discouraged.

4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

iv. **New Development or Additions.** Any new or existing building, structure, and appurtenances thereof, that is moved, reconstructed, materially altered, or expanded shall be visually compatible with buildings, public ways, and places to which it is visually related in terms of the following characteristics:

1. Its height; the relationship of width to height of its elevation; the relationship of width to height of its windows; the number, frequency and intervals of its windows, doors, and other appurtenances; the relationship of solids to voids on its exterior facades;

2. Its relationship to any open space between it and adjoining buildings or structures; the relationship of its entrances and other projections to sidewalks, the relationships of the materials, textures, and colors of its facade;

3. The shape of its roof line; the bulk and arrangement of associated walls, fences, landscape masses, entryways, signs, awnings, porches, and balconies; and

4. Its directional orientation, whether this be vertical, horizontal, or nondirectional.

v. Balconies and Awnings. Only cloth awnings or banners shall project into rights-of-way, alleys, or other public access ways; however, the planning commission may approve balconies that encroach into public rights-of-way, provided the design of such a balcony does not violate the requirements of subsection (e)(2)c of this section.

(3) **Compliance.**

i. Notwithstanding the requirements of section 140-130(f), district structural regulations in this section shall apply to all new construction and all major remodeling projects in the downtown development district.

ii. A major remodeling project is any remodeling or reconstruction where the building floor area is being increased by 15 percent or more or when the cost of the remodeling is greater than 50 percent of the fair market value of the existing improvements on the site (fair market value for purposes of this provision being defined as that value used to calculate the assessed value of the site on the assessment rolls of the town for the most recent year).

iii. Multiple remodeling projects undertaken over a period of five years or less where the cumulative effect is to accomplish a major remodeling shall be considered a major remodeling project for purposes of this section.

Sec. 140-34. I-1 Districts; Industrial Districts.

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

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

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

Abrasive manufacture

Accessory use

Acetyene gas manufacture and or service

Air conditioning sales and service

Air products manufacture

Airport and/or dusting service (need not be enclosed within structure)

Alcohol distillation and/or storage

Ammonia bleaching powder and chlorine manufacture

Automobile and truck body repair (enclosed, no salvage or wrecking).

Automobile and truck filling station and/or repair (no salvage, wrecking or body

Automobile and truck laundry

Automobile and truck sales, rentals, repair (need not be enclosed within structure).

Aviary (need not be enclosed within structure)

Bakery, wholesale

Battery manufacture

Beverage manufacture (not including alcoholic)

Boat body repair (metal and non-metal)

Boiler or tank works

Brewery

Canvas products manufacture

Carnival or circus, as a temporary use (three-day) permit

Carting, express, crating, hauling and storage

Caustic soda manufacture

Celluloid manufacture

Clothing manufacture

Coffee roasting

Cold storage plant

Concrete and concrete products manufacture (need not be enclosed within structure)

Contractor's, storage yard (need not be enclosed within structure)

Corrections facility, jail, or prison

Cosmetics (compounding only)

Cotton compress

Cotton ginning and baling

Creamery

Dairy equipment sales

Detergents, soaps, and by-products using animal fat manufacture

Diesel engine repair

Disinfectant, insecticide, or poison manufacture

Dog pound (need not be enclosed within structure)

Drug manufacture

Dry cleaning, laundry, linen, diaper and/or uniform service

Dry goods store, retail

Dry goods, wholesale

Dyestuff manufacture

Electric equipment repair shop

Electric power generating station

Electric substation or gas regulator station (enclosed by wall or fence w/ screen planting)

Electroplating

Elevator maintenance service

Farm equipment and supplies sales (need not be enclosed within structure)

Feed store

Felt manufacture

Fertilizers manufacture or processing

Fixture sales

Food locker plant renting only individual lockers for home customer storage of food

Food products, manufacture

Food products, wholesale storage and sales

Foundry

Freight depot, railway and/or truck

Frozen food plant

Fruit and produce, wholesale

Fungicides manufacture

Fur dyeing, finishing and storage, no tanning

Garbage and trash collection service (need not be enclosed within structure)

Glass manufacture

Glass products manufacture (from glass stock)

Grain drying or feed manufacture from refuse, mash or grain

Grain milling, storage and elevators

Graphite manufacture

Hair products manufacture or processing

Hardware manufacture

Hardware, wholesale storage and sales

Hatchery

Hosiery mill

Ice cream manufacture

Ice manufacture

Incinerator

Insulation manufacture or fabrication

Laboratory

Laundry

Linoleum manufacture

Lumber yard and building materials (need not be enclosed within structure)

Machinery, tools and construction equipment, sales and service

Mail order house

Marine store

Mattress manufacturing and rebuilding

Metal products fabrication

Metal sharpening

Millinery manufacture

Millwork and similar wood products manufacture

Novelty and souvenir manufacture

Office

Office equipment and supplies manufacture or distribution

Oil well supplies and machinery (need not be enclosed within structure)

Oils and fats (animal and vegetable manufacture)

On-Premises Sign – with permit as provided in Article X of this Chapter.

Packing and gasket manufacture

Painting and decorating contractor

Paper products manufacture

Paper supplies, wholesale

Paper, pulp, cellulose and rayon manufacture

Passenger depot, railway or bus

Pipe storage (need not be enclosed within structure)

Plastic fabrication

Plastic manufacture

Plumbing shop

Potash shop

Poultry processing, storage, and/or dressing

Printing inks manufacture and fabrication

Printing, publishing, and copying services

Radio and television broadcasting transmitter

Railroad right-of-way (not including shops, yards, and team tracks)

Restaurant supplies and equipment sales

Revival church (temporary) on a one week permit issued by the zoning administrator.

Riding academy (need not be enclosed within structure)

Rock crusher

Roofing and gravel storage (need not be enclosed within structure)

Roofing and sheetmetal shop

Rug Cleaning

Sand and gravel storage yard (need not be enclosed within structure)

Sawmill and planing mill

Seed store

Sewage disposal plant

Shoe manufacture

Shoe repair shop

Shoe sales, wholesale and retail

Sign shop

Small animal clinic (no kennels)

Small animal clinic (with kennels)

Small engine repair

Soda and washing compound manufacture

Sporting goods store, retail

Sporting goods store, wholesale

Stone cutting

Sugars and starches manufacture

Syrup manufacture

Tool manufacture

Town hall, police station, courthouse, federal building

Toy manufacture

Trade school

Trailer manufacture

Trailer sales (need not be enclosed within structure)

Transit vehicle storage and servicing (need not be enclosed within structure)

Venetian blind and metal awning fabrication and cleaning

Water or sewage pumping station

Water storage (need not be enclosed within structure)

Welding shop

Well drilling company

Wholesale and warehousing

Wood finishing products manufacture such as paints, enamels, lacquers, and varnishes

Wood preserving by creosote or other impregnation treatment (outdoors)

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

Armory

Automobile and truck storage (commercial) (need not be enclosed within structure)

Chemicals (heavy or industrial), manufacture and/or processing

Off-Premises Sign – with permit as provided in Article X of this Chapter.

Pipe line or electric transmission line (need not be enclosed within structure)

Sign, outdoor general advertising structure (need not be enclosed within structure)

Tar distillation or manufacture

Taxidermy

Telephone exchange (not including shops or garages)

Telephone exchange (including shops and garages)

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

Acid manufacture (hydrochloric, nitric, pieric, sulphuric, sulphanous, carbolic)

Animal black, lamb black, or bone black manufacture

Animal reduction

Automobile and truck salvage yard (all vehicles obscured from view by a fence or wall).

Bones, distillation

Butane and other liquefied petroleum gas products storage and sales

Cement, lime, gypsum and plaster manufacture

Clay and clay products manufacture (need not be enclosed within structure)

Explosives, fireworks and gunpowder manufacture and/or storage

Glue, size, or gelatin manufacture

Matches manufacturing

Meat slaughtering and/or packaging

Metal ingots, pigs, castings, sheets or bars manufacture

Petroleum and petroleum products manufacture, processing or storage

Recreational Vehicle Park in accordance with Chapter 120 Article IV

Rubber or gutta percha manufacture processing or reclaiming

Salvage yard, including storage, baling or sale of rags, paper, metal, or junk (obscured)

Stockyards (need not be enclosed within structure)

Tannery, including curing of hides

(b) **Building Site Area.** The minimum building site area shall be 10,000 square feet.

(c) **Building Height Limit.** Except as provided in Article III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.

(d) **Yards Required**. Except as provided in Article III, the minimum dimensions of yards shall be:

Front Yard …..25 ft.
Side Yard …..10 ft.
Rear Yard …..10 ft. However, a rear yard abutting on a lot in a district with a higher level of restriction as defined in section 140-26(b) shall have the same minimum depth as the yards required in the higher level district.

Sec. 140-35. – O-L Districts; Open Land Districts.

These districts are composed mainly of large open unsubdivided lands that are vacant or in agricultural or forestry uses. The regulations are designed to protect the essentially open character of the districts, until such time as plans for development are prepared by prohibiting the establishment of scattered residential, business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future urban utilization of the land. It is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedures set forth herein whenever such land is subdivided into urban building sites.

(a) **Permitted Uses.** In O-L Districts only the following uses are permitted:

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

Accessory use

Airport and/or dusting service (need not be enclosed within structure)

Archery range (need not be enclosed within structure)

Fairgrounds

Farming and truck gardening (need not be enclosed within structure)

Golf course (not commercial miniature amusement) (need not be enclosed in structure)

Golf driving range (need not be enclosed within structure)

Miniature golf course

Park, playground, or recreation center (public) (need not be enclosed within structure)

Riding academy (need not be enclosed within structure)

Water storage (need not be enclosed within structure)

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

Cemetery (need not be enclosed within structure

Church, including parish house, community house, and educational buildings

College or university

Corrections facility, jail, or prison

Fire station

Funeral home, mortuary or undertaking establishment

Livestock keeping, raising, breeding (animals must be 150 feet away from other uses)

Off-Premises Sign – with permit as provided in Article X of this Chapter.

On-Premises Sign – with permit as provided in Article X of this Chatper.

Pipe line or electric transmission line (need not be enclosed within structure)

Radio and television broadcasting transmitter

Railroad right-of-way (not including shops, yards, and team tracks)

Revival church (temporary) on a one week permit issued by the zoning administrator.

School, elementary and/or secondary (meets all compulsory education laws of the state).

Skeet, trap, and target shooting range

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

Electric substation or gas regulator station (enclosed by wall or fence w/ screen planting)

Excursion boat and dock (not to be used as dwelling)

Institution for children or the aged

Recreational Vehicle Park in accordance with Chapter 120 Article IV.

Telephone exchange (not including shops or garages)

Telephone exchange (including shops and garages)

Water or sewage pumping station

(b) **Building Height Limit.** Except as provided in Article III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.

(c) **Yards Required**. Except as provided in Article III, the minimum dimensions of yards shall be:

Front Yard .....25 ft.
Side Yard .....10 ft.
Rear Yard .....25 ft.

Sec. 140-36. - Extended Occupancy.

(a) No recreational vehicle as defined in section 140-5, located anywhere within the Town Districts R-1, R-1H or R-2 shall be connected to town water, town sewer and/or commercially-supplied electricity unless said recreational vehicle is located within a Recreational Vehicle Park, as defined in section 140-5 and Chapter 120 Article IV.

(b) No recreational vehicle, as defined in section 140-5, located anywhere within the Town Districts R-1, R-1H or R-2, unless the same is located within a Recreational Vehicle Park as defined by section 140-5 and Chapter 120 Article IV, shall be occupied, unless a permit for such occupancy has been obtained from the town.

(c) No recreational vehicle as defined in section 140-5, located anywhere within the town zoned R-1, R-1H or R-2 shall be occupied by any individual who has rented the same from the owner of said recreational vehicle, it being the intention of this Chapter to prohibit the rental of recreational vehicles within the town.

(d) Notwithstanding any other provision of this Chapter, a recreational vehicle, as defined in section 140-5, located within the town zoned R-1, R-1H or R-2 but outside of any recreational vehicle park, as defined in section 140-5 and Chapter 120 Article IV, may be occupied for a period of more than 30 days, provided that:

(1) An application has been made to the board of aldermen seeking permission for such extended occupancy, said application having been made prior to any provision of this chapter being violated; and

(2) The board of aldermen has, by a unanimous vote, granted permission for such extended occupancy.

Any period of extended occupancy granted by the board of aldermen under the provisions of this section shall not be for a period in excess of 30 consecutive calendar days; each request for a period of extended occupancy shall require a new application and approval; and at no time shall a period of extended occupancy be granted for more than a single recreational vehicle on a single tract or lot of land.

(e) Any person, firm or corporation violating the provisions of this section shall be fined, upon conviction, not less than $10.00 and not more than $25.00 or imprisoned for not more than 30 days, or both, for each offense. Each day that a violation occurs will be considered as a separate offense. The imposition of any penalty hereunder shall not preclude the building inspector, zoning administrator, town attorney or other appropriate authority of the town, or any adjacent or neighboring property owner who would be specifically damaged by such violation, from instituting injunction, mandamus or other appropriate actions or proceedings to prevent such unlawful activity.

ARTICLE III. SUPPLEMENTARY REGULATIONS

Sec. 140-54. Supplementary Use Regulations

(a) **Areas Subject to Inundation**. Certain areas are subject to periodic inundation, making them unsafe and unfit for human habitation. No structure or portion thereof which is designed for dwelling use or as a place of public assembly shall be erected or altered for such uses where the land to be covered by such structure or portion thereof has been designated by the Chairman of the Planning and Zoning Commission and/or the Zoning Administrator as uninhabitable, until the conditions making the land uninhabitable have been corrected. Land that is permitted to be used shall not be considered to be guaranteed by the Town against flood or other hazard.

(b) **Natural Production Uses.** In any district the extraction of oil, gas, or other natural mineral

deposit, except top soil, may be permitted upon the approval of the Planning and Zoning Commission and subject to such terms and conditions as the Commission may fix for the protection of adjacent property and uses.

(c) **Noise.** There shall be no production by any use of noise which at any boundary of the building site is in excess of the average intensity of street and traffic noise at that boundary.

(d) **Heat, Glare and Vibration.** There shall be no emission by any use of objectionable heat, glare or vibration which is perceptible beyond any boundary of the building site on which the use is located.

(e) **Hazard.** There shall not be created or maintained by any use any unusual fire, explosion or safety hazard beyond the boundary of the lot on which the use is located.

(f) **Illumination of Uses.** Lighting facilities used to illuminate signs, parking areas, or for other purposes shall be so arranged that the source of light is concealed from adjacent residence properties and does not interfere with traffic.

Sec. 140-55. Mobile Homes Regulations.

(a) **Intent.** It is the intent of these regulations to encourage the provision of affordable housing in a general residential environment by permitting the use of Class A mobile homes (as defined herein) in all residential districts of the town subject to limitations in size, shape and foundation as specified below.

(b) **Mobile Homes Standards.**

(1) All mobile/manufactured homes to be placed on any lot or parcel within the Town of Jonesboro must comply with the standards defined herein. These regulations are designed to protect the residential character of the area protected by these standards and to ensure a residential environment and compatibility with adjoining sites.

(2) For the purpose of this section, travel trailers and recreational vehicles shall not be authorized for use as permanent residents and shall not be provided sewer, water or electric utility connections in residentially zoned area. The prohibitions provided in this section shall not apply to the placement of temporary construction trailers used as an office related to a permitted construction project or the placement of a travel trailer and/or recreational vehicle in a Recreational Vehicle Park in accordance with Chapter 120, Article III

(c) **Mobile Home Lot Requirements.** The minimum Mobile Home Lot size and setback requirements for a mobile home outside a Mobile Home Park shall be defined by the minimum area of the respective zone the home is being placed.

(d) **Location Restrictions:** Mobile homes may not be placed on any parcel of land located on Highway 167 within the Town limits. This location restriction shall not apply to any mobile

home currently located on Highway 167 which is occupied by a resident on the date of the adoption of this ordinance.

(e) **Installation Standards**. All mobile homes shall be installed and anchored in accordance with the standards set forth in the Louisiana Revised Statute 51:912.21, et. seq..

(f) **Skirting.** All Mobile/manufactured homes shall have skirting in place within ninety (90) days of placement and prior to occupancy.

1. Skirting shall extend from the bottom of the mobile home to the ground.

2. Skirting shall cover all four (4) sides of the mobile/manufactured home.

3. All skirting shall meet one (1) of the following requirements:

    i. Manufactured skirting; or
    ii. Decorative metal, vinyl or plastic skirting; or
    iii. Brick, mortar or other stone structure skirting.

4. The area enclosed by the skirting may not be used for storage and must be kept free of debris at all times.

(g) **Parking and Access.** A paved or all weather surface driveway composed of gravel or other material with a minimum width of ten (10) feet shall be provided.

(h) **Steps and Handrails.** Minimum four foot by four foot landing with handrails, guardrails and steps shall be required at the main entrance to all mobile homes. All other entrances shall have steps and handrails.

(i) **Classifications of Mobile Homes.** Mobile Homes shall be classified into one of the following four classes:

Class A: New manufactured homes certified as meeting the national mobile home construction and safety standards act of 1974 (effective June 15, 1976) of the U.S. department of housing and urban development (HUD).

Class B: An unaltered, undamaged, used manufactured home certified as meeting the federal (HUD) standards specified in Class A of this section that is less than 4 years old.

Class C: An unaltered, undamaged, used manufactured home certified as meeting the federal (HUD) standards specified in Class A of this section that is more than 4 years old but less than 10 years old and remains in a good condition and is safe and fit for residential occupancy as determined by the Compliance Officer and/or the Building Inspector.

Class D: The following types of mobile homes are classified as Class D:

1. Manufactured or mobile homes that are more than 10 years old.

2. Manufactured or mobile homes that are new or used which have been damaged as a result of neglect, fire, weather or road transporting, or altered or modified as a result of same or at the choice of owners.

