

APPENDIX A ZONING ORDINANCE*

ORDINANCE NO. 1034

***Editor's note--**The city's zoning ordinance, Ord. No. 1034, adopted Apr. 10, 1979, effective May 4, 1979, is set out essentially as enacted. The editor has made minor stylistic changes, but the basic text of the ordinance, including the numbering of sections and their catchlines, has been retained. Any editorial emendations made for purposes of clarity have been included in brackets [], but obviously misspelled words have been corrected without comment. Any amendatory ordinances will be identified by a history note at the end of the amended section. Absence of such a note indicates that the section is derived unamended from Ord. No. 1034. The city's previous zoning ordinance, Ord. No. 694, adopted May 5, 1968, as amended by Ord. No. 768, adopted July 25, 1972, Ord. No. 851, adopted Feb. 17, 1976, and Ord. No. 900, adopted Jan. 18, 1977, was repealed by art. XIX of Ord. No. 1034.

ORDINANCE 1034

PREAMBLE

An Ordinance Establishing Comprehensive Zoning Regulations for the City of Thibodaux, Louisiana, and Providing for the Administration, Enforcement, and Amendment Thereof, in Accordance with the Provisions of the Louisiana Revised Statutes of 1950, Title 33:4721--4732, and for the Repeal of All Ordinances in Conflict Herewith.

Whereas Title 33:4721--4732 of the Louisiana Revised Statutes of 1950 empowers the City of Thibodaux to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

Whereas the city council deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the city to enact such an ordinance; and

Whereas the city council, pursuant to the provisions of title 33:4726 of the Louisiana Revised Statutes of 1950, has appointed a zoning commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein; and

Whereas the zoning commission has divided the city into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

Whereas 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 municipality; and

Whereas the zoning commission has made a preliminary report and held public

hearings thereon, and submitted its final report to the city council; and

Whereas the city council has given due public notice of hearings relating to zoning districts, regulations, and restrictions, and has held such public hearings; and

Whereas all requirements of Title 33:4721--4732 of the Louisiana Revised Statutes of 1950 with regard to the preparation of the report of the zoning commission and subsequent action of the city council have been met:

Now Therefore Be It Ordained by the People of the City of Thibodaux, Louisiana:

ZONING ORDINANCE

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ARTICLE I.

ESTABLISHMENT OF DISTRICTS; PROVISION FOR OFFICIAL ZONING MAP

Section 101. Official Zoning Map.

The city is hereby divided into zones, or districts, as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

The official zoning map shall be identified by the signature of the mayor attested by the city clerk, and bearing the seal of the city under the following words: "This is to certify that this is the Official Zoning Map referred to in Article I of the Zoning Ordinance of the City of Thibodaux, Louisiana," together with the date of the adoption of this ordinance.

If, in accordance with the provisions of this ordinance and title 33:4721--4732 of the Louisiana Revised Statutes of 1950, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the city council, with an entry on the official zoning map as follows: "On (date), by official action of the City Council, the following (change) changes were made in the Official Zoning Map: (brief description of nature of change)," which entry shall be signed by the mayor and attested by the city clerk. No amendment to this ordinance which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on said map.

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

Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the office of the city clerk shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the city.

Section 102. Replacement of Official Zoning Map.

In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the city council may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor attested by the city clerk, and bearing the seal of the city under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of Adoption of map being replaced) as part of the Zoning Ordinance of the City of Thibodaux, Louisiana."

Unless the prior official zoning map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

ARTICLE II.

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

- 200.1.** Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
- 200.2.** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- 200.3** Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- 200.4** Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- 200.5** Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such lines.
- 200.6** Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- 200.7** Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections 1 through 6 above, the board of adjustment shall interpret the district boundaries.
- 200.8** Where a district boundary line divides a lot which was in single ownership at the time of passage of this ordinance, the board of adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

ARTICLE III.

APPLICATION OF DISTRICT REGULATIONS

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

300.1. 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 altered except in conformity with all of the regulations herein specified for the district in which it is located.

300.2. No building or other structure shall hereafter be erected or altered:

- (a) To exceed the height or bulk;
- (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.

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

300.4. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or 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 requirements established by this ordinance.

300.5. All territory which may hereafter be annexed to the city shall be considered to be in the R-1 Residential District until otherwise classified.

ARTICLE IV.

NONCONFORMING LOTS, NONCONFORMING USES OF LAND, NONCONFORMING STRUCTURES, NONCONFORMING USES OF STRUCTURES AND PREMISES, AND NONCONFORMING CHARACTERISTICS OF USE

Section 401. Intent.

Within the districts established by this ordinance or amendments that may later be adopted there exist:

- (a) Lots;
- (b) Structures;
- (c) Uses of land and structures; and

(d) Characteristics of use; which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendment. It is the intent of this ordinance to permit these nonconformities to continue until they are removed but not to encourage their survival. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Nonconforming uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

Section 402. Nonconforming Lots of Record.

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, notwithstanding limitations imposed by other provisions of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Adjustment.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division or any parcel be made which creates a lot with width or area below the requirements stated in this ordinance.

Section 403. Nonconforming Uses of Land (or Land with Minor Structures Only).

Where at the time of passage of this ordinance lawful use of land exists which would not be permitted by the regulations imposed by this ordinance, and where, such use involves no individual structure with a replacement cost exceeding \$1,000.00, the use may be continued so long as it remains otherwise lawful, provided:

- 403.1** No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.
- 403.2** No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this ordinance.
- 403.3** If any such nonconforming use of land ceases for a period of more than **eighteen** months, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located. (Ord. No. 1155, 1-2-80) (Ord. No. 2558, 4-5-11)
- 403.4** No additional structure not conforming to the requirements of this ordinance shall be erected in connection with such nonconforming use of land.

Section 404. Nonconforming Structures.

Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- 404.1** No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
- 404.2** Should such nonconforming structure or nonconforming portion of structure be destroyed by any means it shall be allowed to be repaired or replaced within 18 months from the date of damage, or the structure will lose its grandfathered nonconforming status. (Ord. No. 2558, 4-5-11)
- 404.3** Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 405. Nonconforming Uses of Structures or of Structures & Premises in Combination.

If lawful use involving individual structures with a replacement cost of \$1,000.00 or more, or of structure and premises in combination exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- 405.1.** No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or altered except in changing the use of the structure to a use permitted in the district in which it is located.
- 405.2.** Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.
- 405.3.** If no alterations are made, any nonconforming use of a structure, or structure and premises, may as a special exception be changed to another nonconforming use provided that the board of adjustment, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the board of adjustment may require appropriate conditions and safeguards in accord with the provisions of this ordinance.
- 405.4.** Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may

not thereafter be resumed.

405.5. When a nonconforming use of a structure, or structure and premises in combination is discontinued or abandoned for 18 consecutive months the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located. (Ord. No. 2558, 4-5-11)

405.6. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall not eliminate the nonconforming status of the land. (Ord. No. 2558, 4-5-11)

Section 406. Repairs and Maintenance.

