

# **TOWN OF AMITE CITY**

# **ZONING ORDINANCE**

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**ZONING ORDINANCE  
TOWN OF AMITE CITY, LOUISIANA**

**An ordinance** establishing the comprehensive zoning regulations for the Town of Amite City, Louisiana, and providing for the administration, enforcement and amendment thereof, in accordance with the provisions of the authority granted by Title 33, Section 4721-4729 Louisiana Revised Statutes as amended.

**ADOPTION**

**Whereas** the Board of Aldermen deems it necessary for the purpose of promoting the health, safety, morals, or general welfare of the town and its residents to enact such an ordinance; and the Board of Aldermen has appointed a zoning commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The Zoning Commission has divided the town into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to prevent overcrowding of land; to secure safety from fire, panic, and provide adequate light and air; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements.

The Zoning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town. The Zoning Commission has made a preliminary report to the Board of Aldermen. The Board has given due public notice of hearings relating to zoning districts, regulations, and restrictions.

All requirements of Title 33, Section 4721-4729 Louisiana Revised Statutes with regard to the preparation of the report of the Zoning Commission and the subsequent action of the Board of Aldermen have been met.

NOW, THEREFORE, BE IT ENACTED on this 6th day of August, 1985, BY THE BOARD OF ALDERMEN OF THE TOWN OF AMITE CITY, LOUISIANA, AS AN ORDINANCE:

## **PART I - PRINCIPLES AND OBJECTIVES**

The following principles and objectives are the basis for the requirements in this ordinance; **they are not requirements themselves**. Individual petitioners should consider them as the "spirit" of the ordinance.

### **SECTION 1.1 GENERAL**

- 1.101 It is the desire of the commission to utilize, to the maximum extent possible, our drainage system into a structure for open space. Acceptable uses, other than drainage, include (a) agriculture, (b) recreation not requiring structures, (c) parks, (d) scenic drives, (e) nature areas.
- 1.102 Use changes should not occur in the center of a street or road with the possible exception of freeways built with controlled access. Changes at the rear property line would be optimum. Zone changes at the side property line should occur when there is only minimal change in use.
- 1.103 All recognized historical and archaeological sites and facilities should be preserved.
- 1.104 Sites with unique natural beauty should be preserved for public enjoyment.
- 1.105 The Town of Amite City has formally adopted an Amite Historic Preservation District, which governs all private property, buildings, appurtenances, structures, areas, signs, etc. within the District. Reference can be made to the Town of Amite City Code of Ordinances, Section 12, Chapter 7, Amite Historic Preservation District, and adopted December 6, 1994.

### **SECTION 1.2 HOUSING**

- 1.201 It is possible, with certain modifying criteria, to mix housing densities.
- 1.202 It is unfeasible and unwise to mix economic groups except in the most urban precincts.
- 1.203 Preference should be given to higher density residential (apartments, mobile home parks, town houses, etc.) on major streets (arterial or collector).
- 1.204 Single-family residential lots should be served by local streets. Normally, they should be discouraged on collector and arterial streets.
- 1.205 Non-farm strip residential development should not be allowed along major roads and highways in rural areas.
- 1.206 No urban or suburban residential development should be allowed unless there is an acceptable supply of potable water, sewerage collection and treatment, solid waste collection and disposal, and fire and police protection.
- 1.207 All urban and suburban residential development should have immediate access to

community recreation facilities.

- 1.208 No residential development should be allowed in flood ways. Development in flood plains should be in conformity with floodplain controls.
- 1.209 No commercial uses should be allowed in residential areas except as a part of a Planned Unit Development.
- 1.210 No residential development should be allowed within the 100 dba curve of an airport.
- 1.211 Residential uses are compatible with such uses as: recreation, education, fire and police substations, some agriculture, some institutions.
- 1.212 Residential uses are incompatible with: commercial and industrial uses, all transportation facilities.

### **SECTION 1.3 COMMERCIAL**

- 1.301 All commercial activities should be in enclaves varying in size to suit their function and located convenient to their market. All should have adequate off-street parking. Strip commercial should be prohibited on all streets.
- 1.302 Commercial activities should have access to arterial and collector streets only.
- 1.303 Commercial uses should be given prime consideration at the intersection of two arterial streets.
- 1.304 Commercial, along with some industrial and transportation uses, should be given prime consideration at all four-way major interchanges on freeways.
- 1.305 Only small convenience centers and some offices should be allowed on collector streets.
- 1.306 Offices generating continuing traffic (doctors and dentists, banks, etc.) should be allowed on arterial streets only.
- 1.307 Auto oriented commercial (with the possible exception of convenience food stores) should be allowed only on arterials and at freeway interchanges.
- 1.308 Uses compatible with commercial are: medium and high density housing; institutions such as hospitals, colleges and universities, research organizations; high schools; administrative community facilities; agriculture.
- 1.309 Uses incompatible with commercial: heavy and most light industry; low-density housing; community facilities such as correctional and industrial types; elementary and junior high schools.
- 1.310 Wholesale and warehouse uses are more compatible with industrial and transportation uses than with other forms of commercial.

## SECTION 1.4 INDUSTRIAL

- 1.401 All industry should be grouped in compatible enclaves.
- 1.402 All industry must be served by heavy motor transport and should be restricted to sites on arterial streets or freeways.
- 1.403 Most heavy industry and some light industry should be served by rail transportation. Sites over 1/4 mile from existing rail facilities should prove economically doubtful for industrial development.
- 1.404 Most heavy and some light industry must be located adjacent to navigable waterways for transportation or process water.
- 1.405 Many industrial uses live well in the environs of commercial airfields. They should be encouraged.
- 1.406 Labor-intensive industry should be located convenient to its labor market.
- 1.407 Uses compatible with industrial uses are: transportation and warehouse uses; some commercial uses; agriculture; community facilities of an industrial type; airfields.
- 1.408 Uses incompatible with industrial uses are: residential; some commercial: educational; most community facilities; most recreational uses.

## SECTION 1.5 INSTITUTIONS

- 1 .501 Institutional uses are so diverse that they demand relationships related to their characteristics.
  - a. **Hospitals** create traffic and parking problems that can only be acceptable on arterial streets. They are most compatible with commercial and high density residential uses.
  - b. **Nursing and long-term care facilities** create much less demand in circulation and parking and could be accommodated on collector streets. Medium and high-density housing and agricultural uses are compatible.
  - c. **Schools** should be related to age of student and the amount of traffic generated. Elementary schools: residential areas, local streets. High and vocational schools: commercial or residential areas, collector streets or greater. Colleges, etc.: high density residential or commercial, arterial streets.
  - d. **Churches:** High density residential or commercial, mostly arterial streets.



## **SECTION 1.6 AGRICULTURE AND WOODLANDS**

1.601 Should be encouraged and protected in areas where the soil is suitable.

## **SECTION 1.7 RECREATION**

1.701 Utilize drainage areas in residential areas for recreational purposes.

1.702 There should be some recreational area in every residential section.

1.703 Regional recreation facilities should be served by arterial roads.

1.704 Prime natural areas should be provided for public use in perpetuity. (Purchase in fee simply or purchase development rights.)

## **SECTION 1.8 TRANSPORTATION**

1.801 Adopt, implement, and maintain a major road plan at all times.

1.802 **Every** land use should contain enough land to insure off-street parking for its function.

## **SECTION 1.9 UTILITIES**

1.901 Allow no use (except for commercial farm) where a full range of approved utilities (electricity gas, water, phone, sewerage, solid waste) are not available.

1.902 Most utility facilities are more compatible with industrial uses.

1.903 Utility uses that must occur in residential areas should be suitably buffered and landscaped.

## **PART 2 - DISTRICTS**

### **SECTION 2.1 ESTABLISHMENT OF DISTRICTS**

2.101 The town is divided into four types of districts:

- A Districts - Agricultural
- R Districts - Residential
- C Districts - Commercial
- I Districts - Industrial

2.102 The four types of districts are further divided into the following specific districts:

A-1: Agriculture, woodlands, open space, flood ways, conservation and nature preserves. No structures other than transportation facilities (roads, bridges, etc.) and necessary flood control works shall be permitted.

A-2: Agriculture, woodlands, open space, flood conservation and nature preserves, and

R-1: Single family residential. Detached conventional homes. Low population density.

R-2: Single family residential. Attached and detached conventional homes. Medium to high population density.

R-3: Multi-family residential. All categories of apartment or apartment-type dwellings. Conventional type structures.

R-4: Single family conventional and non-conventional homes.

R-5: Single family non-conventional residential. Mobile home and trailer parks, mobile home subdivisions. Any type of non-conventional home.

C-1: Commercial/Office. All types of office use.

C-2: Retail sales.

L-I Light industry. Wholesale and retail sales, any industrial use that creates little or no environmental or safety problems.

H-I: Heavy industry. Any type of industry.

- 2.103 If, in accordance with the provisions of this ordinance and statutes, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made in this official zoning map periodically, after the amendment has been approved by the City Council. Each such change of the map shall be dated, signed, and certified. However, amendments shall become effective when adopted by the Council.

No change of any nature shall be made in this official zoning map or matter shown thereon except in conformity with the procedure set forth in this ordinance. Any unauthorized changes of whatever kind, by any person or persons, shall be considered a violation of the ordinance and punishable under Part 4.4 of this ordinance.

The official zoning map, which shall be located in the Amite City Town Hall, shall be final authority as to the current zoning status of land, buildings, and other structures in the town. The map shall be kept by the secretary of the Planning and Zoning Commission.

- 2.104 Classification of annexed territory: Areas not previously zoned shall be classified A-2 Agriculture District unless otherwise stated.

## **SECTION 2.2 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES**

- 2.201 Where uncertainties exist as approximately following the centerlines of streets, highways, or alleys, shall be construed to follow such centerlines.
- 2.202 Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines.
- 2.203 Boundaries indicated as approximately following town limits shall be construed as following town limits.
- 2.204 Boundaries indicated as following railroad lines shall be construed to be midway between the tracks.
- 2.205 Boundaries indicated as following shorelines shall be construed to follow such shoreline and, in event of change in the shoreline, shall be construed as moving with the actual shoreline.
- 2.206 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.
- 2.207 Boundaries indicated following other boundary lines, water courses, and other natural topographical features, such lines shall be construed to be such boundaries.
- 2.208 Where street or property layout existing on the ground is at variance with that shown on the official zoning map, or in other circumstances not covered by subsections 1 through 7 above, the City Council shall interpret the district boundaries, provided such adjustment does not exceed one acre in area.

## **SECTION 2.3 APPLICATIONS OF DISTRICT REGULATIONS**

- 2.301 No building, structure, or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
- 2.302 No building or other structure shall hereafter be erected or altered:
- a. to exceed the height;
  - b. to accommodate or house a greater number of families;
  - c. to occupy a greater percentage of lot area;
  - d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this

ordinance.

2.303 No part of a yard or other open space or off-street parking or loading space required or in connection with any building for the purpose of complying with this ordinance shall be included as a part of a yard, open space, or off-street parking or loading space similarly required for any other building.

2.304 No yard or lot existing at the time of passage of this ordinance shall be reduced in size of area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirement established by this ordinance.

Within each district, the regulations set by this ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.

2.305 Regulations of land under water: all lands within the town which are under water and are not shown as included with any district shall be subject to all the regulations of the district adjacent to the water area. If the water area adjoins two or more districts, the boundaries of each district shall be construed to extend into the water area in a straight line.

2.306 Location of streets and public ways: whenever any street, alley, or other public way is vacated by official action of the governing body of the town, the zoning district adjoining each side of such street, alley, or public way shall automatically extend to the center of same and all area included therein shall then become subject to all appropriate regulations of the extended districts.

## **SECTION 2.4 PROTECTION OF STREET RIGHT-OF-WAYS**

2.401 In computing the front and side yard setback depths of every building or structure to be erected on any lot abutting on any street shown as a designated major street on the major street plan or future land use plan showing major streets, the required setback, as hereafter shown, shall be increased by an amount equal to 50 feet or 1/2 the existing right-of-way. Such setbacks shall be measured from the centerline of the existing street or road, other sections of the ordinance notwithstanding. However, if the buildable width of a lot is reduced to less than 24 feet, then the permit application must be referred to the Planning Commission for recommendation as to reduction in minimum lot width or purchase of the property in question.

All public right-of-ways shall be kept clear of fences, buildings, and other such permanent man-made structures which may be an obstruction.