(j) **Approval of Classification and Zoning Prior to Placement of Mobile Homes.**

(1) **Classification Application**. Applications for Classification and Zoning Approval of mobile homes shall be submitted to the Zoning Administrator in such form as may reasonably be required to make determinations of suitability as specified herein.

(2) **Required Attachments.** The following must be submitted with all Applications for approval of classification and zoning:

i. **Photos.** All applications for Classification and Zoning Approval shall include color photos of said mobile home - either printed or submitted electronically. Printed photographs shall be a minimum size of three inches by five inches (3"x5") and shall include images of all four (4) sides and underneath the mobile/manufactured home. No classification or approval shall be granted unless said photographs are supplied to the Zoning Administrator.

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

iii. **Age Documentation**. Documentation for the mobile home showing the age of the mobile home.

iv. **Ownership Documents.** Proof of the applicant's ownership of the mobile home and the applicant's mailing address.

v. **Certification.** Certification signed by owner showing intent to install skirting and comply with the other installation standards required by this section.

v. **Application Fee.** A nonrefundable application fee of $50.00 must be submitted with the application for Classification and Zoning Approval.

(3) **Approval of Classification and Zoning.**

i. The Zoning Administrator has the authority to approve all Class A applications provided the applicant provides all items required by this section. The Zoning Administrator shall approve, deny, or indicate in writing the conditions under which such Classification and Zoning may be approved within 15 days of

receipt of a completed application.

ii. Applications for Class B and Class C must be reviewed by the Planning and Zoning Commission and approved by a majority of the members present at the meeting at which the matter is reviewed. Applications for approval of Class B and/or Class C mobile homes shall be placed on the agenda for the next Planning and Zoning Commission meeting following receipt of the application. The Planning and Zoning Commission shall then approve, deny, or indicate in writing any additional information needed and/or the conditions under which such Classification and Zoning may be approved.

iii. Class D mobile homes are not allowed to be moved into the Town and no approval may be issued for the placement of same.

(k) **Moving Permit.** No mobile home shall be placed on any site within the Town's limits to be used for residential or commercial purposes without the selling dealer and/or mover, or either of them, first obtaining a permit for the placement of that mobile home, and assuming responsibility for its placement in accordance with all laws and regulations.

(l) **Required Inspection**

(1) **Public Utilities.** Public utilities including but not limited to, telephone gas, water, or electricity, shall not be provided to any mobile home until the owner or occupant of said mobile home provides a certificate of occupancy to the provider of such utility.

(2) **Inspection**. Prior to issuance of a permit, each Class A and B mobile home shall be inspected by the Compliance Officer for compliance with the provisions of the standards. If the Compliance Officer determines further inspection is needed prior to approval, the Class B mobile home shall be inspected by the Building Inspector. All Class C mobile homes shall be inspected by the Building Inspector for compliance with the provisions of the standards required by this section and applicable state and federal law. The Building Inspector is authorized and empowered to enter the premises of any mobile home to perform the inspections required. The Building Inspector shall complete a written report to the Town which shall include a determination regarding the following:

i. All electrical and plumbing comply with NEC and state plumbing codes as set forth in the Louisiana Administrative Code Title 17;

ii. All roofing and gutters shall be free from defects such as buckling or sagging, holes or other defects that would result in air or water infiltration.

iii. All exterior walls and siding shall be in good condition and without holes, dents, or excessive peeling or flaking paint.

iv. All windows and doors shall be free of signs of deterioration or missing or

broken out panes and shall be lockable from inside with a form of mechanical fastener.

v. All undersides of mobile homes shall be in good condition and insulation will be secured in place by manufactured fabric as per mobile home industry, or hardware cloth secured neatly.

vi. Foundation for mobile home meets the requirement of state law.

vii. Skirting has been installed as required by this ordinance. If the inspection is completed prior to the 90 days after the mobile home was placed on the property and skirting has not yet been installed, then the inspector shall note the anticipated date of installation in his report.

viii. Other information the Building Inspector believes in his professional judgment should be included in said inspection and report.

(3) **Inspection Fees.** The standard fees for inspection by the Compliance Officer are included in the Application Fees. However, if the Compliance Officer must travel further than 45 miles to do the inspection, and additional $50.00 shall be charged. The fees for inspection by the Building Inspector shall be paid directly to the Town's contracted Building Inspector at the standard rate charged for same.

Sec. 140-56. Home Occupations Provisions

(a) **Intent.** It is the intent of these regulations to encourage only those home occupations which can be so located and conducted that they preserve the essential characteristics of residential neighborhoods, cause no undue hazards to other residences or to the public, place no additional burdens on public facilities or services beyond what would normally be associated with residential uses, and to not have the effect of discriminating against commercial uses properly located in commercial districts.

(b) **Performance Standards.**

(1) Home occupations shall be conducted solely by residents of, entirely within, incidental to the residential use of, and utilizing not more than 25 percent of the dwelling. No articles or services are to be sold or offered for sale on the premises except those that are produced by residents of the dwellings themselves.

(2) No home occupation shall require internal or external features or the use of electrical or mechanical equipment which would change the fire rating of the structure or the fire district in which the structure is located. No home occupation shall cause an increase in the use of any public utilities beyond the average for residences in the neighborhood, nor shall it create noise, dust, vibrations, smog, smoke, glare, electrical interference, fire hazard, or nuisance to any greater or more frequent extent than is usually experienced under normal circumstances wherein no home occupation exists.

The creating of noise from tools, equipment, machinery, or other devices associated with the otherwise legal conduct of any home occupation in a residential neighborhood which can be heard beyond the property lines of the property where such occupation is conducted shall be considered a nuisance.

(3) There shall be no storage of equipment, tools, goods, supplies, or implements or display of goods related to the home occupation which is visible beyond the borders of the property upon which the home occupation is conducted, nor shall any related combustibles, explosives, or hazardous chemicals be stored on the premises.

(4) The home occupation shall not generate hazardous vehicular or pedestrian traffic. A home occupation which requires recurrent on-site transactions or consultations must provide one additional off-street parking space for each 200 square feet of floor space devoted to the occupation; said parking spaces shall not be located in any required front yard.

(5) One non-illuminated name plate is allowed attached to the main structure, not to exceed two square feet in size.

(6) The premises may not be used to park occupation-related vehicles larger than two tons in weight.

(c) **Permissible Home Occupations.** Following are examples of uses that may qualify under the above conditions as home occupations; provided, however, that home occupations are not limited to those listed below if they otherwise meet the standards of this section:

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

Professionals such as architects, engineers, draftsmen, and other similar professionals.

Office for salesman, real estate agent, sales representative, manufacturer's representative, insurance agent, contractor.

Dressmaker, seamstress, tailor.

Music teachers, provided that the instruction shall be limited to no more than three students at a time. There shall be no electronic amplifications of sound.

Jewelry making.

Artists and sculptors.

Authors and composers.

Home crafts, such as model making, rug weaving and lapidary work.

Other similar uses as approved by the building inspector in accordance with standards provided herein.

(d) **Exclusions**. Home occupations, as the term is defined herein, specifically excludes certain uses that have a pronounced tendency to rapidly increase beyond the limits permitted, thereby impairing the use and value of a residentially zoned area for residential purposes. Thus, the following home occupations are specifically excluded for homes located in residential districts:

(1) Animal services or grooming.
(2) Appliance repair and services.
(3) Beauty/barber shop w/more than one operator.
(4) Carpentry work (on-premises).
(5) Dance instruction.
(6) Dental or medical treatment.
(7) Food sales (on-premises).
(8) Metal product fabricating.
(9) Private schools with organized classes.
(10) Small engine repair.
(11) Upholstering (auto and furniture).
(12) Vehicle restoration.
(13) Vehicle service, repair, or painting.

These exclusions do not apply to residences located in B-1, B-2, B-3 and I-1. Home Occupations in B-1, B-2, B-3 and I-1 zones are governed by the requirements of the zone in which the residence is located.

Sec. 140-57. Permanent Yard Sales.

(a) **Yard Sales Defined.** Yard sales are defined in Chapter 16, Section 16-3 of the Town of Jonesboro and all persons are required to comply with that section to hold a garage sale.

(b) **No Permanent Yard Sale**. No owner or occupant of property in the town shall conduct a permanent garage or yard sale.

(c) **Permanent Defined.** For purposes of this section, the term "permanent" is defined as:

(1) Having a duration in excess of 72 hours;
(2) Having regularly scheduled hours of operation each day for more than three days; or
(3) Having regularly scheduled days of operation each week for more than two weeks.

(d) **Retail Dealers.** The Town may issue 30-day permits to licensed retailers which will allow them to display goods outside of the confines of their approved structures. Any permit for a period in excess of 30 days must be approved by the Board of Aldermen in legal session convened.

Sec. 140-58. Supplementary Area Regulations.

(a) **Dwelling on Small Building Site**. Where a lot located in a residential district contains an area less than the required building site area for the residential district and on the effective date of this ordinance was existing and of record and held in separate and different ownership from any lot immediately adjoining, such lot may be used as the Building Site for a one-family dwelling. If located in a district permitting commercial or industrial use, the lot may be used for any use permitted in the district in which the lot is located.

(b) **Reduced Lot Area**. No lot shall be so reduced in area that any required yard will be smaller than prescribed for the district in which the lot is located.

(c) **Visibility at Intersections.** On a corner Building Site in any district in which a front yard is required, no fence, wall, hedge, or other structure or planting more than three (3) feet in height shall be erected, placed, or maintained within the triangular area formed by the intersecting street lines and a straight line connecting such street lines at points thirty (30) feet from the point of intersection measured along such street lines.

Sec. 140-59. Supplementary Height Regulations

(a) **Excess Height.** In any district, any main building may be erected or altered to a height in excess of that specified for the district, provided each front, side and rear yard is increased one foot for each two feet of such additional height; this provision includes areas where no yard is required.

(b) **Height Exceptions.** Except as provided in subsection (c) of this section, the height limitations for the various districts shall not apply to structures not used for human habitation such as church spires, belfries, cupolas, domes, 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.

(c) **Towers.** Free standing radio, television, microwave, cellular telephone, and other types of antenna towers and outdoor general advertising structures as defined in section 140-5 are not exempt from the height limitations specified in the district regulations of article II of this chapter.

Sec. 140-160. Supplementary Yard Regulations

(a) **Front Yard Depth.** Any lot lying between two lots adjacent thereto and having structures erected upon them on the effective date of the ordinance from which this chapter is derived shall have a front yard equal in depth at least to the average depth of the front yards of the lots adjacent thereto; provided, however, that no front yard shall be less than ten feet in depth, nor shall any front yard have a greater depth than 35 feet.

(b) **Additional Side Yard Requirements.** Where the side of a lot in a commercial district abuts upon the side of a lot in a residential district, there shall be provided on the lot in the commercial district a side yard not less than 20 feet in width on the side next to the residential district.

(c) **Accessory Buildings.**

(1) No accessory building shall occupy any part of a required front or side yard or occupy more than 30 percent of a required rear yard.

(2) No accessory building shall be erected or altered so that it is closer to any lot line than five feet, except that in a B-3 district an accessory building may be as close to an interior, side lot line as the primary building on the site.

(3) No accessory building shall be closer to any right-of-way line than the primary building on the site.

(4) Accessory structures (other than buildings) shall meet the same requirements as accessory buildings, except that commercial, on-premises signs in commercial districts are allowed to occupy a required front or side yard, provided the sign structure is no closer to any right-of-way line than ten feet.

(d) **Future Street Lines.** Front yard depth and, in the case of corner lots, side yard width shall be measured from the future street right-of-way line where such lines have been established by the master plan.

(e) **Corner Lot.** In any district a corner lot shall have provided on the side adjoining the side street, a side yard of 20 feet in width; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner lot to less than 30 feet.

(f) **Projecting Architectural Features**. Every part of a required yard shall be open and unobstructed from the ground to the sky except for permitted accessory structures and for the ordinary projections of sills, belt courses, open fire escapes, cornices, buttresses, eaves and similar architectural features, provided that such projections shall not extend more than two feet into any required yard.

(g) **Fences and Walls.** No fence or wall that obstructs sight shall be erected or altered in any required front yard to exceed a height above street level of three feet; and no fence or wall, other than the wall of a permitted structure, shall be erected or altered in any required side or rear yard to exceed a height of seven feet.

(h) **Buffer Protection.** Wherever the boundary of a residential district is conterminous with the boundary of a commercial or industrial district, and residential lots abut commercial or industrial lots, there shall be provided and maintained, on the commercial or industrial land abutting the residential district, adequate buffer protection as follows:

(1) A masonry wall at least eight feet in height; or

(2) Screen planting accompanied by a permanent board or chain link type fence, both of which are at least eight feet in height. Screen planting shall be of sufficient density to afford protection from the glare of lights, from blowing papers, dust and debris, from visual encroachment, and from excessive transmission of noise and shall be maintained in a clean and healthy condition.

Sec. 140-161. Supplementary Protection Standards

(a) **Accessibility for Fire Protection.** In all Districts, all building sites shall provide access to all structures thereon for firefighting equipment.

(b) **Dust, Dirt, Odors, Gases, Smoke, and Radiation.** There shall be no emission by any use of dust, dirt, odors, gases, smoke, or radiation which is in an obnoxious or dangerous amount or degree beyond any boundary of the Building Site on which the use is located.

(c) **Wastes.** No materials or wastes shall be stored in such a manner that they may be transferred off the Building Site by natural forces or causes.

Secs. 140-62—140-80. Reserved.

ARTICLE IV. PLANNED UNIT DEVELOPMENT REGULATIONS

Sec. 140-81. - Planned Unit Developments; Planned Building Groups.

Except as set out in this article, these regulations require a separate lot for each structure other than an accessory structure. To allow and encourage greater design flexibility for location for buildings comprising a planned group, the requirement for a separate lot for each building is waived and two or more buildings may be erected and maintained on the same lot only when certain conditions, as described in this article, are met.

Sec. 140-82. - Planned Unit Residential Developments.

(a) The following policy statement is in regard to the planned residential development provisions of the subdivision regulations in Chapter 130:

(1) It is intended to permit, on application and approval of detailed plans, creation of new higher density, single ownership residential projects where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units. Suitability of such tracts for the plans and development proposed shall be determined by the existing and prospective character of surrounding development, and by reference to the comprehensive plan.

(2) In view of the substantial public advantages of planned unit development, it is the intent of this article to promote and encourage development in this form where appropriate in location and character.

(3) Higher density, single ownership residential developments represent a special plan for a minimum of two and a maximum of six acres permitting the development of smaller building sites than otherwise permitted by this chapter and the subdivision regulations in Chapter 130. Certain modifications of the general subdivision requirements are permitted when, in the opinion of the planning commission, adequate provisions are made for circulation, recreation, light, air and service needs of the tract when fully developed and populated.

(b) Factors to be considered by the commission in review of planned residential development projects include:

(1) Deed covenants for the development should include provisions for the maximum coverage of building sites and other design specifications in accordance with the provisions of Chapter 130.

(2) Deed covenants must include adequate provisions for the perpetual maintenance of common areas such as courts and playgrounds.

(3) Plans for the development must include concrete curb and gutter streets, sidewalks, underground drainage, adequate spacing of structures to ensure access by emergency vehicles, and adequate off-street parking and access by residents. The Planning and Zoning Commission may approve street rights-of-way of less than 50 feet in width with vehicular turnarounds of less than 100 feet in diameter, provided the street is no longer than 500 feet in unbroken length and, further provided that the proposed street is part of a cluster, townhouse, or condominium development according to specifications in Chapter 130.

(4) Consideration must be given to reservation of recreation space to serve the project's population. This required open space is in addition to other required open space and must exceed five percent of the gross area of townhouse, or condominium development.

(5) Planned residential development projects will be required to follow subdivision regulation review procedures of sketch plan, general subdivision plan and final plat reviews as well as:

i. Evidence of provision for operation and maintenance of such areas, improvements, facilities, and service as will be for common use by some or all of the occupants of the development, but will not be provided, operated, or maintained at general expense; and

ii. A preliminary traffic analysis indicating the probable effect of the proposed development on traffic patterns and capabilities of adjacent streets in the immediate area.

(6) Other than the specific requirements listed above, planned residential development

projects will comply with the general design and improvement standards of the subdivision regulations and this chapter.

Sec. 140-83. Standards for Mini-Warehouse Developments.

(a) **Definitions.** When used in this section, the following words and phrases have the meaning ascribed to them in this subsection, unless the context indicates a different meaning:

Impervious surface means a surface on the ground which does not allow passage of water, including, but not limited to, buildings and structures, and concrete, gravel, stone, and shell parking areas, driveways, and walkways.

Impervious surface ratio means the ratio of all impervious surfaces on a lot to the total area of said lot.

Mini-Warehouse Developments means a commercial enterprise consisting of rented storage space with individual unit areas not exceeding 350 square feet.

(b) **Setbacks required.** Notwithstanding the lesser setback requirements specified in the various districts, the following setback requirements shall apply to all mini-warehouse developments:

Front yards 25 feet

Side yards 5 feet

Rear yards 10 feet

except that a side yard abutting on a public street shall equal or exceed 20 feet.

(c) **Height Limitations.** Notwithstanding the height limitations of the various districts, all mini-warehouse developments shall be limited in height to 35 feet, said height limitation shall apply to all structures on the site including signs.

(d) **Surfaces.** The impervious surface ratio for any mini-warehouse development shall not exceed 65:1; however, the ratio may be increased to 75:1 if all pervious surfaces are in the front yard of the development.

(e) **Residences.** The Planning and Zoning Commission may approve one on-premises residence in a mini-warehouse development provided the structure and placement of the residence meets all regulations pertaining to both residential uses and mini-warehouse developments.

