

ORDINANCE NUMBER 2232

An ordinance to amend Ordinance Number 1049, known as the Comprehensive Zoning Ordinance of the City of Breaux Bridge, Louisiana, by the repeal, amendment, revision, enactment and/or re-enactment of Section 13.03, relative to notification of proposed changes in zoning regulations to land owners; by the repeal, amendment, revision, enactment and/or re-enactment of Section 3.02, 3.03, and 3.04 relative to identification and amendment of the “Official Zoning Map”; and to reclassify and re-number Ordinance No. 1049 as Chapter 23 of the Code of Ordinances.

BE IT ORDAINED by the Mayor and Board of Alderman for the City of Breaux Bridge, Louisiana duly convened in regular session on the 8th day of August 2017, that:

Ordinance No. 1049 for the City of Breaux Bridge, Louisiana, be amended by the repeal, amendment, revision, enactment, and/or re-enactment of Sections 3.2, 3.3, 3.4 and 13.3 as follows:

Section 3.2 IDENTIFICATION OF ZONING MAP.

The Official Zoning Map shall be identified by the signature of the Mayor of the City of Breaux Bridge, Louisiana and attested by the signature of the City Clerk of the City of Breaux Bridge. The Official Zoning Map shall further bear the following words: “This is to certify that this is the Official Zoning Map referred to in Chapter 23, Article III, Sec. 23-1 of the Breaux Bridge Code of Ordinances for the City of Breaux Bridge, Louisiana.”

Section 3.3 CHANGES IN THE ZONING MAP.

Changes made in the district boundaries or other matter portrayed on the Official Zoning Map in accordance with the provisions of this ordinance shall be made to the Official Zoning Map promptly after the amendment has been approved by the Board of Alderman of the City of Breaux Bridge, Louisiana. It will be the duty of the City Clerk of the City of Breaux Bridge to file with the Chairman of the Planning Commission a copy of the ordinance amending the Official Zoning Map within thirty (30) days after such amending ordinance is adopted. It will be the duty of the City Clerk to have recorded the district boundary change on the Official Zoning Map, together with the number of the amending ordinance and the date of its passage within thirty (30) business days.

Section 3.4 CHANGES IN THE ZONING TEXT

When an ordinance is adopted that alters, amends, repeals or changes in any way any provision under this Chapter 23, it will be the duty of the City Clerk to file with the Chairman of the Planning Commission a copy of such ordinance along with the number of the amending ordinance and the date of its passage within thirty (30) days after such amending ordinance is adopted.

Section 13.3 AMENDMENT PROCEDURE

- (a) No amendment, repeal, supplement or change to the regulations or restrictions under this, Chapter 23, or the Official Zoning Map, shall become effective unless and until all requirements, including any public hearings and notices thereof, under La. R.S. 33:4721 et seq., as may be amended from time to time, or other applicable laws are satisfied.
- (b) In addition to the requirements set forth in Paragraph (a) above, for any amendment in the classification of property under Sec. 23-13.2, the Zoning Administrator shall notify, or cause to be notified, all adjacent land owners within three hundred (300) feet from the property line of the lot in question, of the proposed change and shall post a sign on said property stating that this property is being considered for a zoning change. The sign shall be posted on site for twenty-one (21) days before hearing. The notifications must be by certified mail, return

receipt requested, directed to the respective owners at the addresses specified by the City's property tax records.

BE IT FURTHER ORDAINED by the Mayor and Board of Alderman for the City of Breaux Bridge, Louisiana, that the Code of Ordinances for the City of Breaux Bridge is hereby amended to add a new chapter to be numbered 23, which said chapter shall read as follows:

Chapter 23 – Comprehensive Zoning Ordinance of the City of Breaux Bridge

ARTICLE I.

Sec. 23-1.1. – Purpose.

Statement of Authority and Intent: This Zoning Ordinance is adopted under authority of the Louisiana Constitution of 1974, Article VI, Section 17. It is the intent of this ordinance, with the accompanying map, to provide for the harmonious development of the City of Breaux Bridge, Louisiana in accordance with the Comprehensive Plan heretofore made and adopted by the City of Breaux Bridge, Louisiana Planning Commission, to lessen congestion in the public streets, secure safety from fire, provide adequate light and air, avoid undue concentration of population, promote health and the 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 or prosperity.

Sec. 23-1.2. – Area of Jurisdiction.

This ordinance shall apply to all land within the planning area which lies within the incorporated limits of the City of Breaux Bridge, Louisiana.

ARTICLE II. – DEFINITIONS

For the purpose of this ordinance, certain terms and words are hereby defined. Words in the present tense shall include the future, the singular number shall include the plural and the plural the singular; the word "structure" shall include the word "building" and the word "shall" is mandatory and or directory.

- (1) Accessory Building: A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.
- (2) Accessory Use: A use customarily incidental and subordinate to the principal use of a building and located on the same lot with such principal use or building.
- (3) Alley: Any public way set aside for public travel, which provides a secondary means of access to the property abutting thereon.
- (4) Apartment: A room or suite of rooms with culinary facilities designed for or used as living quarters for a single family.
- (5) Apartment Hotel: A building designed for or containing both apartments and individual guest rooms or suites of rooms and apartments, wherein is maintained an inner lobby through which all tenants must pass to gain access to the apartments and catering to permanent and non-transient tenants and which may furnish services ordinarily furnished by hotels, such as drugstore, barbershop, cigar and newsstands, dining rooms, when such uses are located entirely within the building with no entrance from the street visible from any side walk and having no sign display visible from the outside of the building, indicating the existence of such use.
- (6) Apartment House: See Dwelling, multiple.
- (7) Boarding House: Any dwelling in which more than three persons and less than fifteen persons are provided with sleeping facilities and where meals, or lodging and meals, are provided for compensation by previous arrangement.

- (8) Building: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattels. Mobile homes, house trailers or trailers as defined herein under "trailers" or not encompassed in the foregoing definitions of "building".
- (9) Building Area: The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.
- (10) Buildable Area: The area of that part of the lot included within the yards or open spaces herein required.
- (11) Building, Height Of: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gabled, hip and gambrel roofs.
- (12) Building Line: A line between which line and any street line of a lot, tract, or parcel of land, no building or part of a building may be erected or altered.
- (13) Cafeteria: A restaurant at which patrons serve themselves at a counter and then take the food to tables to eat.
- (14) Carport: A canopy or shed open on two (2) or more sides and attached to the main building, for the purpose of providing shelter for one or more motor vehicles.
- (15) Clinic: A building or portion thereof designed for, constructed or under construction or alteration for, or used by two (2) OR more physicians, surgeons, dentists, psychiatrists, physiotherapist chiropractors, or practitioners in related specialties or a combination of persons in these professions where patients who are not lodged overnight or admitted for examination and treatment.
- (16) Clubs: Private recreational building and areas operated by membership organizations for the benefit of their membership and not for gain. The term shall include country clubs and lodges. In conjunction with such a club a dining room may be operated provided it is incidental to the activities of said club and is conducted for the benefit of the members thereof only, and further provided no sign is displayed advertising such activity.
- (17) Comprehensive Plan: Any legally adopted part or element of the overall plan for development of the area as provided by the legislature of the State of Louisiana.
- (18) District: Any section of the City of Breau Bridge, Louisiana in which the zoning regulations of this ordinance are uniform.
- (19) Dwelling: Any building which is designed for or used exclusively for residential purposes. For the purpose of this ordinance, such buildings shall have a minimum area of 400 square feet. Mobile homes, trailer houses or trailers, as defined herein under "TRAILERS" are not encompassed in the foregoing definition of "dwelling". DWELLING, SINGLE FAMILY: A detached building designed for, constructed for altered for occupied exclusively by not more than one (1) family.
- (20) Dwelling, Two Family: A building designed for, constructed for altered for or occupied by not more than two (2) families.
- (21) Dwelling, Multiple Family: A building designed for, constructed for, altered for or occupied by three (3) or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, flats and group houses.
- (22) Easement: A grant by the property owner to the public, a corporation or persons, for the use of a strip of land for specific purposes.
- (23) Extraction: The removal from the premises of sand, gravel, shells, topsoil, minerals or other natural resources from a lot or a part thereof.
- (24) Family: One or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single culinary facilities, or a group of not more than four (4) persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a non-

profit, cost sharing basis. Any domestic servants residing on the premises shall not be considered as a separate family for purposes of this ordinance.

- (25) Farm: Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used. It excludes the raising of fur bearing animals, riding academies, livery or boarding stables and dog kennels.
- (26) Floor Area: The sum of the gross horizontal areas of the several floors of the main building but not including the area of roofed porches, terraces, or breezeways. All of the mentioned shall be measured between exterior faces of the walls.
- (27) Frontage: All the property on one side of the street between two (2) intersecting streets (crossing or terminating) or if the street is dead-end, then all the property abutting on one side between an intersecting street and the dead-end of the street.
- (28) Gas Station: Any building or portion of a building, or lot or portion of said lot used principally or secondarily for the dispensing, sale or offering for sale at retail of any automobile fuels, lubricants or tires, except that indoor car washing, minor motor adjustment and flat tire repair may be performed when incidental to the conduct of a gas station business.
- (29) Garage, Parking: A building, land or portion thereof designed or used for the temporary storage of motor driven vehicles, with or without the retail dispensing, sale, or offering for sale of motor adjustment and flat tire repair when such operations are incidental to the storage of motor driven vehicles.
- (30) Garage, Private: An enclosed space for the storage of not more than three (3) motor vehicles provided that no business, occupation or service is conducted for profit therein, nor space therein for more than one car is leased to a non-resident of the premises provided further that not more than one (1) of the vehicles stored shall be a commercial vehicle of not more than two (2) ton capacity.
- (31) Garage, Public: A building, land or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor driven vehicles.
- (32) Garage, Storage: An enclosed space for the storage of three (3) or more motor vehicles pursuant to previous arrangement and not to transients and at which automobiles fuels, and oils are not sold and motor vehicles are not equipped, repaired, hired or sold.
- (33) Grade, Finished: The completed surfaces of lawns, walks and roads brought to grades as shown on official plan or designs relating thereto.
- (34) Home, Occupation: A business, profession, occupation, or trade conducted for gain or support entirely within a dwelling or an accessory building which is incidental and secondary to the residential use of the dwelling and which does not change the essential residential character of the dwelling or its surroundings.
- (35) Hospital: A building or portion thereof designed, constructed, altered, or used for the diagnosis, therapeutic treatment or other care of ailments or patients who are physically or mentally ill.
- (36) Hotel: A building containing rooms intended or designed to be used or which or used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and transients and where only a general kitchen and dining room are provided within the building or in an accessory building.
- (37) Institution: A building or group of buildings designed or used for the non-profit, charitable, or public service purposes of providing board, lodging and health care for persons aged, indigent or infirm or a building or group of buildings for the purpose of performing educational or religious services and offering board and lodging to persons enrolled for training.
- (38) Junkyard: The use of more than two hundred (200) square feet of the area of any lot, whether inside or outside of a building or the use of any portion of that half of

any lot that joins any street, for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials or the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