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 18 consecutive months on ordinary repairs, or on repair or replacement of nonconforming structure or nonconforming portion of the structure, provided that the cubic content existing when it became nonconforming shall not be increased. (Ord. 2558, 4-5-11)

If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 407. Uses Under Special Exception Provisions Not Non-conforming Uses.

Any use which is permitted as a special exception in a district under terms of this ordinance (other than a change through board of adjustment action from a nonconforming use to another use not generally permitted in the district) shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

ARTICLE V.

SCHEDULE OF DISTRICT REGULATIONS ADOPTED*

***Editor's note--**The district regulations referred to in this article are not printed in this volume but are "located in the back pocket of this [original] document."

District regulations shall be as set forth in the "Schedule of District Regulations," [which are] hereby adopted by reference and declared to be a part of this ordinance, and in article VI of this ordinance, entitled "Supplementary District Regulations."

ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS

Section 601. Visibility at Intersections in Residential Districts.

On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 and 10 feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 50 feet from the point of the intersection of street center line.

Section 602. 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 two and one-half feet in height.

Section 602.1 Pool Fences. All swimming pools or other outside body of water, with a depth greater than eighteen (18) inches, designed or used for swimming, dipping or immersion purposes, shall be completely enclosed with fence or walls not less than five (5) feet in height with no openings greater than four (4) inches. Walls of buildings may be used as part of the enclosure. All gates shall be equipped with self-closing and self-latching devices. Exterior doors from any habitable building need not be so equipped. Other protective devices or structures may be used as long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, gate and latch described hereon. (Ord. No.2392, 4-15-08)

Section 602.2 Maintenance of Swimming Pools. Every owner of a swimming pool, with a depth greater than eighteen (18) inches, shall keep the pool completely enclosed with fences or walls not less than five (5) feet in height with no openings greater than four (4) inches. Every pool owner shall equip gate or door openings to the pool with self-closing and self-latching devices capable of keeping such gates or doors securely closed at all times. Every swimming pool owner shall keep said fences, gates and doors in a state of repair. All gates and doors shall be securely closed at all time. No waiver of this section shall be in compliance. (Ord. No.2392, 4-15-08)

Section 603. Accessory Buildings.

No accessory building shall be erected in any required yard, and no separate accessory building shall be erected within five feet of any other building.

Section 604. Erection of More Than One Principal Structure on a Lot.

In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this ordinance shall be met.

Section 605. Exceptions to Height Regulations.

The height limitations contained in the schedule of district regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Section 606. Structures to Have Access.

Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

Section 607. Parking, Storage or Use of Major Recreational Equipment.

For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers and the like, and cases or boxes used for transporting recreational equipment whether occupied by that equipment or not. Parking of the above-described types of vehicles in all R-1 Residential Districts and/or equipment shall comply with the following regulations:

- (1) Inside parking (i.e. garage or carport);
- (2) Outside parking in the side yard or rear yard; or
- (3) Outside parking in the front yard, provided inside parking is not available or there is no reasonable access to either the side or rear yard. The vehicle or equipment parked in the front yard shall be parked perpendicular to the front curb with the body of the vehicle or equipment being a minimum of 11 feet from the face of the curb. No part of the unit may extend over a public sidewalk.
- (4) Equipment may be parked anywhere on residential premises for a period not to exceed seven days during loading and unloading.

(Ord. No. 1482, 4-18-89)

Section 608. Parking and Storage of Certain Vehicles.

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

Section 609. Social Gathering Establishments for Minors - Provisions of this Article shall govern the districts in which allowed as well as regulate social establishments for minors. For the purpose of this section, social establishments shall be defined as any assembly of people for the purpose of entertainment in an enclosed building and minors shall be defined as any person under eighteen (18) years of age. The schedule of district regulations for social gathering establishments for minors shall be as follows: **(Ord. No. 2392, 4-15-08)**

- Permitted** - **Zoning Districts C-1, C-2 and C-3**
- Prohibited** - **Zoning Districts R-1, R-2, R-3, R-4, M-1 and M-2**

In addition to the district regulations stated above, it is prohibited for any establishment for social gatherings of minors to be situated within three hundred feet (300' - measurement to be from property line to property line) from establishments in which alcoholic beverage sales exceed 50% of total sales, and in addition shall included one (1) vehicle space for each two hundred square feet of floor space for loading and unloading unless provided for elsewhere herein.

ARTICLE VII. OFF-STREET PARKING AND LOADING

Section 701. General Requirements.

701.1. No land shall be used or occupied, and no building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this ordinance. (Ord. No. 1670, 12-7-93)

701.2. The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure. Also, it shall not apply to any use which is located in that downtown area bounded by Canal Boulevard from LA Hwy. 1 to West 5th Street and Jackson Street from West 5th Street to LA Hwy. 1. (Ord. No. 2235, 2-15-04)

701.3. Whenever a building or structure constructed after the effective date of this ordinance is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking or loading spaces, such additional spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this ordinance is enlarged to the extent of 50 per cent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking and loading requirements set forth herein.

Section 702. Required Parking Spaces.

<u>Use</u>	<u>Parking Space(s) Required*</u>
Residential	1 space per dwelling unit
Hotels and motels	1 space for each guest bedroom plus 1 additional space for each 2 employees
Clinics	1 space for each 500 sq. ft. of gross floor area
Clubs and lodges	1 space for each 100 square feet of floor space
Hospitals	1 space for each 6 beds plus 1 space for each staff doctor, plus 1 space for each 6 employees
Nursing and convalescent homes and institutions for similar uses	1 space for each 8 beds
Churches, temples and other places of worship	1 space for each 4 seats
Theaters, auditorium and places of public assembly	1 space for each 5 seats
Bowling alleys	4 spaces per alley
Beauty salons, hair dressers Barber shops, nail salons & Tanning salons (Ord. 2201, 5-18-04)	3 spaces per each operator chair
Schools, public and Private	Elementary: 2 spaces per classroom or other teaching room Junior or senior high: 4 spaces per classroom or other teaching room Colleges, Universities, Trade, Industrial and Business Schools: 6 spaces per classroom or other teaching room
Business and Professional offices	2 spaces for each 500 square feet of gross floor area, plus 2 additional spaces for each professional office in a residential district

<u>Use</u>	<u>Parking Space(s) Required*</u>
Restaurants, bars, and nightclubs	1 space for each 200 square feet of floor area devoted to patron use, plus 1 space for each 4 employees
Grocery stores	2 spaces per each 300 square feet of gross floor

area

Libraries and museums 1 space per 400 square feet of floor area devoted to public use.

Wholesale establishments and warehouses 1 space for each 5 employees or per each 3,000 square feet of floor area, whichever is greater

For uses not specifically listed above, the requirements listed below are applicable:

Other retail & service establishments 1 space per each 300 square feet of gross floor area unless otherwise specified in this ordinance

Manufacturing and/or industrial uses 1 space for each 5 employees plus 1 space for each company vehicle

***Each parking area space shall have vehicular access to a public street.**
(Ord. No. 1464, 11-29-88)

Section 703. Parking Space Dimensions.