Sec. 140-84. Conditions to be Met by Special Plans for Building Groups.

(a) **District Regulations.** All buildings groups shall comply with all of the regulations established for the district in which the building group is located except the regulation requiring a separate lot to be provided for each principal structure. Such building group may be considered as one

building for the purpose of complying with the required lot area, height, yard and other structural regulations; however, planned building groups must comply with all use limitations of the district within which it is located.

(b) **Site Plan and Improvements.** A special plan for a building group may be required to show the following:

(1) Drainage. Adequate facilities for the drainage of surface water, including storm sewers, gutters, paving and the proper design of finished grades;

(2) Circulation. Adequate facilities for the safe and convenient circulation of pedestrian and vehicular traffic, including walks, driveways, off-street parking areas, off-street loading areas, and landscaped separation spaces between pedestrian and vehicular ways;

(3) Play Areas. In residential or mixed use developments, adequate and safely located play areas for small children.

(c) **Building Spacing and Orientation.** The following spacing between buildings shall be measured perpendicularly between exterior walls:

(1) Spacing of Buildings. A building wall shall be located no closer to another building than a distance equal to the height of the taller building of the two; provided further, that for a building containing dwelling units, such distance shall not be less than 15 feet in the case of a wall having no windows.

(2) Access by Emergency Vehicles. The building in a planned building group shall be so arranged that every building is accessible by emergency vehicles.

Sec. 140-85. Procedure on Special Plans for Building Groups.

(a) **Application for Approval.** An application for approval of a special plan for a building group shall be filed with the Zoning Administrator and shall contain the following information:

(1) Interest and Ownership. The applicant's name (and all others represented by the applicant), address and interest in the application, the concurrence of the owner of the entire land area included in the special plan and all incumbrances of such land, and evidence of the right and actual intent to develop the designated area.

(2) Plans for Building Group. Plans showing the land area included within the special plan, with its boundaries and dimensions, all public and private easements and rights-of-way, both existing and proposed, within or bounding the designated area and the adjoining properties, the location, number of stories, and gross floor area of proposed principal buildings and accessory buildings, curb cuts, driveways, off-street parking areas, off-street loading areas, walks, open areas to be set aside for special purposes, the location and height of proposed walls, fences, and screen planting, the types of

paving or other surfacing to be used in the various areas, and such other site information as may be necessary to describe completely the proposed building group.

(b) **Administrative Examination.** Upon receipt of an application for approval of a special plan for a building group, and after assuring that the application is properly and completely made out, the Zoning Administrator shall transmit the application to the Planning and Zoning Commission.

(c) **Review by Planning and Zoning Commission.** The Planning and Zoning Commission shall review each application at the next scheduled meeting upon proper notice to Applicant. The Planning and Zoning Commission shall approve or disapprove the special plan during said meeting after considering all relevant information. Approval by the Planning and Zoning Commission may establish and be contingent on conditions and limitations.

(d) **Filing and Recording of Special Plan.** Upon approval of a special plan, a copy of such plan shall be filed among the records of the Town and shall thereafter be binding upon the applicants, their heirs, successors, and assigns, shall limit and control the issuance and validity of permits and certificates, and shall restrict and limit the use and operation of all land and structures within the area designated in such special plan to all conditions and limitation specified in such special plan and the approval thereof.

(e) **Amendment or Withdrawal of Special Plan.** Pursuant to the same procedure and subject to the same limitations and requirements by which the special plan was approved and registered, any special plan may be amended or withdrawn.

Secs. 140-86—140-105. – Reserved.

ARTICLE V. OFF-STREET PARKING

Sec. 140-106. Provision of Off-Street Parking Required.

The off-street parking facilities herein required shall be provided in at least the amount and maintained in the manner herein set forth, provided that off-street parking facilities need be neither provided nor maintained for land actually used or for structures actually existing (whether occupied or vacant) on the effective date of the ordinance from which this chapter is derived, unless after the effective date of the ordinance from which this chapter is derived such land, structures, or uses are enlarged, expanded or changed in which event, the land, structures and uses hereby excluded shall not be used, occupied or operated unless there is provided for the increment only of such land, structures and use, and maintained as herein required at least the amount of off-street parking facilities that would be required hereunder if the increment were a separate land, structure or use.

Sec. 140-107. Off-Street Parking Standards.

Off-street parking facilities shall be constructed, maintained and operated in accordance with the following specifications:

(a) **Size, Location, and Access.**

(1) **Size.** Each off-street parking space shall be an area of appropriate dimensions, of not less than 180 square feet net, exclusive of access area; however, handicapped spaces shall meet the requirements of public law 101-336 as specified in 28 CFR 36 and other applicable federal regulations.

(2) **Location.** Off-street parking facilities shall be located on the lot on which the use or structure for which they are provided is located.

(3) **Vehicular Access.** Vehicular access to individual parking spaces shall be provided by aisles as follows:

Angle of Space	Width of Aisle
90 degrees	25 feet
60 degrees	18 feet
45 degrees	14 feet
30 degrees	12 feet

(b) **Drainage and Surfacing.** Parking facilities shall be properly graded for drainage, surfaced with concrete or asphaltic concrete and maintained in good condition, free of weeds, dust, trash and debris.

(c) **Entrances and Exits.**

(1) Parking facilities shall be provided with entrances and exits so located as to minimize traffic congestion as determined by the zoning administrator.

(2) Vehicle access isles to the street from the development shall not exceed the number and size needed for efficient traffic flow to and from the development.

(3) The exterior peripheries of parking facilities shall be defined by landscaped strips at least two feet in width. Each such landscaped strip shall be raised and protected by curbs and shall contain grass, shrubbery, and two trees for every automobile access to the street.

(d) **Parking Bays.**

(1) Parking bays containing not more than 100 parking spaces shall be established.

(2) Such blocks shall be defined by landscaped strips at least 15 feet wide. Each such landscaped strip shall be raised and protected by curbs and shall contain:

i. Grass and shrubs;

ii. A four-foot wide pedestrian walk extending the full length of the strip; and

iii. One tree for every 50 parking spaces.

(3) Vehicular access aisles within the block shall be connected to one or more roadways at least 24 feet wide or such greater width as may be required to accommodate the volume of traffic anticipated and along which no parking spaces shall be provided or allowed.

(e) **Lighting.** Lighting shall be provided in all parking facilities accommodating ten or more vehicles and such lighting shall be so arranged that the source of light does not shine directly into adjacent residential properties and does not interfere with traffic.

(f) **Other Uses.** Other uses such as the sale, repair, dismantling, or servicing of vehicles, equipment, materials or supplies shall not be conducted within required off-street parking facilities. Retail sales shall not be conducted in store parking lots; however, the occasional display of goods for sale may occur in parking areas provided the display occupies available space in excess of required parking spaces and obtaining the proper permit.

(g) **Residential Areas**. In residential districts, off-street parking facilities shall be used only by vehicles up to 8,000 pounds gross vehicle weight, manufacturer's capacity rating, and having wheels not exceeding 17 inches in diameter.

(h) **Residential.** Required off-street parking facilities for dwelling uses shall not occupy any part of a required front yard.

Sec. 140-108. Amount of Off-Street Vehicle Facilities Required.

(a) **Parking.** At least the following amount of off-street parking facilities shall be provided. The classifications of uses shall be deemed to include and apply to all uses, and if the classification of any use for the purpose of determining the amount of off-street parking facilities to be provided is not readily determinable hereunder, the classification of the use shall be fixed by the Zoning Administrator.

Use Classifications	Spaces Required
Adult educational institutions	1 per 3 students
Automobile, truck, RV, or boat dealership	1 per 900 square feet gross (but never less than 2 spaces)

Bank	1 space per 200 square feet gross (plus adequate vehicle queue lanes to prevent off-site lines)
Broadcasting studio	1 per 400 square feet gross
Churches	1 per 2 seats (in the main worship area)
Dwellings	2 per dwelling
Funeral homes	1 per 3 chapel seats
Furniture, appliance, machinery, or heavy equipment store	1 per 700 square feet gross
General service or repair establishments	1 per 2 employees
Hospitals and sanitariums	1 per bed (plus 1 per 200 square feet gross of out-patient and emergency room service areas)
Hotels	1 per guest room
Industrial and manufacturing establishments; creameries; bottling plants; warehouse and distribution establishments	1 per 2 employees
Mini-warehouse developments	1 per 200 square feet (office and living space only)
Mobile home parks	1 per mobile home
Nursing homes	1 per 4 beds
Retail stores, personal service establishments, commercial amusements, offices, repair shops, medical, dental, and veterinary clinics, libraries, art galleries	1 per 200 square feet gross
Restaurants, bars, night clubs, private clubs and lodges	1 per 100 square feet gross. (includes outdoor service areas of drive-in restaurants)
Schools, elementary	2 per teaching station

Schools, senior high	1 per 2 students
Theaters, auditoriums, gyms, halls, and stadiums	1 per 2 seats

(b) **Loading.** In addition to required off-street parking spaces, a minimum of one off-street loading facility shall be provided for all structures devoted to commerce, industry, manufacturing, storage, warehousing, professionally-purposed hospitals, and similar uses exceeding 10,000 square feet of gross floor area. Said loading facilities must allow loading and unloading access by large vehicles such as transport trucks without blocking traffic on or near the facility being served.

Sec. 140-109. - Special Provisions for Location or Sharing of Facilities.

Pursuant to the procedure set forth in this section, either part or all of the required off-street parking facilities may be located on another site a distance no greater than 400 feet from the one occupied by the use or structure for which the facilities are provided; also, two or more uses may share the same off-street parking facilities and each of such uses may be considered as having provided such shared space individually.

(a) **Applications for Approval of Special Plan**. An application for the approval of a special provision hereunder shall be filed with the Zoning Administrator by the owner of the entire land area to be included within the special plan, and all encumbrances of such land area and structures. The application shall contain such information required by this Chapter or deemed necessary by the Zoning Administrator and shall include plans showing the location of the uses or structures for which off-street parking facilities are required and the location at which the off-street parking facilities are proposed to be located.

(b) **Review of Application**. Applications hereunder shall be reviewed by the Zoning Administrator and either approved by him or disapproved. Any approval may establish conditions and limitations, and be registered among the records of the Town and shall thereafter be binding upon the applicants, their heirs, successors and assigns, shall limit and control the issuance and validity of permits and certificates and shall restrict and limit the use and operation of all land and structures included within such special plans to all conditions and limitations specified in such plans and the approval thereof.

(c) **Amendment or Withdrawal of Special Plan.** Pursuant to the same procedure and subject to the same limitations and requirements by which the special plan was approved and registered, any special plan may be amended or withdrawn.

Secs. 140-110—140-129. Reserved.

ARTICLE VI. - NONCONFORMING USES AND STRUCTURES.

Sec. 140-130. Nonconforming Uses: Regulations

(a) **Continuance of Nonconforming Uses.** Except as hereinafter provided, the lawful operation of a nonconforming use as such use existed on the effective date of this ordinance or on the effective date of any amendment hereto by which the use became a nonconforming use, may be continued.

(b) **Maintenance of Number of Dwelling Units.** The number of dwelling units in a nonconforming dwelling use shall not be increased over or exceed the number of dwelling units existing in the nonconforming use on the effective date of this ordinance.

(c) **Expansion or Enlargement of Nonconforming Uses.** The land area occupied by any nonconforming use on the effective date of this ordinance, or on the effective date of any amendment hereto by which the use became a nonconforming use, shall not be increased except to provide one off-street parking space or one open off-street loading space for the nonconforming use, such space to be maintained in accordance with the regulations herein established.

(d) **Extension of Nonconforming Uses in Structures.** A nonconforming use in a structure may be extended throughout the structure provided no structural alterations, except those required by law or ordinance, are made therein.

(e) **Change in Nonconforming Uses**. Except as hereinafter provided, a nonconforming use may be changed to another use enumerated in the same group of Permitted Uses, or in the group of Permitted Uses of a more restricted district, and when so changed shall not thereafter be changed back to the former nonconforming use; a nonconforming use shall not be changed to another use enumerated only in the group of Permitted Uses of a less restricted District. A nonconforming use not conducted in a structure, or one in which a structure is incidental to the use of the land, shall not be changed to any other nonconforming use.

(f) **Termination of Nonconforming Uses.** Except as hereinafter provided, a nonconforming use that has been abandoned or discontinued for a period of six months shall not thereafter be reestablished.

(g) **Destruction, Damage, or Obsolescence of Structures**. The right to operate and maintain any nonconforming use shall terminate whenever the structure or structures in which the nonconforming use is operated and maintained are damaged, destroyed, or become obsolete or substandard beyond the limits hereinafter established for the termination of nonconforming structures.

Sec. 140-131. Nonconforming Structures: Regulations

(a) **Continuance of Nonconforming Structures.** Except as hereinafter provided, any nonconforming structure may be occupied and operated and maintained in a state of good repair.

(b) **Enlargement or Extension of Nonconforming Structures.**

(1) A nonconforming structure in which a nonconforming use is operated shall not be enlarged or extended.

(2) A nonconforming structure in which only permitted areas are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this Chapter established for structures in the district in which the nonconforming structure is located.

(c) **Restoration of Damaged Nonconforming Structures.** A nonconforming structure damaged in any manner and from any cause whatsoever to the extent of not more than 60% of its replacement cost may be restored, provided:

(1) Restoration is begun within one year and completed within two years of the date of the damage;

(2) Any structure so restored shall conform to the height, building site area, and yard requirements of the district in which it is located and to the off-street parking requirements and the off-street loading requirements of this Chapter.

(d) **Restoration of Obsolete Nonconforming Structures**. A nonconforming structure which becomes obsolete or substandard under any applicable ordinance and for which the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 60% of the replacement cost shall not be restored and must be removed

Secs. 140-132—140-150. Reserved.

ARTICLE VII. ADMINISTRATION AND ENFORCEMENT

Sec. 140-151. Department of Zoning

(a) **Department of Zoning**. There is hereby created a department in the Town to be designated as the Zoning Department. There is hereby vested in the Zoning Department the duties of administering and enforcing this Chapter and the power necessary for such administration and enforcement of same.

(b) **Zoning Administrator**. The head of the Zoning Department shall be the Zoning Administrator who shall be appointed by the mayor and approved by the Board of Alderman in accordance with law. The Zoning Administrator shall also serve as the Town's Compliance Officer.

(c) The Zoning Department shall be under the supervision and administration of the Zoning Administrator, whose duty and responsibility shall be to coordinate and administer the affairs of the Zoning Department and the Planning and Zoning Commission and to maintain all official records necessary to the administration of this Chapter and related duties assigned.

Sec. 140-152. General Provisions.

(a) **Applicability to All Land and Structures.** No land shall be used or occupied, and no structure shall be erected, altered, used, or occupied except in conformity with all regulations herein established and upon performance of all conditions herein set forth.

(b) **Permits and Licenses.** No building or other permit, license, or other documents of approval, the use of which may be subject to the provisions of this Chapter, shall be issued by any department, agency, or board of the Town until the Zoning Administrator or his designee has certified that the use to be made of the permit, license, or other document is in full compliance with the provisions of this Chapter.

(c) **Plans Required**. Each application for a new structure or for the alteration of an existing structure shall be accompanied by a drawing or plat, in duplicate, showing the site plan, the location of the building on the site, accurate dimensions of the building and site, location of off-street parking and off-street loading spaces required, and such other information as may be necessary for the enforcement of these regulations.

(d) **Prior Building Permits.** Nothing herein contained shall require any change in the plans, construction, or designated use of a structure for which a building permit has been heretofore legally issued and the construction of which shall have actually begun prior to the effective date of the ordinance from which this chapter is derived, or, if a building permit shall have been issued within ninety days of the date of such permit and which entire structure shall be completed, according to such plans as are filed, within one year after the effective date of this ordinance; provided, however, that any permit which does not authorize the alteration or erection of a designated structure on the basis of complete plans and specifications shall not be deemed a building permit and shall not come within the foregoing exclusion.

(e) **Violations.** Any person, firm, or corporation violating any provision of this Chapter shall be fined upon conviction not less than ten dollars nor more than twenty-five dollars or imprisoned for not more than thirty days for each offense, or both; each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any penalty hereunder shall not preclude the building inspector, zoning administrator, municipal counsel, or other appropriate authority of the municipality, or any adjacent or neighboring property owner who would be specifically damaged by such violation, from instituting injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of such building, structure, or land.

(f) **Certificate of Occupancy.** Any nonresidential use or home occupation either newly established, relocating from one place to another, or substantially altering its activities must obtain certificate of occupancy in a form prescribed by the Zoning Administrator in advance. Requirements for issuance of said certificate are provided for in Chapter 105, Section 105-31.

(g) **Acknowledgement of Vacancy Required.**

(1) Should any building upon which a certificate of occupancy has been issued become

vacated for a period of 30 days or more, it shall be considered as though there has been a change in occupancy and in the nature and use of the building, unless the owner, lessee or other lawful occupant applies for an acknowledgement of vacancy, which shall entitle the building to continue receiving electrical, gas, and other utility service during such period of vacancy.

(2) An acknowledgement of vacancy:

i. Shall not allow the storage of any item other than those properly existing on the premises during the occupancy prior to the vacancy;

ii. Shall not allow any restoration or renovation of the building without all other requirements of this Code and issuance of all necessary permits and licenses otherwise required; and

iii. Shall require continued maintenance of all fire protection equipment and standards at that level required prior to the vacancy.

Upon their request, the State Fire Marshal, Compliance Officer, and/or the Building Inspector shall be granted access to the building by the owner, lessee, or other lawful occupant in order to verify these requirements.

(3) An acknowledgement of vacancy shall be in amounts as established by the Mayor and Board of Aldermen from time to time and shall be valid for so long as the building remains vacated.