- (39) Kennel: The keeping of more than three (3) dogs that are more than six (6) months old.
- (40) Laundromat: A business premise equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel.
- (41) Light Manufacturing: The manufacturing or processing of materials including the processing of all agricultural products, either in raw form or in processed form, to food items fit for human consumption, employing electricity or other un-objectionable motive power utilizing hand labor or un-objectionable machinery or processes and free from any objectionable odors, fumes, dirt, vibration or noise.
- (42) Line, Street: The dividing line between the street and a lot.
- (43) Loading Space: A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks or automobiles.
- (44) Lot: A parcel of land occupied or capable of being occupied by one (1) building and its accessory building or uses customarily incident to it, including such open spaces as are required by this ordinance.
- (45) Lot, Corner: A lot abutting upon two (2) or more streets at their intersection.
- (46) Lot, Depth Of: A mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines.
- (47) Lot, Interior: A lot other than a corner lot.
- (48) Lot, Through: An interior lot having frontage on two (2) parallel or approximately parallel streets.
- (49) Lot, Width Of: The average horizontal distance between side lot lines, measured in the general direction of its rear and front lot line.
- (50) Lot Lines: The lines bounding a lot as defined herein.
- (51) Lot of Record: A lot which is part of a subdivision, the map of which has been recorded in the office of the Parish Clerk of Court of a parcel of land which became legally established and defined by deed or act of sale on or before the adoption of this ordinance.
- (52) Non-Conforming Use: A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.
- (53) Nursing or Convalescent Home: A building used in whole or in part or to provide for compensation, for the care of the ill, senile or otherwise infirm persons resident on the premises.
- (54) Outdoor Advertising Signs: An attached or free-standing structure constructed and maintained for the purpose of conveying information to the public.
- (55) Parking Lot: An open area which is used for the temporary parking of motor vehicles but is not a required off-street parking facility.
- (56) Parking Space: An all weather surfaced area enclosed in the main building or in an accessory building or un-enclosed building having a rectangular area of not less than one hundred and sixty (160) square feet, with a minimum width of eight (8) feet when unenclosed, or one hundred and eighty (180) square feet with a minimum width of nine (9) feet when individually enclosed on two (2) or more sides, exclusive of driveways, permanently reserved for the storage of one (1) automobile and connected with a street or alley by an impervious hard surface driveway at least eight (8) feet in width or providing un-obstructed ingress and egress for motor vehicles.
- (57) Personal Service Shops: Business establishments such as barbershops, beauty parlors, massage or similar personal service shops.

- (58) Restaurant: A retail establishment offering food or beverages, or both, for consumption on the premises. Restaurants do not include bar rooms, night clubs, or lounges.
- (59) Retail Manufacturing: Baking, confectionery, dressmaking, dyeing, laundry, dry cleaning, printing, tailoring, upholstering and similar establishments and businesses of a similar and no more objectionable character subject to the provisions: (a) All goods or products manufactured or produced shall be sold at retail on the premises; or (b) All such manufacturing or processing shall be done on the premises and not more than five (5) persons shall be so employed in such manufacturing or processing at any one time.
- (60) Right of Way: See – Easement.
- (61) Secondary Recovery Center / Halfway House: Any dwelling in which more than three persons are provided with sleeping facilities and where meals, or lodging and meals, are provided for compensation by previous arrangement, for persons who have already had primary treatment for alcoholism and drug addiction.
- (62) School, Business: Privately owned schools offering instruction in accounting, secretarial work, business administration, defined or illustrative arts, trades, dancing, music and similar subjects.
- (63) School, Private: Privately owned schools have a curriculum essentially the same as ordinarily given in a public elementary or secondary school. The term includes day nurseries and kindergartens.
- (64) School, Trade or Industrial: An establishment, public or private, offering training to students in skills required for the practice of trades in industry.
- (65) Set Back: The minimum distance away from a property line where buildings may be constructed; a building line, usually a line parallel to the front property line.
- (66) Sign: A name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, person, institution or business.
- (67) Sign, Advertising: A sign or structure which directs attention to a business, commodity, service, activity or entertainment not necessarily conducted, sold or offered upon the premises upon which the sign is located.
- (68) Sign, Business: A sign which directs attention to a business or profession or to a commodity, service or entertainment sold or offered upon the premises where such a sign is located.
- (69) Sign, Flashing: A sign upon which the illumination is intermittent or not maintained in intensity and color.
- (70) Sign, Name Plate: A sign which states the name or address, or both, of the profession or business on the lot where the sign is located.
- (71) Sign, Surface Area Of: The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface. It does not include any structural elements outside the limits of such sign and not forming an integral part of the display. Only one (1) side of a double-face or v-type sign structure shall be used in computing total surface area.
- (72) Story: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, than the space between the floor and the ceiling next above it.
- (73) Street: A public way set aside for public travel which affords the principal means of access to abutting property. The word "street" shall include the words avenue, road, highway and thoroughfares and any other similar terms.
- (74) Structural Alterations: Any change or re-arrangement in the bearing walls, partitions, columns, beams, girders, exit facilities, exterior wall or roof of a building accepting such repair as may be required for the safety of the building, or

- an enlargement, whether by extending on a side or by increasing in height, or movement of the building from one location or position to another.
- (75) Structure: A combination materials other than a building to form a construction that is safe and stable and includes among other things stadiums, platforms, radio towers, sheds, storage bins, fences and display signs.
 - (76) Tenant Dwelling: A residential structure located on a bonfire farm and occupied by a non-transient farm worker employed by the farm owner for work on the farm.
 - (77) Theater, Drive-In: An open lot or part thereof, with its appertaining facilities devoted primarily to the showing of moving pictures or theatrical productions on a paid admission basis, to patrons seated in automobiles or on outdoor seats.
 - (78) Tourist Court: A group of attached or detached buildings designed, constructed or under construction or alteration for guest rooms or dwelling units intended primarily for automobile transients, each unit having a separate entrance opening our-of-doors or into a foyer, with parking space appropriately located on the lot for the use by guests of the court, operation of such court to be supervised by a person in charge at all hours. Tourist courts include auto courts, motels, motor courts, motor hotels and motor inns.
 - (79) Tourist Home: A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.
 - (80) Trailer Park: Any area where two or more trailer coaches, mobile homes, house trailers, or trailers are parked for living and sleeping purposes. Trailers in such a park must be equipped with flush toilet, bathing facilities and culinary facilities. In addition, facilities must be provided on the sight for the collection of sewerage and waste water and garbage and running water and electricity or natural gas or both electricity and natural gas must be provided. Also included in the trailer park are any structures, vehicles, or enclosures used or intended for use as part of the equipment of such trailer parks.
 - (81) Trailer Park, Camping: An area providing spaces where one (1) or more trailers can be or are intended to be parked, with flush toilets and bathing facilities being provided on the site.
 - (82) Trailer: Any vehicle covered or un-covered used for living, sleeping, business or storage purposes, have no foundation other than wheels, blocks, skids, jacks, horses or skirting's, and which is, has been, or reasonably may be equipped with wheels and axles or other devices for transporting the vehicle from place to place, whether by motive power or other means. The term "trailer" shall include camp car, camper, and house car.
 - (83) Utility: A commodity or service which is of public consequence and need such as electricity, gas, sewerage, water, transportation or telephone or telegraph service.
 - (84) Variance: A modification from the provisions of these regulations by the Board of Adjustment in cases when enforcement of its provisions would result in unnecessary hardship.
 - (85) Yard: An open space on the same lot with a principal building, open, un-occupied and unobstructed by a portion of a structure from the ground upward, except as otherwise provided herein.
 - (86) Yard, Front: An open space extending across the front of the lot between the side lot lines and being the required minimum horizontal distance between the street and the nearest part of the principal building, including covered porches. On corner lots the front yard shall be provided facing the street upon which the lot has its lesser dimension.
 - (87) Yard, Rear: An open space extending across the rear of a lot between the side lot lines, and being the required minimum horizontal distance between the rear lot line and the nearest part of the principal building, including covered porches. On

both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

- (88) Yard, Side: An open space between the building and the side lot lines and being the required minimum horizontal distance between a side lot line and the nearest part of the principal building including covered porches.

ARTICLE III. – ESTABLISHMENT OF DISTRICTS: PROVISIONS FOR OFFICIAL ZONING MAP

Sec. 23-3.1. – Districts.