## **SECTION 2.5 THE OFFICIAL ZONING MAP**

2.501 The official zoning map of the Town of Amite City shall at all times be on display at the City Hall and accessible for review by citizens during the Town's normal working hours and days. Zoning changes, as approved by the Council, shall be made to the map within

ten (10) days after they are adopted by the Council. Changes made to the map shall be made only by the person or persons so designated to perform this duty by the Planning and Zoning Commission.

## **PART 3 - SCHEDULE OF DISTRICT REGULATIONS ADOPTED**

Districts are shown on the official zoning map. Within the districts established by this ordinance, the following regulations shall apply:

### **SECTION 3.1 A-1 AGRICULTURE DISTRICT**

#### **3.100 DISTRICT DESIGNATION AND INTENT:**

This district is intended primarily as a protection to drainage and encompasses all of the floodways plus such other lands deemed necessary for permanent open space. It is possible that this district's boundaries may change periodically in response to changes in the floodway lines.

#### **3.101 PERMITTED PRINCIPAL USES AND STRUCTURES:**

Principal uses are agriculture and recreation. No permanent structures other than roads, railroads, bridges, and necessary flood control structures shall be constructed in this district. Camping in tents, travel trailers, campers and other such mobile housing shall be permitted.

#### **3.102 PERMITTED ACCESSORY USES AND STRUCTURES:**

None.

#### **3.103 SPECIAL EXCEPTION USES AND STRUCTURES:**

None.

#### **3.104 SPECIAL PERMIT USES AND STRUCTURES:**

Permanent recreational and water-related structures may be constructed if certified by a recognized hydrologist that it (1) will not impede the free flow of water, (2) has the first habitable floor at least one (1) foot above the level of a hundred year flood, and (3) is anchored sufficiently to resist the strongest current expected.

#### **3.105 MINIMUM LOT REQUIREMENTS (AREA & WIDTH)**

Area: No requirement.  
Width: 100 feet along the stream line.  
Maximum Coverage: 40%

#### **3.106 MINIMUM YARD REQUIREMENTS:**

None.

#### **3.107 MAXIMUM HEIGHT:**

None.

3.108 TRANSPORTATION SYSTEMS:  
No special requirement.

### **SECTION 3.2 A-2 AGRICULTURE DISTRICT**

3.200 DISTRICT DESIGNATION AND INTENT:  
This district is intended for all agriculture and open space uses.

3.201 PERMITTED PRINCIPAL USES AND STRUCTURES:  
Since this district includes both floodplains and non-flooding land, the structural requirements differ. (1) Non-flooding Land: residential and farm-related structures. (2) Floodplain: those structures permitted in the floodplain zoning ordinance.

3.202 PERMITTED ACCESSORY USES AND STRUCTURES:  
Any farm-related structure.

3.203 SPECIAL EXCEPTION USES AND STRUCTURES:  
None.

3.204 SPECIAL PERMIT USES AND STRUCTURES:  
None.

3.205 MINIMUM LOT REQUIREMENTS:  
3 Acres -- Width 210 feet

3.206 MINIMUM YARD REQUIREMENTS:  
Front: 30 feet  
Side Yards: 10 feet for residential structures  
30 feet for accessory structures

3.207 MAXIMUM HEIGHT:  
No limit.

3.208 TRANSPORTATION SYSTEMS:  
No special requirements.

### **SECTION 3.3 R-1 RESIDENTIAL DISTRICT**

3.300 DISTRICT DESIGNATION AND INTENT:  
This district is for single family residential detached conventional homes. Low population density and one dwelling per lot.

3.301 PERMITTED PRINCIPAL USES AND STRUCTURES:  
One conventional single family detached dwelling per lot. The following are allowed by special permit only: municipal recreational uses; elementary schools offering general education courses; churches; temples; golf courses; country clubs; and gardens for noncommercial use. A mobile home permit is required to place a non-conventional or

mobile home in this district. One hundred percent of all property owners within 300 feet must provide written consent before a mobile home permit is issued.

3.302 PERMITTED ACCESSORY USES AND STRUCTURES:

Any use related to its principal use; signs not exceeding six (6) square feet in area pertaining to rental, sale, or lease of property, yard sales; home occupation complying with the definition for such; accessory buildings on the same lot as the primary residences where such buildings are carports, storage sheds, garages, or garden houses; swimming pools; tennis courts; pergolas; domestic animals (not for profit; described as dogs, cats, fish, gerbils, and birds); gardens; radio and television towers for noncommercial use; satellite dish in rear yard only; uses customarily incidental and accessory to residential uses; fences.

3.303 PROHIBITED USES:

Mobile homes, unless 100 percent of all property owners within 300 feet provide written consent; multi-family dwellings; all uses not permitted herein.

3.304 HEIGHT REGULATIONS:

No building shall exceed thirty-five (35) feet in height.

3.305 AREA REGULATIONS:

A. Yard:

1. Front yard - twenty (20) feet on through lots and corner lots. This minimum front yard shall be provided on both streets.
2. Side yard - at least five (5) feet per each side.
3. Rear yard - at least five (5) feet in depth.

B. Lot Size:

1. Lot width - minimum of 100 feet.
1. Lot size - minimum of 15,000 square feet.
2. Maximum land coverage - at least 40% of the lot must be kept free of structure.

3.306 TRANSPORTATION SYSTEMS:

Local streets preferred and collector streets permitted.

**SECTION 3.4 R-2 RESIDENTIAL DISTRICT**

3.400 DISTRICT DESIGNATION AND INTENT:

This district is for single family residential attached and detached conventional homes. Medium to high density.

3.401 PERMITTED PRINCIPAL USES AND STRUCTURES:

Single family houses; multi-family housing with individual or condominium ownership; duplexes, triplexes; row houses; town houses; zero lot line development; cluster development; atrium or patio houses; and any use permitted in the R-1 District. A mobile home permit is required to place a non-conventional or mobile home in this

district. One hundred percent of all property owners within 300 feet must provide written consent before a mobile home permit is issued.

3.402 ACCESSORY USES ALLOWED:

Same as Section 3.302 of R-1 District.

3.403 PROHIBITED USES:

Mobile homes, unless 100 percent of all property owners within 300 feet provide written consent; all uses not permitted herein.

3.404 HEIGHT REGULATIONS:

No building shall exceed thirty-five (35) feet in height.

3.405 AREA REGULATIONS:

(See Section 3.14 for Town Houses and Condominiums)

A. Yard:

1. Front yard - twenty (20) feet on through lots and corner lots. This minimum front yard shall be provided on both streets.
2. Side yard - at least five (5) feet per each side. For a Zero Lot Line Development, the following will apply:
  - The lot adjacent to the zero setback side yard must be under the same ownership at the time of initial construction (ensuring that a developer does not infringe on the property rights of owners of adjacent tracts.)
  - The setback on the adjacent lot must be either zero feet or ten (10) feet.
  - The opposite side yard setback of not less than ten (10) feet must be kept perpetually free of permanent obstructions (such as a tool shed or a fence without a gate).
  - The wall on the zero-foot yard setback must be constructed of maintenance-free, solid, decorative masonry, and no portion can project over any property line.
  - Similar zero lot line exceptions can be made for the rear yard, but not for both the side and rear yards of the same lot.
3. Rear yard - at least five (5) feet in depth.

B. Lot Size:

1. Lot width - minimum of fifty (50) feet.
2. Lot size - minimum of 7,500 square feet and 2,000 square feet per family.
3. Maximum land coverage - at least 20% of the lot must be kept free of structures.

3.406 TRANSPORTATION SYSTEMS:

Local streets preferred and collector streets permitted.



## **SECTION 3.5 R-3 RESIDENTIAL DISTRICT**

### **3.500 DISTRICT DESIGNATION AND INTENT:**

This district is for both single family residential and multi-family residential dwellings, as well as noncommercial uses generally associated with family residential areas. Apartments, flats, row houses, and any use permitted in the R-1 and R-2 Districts. High density development.

### **3.501 PERMITTED PRINCIPAL USES AND STRUCTURES:**

Single family houses; multi-family housing; apartments, flats; row houses, town houses; zero lot line development. The following are allowed by special permit only: cluster development; guest houses; group homes; philanthropic uses and any R-1 or R-2 District uses. A mobile home permit is required to place a non-conventional or mobile home in this district. One hundred percent of all property owners within 300 feet must provide written consent before a mobile home permit is issued.

### **3.502 ACCESSORY USES ALLOWED:**

Same as R-1 and R-2 Districts. Snowball stands for seasonal use only not having seating facilities and which may sell snowballs and dairy products.

### **3.503 PROHIBITED USES:**

All uses not permitted herein; mobile homes, unless 100 percent of all property owners within 300 feet provide written consent.

### **3.504 HEIGHT REGULATIONS:**

None.

### **3.505 AREA REGULATIONS:**

(See Sections 3.12 and 3.14)

#### **A. Yard:**

1. Front yard - twenty (20) feet on through lots and corner lots. This minimum front yard shall be provided on both streets.
2. Side yard - at least ten (10) feet per each side. For Zero Lot Line Development see Section 3.405.
3. Rear yard - at least ten (10) feet in depth.

#### **B. Lot size:**

1. Lot width - minimum of fifty (50) feet.
2. Lot size - minimum of 6,000 square feet and 1,000 square feet per family.
3. Maximum land coverage - at least 20% of the lot must be kept free of structures.

### **3.506 TRANSPORTATION SYSTEMS:**

Local, collector, or arterial streets. Collector or arterial streets preferred.

## **SECTION 3.6 R-4 RESIDENTIAL DISTRICT**

### **3.600 DISTRICT DESIGNATION AND INTENT:**

This district is for single family conventional and non-conventional housing, as well as noncommercial uses generally associated with family residential areas. Conventional and non-conventional housing (prefabricated, mobile homes), provided 100 percent of the property owners within 300 feet provide written approval.

### **3.601 PERMITTED PRINCIPAL USES AND STRUCTURES:**

One single-family conventional or non-conventional house per lot. The following are allowed by special permit only: municipal recreation uses; elementary and middle schools offering general education courses; churches; temples; golf courses; country clubs; and gardens for noncommercial use. A mobile home permit is required to place a non-conventional or mobile home in this district. One hundred percent of all property owners within 300 feet must provide written consent before a mobile home permit is issued.

### **3.602 ACCESSORY USES ALLOWED:**

Same as Section 3.302 of R-1 District.

### **3.603 PROHIBITED USES:**

Multi-family dwellings; mobile homes, unless 100 percent of all property owners within 300 feet provide written consent; all uses not permitted herein.

### **3.604 HEIGHT REGULATIONS:**

No building shall exceed thirty-five (35) feet in height.

### **3.605 AREA REGULATIONS:**

#### **A. Yard:**

1. Front yard - twenty (20) feet on through lots and corner lots. This minimum front yard shall be provided on both streets.
2. Side yard - at least ten (10) feet per each side.
3. Rear yard - at least ten (10) feet in depth.

#### **B. Lot size:**

1. Lot width - minimum of fifty (50) feet.
2. Lot size - minimum of 5,000 square feet.
3. Maximum land coverage - at least 20% of the lot must be kept free of structures.

### **3.606 TRANSPORTATION SYSTEMS:**

Local streets preferred and collector streets permitted.

## **SECTION 3.7 R-5 RESIDENTIAL DISTRICT**

### **3.700 DISTRICT DESIGNATION AND INTENT:**

This district is intended for single family non-conventional residential.

### **3.701 PERMITTED PRINCIPAL USES AND STRUCTURES:**

Mobile home and trailer parks; mobile home subdivisions; any type of factory manufactured house with a non-conventional appearance, provided 100 percent of all property owners within 300 feet provide written approval; any permitted use in the R-1, R-2, or R-3 Districts. The following are allowed by special permit only: beauty and barber shops; laundromat; washateria; car wash; health and fitness clubs; child day nursery; and snowball stand and sweet shop not having seating facilities or on-site prepared foods other than snowballs; offices and utility structures related to mobile home park. A mobile home permit is required to place a non-conventional or mobile home in this district, unless the non-conventional or mobile home is to be placed in a designated mobile home park. One hundred percent of all property owners within 300 feet must provide written consent before a mobile home permit is issued.

### **3.702 ACCESSORY USES ALLOWED:**

Same as 3.302 of R-1 District.

### **3.703 PROHIBITED USES:**

All uses not permitted herein.

### **3.704 HEIGHT REGULATIONS:**

No building shall exceed thirty-five (35) feet in height.