The following minimum design standards shall be observed in laying out off-street parking facilities:

Parking Angle	Stall Width	Aisle Width	Stall Length	Curb to Curb
30°	10 ft.	10 ft.	20 ft.	44.0 ft.
45°	10 ft.	11 ft.	20 ft.	50.6 ft.
60°	10 ft.	18 ft.	20 ft.	60.6 ft.
90°	10 ft.	22 ft.	20 ft.	62.0 ft.

Section 704. Location of Parking Spaces.

704.1. Off-street parking for all single and two-family detached dwellings shall be located on the same lot or plot of ground as the building to be served.

704.2. No part of any parking area for more than 10 vehicles shall be closer than 20 feet to any dwelling unit, school, hospital, or other institution for human care

located on an adjoining lot, unless separated by a wall or fence of solid appearance or a tight evergreen hedge having a height of not less than 6 feet.

704.3. When off-street parking for other uses is located on a lot other than the lot occupied by the use which required it:

- (a) Such facilities shall be located at a distance of no more than 300 feet from the principal use;
- (b) 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 with such encumbrance to be valid for the total period that the use for which the parking is needed is in existence, and such agreement or covenant shall be duly recorded in the office of the clerk of court and a certificate furnished the zoning commission; and
- (c) A site plan approval for both lots is required as provided for in article VIII of this ordinance.

Section 705. Joint Use of Required Parking Spaces.

Two or more nonresidential uses may jointly provide and use off-street parking facilities as long as the schedule of all uses are such that none of the uses require the facilities at the same time.

Section 706. Combined Parking Facilities.

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 be adequate in area to provide the sum total of spaces required of all uses.

Section 707. Loading Space Dimensions.

A loading space shall have minimum dimensions of not less than 12 feet in width, 50 feet in length, exclusive of driveways and other circulation areas, and a height of not less than 15 feet.

Section 708. Required Loading Spaces.

Every separate occupancy requiring delivery of goods shall provide and maintain off-street loading space(s) on the same lot according to the following schedule:

<u>Gross Floor Area</u> (square feet)	<u>Required Space(s)</u>
1,000--35,000	1
35,000--100,000	2
For each additional 100,000 over 100,000	1

Section 709. Design Requirements for Off-Street Parking and Loading Facilities.

- 709.1.** They shall not be used for the sale, repair, dismantling or storage of any vehicles, equipment, material or supplies.
- 709.2.** They shall be properly graded for drainage; surfaced with concrete, asphaltic concrete, asphalt, or other durable and dust free surfacing; and maintained in good condition without holes, and free of weeds, dust, trash or debris.
- 709.3.** They shall be provided with entrances and exits so located as to minimize traffic congestion and the effect of headlight glare.
- 709.4.** They shall be provided with wheel or bumper guards so located and arranged that no part of any parked vehicles will extend beyond the boundaries of the parking lot.
- 709.5.** Lighting facilities shall be so arranged that they neither unreasonably nor unnecessarily disturb occupants of adjacent residential properties nor interfere with traffic.

Section 710. Reduction of Facilities.

Area(s) reserved for off-street parking or loading in accordance with the provisions of this article 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.

ARTICLE VIII.

ADMINISTRATION AND ENFORCEMENT -- BUILDING PERMITS AND CERTIFICATES OF ZONING COMPLIANCE

Section 801. Administration and Enforcement.

An administrative official designated by the mayor shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the city 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 the person 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 illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

Section 802. Building Permits Required.

No building or other structure shall be erected, moved, added to, or altered without a permit thereof, issued by the administrative official. No building permit shall be issued by the administrative official except in conformity with the provisions of this ordinance, unless he receives a written order from the board of adjustment in the form of an administrative review, special exception, or variance as provided by this ordinance.

Section 803. Application for Building Permit.

All applications for building permits shall be accompanied by plans in triplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed 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 or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; certificate for a building for public occupancy from the state fire marshal attesting that the construction, remodeling, or renovation meets the requirements of the Fire Marshal Act of the State of Louisiana, and such other matters as may be necessary to determine conformance with, and provide for the 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 original and one copy of the plans, similarly marked, shall be retained by the administrative official.

Section 804. Certificates of Zoning Compliance for New, Altered, or Non-Conforming Uses.

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance shall have been issued therefore by the administrative official stating that the proposed use of the building or land conforms to the requirements of this ordinance.

No nonconforming structure of [or] use shall be maintained, renewed, changed, or extended until a certificate of zoning compliance shall have been issued by the administrative official. The certificate of zoning compliance shall state specifically wherein the nonconforming use differs from the provisions of this ordinance, provided that upon enactment or amendment of this ordinance, owners or occupants of nonconforming uses or structures shall have three months to apply for certificates of zoning compliance. Failure to make such application within three months shall be presumptive evidence that the property was in conforming use at the time of enactment or amendment of this ordinance.

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

A temporary certificate of zoning compliance may be issued by the administrative official for a period not exceeding six months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may include 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 zoning compliance, and a copy shall be furnished upon request to any person.

Failure to obtain a certificate of zoning compliance shall be a violation of this ordinance and punishable under article XVI of this ordinance.

Section 805. Expiration of Building Permits.

If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall 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 two years of the date of issuance thereof, said permit shall expire and be canceled 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 canceled permit shall not proceed unless and until a new building permit has been obtained.

Section 806. Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Zoning Compliance.

Building permits or certificates of zoning compliance issued on the basis of plans and applications approved by the administrative official authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed [a] violation of this ordinance, and punishable as provided by article XVI hereof.

ARTICLE IX.

BOARD OF ADJUSTMENT: ESTABLISHMENT AND PROCEDURE

A board of adjustment is hereby established (as provided for in Section 4727, Title 33, of the Louisiana Revised Statutes of 1950 as amended), which shall consist of five (5) members and two (2) alternate members, all of whom are appointed by the

City Council. The regular members shall serve for a term of five (5) years. Alternate members shall be appointed for a term of three (3) years and shall serve only when called upon to comprise a full five-member board when a quorum is present. When so serving, alternate members shall have all the powers and duties of regular members. Members and alternates of the Board of Adjustment may be removed from office by the City Council for cause upon written charges and after public hearing. Vacancies shall be filled by resolution of the City Council for the unexpired term of the member affected. (Ord. No. 1583, § 1, 10-1-91) (Ord. No. 1845, 6-16-98)

Section 901. Proceedings of the Board of Adjustment.

The board of adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The board of adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the board.

Section 902. Hearings; Appeals; Notice.

Appeals to the board of adjustment concerning interpretation or administration of this ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the city affected by any decision of the administrative official. Such appeals shall be taken within a reasonable time, not to exceed 60 days of such lesser period as may be provided by the rules of the board, by filing with the administrative official and with the board of adjustment a notice of appeal specifying the grounds thereof. The administrative official shall forthwith transmit to both the board and the zoning commission all papers constituting the record upon which the action appealed from was taken.

