
Section VII. Supplemental use and performance regulations.

1. The following uses are subject to the regulations set forth herein:

Accessory buildings.

- a. Residential accessory buildings are allowed only in the side and rear yards.
- b. An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.
- c. Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).
- d. The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.

Accessory dwelling units.

- a. *Purpose.* To offer a wider range of housing options within residential zoning districts.
- b. *Design and development standards for all accessory dwelling units (ADU).*
 - i. There shall be no more than one (1) ADU permitted per lot.
 - ii. No ADU will be permitted without a primary building.
 - iii. An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure.
 - iv. There shall not be more than one (1) bedroom in an ADU.
 - v. An ADU shall use the electrical service of the primary structure.
 - vi. The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.
 - vii. Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.
 - viii. Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.
 - ix. The floor area of the ADU is limited to fifty (50) percent of the floor area of the primary dwelling unit, not to exceed one thousand two hundred (1,200) square feet.
 - x. ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district.

Bars, dancehalls, nightclubs, taverns.

- a. A Class A liquor license is required through the St. Charles Parish Sheriff's Office.

Cemeteries and mausoleums.

- a. **In O-L zoning districts**
 - i. **Shall have a minimum street frontage of one hundred (100) feet.**

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- ii. Shall have a fence or screen planting six (6) feet high along all property lines adjoining all districts.
 - b. In the C-2 and C-3 zoning districts
 - i. Shall have a minimum street frontage of one hundred (100) feet.
 - ii. Shall consist of at least twenty (20) acres.
 - iii. All graves shall be set back at least fifty (50) feet from all property lines.
 - iv. Shall have a fence or screen planting six (6) feet high along all property lines adjoining all districts.

Contractor's shops

- a. ***Applicability.*** The following applies to contractor's shops permitted as Special Permit Uses in the C-2, General Commercial District.
- b. ***Design and development standards for contractor's offices and shops.***
 - i. Business activities must be conducted within fully enclosed buildings.
 - ii. Building facades facing a public right-of-way must include variations in materials, color, transparency, and architectural features.
 - iii. Use of roll-up doors must be prioritized along the sides and rear of a building.
 - iv. Operations must not be noxious or offensive by reason of emission of smoke, dust, gas, fumes, odor, noise, light, glare, or vibration perceptible beyond the confines of the building.
 - v. Outdoor storage is prohibited.

Garden Home Developments.

General. In order to encourage superior residential developments through a flexible planning process, Garden Home Developments may be permitted in the R-1A, R-1A(M), and R-1B zoning districts as a Special Permit Use after an approval by the Planning Commission and a supporting resolution from the Parish Council. The proposed development should present a superior design that would not be possible under conventional zoning and is in accordance with the goals and policies of the comprehensive plan. The minimum size required for a Garden Home Development shall be three (3) acres.

1. Submission Requirements. The following items shall be included with all applications for Garden Home Developments.
 - a. ***Design requirements.***
 - i. Common open space. Common open space shall be provided in all Garden Home Development design proposals. At least one-half of the minimum required open space land must be free of delineated wetland areas in order to be readily accessible and usable for active and passive recreation. Significant natural features shall be incorporated into common open space whenever possible.
 - ii. The common open space shall be designed as a contiguous area if possible and shall be interspersed with residential areas so as to provide pedestrian access.
 - iii. The area set aside and preserved for open space shall aggregate no less than 25 percent of the total site area.

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- iv. Draft covenant restrictions detailing the perpetual maintenance of common open space must be submitted. Proof of recordation of these restrictions must be submitted to the Department of Planning and Zoning along with the recordation of a Final Plat.

Sketch Plan and Pattern Book Approval. The following additional items shall be reflected on or shall accompany the special use plan application:

b. *Sketch Plan Requirements*

- i. A development phasing plan if proposed, which clearly defines the boundaries of each phase of the development and indicates the number of dwelling units to be constructed in each phase. Each phase shall be assigned a number which represents that phase's order in the construction sequence of the development.
- ii. Special emphasis will be directed to flood control prevention plans. Proposed drainage patterns must be shown on the Sketch Plan.
- iii. A general erosion and sediment control plan and program.
- iv. All covenants running with the land governing the reservation and maintenance of dedicated or undedicated open space land.
- v. Restrictions of all types which will run with the land and become covenants for this development.
- vi. Accurate dimensions of common open space areas specifically indicating those areas to be developed for active recreation. Where common space areas are to be developed, the exact location of the structures in common open space will be illustrated. A detailed timeline for installation of open space amenities must be included for consideration.
- vii. Locations and dimensions of parking areas and pedestrian walkways.

c. *Pattern Book Requirements*

- i. Architectural renderings illustrating exterior elevations of typical dwelling units.
- ii. Statements and illustrations of the materials to be used in construction and their compatibility with surrounding neighborhoods and other codes relating to construction.
- iii. Total acreage of development, land uses in each area, total number of dwelling units, average gross residential density, average lot area and lot width by unit type, and gross residential density in each section.