### **3.705 AREA REGULATIONS:**

(See Section 3.13)

#### **A. Yard:**

1. Front yard - twenty (20) feet on through lots and corner lots. This minimum front yard shall be provided on both streets.
2. Side yard - at least ten (10) feet per each side.
3. Rear yard - at least ten (10) feet in depth.

#### **B. Lot size:**

1. Lot width - for a mobile home park, a minimum of 200 feet is required and a minimum of a five (5) acre park with a maximum of ten (10) mobile homes per acre.
2. Lot size - for a mobile home park, a minimum of five (5) acres; for a mobile home subdivision, a minimum of 4,000 square feet is required.
3. Maximum land coverage - at least 20% of the lot must be kept free of structures.

### **3.706 TRANSPORTATION SYSTEMS:**

Local, collector, or arterial streets.

## **SECTION 3.8 C-1 COMMERCIAL DISTRICT**

### **3.800 DISTRICT DESIGNATION AND INTENT:**

This district is for commercial offices.

### **3.801 PERMITTED PRINCIPAL USES AND STRUCTURES:**

Any kind of office use.

### **3.802 PERMITTED ACCESSORY USES AND STRUCTURES:**

Any use related to principal use.

### **3.803 SPECIAL EXCEPTION USES AND STRUCTURES:**

Dwelling units contained within the office building, hospitals, rest homes, churches, schools, and institutions. Branch banks not requiring outdoor advertising other than on face of building.

### **3.804 SPECIAL PERMIT USES AND STRUCTURES:**

Retail sales.

### **3.805 PROHIBITED USES:**

Uses detrimental to a neighborhood because of smoke, dust, gas, excessive glare, light, noise, or vibrations. Industrial and manufacturing facilities. All uses not permitted herein.

### **3.806 HEIGHT REGULATIONS:**

No building shall exceed forty-five (45) feet in height.

### **3.807 AREA REGULATIONS:**

#### **A. Yard:**

1. Whenever a C-1 District abuts upon a residential district, whether it be a single-family or multi-family, the C-1 use shall provide a minimum yard depth of 1/2 the height of the commercial building, such yard space being located between the C-1 use and the residentially-zoned property (i.e. on the abutting side(s)). Such yard space shall not be used for parking or for business-related activities.
2. Front yard - for dwellings, shall be the same as the R-3 District; for non-dwellings (or mixed use) there shall be a minimum 25-foot front yard requirement.
3. Side yard - for dwellings, shall be the same as the R-3 District; for non-dwellings (or mixed use) there shall be no minimum side yard except when the business property abuts upon residential zoning (see 3.807.1a), a greater side yard may be required.
4. Rear yard - for dwellings, shall be the same as the A-3 District; for non-dwellings (or mixed use) there shall be a minimum of twenty (20) feet and a greater rear yard may be required (see 3.807.1a).

B. Lot size:

1. Lot width - minimum of fifty (50) feet.
2. Lot size - a minimum of 5,000 square feet and a minimum of 1,000 square feet per family.

3.808 Off-street parking regulations as provided for under Part 5.

3.809 Loading zone requirements shall be provided as set forth under Part 5.

3.810 Buffer zone requirements shall be provided as set forth in Section 3.

### **SECTION 3.9 C-2 COMMERCIAL DISTRICT**

3.900 DISTRICT DESIGNATION AND INTENT:

This district is for major commercial uses involving retail sales that may be considered a nuisance to residential areas and should be located along collector and arterial streets.

3.901 PERMITTED USES:

All commercial (not industrial) businesses not specifically restricted or prohibited; amusement enterprises including, but not limited to, the provision of stage entertainment; bowling alleys, skating rinks, and pool rooms; auto retail, wholesale, or repair services; bus and railway station; retail businesses where articles are sold at retail on the premises; storage; service stations; new and used auto sales, tire sales and service; auto parts sales; car wash; grocery stores; department stores; dress shops; children's clothing stores; furniture stores; gift shops; farmers supplies and warehouse; lawnmower sales and service shops; hardware stores; general merchandise stores; office equipment sales; housing sales; electrical supply stores; hobby shops; television and radio repair service shops; taxicab company; dry goods stores; ice cream stands; snack bars; snowball stands; bakeries and pastry shops; distributors of plumbing, heating, and air conditioning supplies; army surplus sales; lock and key service shops; fish markets, meat markets; electrical appliance sales stores; custom draperies and carpet sales stores; shoe repair shops; dance studios; donut and coffee shops; package liquor stores; game rooms; self-service gas stations; full-service gas stations; restaurants; fast food restaurants; offices; off-street parking facilities; financial services; hospitals; hotel; motel; warehouse; lounges; bars; church; child nursery; municipal building; convenience food stores; animal hospital; lumber yard as part of a retail establishment; wholesale stores; fruit markets; sweet shops; trailer sales; cosmetics shops; pizza parlors; photographic studios; funeral home; music stores; sporting goods stores; apartment hotels; billboards and signs as governed by sign ordinance; commercial recreation facilities; commercial greenhouses and nurseries; commercial schools; and, paved commercial and private parking lots. Shops not to exceed 2,500 square feet of floor area may also include the following uses: dressmakers; millinery; tailoring; bakery goods sales; laundry and dry cleaning pick-up stations; theaters, but not the drive-in type.

3.902 **PROHIBITED USES:**  
Uses detrimental to a neighborhood because of odor, smoke, dust, gas, excessive glare, light, noise, or vibrations. Industrial and manufacturing facilities, residential uses.

3.903 **HEIGHT REGULATIONS:**  
No building or structure shall exceed sixty-five (65) feet in height without first receiving a variance from the Planning and Zoning Commission.

3.904 **AREA REGULATIONS:**

A. Yard:

1. Whenever a C-2 District abuts upon a residential district, whether it be a single or multi-family district, the C-2 use shall provide a minimum yard depth of ½ the height of the commercial building, such yard space being located between the C-2 use and the residentially-zoned property (i.e. on the abutting side). Such yard space shall not be used for parking or for business-related activities.
2. Front yard - no front yard, but a minimum of thirty (30) feet building setback.
3. Side yard - none, except when abutting upon residential zoning (see 3.807.1a).
4. Rear yard - none, except when abutting upon residential zoning (see 3.807.1a).
5. See Section 3.1509 Buffer Zones.

B. Lot size:

1. Lot width - minimum of fifty (50) feet.
2. Lot size - a minimum of 5,000 square feet, and no residential use is allowed.

3.905 Off-street parking regulations as provided for under Part 5.

3.906 Loading zone requirements shall be provided as set forth in Part 5.

3.907 Buffer zone requirements shall be provided as set forth in Section 3.15.

## **SECTION 3.10 L-I LIGHT INDUSTRIAL DISTRICT**

3.1000 **DISTRICT DESIGNATION AND INTENT:**  
The L-I Light Industrial District represents industrial uses that engage in light manufacturing and processing not considered dangerous to nearby residential or commercial areas. No residential uses, aside from plant caretaker's/watchman's quarters, are allowed in this district.

3.1001 **PERMITTED USES:**  
Wholesale and retail sales; warehousing and light industry; furnace repair; heating and air conditioning service; typewriter repair; sheet metal shops; plumbing shops; motor vehicle repair; glass installation; new and used car sales; mini-storage garages;

fabrication of gaskets and packing of soft and metal materials; creameries; bottling works; bus and truck terminals; parcel delivery service; bus and railroad passenger terminals; truck terminals; drive-in theaters when approved by the Department of Highways; frozen food lockers; commercial stables; riding academy; animal hospital; auto repair; carpet cleaning; commercial auditoriums, coliseums or convention halls; bulk dairy products retail; dance halls; dog pound; dry cleaners and laundries; express office; fish market; private gym; laboratory; canneries (except fish and meat products); carpentry shop; caretaker's quarters; cellophane products (previously pulverized clay kilns fired only by electricity or gas); cleaning and dyeing works; confectioner manufacturing; contractor's storage yards; electrical parts, assembly and manufacturing; fiber products manufacturing (previously prepared fiber); furniture manufacturing; garment manufacturing; glass products manufacturing; grain elevators; iron works, ornamental (no foundry, drop hammer and no punch presses over 20 tons); leather products manufacturing (previously prepared leather); lumber yards; machinery, farm sales, repairing, and overhauling; millwork; open storage of building material, lumber, coal, machinery, and pipe when the material is enclosed within a solid fence at least six (6) feet high and within the required building lines; paint mixing and treatment (not employing a boiling process); printing and publishing plant; salvage yard; sign painting shop; television and radio broadcasting transmitters; tire retreading, recapping, rebuilding; toy manufacturing; warehouse or storage of noncombustible materials; farmer's markets; motorcycle sales and repair; sheet metal shop; tire repair; upholstery shop; cemeteries and mausoleums, provided, however, that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least 50 feet from all property lines, shall have a minimum street frontage of 100 feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts.

3.1002 PROHIBITED USES:

Residential dwellings (except for caretakers), church, schools offering general education courses, all uses not compatible with the character of this district.

3.1003 HEIGHT RESTRICTIONS:

None, except when a building abuts upon a residential or commercial district, in which case it shall not exceed the maximum height permitted in the residential or neighborhood commercial district, unless such building is set back from the property line at least fifty (50) feet from the abutting residential or commercial district.

3.1004 AREA REGULATIONS:

A. Yard:

1. Whenever an L-I District abuts upon a residential or C-1 commercial district, there shall be a fifty (50) foot wide yard provided on the L-I property, such yard space running the length of the abutment between the residential and/or C-1 commercial district.
2. Front yard - a minimum of twenty (20) feet.
3. Side yard none, except when abutting upon residential zoning (see 3.807.1a).
4. Rear yard - none, except when abutting upon residential zoning (see 3.807.1a).

B. Lot size:

1. Lot width - no minimum requirements.
2. Lot size - a minimum of 6,000 square feet is required and no residential use is allowed.

3.1005 Buffer zone requirements shall be provided as set forth in Section 3.1509.

### **SECTION 3.11 H-I HEAVY INDUSTRIAL DISTRICT**

3.1100 DESIGNATION AND INTENT:

The Heavy Industrial District is located so as to protect residential and commercial areas from possible nuisance, generating or potentially dangerous manufacturing or processing activities.

3.1101 PERMITTED USES:

All uses permitted in the L-I District. Manufacturing or storage of chemical products, oil, gasoline; smelters; processing of metal products and petroleum products; other heavy industrial uses approved by the Planning and Zoning Commission.

3.1102 PROHIBITED USES:

Residential, commercial, educational, and recreational uses. All uses not compatible with the character of this district.

3.1103 HEIGHT RESTRICTIONS:

Same as L-I Industrial District (Section 3.1003).

3.1104 AREA REGULATIONS:

Same as L-I Industrial District (Section 3.1004).

3.1105 Off-street parking and loading zone provisions shall be as provided for under Part 5.

### **SECTION 3.12 PLANNED DISTRICTS, PUD'S, ZERO LOT LINE HOUSING**

3.1201 **Planned Unit Developments** (or PUD'S) shall be reviewed on a case-by-case basis but will meet the minimum requirements set out below:

- a. Must be located in a residentially-zoned district other than R-1.
- b. Must contain an area of at least ten (10) acres in size.
- c. Must contain common open space and such space shall be equivalent to, or more than, the amount of total reduction in sizes requested.
- d. Lot sizes may be reduced from the general lot sizes of that district (zoning) to a specific minimum lot size, but all such reductions shall be compensated for by an equivalent amount of land in cluster open space to



be preserved or maintained for scenic, recreation, or conservation purposes.

3.1202 **Zero Lot Line Housing**, as defined in the definition section of this Ordinance, is recognized as a viable development alternative in particular situations. It shall be allowed in zoning districts as specified by the Planning and Zoning Commission and may be included as part of a Planned Unit Development.

## SECTION 3.13 MOBILE HOME PROVISIONS

### 3.1301 DEFINITIONS

**Trailer; Mobile Home** - Any permanent residential structure built off-site shall be included in the trailer or mobile home definition.

A mobile home or trailer may also be a movable or portable building which is constructed on a chassis, and/or which is designed to be towed over Louisiana roads and highways under special permit, designed for year-round occupancy, and designed primarily to be used without a permanent foundation, but which may sit on a permanent foundation, and is designed to be connected to utilities. It may consist of one or more sections that can be telescoped when transported and expanded later for additional capacity, or of two or more sections, separately transportable, but designed to be joined together into one integral unit. Building onto or around a mobile home or building will not change its identification as a mobile home or mobile building.

The following shall not be included in this definition:

Travel trailers, pickup coaches, motor homes, camping trailers or other recreational vehicles.