For the purpose of promoting the public health, safety, and general welfare of the community, all the land area within the incorporated limits of the City of Breaux Bridge is hereby divided into districts, as shown on the official Zoning Map which, together with all explanatory material thereon is hereby adopted by reference and declared to be a part of this ordinance. The various Zoning Districts of the City of Breaux Bridge, Louisiana are as follows:

R-1 SINGLE FAMILY RESIDENTIAL

R-2 SINGLE FAMILY RESIDENTIAL

R-3 SINGLE FAMILY RESIDENTIAL

R-4 MOBILE HOME RESIDENTIAL

R-5 MULTIPLE FAMILY RESIDENTIAL

M-1 MEDICAL SERVICE

M-2 MEDICAL SERVICE

M-3 MEDICAL SERVICE, WHOLESALE

C-1 NEIGHBORHOOD SHOPPING

C-2 HIGHWAY COMMERCIAL

C-3 CENTRAL BUSINESS

C-4 SPECIAL RETAIL BUSINESS

I-1 LIGHT INDUSTRIAL

I-2 HEAVY INDUSTRIAL

Sec. 23-3.2. – Identification of Zoning Map.

The Official Zoning Map shall be identified by the signature of the Mayor of the City of Breaux Bridge, Louisiana and attested by the signatures of the members of the City of Breaux Bridge Board of Alderman and the City Clerk of the City of Breaux Bridge. The Official Zoning Map shall further bear the following words: "This is to certify that this is the Official Zoning Map referred to in Article III, Sec. 23-3.1 of the Ordinance Number 1049 of the City of Breaux Bridge, Louisiana adopted on February 13, 1979.

Sec. 23-3.3. – Changes in the Zoning Map.

Changes made in the district boundaries or other matter portrayed on the Official Zoning Map in accordance with the provisions of this ordinance shall be made on the Official Zoning Map promptly after the amendment has been approved by the Board of Alderman of the City of Breaux Bridge, Louisiana. It will be the duty of the City Clerk of the City of Breaux Bridge, to file with the Chairman of the Planning Commission a copy of the Ordinance amending the

Official Zoning Map within five (5) days after such an amending ordinance is adopted. It will be the duty of the City Clerk to have recorded the district boundary change on the Official

Zoning Map, together with the number of the amending ordinance, and the date of its passage within five (5) days. Any amendment involving changes in the district boundaries or involving a change in the zoning classification of the land shall not become effective until after such an entry has been made on said map. The final authority as to the current zoning status of lands, buildings or other structures shall be the Official Zoning Map which shall be located in the offices of the City Clerk in the City Hall.

Sec. 23-3.4. – Changes in zoning text.

When an ordinance is adopted which amends the text of the Zoning Ordinance, it will be the duty of the City Clerk to prepare an addendum to the Zoning Ordinance text and to transmit a suitable number of copies of such an "addendum to the Chairman of the City of Breau Bridge Planning Commission for the purposes of distribution to interested parties. It will be the duty of the City Clerk to make, or cause to be made, an entry in the copies of the zoning text reserved for distribution to the general public calling attention to the particular article and section which has been amended.

Sec. 23-3.5. – Interpretation of District Boundaries.

Where uncertainty exists as to the boundaries shown on the Official Zoning Map, the following interpretation shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways or roads shall be construed to follow such lines.
2. Boundaries indicated as approximately following the plated property lines shall be construed as following such lines.
3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shore lines of water bodies or courses shall be construed to follow such shore lines and in the event of change of the shore line shall be construed as moving with the actual shore line.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
7. Where the street or property layout existing on the ground is a variance with that shown on the Official Zoning Map or in other circumstances not covered by subsections I through 6 above, the Board of Adjustment shall interpret the district boundaries.

Sec. 23-3.6. – Division of Property by District Boundary.

Where a district boundary divides a piece of property owned singly, jointly or severally existing at the time this ordinance takes effect and the major portion of said parcel is in the less restrictive district, then the classification of that property shall conform to the regulations of the less restrictive district.

Sec. 23-3.7. – Classification of Annexed Territory.

All territory which may hereafter be annexed to the City of Breau Bridge, Louisiana shall be classified in accordance with the proposed use of the annexed territory. A public hearing shall be conducted by the Planning Commission so that all interested parties may be appraised of the proposed use.

Sec. 23-3.8. – Regulation of areas under water.

All areas within the corporate limits of the City of Breau Bridge, Louisiana which are under water and are not shown as included within any district shall be subject to all of the regulations of the district adjacent to the water area.

ARTICLE IV. – GENERAL REGULATIONS

Sec. 23-4.1. – Use of buildings and/or land.

No structure or land shall hereafter be used and no structure or part thereof shall be erected, re-constructed, converted, moved or structurally altered unless in conformity with the regulations as set forth in this ordinance. However, buildings which are legally non-conforming with respect to yard areas or height may be structurally altered or enlarged providing the portion of the building which is altered or the portion of the building which is added is in conformity with the provision of this ordinance.

Sec. 23-4.2. – One Principal Building on Any One Lot.

Every building hereafter erected, re-constructed, converted, moved, or structurally altered, shall be located on a lot of record which abuts at least one public street or public/private alley and in no case shall there be more than one main building and its customary accessory building(s) on one lot except as provided for in this ordinance.

Sec. 23-4.3. – Required Yard Area.

No part of a yard, parking space or other open space required for any building or use.

For the purpose of complying with the; provisions of this ordinance shall be included as part of a yard or a parking space required under this ordinance for another building.

Sec. 23-4.4. – Reduction in Lot Area Prohibited.

No lot shall be reduced in area so that yards, lot area per family, lot width, building area or other requirements of this ordinance are not maintained.

Sec. 23-4.5. – Obstruction to Vision at Road Intersections.

No substantial impediment to visibility between the heights of three and eight feet shall be created or maintained at road intersections within a triangular area described as follows;

Beginning at the point of intersection of the edges of the driving surface then to a point twenty-five (25) feet along both intersecting edges and then along a transverse line connecting these points.

Sec. 23-4.6. – Contiguous Lots Below Area Requirements.

If two or more lots or a combination of lots and portions of lots with contiguous frontage in single ownership or of record at the time of passage of this ordinance and if all or part of the lots do not meet the requirements for lot width and the area as established by this ordinance, the lot involved shall be considered to be an un-divided parcel for the purpose of this ordinance and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance nor shall any division of the parcel be made which leaves remaining any lot with width or area below these stated in this ordinance.

Sec. 23-4.7. – Flashing Signs.

Revolving signs of the type similar to the revolving beacons of flashing lights used by police cars, fire trucks and ambulances are prohibited in all districts irrespective of the color of the light used.

Sec. 23-4.8. – Provisions Declared to be Minimum Requirements.

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety and general welfare.

Where ever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants the most restrictive or that imposing the highest standards shall apply.

Sec. 23-4.9. – Storage of Materials Outdoors.

All materials or waste which might cause fumes, dust, odors or constitute a fire hazard or attract rodents or insects shall be stored outdoors only in closed bins or containers.

Sec. 23-4.10. – Temporary Buildings.

Temporary buildings used in conjunction with construction work only may be permitted in any district during the period the construction is in progress, but such temporary buildings shall be removed upon completion of the construction work. No permit shall be required for such a temporary building.

Sec. 23-4.11. – Fences Along Boundaries.

Fences may be erected along the boundaries of a lot or yard area subject to the requirements of the building code and regulations contained in this ordinance.

Sec. 23-4.12. – Power and Heating Apparatus Are Other Machinery.

Power, heating, or refrigerating plants, apparatus or machinery which are accessory to permitted uses shall be permitted only if placed and operated so as to comply with existing ordinance and not cause serious annoyance or injury to occupants of adjoining premises.

Sec. 23-4.13. – Existing Railroads and Utilities.

Existing railroads and utilities may continue to be operated and maintained in dwelling and commercial districts, but no new railroad or utility structure other than the usual poles, transformers and other similar appurtenances, wires, underground utilities, electric substations and gas pressure regulating and metering stations and sewerage pumping stations shall be established except when so authorized by the Board of Alderman.

Sec. 23-4.14. – Lot Area or Frontage Less Than Minimum.

Where a lot has an area or frontage less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of passage of this ordinance, such lot may be used only for single family residential purposes or for any non-residential purposes permitted in the district in which the property is located.

Sec. 23-4.15. – More Than One Main Building.

More than one main institutional, public or semi-public, commercial or industrial building may be built on a lot provided it is located within the buildable area of the lot.

Sec. 23-4.16. – Where a Commercial or Industrial District Abuts a Residential District.

Where a lot in a commercial or industrial district abuts a lot in a residential district, there shall be provided along such abutting line a yard equal in width or depth to that required in the residential district.

Sec. 23-4.17. – Where Frontage is Zoned Partly Residential, Commercial or Industrial.

Where the frontage on one side of the street between two intersecting streets is zoned partly as residential and partly as commercial or industrial, the front yard depth in the commercial or industrial district shall be equal to the required front yard depth of the residential district.

Sec. 23-4.18. – Corner Lot Provided with Side Yard.

On every corner lot there shall be provided on the side street a side yard equal in depth to one half (1/2) the required front yard depth on the said side street. The front yard requirements of a residential district shall prevail over that of a commercial or industrial use.

Sec. 23-4.19. – Covered but Un-enclosed Areas.

Covered but un-enclosed areas may project into required yards not more than ten (10) feet and shall not be considered in determining yard sizes or lot coverage; provided, however, that such area shall not be closer than four (4) feet to any lot line, except front yards.

Sec. 23-4.20. – Required Yard Area Open to the Sky.

Every part of the required yard shall be open to the sky except as a result of ordinary projections of not more than eighteen (18) inches, except that a roof, gutter, or eaves may project to the extent of four (4) feet providing that at least three (3) feet remain open to the sky.

Sec. 23-4.21. – Exception to Setback.

If forty percent (40%) or more of the frontage on the same side of the street between two intersecting streets is improved with buildings that have observed front yards less than that required, no building need be set back from the street more than the average front yard depth of such buildings.

Sec. 23-4.22. – Open Fire Escapes.

Open fire escapes may extend into any required yard not more than five (5) feet.

Sec. 23-4.23. – Bay Windows.

Bay windows may project into any required yard not more than two (2) feet.

Sec. 23-4.24. – Buildings Housing Animals.

Buildings used for housing animals shall not be permitted within fifty (50) feet of any lot line.

Sec 23-4.25. – Building Area of Accessory Buildings.