2. *Design standards.* The design standards and dimensional requirements shall be in accordance with Section VI of the Zoning Ordinance except that the Planning Commission may alter or waive any of these requirements where the developer can demonstrate that such action is desirable and consistent with the objectives of this section and the comprehensive plan.

3. *Review process.* Garden Home Developments shall be subject to the following review and approval process.

- a. The developer shall submit a Special Permit Use Application to the Parish Planning Commission and present a sketch plan, a pattern book of housing types, and a statement documenting the project's compliance with the goals of the comprehensive plan for review.
 - i. The sketch plan shall show proposed lots, the layout of streets, open space, and any requests to vary the dimensional requirements related to lot size or buildable area.
 - ii. The pattern book should detail the general form, bulk, mass, and facade materials of proposed housing as well as examples of unit types.

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- iii. The Parish Planning Commission shall approve the Special Permit Use if they find that the proposed project is of a design and type that would not be possible under the existing zoning and furthers the goals and policies of the comprehensive plan through its neighborhood design. The Planning Commission may impose conditions on its approval.
 - b. If approved, the Special Permit Use, sketch plan, pattern book, and developer's statement shall be reviewed by the Parish Council. The Parish Council may issue a supporting resolution of the Planning Commission approval, deny the supporting resolution, or refer the application back to the Planning Commission noting any deficiencies to be addressed before the application is reconsidered.
 - c. If the Special Use Permit is approved, the supporting materials become the approved development standards for the project and supersede the zoning requirements of the underlying zoning as specified in the approval. Building and site development plans must conform to the approved Special Permit Use.
 - i. The Director of Planning and Zoning has the authority to hold a public hearing to reconsider the Planning Commission's approval if the development deviates from its approved Special Permit Use and supporting documentation.
 - d. The applicant may submit plans under the Major Subdivision processes in Appendix C of the Parish Code of Ordinances utilizing the approved standards as outlined in the Special Use Permit.
4. *Expiration.* The Special Permit Use approval expires three years from the approval of the Planning Commission unless the submission of an application for subdivision construction is approved by the Planning Commission in accordance with the Special Permit Use.
- a. If a subsequent subdivision application expires according to the provisions of Appendix C, Subdivision Regulations, the approved Special Permit Use for a Garden Home Development also expires.

(Ord. No. 17-2-10, § IV, 2-20-2017)

Group/community homes.

- a. Nothing in this section shall be construed to prevent a reasonable accommodation for persons with disabilities as defined in the federal Fair Housing Act in accordance with federal, state and parish procedures.

Junkyards.

- a. Junkyards shall be required to be screened by a minimum of seven-foot high opaque wood or masonry fence. No person shall operate or cause to operate any junkyard in the parish without first obtaining a license as required by Chapter 13, Article VI, of this Code.

Lawn Care Service.

- a. No onsite signage allowed other than signage on vehicles and equipment when operating in the O-L zoning district.

(Ord. No. 16-6-4, § II, 6-6-16; Ord. No. 19-2-13, § III, 2-18-19)

Mini-storage facilities.

- a. **Limited to one-story construction when adjacent to R-1A, R-1B, R-1A(M), or R-2 zoning districts.**

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- b. Accessory outdoor/unenclosed storage is subject to outdoor storage requirements of the zoning districts where this use is permitted (i.e. prohibited in C-2 zoning districts, SPU in C-3 zoning districts).**

Restaurants.

- a. A restaurant may serve alcoholic beverages, but must gross at least sixty (60) percent of its average monthly revenue (annually) from the sale of food, food items, and non-alcoholic beverages.
- b. A restaurant shall maintain separate sales records for alcoholic beverages.
- c. Restaurants shall be authorized to sell alcoholic beverages through issuance of a Class A— Restaurant retail liquor license by the St. Charles Parish Sheriffs Office.
- d. Restaurants which fail to meet the food sales requirements contained in this subsection, and which sell alcoholic beverages for on-premises consumption, shall be categorized as a bar, lounge, night club, or dancehall (See "bar").
- e. If a restaurant contains a brewing facility on-site, a floor plan indicating the area reserved for brewing and a description of the facility and capacity are required.
- f. Outdoor Dining: Outdoor dining is permitted as accessory to a restaurant and a retail goods establishment that sells food products, such as a delicatessen, bakery, or grocery, but shall comply with the following standards:
 - i. Outdoor dining shall not interfere with pedestrian access or parking areas.
 - ii. Outdoor dining is permitted in a required yard, with the exception of any yard that abuts a residential district.
 - iii. Outdoor dining areas shall not be located within a public right-of-way.
 - iv. A distinct delineation shall be maintained between any public right-of-way and the outdoor dining area through the use of hardscape and architectural elements, such as a masonry wall, fence, planters, or bollards.
 - v. On-site outdoor dining areas are included in calculation of parking requirements, where applicable.