1. All mobile homes must have a manufacturer approved, vented skirting, completely enclosing the area between the bottom of the mobile home and the natural ground.
2. All mobile homes must conform to the HUD minimum standards for mobile homes and be built no earlier than twelve (12) years from the date of application for a mobile home permit.

Mobile home owners must receive a moving permit before moving a mobile home on or across the streets within city limits of the Town of Amite.

**Trailer/Mobile Home Park or Court** - A site with required improvements and utilities for the long or short-term parking or placement of mobile homes.

### 3.1302 INDIVIDUAL MOBILE HOMES

1. Individual mobile homes or trailers that are not a part of an approved Mobile Home Park may be located in the following zoning districts if one hundred percent of all property owners within 300 feet provide written consent: R-1, R-2, R-3, R-4 and R-5. Written permission from all property owners within 300 feet will not be required if a mobile home was previously placed on the property and then moved off the property within the previous twelve months.

There is a seven-day waiting period from the time of application to the issuance of a mobile home permit. The signatures of all property owners providing written consent must be verified.

2. When located in these districts, mobile homes shall be placed on the lot in the manner prescribed by the district regulations and shall conform to the uses allowed in that district.
3. All trailers/mobile homes to be located or moved within the Town of Amite City shall apply for a moving permit from the City Hall **before** such move takes place. The cost of the moving permit shall be \$50.00. A sketch of the proposed placement of the mobile home on the property shall be attached to the application. The sketch must show lot size and setback of the mobile home on the lot. This moving permit will alert the Town and the Building Official as to the placement of a mobile home and its movement through the town streets.
4. All mobile homes within the corporate limits shall have proper connections to municipal water and sewer systems (when such system is within 300 feet from the property line) before occupancy by the owners or tenants. Proper tie-in at the property line shall be the responsibility of the Town. Water and sewer lines on private property shall be placed at the owner's expense.

Connection to the municipal system shall be on an individual unit basis and not through the use, in whole or in part, of another structure's sewer and water connections.

Failure to properly tie into the municipal water and sewer systems before occupancy of a mobile home shall be illegal under this ordinance and shall result in a \$100 fine to the owners of such unit. In addition to the fine, the owners shall be required to properly tie-in before occupancy can be continued.

4. Mobile homes shall be tied down and staked to the ground as per the building and safety codes.
5. An occupancy permit, allowing occupancy of a unit after all criteria mentioned above have been met, shall be applied for from the Town **before** occupancy of a mobile home.
6. No occupancy permit shall be issued to the owners or tenants of a mobile home until the Town's Building Official has certified that all criteria related to this section, as well as other applicable mobile home provisions, have been met. There shall be no charge for an occupancy permit.

Failure to obtain an occupancy permit before occupancy of a mobile home shall result in a \$50 fine and a restriction of occupancy of the unit.

7. Trailers may not be located on single-family lots, where other dwellings are already located on the same lot, except in R-5 districts.

- 3.1303 TRAILER/MOBILE HOME PARK OR COURT:  
See District R-5, Mobile Home District under Section 3.7 of this book.
- 3.1304 TEMPORARY TRAILERS:
1. Temporary trailers/mobile homes may be used for occupancy within the Town limits for no more than six (6) months and only after application and review by the Building Official.
  2. A temporary trailer permit, obtained from the Town Hall shall cost \$25, and such permit shall be posted in a conspicuous place on the outside body of the trailer.
  3. Temporary trailer permits shall be issued only in conjunction with the applicant's construction of a permanent dwelling unit.
  4. If temporary trailers need to be located in conjunction with a Town public improvement project or in relationship to a commercial or industrial construction project, special exceptions shall be allowed by the Town Building Official and the \$25 fee shall be waived.
  5. Temporary trailers failing to follow the provisions above and/or failing to be relocated by the owner after the allotted six-month period has ended, shall face penalty and/or civil enforcement, brought upon the owner(s) by the Town. Such enforcement may include removal of the illegal trailer from its lot or space by the Town with the costs of such removal chargeable to the property and/or trailer owners.

### SECTION 3.14 TOWN HOUSES, CONDOMINIUMS

3.1401 DEFINITIONS:

For the purposes of this Ordinance, the following terms shall apply:

1. **Town House or Town Home** - A single-family attached dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit (though each town house may be two story) and each unit is separated from any other unit by one or more common fire-resistant walls.
2. **Condominium** - A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

**COMMENT** - By definition, a condominium has areas and facilities, and there is an association of owners organized for the purpose of maintaining, administering and operating the common areas and facilities. It is a legal form of ownership of real estate and not a specific building style.

3.1402 GENERAL PROVISIONS:

1. Town houses may be built in the following districts: R-2 and R-3. Condominiums may be built in the following districts: R-2 and R-3.

2. When built within these districts, the following yard and lot requirements will supersede those of the district in which they are built.
  - a. Where town houses are built in the R-2 Districts, they shall not be located on lots of less than eighty (80) feet wide at the building line.
    - 1) Minimum widths for a portion of the lot or lots on which each town house is to be constructed shall be twenty (20) feet, and minimum side yards on each side of the town house building shall be ten (10) feet each side.
    - 2) Minimum lot area on which a town house group can be built shall be 6,000 square feet, and minimum lot area per living unit shall be 2,000 square feet. This shall apply to the R-2 District only.
    - 3) Minimum rear yard shall be fifteen (15) feet and minimum front yard shall be twenty (20) feet from a public right-of-way. The setback (building line) shall be twenty (20) feet.
    - 4) Building height shall not exceed forty-five (45) feet or 2 ½ stories, whichever is greater.
    - 5) All town house front yards shall be properly landscaped and permanently maintained.
    - 6) Each unit in a town house shall have its own lot yard space, in the back or side yard, of at least 300 square feet, reasonably secluded from view from streets and neighboring property owners. Such space is typically used for storage or for outdoor privacy and shall not be used for parking. This space shall be allowed to extend into the side or rear yards for up to fifty (50) percent of the side or rear yard width (e.g.: if a rear yard is 20 feet wide, the town home yard space may extend 10 feet in that rear yard).  
(See Figure 1, page 30.)
  - b. Parking: All town houses and condominium units shall have two (2) parking spaces per unit plus one (1) visitor space for every two units.
  - c. No more than six (6) contiguous town houses or condominiums shall be built in a row with the same or approximately the same front building line, and not more than ten (10) units shall be contiguous.
  - d. Town houses and condominiums built in District R-3 shall follow the yard and lot requirements outlined below.
    - 1) Minimum widths for the portion of the lot or lots on which each town house is to be constructed shall be 18 feet, and the minimum lot width on which town house or condominium groups can be built shall be sixty (60) feet at the building line.

- 2) Minimum lot area on which a condominium or town house group is built shall be 4,200 square feet, and minimum lot area per living unit shall be 1,400 square feet.
- 3) Minimum front yard setback shall be twenty (20) feet, minimum rear yard shall be 15 feet, and minimum side yards shall be 8 feet each.
- 4) Building height shall not exceed 45 feet or 2 1/2 stories, whichever is greater.

All town homes and condominiums shall be properly landscaped and permanently maintained.

### **SECTION 3.15 SUPPLEMENTAL DISTRICT REGULATIONS**

#### **3.1501 FENCES, WALLS, AND HEDGES:**

1. Visibility of intersections in residential districts: on a lot existing at the intersection of two (2) public streets, thus forming a side yard facing one of the aforementioned streets, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of three (3) to ten (10) feet above the centerline grades of the intersecting streets in the area bounded by a triangle formed when measuring from the corner along the streets a distance of 35 feet on each street.
2. Fences, walls, and hedges: notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard provided that no fence, wall, or hedge along the sides or front edge of any front yard shall be over four (4) feet in height, unless landscape plans are filed for which permission may be granted by the City Council when the neighborhood will be improved by such exception. Height measurement shall be measured vertically from ground level in the adjacent yard. Fences in front and side yards facing streets shall have the finished side facing the street.
3. Solid wood or brick fences of no more than eight (8) feet in height may be erected on those parts of a lot that are as far back or farther back from the street than the required front yard (building setback line).
4. Open wire fences for tennis or badminton courts may be erected to a height of ten (10) feet if such courts are located in side or rear yards.
5. Open wire fences in industrial-zoned districts may be erected to a height of ten (10) feet.
6. Solid fences may be erected up to ten (10) feet in height in commercial districts.
7. Wood fencing material shall be of Grade #3 or better lumber, pressure-treated to .25 Wolmanized or equivalent preservative for above-ground use, and pressure-treated to .40 Wolmanized or equivalent preservative for below-ground use.

8. All structural-type fences shall be indicated and described as part of any building permit application.
9. The property owner(s) will be responsible for maintaining the condition of the fences.

### 3.1502 SIGNS

1. The purpose of these sign regulations is to provide uniform sign standards which promote a positive town image reflecting order, harmony, and pride and which prevent signs from becoming public nuisances. Objectives to be pursued in applying these standards are as follows:
  - a. To protect the residential nature of certain neighborhoods while identifying individual business, industrial, or public uses in other areas without creating confusion, unsightliness, or visual obscurity of adjacent businesses.
  - b. To place signs in a fashion that will not obstruct the flow of traffic or cause a public safety hazard of any sort.
  - c. To assure that off-premise advertising is compatible with adjacent land uses and does not obscure views of adjacent on-premise signs.
  - d. To assure that all signs in terms of size, scale, height, and location are properly related to the overall adjacent land use character and lot size.
2. All signs, where applicable, will meet the standards of the Town Building Code.
3. No sign, sign structure, or sign support shall project onto any property line unless permission is obtained from the property owners involved.
4. An application for a sign permit must be completed and approved before a sign is erected. There will be no charge for a sign permit.

### 3.1503 PROHIBITED SIGNS:

1. Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination, may be confused with traffic control signs or signals, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal, or device.
2. Any sign which emits sound, odor, or visible matter which serve as a distraction to persons within the public right-of-way and, as such, could be a public safety hazard.
3. Signs placed or erected at any intersection, road, right-of-way, or in any manner so as to obstruct clear and free vision with respect to view of traffic or to other signs already in place.
4. Billboards, whether on- or off-premise, except in the C-2 Commercial District and in Industrial Districts.

5. Illuminated signs in residential districts and flashing signs in all districts.
6. Unsafe signs.
7. No person shall park an advertising vehicle or trailer on public right-of-way or in such a manner as to interrupt traffic flow.
8. Billboards on top of one another ("piggyback").

3.1504 ABANDONED, UNSAFE, OR DAMAGED SIGNS:

Political campaign signs are all considered temporary and must be removed within 20 days after an election. These signs are not allowed on public buildings, public parks, utility poles, or on public trees and may at any time be removed from the public property by the City.

1. Political signs may be placed on Amite City rights-of-ways provided before signs are installed prior to an election each candidate which seeks to install signs within Amite's corporate limits will post a \$100.00 bond with the zoning clerk at City Hall. Such bond will be returned to the depositor two weeks after the election, provided the signs are removed by the candidate or his representative.
2. All unsafe signs shall be removed or repaired within ten (10) days from receiving notice from the Administrative Official that such sign is a safety hazard.
3. All abandoned signs and their supports shall be removed within ninety (90) days of abandonment or within ninety (90) days from receiving notice from the Administrative Official, except for political campaign signs, which shall be removed twenty days after an election.
4. All damaged signs shall be removed or repaired within ninety (90) days of receiving notice from the Administrative Official.
5. The Administrative Official may notify the property owner allowing a sign on his/her property or the owner of the sign, if known, for enforcing above.
6. If no remedial action is taken by the responsible parties in the time frame stated above, the Administrative Official may have the signs removed at the expense of the responsible and/or non-complying party involved.

3.1505 SIGNS IN RESIDENTIAL DISTRICTS:

1. There will be no signs in the Residential Districts except for the following:
  - Signs, non-illuminated and non-flashing, relating to a permissible home occupation, and these signs being no larger than two square feet and a maximum of one sign per lot.
  - Public signs relating to traffic, safety, and informal purposes.

- Signs accessory to a permissible commercial establishment, provided that these signs are not flashing.
  - Temporary signs no more than six (6) square feet in area relating to the lease or sale of a premises, garage sale, or election. No more than two (2) such signs per lot.
  - Churches, public and semi-public buildings, hospitals, and institutions may have bulletin boards not more than 16 square feet in area in a front yard. These boards or signs may not be flashing but may be illuminated if light is focused directly on board or if board is dimly lit.
2. The illumination of a sign within 80 feet of and facing a residential zone lot line shall be diffused or indirect and designed to prevent light shining into residential windows; and in no event shall flashing or intermittent illumination be permitted where the sign faces directly into and nearer than 300 feet to dwellings in a residential district.
  3. There shall be no flashing signs in a residential district.