The board of adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

Section 903. Stay of Proceedings.

An appeal stays all proceedings in furtherance of the action appealed from, unless the administrative official from whom the appeal is taken certifies to the board of adjustment after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed other than by restraining order which may be granted by the board of adjustment or by a court of record on application, on notice to the administrative official from whom the appeal is taken and on due cause shown.

ARTICLE X.

THE BOARD OF ADJUSTMENT: POWERS AND DUTIES

Section 1001. Administrative Review.

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this ordinance.

Section 1002. Special Exceptions: Conditions Governing Applications; Procedures.

To hear and decide only such special exceptions as the board of adjustment is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this ordinance. A special exception shall not be granted by the board of adjustment unless and until:

- 1002.1** A written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.
- 1002.2** Notice shall be given at least 15 days in advance of public hearing. The owner of the property for which special exception is sought or his agent shall be notified by mail. Notice of such hearings shall be posted on the property for which special exception is sought, at the city hall, and in one other public place at least 15 days prior to the public hearing.
- 1002.3** The public hearing shall be held. Any party may appear in person, or by agent or attorney.
- 1002.4** The board of adjustment shall make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.
- 1002.5** Before any special exception shall issue, the board shall make written findings certifying compliance with the specific rules governing individual special exceptions and that satisfactory provisions and arrangement has been made concerning the following, where applicable:
 - (a) Ingress and egress to property structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

- (b) Off-street parking and loading areas where required, with particular attention to the items in (a) above and the economic, noise, glare, or odor effects of the special exception on adjoining properties generally in the district.
- (c) Refuse and service areas with particular reference to the items in (a) and (b) above.
- (d) Utilities, with reference to locations, availability, and compatibility.
- (e) Screening and buffering with reference to type, dimensions, and character.
- (f) Signs, if any, and proposed lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
- (g) Required yards and other open space.
- (h) General compatibility with adjacent properties and other property in the district.

Section 1003. Variances; Conditions Governing Applications; Procedures*.

 *Editor's note -- Ord. No. 1385, adopted Feb. 17, 1987, being not specifically amendatory of the city's zoning ordinance, imposed a variance application fee of thirty dollars (\$30.00), to be paid at the time of submission of the application and refundable only if the applicant recalls the application prior to the tenth day of the month in which the application is to be considered. Further, the ordinance empowered the zoning administrator to collect and deposit the fee in the general fund of the city.

To authorize upon appeal in specific cases such variances from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions or peculiar circumstances, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship, or would not be in the best interest of the citizens of the city or of the aims of the city in promoting zoning in general. A variance from the terms of this ordinance shall not be granted by the board of adjustment unless and until:

1003.1. A written application for a variance is submitted demonstrating:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) That literal interpretation of the provisions of this ordinance would

deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance;

- (c) That the special conditions and circumstances do not result from the actions of the applicant;
- (d) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district; or:

That there are special conditions and circumstances concerning the particular application for which the board of adjustment feels that the interest of zoning and the city as well as the neighborhood would best be served by granting the variance.

No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

1003.2. Notice of public hearing shall be given as in section 1002.2 above.

1003.3. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.

1003.4. The board of adjustment shall make findings that the requirements of section 1003.1 have been met by the applicant for a variance.

1003.5. The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under article XVI of this ordinance.

Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district. (Ord. No. 1152, 10-6-81)

Section 1004. Board has Powers of Administrative Official on Appeals; Reversing Decision of Administrative Official.

In exercising the above-mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm,

wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the administrative official from whom the appeal is taken.

The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in the application of this ordinance.

(Ord. No. 1986, 11-21-00)

ARTICLE XI.

APPEALS FROM THE BOARD OF ADJUSTMENT

Any person or persons, or any board, taxpayer, department or bureau of the city aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the state and particularly by title 33:4727 of the Louisiana Revised Statutes of 1950.

ARTICLE XII.

DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD OF ADJUSTMENT, CITY COMMISSION, AND COURTS ON MATTERS OF APPEAL

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 decisions of the Board of Adjustment shall be to the courts as provided by law.

It is further the intent of this ordinance that the duties of the City Council in connection with this ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this ordinance. Under this ordinance the City Council shall have only the duties (1) of considering and adopting or rejecting proposed amendments or the repeal of this ordinance, as provided by law, and (2) of establishing a schedule of fees and charges as state[d] in article XIII following.

ARTICLE XIII.

SCHEDULE OF FEES, CHARGES, AND EXPENSES

The City Council shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of zoning compliance, appeals, and other matters pertaining to this ordinance. The schedule of fees shall be posted in the office of the administrative official, and may be altered or amended only by the City Council.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

ARTICLE XIV.

AMENDMENTS

The regulations, restrictions and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed or repealed; provided, however, that the legislative body shall not hold any public hearings or take any action until it has first referred the request to the municipal zoning commission. It shall be the duty of the zoning commission to recommend approval or rejection of any request for zoning amendments, modifications, supplements or changes thereto.

Before making any recommendation to the legislative body of the municipality, the zoning commission shall hold a public hearing. Notice of the time and place of the hearing shall be published at least 3 times in the official journal of the municipality, and at least 10 days shall elapse between the first publication and the date of the hearing. After the hearing has been held by the zoning commission, it shall make a report of its findings and recommendations to the legislative body of the municipality.

In order to change, amend, modify or repeal any portion of this Zoning Ordinance, the City Council, after receipt of the report from the Zoning Commission, as outlined above, shall introduce such change in ordinance form and shall call for a public hearing at which parties in interest will have an opportunity to be heard. In such case, notice of the time and place of the hearing shall be published once a week in 3 different weeks in the official journal of the municipality; at least 15 days shall elapse between the first publication and the date of the hearing. In addition to notice by publication, and at least 10 days prior to the hearing, a good faith attempt to notify the owner or owners of record of the property to be zoned shall be made by the sending of an official notice by regular mail of the time and place of the hearing and subject matter of the regulations and restrictions. Notwithstanding the foregoing, however, when more than 10 parcels are to be zoned or rezoned by enactment of a zoning ordinance, the advertisement in the official journal required herein shall be considered an adequate notice to the property owners.

When a proposed amendment affects the zoning classification of property, and in case a protest against such change is signed by the owners of 20 percent or more, either of the area of the lots included in such proposed changes, or of those immediately adjacent in the rear thereof, or of those directly opposite thereto from the street frontage of such opposite lots, then such amendments shall not become

effective except by the favorable vote of three-fourths of the City Council.

(Ord. No. 1084, 2-5-80)

ARTICLE XV.

PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

ARTICLE XVI.

VIOLATIONS

Section 1601. Complaints Regarding Violation.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written 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 thereon as provided by this ordinance.

Section 1602. Penalties for Violation.