(4) In addition to any other penalty provided for any other violation of Town ordinances, any material violation of this subsection shall entitle the State Fire Marshal, Compliance Officer, and/or the Building Inspector to immediately withdraw the acknowledgement of vacancy and to require the utility service to the building be terminated.

Sec. 140-153. Zoning Administrator's Duties

(a) **Administrative Duties.** In carrying out the administrative duties, the Zoning Administrator or his designee shall:

(1) Building Permits, Certificates of Occupancy, Special Plans. Review all applications for Building Permits, Certificates of Occupancy, and approvals of special plans hereunder; approve or disapprove such applications as they relate to zoning and make the necessary certifications and issue the necessary certificates and approvals of special plans.

(2) Applications for Amendment. Receive all applications for amendments to the Zoning Map; refer such applications to the Planning and Zoning Commission for examination and hearing and submit to the Board of Aldermen all such applications together with

the recommendations of the Planning and Zoning Commission as required by state law.

(3) Zoning Map. Maintain the Zoning Map showing the current classification of all land in the Town.

(4) Record of Actions. Maintain records of all action taken by the Zoning Administrator and the Planning and Zoning Commission.

(5) Planning and Zoning Commission. Represent the interests of the Town in all public hearings before the Planning and Zoning Commission, present facts and information to assist the Planning and Zoning Commission in reaching a decision, resist and oppose any deviations from the standard provisions of this Chapter and have decisions of the Planning and Zoning Commission reviewed in a court of proper jurisdiction when, in the judgment of the Zoning Administrator and with the approval of the Mayor, such review is desirable.

(6) Initiation of Amendments. Propose and recommend the enactment of such amendments to this Chapter and/or the Zoning Map as are made desirable or necessary because of changing conditions, judicial or administrative proceedings, or for the purpose of improving administration and enforcement, all in accordance with the Amendment Procedure set forth herein.

(b) **Enforcement Duties**. In carrying out the enforcement duties, the Zoning Administrator or his designee shall:

(1) Investigations and Surveys. Conduct investigations and surveys to determine compliance or non-compliance with the provisions of this Chapter. Incidental to such surveys and investigations, an authorized representative of the Zoning Department, may enter into and upon any land or structure other than a dwelling to be inspected or examined.

(2) Enforcement. Issue written orders requiring compliance with the provisions of this Chapter; such orders shall be served personally or by registered or certified mail upon the person, firm, or corporation deemed by the Zoning Administrator to be violating the provisions of this Chapter; provided, however, that if such person, firm, or corporation is not the owner of the land or the structure in which the violations is deemed to exist or to have occurred, a copy of the order shall be sent by registered or certified mail to the owner of such land or structure, the owner to be determined from the tax roll for the preceding year in the office of the Tax Assessor of Jackson Parish. The date of mailing shall be deemed the date of service of any order served by registered or certified mail.

(3) Legal Proceedings. Institute, in courts of proper jurisdiction, proceedings for the enforcement of the provisions of this ordinance and administrative orders and determinations made hereunder when in the judgment of the Zoning Administrator and

with the approval of the Mayor such measures are desirable.

(c) **Appeals From the Zoning Administrator.** Any person aggrieved by a decision of the Zoning Administrator may appeal to the Planning and Zoning Commission and then to the Board of Aldermen from any order or decision of the Zoning Administrator.

(1) Procedure. Such appeal shall be taken by filing with the Town Clerk and with the Zoning Administrator within 10 days a notice of appeal specifying the particular grounds upon which the appeal is taken. Upon receipt of a notice of appeal, the Zoning Administrator shall transmit to the Planning and Zoning Commission and/or the Board of Aldermen copies of all of the documents and materials constituting the record upon which the order or decision appealed from was based.

(2) Effect of Appeal. A timely filed appeal from the Zoning Administrator to the Planning and Zoning Commission and a timely filed appeal to the Board of Aldermen shall stay all proceedings unless the Zoning Administrator certifies that by reason of the facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. When such certificate is filed, proceedings shall not be stayed except by a restraining order granted, after due notice to the Zoning Administrator, by a court of proper jurisdiction.

(3) Decisions. A majority vote of the members of the Planning and Zoning Commission present at the meeting shall be required to reverse an order, requirement, decision, or determination of the Zoning Department and/or Zoning Administrator. A majority vote of the members of the Board of Aldermen members present at the hearing shall be necessary to reverse an order, requirement, decision, or determination of the Planning and Zoning Commission.

(4) Matters Reviewed. Subject to the limitations enumerated herein, the Board of Aldermen may reverse or affirm, in whole or in part, or may modify the order, requirement, decision, or determination of the Zoning Administrator and/or the Planning and Zoning Commission on the following matters:

i. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Chapter.

ii. Interpretation of Zoning Map. To hear and decide questions of interpretation of the zoning map where request for such interpretation is made.

Sec 140 – 154. Variances.

(a) **Authority to Grant Variances.** The Planning and Zoning Commission is hereby authorized to grant such variances from the literal terms of this Chapter where, by reasons of exceptional narrowness, shallowness, or shape of a specified piece of property at the time of enactment of this Chapter, or by reason of exceptional topographic conditions or other extraordinary and

exceptional characteristics of such piece of property, the strict application of any regulation in this Chapter would result in peculiar and exceptional or undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Chapter.

(b) **Applications.** All applications a Variance shall be filed with the Zoning Administrator along with a nonrefundable Application Fee of Three-Hundred Dollars ($300.00). The Zoning Administrator will review the application and may refer the application to other affected Town Departments or interested agencies for review and comment before forwarding to the Planning and Zoning Commission for review and hearing.

(c) **Standards.** A Variance shall be authorized if the Planning and Zoning Commission finds that the following conditions exist:

(1) The Variance will not authorize the operation of a use other than those uses specifically enumerated for the District in which is located the property for which the Variance is sought;

(2) The development or use of the property for which the Variance is sought, is limited by a literal enforcement of the provisions of this ordinance and cannot yield a reasonable return in service, use, or income as compared to adjacent conforming property in the same district;

(3) The plight of the owner of the property for which the Variance is sought is due to unique circumstances existing on the property, the unique circumstances were not created by the owner of the property and are not due to or the result of general conditions in the district in which the property is located;

(4) The Variance will not be materially detrimental to other property in the vicinity within the same District;

(5) The Variance will not alter the essential character of the District in which the property for which the Variance is sought and will be in harmony with the spirit and purposes of this Chapter;

(6) The Variance will not adversely affect the public health, safety, or welfare, or the master plan.

(d) **Conditional Approval.** The Planning and Zoning Commission has the authority to impose specific conditions as part of a Variance approval in order to protect the public health, safety, comfort, and convenience and ensure compatibility with surroundings. A Variance approval may be denied or revoked if the applicant fails to comply with specific conditions made a part of the approval by the Planning and Zoning Commission, or fails to comply with a reasonable request of the Planning and Zoning Commission or the Zoning Administrator to furnish information related to the proposed Variance. Failure to comply with the conditions of approval constitutes a violation of this Chapter.

(e) **Administrative Examination.**

(1) **Determination by Zoning Administrator**. Within 10 days of receipt of an application for a Variance, the Zoning Administrator shall determine whether the application is complete. If complete, the Zoning Administrator shall notify the applicant that the application has been accepted and the matter shall proceed for hearing. If the Zoning Administrator determines that the application is not complete, he shall notify the applicant, specifying the deficiencies of the application, including any additional information which must be supplied and no further action shall be taken on the application until the deficiencies are corrected.

(2) **Remedy of Deficiencies.** If the applicant corrects the deficiencies, the matter shall proceed for hearing. If the applicant fails to correct the specified deficiencies within 30 days of the notification of deficiency, the application shall be deemed withdrawn.

(f) **Planning and Zoning Commission Hearing Procedures.**

(1) **Notice of Public Hearing.** Notice of public hearing on a request for a Variance shall be published in the Town's Official Journal at least three (3) times before the hearing. At least ten (10) days shall elapse between the first publication and the date of the public hearing. This notice shall include:

i. Date, time and place of hearing;
ii. The address of the property at issue;
iii. The name of the applicant;
iv. Brief description of the type of Variance being requested; and
v. A statement that any person may speak during the meeting or submit a written statement in support of or in opposition to the requested Variance.

(2) **Notice to Applicant**. The Zoning Administrator shall provide written notice to the applicant by mail, email, or fax, notifying the applicant of the date of the hearing and including the following statement:

> It is recommended that all applicants have a representative to address questions raised by the Planning and Zoning Commission or by the public. Failure to have a representative present may result in the case either being deferred to a later meeting so that issues/questions can be resolved in a public forum or the application being denied.

(3) **Conduct of Hearing.** The Planning and Zoning Commission shall have complete charge of hearings and proceedings and will conduct any particular matter as it considers to be appropriate under the circumstances, giving due regard to the interests of all parties. The procedure followed will be informal and not necessarily bound by the legalistic rules of evidence.

i. **Submission of Information.** Any person may appear at the hearing and give testimony or submit written materials, either individually or as a representative of an organization. The Planning and Zoning Commission may exclude information that it finds to be irrelevant, immaterial, or unduly repetitious.

ii. **Zoning Administrator Information.** The Zoning Administrator or his designee shall present information concerning pertinent application considerations, the standards set out in this section, and any support or opposition received in response to the Public Notice.

iii. **Production of Additional Information.** Upon request of the majority of the Planning and Zoning Commission, the applicant, the Zoning Administrator, and/or other Town employees may be required to produce additional information with respect to the proposed application. If the requested information is not readily available, the hearing may be continued to allow the information to be provided.

iv. **Hearing Recorded.** The Zoning Administrator or his designee shall ensure that the hearing is recorded. The recording shall be maintained by the Town for at least six months following the final action on the application.

v. **Record of Hearing.** The record of proceedings shall consist of the recording of testimony, all applications, exhibits and papers submitted in any proceeding with respect to the matter being considered, any summary and report or reports of the Zoning Administrator, and the ruling of the Planning and Zoning Commission.

(g) **Ruling on Application.** At the conclusion of the hearing, the Planning and Zoning Commission shall grant the Variance, grant the Variance subject to specified conditions, or deny the Variance. The Zoning Administrator or his designee shall make a written record of the ruling. A copy of the written ruling shall be provided to the Applicant upon request.

(h) **Expiration.** If a Variance has not been used within twelve months after the date of its approval, then without further action and by operation of law it becomes null and void.

(i) **Appeal of Planning and Zoning Commission Ruling.** Any person aggrieved by the ruling on the application for a Variance may appeal the ruling to the Jonesboro Board of Alderman by filing a written request for appeal with the Town Clerk within ten (10) days of the ruling of the Planning and Zoning Commission.

(j) **Procedure for Appeal to Board of Aldermen**.

(1) **Appeal Hearing Date.** Upon receipt of the appeal, the Town Clerk shall place the appeal hearing on the next Board of Alderman agenda that is at least fifteen (15) days after receipt of the appeal.

(2) **Notice of Appeal Hearing**. The Town Clerk shall send written notice via mail or email to the Applicant, to the person filing the appeal, and the Zoning Administrator notifying them of the hearing date before the Board of Aldermen.

(3) **Notice of Public Hearing.** Notice of public hearing before the Board of Alderman on the appeal of the Variance request shall be published at least once in the Official Journal of the Town at least five (5) days prior to the Board of Aldermen meeting. This notice shall include:

i. Date, time and place of hearing;
ii. The address of the property at issue;
iii. The name of the applicant;
iv. Brief description of the type of Variance being requested; and
v. A statement that any person may speak during the meeting or submit a written statement in support of or in opposition to the requested Variance.

(4) **Record Forwarded.** The Zoning Administrator shall forward to the Town Clerk a copy of the Record of Hearing sufficiently in advance of the Board of Aldermen meeting that it can be reviewed by the Board of Alderman.

(k) **Board of Aldermen Action**. The Board of Alderman shall review the application, the Record of Hearing, and any additional evidence or testimony presented during the hearing before it. The Board of Alderman may affirm, reverse, or modify the decision of the Planning and Zoning Commission regarding the Variance application.

(l) **Appeal of Decision of Board of Aldermen.** Within fifteen (15) days after the date of the decision by the Board of Alderman on the appeal regarding a Variance, the applicant or any aggrieved party may appeal the Board of Aldermen decision to the Jackson Parish District Court.

Sec. 140-155. Conditional Uses Requiring Planning and Zoning Commission Approval.

(a) **When Required.** Conditional Uses have been determined to have such characteristics that a discretionary, site-specific review by the Planning and Zoning Commission is necessary to evaluate whether the particular use, as proposed, is compatible, or can be made compatible, with neighboring land uses and other uses permitted in the zoning district. Conditional Uses may not be appropriate at all locations within a zoning district. Article II of this Chapter establishes the Conditional Uses Requiring Planning and Zoning Commission Approval for each zoning district.

(b) **Applications.** All applications for Conditional Uses Requiring Planning and Zoning Approval shall be filed with the Zoning Administrator along with a nonrefundable Application Fee of One-Hundred Dollars ($100.00). The Zoning Administrator will review the application and may refer the application to other affected Town Departments or interested agencies for review and comment before forwarding to the Planning and Zoning Commission for review and hearing.

(c) **Standards.** The Planning and Zoning Commission and the Board of Aldermen shall consider the following criteria in approving or denying a Conditional Use:

(1) Whether the proposed conditional use is consistent with the purposes, goals, and objectives of this Chapter.

(2) Whether the site is large enough to accommodate the proposed use.

(3) Whether the design of the proposed structure/development minimizes adverse effects, including visual impacts of the proposed use on adjacent properties.

(4) Whether the proposed use is consistent with the zoning district the property is located in such that it will be a benefit to the area.

(5) Whether the proposed use create excessive additional costs for public facilities and services that would be materially detrimental to the economic welfare of the community.

(d) **Conditional Approval.** The Town may impose specific conditions as part of a Conditional Use approval in order to protect the public health, safety, comfort, and convenience and ensure compatibility with surroundings. A Conditional Use approval may be denied or revoked if the applicant fails to comply with specific conditions made a part of the approval by the Town, or fails to comply with a reasonable request of the Planning and Zoning Commission, the Zoning Administrator, or the Board of Aldermen to furnish information related to the proposed Conditional Use. Failure to comply with the conditions of approval constitutes a violation of this Chapter.

(e) **Administrative Examination**.

(1) **Determination by Zoning Administrator**. Within 10 days of receipt of an application for a Conditional Use, the Zoning Administrator shall determine whether the Conditional Uses Requiring Planning and Zoning Commission Approval application is complete. If complete, the Zoning Administrator shall notify the applicant that the application has been accepted and the matter shall proceed for hearing before the Planning and Zoning Commission. If the Zoning Administrator determines that the application is not complete, he shall notify the applicant, specifying the deficiencies of the application, including any additional information which must be supplied and no further action shall be taken on the application until the deficiencies are corrected.

(2) **Remedy of Deficiencies.** If the applicant corrects the deficiencies, the matter shall proceed for hearing. If the applicant fails to correct the specified deficiencies within 30 days of the notification of deficiency, the application shall be deemed withdrawn

(f) **Planning and Zoning Commission Hearing Procedures.**

(1) The Hearing on the Application for a Conditional Use shall be placed on the agenda of

the Planning and Zoning Commission.

(2) **Notice to Applicant**. The Zoning Administrator shall provide written notice to the applicant by mail, email, or fax, notifying the applicant of the date of the hearing and including the following statement:

> It is recommended that all applicants have a representative to address questions raised by the Planning and Zoning Commission or by the public. Failure to have a representative present may result in the case either being deferred to a later meeting so that issues/questions can be resolved in a public forum or the application being denied.

(3) **Conduct of Hearing.** The Planning and Zoning Commission shall have complete charge of hearings and proceedings and will conduct any particular matter as it considers to be appropriate under the circumstances, giving due regard to the interests of all parties. The procedure followed will be informal and not necessarily bound by the legalistic rules of evidence. The hearing shall be recorded and said recording shall be retained for at least six months after the hearing.

(g) **Ruling on Application.** At the conclusion of the hearing, the Planning and Zoning Commission shall grant the Conditional Use, grant the Conditional Use subject to specified conditions, or deny the Conditional Use. The Zoning Administrator or his designee shall make a written record of the ruling. A copy of the written ruling shall be provided to the Applicant upon request.

(h) **Expiration.** If a Conditional Use has not been used within twelve months after the date of its approval, then without further action and by operation of law it becomes null and void.

(i) **Appeal of Planning and Zoning Commission Ruling.** The applicant may appeal the denial of a Conditional Use to the Jonesboro Board of Alderman by filing a written request for appeal with the Town Clerk within ten (10) days of the ruling of the Planning and Zoning Commission.

(j) **Procedure for Appeal to Board of Aldermen**.

(1) **Appeal Hearing Date.** Upon receipt of the appeal, the Town Clerk shall place the appeal hearing on the next Board of Alderman agenda that is at least fifteen (15) days after receipt of the appeal.

(2) **Notice of Appeal Hearing**. The Town Clerk shall send written notice via mail or email to the Applicant and the Zoning Administrator notifying them of the hearing date before the Board of Aldermen.

(3) **Record Forwarded.** The Zoning Administrator shall forward to the Town Clerk a copy of the Record of Hearing sufficiently in advance of the Board of Aldermen meeting that it can be reviewed by the Board of Alderman.

(k) **Board of Aldermen Action**. The Board of Alderman shall review the application, the Record of Hearing, and any additional evidence or testimony presented during the hearing before it. The Board of Alderman may affirm, reverse, or modify the decision of the Planning and Zoning Commission regarding the Conditional Use application.

(l) **Appeal of Decision of Board of Aldermen.** Within fifteen (15) days after the date of the decision by the Board of Alderman on the appeal regarding a Conditional Use, the applicant may appeal the Board of Aldermen decision to the Jackson Parish District Court.

Sec. 140 – 156. Special Exception Uses.