3.1506 BILLBOARDS:

1. Billboards shall be considered any structure or portion thereof upon which are outdoor advertising signs which advertise, promote, or disseminate information not related to the goods, products, or services comprising a primary use on the premises on which the sign is located, being either:
  - a. Poster panels or bulletins normally mounted on a building wall or free-standing structure with advertising copy in the form of pasted paper; or
  - b. Multi-prism signs: same as above, and alternately advertising messages on one display area; or
  - c. Painted bulletins, where the advertiser's message is painted directly on the background of a mounted or free-standing display area.
2. Billboards will be allowed only in commercial and industrial districts if at least 80 feet from any residentially-zoned property line (measured from the end point of billboard closest to residential zone) and if complying with the standards set out below.
3. The maximum area (one side face) of any billboard in the Town of Amite City shall be 300 square feet and shall have a maximum height of 45 feet. Minimum size shall be 70 square feet.
4. All lighting of billboards shall be so shielded as not to produce intensive or excessive light or glare on adjacent property. Light shall be directed only onto the face of the billboard, and no flashing lights will be permitted.
5. Billboards shall be kept in good repair and shall be built in accordance with the Building Code of the Town of Amite City.



6. Billboards shall have a minimum setback equaling the setback of structures on lots contiguous to the lot upon which the billboard is located. When contiguous lots are not developed, the minimum setback for billboards shall be twenty (20) feet from the street line. Greater setbacks shall be honored if billboards face onto interstate or State Highways on which the State has their own requirements.
7. No two billboards shall be spaced less than 500 feet apart on any one side of a street in a permitted district. State regulations shall apply to interstate and controlled access roads.

3.1507 NONCONFORMING SIGNS:

The following signs and/or advertising items shall become nonconforming on the effective date of this ordinance and shall be brought into compliance within six (6) months of the effective date of this ordinance.

- Signs which, by reason of their size, location, movement, or coloring, may be confused with traffic control signs or signals, or the light of any emergency or road equipment vehicle, or which hide from view any traffic or street sign.
  - Signs placed on intersections of roadway right-of-way which interferes with the smooth flow of traffic or causes an obstruction to view of traffic.
  - Flashing signs in all districts.
  - Unsafe or abandoned signs.
- a. When any legal nonconforming sign is changed in relationship to a business changing or use of property changing, any new signs erected must be in compliance with this ordinance and will not be allowed to continue as a nonconforming sign. Abandoned signs shall be removed.
  - b. Temporary signs advertising yard sales, campaigns, elections, etc. shall be removed within twenty (20) days after such sale, election, or campaign is over.
    - If these temporary signs are not removed within 20 days as stated above, the Town, through the Building Official's Office, will remove the signs at the expense of the owner. (Ref. 3.1504 Abandoned, Unsafe, or Damaged Signs.)
    - Special temporary signs such as banners crossing public right-of-way shall receive permission from the City Council before placing such banner.

3.1508 SATELLITE DISKS:

Satellite disk antennas are accessory uses of a lot and thus may not interfere with the required front yards established by this ordinance.

Disks shall be placed in a rear yard in residential districts and in residential uses of property. Rear yards shall be used for disk placement in commercial C-1 zones.

301509 BUFFER ZONES:

Buffer Zones shall be established between potentially conflicting uses and when it appears that a nuisance would be caused by locating a new business or industrial use adjacent to a conforming residential use.

1. The buffer zone shall be established by the party creating the nuisance and such buffer zone property provision shall be included in any transfer of deed when such property is sold or transferred.

Change in the use of such property shall not relieve the owner of the responsibility of maintaining the required buffer zone.

2. Buffer zones shall be maintained and kept clean and shall consist of the following:
  - a. A six (6) foot high solid wooden, brick, or masonry fence plus at least a five (5) foot wide strip of open space (not used for parking or other commercial activities) between the residential and commercial property lines.

Such open space shall have planted on it shrubs or trees that grow to at least eight (8) feet in height, and that shall form a solid barrier when mature.

- b. If no fence is provided, the nuisance-generating property shall provide at least a ten (10) foot wide strip of open space between the property lines. Such space shall be used to grow shrubs or trees that shall grow to at least eight (8) feet in height and that shall form a solid barrier when mature.

3.1510.1 GENERAL PROVISIONS:

1. Every building shall be on a lot, and, except as otherwise permitted, there shall be no more than one primary building on one lot in residential areas.
2. Outdoor lighting shall be placed and shielded so that light is focused downward.
3. All residential and business property having front yard requirements shall keep those areas properly maintained and landscaped.
4. Where property is located along a federal or state highway, yards and building setbacks must at least meet the minimum state or federal requirements, regardless of the lesser provisions of this Ordinance.

3.1511 EXCEPTIONS AND MODIFICATIONS:

Exceptions and modifications to the zoning district requirements, as set out below, shall be observed when interpreting these regulations. However, unless otherwise stated, exceptions and modifications shall be considered variances to this ordinance and must be approved as such.

1. The following exceptions of yards shall be observed:
  - a. On lots fronting onto two non-intersecting streets, front yards shall be provided on both streets.

- b. Sills, cornices, and ornamental features may not project more than three (3) feet into a required yard, except when there is a servitude on the side or rear of a lot, no part of a building shall be built upon or overhang any part of the servitude.
- c. Terraces and decks which do not extend above the level of the ground (first) floor may project into a required yard, provided these projections shall be at least two feet from any lot line.
- d. If side or rear yards are provided where they are not required (e.g.. in some C Districts), they must be at least 30 inches wide.
- e. Notwithstanding other provisions of this Ordinance, no building or structure shall be erected, reconstructed, or structurally altered within 25 feet of the centerline of any street.
- f. On lots occupied by dwellings, not more than 40 percent of the rear yard of the main building may be occupied by accessory use buildings (e.g.. sheds) or garage apartments.
- g. Front yards shall be left open and unobstructed except for plants, landscaping, driveways, and fencing.
- h. Carports and accessory buildings shall not be constructed in side yards and shall not be enclosed without written permission from the Building Official.
- i. In any of the commercial or industrial districts, there may be more than one permitted building on a lot or tract provided that the required yards between buildings shall be provided and maintained.

## **PART 4 - ADMINISTRATION AND ENFORCEMENT**

### **SECTION 4.1 ADMINISTRATION AND ENFORCEMENT**

4.101 An administrative official (building official) designated by the City Council shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Council may direct. If the administrative official shall find that any of the provisions of this ordinance are being violated, he shall notify in writing (by certified mail) the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural change thereto; discontinuance of any illegal work being done; or shall take other action authorized by law to insure compliance with or prevent violation of its provisions.

Violations of the Amite Historic Preservation District ordinance are enforced by the

Amite Historic District Commission as set forth in the Town of Amite Code of Ordinances, Section 12, Chapter 7, Amite Historic Preservation District adopted April 23, 2001.

## **SECTION 4.2 DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD OF ADJUSTMENT, TOWN COUNCIL, AND COURTS OF APPEAL**

In the absence of a Board of Adjustment, the City Council will act on behalf of the Board of Adjustment.

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the administrative official and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the administrative official and that recourse from the decision of the City Council shall be to the courts as provided by law.

### **4.201 ENFORCING OFFICER AND BUILDING PERMIT SECTION:**

For the purpose of administering and enforcing this ordinance, there is hereby created an Office of Permits and Inspections. The chief of this office, who shall be appointed by the Mayor and City Council, shall be charged with the responsibility of administering and enforcing the provisions of this ordinance.

## **SECTION 4.3 PERMITS AND CERTIFICATES**

Building permits required: No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the administrative official. No building permit shall be issued except in conformity with the provisions of this ordinance except after written order from the Board of Adjustment. The lot and location of the building thereon shall be staked out on the ground and approved by the Building Inspector before any construction begins.

### **4.301 APPLICATION FOR BUILDING PERMIT:**

All applications for building permits shall be accompanied by plans in duplicate, drawn to a scale of not less than 1/8 inch to 1 foot, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of the buildings already existing, if any; and, the location and dimensions of the proposed parking, building, or alteration. The application shall include such other information as lawfully may be required by the administrative official including existing or proposed building or alteration; existing rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with and provide for enforcement of this ordinance.

One copy of the plans shall be returned to the applicant by the administrative official after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The second copy of the plans, similarly marked, shall be retained by the administrative official for City Hall records. A flood determination must be secured before issuance of building permit.

4.302 CERTIFICATES OF OCCUPANCY:

Certificates of occupancy for new, altered, or nonconforming uses: It shall be unlawful to install permanent utilities in or to use or occupy or permit the use of occupancy of any part of any building or premises hereafter erected, created, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued therefor by the administrative official stating that the proposed use of this building or land conforms to the requirements of this ordinance, all sewer and water lines have been properly placed and recorded, and all fees paid to the Town of Amite.

A sewer clean-out valve must be properly installed on the property prior to connecting to the municipal sewer system. Each new building shall provide a cut-off valve for water service at the entrance to the building before the building is connected to the municipal water system.

Each new building shall display the municipal street address on the front of the building in numbers at least three inches in height.

No permit for erection, alteration, moving, or repair of any building shall be issued until an application has been made for a certificate of occupancy, and the certificate shall be issued in conformity with the provisions of this ordinance upon completion of the work.

A temporary certificate of occupancy may be issued by the administrative official for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may require such conditions and safeguards as will protect the safety of the occupants and the public.

The administrative official shall maintain a record of all certificates of occupancy, and copies shall be furnished upon request to any person.

Failure to obtain a certificate of occupancy shall be a violation of this ordinance and punishable under Section 4.4, Violations and Penalties.

4.303 EXPIRATION OF BUILDING PERMITS:

If the work described in any building permit has not begun within 90 days from the date of issuance thereof, said permit shall expire and be cancelled by the administrative official and written notice thereof shall be given to the persons affected.

If the work described in any building permit has not been substantially completed within one year of the date of issuance thereof, said permit shall expire and be cancelled by the administrative official and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed.

**SECTION 4.4 VIOLATION AND PENALTIES**

4.401 COMPLAINTS REGARDING VIOLATIONS:

Whenever a violation of this ordinance occurs or is alleged to have occurred, any person(s) may file a complaint. Such complaint stating fully the causes and basis

thereof shall be filed with the administrative official. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this ordinance.

4.402 **PENALTIES FOR VIOLATIONS:**

Violations of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any persons who violate this ordinance or fail to comply with any of its requirements shall, upon conviction thereof, be fined not less than \$100, not more than \$500, or imprisoned for not more than 30 days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Civil remedies may also be pursued and occupants may be evicted from use of a building when such violations have not been remedied.

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

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

## **PART 5 - OFF-STREET PARKING AND LOADING REQUIREMENTS**

### **SECTION 5.1 GENERAL REQUIREMENTS**

Off-street parking facilities for one-family and two-family dwellings shall be located on the same lot or plot of ground as the building to be served. The location of off-street parking facilities for other uses shall not be more than 300 feet distance, provided, however, that the zoning classification for such land is the same or less restrictive than the classification of the lot upon which the main use is located.

Such parking space to be used in conjunction with the principal use shall be reserved as such through an encumbrance of the title of the property to be designated as a required parking space, such encumbrance to be valid for the total period of the use or uses for which the parking is needed are in existence.

Such agreement or covenant shall be duly recorded in the office of the City Clerk and a certificate furnished the Building Inspector. Such parking space shall be surfaced with a minimum of four inches of concrete or similar all-weather surface and such entrances shall be similarly surfaced.

5.101 Parking requirements for two or more uses of the same or different type may be satisfied by the allocation of a common or collective parking facility. Such facility shall not be less than the same requirements for the individual uses computed separately.

5.102 Area reserved for off-street parking or loading in accordance with the provisions of this

section shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified except where equivalent off-street parking or loading space is provided.