The building area of accessory buildings shall not be greater than forth percent (40%) of the required rear yard area.

Sec. 23-4.26. – Accessory Building Distance From Lot Line.

Accessory buildings shall not be built less than three (3) feet from any lot line.

Sec. 23-4.27. – Accessory Building in Side Yard.

Accessory buildings may be built in the required side yards, provided such buildings are not less than sixty (60) feet from the front lot line.

Sec. 23-4.28. – Home Occupation.

All home occupations as defined herein and as defined in Article II shall be permitted in all residential classifications subject to the following criteria and regulations.

Sec. 23-4.28.1. – Purpose.

The regulations of this Section addressing home occupations are designed to protect and maintain the residential character of established neighborhoods while recognizing that certain professional and limited business activities have traditionally been conducted in the home. This Section recognizes that, when properly limited and regulated, such ventures can take place in a dwelling without changing the character of either the neighborhood or the residential structures which constitute the said neighborhood.

Sec. 23-4.28.2. – Definition.

A home occupation is defined as a business, profession, occupation, or trade conducted for gain or support entirely within a dwelling or an accessory building which is incidental and secondary to the residential use of the dwelling and which does not change the essential residential character of the dwelling or its surroundings.

Sec. 23-4.28.3. – Authorization.

No home occupation shall be established or maintained unless approval is granted by the Planning and Zoning Commission which shall conduct a public hearing on any application that property within a residential classification be used for a home occupation.

Sec. 23-4.28.4. – Use Limitations.

In addition to all of the use limitations applicable in the zoning district or zoning classification in which it is located, no home occupation shall be permitted unless it complies with the following restrictions:

1. Not more than one (1) person who is not a resident on the premises shall be employed, and then only as an assistant;
2. Not more than twenty-five (25%) percent or four hundred (400) square feet of the floor area of a dwelling, whichever is greater, shall be devoted to the home occupation;
3. No alteration of the dwelling shall be made which changes the character and appearance thereof as a dwelling;
4. No stock-in-trade shall be displayed or sold on the premises where said stock-in-trade is visible to the public;
5. The home occupation shall be conducted entirely within the dwelling or in a permitted accessory building, and in no event shall such use be apparent from any public way;
6. There shall be no outdoor storage of equipment or materials used in the home occupation;

7. Not more than one (1) vehicle used in commerce shall be permitted in connection with any home occupation, and any such vehicle shall be stored in an enclosed garage;
8. No mechanical, electrical, or other equipment which emanates noise, electrical, or magnetic interference, vibration, heat, glare, or other nuisance outside the residential or accessory building shall be used;
9. No home occupation shall be permitted which is noxious, offensive, or hazardous by reason of vehicular traffic, generation of emission of noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation, or other objectionable emissions;
10. No sign, other than one (1) unlighted sign not over one (1) square foot in area attached flat against the dwelling or accessory building, and displaying only the occupant's name and occupation, shall advertise the presence of the conduct of the home occupation; and
11. All ventures associated with the home occupation which involves visitation by the public must be conducted within the hours of 7:30 A.M. and 6:00 P.M.

Sec. 23-4.28.5. – Illustrative List of Permitted and Prohibited Uses.

Customary home occupations include all occupations which meet the purposes, standards, and requirements of Sec. 23-4.28 and in particular, include, but are not necessarily limited to, the following list:

1. Providing instruction to not more than two (2) students at a time, except for occasional groups;
2. Daycare of not more than six (6) non-resident children;
3. Office facilities for accountants, architects, brokers, engineers, lawyers, insurance agents, realtors, and similar professions;
4. Consultation or emergency treatment by a doctor or dentist, or any professional whose profession requires State License or Certification but not the general practice of the profession;
5. Office facilities for ministers, priests, and rabbis;
6. Office facilities for salesmen, sales representatives, and manufacturer representatives when no retail or wholesale sales are made or transacted on the premises;
7. Studio of an artist, photographer, craftsmen, writer, composer, or similar person;
8. Shop of a beautician, barber, hairstylist, dressmaker, seamstress, tailor, taxidermist or similar person;
9. Homebound employment of a permanently, physically, mentally, or emotionally handicapped person who is unable to work away from home by reason of the disability;
10. The preparation of food and drinks associated with catering services away from the dwelling;
11. The repair of electronic devices such as smart phones and computers;
12. Small engine repairs, provided all activities are conducted within the dwelling or an accessory building, and

13. The office of contractors, construction managers, and tradesmen whose work is performed away from the dwelling.

The following home occupations shall not be deemed to embrace:

1. Nursing homes;
2. Funeral homes, mortuaries, and embalming establishments;
3. Restaurants;
4. Stables, kennels, or veterinary hospitals;
5. Bed and breakfast homes, tourist homes or the letting of more than two (2) rooming units;
6. Clinics, hospitals, or the general practice of medicine or dentistry;
7. Clinics, hospitals, or the general practice of counseling or psychological services;
8. Clubs, including fraternities and sororities;
9. The instruction of more than two (2) students at any particular time;
10. Daycare for more than six (6) non-resident children;
11. The repair of automobiles and large engines, as well as vehicle body work; and
12. The retail or wholesale business of any kind involving transactions on the premises.

ARTICLE V. – DISTRICT REGULATIONS

Sec. 23-5.1. – Schedule of Zoning District Regulations.

The schedule of zoning district regulations applying to the uses of land and buildings, the coverage of lots, the yards and other open spaces to be provided contiguous to or in connection with buildings, the area of lots and all other matters contained herein, as indicated for the various district established by this ordinance, or hereby declared to be a part of this ordinance and may be amended in the same manner as any other part of this ordinance. The regulations listed for each district is prescribed for such district, subject to the provisions of this ordinance and, unless otherwise indicated shall be deemed to be the minimum requirements in every instance of their application. When uses in a district are not expressly permitted, it shall be assumed that they are prohibited.

Sec. 23-5.2. – R-1, Single Family Residential.

Permitted Uses: Single family dwellings, churches and temples, public and private schools (this includes public and private nursery schools and kindergartens but does not include trade and business schools), parks and playgrounds, private recreational uses, libraries and museums, private gardens, plant nurseries, home occupation and accessory uses. Private radio towers not to exceed sixty (60) feet in height, plus cemeteries and mausoleums.

Minimum lot area: Ten thousand (10,000) square feet per family.

Minimum yards: Front depth thirty (30) feet set back from the street line right-of-way. Front width one hundred (100) feet. Side yard total width must equal twenty percent (20%) of lot width. Side yard minimum width per side equals ten (10) feet. Rear yard must equal twenty percent (20%) of lot depth but is not required to exceed twenty-five (25) feet.

Sec. 23-5.3. – R-2, Single Family Residential District.

Permitted Uses: Single family dwellings, churches and temples, public and private schools (this includes public and private nursery schools and kindergartens but does not include trade and business schools), parks and playgrounds, private recreational uses, libraries and museums, private gardens, plant nurseries, home occupations and accessory uses, private radio towers not to exceed sixty (60) feet in height, cemeteries and mausoleums.

Minimum lot area: Seven thousand five hundred (7,500) square feet per family.

Minimum yards: Front depth twenty (20) feet set back from street right of-way. Front width seventy (70) feet. Side yard total twenty percent (20%) of lot width. Side minimum seven (7) feet. Rear twenty percent (20%) of lot depth but is not required to exceed twenty five (25) feet.

Sec. 23-5.4. – R-3, Single Family Residential District.

Permitted uses: Single family dwellings, churches and temples, public and private schools (this includes public and private nursery schools and kindergartens but does not include trade and business schools), parks and playgrounds, school board, private recreational uses, libraries and museums, private gardens, plant nurseries, home occupations and accessory uses, private radio towers not to exceed sixty (60) feet in height, cemeteries and mausoleums.

Minimum lot area: Five thousand (5,000) square feet per family.

Minimum yards: Front depth fifteen (15) feet set back from street line right-of-way. Front width fifty (50) feet. Side total width twenty percent (20%) of lot width. Side minimum width per side five (5) feet. Rear twenty percent (20%) of lot depth not required to exceed twenty five (25) feet.

Sec. 23-5.5 – R-4, Single Family Residential, Mobile Homes.

Permitted uses: Single family dwellings, churches and temples, public and private schools (this includes public and private nursery schools and kindergartens but does not include trade and business schools), parks and playgrounds, private recreational uses, libraries and museums, private gardens, plant nurseries, home occupations and accessory uses, private radio towers not to exceed sixty (60) feet in height.

Minimum lot area: Four thousand (4,000) square feet per family.

Minimum yards: Front depth fifteen (15) feet set back line from street right-of-way. Front width forty (40) feet. Side-yard width minimum per side five (5) feet. Rear yard twenty percent (20%) of lot depth not required to exceed twenty-five (25) feet. These restrictions do not apply to mobile homes situated in a recognized mobile home park.

Sec. 23-5.6. – R-5, Multiple Family Residential District.

Permitted uses: Multiple family dwellings, churches and temples, public and private schools (this includes public and private nursery schools and kindergartens but does not include trade and business schools), parks and playgrounds, private recreational uses, libraries and museums, private gardens, plant nurseries, home occupations and accessory uses, private radio towers not to exceed sixty (60) feet in elevation, cemeteries and mausoleums, multiple family dwellings, apartment hotels, boarding houses, clubs, fraternity and sorority houses, storage garages, tourist homes, funeral homes, and Secondary Recovery Center and/or Halfway House.

Minimum lot area:

Number of Families	Area per Family
One	5,000 sq ft

Two	2,500 sq ft
Three	1,200 sq ft
Four	1,000 sq ft
Five to Eleven	800 sq ft
Twelve to Sixteen	700 sq ft
Seventeen to Forty	600 sq ft
Over Forty	400 sq ft

Minimum Yards: Front depth fifteen (15) feet. Front width fifty (50) feet. Side yard minimum per side five (5) feet. Rear yard twenty percent (20%) of lot depth not required to exceed twenty-five (25) feet.

Sec. 23-5.7. – M-1, Medical Service District.