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined and/or imprisoned as provided for in section 33:4728 of the Louisiana Revised Statutes of 1950, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

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

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

ARTICLE XVII.

SEPARABILITY CLAUSE

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

ARTICLE XVIII.

DEFINITIONS

For the purposes of this ordinance, certain terms or words used herein shall be interpreted as follows:

The word "**person**" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word "**shall**" is mandatory, the word "**may**" is permissive.

The words "**used or occupied**" include the words "**intended, designed, or arranged to be used or occupied.**"

The word "**lot**" includes the words "**plot or parcel**".

Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Buildable Area: The portion of a lot remaining after required yards and setbacks have been provided. (Ord. 2376, 2-6-08)

Building official: The building official of the City of Thibodaux who is appointed to be the zoning officer and charged with enforcement of this ordinance.

Canopy: An awning or similar structure.

Drive-In Restaurant or Refreshment Stand: Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

Dwelling, Two-Family: A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

Dwelling, Multiple-Family: A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling Unit: One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.

Filling Station: Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail, and where in addition the following services may be rendered and sales made, and no other:

- (1) Sale and servicing of spark plugs, batteries, and distributor parts;
- (2) Tire servicing and repair, but not recapping or regrooving;
- (3) Replacement of mufflers and tailpipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors, and the like;
- (4) Radiator cleaning and flushing;
- (5) Washing and polishing, and sale of automotive washing and polishing materials;
- (6) Greasing and lubrication;
- (7) Providing and repairing fuel pumps, oil pumps, and lines;
- (8) Minor servicing and repair of carburetors;
- (9) Emergency wiring repairs;
- (10) Adjusting and repairing brakes;
- (11) Minor motor adjustments not involving removal of the head or crankcase or racing the motor;
- (12) Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for filling stations customers, as accessory and incidental to principal operation;

- (13) Provision of road maps and other informational material to customers; provision of restroom facilities.

Uses permissible at a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage nor a body shop.

Frontage: The length of the property line of any one premise along a street on which it abuts.

Frontage, building: The outside wall surface of a building, excluding porch or deck, nearest to the front lot line. For the purpose of this ordinance "lot line" shall mean the lot line which abuts a street or separates the lot from a street, or another lot.

Home Occupation: An occupation conducted in a dwelling unit, provided that:

- (1) No persons other than members of the family residing on the premises shall be engaged in such occupation.
- (2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- (3) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, non-illuminated, and mounted flat against the wall of the principal building.
- (4) No home occupation shall be conducted in any accessory building.
- (5) No display of products shall be visible from the street and only articles made on the premises may be sold on the premises.
- (6) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- (7) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in

other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

Kiosk: A small, light structure open on one or more sides for displaying information.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot: For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record;
- (2) A portion of a lot of record;

- (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record;
- (4) A parcel of land described by metes and bounds; provided that in no case of division of combination shall any residual lot or parcel be created which does not meet the requirements of this ordinance.

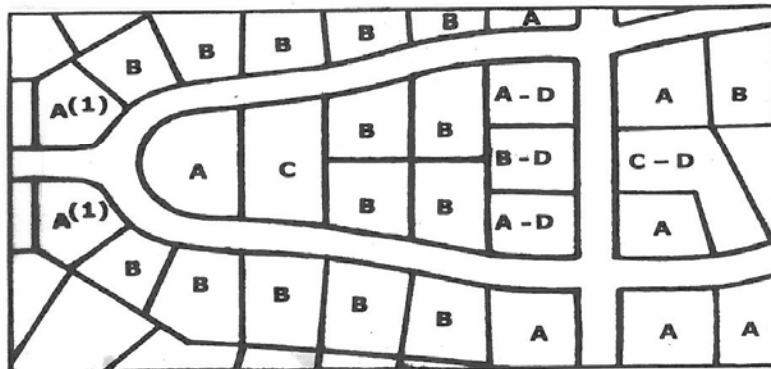
Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this section.

Lot Measurements:

- (1) **Depth** of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- (2) **Width** of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of cul-de-sac, where the 80 percent requirement shall not apply.

Lot of Record: A lot which is part of a subdivision recorded in the office of the clerk of court of Lafourche Parish, Louisiana, or a lot or parcel described by metes and bounds, the description of which has been recorded.

Lot Types: The diagram below illustrates terminology used in this ordinance with reference to corner lots, interior lots, reversed frontage lots and through lots:



In the diagram:

A = corner lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. See lots marked A (1) in the diagram.

B = interior lot, defined as a lot other than a corner lot with only one frontage on a street.

C = through lot, defined as a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

D = reversed frontage lot, defined as a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A = D in the diagram), an interior lot (B = D) or a through lot (C = D).

Manufactured home and "manufactured housing" means a factory-built, residential dwelling unit constructed to standards and codes, as promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et. seq. as amended. Further, the terms "manufactured home" and "manufactured housing" may be used interchangeably and apply to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development or to factory-built, residential dwellings that are mounted on a chassis. (Ord. No. 2559, 4-5-11)

Marquee: A permanent covered structure projecting from and supported by a building when such covered structure extends beyond the building alignment or the property line.

Maximum lot coverage will be determined by the summation of the square footage of all covered buildings on the lot. The building square footage will be divided by the total lot square footage to determine the percentage of lot coverage. Maximum lot coverage requirement will only apply to lots which are greater than 6,000 square feet. (Ord. No. 2559, 4-5-11) (Ord. No. 2577, 7-19-11)

Mobile home means a factory-built, residential dwelling unit built to voluntary standards prior to the passage of the National Manufactured Housing Construction and Safety Standards Act of 1974. This term includes and is interchangeable with the term "house trailer," but does not include the term "manufactured home," as only manufactured homes are built to federal construction standards. (Ord. No. 2559, 4-5-11)

Modular home means a structure designed for residential occupancy, designed and constructed to the standards of the Louisiana State Uniform Construction Code, which is manufactured in one or more sections in a factory for installation on a permanent

foundation at its final location. The term does not include manufactured housing as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C.A. §§5401-5426. (Ord. No. 2559, 4-5-11)

Outdoor Advertising Business: Provision of outdoor displays or display space on a lease or rental basis only.

Parking Space, Off-Street: For the purposes of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual space marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, so that any automobile may be parked and unparked without moving another.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 200 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city.

Public Building: A building or buildings owned by a public governing body that is accessible for use to the public that does not require permission to enter during normal business hours. (Ord. No. 2393, 4-15-08)

Sight Triangle is an area adjacent to street intersections maintained clear of visual obstructions; a triangle so constructed that two (2) sides thereof are superimposed upon the intersecting street centerlines for a distance of fifty (50) feet back from the point of intersection of the centerlines, the third and closing side terminating at the respective points fifty (50) feet from the point of the centerline intersection. (Ord. No. 2559, 4-5-11)

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks or combinations thereof, by which anything is made known, such as the designation of an individual, a firm, or association, a profession, a business, a commodity, or product which are visible from any public way or used as an outdoor display.