- 5.103 For uses not mentioned in this section, the requirements for off-street parking and loading facilities for a similar use specifically mentioned in this section shall apply.
- 5.104 Parking space is an area on a lot sufficient in size to store one vehicle. This space shall not (except as hereafter noted) be less than nine (9) feet in width and twenty (20) feet in length. This parking space (except for single-family dwellings) shall be served by an aisle or maneuvering area not less than 22 feet in depth. In all uses, 30 percent of the required spaces may be sized for compact cars. These spaces shall not be less than 16 feet in length and 8 feet in width. Aisle or maneuvering area shall be the same. The aisle may be 18 feet in depth for one-way traffic.
- 5.105 Unless stated otherwise, square footage requirements include the calculation of total floor area of the building, less garages, carports, and open porches/decks.
- 5.106 Some buildings combine two or more uses (such as restaurants/bars or gas stations/convenience food stores), and it will be the judgement of the building official to determine the proper number of parking spaces based upon the primary use of the building. Conflicts in this determination will be resolved by the Planning and Zoning Commission.
- 5.107 When a use is increased in size or capacity by the addition of floor area, seating, or number of rooms, off-street parking shall be increased accordingly.

## **SECTION 5.2 RESIDENTIAL**

- 5.201 All residential uses shall provide the following minimum off-street parking spaces:
- a. Single family detached - 2 spaces/unit
  - b. Single family attached - 2 spaces/unit plus 1 per every two living units.
  - c. Multi family - 2 spaces per unit, plus 1 space per every 2 living units.
  - d. Dormitories, Sororities, Fraternities and Rooming Houses - 1 space for 1 bed.
  - e. Hotels - 1 space/bedroom plus space per lobby and restaurant as per Section 5.3 below.
  - f. Motels - same as above.
  - g. Trailer courts - 2 spaces per trailer.
  - h. Apartment hotels - 2 spaces per unit plus 1 space per every 2 units.

## SECTION 5.3 COMMERCIAL

5.301 All commercial uses shall provide at least the following off-street parking spaces:

- a. Office buildings and Banks - 1 space/400 square feet G.F.A.
- b. Drive-in Banks - 1 space/300 square feet G.F.A.
- c. Business and Professional other than medical - 1 space/300 square feet G.F.A.
- d. Medical and Dental Offices and Clinics - 1 space/Doctor's Office plus 1.5 space/examining room.
- e. Shopping goods, retail - 1 space/200 square feet G.F.A.
- f. Convenience goods, retail - 1 space/200 square feet G.F.A.
- g. Furniture sales, retail - 1 space/200 square feet of office and display.
- h. Personal services and repair - 1 space/100 square feet.
- i. Restaurants - 1 space/100 square feet (full service)
- j. Drive-ins - 2 space/75 square feet (fast food)
- k. Commercial recreational facilities (other than below) - 1 space/100 square feet G.F.A.
- l. Bowling alleys - 3 spaces/lane
- m. Skating rinks - 1 space/100 square feet of skating area
- n. Driving ranges - 1 space/tee plus 2 spaces
- o. New car sales - 1 space/300 square feet of lot
- p. Used car sales - 1 space/1,500 square feet of lot
- q. Service stations - 4 spaces plus 1 per lube rack
- r. Car washing - 1 space/200 square feet
- s. Theater, cinema - 1 space/2 seats
- t. Lounge or bar - 1 space/25 square feet.



## **SECTION 5.4 -INSTITUTIONAL**

Institutional, public, assembly, transportation. All such uses shall provide the following minimum off-street parking spaces:

- a. Churches - 1 space/3 individual seats or 50 square feet in main assembly room
- b. Auditoriums, theaters - 1 space/4 seats or 34 square feet
- c. Schools: Elementary - 2 spaces/classroom  
Junior High - 4 spaces/classroom  
High School - 8 spaces/classroom
- d. Museums and libraries - 1 space/300 square feet G.F.A.
- e. Hospitals - 1 space/bed
- f. Nursing Homes - 1 space/2 beds
- g. Funeral parlors - 1 space/200 square feet G.F.A.
- h. Stadiums and arenas - 1 space/3 seats
- i. Transportation terminals - 1 space/100 square feet of waiting area
- j. Municipal buildings - 1 space/200 square feet other than fire stations which shall have 1 space/600 square feet
- k. Clubs and lodges - 1 space/200 square feet G.F.A.

## **SECTION 5.5 INDUSTRIAL, WAREHOUSING**

Industrial, manufacturing and warehousing facilities shall present a parking plan and layout to the Planning and Zoning Commission for approval.

## **SECTION 5.6 OFF-STREET LOADING REQUIREMENTS**

- 5.601 Every hospital, institution, hotel, commercial or industrial building or use having a gross floor area in excess of 5,000 square feet of space and requiring the receipt or distribution by vehicle of material and merchandise shall have at least one permanently maintained off-street loading space 14 feet by 60 feet for each 5,000 square feet of gross floor area or fraction thereof and so located as not to hinder the free movement of pedestrians and vehicles over sidewalks, streets, and alleys.
- 5.602 Retail operations, wholesale operations, and industrial operations with a gross floor area of less than 5,000 square feet shall provide sufficient off-street loading space (not necessarily full berth if shared by an adjacent establishment) so as not to hinder the free

movement of pedestrians and vehicles over a sidewalk, street or alley.

- 5.603 All backing and maneuvering for such loading spaces shall be completely on the private property and not on public right-of-way.

## **SECTION 5.7 PARKING FOR EXISTING BUILDINGS AND ADDITIONAL PROVISIONS**

- 5.701 Existing buildings being enlarged must provide appropriate parking spaces as required by the enlargement.
- 5.702 For any off-street parking or loading facility required by this Ordinance, a layout plan showing entrances, drives, and parking stalls shall be submitted to and approved by the Building Official before a building permit is issued.
- 5.703 Parking spaces shall not be laid out in such a way that vehicles must back out of them directly into traffic on collector, arterial, or major streets.
- 5.704 "Piggyback" parking (one space directly behind and blocking another space) shall not be allowed except for single-family housing, town houses, and duplexes.

## **PART 6 - SCHEDULE OF FEES, CHARGES, AND EXPENSES**

### **6.01 FEES FOR ZONING AMENDMENTS**

A fee of one hundred twenty-five (\$125) dollars shall be paid to the Town of Amite City by any applicant applying for a change, variance, or amendment to this Ordinance. The fee of \$125 shall be collected per each zoning amendment requested. If the application involves an area or block amendment, the fee shall be two hundred (\$200) dollars, paid for by the persons requesting the amendment. These fees are non-refundable, regardless of the decision reached by the Planning and Zoning Commission or by the City Council. When applications for amendments are withdrawn (as per Section 5.02) by the applicant, fifty (50%) percent of their fees may be refunded, if withdrawn before the first newspaper notice is filed.

### **6.02 WITHDRAWAL OF APPLICATIONS**

Any application which the applicant wishes to withdraw from either the Planning and Zoning public hearing or the City Council's public hearing, must be requested in writing and submitted to the secretary of the Planning and Zoning Commission at least three (3) days before the applicable public hearing. Any reapplication for this same amendment will not be accepted for consideration by the Planning and Zoning Commission before six (6) months from the date of withdrawal, unless voted otherwise by majority vote of the Commission.

- 6.03 Temporary trailer permits shall be \$25 for each time and each trailer for which such permit is obtained.

- 6.04 Moving permits for homes and trailers moved within the Town shall be \$50 for each structure being moved.

- 6.05 Variance requests shall be accompanied by a fee of \$125.

- 6.06 All fees are to be paid to the Town of Amite City, and all permits are to be processed by the Building Official.

## **PART 7 - NONCONFORMING LOTS; NONCONFORMING USES OF LAND; NONCONFORMING STRUCTURES; AND, NONCONFORMING USES OF STRUCTURES AND PREMISES**

### **SECTION 7.1 INTENT**

Except-where provided otherwise, any building, structure, or use lawfully existing at the time of enactment of this ordinance may be continued as a nonconforming use even though such building, structure, or use does not conform with the provisions of this ordinance for the use district in which it is located. Similarly, whenever a use district shall be changed thereafter, the then existing lawful use may be continued. However, nonconforming uses shall be brought into compliance under the provisions stated below.

### **SECTION 7.2 NONCONFORMING USES**

- 7.201 No building, structure, or premises containing a nonconforming use shall hereafter be extended or expanded unless such extension or alteration shall conform to provisions of the use district in which it is located.
- 7.202 Structural repairs and alterations to a nonconforming building or structure may be permitted to the extent of fifty (50%) percent of its replacement value.
- 7.203 Any nonconforming building or structure which has been damaged to the extent of not exceeding fifty (50%) percent of its replacement valuation by reason of fire, flood, explosion, earthquake, riot, war, or act of God, may be reconstructed and reused as before, if completed within eighteen (18) months from the time such damage occurred. If such damage is greater than fifty (50%) percent of the replacement valuation, such building or structure may only be reconstructed to conform with the provisions of the use district in which it is situated. Percent of insured value shall be used to determine fifty percentile estimate. When not insured, local appraisal shall govern.
- 7.204 No building or structure or premises where a nonconforming use has ceased for reasons other than those stated in Section 7.203 for a period of more than twelve (12) months or has changed to a permitted or conforming use, shall again be used as a nonconforming use.
- 7.205 Any nonconforming sign or billboard which lawfully existed prior to the effective date of this ordinance may be continued for a period of not more than one (1) year except that an identifying nonconforming sign or billboard attached to a nonconforming building or structure may be maintained through the lawful nonconformity of such building or structure.

## **PART 8 - BOARD OF ADJUSTMENT**

### **SECTION 8.1 CREATION OF BOARD**

8.101 Board of Adjustment; membership, powers, and procedures; appeals from decisions.

1. The local legislative body may provide for the appointment of a Board of Adjustment and, in the regulations and restrictions adopted pursuant to the authority of RS 33:4721 through RS 33:4729, may provide that the Board may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules contained therein.

In the absence of a Board of Adjustment, the City Council will serve as the Board of Adjustment.

2. The Board of Adjustment shall consist of five (5) members and may include two (2) alternate members, all of whom shall be landowners and qualified voters. The membership of the first board shall serve respectively, one for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter members shall be appointed for terms of five years each.
3. Of the two alternate members first appointed, one alternate member shall be appointed for a term of three years and the other for a term of two years. Thereafter, each alternate member shall be appointed for a term of three years. Alternate members shall serve only when called upon to form a quorum and when so serving shall have all the powers and duties of regular members.
4. All members shall be removable for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The board shall elect its own chairman, who shall serve for one (1) year.
5. The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to RS 33:4721 through RS 33:4729; however, any rules adopted by a Board of Adjustment, zoning administrator, or other official or official body appointed by the governing authority shall not be effective until approved in writing by the governing authority.
6. The City Council shall be responsible for the duties and functions of the Board of Adjustment until such time as a separate Board is appointed by the governing authority.

### **SECTION 8.2 POWERS OF THE BOARD**

8.201 The Board shall hear and decide upon:

1. Appeals from alleged error in the Building Inspector's decision; or an appeal from

the Building Inspector (administrative official).

2. Interpretation of the provisions of this ordinance and of the district boundaries.
3. Appeals for variances where exceptional and peculiar hardship would be caused by enforcement of the regulations in this ordinance and where such variance would not substantially deviate from the intent of this ordinance. Hardships cannot be self-created.

8.202 The Board shall not be authorized to grant variances (except for Section 2.208) in the use of land or to take any other action the result of which would constitute a change in the district boundaries. The Board shall always act with due consideration to promote the public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values; shall permit no building or use detrimental to a neighborhood and may prescribe appropriate conditions and safeguards in each case. Such appropriate conditions and safeguards may include, among other things, provisions for the screening of parking areas by walls, fences, and plantings, and other such measures. Notification of adjacent property owners shall be required when a variance request is to be heard by the Board.

8.203 The Board shall have the power and authority to appoint a secretary who shall not necessarily be a member of the Board, in which event the salary of such secretary shall be fixed by the Board. It shall be the duty of the secretary to keep a true and correct record of all proceedings at such meetings, both general and special of said Board, in a book or books to be kept especially for that purpose. Certified copies of such proceedings shall be furnished to the chairman of the Planning and Zoning Commission.

### SECTION 8.3 FEE FOR VARIANCE

8.301 A fee of \$125 shall be paid to the Town at the time a variance is requested.

### SECTION 8.4 SALARIES

8.401 The Board shall fix the salary of its secretary and of such other employees as are necessary to perform its functions. The salary, fees, and other expenses of the Board shall not exceed the amounts appropriated for its use by the governing body.

### SECTION 8.5 APPEALS TO AND FROM THE BOARD OF ADJUSTMENTS

8.501 Any person or persons or any board, taxpayer, department, or bureau aggrieved by any decision of the Board of Adjustments may seek review by a court of record of such decision in the manner provided by the laws of the State of Louisiana.