Permitted uses: Clinics, hospitals, offices of physicians, surgeons, dentists, psychiatrists, physiotherapists, or practioners in related specialties. Parking lots and parking garages, pharmacies, drug 'stores, restaurants, flower shop~, and retail shop dispensing ocular or surgical supplies, provided that such store or shop be operated incidental to and in the building with professional offices as described above, and provided further that such use not be advertised by signs projecting at any angle from any wall. Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

Minimum lot area: None.

Minimum yards: Front depth five (5) feet. Front width: none. Side yards, other than for corner lots, there will be no side yard requirements provided the buildings are of fireproof construction. Otherwise, a five (5) foot minimum side yard is required. Rear yards; there will be no read yard requirements provided the buildings are of fireproof construction, or if the lots are not through lot. Otherwise a five (5) foot minimum rear yard is required.

Sec. 23-5.8. – M-2, Medical Service District.

Permitted uses: Nursing and convalescent homes, parking lots, and parking garages, pharmacies, drug stores, restaurants, and flower shops. Also included are accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

Minimum lot area: None.

Minimum Yards: Front depth five (5) feet. Front width none. Side yards other than for corner lots there will be no side yard requirements providing the buildings are of fireproof construction. Otherwise, a five (5) foot minimum side yard is required. Rear yard; there will be no rear yard requirements provided the buildings are of fireproof construction or are located on non-through lots. Otherwise, a five (5) foot minimum rear yard is required.

Sec. 23-5.9. – M-3, Medical Service District.

Permitted uses: Wholesale, commercial business establishments engaged in the distribution of medical, sundry and related supplies. Parking lots and parking garages and accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

Minimum lot area: None.

Minimum yards: Front depth five (5) feet. Front width none. Side yards, other than for corner lots, there will be no side yard requirements provided the buildings are of fire proof

construction. Otherwise, a five (5) foot minimum side yard is required. Rear yards, there will be no rear yard requirements provided the buildings are of fireproof construction or are located on non-through lots. Otherwise, a five (5) foot minimum rear yard is required.

Sec. 23-5.10. – C, Neighborhood Commercial Restrictive.

Permitted uses: Permitted uses in this zone shall be restricted to businesses which normally operate on an 8:00 a.m. to 5:00 p.m. schedule. Subject to review by the Planning & Zoning Commission businesses shall be limited to the following: Barber shops, beauty parlors, dentist and doctors offices, flower shops, optometrist, museums, antique shops, libraries and all such uses that would normally be permitted in all residential zones.

Restrictions: In all such instances where the business is terminated, or there is a change in ownership, the property rezoned to this classification (C, Neighborhood Commercial Restrictive) shall immediately revert to the original residential classification.

Minimum Lot Area: None; however, lots shall be of sufficient size to accommodate off-street parking. Those lots without sufficient size to provide the necessary off-street parking to comply with this ordinance shall not be zoned to this restrictive classification.

Sec. 23-5.10.a. – C-1, Neighborhood Shopping District.

Permitted uses: Retail stores, business and professional offices, business and trade schools, personal service shops, restaurants, retail manufacturing, gas stations, parking garages and lots, studios, amusement places, fix-it shops, Laundromats and such establishments as may cater to the convenience of neighboring residents and farms.

Minimum lot area: None.

Minimum yards: Front depth fifteen (15) feet. Front width none. Side none, provided the buildings are of fireproof construction. Otherwise a five (5) foot minimum side yard is required. Rear, none, provided the buildings are of fireproof construction or are located on non-through lots. Otherwise, a five (5) foot minimum rear yard is required.

Sec. 23-5.11. – C -2, Highway Commercial District.

Permitted uses: Retail stores, business and professional offices, business and trade schools, personal service shops, restaurants, retail manufacturing, gas stations, parking garages and lots, studios, amusement places fix-it shops, Laundromats, and such establishments catering to the convenience of neighboring residents and farms. Also, bus depots, tourist courts, camper trailer parks, new and used car sales lots, drive-in theaters and similar highway commercial establishments.

Minimum lot area: None.

Minimum yards: Front depth twenty (20) feet. Front width none. Side yard none, provided the buildings are of fireproof construction. Otherwise a five (5) foot minimum side yard is required. Rear yard none, provided the buildings are of fireproof construction or are located on non-through lots. Otherwise, a five (5) foot minimum rear yard is required.

Sec. 23-5.12. – C-3, Central Business Commercial District.

Permitted uses: Professional and business offices, retail and wholesale uses, warehouses, storage and public garages, light manufacturing, funeral homes, hotels, radio and television stations.

Minimum lot area: None.

Minimum yards: Front depth five (5) feet. Front width none. Side yard none, provided the buildings are of fireproof construction and are located on non-through lots. Otherwise, a five

(5) foot minimum side yard is required. Rear yards none, provided the buildings are of fireproof constructions and are located on non-through lots. Otherwise, a five (5) foot minimum rear yard is required.

Sec. 23-5.13. – C-4, Commercial District, Lounges.

Permitted uses: Barrooms, night clubs, lounges, professional and business offices, retail and wholesale uses, warehouses, storage and public garages, light manufacturing, funeral homes, and hotels.

Minimum lot area: None.

Minimum yards: Front depth five (5) feet. Front width none. Side yards none, provided the buildings are of fireproof construction. Otherwise, a five (5) foot minimum side yard is required. Rear yards none, provided the buildings are of fireproof construction and are located on non-through lots. Otherwise, a five (5) foot minimum rear yard is required.

Sec. 23-5.14. – I-1, Light Industrial District.

Permitted uses: Light retail and wholesale manufacturing, retail and wholesale businesses dealing in the processing of all agricultural products, either in raw form or in processed form, to food items fit for human consumption, retail and wholesale businesses dealing in the sale and distribution of building supplies and related construction materials, restaurants and cooking schools, warehouses, storage and public garages, and gas stations.

Prohibited uses: Barrooms, nightclubs, lounges, junkyards and all uses which may be obnoxious or offensive by reason of emission of dust, smoke, odor, gas, excessive glare, light, noise or vibration, plus all similar heavy manufacturing uses.

Minimum yards: None, provided buildings are of fireproof construction and are located on non-through lots. Otherwise, a five (5) foot minimum rear and side yard will be required.

Sec. 23-5.15. – I-2, Heavy Industrial District.

Light retail and wholesale manufacturing, retail and wholesale businesses dealing in the sale and distribution of building supplies and related construction materials, warehouses, storage and public garages, and gas stations. In addition, any building or occupancy which shall be used for or engaged in any of the following uses shall be required to have the approval of the Mayor and Board of Alderman prior to the location and beginning of the proposed operation: Manufacture of acid, cement, lime plaster of paris, gypsum, explosives, fertilizer, gas and adhesives, distillation, storage of explosives, rendering of animal fats, reduction or dumping of garbage, offal, or dead animals, refining of petroleum or its products, smelting of ores, wholesale storage of gasoline, stockyards or wholesale slaughter of animals and any similar objectionable uses.

Minimum lot area: None.

Minimum yards: Front depth five (5) feet. Width: none. Side and rear yards none, provided the buildings are of fireproof construction and are located on non-through lots. Otherwise, a five (5) foot minimum side and rear yard will be required.

Sec. 23-5.17. – C-5, Mini-Convention Center.

Permitted use: Meeting place or conference center for a variety of groups such as corporations, social clubs, service clubs, nonprofit organizations, conducting of art shows, fashion shows, and trade exhibits; and for private wedding parties, anniversaries and reunions.

Prohibited use: The sale of alcoholic beverages just to the general public as a primary source of revenue.

Minimum lot area: None.

Minimum yards: Front depth twenty feet (20'). Front width none. Side yards none, provided the buildings are of fire proof construction. Otherwise a fifteen foot (15') minimum side yardage is required. Rear yard none, provided the buildings are of fire proof construction and or located on non-through lots. Otherwise a fifteen foot (15') minimum rear yard is required.

Parking: Same requirements as for theaters.

Sec. 23-5.18. – Regulation of Mobile Homes.

These regulations shall govern the use of all mobile homes within mobile home parks and mobile homes on individual lots used for residential or other types of occupancy, whether temporary or indefinitely. It is the intent of these regulations to empower the City of Breau Bridge to govern the location of mobile homes within the City. This ordinance does not embrace industrialized buildings, however.

Any mobile home located in a zone or district classified as R-1, R-2, or R-3, prior to the enactment of Sections 5.18 – 5.18.7 shall be considered a “nonconforming use” and as such, shall be subject to the regulations set forth in Article VI of the Comprehensive Zoning Ordinances of the City of Breau Bridge, Louisiana, except as set forth below. Furthermore, mobile homes located in a zone or district classified as R-1, R-2, or R-3 may be allowed to continue to be situated in the said zone or classifications so long as the said mobile home is occupied by the same owner or an immediate family member thereof. Moreover, the term “mobile home” shall be defined for the purposes of this provision as set forth in Sec. 23-5.18.2 below.

Sec. 23-5.18.1. – Purpose.

These regulations are being promulgated to protect the health, safety, and general welfare of the citizens of Breau Bridge, Louisiana. The Board of Aldermen recognizes that mobile homes can meet and satisfy the residential needs of many citizens of the City without adversely affecting the overall welfare and development of the City if utilized in accordance with reasonable compatibility standards. Furthermore, these regulations are designed to protect permanent residences in which families have invested substantial time and resources.

Sec. 23-5.18.2. – Definitions.

Mobile home means a factory assembled structure or structures transportable in one (1) or more sections, with or without a permanent foundation, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Moreover, the term shall further mean a movable or portable dwelling built on a permanent chassis which may or may not be titled through and/or with a state agency, division, department, and/or unit designed without a permanent foundation for year-round living. It may consist of one (1) or more units that can be telescoped when towed and expanded later for additional capacity, or of two (2) or more units, separately towable but designed to be joined into one (1) integral unit bearing the permanently affixed seal of the United States Department of Housing and Urban Development.