(a) **When Required.** A Special Exception Use is required for any use or building type that requires particular considerations as to its proper location to adjacent, established or intended uses in a district, or to the planned growth of the community. Article II of this Chapter establishes the uses requiring special exceptions for each zoning district. Any change to a special exception involving major structural alterations, enlargements, intensifications of use, or similar change must be approved in the same manner as the original special exception.

(b) **Applications.** All applications for Special Exception Use shall be filed with the Zoning Administrator along with a nonrefundable Application Fee of Three-Hundred Fifty Dollars ($350.00). The Zoning Administrator will review the application and may refer the application to other affected Town Departments or interested agencies for review and comment before forwarding to the Planning and Zoning Commission for review and hearing.

(c) **Standards.** The Planning and Zoning Commission and the Board of Aldermen shall consider the following criteria in Recommending approval or denial of a special exception request:

(1) The Special Exception Use request is consistent with the pertinent elements of the Town of Jonesboro's Comprehensive Plan and any other adopted plans.

(2) The Special Exception Use request meets the requirements of this Chapter.

(3) The Special Exception Use request will reinforce the existing or planned character of the neighborhood and the Town.

(4) Any adverse impacts on adjacent properties attributable to the Special Exception Use have been minimized or mitigated.

(5) The Special Exception Use will not be materially detrimental to other property in the vicinity within the same District;

(6) The Special Exception Use will not alter the essential character of the district in which the property for which the Special Exception Use is sought and will be in harmony with the spirit and purposes of this Chapter;

(7) The Special Exception Use will not adversely affect the public health, safety, or welfare, or the master plan.

(d) **Conditional Approval.** The Town may impose specific conditions as part of a Special Exception Use approval in order to protect the public health, safety, comfort, and convenience and ensure compatibility with surroundings. A Special Exception Use approval may be denied or revoked if the applicant fails to comply with specific conditions made a part of the approval by the Town, or fails to comply with a reasonable request of the Planning and Zoning Commission, the Zoning Administrator, or Board of Aldermen to furnish information related to the proposed special exception use. Failure to comply with the conditions of approval constitutes a violation of this Chapter.

(e) **Administrative Examination**.

(1) **Determination by Zoning Administrator**. Within 10 days of receipt of an application for a Special Exception Use, the Zoning Administrator shall determine whether the application is complete. If complete, the Zoning Administrator shall notify the applicant that the application has been accepted and the matter shall proceed for hearing before the Planning and Zoning Commission. If the Zoning Administrator determines that the application is not complete, he shall notify the applicant, specifying the deficiencies of the application, including any additional information which must be supplied and no further action shall be taken on the application until the deficiencies are corrected.

(2) **Remedy of Deficiencies.** If the applicant corrects the deficiencies, the matter shall proceed for hearing. If the applicant fails to correct the specified deficiencies within 30 days of the notification of deficiency, the application shall be deemed withdrawn

(f) **Planning and Zoning Commission Hearing Procedures.**

(1) **Notice of Public Hearing.** Notice of public hearing on a request for a Special Exception Use shall be published in the Town's Official Journal at least three (3) times before the hearing. At least ten (10) days shall elapse between the first publication and the date of the public hearing. This notice shall include:

i. Date, time and place of hearing;
ii. The address of the property at issue;
iii. The name of the applicant;
iv. Brief description of the type of special exception use being requested; and
v. A statement that any person may speak during the meeting or submit a written statement in support of or in opposition to the requested Special Exception Use.

(2) **Notice to Applicant**. The Zoning Administrator shall provide written notice to the applicant by mail, email, or fax, notifying the applicant of the date of the hearing and including the following statement:

It is recommended that all applicants have a representative to address questions raised by the Planning and Zoning Commission or by the public. Failure to have a representative present may result in the case either being deferred to a later meeting so that issues/questions can be resolved in a public forum or the application being denied.

(3) **Conduct of Hearing.** The Planning and Zoning Commission shall have complete charge of hearings and proceedings and will conduct any particular matter as it considers to be appropriate under the circumstances, giving due regard to the interests of all parties. The procedure followed will be informal and not necessarily bound by the legalistic rules of evidence.

i. **Submission of Information.** Any person may appear at the hearing and give testimony or submit written materials, either individually or as a representative of an organization. The Planning and Zoning Commission may exclude information that it finds to be irrelevant, immaterial, or unduly repetitious.

ii. **Zoning Administrator Information.** The Zoning Administrator or his designee shall present information concerning pertinent application considerations, the standards set out in this section, and any support or opposition received in response to the Public Notice.

iii. **Production of Additional Information.** Upon request of the majority of the Planning and Zoning Commission, the applicant, the Zoning Administrator, and/or other Town employees may be required to produce additional information with respect to the proposed application. If the requested information is not readily available, the hearing may be continued to allow the information to be provided.

iv. **Hearing Recorded.** The Zoning Administrator or his designee shall ensure that the hearing is recorded. The recording shall be maintained by the Town for at least six months following final action on the application.

v. **Record of Hearing.** The record of proceedings shall consist of the recording of testimony, all applications, exhibits and papers submitted in any proceeding with respect to the matter being considered, any summary and report or reports of the Zoning Administrator, and the recommendation of the Planning and Zoning Commission.

(g) **Recommendation on Application.** At the conclusion of the hearing, the Planning and Zoning Commission shall issue a recommendation on the application for a Special Exception Use as follows:

(1) Recommend approval of Special Exception Use;

(2) Recommend approval of Special Exception Use with conditions which conditions shall be specified; or

(3) Recommend denial of the request for a Special Exception Use.

The Zoning Administrator or his designee shall make a written record of the Recommendation and shall forward same to the Town Clerk within three business days of the hearing and recommendation decision.

(h) **Procedure for Public Hearing Before the Board of Alderman**

(1) **Hearing Date.** Upon receipt of the Recommendation of the Planning and Zoning Commission, the Town Clerk shall place the request for Special Exception Use hearing on the next Board of Alderman agenda that is at least fifteen (15) days after receipt of the Recommendation.

(2) **Notice of Public Hearing.** Notice of public hearing before the Board of Alderman on a request for a Special Exception Use shall be published in the Town's Official Journal at least three (3) times before the hearing. At least ten (10) days shall elapse between the first publication and the date of the public hearing. This notice shall include:

i. Date, time and place of hearing;
ii. The address of the property at issue;
iii. The name of the applicant;
iv. Brief description of the type of special exception use being requested; and
v. A statement that any person may speak during the meeting or submit a written statement in support of or in opposition to the requested Special Exception Use.

(3) **Notice of Appeal Hearing**. The Town Clerk shall send written notice via mail or email to the Applicant and to the person filing the appeal notifying them of the hearing date before the Board of Aldermen.

(4) **Record Forwarded.** The Zoning Administrator shall forward to the Town Clerk a copy of the Record of Hearing sufficiently in advance of the Board of Aldermen meeting that it can be reviewed by the Board of Alderman.

(i) **Board of Aldermen Action**. The Board of Alderman shall review the application, the Record of Hearing, and any additional evidence or testimony presented during the hearing before it. The Board of Alderman may adopt, reject/reverse , or modify the Recommendation of the Planning and Zoning Commission regarding the Special Exception Use application.

(j) **Appeal of Decision of Board of Aldermen.** Within fifteen (15) days after the date of the decision by the Board of Alderman on the appeal, regarding a Special Exception Use, the applicant or any aggrieved party may appeal the Board of Aldermen decision to the Jackson Parish District Court.

Secs. 140-157 - 140-180. Reserved.

ARTICLE VIII. – AMENDMENTS AND INTERPRETATION.

Sec. 140-181. Amendment Policy.

(a) **Reason for Amendment.** This ordinance, including the Zoning Map, is based on comprehensive planning and is intended to carry out the objective of a sound, stable, and desirable development. It is recognized that casual change or amendment to the ordinance would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this ordinance only when one or more of the following conditions prevail:

(1) **Error.** There is a manifest error in the ordinance;

(2) **Change in conditions.** Changed or changing conditions in a particular area, or in the planning area generally, make a change in the ordinance necessary and desirable;

(3) **Increase in Need for Sites for Business or Industry**. Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district;

(4) **Subdivision of Land.** The subdivision or imminent subdivision of open land into urban building sites makes reclassification necessary and desirable.

(b) **Limitations on Proposed Amendments.** All proposed amendments to this chapter shall be subject to the following limitations:

(1) **Minimum Sizes for New Districts.** No amendment changing the classification of an area shall be adopted unless the area meets the following requirements as to minimum size:

i. B-1, B-2, and I-1 Districts. A proposed new B-1, B-2, or I-1 district shall contain at least two acres of gross area; except that a B-1 district which abuts a B-2 or B-3 district shall have no minimum size requirement. This limitation is not applicable to the rezoning request for one parcel of land.

ii. No new B-3 Districts are anticipated, though the existing B-3 district may be expanded.

iii. O-L, R-1 and R-2 Districts. There is no requirement of minimum size for new O-L or R-1 districts.

iv. R-1H Districts. New R-1H districts may be created according to the provisions of Section 130-4 and Section 140-82.

(2) **Additions to Existing Districts**. An enlargement of or an addition to an existing district shall not be considered a new district and shall be exempt from any requirement as to minimum size.

Sec. 140-182. Amendment Procedure

(a) **By Whom Initiated.**

(1) Amendments to the Zoning Map and/or this Chapter may be initiated by the Board of Aldermen on its own motion. If the Board of Aldermen decides to initiate an amendment on its own motion, the applicable procedures of paragraphs (e) – (j) shall be followed.

(2) Amendments to the Zoning Map and/or this Chapter may be initiated upon the recommendation of the Planning and Zoning Commission. If the Planning and Zoning Commission determines it is in the interest of the Town to recommend an amendment on its own motion, the applicable procedures of paragraphs (d) – (j) shall be followed.

(3) Amendments to the Zoning Map may also be initiated by any person, firm, or corporation by filing a written application to the Town as provided for in this section.

(b) **Amendment Application**. Applications for amendments to this to this Chapter submitted by any person, firm, or corporation shall be filed with the Zoning Administrator along with a nonrefundable Application Fee of Three-Hundred Fifty Dollars ($350.00). All applications for amendments shall contain at least the following:

(1) **Interest and Ownership.** The applicant's name, address, and interest in the application, and the name, address, and interest of every person, firm, or corporation represented by the applicant in the application, the concurrence of the owner(s) of the entire land area, owner(s) of all structures then existing thereon, and the owner(s) of and all incumbrancers of such land area and structures to be included within the proposed district, and, additionally, sufficient evidence to establish that the applicants intend actually to develop the designated area, and have both the means and ability to do so.

(2) **Plat.** A plat showing the land area which would be affected, the present zoning classification of the area, the land area of all abutting districts and the present zoning classification thereof, public rights-of-way and easements bounding and intersecting the designated area and the abutting districts, and the locations of all existing and proposed structures with supporting open facilities.

(3) **Owners of Surrounding Property**. List of the name, description of property owned, and mailing address of each owner of property lying within a distance of three hundred feet of the corners of the property the classification of which is sought to be changed, such distance to be measured along the property lines of the streets on which such property is located and along any other streets crossing the same or leading therefrom; in the case of a corner lot, the rear corner on the side street shall be considered a

fronting corner.

(4) **Development Schedule**. The time schedule for the beginning and completion of development planned by the applicant in the area; if the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage;

(5) **Public Need.** The changed or changing conditions in the applicable area, or in the metropolitan area generally, that make the proposed amendment necessary and desirable for the promotion of the public health, safety, or general welfare;

(c) **Administrative Examination.**

(1) **Determination by Zoning Administrator**. Within 10 days of receipt of an application for amendment, the Zoning Administrator shall determine whether the application is complete. If complete, the Zoning Administrator shall notify the applicant that the application has been accepted and the matter shall proceed for hearing before the Planning and Zoning Commission. If the Zoning Administrator determines that the application is not complete, he shall notify the applicant, specifying the deficiencies of the application, including any additional information which must be supplied and no further action shall be taken on the application until the deficiencies are corrected.

(2) **Remedy of Deficiencies.** If the applicant corrects the deficiencies, the matter shall proceed for hearing. If the applicant fails to correct the specified deficiencies within 30 days of the notification of deficiency, the application shall be deemed withdrawn.

(d) **Planning and Zoning Commission Hearing Procedures.**

(1) **Notice of Public Hearing.** Notice of public hearing on a request for amendment to the Zoning Map or ordinance shall be published in the Town's Official Journal at least three (3) times before the hearing. At least ten (10) days shall elapse between the first publication and the date of the public hearing. This notice shall include:

i. Date, time and place of hearing;
ii. The address of the property(ies) at issue;
iii. The name of the applicant;
iv. Brief description of the type of amendment being requested; and
v. A statement that any person may speak during the meeting or submit a written statement in support of or in opposition to the requested amendment.

(2) **Notice to Applicant**. The Zoning Administrator shall provide written notice to the applicant by mail, email, or fax, notifying the applicant of the date of the hearing and including the following statement:

It is recommended that all applicants have a representative to address questions raised by the Planning and Zoning Commission or by the public. Failure to

have a representative present may result in the case either being deferred to a later meeting so that issues/questions can be resolved in a public forum or the application being denied.

(3) **Notice to Owners of Surrounding Property of Rezoning**. The Zoning Administrator or his designee shall provide written notice via regular mail to each owner of property lying within a distance of three hundred feet of the fronting corners of the property the classification of which is sought to be changed, such distance to be measured along the property lines of the streets on which such property is located and along any other streets crossing the same or leading therefrom; in the case of a corner lot, the rear corner on the side street shall be considered a fronting corner. This notice shall include all the same information as required in the Notice of Public Hearing required by paragraph 1 of this subsection.

(3) **Conduct of Hearing.** The Planning and Zoning Commission shall have complete charge of hearings and proceedings and will conduct any particular matter as it considers to be appropriate under the circumstances, giving due regard to the interests of all parties. The procedure followed will be informal and not necessarily bound by the legalistic rules of evidence.

i. **Submission of Information.** Any person may appear at the hearing and give testimony or submit written materials, either individually or as a representative of an organization. The Planning and Zoning Commission may exclude information that it finds to be irrelevant, immaterial, or unduly repetitious.

ii. **Zoning Administrator Information.** The Zoning Administrator or his designee shall present information concerning pertinent application considerations, the standards set out in this section, and any support or opposition received in response to the Public Notice.

iii. **Production of Additional Information.** Upon request of the majority of the Planning and Zoning Commission, the applicant, the Zoning Administrator, and/or other Town employees may be required to produce additional information with respect to the proposed application. If the requested information is not readily available, the hearing may be continued to allow the information to be provided.

iv. **Hearing Recorded.** The Zoning Administrator or his designee shall ensure that the hearing is recorded. The recording shall be maintained by the Town for at least six months following final action on the application.

v. **Record of Hearing.** The record of proceedings shall consist of the recording of testimony, all applications, exhibits and papers submitted in any proceeding with respect to the matter being considered, any summary and report or reports of the Zoning Administrator, and the Recommendation of the Planning and Zoning Commission.

(e) **Recommendation on Application.** At the conclusion of the hearing, the Planning and Zoning Commission shall issue a Recommendation on the application for amendment as follows:

(1) Recommend approval of the amendment;

(2) Recommend approval of the amendment with conditions which conditions shall be specified; or

(3) Recommend denial of the request for amendment.

The Zoning Administrator or his designee shall make a written record of the Recommendation and shall forward same to the Town Clerk within three business days of the hearing and Recommendation decision.

(f) **Procedure for Public Hearing Before the Board of Alderman**

(1) **Hearing Date.** Upon receipt of the Recommendation of the Planning and Zoning Commission, the Town Clerk shall place the request for amendment hearing on the next Board of Alderman agenda that is at least fifteen (15) days after receipt of the Recommendation.

(2) **Notice of Public Hearing.** Notice of public hearing before the Board of Alderman on a request for an amendment to the zoning map and/or ordinance shall be published in the Town's Official Journal at least three (3) times before the hearing. At least ten (10) days shall elapse between the first publication and the date of the public hearing. This notice shall include:

i. Date, time and place of hearing;
ii. The address of the property at issue;
iii. The name of the applicant;
iv. Brief description of the type of special exception use being requested; and
v. A statement that any person may speak during the meeting or submit a written statement in support of or in opposition to the requested amendment.

(3) **Notice to Owners of Surrounding Property for Rezoning**. The Town shall provide written notice via regular mail to each owner of property lying within a distance of three hundred feet of the fronting corners of the property the classification of which is sought to be changed, such distance to be measured along the property lines of the streets on which such property is located and along any other streets crossing the same or leading therefrom; in the case of a corner lot, the rear corner on the side street shall be considered a fronting corner. This notice shall include all the same information as required in the Notice of Public Hearing required by paragraph 2 of this subsection.

(4) **Notice of Appeal Hearing**. The Town Clerk shall send written notice via mail or email to the Applicant and to the person filing the appeal notifying them of the hearing

date before the Board of Aldermen.

(5) **Record Forwarded.** The Zoning Administrator shall forward to the Town Clerk a copy of the Record of Hearing sufficiently in advance of the Board of Aldermen meeting that it can be reviewed by the Board of Alderman.

(g) **Board of Aldermen Action**. The Board of Alderman shall review the application, the Record of Hearing, and any additional evidence or testimony presented during the hearing before it. The Board of Alderman may adopt, reject/reverse, or modify the Recommendation of the Planning and Zoning Commission regarding the Application for Amendment.

(h) **Appeal of Decision of Board of Aldermen.** Within fifteen (15) days after the date of the decision by the Board of Alderman on the appeal, regarding an Amendment Application, the applicant or any aggrieved party may appeal the Board of Aldermen decision to the Jackson Parish District Court.