Sign, animated: For purposes of this article, an animated sign is any sign displaying movement of lights, border arrows, components, streamers, foil, inflatables or any other regular or cyclical movement, however achieved.

Sign, changeable copy: A sign with characters, letters or illustrations affixed thereto or thereon, by any method or means whatsoever, that can be changed, rearranged, or altered without changing the face of the sign.

Sign, construction: Any sign listing principal contractors, architects, and any establishments for the construction site where the sign is placed.

Sign, copy: The wording on a sign surface in either permanent or removable letter form.

Sign, development: See "sign, construction."

Sign, directional: A sign permanently or temporarily erected by or with approval of any authorized government agency to denote the route to any city, town, village, historic or religious place, shrine, public building or hospital and signs directing and regulating traffic; public safety signs, sign or notices of places of public and civic meetings and signs giving the name of the owner, lessee, or occupant of the premises of the street number.

Sign, double-faced (back to back): A sign having two (2) display surfaces, which are attached parallel, and back to back, not more than twenty-four (24) inches apart.

Sign erection: The act of posting, affixing or installing any sign which is attached to or requires a location upon the ground or any building or structure.

Sign face: The area of a sign on which the copy is placed.

Sign, flashing: Time and temperature announcements, are not deemed to be flashing or intermittent illuminating signs. Other advertising are deemed flashing.

Sign, ground: Any sign which is supported by structures or supports in or upon the ground and independent of support from any building.

Sign, height: The vertical distance from the finished grade at the base of the supporting structures to the top of the sign, or its frame or supporting structure, whichever is higher.

Sign, illuminated: A sign designed or arranged to reflect light from an artificial source.

Sign, indirectly illuminated: A sign illuminated with a light directed primarily toward such sign, including backlighted signs, and so shielded that no direct ray from the light are visible.

Sign, internally illuminated: A light source which enclosed within the sign and viewed through a translucent panel. This type of illumination is often referred to as direct.

Sign, mansard: Any sign attached to a mansard-type roof with sloping sides will for the purpose of this article be considered a wall sign.

Sign, non-conforming: Any sign, which does not meet the requirements of this ordinance.

Sign, number: The serial number of the permit issued for installing or erecting a sign, said number be included on the identification tag furnished by the sign contractor.

Sign, off-site: A sign relating its subject matter of any portion thereof to the premises other than the premises on which it is located.

Sign, on-site: A sign relating its subject matter to the premises on which it is located.

Sign, outdoor advertising: Any sign for which a permit for erection or display is required by this ordinance shall be deemed an outdoor advertising sign; any such sign visible from the exterior of any building including window signs.

Sign, painted wall: Any sign painted directly on the surface of a structure.

Sign, permanent: A sign affixed to a building or the ground.

Sign, political: A sign identifying and urging voter support for or opposition to a particular issue, political party, or candidate for public affairs.

Sign, portable: A sign which is designed to be moved from one place to another.

Sign, projecting: Any sign other than a wall sign, any part of which extends beyond the building or wall; and prohibited sign for purposes of this ordinance.

Sign, promotional:

- (1) A sign designed and intended to promote the sale of land or buildings.
- (2) A sign to advertise the opening of a business, special promotions or similar events.

Sign, real estate: A sign which advertises the sale; rental or development of the premises upon which it is located.

Sign, revolving: Any sign erected or constructed so as to rotate.

Sign, roof: Any sign erected, constructed, and maintained with the principal support on the roof structure.

Sign, sandwich: Any double-faced sign, which may readily be moved from place to place.

Sign, snipe: Any sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post, or any similar object located or situated on public or private property, not otherwise exempt.

Sign, structure: Any construction used or designed to support a sign.

Sign, subdivision: Any sign designed to identify a subdivision or neighborhood.

Sign, surface area: The surface area of a sign shall be computed for the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign, and including all of the elements of the matter displayed. The surface area of a sign shall be measured from the outside edges of the sign or the sign frame or sign structure, whichever is greater.

Sign, temporary: A sign or advertising display intended to be displayed for a limited period of time.

Sign, V-shaped: Any sign with two (2) or more faces (See section 2(O)(f) of Art. XX).

Sight triangle: An area adjacent to street intersections maintained clear of visual obstructions; a triangle so constructed that two (2) sides thereof are superimposed upon the intersecting street centerlines for a distance of one hundred fifty (150) feet back from the point of intersection of the centerlines, the third and closing side terminating at the respective points one hundred fifty (150) feet from the point of centerline intersection.

Single Office: A single building per lot for personal, professional and medical services. (There shall be no restriction on the number of professionals allowed in a single office.)

Special Exception: A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, if specific provision for such special exceptions is made in this zoning ordinance.

Street Line: The right-of-way line of a street.

Structure: Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards, and poster panels.

Travel Trailer: A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

Variance: A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted

because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

Yard: A required open space measured from the building wall with a maximum overhang of two (2) feet other than a court unoccupied and unobstructed by a structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided however that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility. (Ord. 2376, 2-6-08)

Yard, Front:

A yard extending between side lot lines across the front of a lot adjoining a public street.

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of 30 inches, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the heights of 30 inches and 10 feet.

In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the administrative official may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of corner lots with more than two frontages, the administrative official shall determine the front yard requirements, subject to the following limitations:

- (1) At least one front yard shall be provided having the full depth required generally in the district.
- (2) No other front yard on such lot shall have less than half the full depth required generally.

Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be

the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.

Yard, Side:

A yard extending from the rear [rear] line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after full and half-depth front yards have been established shall be considered side yards.

Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

Yard, Rear:

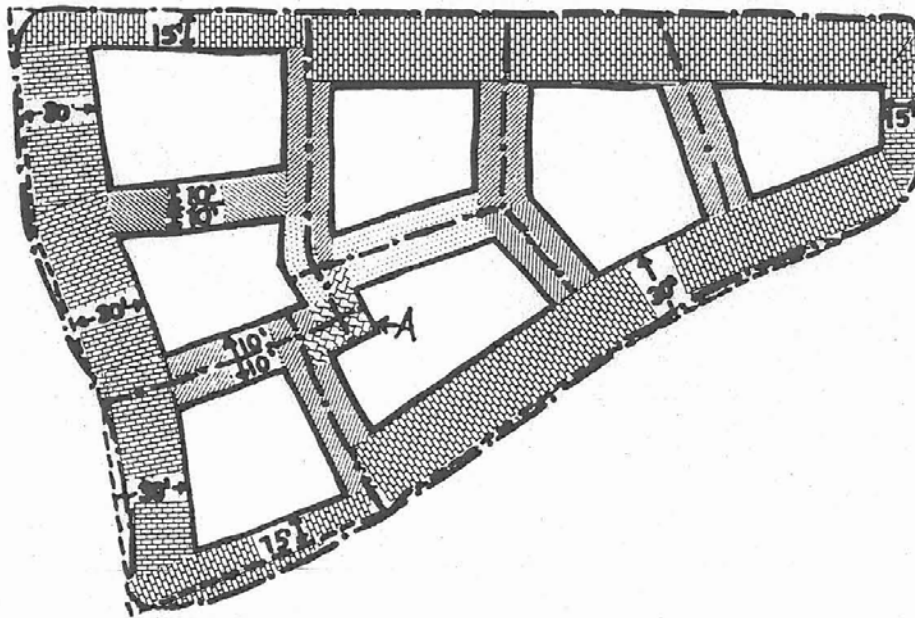
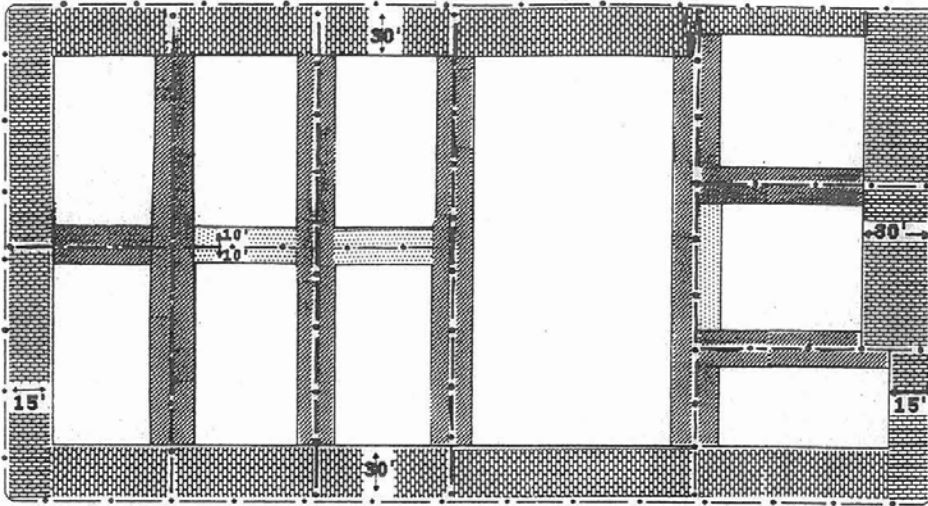
A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.




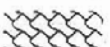
Yard, Special: A yard behind any required yard adjacent to a public street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the administrative official shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.



Editor's note--The diagram illustrating the location and methods of measuring yards on rectangular and nonrectangular yards, which follows the definition of "Special Yard" in the original ordinance, is not printed herein but is on file with the ordinance in the office of the zoning administrator.

(Ord. No. 1465, 11-29-88; Ord. No. 1593, 2-4-92)



Y A R D S

- Front 
- Side 
- Rear 
- Special 

- Lot Lines 
- Yard measurement lines 

The illustration here assumes front yard depths required at 30 ft. (half-depth front yards 15') side yard widths 10 ft., and rear yard depths 10 ft. Note that at A, a special yard is shown, indicating treatment where usual side or rear yard terminology would be difficult to apply but purpose of the yard is clear.

ARTICLE XIX

REPEAL OF CONFLICTING ORDINANCES: EFFECTIVE DATE

Ordinance No. 694 and all other ordinances or parts of ordinances in conflict with this zoning ordinance, or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall become effective on May 4, 1979 (date).

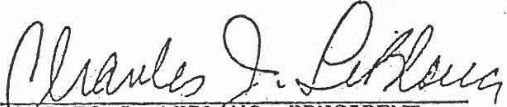
This ordinance having been submitted to a vote, the vote thereon was as follows:

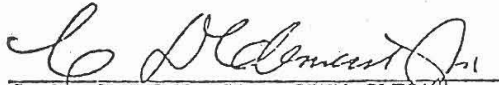
YEAS: Councilmen Thibodeaux, Clement, Knobloch, Peltier and LeBlanc.

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 10th day of April, 1979.


CHARLES J. LEBLANC, PRESIDENT


C. D. CLEMENT, JR., CITY CLERK

ARTICLE XX.

ADMINISTRATION FORMS*

***Editor's note--**With the permission of the city, the administration forms required by this ordinance are merely listed rather than being printed in full. These forms are available in the office of the zoning administrator.

1. Application For Building Permit
2. Zoning Permit (Placard)
3. Revocation of Zoning Permit
4. Application for Certificate of Zoning Compliance
5. Statement of Zoning Violation
6. Notice of Zoning Violation
7. Stop--Zoning Violation (Placard)
8. Application for Appeal
9. Application for Conditional Use Permit
10. Application for Variance
11. Application for Zoning Amendment

ARTICLE XXI.

SIGNS

Section 1001. Amendment and re-enactment of Ordinance No. 1593

Ordinance No. 1593 was amended and re-enacted so as to impose the regulations created therein only in those Zoning Districts designated as C-2, C-3, M-1 and M-2. It was further ordained that all other Zoning Districts shall continue to follow sign regulations as outlined in Article V of the Thibodaux Zoning Ordinance.

(Ord. No. 1688, 5-3-94)

[DIVISION 1.] TEMPORARY SIGNS

Section 2001. Removal, alteration or maintenance of signs.

- 2001.1. All signs which are no longer functional or are abandoned, shall be removed, or relocated, at the owner's expense, in compliance within the provisions of this ordinance with one year following disfunction.
- 2003.3. All outdoor advertising signs and sign structures shall be kept in repair and in proper state of preservation.
- 2003.4. Weeds and grass shall be kept cut in front of, behind, underneath and around the base of the ground signs for a perimeter distance of ten (10) feet, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near such signs.
- 2003.5. All temporary, legal off premises signs not otherwise permitted are allowed for a maximum two-week period.

(Ord. No. 1593, 2-4-92)

Section 2002. Prohibited signs.

- 2002.1. Prohibited signs are subject to immediate removal, unless noted otherwise (See section 2005).
 - (1) Any sign erected or painted upon a sloping roof, fence, tree, stand pipe, fire escape or utility pole.
 - (2) Any sign which uses the word "stop" or "danger" prominently displayed and/or which is a copy or imitation of official traffic control signs.
 - (3) **Signs which are electronic, display video, animated, flashing or**

with intermittent illumination except time and temperature or public service signs unless otherwise permitted in Article XXI 2005.2 (6) (f) of the City of Thibodaux Sign Ordinance. (Ord. No. 2369, 12-18-07)

- (4) Signs which emit visible smoke, vapor, particles, or odor.
- (5) Signs with any lighting or control mechanism which causes radio or television or other communication interference.
- (6) Any sign or sign structure placed upon any street or highway right-of-way, except directional signs.
- (7) Any sign affixed to any fence, tree, utility pole or traffic sign standard.
- (7) Any sign attached to or painted onto a vehicle parked adjacent to or on a public thoroughfare for the principal purpose of advertising.
- (9) Sandwich signs.
- (10) Snipe signs.
- (11) Window signs which identify or advertise activities, services, or products available within the building which collectively cover more than thirty (30) percent of the window glass surface area.
- (12) Bench signs with messages.
- (13) Portable signs.
- (14) Streamers.
- (15) Revolving signs.
- (16) Banners.
- (17) Erection of all on-site pylon type signs shall be prohibited. In their stead, monument type signs shall be erected as per Section 2005 – On Premise Signs, section #2005.2.6 (a) through (e).**

(Ord. No. 1593, 2-4-92) (Ord. No. 2014, 5-1-01) **(Ord. No. 2206, 7-6-04)**

Section 2003. Nonconforming signs.