Furthermore, the term mobile home includes a trailer, house trailer, manufactured home, and residential mobile home.

Manufactured home means a mobile home or residential mobile home.

Residential mobile home is defined as a manufactured home designed to be used as a dwelling and may include a mobile home or a residential mobile home that has been declared to be a part of the realty as provided in La.R.S. 9:1149.4.

Trailer and/or house trailer means any vehicle covered or uncovered used for living, sleeping, business, or storage purposes and which has no foundation other than wheels, blocks,

skids, jacks, or skirtings and which is, has been, or reasonably may be equipped with wheels and axles or other devices for transporting the vehicle from place to place. The term shall include camp car, camper, and house car.

Sec. 23-5.18.3. – Maximum Age Standards.

Any mobile home which was manufactured in a year more than (7) seven years prior to the year in which the mobile home is to be situated within the City of Breaux Bridge shall be presumed to be in a condition of disrepair and, thus, unfit for occupancy or utilization in any manner. Therefore, any such mobile home may not legally be located within the City of Breaux Bridge for any reason whatsoever.

Sec. 23-5.18.4. – Location of Mobile Home.

No mobile home may be situated in a zone or district classified as R-1, R-2, or R-3. Furthermore, no mobile home may be situated within two hundred fifty (250) feet of the following streets: Rees Street, Bridge Street, Main Street, Poydras Street, Berard Street, Mills Avenue, and Grant Point Avenue. This Section shall not apply to any mobile home which is occupied by a resident on the date of the adoption of Sec. 23-5.18 – 23-5.18.7 of the Comprehensive Zoning Ordinances of the City of Breaux Bridge, Louisiana.

Sec. 23-5.18.5. – Installation Standards.

Prior to the installation of any mobile home within the corporate limits of the City of Breaux Bridge, the owner or prospective occupant shall secure a permit from the City at a cost of One Hundred and No/100 (\$100.00) Dollars for the installation and placement of the said mobile home. Such permit shall require that the condition specified herein be satisfied prior to connection with utilities provided by the City or a franchise utility company. Furthermore, the permit may only be issued after the mobile home has been inspected by a representative of the City to insure compliance with these restrictions:

1. All mobile homes shall be installed in compliance with the setback ordinances of the City of Breaux Bridge.
2. There shall be a minimum of thirty (30) feet distance in all directions between a mobile home and any other mobile home, permanent building, or structure which is furnished with any utility service. For purposes of this Subsection, covered patios or carports shall not be considered as permanent buildings.
3. The piping, equipment, or appurtenances of any mobile home which utilizes the City's sewer system shall be tied directly into the system. The connection of the piping, equipment, or appurtenances of a mobile home, for the obtaining of sewerage service, to the piping, equipment, or appurtenances which provide such service to any other mobile home, permanent building, or structure is expressly prohibited. This Subsection will not be applicable to any mobile home park where the piping, equipment, or appurtenances of the mobile homes are tied into a connection line which connects directly to the City's sewer system.
4. All mobile homes must be provided with manufacturer approved, vented skirting from the bottom of the mobile home floor to the ground including, but not limited to brick, brick veneer, and treated lumber. The area enclosed by the skirting may not be used for storage and must be kept free of debris at all times.
5. All entrances shall have permanent steps of precast concrete, properly laid and/or cemented bricks or treated lumber. The entrance to an attached deck or similar extension to a mobile home shall be considered as an entrance thereto.
6. No addition to a mobile home may be used for structural support.

7. The lot or parcel of ground upon which a mobile home is situated shall provide a parking area for no less than two (2) vehicles.
8. All mobile homes installed in a special flood hazard area must comply with all federal, state, and local requirements pertaining to the National Flood Insurance Program, regardless of whether flood insurance is purchased. As regards base flood elevation, the lowest floor shall mean the bottom of the longitudinal structure I-beam in "A" and "AE" zones, and the lowest level shall be at or above the base flood elevation.

Sec. 23-5.18.6. – Temporary Construction.

No provision of this Section shall apply to a mobile home which may be situated upon a site where construction activities are transpiring; provided however, that the mobile home will be utilized solely and exclusively in connection with the supervision and management of the said construction.

Sec. 23-5.18.7. – Conflicting Edicts.

The terms and provisions of this Section are hereby deemed to supplement any and all other ordinances of the City of Breau Bridge which do not conflict herewith. In case of any such conflict, this Article shall be and is hereby declared to pre-empt said conflicting edicts.

ARTICLE VI. – NON-CONFORMING USES

Sec. 23-6.1. – Intent.

The lawful use of a building or premises existing at the time of enactment of this ordinance may be continued although such use does not conform with the provisions of this ordinance.

Sec. 23-6.2. – Non-Conforming Uses of Land and/or Structures.

Any use of land and/or structures existing at the time of enactment or subsequent amendment of this ordinance, which is not in conformity with its provisions may be continued subject to the following provisions:

1. The use of the building and land cannot be changed to another non-conforming use.
2. If the non-conforming use has ceased for a period of twelve (12) continuous calendar months, it shall not be re-established provided that if the lessee of any building or place used or occupied for non-conforming purposes under a bona fide lease shall at any time before the expiration of said lease discontinue occupancy or use of said building or land, it shall not be considered vacant until the owner of said building or place shall again obtain control of its occupancy and use. This exception shall not apply, if the lesser for any reason be entitled legally to re-gain possession and does not by legal or other effective means attempt to do so.
3. A non-conforming use of a building or portion thereof, or land or a portion thereof, shall not be extended or enlarged except in conformity with this ordinance. "Extended" is construed to include attachment of signs of display material on land outside of the building, or the attachment of racks, balconies, or other projections from the building, providing, however, that dwellings which are non-conforming only as to height and/or yard areas may be structurally altered or enlarged as provided for in this ordinance.

Sec. 23-6.3. – Repair and/or Completion of Construction of Non-Conforming Buildings.

Nothing in this ordinance shall be construed as prohibitive against strengthening or restoring to a safe condition a building or portion thereof declared to be un-safe by any public official charged with protecting the public safety, upon order of such official.

To avoid undue hardship, nothing in this ordinance shall require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastening these materials in a permanent manner and demolition, elimination and removal of any existing structure in connection with such construction, provided that actual construction work shall be diligently carried on until the completion of the building.

Sec. 23-6.4. – Non-Conforming Lots of Record.

In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single family dwelling and customary accessory buildings may be erected on any single non-conforming lot which is of record at the effective date of adoption or amendment of this ordinance. Such a lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the area requirements for the district provided, however, that the building placed upon said lot shall conform with the yard requirements of the district.

ARTICLE VII. – OFF-STREET PARKING, LOADING AND UN-LOADING

Sec. 23-7.1. – Intent.

No land shall be used or occupied and no structure shall be erected or used unless the off-street parking spaces required herein are provided. Such parking spaces are not required for any structure or use existing at the time of enactment of this ordinance. However, the parking spaces as specified herein shall be provided for any enlargement or structural alteration to any such existing structure or use.

Sec. 23-7.2. – Minimum Dimensions of Parking Spaces.

Each parking space shall contain a minimum of one hundred eighty (180) square feet for each vehicle, exclusive of necessary drives and other access ways. A driveway, however, may be considered a required parking space for a dwelling.

Sec. 23-7.3. – Criteria for Construction.

Every parcel of land which, after the effective date of this ordinance, is changed to a parking area for more than ten (10) vehicles or a drive-in business (except drive-in theaters and auto sales lots) shall be developed as follows:

1. If such area is subject to wheeled traffic, it shall be surfaced with asphalt or concrete.
2. Where such area is contiguous to a lot in a residential district and is not separated by a street, alley or other public way, a wall or fence of solid appearance or tight evergreen hedge having a height of not less than six (6) feet shall be erected and maintained between such area and the property in the residential district. Any light used to illuminate said parking lot shall be so arranged as to reflect the light away from adjoining premises and abutting streets.

Sec. 23-7.4. – Minimum Parking Space Requirements.

Off-street automobile parking space shall be provided on any lot on which any of the following listed uses are hereafter established and in accordance with the schedule shown. When a use is increased in capacity by the addition of dwelling rooms, guest rooms, floor area or seats the minimum off-street parking shall be provided for such increase.

USE	REQUIREMENTS
Single family dwelling	two spaces per unit
Two family dwelling	two spaces per unit
Multi-family dwellings	1.5 spaces per unit and apartments 3 spaces for each 4 units
Mobile homes and trailer parks	2 spaces per unit
Hotels, transient	1 space per each guest bedroom plus 1 space for each 4 employees.
Motels and tourist homes	1 space per each guest bedroom plus 1 space for resident manager.
Boarding and lodging homes	1 space for each three bedroom plus 1 space for resident manager.
Clinics	1 space for each 200 square feet of gross floor area.
Clubs and loges	1 space per each 8 members.
Hospitals	1 space for each 2 beds plus 1 space for each staff doctor, plus 1 space for each 2 employees including nurses.
Nursing & convalescent homes	1 space for each 6 beds.
Places of worship & mortuaries	1 space per 15 seats, in main auditorium or for each 64 square feet if there are no seats.
Theaters, auditoriums, sports arenas and places of public assembly.	1 space per 5 seats.
Skating rink, dance hall, exhibit hall, gymnasiums	Space equal to two times the gross floor area.
Kennels and animal hospitals	Space equal to two times the enclosed area.
Bowling alleys	3 spaces for alley.
Schools, public & private	Nursery schools, kindergarten, elementary: two spaces per

	classroom, laboratory or manual training shop. Junior high: 6 spaces per classroom, laboratory or training shop. Senior high school: 10 spaces per classroom, laboratory or manual training shop. Trade, industrial, and business schools: 15 spaces per classroom, laboratory or other teaching room.
Business and professional offices	2 spaces per 150 square feet gross of floor area.
Restaurants, bars, lounges, night clubs	4 spaces per 100 square feet of gross floor area devoted to patron use and 1 space for each employee.
Automobile repair shops	1 space per 200 square feet of floor space.
General business, commercial and personal service establishments, excluding supermarkets	1 space per 300 square feet of gross floor area. Supermarkets, 1 space per 150 square feet of gross floor area.
Riding stables	Space equals to 50% of the floor area of stable.
Library and museums	Space equal to 50% of the floor area devoted to public use.
Commercial, manufacturing and industrial establishments not engaged in retail business	1 space for each five employees, plus 1 space for each company vehicle operating from the premises.