(i) **Exceptions.** The provisions of this section do not apply in cases where there is a proposal to enact an entire new Chapter or ordinance, to change the text as a whole or to change the entire Official Zoning Map, or both, in which event the procedure set out in R.S. 33:4721 - 33:4730 shall be followed.

Sec. 140-183. Reconsideration. No land for which an application for rezoning has been denied by the Board of Alderman shall be considered again by the Planning and Zoning Commission or the Board of Alderman for at least six (6) months from the date such application was denied.

Sec. 140-184. Interpretation and Validity.

(A) **Interpretation**. Interpreting and applying the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Whenever the provisions of this ordinance require a greater width or size of yards or other open spaces, a lower height of buildings or less number of stories, a greater percentage of lot to be left unoccupied, or other higher standards than are required in any other applicable statute, ordinance, or regulation, the provisions of this ordinance shall govern; whenever other applicable statutes, ordinances, or regulations require higher standards than the provisions of this ordinance, such other applicable statutes, ordinances, or regulations shall govern.

(B) **Validity.** The requirements and provisions of this Chapter are severable, and should any article, section, or part thereof be declared by any court of competent jurisdiction to be unconstitutional or invalid the decision of the court shall not affect the validity of the Chapter as a whole or any article, section, or part thereof other than the part thereof so declared to be unconstitutional or invalid.

Secs. 140-185 -- 140-204. -Reserved

ARTICLE IX. MISCELLANEOUS RELATED SECTIONS

Sec. 140-205. Litter Receptacles.

(a) **Placement Requirements**.

(1) Any owner or person in control of any property which is held out to the public as a place for parking consisting of 15 or more parking spaces shall be responsible for the procurement, placement, and maintenance of litter receptacles according to the following:

i. Parks, Recreation Areas, Campgrounds, and Transient Vehicle Parks: one at each restroom, concession stand, picnic pavilion, and trail head;

ii. Retail Stores, Shopping Centers, and Theaters: one for the first 15 parking spaces, plus one for every 50 additional parking spaces;

iii. Gasoline service stations: one per pump island with a minimum of one on each side of the station where pumps are located;

iv. Restaurants, Drive-Ins, Fast-Food Outlets, Taverns and Convenience Stores: one per establishment;

v. Marinas or Piers: one per pier plus one additional for each 15 boat slips;

vi. Festivals and Other Outdoor Events: one for each special restroom, one every 200 feet of walking area, one for each special parking area of 150 spaces, and one at each food service area;

vii. Construction Sites: Contractors engaged in new construction or substantial rehabilitation of buildings or other large scale public works projects shall provide at least one litter receptacle at the construction site with additional receptacles as needed to prevent scattering of litter by workers.

(2) Parking facilities utilized on a shared basis by more than one business, person, group or institution consisting of 30 or more parking spaces shall be provided with receptacles by those entities on a shared basis, with responsibility falling jointly upon them regardless of proximity.

(b) **Receptacle Design Standards.** Litter receptacles procured and placed in public places as required by this article shall meet the following minimum standards:

(1) **General Specifications.**

i. The body of each litter receptacle shall be constructed of a minimum of 24-gauge galvanized metal or other material of equivalent strength, that will

withstand normal wear and tear and reasonably resist corrosion and acts of vandalism.

ii. Receptacles should be constructed, covered, or used in such a manner as to prevent or preclude the blowing of litter from the receptacle.

iii. Openings in covered litter receptacles shall be readily identifiable and readily accessible for the deposit of litter.

iv. Construction and general configuration of litter receptacles shall be in conformance with all pertinent laws, ordinances, resolutions or regulations pertaining to fire, safety, public health, or welfare.

v. Litter receptacles shall have a 15-liquid-gallon capacity.

(2) **Color And Marking.**

i. The entire outer surface of each litter receptacle shall be white, navy blue, dark brown, or tan, if painted, however, if construction consists of aggregate concrete or wood, its natural color is acceptable.

ii. Each litter receptacle may bear the official state anti-litter logo as described in state law.

iii. When the official state logo is used, no commercial advertisement shall be placed on any litter receptacle within eight inches of the official logo; and any such advertising may not exceed the logo in area. The owner of the receptacle may place a single line on the receptacle identifying ownership, and a single credit line designating any donor of the litter receptacle other than the owner. That lettering may not exceed one-half inch in height and may not interfere with or distract from the prominence of the anti-litter symbol.

(3) Maintenance.

i. Compliance with these minimum standards shall include disposal of waste matter deposited, proper upkeep, maintenance and repair of litter receptacles sufficient to permit such receptacles to serve the functions for which they were designed and to prevent the appearance of such receptacles from becoming unsightly. Inadequately maintained or unsightly litter receptacles shall be a violation of these minimum standards.

ii. Whenever litter receptacles are placed in any public place other than where required by these rules and regulations, such receptacles shall conform to the provisions of this section.

Sec. 140-206. Livestock Keeping, Raising, Or Breeding.

(a) No person shall establish or maintain any animal pen, stable, barnyard, rabbit hutch, chicken house or other place for the raising or breeding of livestock as defined in section 140-5.

(b) Any place for the keeping or housing of animals shall be maintained in a clean and sanitary condition at all times, such that no vermin, insects, or other pests will find it a suitable habitat within which to propagate.

(c) Any place where animals are kept or housed shall not exude any unpleasant odors.

ARTICLE X. SIGNS.

Sec. 140-207. Intent. The purpose of this ordinance is to promote the reasonable, orderly and effective display of on-premise and off-premise advertising; to promote and enhance the beauty, order and attractiveness of the Town to residents, tourists and visitors; positively influence the economic prosperity of the Town; and to ensure that signs in the Town do not constitute a visual blight on the landscape and pose no hazards to vehicular or pedestrian traffic.

Sec. 140-208. Permits Requirement. No signs shall be permitted in the Town of Jonesboro unless proper application for sign permit is made to and approved by the Town; and the Town issues applicant a sign permit.

(a) **Permits Required.**

(1) **Sign Permit**. Except as otherwise provided in this Article it shall be unlawful to erect, alter, or relocate any sign without first obtaining a sign permit from the Town. When a sign permit has been issued, it shall be unlawful to change, modify, alter or otherwise deviate from the terms of conditions of said permit without prior approval of the Zoning Administrator. A written record of such approval shall be maintained with the Permit File. The following activity shall not require a sign permit: The changing of advertising copy or message on signs which are specifically designed for the use of replaceable copy.

(2) **Electrical Permit.** A licensed electrical contractor must perform all electrical work on signs, if applicable. The name and license number of the contractor must be recorded on the permit application. Records will be checked to see if the contractor is properly licensed.

(3) **State Permit**. Permits for signs on state highways require a permit from the Louisiana DOTD. A copy of said state permit is required to be filed with the Town or the Town permit will be denied and/or revoked.

(b) **Application Requirements.** In order to obtain a permit to erect, alter or relocate any sign under the provisions of this section, an applicant therefore shall submit to the Zoning Administrator or his designee a sign permit application which shall set forth in writing a complete description of the proposed sign including:

(1) The name, address, and telephone number of: the land owner(s); sign owner(s) if different from the land owner; person(s) entitled to possession of the sign; and of the sign contractor or erector.

(2) Written consent of the owner of the property or his agent granting permission for the construction, maintenance and display of the sign or sign structure

(3) The street address of the real property upon which subject sign is to be located.

(4) The description and type of sign as defined in this Article.

(5) A design of the sign which shows the height of the sign, the area of the face of the sign, and the structural supports of the sign.

(6) One site drawing which illustrates the property on which the sign will be located, which shall include the proposed sign, the location and the distance from the proposed sign to property lines, structures, paved street surface, existing signs, and right-of-way.

(7) Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports, footings and materials to be used.

(8) If the sign is electric, electrical diagrams and details are required for an electrical permit. Such information shall include the name(s) of the licensed electrical installer.

(9) A copy of the lease or other document from the owner of the sign, if not the same as the owner of the real property.

(10) An agreement to defend, indemnify and hold the Town harmless for all damages, demands or expenses of every character that may in any manner be caused by the sign, sign structure, or sign installation.

(c) **Expiration.** Sign permits expire 12 months after date of issuance if the erection of the sign has not been completed. No refunds will be issued for expired sign permits.

(d) Each sign requiring a permit shall be clearly marked with the permit number and name of the person or firm placing the sign on the premises.

(e) The owner and/or tenant of the premises upon which any On-Premises Sign and/or Off-Premises Sign is located and the owner and/or erector of the sign shall be held responsible for any violation of this Chapter. Where a sign has been erected in accordance with this Chapter by a third party licensed installer (other than the owner of the property or sign), said installer shall be relieved of further responsibility under these regulations after final approval thereof by the Building Inspector.

Sec. 140-209. Definitions. The following terms, as used in this ordinance, are hereby defined as

follows:

Abandoned Off-Premises Sign. An abandoned off-premises sign is an off-premises sign which:

(1) Has fallen into disrepair or otherwise deteriorated as a result of a lack of maintenance, repair or upkeep; or

(2) For a period in excess of one hundred eighty (180) consecutive days, carries no advertising message other than a message concerning its availability for lease or hire.

Billboard. A billboard is a large panel designed to carry outdoor advertising owned by a person, corporation, or other entity that engages in the business of selling or leasing the advertising space on that sign or that places its own advertising on said sign.

Changeable Message Sign. A changeable message sign is a sign on which the copy, message or sign panels may be, when specifically issued a permit as a changeable message sign, changed either electronically or manually through the removal, replacement, or rearrangement of letter, symbols, blocks or panels.

Digital Billboard. A digital billboard is a sign displaying static/digital images controlled by electronic communications, with each message lasting no less than six (6) seconds and no more than eight (8) seconds, and each transition to alternate messages exercising a transition greater than one second in duration.

Electrical Sign. An electrical sign is any sign containing a motor or wiring, which is connected or attached (or intended to be connected or attached) to an electrical energy source.

Facade Sign. A sign which is integrated into or mounted on the facade or face of a building.

Ground Sign. An outdoor advertising display sign when such sign is supported by uprights or braces in or upon the ground; or when such sign is mounted upon a vehicle, trailer, or mobile structure principally used for the purpose of advertising. A ground sign includes three basic kinds of detached signs: (1) pole signs, (2) detached reader-board signs (skid-mounted signs) as set forth in subsection 4(h) herein, and (3) monument signs.

Jumbo Sign. Any Off-Premises Sign with a Sign Face in excess of 220 square footage but less than 450 square feet inclusive of embellishments.

Major Sign. Any Off-Premises Sign with a Sign Face in excess of 72 square footage but less than 220 square feet inclusive of embellishments.

Marquee Sign. A marquee sign is any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. Signs painted or sewn onto

awnings or canopies shall be considered marquee signs.

Minor Sign. Any Off-Premises Sign with a Sign Face not exceeding seventy-two (72) square feet inclusive of embellishments.

Monument Sign. A monument sign is a freestanding ground sign:

(1) Which is of monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground;

(2) The sign face of which is encompassed on the top, sides and bottom by a border or column of the same or compatible material and which border or column compliments and enhances the aesthetic effect of the sign; and

(3) A double-faced monument sign shall be made of back-to-back sides unless visibility of such sign is impeded in which case the two sides may form a "V" shape.

Moving Message or Changing Image Sign. A moving message or changeable image sign is any sign, including public service signs, designed to convey sign copy that changes in form or content with greater frequency than once an hour, or which otherwise includes action or motion (or the illusion of action or motion) within its message or sign copy.

Murals. A work of art painted or otherwise applied to an exterior wall surface.

Neon Signs. Any white or colored tubular lighting bent or formed into a design or lettering of which the primary source of light is gaseous. Anything within the boundary of the outline of the neon will be considered a part of the sign face.

Nonconforming Sign. A nonconforming sign is any sign structure or sign which was lawfully erected and maintained prior to or after such time as it came within the purview of the Town of Jonesboro Code of Ordinances, this Chapter, or any amendments thereto, and which fails to conform to all applicable regulations, restrictions or current Town ordinances, or a nonconforming sign for which a special permit has been issued.

Off-Premise Sign. An off-premises sign is a sign that directs a person to a premises or location other than the premises or location on which the sign is located; or which identifies advertised goods, products, or services not available on the sign's premises; or which conveys a nonadvertising idea or message; or which identifies or advertises a business, person, firm or corporation not located on or occupying the premises where the sign is located; or which is not otherwise defined as an on-premises sign.

On-Premise Sign: An on-premises sign is a sign identifying or advertising a business, person, firm, corporation, activity, goal, product or service located or available on the premises where the sign is installed and maintained; or which is displayed and maintained by the owner or occupant of the premises on which it is located and conveys a non-advertising or noncommercial

idea or message.

Pole Sign. A pole sign is a ground sign in which:

(i) the structure of which consists of one or more vertical poles which are partially placed in the ground for stability, and which may have a horizontal pole at or near the top of a single vertical pole and which may be joined together by a horizontal pole,

(ii) the sign face or faces of which are attached to the vertical pole(s) and/or horizontal pole and may be chained, cabled or attached to the vertical pole(s) and

(iii) the sign face(s) of which do not touch the ground and, therefore, leave an open space between the bottom of the sign face and the ground. A pole sign cannot be connected to or affixed to a building.

Political Sign. A political sign is any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure, but not including any billboard owned or maintained by a commercial firm or advertising company when leased or used as a political sign.

Portable Sign. A portable sign (mobile sign) is any sign that is not permanently affixed to a building, structure, or the ground, including signs on movable objects, but not signs on vehicles or trailers which are moving or parked only temporarily and are incidental to their principal use for transportation. These signs primarily include, but are not limited to, a frame or sandwich board signs, signs attached to wood or metal frames, and signs designed to be self-supporting and moveable.

Sign. A board, device, structure, or other display used to identify, display, direct attention to, or advertise a person, object, place, event, location, business, service, article, or price by any means, including words, letters, figures, designs, symbols, fixtures colors, illumination or projected images which is visible from a public street, right-of-way, sidewalk, alley, park or other area open to the public. Signs do not include the flag or emblem of any nation, organization of nations, state or Town, or any political, fraternal, religious or civic organizations; merchandise, pictures or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields.

Sign Face. The part of the sign that is or can be used to identify, advertise, communicate, inform or convey a visual representation which attracts the attention of the public for any purpose. The term includes any background material, panel, trim, frame, color and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any of the sign face criteria are displayed on or designed as part of the sign structure, unless it is outlined in neon.

Sign Height. The height of a sign is defined as the vertical distance from the adjacent street grade or upper surface of the street curb to the highest point of either the sign or sign structure,

whichever is higher. Elevated roadways shall not be used to measure height.

Sign Owner. A sign owner is that person or entity who owns a sign or billboard and/or who is responsible for a sign or billboard.

Special Event Sign. A special event sign is a sign that is placed temporarily, for the purpose of attracting the attention of the general public to a specific event, gathering, meeting, contest or other similar occurrence**.**

Temporary Sign. Any sign that is intended to be displayed for a specified or limited time period such as a sale, single event, or until a permanent sign can be installed. Included in this category are sandwich (A-frame) signs, banner signs, inflatable or gas-filled signs and retailers' signs displayed for the purpose of informing the public of a sale or special offer.

Towable Signs. A towable sign is a permanent or temporary sign affixed to, or placed in or upon, any trailer or other device capable of being towed, the primary purpose of which is to attract the attention of the traveling and/or pedestrian public, provided that this definition does not include any signs which are required by any unit of government, and does not include a single sign placed on a single vehicle or trailer at a residence of an individual which sign identifies the vehicle or trailer as being for sale.

Visibility Triangle. The triangle formed by the intersecting street right-of-way lines and a straight line connecting such street lines at points 30 feet from the point of intersection measured along such street lines.

Wall Sign. Any sign affixed to or attached to the exterior of any building or structure.

Sec. 140-210. Regulations of General Applicability. The following regulations shall apply to signs in all districts unless otherwise provided for elsewhere in this Chapter.

(a) **Ingress/Egress.** No sign shall be erected as to prevent free ingress or egress from any door, window, or fire escape; and no sign of any kind shall be attached to any fire exit, fire exit access, fire hydrant, fire protection standpipe or fire escape other than a sign indicating a fire exit in accordance with state law.

(b) **Zoning.** Signs located or proposed to be located within the Town are subject to the applicable zoning district restrictions defined in this Chapter.

(c) **Building Standards**. All signs shall be constructed and erected in accordance with the pertinent requirements of the latest building codes and if illuminated, the National Electric Safety Code and the Town of Jonesboro Building Code including the securing of all permits and payment of any fees regarding such codes.

(d) **Signs in Utility or Street Right of Way.** No portion of any sign or sign structure shall be located over a Town utility within an easement outside of the street right-of-way, unless there is approval from the Planning and Zoning Commission and the Public Works Director and the

property owner/developer agrees to the following:

(1) Acknowledges that he is locating a sign within a utility easement; and

(2) Agrees that he will, at his cost, move or relocate the sign should access to the line be required for repairs or for any other reason. If the Town must move the sign based on an emergency repair or other work, then the owner/developer shall reimburse the Town for its expenses in removing the sign. The Town shall not be responsible for reinstalling the sign or any damages to the sign owner, applicant, or lessee for removal of same.

(3) **Visibility Triangle.** No sign shall be erected within any Visibility Triangle; nor shall any sign otherwise be located or installed in such manner as to create a traffic hazard.

(4) **Facade Sign.** A Facade Sign shall not exceed more than 50 per cent of the façade. A Facade Sign shall not extend more than one foot beyond such building face toward any public street.

(e) **Prohibited Signs.** The following signs shall not be permitted to remain or be erected:

(1) Signs and structures not meeting construction standards.

(2) Signs which have been erected without a Town permit.

(3) Signs which are illegal under state or federal laws or regulations.

(4) Signs which the size, shape, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic-control device or which hides from view any traffic or street sign or signal.