8.502 Appeals to the Board shall be stated in writing and submitted at least three (3) days prior to the Board meeting. The appeal shall include the name and address(es) of the

affected parties, proof of property ownership, and the nature of the appeal. The Building Official shall be notified of any appeal and shall attend the Board meeting at which the appeal is scheduled. The appeal may be decided by the Board at that same meeting or within a reasonable time.

- 8.503 There shall be only one appeal (on the same matter) to the Board. Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any ordinance, or to effect any variation in the ordinance.

## **PART 9 - AMENDMENTS, PETITION AND REVIEW, ZONING COMMISSION, CITY COUNCIL ACTION**

### **SECTION 9.1 AMENDMENTS**

The City Council of Amite City may amend this Ordinance, or revoke it in its entirety, upon its own motion or upon recommendation from the Planning and Zoning Commission. Such amendments shall not become effective until a report has been received from the Planning and Zoning Commission, official public notice has been advertised, and a favorable vote of a majority of the Council has been received.

#### **9.101 PUBLIC HEARINGS/NOTICE REQUIRED**

1. The Planning and Zoning Commission shall hold a public hearing. Notice of the date, time and place of such hearing must be published at least three (3) times in the official journal of the municipality and at least fifteen (15) days shall elapse between the first publication and the date of the hearing.

All property owners shall be notified of such hearing by certified mail, if such owners have property adjacent to the property being considered for rezoning, at least ten (10) days prior to the hearing. When more than ten parcels are to be zoned or rezoned, the advertisement in the official journal shall be considered adequate notice to property owners.

2. The City Council shall hold a public hearing upon any request for an amendment to this ordinance. Notice of the proposed change and the time, date, and place of the hearing shall be published once a week for three (3) different weeks in the official paper of the Town. At least fifteen (15) days shall elapse between the first publication and the date of the hearing.

The City Council shall not act until it has received a final report from the Zoning Commission.

- 9.102 Any amendment that has failed to receive approval of the Planning and Zoning Commission shall not be passed by the City Council except by the affirmative vote of 2/3 of the legislative body (Council).

- 9.103 A printed notice in bold type shall be posted at the site of the property subject to rezoning, for not less than ten (10) consecutive days prior to the Planning and Zoning Commission hearing. Signs shall not be less than 1 1/2 square feet in area. Such signs shall be made to resist discoloration and bending due to wetness and shall be prepared and placed by the Building Official or Zoning Administrator in a conspicuous place on the property proposed for rezoning.

Signs shall be placed on each street adjoining the area proposed for rezoning. Though the sign is placed by a Town representative, the applicant is responsible for insuring that the sign stays posted for the time required and shall report to the Town if the sign(s) has (have) been removed from the property. Such signs shall give the time, place, date, and purpose of the public hearing for rezoning.

9.104 APPEALS

Appeals to the Planning and Zoning Commission and to the City Council concerning their decision will not be accepted by these Boards but must be forwarded to the courts for judicial review by the aggrieved party.

Any citizen may petition for a change, rezoning, or amendment to be heard by the Planning and Zoning Commission and City Council, provided that it has been one (1) year since the same, or substantially the same, amendment was voted upon by the Town Council.

9.105 PROTEST PETITIONS

Protest petitions may be presented by property owners opposing a proposed rezoning if such petition is presented to the Planning and Zoning Commission or City Council at least five (5) days in advance of the public meeting at which the rezoning is to be heard.

If such protest petition is signed and acknowledged by the owners of twenty (20%) percent or more, either of the areas of land (exclusive of streets and alleys) included in the proposed change or within an area determined by lines drawn parallel to and 200 feet distant from the boundaries of the district proposed to be changed, then the proposed change (rezoning) can only be approved by a 2/3 majority vote of the City Council (R.S. 33:4725).

- 9.106 The Planning and Zoning Commission shall make their decision on any proposed amendment to the Zoning Ordinance and/or Zoning Map within sixty (60) days from the date such amendment is first heard at a public meeting. If a decision is not made within sixty (60) days, then the amendment will be considered approved for recommendation to the Council.

The City Council shall decide likewise within sixty (60) days from introduction of an ordinance in correct form.

9.107 WITHDRAWAL OF APPLICATION/REFUNDS

See Section 6.02.

## **PART 10 - PROVISIONS FOR ANNEXATION**

- 10.100 Parties requesting annexation by the Town of Amite City, including annexation requests by the Town of Amite City itself, must submit the following information to the Planning and Zoning Commission:
- a map of the area to be annexed showing the streets included, the boundaries, and the property owners involved.
  - petition signed by at least fifty-one (51%) percent of the resident property owners within the area to be annexed. (Additional provisions of State law shall be followed if applicable.)
  - request for zoning classification of the proposed area to be annexed.
- 10.200 Annexation requests will first be reviewed by the Planning and Zoning Commission, which will review the merits of the request and the proper zoning classification needed in the proposed area.
- If no zoning classification is recommended by the Planning and Zoning Commission for the proposed annexation area, newly annexed property will be brought in the Town with an A-2 zoning classification.
- 10.300 The Planning and Zoning Commission will recommend to the City Council whether the Town should annex the proposed area. Such report and recommendation to the City Council shall take no more than 120 days from the date on which the completed annexation request was made to the Planning and Zoning Commission.
- 10.400 All uses, yards, and lots in the newly annexed area that do not meet the requirements of this Ordinance will be considered nonconforming and may continue to exist.

## **PART 11 - SEPARABILITY AND REPEAL OF CONFLICTING ORDINANCES**

### **11.01 VALIDITY**

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

### **11.02 REPEAL OF CONFLICTING ORDINANCES; MORE RESTRICTIVE PROVISIONS**

It shall be understood that where similar provisions are covered in any or all of the following - Building Code, Fire Code, Health Code, or Subdivision Regulations - the more restrictive provision shall prevail unless agreed upon otherwise by the Amite City Council.

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed in whole or in part.



## **PART 12 - DEFINITIONS**

1. **ACCESSORY BUILDING AND USE** - Subordinate building or a portion of the main building, the use of which is incidental to that of the main building. An accessory use is one which is incidental to the primary use of the premises.
2. **ADJACENT** - Shall mean 'next to' and shall mean 'directly across the street'.
3. **ADJOINING LOT OR PARCEL OF LAND** - A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land.
4. **ADVERTISING SIGNS** - Pertaining only to the lease, sale, or use of a lot or building on which placed and not exceeding a total area of twelve square feet; provided that, on a lot occupied by a dwelling, the total area of all signs shall not be more than two (2) square feet for each dwelling unit. All other signs are prohibited in residential areas.
5. **ADMINISTRATIVE OFFICER** - The governmental officer charged with administering land development regulations.
6. **AGRICULTURE** - A farm of ten (10) acres or more for the production of crops and livestock including greenhouse and nurseries for the raising of plants and sale of farm products raised on the premises but shall not be construed to mean the commercial processing of farm products such as slaughterhouses, canning plants, feed mills, etc.
7. **AMENDMENT** - An amendment refers to a change in this Zoning Ordinance. Rezoning are amendments, since they change the official zoning map which is part of the ordinance.
8. **APARTMENT UNIT** - One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing more than two dwelling units for rent.
9. **BOARD** - The Board of Adjustments.
10. **BOARDING HOME** - A profit or nonprofit boarding home, rest home, or other home for the sheltered care of adult persons which, in addition to providing food and shelter to four or more persons unrelated to the proprietor. Also provides any personal care or service beyond food, shelter, and laundry.
11. **BOARDING HOUSE** - A dwelling or part thereof, in which lodging is provided by the owner or operator to more than three (3) boarders.
12. **BUFFER ZONE** - An area between two conflicting uses placed so as to reduce noise, glare, or unsightliness. Required between commercial and residential uses.
13. **BUILDING** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.

14. **BUILDING LINE** - A line parallel to the street at a distance therefrom equal to the depth of the front yard required for the zoning district in which the lot is located.
15. **CERTIFICATE OF OCCUPANCY (OCCUPANCY PERMIT)** - A document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable municipal codes and ordinances.
16. **COMMISSION** - The Planning and Zoning Commission of the Town of Amite City.
17. **CONDOMINIUM** - A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional basis.

COMMENT: By definition, a condominium has common areas and facilities, and there is an association of owners organized for the purpose of maintaining, administering and operating the common areas and facilities. It is a legal form of ownership of real estate and not a specific building style. The purchaser has title to his or her interior space in the building and an undivided interest in parts of the interior, the exterior, and other common elements. The property is identified in a master deed and recorded on a plat with the local jurisdiction. The common elements usually include the land underneath and surrounding the building, certain improvements on the land, and such items as plumbing, wiring, and major utility systems, the interior areas between walls, the public interior spaces, exterior walls, streets, and recreational facilities.

18. **CONTIGUOUS** - Shall mean 'touching' or 'in contact'.
19. **CORNER LOT SIDE DEPTH** - A lot existing at the intersection of two public streets, thus forming a side yard facing one of the aforementioned street. Excepting R-1 and R-2 Districts, on corner lots in all other districts, nothing shall be erected, placed, or planted or allowed to grow in such a manner to materially impede vision between a height of three (3) to ten (10) feet above the centerline grades of the intersecting streets in the area bounded by a triangle formed when measuring along the right-of-way lines extending 35 feet from their intersection and connecting the lines.
20. **COUNCIL** - Town of Amite City Council.
21. **DISTRICT** - A part, zone or geographic area within the municipality within which certain zoning or development regulations apply.
22. **DWELLING** - A building used entirely for residential purposes. A single-family dwelling is a building that contains only one living unit; a two-family dwelling is a building that contains only two living units (duplex); and a multiple dwelling is any building that contains more than two living units.
23. **DWELLING, ATTACHED** - A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

24. DWELLING, PATIO HOME - A one-family dwelling on a separate lot with open space setbacks on three sides and with a courtyard.

COMMENT: Patio homes may be attached to similar houses on adjacent lots and still meet this definition. Also known as zero lot line homes.

25. DWELLING, TOWN HOUSE - A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

COMMENT: Town houses usually have separate utilities such as individual hot water and heating systems, separate electric meters, etc. However, in some condominium situations, the condominium association may arrange for bulk purchase of certain utilities and distribute them to individual dwelling units. Consequently, the definition normally would not contain a requirement for separate utility systems.

26. EASEMENT - A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

COMMENT: Where property owners are reluctant to donate land for road widening purposes, an easement may be an acceptable alternative. It keeps title with the property owners, but permits the road to be widened.

27. EXTENSION - An increase in the amount of existing floor area within an existing building.

28. FAMILY - One or more persons occupying a living unit as an individual housekeeping organization as distinguished from a group occupying a boarding house, lodging house, or hotel.

29. FAST FOOD RESTAURANT - An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises.

COMMENT: The distinction between the fast food restaurant and other types of restaurants is rapidly becoming blurred. The major objection to fast food restaurants came from the adverse impacts including high traffic, glare, garish design, litter, and noise. Often they became hangouts. With stringent performance standards, these problems can be controlled, and there appears to be little reason to differentiate between fast food and other types of restaurants.

30. FENCE - An artificially constructed barrier erected to enclose or screen areas of land. Fences shall be built of materials commercially available and commonly used for fencing.

31. FLOODPLAIN - The channel and the relatively flat area adjoining the channel of a natural stream or river which has been or may be covered by floodwater.

32. FLOOR AREA - The floor space (expressed in square feet) within the outside line of walls and includes the total of all space on all floors of a building, but does not include garages, carports, porches or space in a basement, attic, or cellar.
33. FRONT YARD - An unobstructed area from one side lot line to the other side lot line and between the setback line and front lot line. Fences and driveways may be in a front yard.
34. GARAGE APARTMENT - A living unit for not more than one family that is accessory to the main building on the lot. The garage apartment may be erected above a garage if the garage is a separate and accessory building or may be located in an attached garage that is considered accessory to the main building.
35. GENERAL TERMS - The word 'person' includes a firm, association, organization, partnership, trust, company, or corporation as well as individual. The present tense includes the future. The singular includes the plural and plural, the singular. The word 'shall' is mandatory; the word 'may' is permissive. The words 'used' or 'occupied' include the word 'intend', 'designed', or 'arranged' to be used or occupied.
36. HEIGHT - The vertical distance of a structure measured from the average elevation of the finished grade within twenty (20) feet of the structure to the highest point of the structure.
37. HOME OCCUPATION - An accessory use actively carried on only by a resident member of the family occupying the dwelling from which the activity is carried out. Home occupations should not generate nuisances or traffic. No bus or truck other than a pickup or van will be kept on the premises of the dwelling being used for business. Home occupations are further defined by the following conditions:
  - a) Only one non-illuminated sign no larger than two (2) square feet in area shall be used on the premises.
  - b) Nothing shall be done to make the building appear in any way as anything other than a dwelling.
  - c) No business such as a retail store shall be conducted upon the premises.
  - d) No one shall be employed from outside of the resident family.
  - e) Mechanical equipment used shall be only that normally used in, or found in, a single-family dwelling.
38. HOTEL OR MOTEL - A facility with separate bedroom units for temporary use and not including living units.
39. INSTITUTION - A nonprofit establishment for public use or public benefit.
40. JUNK YARD - Refers to outdoor premises that are used to collect and store used, broken, or salvageable items of various sorts. Includes automobile yard. Shall be screened from public view.