Solar Energy System, Large (LSES)

Large Solar Energy Systems (LSES) shall be subject to the additional regulations and requirements set forth below:

- a. Solar PV panels shall be setback a minimum of thirty feet (30') from all existing property lines.
- b. The maximum height of a solar PV panel shall be thirty feet (30') oriented at maximum tilt. The maximum height of a switching station shall not exceed the minimum height needed to tie into electrical transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the LSES is located. The height of lightning rods shall be limited to the height necessary to protect the switching station and shall not be lighted.
- c. Lighting shall be limited to the minimum necessary, directed downward, and set with motion-sensors. No lighting shall extend beyond the perimeter of the LSES.
- d. No LSES shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling public roads.

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- e. Commercially reasonable screening shall be installed at the applicant's expense to provide adequate screening between the LSES and adjacent non-participating primary residential dwellings.
 - f. Fencing at a minimum height of six feet (6') shall be installed around the perimeter of the LSES and any other measures necessary to ensure the security and safe operation of the LSES shall be taken. Deer fencing may be utilized where feasible.
 - g. The LSES shall comply with all applicable stormwater management and groundwater laws and regulations, and any federal, state, and local permits shall be obtained.
 - h. Any noise produced by the LSES shall not exceed fifty-five (55) dBA, as measured at any adjacent property line.
 - i. The LSES layout and operation shall be designed to minimize negative impacts on wildlife, including overflight migrating birds and riparian zones, and ongoing monitoring of any identified negative impacts will be provided.
 - j. Livestock grazing, agriculture, and other compatible uses shall be permitted within a fenced LSES, subject to the requirements of the underlying zoning district.
 - k. No advertising or signage, other than that required by law and approved address/identification signage as allowed under Section XXI, shall be permitted on the LSES.
 - l. A project summary shall be provided to the Zoning and Regulatory Administrator containing the following information:
 - i. Number, location, and spacing of proposed solar PV panels/arrays
 - ii. Planned location of O&M building, switchyard, and transformers
 - iii. Planned location of underground or overhead electrical lines and related infrastructure
 - iv. Project development timeline
 - v. Operation and maintenance plan
 - vi. Vegetation management and landscaping plan, including grading
 - vii. Decommissioning Plan, subject to the requirements of below
 - viii. Name and contact information of the LSES operator
 - ix. Proof of access and use rights to the LSES property, including evidence of landowner authorization and a list of all landowners
 - x. Specifications for all planned equipment to be installed at the LSES
 - xi. Site access and emergency response plans
 - m. The LSES shall comply with all federal, state, and local laws, codes, and regulations, including but not limited to the National Electric Code, the National Electric Safety Code, local building codes, and any generally applicable permitting requirements.
 - n. The LSES shall be maintained in accordance with this Zoning Ordinance and all applicable Parish requirements. Maintenance shall include but not be limited to painting, structural repairs, vegetation management, and integrity of security measures including fencing. No damaged, broken, or non-working parts or equipment shall be stored on site.
 - o. A Decommissioning Plan consisting of the following information shall be provided to the Zoning and Regulatory Administrator:

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- i. The anticipated operating lifetime of the LSES
 - ii. Description of the activities necessary to decommission the LSES upon closure and cessation of operations
 - iii. Description of site restoration activities to be undertaken following decommissioning to restore the LSES site to its original use, condition, and appearance
 - iv. Cost estimate of site decommissioning and restoration in current dollars
 - v. Description of the necessary mechanism for posting a satisfactory bond to cover the anticipated decommissioning costs.
 - vi. Timeline for completion of all decommissioning and site restoration activities
- p. The LSES operator shall post a bond, in a form and amount acceptable to the Zoning and Regulatory Administrator, equal to 125% of the decommissioning and site restoration costs specified in the Decommissioning Plan. The amount of the bond shall be recalculated every five (5) years and provided, with an updated bond (if necessary), to the Zoning and Regulatory Administrator.
- q. As-built drawings shall be provided to the Zoning and Regulatory Administrator upon completion of construction of all development on the LSES site. (Ord. No. 23-3-1, § VI, 3-13-23)

Solar Energy System, Small (SSES)

Small Solar Energy Systems (SSES) shall be permitted as an accessory use to any primary permitted use and shall be subject to the additional regulations and requirements set forth below:

- a. An SSES shall provide power for the principal use and/or accessory use of the property on which it is located and shall not generate power for sale to other users, although this provision shall not prohibit the sale of excess power to the local utility company.
- b. An SSES connected to the utility grid shall provide written authorization from the local utility company to the Zoning and Regulatory Administrator acknowledging and approving such connection.
- c. A roof-mounted SSES may be mounted on a principal building or accessory building, and may not exceed the maximum building height restrictions of the underlying zoning district.
- d. A ground-mounted SSES may occupy no more than 10,000 sq. ft. nor 30% of the lot on which the primary use is located, whichever is lesser.
- e. A ground-mounted SSES shall not exceed a height of fifteen (15) feet with the exception of a six (6) feet maximum height in residential zones.
- f. A ground-mounted SSES or SSES attached to an accessory building shall not be located within the required front yard setback.
- g. A ground-mounted SSES shall comply with the setbacks of the underlying zoning district.
- h. All mechanical equipment associated with and necessary for the operation of the SSES shall comply with the following:
 - i. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
 - ii. Mechanical equipment for any ground-mounted SSES shall comply with the setbacks specified under Section X. - Exceptions and modifications, item C.1.

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- iii. Mechanical equipment located adjacent to any residential district or use shall be screened from view either by acceptable pant materials or a fence that is at least fifty percent (50%) opaque.
 - i. Solar PV panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
 - j. All power transmission lines from a ground-mounted SSES to any building or other structure shall be located underground.
 - k. An SSES shall be used in conjunction with only SSES related equipment and shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners, or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the SSES provided they comply with the sign regulations of Section XXI.
 - l. A building/zoning permit shall be obtained prior to construction.
 - m. The local utility provider shall be contacted to determine grid interconnection and net metering policies.
 - n. The SSES shall comply with all applicable Parish ordinances and codes to ensure the structural integrity of such facility.
 - o. Before any construction can commence on any SSES the property owner must acknowledge that they are the responsible party for owning/leasing and maintaining the SSES.
 - p. If a ground-mounted SSES is removed, any earth disturbance because of the removal of the ground mounted SSES shall be graded and seeded.
 - q. If a ground-mounted SSES has been abandoned (meaning not having been in operation for a period of six (6) months) or is defective or is deemed to be unsafe by the Building Inspector, the facility shall be required to be repaired by the property owner to meet federal, state, and local safety standards, or be removed by the property owner within the time period allowed by the Building Inspector. If the property owner fails to remove or repair the defective or abandoned SSES, the Parish may pursue legal action to have the SSES removed at the property owner's expense. (Ord. No. 23-3-1, § VI, 3-13-23)

Townhouses.

- a. The maximum density for townhouse developments is seventeen (17) units per acre.
- b. In townhouse developments, structures shall front on a public street or servitude of access.
- c. Design criteria.
 - i. No more than six (6) dwelling units shall be included in any one (1) townhouse building.
 - ii. The facades of dwelling units in a townhouse shall be varied by changed front yards of not less than three (3) feet and variation in materials or design so that no more than two (2) abutting units will have the same front yard depth and the same or essentially the same architectural treatment of facades and roof lines.
 - iii. Minimum width for an interior townhouse lot - fifteen (15) feet.
 - iv. Minimum width for an exterior townhouse lot - twenty-five (25) feet.
 - v. Minimum building setback from a public street - twenty (20) feet.
 - vi. Minimum building setback from a rear lot line - twenty (20) feet.

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- d. Drives, parking, and utilities.
 - i. Where alleys are provided, off-street parking facilities shall be grouped in bays, either in the rear of the structure or in the interior of the townhouse development.
 - ii. All parking areas shall meet the standards and minimum requirements set forth in Section VIII, Site design requirements, of this ordinance, and must include one (1) visitor parking space per each two (2) dwelling units. Visitor spaces may be provided in separate areas when an adequate area is not provided on an individual lot.
 - iii. Interior access drives shall be at least twenty-two (22) feet wide for two-direction drives or twelve (12) feet with one-direction drive and must be properly drained and accessible to all dwelling units.
 - e. Open Space and Buffering.
 - i. Maximum land cover is 80%; 20% of a townhouse development site must be left open.
 - ii. Each townhouse unit shall have its own rear yard of at least one hundred twenty (120) square feet. The rear yard shall not be used for any accessory building.
 - iii. A five (5) foot wide landscaped buffer is required along the sides and rear of any townhouse development that abuts an R-1A, R-1B, or R-1A(M) district or any lot containing a single-family dwelling.

(Ord. No. 15-7-5, § IV, 7-6-15; Ord. No. 19-3-13, § IV, 3-25-19)