(5) Street signs, banners and streamers suspended over or above dedicated streets or alleys are prohibited unless specifically authorized by the Board of Alderman regarding a public event.

(6) Signs which are erected or maintain upon trees or painted or drawn upon rocks or other natural features.

(7) Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority.

(8) Signs which contain statements, words, or pictures of an obscene nature as defined by law.

(9) Any sign which emits sound, odor, or visible matter which serve as a distraction to persons within the public right-of-way and as such, could be a public safety hazard.

(11) Signs that are not securely fixed upon a substantial structure as determined by the Building Inspector.

(12) Signs that contain as part of the message mirror-like surfaces greater than two square inches or any mirror-like surface that creates a traffic hazard.

(13) Any sign which does not otherwise comply with the regulations of this chapter.

(f) **Visible Sign Backs.** Visible backs of signs shall be suitably painted or otherwise covered to present a neat and clean appearance.

(g) **Owner Identification.** All off-premise signs shall include an identification plaque 200 square inches or less on each sign surface. The plaque shall contain the name (or easily recognized logo) of the sign owner and be clearly legible.

Sec. 140-211. Signs Exempt From Permit Requirements. The signs listed in this section are exempt from the permit requirements of this Chapter:

(a) Residential name plate signs for single-family and two-family residences.

(b) Street number signs in all districts for all uses.

(c) Directional signs erected solely for the purpose of:

1. Identifying and giving directions for phone booths, restrooms, and parking areas.
2. Providing directions to motorists within parking lots and structures.
3. Aiding and directing the movements of pedestrians.

(d) Signs protecting private property or identifying property hazards, including but not limited to "No Trespassing," "Beware of Dog," "No Dumping," "Private Drive," "No Solicitng," and identifying alarm companies protecting said property.

(e) Notices posted by public agencies.

(f) Notices required to be posted by law, including but not limited to, notices regarding zoning applications, notices regarding application for permits, notices regarding Dangerous Dog on premises, and other required postings.

(g) Public utility signs and safety signs required by law.

(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.

(i) Political Signs, which identify and urge citizens to support a particular candidate, political party, election issue, or non-commercial public cause. Political signs shall be removed no later than 14 days after said election.

(j) 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 Planning and Zoning Commission as a temporary use.

(2) Not include any advertisement of any product or direct advertising of any service.

(3) Be removed within fifteen days after a certificate of occupancy has been issued.

(k) 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.

(l) Temporary decorations or displays clearly incidental and customary and commonly associated with national, local or religious holiday celebrations or special events.

(m) Athletic field signs at schools.

(n) Historical signs and markers designating places of historical significance.

(o) Signs indicating special events, such as a fair, carnival, festival, grand opening, sale, or similar temporary activity.

(p) Lost pet signs.

(q) Garage sale, rummage sale, yard sale, estate sale, or signs of similar activities provided a permit has been obtained in accordance with Chapter 16, Section 16-3.

(r) Temporary Promotional Signs on premises in connection with the opening of a business, major remodeling under an active building permit, new owner of a business, closure of a business, sale, or special events may be permitted subject to the following:

(1) Such signs shall be limited to three (3) events and an aggregate maximum of thirty (30) days per calendar year.

(2) Promotional signs that advertise an event shall not be erected more than thirty (30)

days before the event and shall be removed within seven (7) days of the event's conclusion.

(3) Banners, string pennants, and streamers are permitted; however, if the materials become tattered, torn, and/or a litter problem they must be replaced or removed.

(4) Such signs shall have a maximum total sign area of thirty-two (32) square feet.

(s) Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps and do not exceed two square feet per piece of equipment.

Sec. 140-212. Portable Signs.

(a) **Intent and Applicability.**

(1) It is the intent of this Section to provide for the harmonious and safe design and placement of Portable Signs, as defined herein.

(2) This Section shall apply to all persons, firms, partnerships, associations and/or corporations owning, occupying, leasing a Portable Sign or having control or management of any premises where a Portable Sign is located within the Town limits.

(b) **Licensing.** All persons, firms, partnerships, companies and/or corporations engaged in the business of selling, leasing, renting, operating, erecting, or locating Portable Signs in the Town shall have an appropriate and currently issued occupational license.

(c) **Insurance.**

All Portable Signs shall be insured to cover liability for bodily injury and accidental death in the amount of fifty thousand dollars ($50,000.00) for each person and one hundred thousand dollars ($100,000.00) in the aggregate for each accident, and for property damage liability in the amount of fifty thousand dollars ($50,000.00) for each occurrence. A certificate of insurance must be filed with the Compliance Officer at the time of application and annually thereafter.

(d) **Portable Sign Regulations.** The following regulations apply to Portable Signs:

(1) No more than one Portable Sign shall be allowed on a single lot at any one time.

(2) A Portable Sign shall not exceed thirty-two (32) square feet of sign area.

(3) Portable Signs shall be constructed, erected, and maintained in conformance with the applicable requirements set forth by any codes adopted by the Town.

(4) Portable signs shall be set back at least twenty (20) feet from the street right-of-way

and shall not be placed on the top of any building.

(e) **Design Characteristics.**

(1) Portable Signs shall be designed according to generally accepted good engineering practices to withstand wind pressures of at least 20 pounds per square foot.

(2) Portable Signs shall be designed to rest on structural members other than wheels, except when being moved. Jacks and tongues shall be removed when the sign is being used for display

(3) Each Portable Sign shall carry the name, address and telephone number of the owner/Operator in a visible and readable location on the Portable Sign.

(f) **Electrical.**

(1) Portable Signs which include electrical lighting or equipment shall have been approved and labeled by the Underwriters' Laboratories or other authority approved by the Town.

(2) Electrical connections to Portable Signs shall be made in accordance with the building and electrical codes of the State and Town.

(3) No Portable Sign shall contain or utilize exposed light bulbs or lamps of any type of more than sixty (60) watts, either as an integral part of the sign or as an accessory to the sign.

(4) No Portable Sign shall have a beacon or revolving light.

(5) The light from any illuminated Portable Sign shall be so shaded, shielded or directed that the light intensity or brightness will not be hazardous or objectionable to the adjacent or surrounding areas or to operators of motor vehicles on public thoroughfares.

(g) **Location.**

(1) No person shall place any Portable Sign on public property, including utility and street servitudes. Any Portable Sign located on the Town’s property may, after due notice to the owner thereof to remove it, be removed by the Compliance Officer or his designee at the expense of the owner.

(2) No Portable Sign shall be permitted in any Residential District or B-3 District of the Town.

(3) Portable Signs shall not be placed within the visibility triangle.

(4) No Portable Sign shall be placed or located so as to interfere with any sidewalk or crosswalk.

(h) **Traffic Hazard or Nuisance.**

(1) No Portable Sign shall be placed at any location in such a manner as to obstruct free and clear vision at the intersection of any streets or highways.

(2) No Portable Sign shall be placed at any location where it could be confused with an authorized traffic signal or sign.

(3) No Portable Sign shall use the words "stop," "danger" "caution," "warning," "go slow" or any other word or phrase which could mislead or confuse motorists or pedestrians.

(4) No Portable Sign shall be composed of or use shapes that resemble standard traffic-control devices, including, but not limited to, octagon (stop), triangle (yield) or diamond (caution).

(5) No Portable Sign shall contain, use or display obscene, indecent or immoral matter.

(6) The area immediately surrounding a Portable Sign shall be kept clear of all unsightly debris and vegetation.

(7) Portable Sign shall be maintained in good condition to assure safety and attractive appearance.

(i) **Permit.** A Portable Sign shall not be located or utilized for display purposes which are visible from a public street, right-of-way, sidewalk, alley, park or other area open to the public unless a Portable Sign Permit has been issued by the Zoning Administrator and/or Building Inspector for that location.

(1) On-Premises Portable Sign Permit shall last as long as the Permit Holder remains in business on the site the permit was issued for and the Portable Sign remains in good working order.

(2) Off-Premises Portable Sign Permits must be renewed annually.

(3) The owner/operator of an Off-Premises Portable Sign must also obtain an annual occupational tax license as provided for in Chapter 16 of the Jonesboro Code of Ordinances.

(4) All Off-Premises Portable Signs lawfully in use on the date of adoption of this Article shall be required to obtain annual permits.

(j) **Permit Fees**.

(1) On-Premises Portable Sign Permit Fees shall be Fifty-Dollars ($50.00).

(2) Off-Premises Portable Sign Permit Fees shall Fifty-Dollars ($50.00) and expire on December 31st of the year issued. A permit not renewed prior to December 31st shall be subject to a late penalty of ten dollars($10.00) per month. Failure to timely renew the Off-Premises Portable Sign Permit shall be grounds for removal of same.

(k) **Enforcement.**

(1) In the event that the Compliance Officer or his designee finds that any Portable Sign regulated by this Section is unsafe, is a nuisance to the public, or is in violation of any of the provisions or standards in this Section, the Compliance Officer or his designee shall give written notice to the holder of the permit, or in the absence of a valid permit, to the possessor or owner of such Portable Sign. Such notice shall state the reason the notice has been issued.

(2) The Compliance Officer or his designee may cause a Portable Sign to be removed immediately and without notice and stored at the cost of the permit holder, or in the absence of a valid permit, at the cost of the possessor or owner of the Portable Sign, under any of the following conditions:

i. The Portable Sign is in violation of the provisions of this article;

ii. The Portable Sign, in the determination of the Compliance Officer and/or the Building Inspector, which shall be final, presents an immediate threat of danger to the safety of the public;

iii. The Portable Sign has been placed in a location where it can be viewed by the public without a permit having first been issued for that location, or without a certificate of insurance having been filed with the Town, or both.

iv. Any part of the Portable Sign is located within the right-of-way of any public street or highway.

(3) If the Compliance Officer or his designee elects to cause the Portable Sign to be removed without notice for any of the reasons stated in subsection (2) above, the Compliance Officer or his designee shall promptly thereafter provide written notice to the permit holder, or to the possessor or owner of the Portable Sign, as applicable, stating the reason the sign has been removed.

(4) In all other cases, including those listed in subsection (1) above, and in cases where the Compliance Officer or his designee elects not to use his authority to cause the Portable Sign to be removed without prior notice, if the permit holder, or the possessor or owner of the Portable Sign, as applicable, fails to remove, alter, or otherwise bring the Portable Sign into compliance with the provisions and standards of this section and all applicable all applicable building and/or electrical codes, within three (3) days after

notice has been issued, citations for the violations shall be issued and the Compliance Officer or his designee shall cause the Portable Sign to be removed and stored at the expense of the permit holder, or possessor or owner of the Portable Sign. The Portable Sign shall be held by the Town until such time as the Permit Holder agrees to bring the Portable Sign into compliance with this Section and pays the expense of removing and storing the sign has been reimbursed to the Town. However, if the duly notified Permit holder, possessor, or owner of the Portable Sign fails to pay the expenses and reclaim the Portable Sign within 60 days, the Town may dispose of the Portable Sign and shall have no liability for same.

(5) The notice required by this subsection may be delivered in any of the following ways:

i. By personal delivery to the permit holder, or to the possessor or owner, as applicable;

ii. By delivering the notice to any employee of suitable age and discretion at the place of business where the sign is located;

iii. By certified mail to the permit holder, or to the possessor or owner, as applicable, such notice being complete and effective upon delivery to the last known personal or business address of the party being notified.

(6) Only one notice for each type violation per location shall be required; upon subsequent violations, citations shall be issued immediately.

(l) **Penalties**

(1) **Revocation of Permit.** Failure or refusal to remove, alter, or otherwise bring the Portable Sign into compliance with the provisions and standards of this section shall be grounds for revocation of the Portable Sign Permit.

(2) **Civil Fine**. Whoever violates the provisions hereof, or any other provisions of this section shall be subject to the following civil fines:

i. A fine of up to $100.00 shall be imposed upon the first violation.

ii. A fine of up to $500.00 shall be imposed upon the second violation and each subsequent violations.

(3) Civil Fines may be imposed by the Planning and Zoning Commission after notice to the permit holder and/or owner and hearing regarding said violation.

(4) The permit holder and/or owner may appeal any civil fine to the Jackson Parish District Court by filing suit within ten (10) days of the issuance of the civil fine order. If the permit holder and/or owner is does not prevail, the Town shall be entitled to recover any and all attorney fees and court costs incurred in defending said appeal.

(5) Civil Fines are recoverable by civil action before any court of competent jurisdiction. If the Town has to file civil action to enforce any such civil fines, the Town shall be

entitled to recover attorney fees and court costs in the collection of said civil fines.

Sec. 140-213. On-Premise Signs in Residential Districts.

(a) **Signs in Residential Districts**. The following signs shall be permitted in any residential district as defined by the official zoning map of the Town of Jonesboro.

(1) Permanent detached signs for the purpose of identification of a residential or townhouse subdivision/development, limited to one sign per subdivision/development entrance and not exceeding 6 feet in height and 48 square feet in size per sign face.

(2) Permanent detached signs for the purpose of identification of a multifamily complex/development, mobile home park shall be limited to one sign (single or double-faced) at the principal entrance and not exceeding 6 feet in height and 48 square feet per sign face.

(3) Residential nameplate not exceeding one square feet for single-family or two-family dwelling.

(4) An unilluminated sign, no larger than two square feet listing the name and the type of home occupation as permitted by Sec.140-56. Said sign shall be attached to a dwelling or located on a pole no taller than 3 feet within ten feet of the dwelling.

(5) Churches, schools, or public buildings shall be permitted to erect on their premises:

i. A nonilluminated flat wall sign not exceeding 48 square feet in sign face area; and

ii. A freestanding, either illuminated or nonilluminated, sign not to exceed 48 square feet of aggregate sign area and shall not be closer than 15 feet to the right-of-way. The maximum height of such sign shall be 6 feet. Any illuminated sign shall be situated that its source of illumination is not visible from an abutting residence.

(6) For premises containing other permitted nonresidential structures, the following signs shall be allowed:

i. one nonilluminated flat wall sign not exceeding 15 square feet in sign face area; and

ii. one small free standing nonilluminated sign with a maximum height of 3 feet and no larger than 4 square feet per sign face shall be allowed.

(b) **Setback**. Each On-Premises Sign in a Residential District shall be set back at least five feet from the street and /or utility right-of-way line or ten feet from the street edge, whichever is the greater distance from the street.

(c) **Permits Fees.** The permit fee for On-Premise Signs in Residential areas shall be $50.00 per

sign.

Sec. 140-214. On-Premise Signs in Business, Industrial, and Open Land Districts. Portable Signs are governed by Sec. 140-212. The following regulations apply to all signs other than Portable Signs in any Business, Industrial, or Open Land District as defined by this Chapter.

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(a) **Detached Sign Height.** Unless a different height is specified in this section, detached On-Premises Signs not exceeding 20 feet in height in B-1 and B-2 districts; detached signs not exceeding 20 feet in height in B-3 districts and detached signs not exceeding 25 feet in height in I-1 and O-L districts if such signs are located more than 300 feet from residentially zoned properties; otherwise, signs shall not exceed 20 feet in height.

(b) **Signs at Single Business Location (One Building/One Tenant).**

(1) **Monument Signs.** Monument Signs are allowed provided they conform to the following rules and regulations:

i. One illuminated or monument sign is allowed on each street upon which the building fronts.

ii. A changeable copy sign (manual or automatic) may be incorporated within this sign area but may not exceed 30 percent of the maximum sign face area.

iii.. Each sign shall advertise the name and address of the business located on the premises. Address numbers shall be a minimum of four inches in height and may be placed on the base or border of the sign. The phone number of the businesses may be displayed as well.

iv. The base of the sign shall be fully landscaped with planters and/or shrubbery in all directions, not less than the dimensional width of the sign.

v. The maximum height of monument signs shall be six feet and shall not exceed 60 square feet per sign face.

(2) **Wall Sign**. One wall sign is allowed provided it conforms to the following rules and regulations:

i. The total area of wall signage shall not exceed 1 square feet of sign for every foot of front footage of the applicable building.

ii. The maximum square footage of wall sign allotment shall not exceed 150 square feet per sign face.

iii. Where a single business fronts on more than one street, one additional wall sign will be allowed, and the allowable square footage for the wall sign shall be computed separately for each street.

iv. A wall sign shall not project beyond the ends or top of the wall to which it is attached nor project away from such wall by more than 18 inches.

v. In the case of a projecting wall sign, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required.

(3) **Pole Sign.** Pole Signs are allowed provided they conform to the following rules and regulations:

i. One pole sign shall be allowed for each 1,000 feet of street frontage or fraction thereof. A property with more than one street frontage shall be allowed one pole sign for each 1,000 feet of street frontage or fraction thereof for each street it fronts.

ii. A changeable copy sign (manual or automatic) may be incorporated within this sign area but may not exceed 30 percent of the maximum sign face area.

iii.. Each sign shall advertise the name and address of the business located on the premises. Address numbers shall be a minimum of four inches in height and may be placed on the base or border of the sign face area. The phone number of the businesses may be displayed as well.

v. The maximum height of pole signs shall be fifteen feet and shall not exceed 100 square feet per sign face.

(c) **Signs in Multiple-Occupancy Buildings (Shopping Centers, Strip Plazas, and Office Parks).**

(1) **Monument Signs.** Monument Signs are allowed provided they conform to the following rules and regulations:

i. One monument sign containing all business identifications will be permitted for each 250 feet of frontage or fraction thereof. Each frontage shall act independently of the other as follows:

0—250 feet = one sign
251-500 feet = two signs
501-650 feet = three signs, etc.

ii. A changeable copy sign (manual or automatic) may be incorporated within this sign area but may not exceed 30 percent of the maximum sign face area.

iii.. Each monument sign shall advertise the name and address of the businesses located on the premises. Address numbers shall be a minimum of four inches in height and may be placed on the base or border of the sign. The phone

number of the businesses may be displayed as well.

iv. The base of the sign shall be fully landscaped with planters and/or shrubbery in all directions, not less than the dimensional width of the sign.

v. The maximum height of monument signs shall be six feet and shall not exceed 60 square feet per sign face.