Sec. 23-7.5. – Off-Street Loading and Un-Loading.

No land shall be used or occupied and no structure shall be erected or structurally altered for professional, commercial or industrial uses in which services are rendered or commodities are sold, displayed, stored, services, repaired, altered or fabricated as the principal use of the establishment unless off-street loading spaces required herein are provided. Such loading spaces, however, are not required for any commercial or industrial structure or use existing at the time of the enactment of this ordinance unless such structure or use is enlarged or structurally altered by twenty five percent (25%).

The off-street loading spaces required by this ordinance shall be located in all cases on the same lot or parcel of land as the use or structure they are intended to serve and shall not restrict pedestrian or vehicular traffic. In no case should any required loading space be part of an area used to satisfy the off-street parking requirements of this ordinance.

For each professional, commercial or industrial establishment required to provide offstreet loading space, at least one loading space at least two hundred (200) square feet shall be provided. If said structure contains over one thousand (1,000) square feet of gross floor area, two off-street loading spaces shall be provided. In such a case, one space shall be at least two hundred (200) square feet in area and the other space shall be at least four hundred fifty (450)

square feet in area with a minimum overhead clearance of fourteen (14) feet if the loading space is sheltered by a roof.

ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS

Sec. 23-8.1. – Group housing projects.

In the case of a group housing project for two or more buildings to be constructed on a plot of ground of at least five (5) un-subdivided acres, or where the existing or contemplated street and lot layout make it impractical to apply the requirements of this ordinance to the individual building units, the application of the terms of this ordinance may be varied by the Board of Adjustment. Such variance, however, should not adversely effect the character of the neighborhood, should assure substantially the same character of occupancy and intensity of land use as set forth by this ordinance. However, in no case shall the Board of Adjustment authorize a use prohibited in the district in which the project is located, or a smaller lot area per family than the minimum required, or a greater coverage than the requirements of this ordinance in such a district.

Sec. 23-8.2. – Temporary Use of Mobile Homes in Residential Districts.

Any mobile home or house trailer located in a zone or district which has be classified as Single Family Residential shall be subject to the provisions of this ordinance. Temporary use of such mobile homes or house trailers during construction of permanent structures is authorized subject to removal of same upon completion of the construction. The Zoning Administrator may allow additional time for removal of same if deemed necessary.

Sec. 23-8.3. – Exceptions and Modifications to USE Regulations.

The following uses may be located in any district when approved by the Board of Adjustment and subject to such safeguards as the board may establish:

1. Cemeteries
2. Dial telephone stations
3. Fire stations
4. Hospitals for human care (not mental)
5. Police stations
6. Transit terminals

Sec. 23.8.4. – Agricultural Lands Excluded.

Agricultural uses of land and/or buildings on tracks of ten (10) acres or more, shall be excluded from the provisions of this ordinance.

ARTICLE IX. – PERMISSION FOR ADDITIONAL HOME OCCUPATIONS

Sec. 23-9.1. – Authorization by the Board of Adjustment.

By motion, the Board of Adjustment may authorize such uses as, but not limited to, beauty parlors, barber shops, nursery schools, kindergartens, day care centers, art studios and schools, craft schools, photographer studios, music instruction in groups, dancing schools and small repair shops to operate as home occupations, provided the following provisions are complied with:

1. Written consent must be obtained from all owners of residentially zoned property, not subject to a nonconforming use abutting the petitioner's property.

2. Written consent must be obtained from all owners of residentially zoned property, not subject to a nonconforming use, situated on the opposite side of any public street or right-of-way directly opposite petitioners extension of the boundary line of such property across such public street or right-of-way.

3. Written consent must be obtained from seventy five percent (75%) of all property owners, including those described in paragraphs 1 and 2 above, owning residentially zoned property not subject to a non-conforming use, within five hundred (500) feet of the petitioners property.

Sec. 23-9.2. – Procedure.

Application shall be made to the Board of Adjustment stating the proposed use and stating reasons for that use. The Board of Adjustment shall review the application and determine whether or not such a use would be permitted and shall advise the applicant of its decision.

If the Board of Adjustment determines that the use would be permissible hereunder, a petition form shall be furnished to the applicant to secure the required consent of property owners and their signatures.

The Board of Adjustment shall verify that the petition meets the requirements hereof and make its recommendations to the Mayor and Board of Aldermen.

Sec. 23-9.3. – Policies.

The applicant must submit to the Board of Adjustment the Petition of Consent within sixty (60) days from the date of the approval- of the application unless an extension of time is granted by the Board of Adjustment.

Should the Board of Adjustment grant the permission requested, actual operation must begin within six (6) months of the date of such permission.

If application is not approved or if necessary property owner consent is not obtained or if the Board of Adjustment denies permission, then re-submission of application cannot be made within six (6) months of the original application date.

ARTICLE X. – ADMINISTRATION

Sec. 23-10.1. – Enforcement.

It shall be the duty of the City Manager, who shall be the Zoning Administrator to enforce this ordinance. It shall also be the duty of all officers and employees of the City of Breaux Bridge, Louisiana and especially of all members of the Police Department to assist the Zoning Administrator by reporting to him upon new construction, alterations, re-locations, repairs or new land uses, or upon seeing violations. Appeal from the decision of the Zoning Administrator may be-made to the Board of Adjustment as provided in Article XI of this ordinance.

Sec. 23-10.2. – Building Permits.

No building or structure shall be erected, altered, repaired or re-located until a permit has been issued by the Zoning Administrator. The application for and issuance of such permits shall not be issued until application for a Certificate of Zoning Compliance has been made and approved.

Sec. 23-10.3. – Certificate of Zoning Compliance.

No change in the use or occupancy of land or of an existing building shall be made nor shall any new building be used or changed in use until a Certificate of Zoning Compliance shall have been issued by the Zoning Administrator, stating that the proposed use of the building or

land complies with the provisions of this ordinance. The issuance of such a certificate shall be in accordance with the following procedures:

1. Applications for a Certificate of Zoning Compliance shall be made coincident with the application for a Building Permit. After determining that the proposed erection, alteration, repair, re-location or change in use is in compliance with the provisions of this ordinance, each such application shall be approved by the Zoning Administrator.
2. All applications for a Certificate of Zoning Compliance shall be accompanied by one (1) copy of a layout or plot plan drawn to scale, showing the actual dimensions of the lot to be built upon, the size, height and location of the building or buildings to be erected, converted, enlarged, re-constructed, structurally altered or relocated, the size and location of any buildings on the lot and such other information as may be necessary to provide for the enforcement of these regulations.
3. All required parking areas and access driveways must be shown and the individual car stalls carefully indicated. A careful record of such applications and plots shall be kept in the office of the Zoning Administrator.
4. A final Certificate of Zoning Compliance shall be issued by the Zoning Administrator within ten (10) days after the completed work shall have been inspected and approved as compiling with the provisions of this ordinance.
5. The Zoning Administrator shall maintain a record of all certificates and copies shall be furnished upon payment of one dollar (\$1.00) each to any person having a proprietary or tenancy interest in the building or land affected.

ARTICLE XI. – BOARD OF ADJUSTMENT

Sec. 23-11.1. – Selection and Term of Office.

A Board of Adjustment is hereby created to be composed of three (3) member appointed by the Mayor of the City of Breaux Bridge, Louisiana and which members shall hold office as follows: One (1) member shall be designated by the Mayor to hold office for a term of one (1) year from date of appointment. One (1) member shall be designated by the Mayor to hold office for a term of two (2) years from date of appointment. One (1) member shall be designated by the Mayor to hold office for a term of three (3) years from date of appointment. The successors of the members of the original Board of Adjustment shall be appointed for a term of three (3) years and in the event a vacancy occurs other than by expiration of term, it shall be filled by appointment by the Mayor of the City of Breaux Bridge for the un-expired term only. All appointments by the Mayor to the Board of Adjustment shall have the approval of the Board of Aldermen.

Sec. 23-11.2. – Appeals.

Appeals to the Board of Adjustment may be taken by any party aggrieved, or by any officer, department, commission, board, bureau or other agency of the City of Breaux Bridge, Louisiana affected by any decision of the Zoning Administrator. Such appeal shall be taken within thirty (30) days time, by filing with the Zoning Administrator and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the appeal action was taken. An appeal stays all proceedings in furtherance of the action unless the Zoning Administrator certifies to the Board of Adjustment that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life or property. In such a case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the Zoning

Administrator and on due cause shown. The Board of Adjustment shall fix a reasonable time not to exceed thirty (30) days for the hearing of the appeals, give public notice thereof, as well as due notice to the interested parties and decide the appeal within a reasonable time. Upon the hearing any party may appear in person or by agent or be represented by attorney.

Sec. 23-11.3. – Duties.