41. LIVING UNIT - The rooms occupied by a family. The living unit must include a kitchen.
42. LODGING HOUSE - A dwelling consisting of not more than one living unit occupied by not more than twenty (20) persons not related by blood, marriage, or adoption. This term includes rooming house, tourist home, and nursing home.
43. LOT - A parcel of land occupied or intended for lawful occupancy by a use permitted in this ordinance including permitted building, the yard area, and parking spaces required.
44. LOT, CORNER - A lot abutting upon two or more streets at their intersection.
45. LOT DEPTH - The distance between front and rear lot lines. If two opposite sides of said lot are not parallel, the depth shall be deemed to be the mean distance between the front and rear lines.
46. LOT DEPTH, CORNER - See CORNER LOT SIDE DEPTH.
47. LOT INTERIOR - A lot which is not a corner lot.
48. LOT LINE, FRONT - The lot line separating a lot from a street right-of-way.
49. LOT LINE, REAR - The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
50. LOT LINE, SIDE - Any lot line other than a front or rear lot line.
51. LOT OF RECORD - A lot which is either a part of a subdivision, the map of which has been recorded, or a parcel of land which is legally established and defined by deed or act of sale.
52. LOT, WIDTH - Width of a lot at the front yard line. Buildable width is the width of lot left to be built upon after the side yards are provided.
53. MAIN BUILDING - The building occupied by the primary use on the lot.
54. MANEUVERING SPACE - The unobstructed area needed for a truck to back, in a single movement, directly from the street into a loading space, the depth of which is measured perpendicular to and from the front of the loading space to the curb side of the most remote lane in the access street.
55. MASTER PLAN OR COMPREHENSIVE PLAN - A comprehensive long-range plan intended to guide the growth and development of a community or region and one that includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.
56. MOBILE HOME - Any permanent residential structure built off-site. A mobile home or trailer may also be a movable or portable building which is constructed on a chassis, and/or which is designed to be towed over Louisiana roads and highways under special permit, designed for year-round occupancy, and designed primarily to be used without a permanent

foundation, but which may sit on a permanent foundation, and is designed to be connected to utilities.

57. MULTI-FAMILY DWELLING OR MULTIPLE DWELLING - Refers to a dwelling in which there is more than two living units and more than two families. A multi-family dwelling house, or apartment house, is a house that has been subdivided into more than two living units, and a multi-family apartment is an apartment in an apartment building with more than two living units. An apartment hotel, therefore, is a multi-family apartment complex but not a multi-family dwelling.
58. NONCONFORMING LOT - A lot, the area, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.
59. NONCONFORMING USE - A use or activity which was lawful prior to the adoption, revision, or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district.
60. NUISANCE - Causing harm, injury, distaste, or annoyance.
61. OFF-STREET PARKING SPACE - A temporary storage area for a motor vehicle that is directly accessible to an access aisle and which is not located on a dedicated street right-of-way.
62. PERMITTED USE - Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.
63. PERSON - A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof.
64. PLANNED DISTRICT OR PUD - A planned district is a form of development usually characterized by a unified site design and by a mixing of different types of dwellings and uses. It permits the planning of a project and the calculation of densities over the entire development rather than on a lot-by-lot basis. PUD's are not illegal in this ordinance but will be reviewed on a case-by-case basis by the Planning and Zoning Commission.
65. PLANNING COMMISSION OR COMMISSION - The Planning Commission of the Town of Amite City which also acts as the Zoning Commission.
66. PLAT - (1) a map representing a tract of land, showing the boundaries and location of individual properties and streets; (2) a map of a subdivision or site plan.
67. REAR YARD - A space extending across the full width of the lot between the principal building and the rear lot line, and measured perpendicular to the building to the closest point of the rear lot line. Such rear yard is unoccupied and unobstructed from the ground upward except as may be permitted elsewhere in the ordinance.

68. RESTAURANT - An establishment where food and drink are prepared, served, and consumed primarily within the principal building.
69. RETAIL TRADE - Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
70. RIGHT-OF-WAY - A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and occupied or intended to be occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.
71. ROOMING UNIT - Any habitable room or group of rooms forming a single habitable unit, used or intended to be used for living and sleeping, but not for cooking or eating.
72. ROW HOUSING - Two or more living units with common or party walls between units, designed so that each unit may be sold independently as a lot with its own yards and parking spaces.
73. SCHOOL, ELEMENTARY - Any school licensed by the state and which meets the state requirements for elementary education.
74. SCHOOL, SECONDARY (INCLUDES HIGH SCHOOL) - Any school licensed by the state and which is authorized to award diplomas for secondary education.
75. SETBACK - The minimum distance away from a property line where buildings may be constructed, usually a line parallel to the front property line.
76. SHOPPING CENTER - A group of establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations, and protection from the elements.
77. SIDE YARD - The area from the front property line to the rear property line, and from the setback line to the side lot line.
78. SIGN - Any outdoor advertising or notification of information that is a structure in itself or that is attached to or painted upon a building or that is leaned against a structure or displayed on a premise (includes indoor signs seen on outside).
79. SINGLE-FAMILY DWELLING - A building containing one dwelling unit and only one housekeeping unit.
80. SPOT ZONING - Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive zoning plan.
81. STREET - Property dedicated for and accepted for primary public access to lots. Includes the roadway and its right-of-way.

82. **TEMPORARY STRUCTURE** - A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.
83. **TEMPORARY USE** - A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.
84. **TOWN** - The Town of Amite City.
85. **TRAILER** - Any permanent residential structure built off-site. A mobile home or trailer may also be a movable or portable building which is constructed on a chassis, and/or which is designed to be towed over Louisiana roads and highways under special permit, designed for year-round occupancy, and designed primarily to be used without a permanent foundation, but which may sit on a permanent foundation, and is designed to be connected to utilities.
86. **VARIANCE** - Permission to depart from the literal requirements of a zoning ordinance.
87. **YARD** - A required open space unoccupied and unobstructed by any structure or portion of a structure from six (6) inches above the general ground level of the graded lot upward, provided, however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein. (See front, rear, and side yard definitions.)
88. **ZERO LOT LINE** - The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.
89. **ZONE** - A specifically delineated area or district in a municipality within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.
90. **ZONING MAP** - The map or maps which are a part of the zoning ordinance and delineate the boundaries of zone districts.



**Exhibit A**  
**PETITION FOR ZONING AMENDMENT**

Date of Petition: \_\_\_\_\_

I. PETITIONERS: (Please Type or Print)

NAME	ADDRESS
------	---------

The above listed land owners of record hereby petition the Zoning Commission and City Council for an amendment in the zoning ordinance. The requested amendment is:

(a) A change in the zoning text.....\_\_\_\_\_

(b) A change in the zoning classification of land.....\_\_\_\_\_

The above listed persons are owners of record of at least 50 percent of the land area for which a change in zoning classification is requested.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

II. DESCRIPTION OF CHANGE REQUESTED:

FROM: \_\_\_\_\_ TO: \_\_\_\_\_

(Attached complete legal description)

III. Maps of Area Provided:

(If requested change involves a change in zoning classification, maps identifying boundaries of land area involved must be submitted along with application.)

Attached are three copies of map - prepared to scale and signed by a licensed engineer or licensed land surveyor showing streets, road, lot lines, and identifying the land owned by the petitioners for which a change in zoning classification is requested. (Show on map, distance from each corner of property to be rezoned to nearest street, or nearest building (identify building.)

IV. REASON FOR REQUESTING CHANGE:

(Describe the reason or reasons for the request, providing any information considered necessary to support the request.)

IV. Person to Contact Concerning Petition:

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

VI. Acreage of Area for Which Change is Requested: (if map change)

The acreage of the parcel of land tract proposed for reclassification is \_\_\_\_\_ acres.

**FOR ADMINISTRATIVE USE ONLY**

1. Reviewed and found to be correct and complete \_\_\_\_\_  
(DATE) (INITIALS)
2. Fee Collected \_\_\_\_\_  
(AMOUNT) (DATE) (INITIALS)
2. Zoning docket number assigned \_\_\_\_\_
3. Date of Public Hearing \_\_\_\_\_
4. Dates of Publication of Notice for Public Hearing \_\_\_\_\_
5. Disposition by Zoning Commission \_\_\_\_\_
6. Date Referred to Board of Aldermen \_\_\_\_\_
7. Date of Public Hearing by Board \_\_\_\_\_
8. Dates of Publication of Notice for Hearing \_\_\_\_\_
9. Disposition by Board of Aldermen \_\_\_\_\_
10. Date of Publication of Ordinance \_\_\_\_\_
11. Date Filed with Clerk of Court \_\_\_\_\_
12. Date Map Amended to Reflect Change \_\_\_\_\_

**BY-LAWS  
OF  
TOWN OF AMITE CITY PLANNING & ZONING COMMISSION**

**ARTICLE I  
(NAME AND PURPOSE)**

Section 1: Name - TOWN OF AMITE CITY PLANNING AND ZONING COMMISSION

Section 2: Purpose - The Planning and Zoning Commission (hereafter referred to as the "Commission") shall direct and be responsible for the preparation and administration of the master plan of the Town of Amite for the zoning plan, subdivision regulations; renewal and redevelopment plans; and shall make recommendations on the capital budget and program.

**ARTICLE II  
(MEMBERSHIP)**

Section 1: The membership of the Commission shall consist of 7 citizens of the town duly appointed by the Mayor as provided for in the Louisiana Statutes, R.S. 33:4721 through R.S. 33:4729.

**ARTICLE III  
(OFFICERS)**

Section 1: The officers of the Commission shall be Chairman, Vice-Chairman, and Secretary.

Section 2: The term of officers shall be one (1) year; elected by majority of membership. The election will take place at the regular meeting in January. The newly elected officers will take office the regular meeting in February.

**ARTICLE IV  
(MEETINGS)**

Section 1: Meetings will be held at the Town Hall on the third Tuesday of each month at 8:30 A.M.

Section 2: Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting when requested to do so in writing by a majority of the members of the Commission. The notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by unanimous consent of the Commission. The Secretary shall notify all members of the Commission in writing not less than five (5) days in advance of any special meeting. Five days notice of special meetings may be waived by unanimous consent

of the Commission in writing.

- Section 3: A quorum of duly appointed members required to be in attendance in order to conduct business at any Commission meeting, or a special meeting shall be a majority of the members. Unfilled vacancies shall not be counted in determining the number required for a quorum.
- Section 4: A duly appointed member of the Commission who misses three (3) consecutive regularly scheduled meetings shall be recommended to the Mayor by the Chairman, for removal from the Commission.
- Section 5: Conduct of Meetings. The Chairman shall preside at all meetings, or in his absence or disability, the Vice-Chairman. In the absence of both, an attending member shall be elected by a majority of the members present to serve as Presiding Officer.
- Section 6: Recording of Minutes. The Secretary shall be responsible for proper recording of the proceedings before the Commission and accurate maintenance of the minutes thereof. Further, the Secretary shall see that any necessary report of action taken by the Commission is reported to the Mayor.

**ARTICLE V**  
**(ORDER OF BUSINESS)**

- Section 1: The Commission shall be governed in its business by Roberts Rules of Order (latest revision).
- Section 2: In all meetings, the order of business shall be:
- a. Call to order by Presiding Officer.
  - b. Roll Call.
  - c. Consideration of minutes of previous meeting.
  - d. Reports from consultant, staff or other executives on planning matters.
  - e. Old business.
  - f. New business.
  - g. Citizen participation.
  - h. Adjournment.

**ARTICLE VI**  
**(GENERAL RULES)**

Section 1: Any Commission member who is affected either by profit or loss by any decision on any Town of Amite Planning and Zoning Commission matter or co-related matter shall abstain from participation in the discussion and/or the vote on the proposal under consideration and should absent himself from the discussion.