(2) **Wall Sign**. Each individual business shall be allowed to display one wall sign provided it conforms to the following rules and regulations:

i. The total area of wall signage shall not exceed 1 square feet of sign for every foot of front footage of the applicable tenant's leased area.

ii. The maximum square footage of wall sign allotment shall not exceed 150 square feet per sign face.

iii. Where a single business fronts on more than one street, one additional wall sign will be allowed, and the allowable square footage for the wall sign shall be computed separately for each street.

iv. A wall sign shall not project beyond the ends or top of the wall to which it is attached nor project away from such wall by more than 18 inches.

v. In the case of a projecting wall sign, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required.

(3) **Pole Sign.** Pole Signs are allowed provided they conform to the following rules and regulations:

i. One pole sign shall be allowed for each 1,000 feet of street frontage or fraction thereof. A property with more than one street frontage shall be allowed one pole sign for each 1,000 feet of street frontage or fraction thereof for each street it fronts.

ii. A changeable copy sign (manual or automatic) may be incorporated within this sign area but may not exceed 30 percent of the maximum sign face area.

iii.. Each sign shall advertise the name and address of the businesses located on the premises. Address numbers shall be a minimum of four inches in height and may be placed on the base or border of the sign face area. The phone number of the businesses may be displayed as well.

v. The maximum height of pole signs shall be twenty feet and shall not exceed 150 square feet per sign face.

(d) **Setback**. Each On-Premises Sign in a Business, Industrial, or Open Land District shall be set back at least five feet from the street and /or utility right-of-way line or ten feet from the street edge, whichever is the greater distance from the street.

(e) **Permits Fees.** The permit fee for On-Premise Signs in commercial, industrial, and open land districts shall be $100.00 per sign.

Sec. 140-215. Off-Premise Signs. Portable Signs are governed by Section 140-212. All other Off-Premises Signs shall meet the following requirements.

(a) **Location of Signs.**

(1) No Off-Premise Sign shall be permitted in any Residential District or B-3 District of the Town.

(2) No Off-Premises Sign shall be located within five hundred (500) feet from the property line of any Residentially or B-3 zoned property.

(3) Off-Premise Signs may be permitted in B-1 and B-2 Districts after a Special Use Exception has been approved by the Board of Alderman and in accordance with any restrictions placed within the Special Use Exception.

(4) Off-Premise Signs may be permitted in I-1 and O-L Districts of the Town after a Conditional Use has been approved by the Planning and Zoning Commission and in accordance with any restrictions placed within Conditional Use granted. .

(5) No Off-Premises Sign shall be erected or maintained upon or directly above the roof of any building structure.

(6) The minimum distance between any Off-Premises Signs shall be no less than one thousand (1,000) feet on the same side of the street. The minimum distance between any Off-Premises Signs on opposite sides of the street shall be no less than five hundred (500) feet measured radially.

(7) Off-Premises signs shall be permitted on premises where other businesses or permitted uses are established provided such Off-Premises signs are located at least seventy-five (75) feet from any part of the property occupied by any portion of the established use including off-street parking areas and otherwise complies with the requirements of this Article.

(b) Height **of Off-Premises Signs.** There shall be a minimum clearance from the bottom of an Off-Premises Sign face from the grade of the public street to which the sign is oriented, or from the ground directly beneath the sign face, whichever is of greater height, according to the size of the sign face and a maximum height, as follows:

(1) For Minor Signs, the minimum clearance shall be six (6) feet, and the maximum height

shall be fifteen (15) feet.

(2) For Major Signs, the minimum clearance shall be eight (8) feet, and the maximum height shall be twenty (20) feet.

(3) For Jumbo Signs, the minimum clearance shall be ten (10) feet, and the maximum height shall be thirty-five (35) feet.

(c) **Size of Signs.**

(1) The size of Off-Premise Signs permissible depends on the type of sign and the location of the sign.

(2) Jumbo Signs are only permitted on major thoroughfares -- Highway 167, Highway 4, and Highway147.

(3) When two Off-Premise Sign surfaces are placed back-to-back or V-type on the same structure with an angle between them of not more than 60 degrees, each sign surface shall conform to the maximum size limitations. No more than two sign surfaces are allowed on one structure. No more than two sign faces may comprise one sign surface.

(d) **Setback Requirements**.

(1) No portion of any Off-Premises Sign may be located within the thirty-foot visibility triangle.

(2) Each Off-Premises Sign shall be set back at least fifteen (15) feet from any road or street right-of-way line, measured from the sign's closest point of reference. Side setback shall be ten (10) feet from the side property line. When an off-premises sign is located in the side corner yard, the setback shall be fifteen (15) feet from any road or street right-of-way line, measured from the sign's closest point of reference.

(3) No part or foundation or support of any Off-Premises Sign shall be placed upon telephone or utility poles, or natural features such as trees and rocks

(4) No part or foundation or support of any Off-Premises Sign shall be placed on, in, or over any public property, including public rights-of-way, without written consent of the Town of Jonesboro and written contract as required by Sec. 140-210.

(e) **Illuminated and Electronic Signs.** Illuminated and electronic variable message signs shall be constructed and located so as to protect the general welfare of all citizens and the safety of the motoring public.

(1) Off-Premises Signs may be illuminated, subject to the following restrictions:

i. The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be hazardous or objectionable to the adjacent or surrounding areas.

ii. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign; however, illuminated signs which indicate such customary public service as time, date, temperature or other similar information shall be permitted.

iii. Neither the direct nor the reflected light from a primary light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares

iv. External lighting, such as floodlights, thin line and goose neck reflectors are permitted provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed or reflected onto any portion of the highway or public street.

v. The illumination of any sign within one hundred (100) feet of a residential zone lot line shall be diffused or indirect in design to prevent direct rays of light from shining into adjoining residential districts.

(2) Displayed image will remain static for a minimum of eight (8) seconds before changing.

(3) Change of message must be accomplished within two seconds or less.

(4) All digital signs must meet the following brightness standards and limitations:

i. All electronic or digital signs shall be programmed so that the message or image on the sign changes no more than once every eight (8) seconds.

ii. All electronic or digital signs shall be programmed so that there are no effects of movement, blinking, animation, scrolling, flashing, or similar effects in the individual images.

iii. All off-premises electronic or digital signs shall be programmed so that the image will change instantaneously as seen by the human eye, and shall not use blinking, fading, rolling, shading, dissolving, or similar effects as part of the change.

iv. All electronic or digital signs shall be equipped with automatic level controls to reduce light levels at night under cloudy and other darkened conditions, in accordance with the following:

1. All such signs shall have installed ambient light monitors and shall at all

times allow such monitors to automatically adjust the brightness level based on ambient light conditions.

2. The maximum brightness levels for such signs shall not exceed five thousand (5,000) nits when measured from the sign's face at its maximum brightness, during daylight hours.

3. The maximum brightness levels for such signs shall not exceed five hundred (500) nits when measured from the sign's face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.

4. Written certification from the sign manufacturer must be provided at the time of application for a building permit certifying that the light intensity of the sign has been present not to exceed the illumination levels established by this section, and that preset intensity level is protected from end user manipulation by password protected software or other approved method.

5. All electronic or digital signs shall contain a default design that will freeze the device and message in one position with no more than a maximum illumination of five hundred (500) nits if a malfunction occurs.

6. Any electronic or digital sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner, causing motion, movement, flashing or any similar effects then the sign owner must immediately stop the display when notified by the Town that it is not complying with the standards of this chapter.

(5) Digital signs cannot resemble traffic control devices or be animated.

(6) If requested, owners of digital signs must coordinate with the Town to display, when appropriate, real-time emergency information such as Amber Alerts or natural disaster directives.

(7) Such signs shall not contain or display animated, moving video or scrolling advertising.

(8) Digital signs shall not consist of a static image projected upon a stationary object.

(9) Digital signs shall not be constructed or placed in such a way that the light from the sign shines into residentially zoned areas or areas that are predominately residential in use.

(f) **Permit fees.** Permit fees shall be $100 plus twenty-five cents ($0.25) per square foot per sign for all Off-Premise Signs.

The owner/operator of the Off-Premises Sign must also obtain an annual occupational tax license as provided for in Chapter 16 of the Jonesboro Code of Ordinances.

(g) **Installer Requirements**. All persons and companies operating Off-Premises Signs in the Town must be licensed and submit to the Compliance Officer an annual certificate of liability insurance with minimum limits of $100,000.00 for any one accident, prior to the issuance of any permit.

Sec. 140-216. Maintenance Standards. All On-Premises and Off-Premises Signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Article. 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) Failure to comply with this section may result in the Compliance Officer rescinding the permit and ordering the removal of the entire structure.

Sec. 140-217. Regulation of Legally Non-conforming Signs. A legal nonconforming sign is a sign which does not conform to each and every applicable provision of this article but was lawfully in existence and in use in the Town prior to and at the time the provisions of this article with which it does not conform became effective; or lawfully in existence and in use on property outside the Town at the time of annexation of such property to the Town.

(a) **Expansion Prohibited.** No legally non-conforming sign may be enlarged or altered in a way which would increase its nonconformity with the provisions of this Article.

(b) **Compliance Required to Increase On- Premises Signage**. No conforming sign shall be permitted to be erected on the same lot with an existing non-conforming sign until the non-conforming sign has been removed or brought into conformance with the provisions of this Article.

(c) **Signs Eligible for Characterization as "Legally Non-Conforming."** All signs that existed legally before the adoption of this Article or existed legally when constructed but were found to be noncompliant with a provision of this Article that was passed subsequent to their construction, and do not conform to its provisions will be permitted to remain in accordance with this section and be termed a legally nonconforming sign.

(d) Loss **of Legally Non-conforming Status.** A legally non-conforming sign shall immediately lose its legal non-conforming designation if:

(1) The sign is altered in any way, which tends to make the sign less in compliance with the requirements of this code than it was before the alternation;

(2) The sign structure is relocated;

(3) The sign is abandoned for a period of 180 days or more;

(4) The site of an On-Premises Sign becomes vacant (building is demolished) or contains an unoccupied commercial or institutional building as evidenced by the expiration of an occupational license for the building.

On the happening of any (1), (2) or (3), the sign shall be immediately brought into compliance with this code Article and a new permit secured to do so or shall be removed.

(e) Damage **or Destruction.** Legally nonconforming signs that are in whole or in part destroyed by force majeure or acts of public enemy may be restored in accordance with the conditions below:

(1) Should any legally non-conforming sign be damaged by any means to an extent of more than fifty (50) percent of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this Article.

(2) Should any legally non-conforming sign be damaged by any means to an extent of less than fifty (50) percent of its replacement cost at time of damage, it may be reconstructed provided the restoration is accomplished with no increase in height or area and in compliance with the following:

i. Such restoration of a legally nonconforming sign must commence within six (6) months after the nonconforming sign was damaged or destroyed. Said six-month period shall begin on the date that a state of emergency is lifted from the property in question or from the earliest date that the property can

reasonably be accessed by the property owner following a disaster that prevents access. After this six-month period has passed, if the sign has not been repaired the sign shall lose its legally nonconforming status.

ii. Commencement of restoration shall be evidenced by submitting a complete application for a sign permit with the Zoning Administrator.

iii. Restoration of legally nonconforming signs must be completed within the time frame prescribed by the building permit. Any extension to the requirements of this section must be approved by the Zoning Administrator and evidenced by an extended building permit.

(f) **Maintenance and Repair of Legally Non-Conforming Signs.**

(1) Nothing in this section shall relieve the owners or users of legally non-conforming signs or the owners of the property on which legally non-conforming signs are located from any provisions of this Article regarding safety, maintenance and repair of signs provided, however, that any repainting, cleaning or other normal maintenance or repair of the sign or sign structure does not materially alter or modify the sign.

(2) The replacement of a sign face shall be permitted as a maintenance or repair action for a legally nonconforming sign, provided no changes are made to the sign structure and that the sign area and height do not increase.

Sec. 140-218. Enforcement. The Compliance Officer or his designer shall have the authority to determine compliance with the provisions of this Article.

(a) **Inspection Authority**. All signs for which a permit is required shall be subject to inspection or re-inspection by the Compliance Officer, Building Inspector, or their designer.

(b) **Removal Order and Notice of Violation(s).**

(1) **Notice.** When Compliance Officer or his designee finds that any sign or other advertising structure regulated herein is unsafe or insecure, is a menace to the public, is abandoned or is maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the provisions of this Article, the Compliance Officer or his designee shall give written notice to the permittee or owner thereof ordering the removal of the sign or actions necessary to get the sign in compliance with this Article. If the owner or permittee cannot be identified or in the absence of a valid permit, Notice shall be provided to possessor or any owner of property on which the sign is located.

(2) **Content of Notice**. The Notice shall state the nature of the violation, the reason or

reasons the sign is unsafe, a menace, or is otherwise in violation, whether the sign must be repaired or removed, the amount of time allowed in which to remedy the violation, and the right to appeal the decision to the Planning and Zoning Commission.

i. The following shall be the standard allotted time to bring signs into compliance:

1. For signs that are unsafe or otherwise constitute an immediate danger to public health and safety, within twenty-four (24) hours of receipt of the Notice.

2. For all other violations, thirty days from receipt of the Notice.

ii. The Notice shall advise that if permittee, owner of the sign, or owner of the property disagrees with the findings in the Notice, an appeal to the Planning and Zoning Commission may be filed within ten (10) days of receipt of the Notice unless the sign was deemed to be an immediate danger, then the appeal must be filed within 24 hours of receipt of the Notice. Any such appeal must be filed in writing with the Planning Administrator. Failure to timely appeal shall result in the decision of the Compliance Officer or his designee being final.

(3) **Service of Notice.** The notice required by this subsection may be delivered in any of the following ways:

i. By certified mail notice to the permit holder, owner, or possessor (as applicable) at the address listed on the permit, such notice being complete and effective upon delivery;

ii. By personal delivery to the permit holder, or to the possessor or owner, as applicable; or

iii. By delivering the notice to any employee of suitable age and discretion at the place of business where the sign is located.

(4) Appeal **Hearing**. If a timely appeal of the Notice is filed, the matter shall be set for hearing at the next Planning and Zoning Commission meeting. The Permittee shall be notified in writing of the date of the hearing which may be served via electronic correspondence, in person or via certified mail.

i. The Planning and Zoning Commission shall have complete charge of hearings and proceedings and will conduct any particular matter as it considers to be appropriate under the circumstances, giving due regard to the interests of all parties. Compliance Officer or his designee shall provide evidence and testimony as to why he believes the sign is in violation of this Article and the Permittee/Owner/Possessor will be allowed to present evidence regarding why the Permittee/Owner/Possessor believes it is not in violation.

ii. At the conclusion of the hearing, the Planning and Zoning Commission may affirm, modify, or reverse the decision of the Zoning Administrator or his designer.

iii. Within ten (10) days after the date of the decision by the Planning and Zoning Commission, the Permittee, Possessor, or Owner may appeal the decision to the Jackson Parish District Court. The decision of the Planning and Zoning Commission shall be final unless a timely appeal is filed by the Permittee/Owner/Possessor.

(5) Judicial **Relief for Town**. In the event the Permittee and/or owner of the property on which the sign is located neglects, fails or refuses to remove the sign within the time period ordered by the Town or, if appealed, after all appeal proceedings have finally concluded, the Town may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of such building, structure, or land. If the Town prevails in such a proceeding, the person against whom the injunction is granted shall be responsible for all court costs and attorneys' fees incurred by the Town in connection with the judicial proceeding.

(c) Removal **of Sign by Town**

(1) In the event the Permittee and/or owner of the property on which the sign is located neglects, fails or refuses to remove the sign within the time period ordered by the Town or, if appealed, after all appeal proceedings have finally concluded, the Town may proceed with the removal of the sign at the cost of the Permittee and/or Property Owner.

(2) Neither the Town, the Compliance Officer, the Building Inspector, the Mayor, the Board of Aldermen, the Town, nor any contractor of the Town engaged to remove the sign shall be held liable for damages by the permittee, owner of the property, or of the sign (if different), or by any other interested person. In such instance any and all materials relating to the sign, including any salvageable materials, shall be removed and disposed of in the manner deemed most suitable by the Town.

(d) Costs**, Expenses, and Fees.** Upon the failure or refusal of the Permittee or the owner of the property upon which the sign was located to reimburse all costs incurred by the Town following written request, the Town may recover all costs, fees, and expenses including interest at the legal rate from the date of the recording of any lien until paid and attorney fees which were incurred by the Town for Notice, removal of the sign, and disposal of the materials related to the sign utilizing any or all manner or method provided by R.S. 33:4754, R.S. 33:4766, or other applicable law of the State of Louisiana or by any provision of this Code of Ordinances, whether now in effect or later adopted, including, but not limited to, a personal action against the Permittee and/or owner of the property on which the sign is located, or securing a privilege and lien against that property, or having the full amount then owed to the

Town added to the ad valorem property taxes assessed against the property.

BE IT FURTHER ORDAINED that if any portion of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that the title of this Ordinance shall be published once a week for three consecutive weeks in the official journal of the municipality after the Ordinance is adopted.

BE IT FURTHER ORDAINED that this Ordinance shall become effective ten days after the publication of the title for the third time in the official journal of the municipality.

This Ordinance was duly introduced, the title of this Ordinance was duly published in accordance with law, and then duly read and adopted on the **8th** day of **September** 2026 by the following votes:

5 YEAS ____ NAYS ___ ABSENT ____ ABSTAIN.

This Ordinance was adopted on the **8th** day of **September** 2026 and presented to the Mayor for his signature on the **8th** day of **September** 2026.

Town Clerk

Mayor