The Board of Adjustment shall hear and decide appeals involving the interpretation of any provision -of this ordinance or where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this ordinance. In addition, in hearing and deciding appeals, the Board of Adjustment shall have the power to grant exceptions in the following instances:

1. Where a district boundary line divides a lot in single or joint ownership of record at the time such line is adopted, permit the less restricted portion of such lot to extend not more than thirty (30) feet into the more restricted portion, provided the lot has frontage on a street in the less restricted district.
2. Interpret the provisions of this ordinance in such a way as to carry out the intent and purposes of the plan, as shown upon the zoning district map, where the district boundaries are uncertain, or where the street layout actually on the ground varies from the street layout as shown on the district map.
3. Permit the erection and use of a building or the use of land for railroads or public utility purposes.
4. Permit un-enclosed roadside stands for the sale of products raised on the premises (provided each such roadside stand is provided with five (5) parking spaces for potential customers), commercial amusements or recreational developments for temporary or seasonal periods, not to exceed ninety (90) days.
5. Permit temporary buildings that are used in conjunction with construction work only, in any district during the period that construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.
6. Permit land in the R-3 Single family residential district within three hundred (300) feet of a use permitted in R-5 Multiple family residential district, C-I Neighborhood shopping district, M-I Medical service district and for non-conforming uses, to be improved for the parking spaces required in connection with the permitted use but only when there is positive assurance that such land will be used for such purpose during the existence of the permitted use.
7. Permit land in the R-5 Multiple family district within three hundred (300) feet of a use permitted in R-5 Multiple family residential district, M-I Medical service district and C-I Neighborhood shopping district and for non-conforming uses to be improved for the parking spaces required in connection with the permitted uses by only when there is positive assurance that such land will be used for such purposes during the existence of the permitted use.
8. Permit the development of airports and the erection of commercial radio and television broadcasting towers in any district.

No exception shall be granted by the Board of Adjustment unless it finds that the use for which such exception is sought will not, in the circumstances of the particular case and under any conditions that the board considers to be necessary or desirable, be injurious to the neighborhood or otherwise be detrimental to the public welfare.

The board may vary or adopt the strict application of the yard requirements or height restrictions, and parking regulations in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical condition, whereby such strict application would deprive the owner of the reasonable use of the land in accordance with the use regulation of this ordinance, waive or reduce the parking requirements whenever the use of a building or land is so extraordinary as to make unnecessary the full provision of parking facilities, or whenever it can be shown that the provision of required off-street parking space within three hundred (300) feet of the main building is not feasible and would impose an un-reasonable hardship as contrasted with merely granting an advantage or a convenience. In granting any variance the board shall prescribe any conditions that it deems to be necessary or desirable.

No variance shall be granted by the board unless it finds:

1. That there are special circumstances or conditions, fully described in the findings, applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings in the neighborhood and that said circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of such land or building.
2. That, for reasons fully set forth in the findings, the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the board is the minimum variance that will accomplish this purpose.
3. That, the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise be detrimental to the public welfare.

Sec. 23-11.4. – Court Review.

Any person or persons, or any officer, department, commission, board, bureau or any agency of the City of Breaux Bridge, Louisiana, jointly or severally aggrieved by any decision of the Board of Adjustment, may present to the District Court of the Parish of St. Martin, within thirty (30) days after filing of the decision in the office of the board, a Writ of Certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

ARTICLE XII – VIOLATION AND PENALTY

Sec. 23-12.1. – Violations.

In the event any building or structure is erected, structurally altered, or maintained, or any building, structure or land is used in violation of this ordinance, any proper official of the City of Breaux Bridge, Louisiana, or their duly authorized representatives, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, maintenance, use or other violations, to restrain, correct or abate such violations, to prevent the occupants of such building, structure, or abate such violation, to prevent the occupancy of such building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises. Each day such violation continues shall constitute a separate violation.

Sec. 23-12.2. – Penalty.

Each day that any violation of any provision of this ordinance continues or exists, shall constitute a separate offense and a misdemeanor. The violation of any provision hereof shall be punished by fine not exceeding twenty five (\$25.00) dollars or imprisonment for a term not exceeding five (5) days, or by both such fine and imprisonment, in the discretion of the court.

ARTICLE XIII. – AMENDMENTS AND PETITIONS

Sec. 23-13.1. – Initiation of Amendments.

The Mayor and Board of Aldermen may from time to time, amend, supplement or change the regulations, restrictions, or boundaries herein or subsequently established. Such amendment, supplement, or change may be initiated as follows:

1. By action of the Mayor and Board of Aldermen itself, by introduction of an ordinance or by adoption of a motion.
2. By recommendation of the Planning Commission.
3. By a petitions of property owners.

Sec. 23-13.2. – Petitions.

Petitions by property owners for the amendment, supplementation or change of the zoning ordinance shall be filed with the Mayor and Board of Aldermen through the Planning Commission. In filing such petitions, the following rules shall apply:

1. No petition for a change in the classification of property shall be filed unless such petition is duly signed by the owners or authorized agents of not less than fifty percent (50%) of the area of land for which a change of classification is requested, provided, however, that, where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty percent (50%) area provision.
2. Each petition for a change in the classification of property shall conform to such standards and requirements as the Planning Commission shall adopt.
3. Each petition shall be accompanied by a deposit of twenty five dollars (\$25.00) for each text change not involving acreage and an additional five dollars (\$5.00) for each acre of land or portion thereof for which a change of classification is proposed or recommended. However, the minimum fee shall not be less than twenty five dollars (\$25.00) regardless of acreage and the maximum fee shall not exceed two hundred dollars (\$200.00), which shall apply for all areas of forty (40) acres or more. Under no conditions shall said sum or any part thereof be refunded for failure of said change to be adopted by the Mayor and Board of Aldermen. The petitioner shall also pay the direct cost of reducing the transcript of the hearing to writing of all the testimony given at the public hearing held by the Planning Commission.
4. Whenever a petition is filed requesting a change or amendment of this ordinance, and said petition has been finally acted upon by the Mayor and Board of Aldermen, or when said petition has received no action on the part of the Mayor and Board of Aldermen within ninety (90) days from the date of submission of the report of the Planning Commission, or when said petition has been officially advertised for public hearing, but has subsequently been withdrawn either before or after said public hearing has been held, then the Mayor and Board of Aldermen shall not consider any further petition requesting or proposing such change or amendment for the same property within one (1) year from the date of the Mayor and Board of Aldermen's final legal action on said petition or from the expiration of the aforesaid ninety (90) day period in case action has not been taken by the Mayor and Board of Aldermen, or from the date of withdrawal of said petition, provided, however, that said petition has been officially advertised. This provision shall not apply in case where the Mayor and Board of Aldermen wishes to

consider a petition involving a comprehensive zoning revision of an area larger than twenty (20) acres.

Sec. 23-13.3. – Amendment Procedure.

No amendment, supplement or change of the zoning ordinance or zoning district map shall become effective unless and until:

1. There shall have been held a public hearing in relation thereto before the Planning Commission at which parties in interest and citizens shall have had an opportunity to be fully heard.
2. Notice of the proposed change and of the time and place of the hearing shall have been published in accordance with Louisiana R.S. 33:4726, or any statute amendatory thereof. Additionally the City Clerk shall notify all adjacent land owners within two hundred fifty (250) feet from the property line of the lot in question by mail.
3. After the public hearing as provided above, the Planning Commission shall have submitted its report and recommendations upon the proposed change and amendment to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall not take official action upon the change and amendment until the report of the Planning Commission has been received, provided, that, if the report has not been filed within forty-five (45) days after the date of the public hearing, the Mayor and Board of Aldermen may then take official action upon the change or amendment.
4. A final ye or nay vote shall have been taken on the proposal by the Mayor and Board of Aldermen within ninety (90) days from date of receipt of the recommendations of the Planning Commission or from the lapse of forty five (45) days from the date of the public hearing, whichever is longer.
5. The provisions of this section do not apply in cases where there is a proposal to enact an entire new ordinance to change the text as a hold, or to change all of the zoning district map, or both, in which event the procedure set out in Revised Statutes of 1950, Title 33, Sections 4721 through 4730 shall be followed.

ARTICLE XIV. – INTERPRETATION

In interpreting and applying the provisions of this ordinance, prosperity and general rules, regulations, or permits previously adopted or issued and not in conflict with any of the provisions of this ordinance or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance, nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or land or upon the height of buildings or requires larger open spaces or larger lot areas than are imposed or required by such ordinance or agreements, the provisions of this ordinance shall prevail.

ARTICLE VX. – VALIDITY.

If any section, subsection, paragraph, sentence, clause, phrase or application of this ordinance shall, for any reason, be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance which shall continue to be in force and effect.

ARTICLE XVI – REPEAL OF CONFLICTING ORDINANCES

All zoning ordinances or part of zoning ordinances in conflict herewith are hereby repealed provided, however, that all suits of law are in equity and/or all prosecutions resulting from the violation of any zoning ordinance heretofore in effect which are not pending in any of the courts of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this ordinance, but shall be prosecuted to their finality the same as if this ordinance had not been adopted, and any and all violations of existing zoning ordinances, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted and nothing in this ordinance shall be so construed as to abandon, abate or dismiss any litigation or prosecution not pending, and/or which may have heretofore been instituted or prosecuted.

ARTICLE XVII. – GENERAL PROHIBITORY CLAUSE.

The zoning ordinance for the City of Breaux Bridge shall apply to all land within the corporate limits of the City of Breaux Bridge as it exists now or may exist in the future. No land shall be used or occupied, no structure shall be 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. This ordinance shall become effective immediately upon the signature of the Mayor.

UPON MOTION of Howard Alexander seconded by Glenn Michael Angelle, and upon verification and assurance that the foregoing ordinance was:

1. Introduced on July 11, 2017, at the regular meeting of the Mayor and Board of Alderman for the City of Breaux Bridge, Louisiana;
2. Disseminated to the Mayor and all Aldermen;
3. Published, by title, in the official journal of the City of Breaux Bridge, Louisiana, together with the notice of the time and place of its consideration for formal adoption; and
4. Presented at a public hearing held on the 8th day of August, 2017,

The Board of Aldermen, on the 8th day of August, 2017, adopted Ordinance Number 2232 by virtue of the following votes:

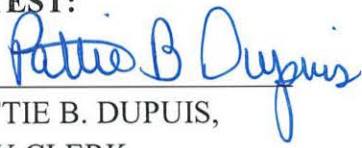
YEAS: Brenda Castille Hobbs, Howard Alexander, Ernest Ledet, Glenn Michael Angelle and Gary Champagne

NAYS: None

ABSENT: None

ABSECTIONS: None

ATTEST:


PATTIE B. DUPUIS,
CITY CLERK

August 9, 2017
DATE

APPROVED:


RICKY CALAIS,
MAYOR

August 9, 2017
DATE