Any nonconforming sign in existence on the date of enactment of this ordinance shall be considered nonconforming sign and shall be subject to the following conditions:

2003.1. The following to be removed or made to conform to this ordinance within

ninety (90) days:

- (1) Nonconforming signs made of paper, cloth, plastic, or other nondurable material.
- (2) All temporary signs other than those permitted herein.

2003.2. If any nonconforming sign is removed or destroyed then the replacement sign shall be in conformity with the requirements of this ordinance.

2003.3. When a change in use, occupancy or ownership occurs, the new business, if begun within one year after previous business closed, may utilize the existing signs even though they may be nonconforming signs. Existing nonconforming signs may be refaced during the aforesaid one-year period.

2003.4. Upon failure to comply, the building official is hereby required to cause removal as provided by law of such sign and any expense incident thereto shall be paid by the owner, agent, or lessee of said sign or of the property owner upon which the sign is located. The time period for this is six (6) months.

2003.5. Existence of any nonconforming sign on the premises will prohibit issuance of further sign permits while nonconforming use exists.

(Ord. No. 1593, 2-4-92)

Section 2004. Exempt on-site signs.

2004.1. Except as otherwise provided, the following on-site signs are exempt from the provisions of this ordinance and may be erected without securing a permit, subject, however, to meeting all other applicable codes and regulations.

- (1) One professional nameplate for each occupant. Each professional nameplate shall not exceed six (6) square feet in area.
- (2) One identification sign for each premise, denoting only the name, street number and business of an occupant in a commercial building or public institutional building. An identification sign shall not exceed six (6) square feet in area.
- (3) One bulletin board or identification sign per site for public, charitable, educational or religious institution located on the premises of said institution and not exceeding thirty-two (32) square feet in area.

- (4) Legal notices and official instruments.
- (5) Flags or insignias of a governmental, religious, charitable, or fraternal organization mounted on a single pole. Flags or insignias shall be limited to fifty (50) total square feet in area.
- (6) Decorative flags, banners or bunting authorized by the city building permit official for a citywide celebration, conventions, commemorations, fairs and parades.
- (7) Holiday lights and decoration only during customary duration of holiday period.
- (8) Memorial signs, tablets or cornerstones, names of buildings and date of erection when out into any masonry surface or when constructed of bronze or other noncombustible materials.
- (9) Non-advertising (not to exceed four (4) square feet in area) directional signs or symbols (e.g. entrance, exit, caution, slow, no trespassing) located on and pertaining to a parcel of private property.
- (10) Identification signs at the entrance drive of residences, estates, farms, ranches, and plantations which do not exceed four (4) square feet in area.
- (11) Political signs, on private property, provided such signs shall not exceed thirty-two (32) square feet in area (six (6) square feet in a residential district). Such signs shall not be erected more than one hundred twenty (120) days before an election and must be removed within fourteen days after the election.
- (12) Window signs which identify or advertise activities, services, goods or products available within the building and which collectively cover thirty (30) percent or less of the window glass surface area.
- (13) Directional and regulatory signs erected by an agency of government or any lawfully constituted utility.
- (14) One under-canopy sign per business not to exceed three (3) square feet, in area.
- (15) **Special Event "Temporary" Signs:**

Any one business, individual or organization may display a banner sign or product promotional "special event or temporary sign" on as many occasions as needed during a twelve (12) month period provided:

(a) Any such sign shall be temporary in nature and is not

allowed as a permanent on-premise sign. All such signs and any components shall be kept in good repair and be maintained in a safe condition. These signs shall be maintained in a neat, clean and attractive condition and shall be kept free of peeling and/or fading or other deterioration. Signs in violation of this section shall be removed in accordance with the enforcement section of this ordinance.

- (b) Any such sign shall be non-electric.
- (c) Such signs shall be permitted in multi-tenant buildings only when they are properly fastened to the building and shall drape in a manner parallel to and not perpendicular to the building and not be allowed to flutter, other than where such signs are allowed under the grand opening provisions of this section.
- (d) Such signs shall be professionally designed, printed and produced (hand grafted/written signs will be prohibited) and shall include franchise advertising and product promotional items.
- (e) No more than one (1) temporary sign, not exceeding thirty-two (32) square feet (back to back) shall be allowed per premise. A business with a premise containing greater than 100 feet of street or thoroughfare frontage shall be granted one (1) additional sign.
- (f) Such signs shall be attached and properly fastened to the building and shall drape in a manner parallel to and not perpendicular to the building and not be allowed to flutter.
- (g) Signs that contain statements, words or pictures of an obscene, indecent or immoral character that will offend public morals or decency are prohibited.
- (h) Temporary signs not affixed or attached to a building shall comply with the provisions of Section 2002 (Prohibited Signs) and the following requirements:
 - 1. Signs shall be firmly affixed to the ground to which it is attached and shall not be allowed to flutter.
 - 2. Any sign which by reason of it's location, position, size, shape or color that may obstruct, impair,

obscure or interfere with the view of or confuse traffic shall be prohibited.

Type of Temporary Sign Allowed: Attached or Detached

Number of Signs: One (1) sign per event, per premises with less than 100 feet frontage on a thoroughfare. An additional one (1) sign shall be granted for a premises with greater than 100 feet of thorough-fare frontage

Number of Faces: Two (2) per sign (back to back)

Sign Area: 32 square feet maximum

Set Back: 15 feet from public right-of-way

Maximum Height: 6 feet

(i) Special event signs promoting the grand opening of a business shall comply with the provisions of this section, with exception to the following:

- **Such signs shall only be displayed for a period not to exceed fourteen (14) days**
- **Such signs will be permitted under this section in multi-tenant buildings**
- **An additional two (2) temporary signs, not to exceed thirty-two (32) square feet shall be permitted**
- **One inflatable sign/advertising will be permitted under this section in addition to temporary signs**

Type of Temporary Sign Allowed: Attached or Detached

Number of Signs: Two (2) additional per grand opening

Number of Faces: Two (2) per sign (back to back)

Sign Area: 32 square feet maximum each

Set Back: 15 feet from right-of-way

Maximum Height: 6 feet

(j) Political campaign, real property sale, school, spirit, religious or charitable organization or other like

activity temporary signs shall be permitted on private property at the property owner's discretion under the provisions of this ordinance. However, such signs shall conform with the provisions of this section and shall be prohibited if, in combination with any other temporary sign, the provisions of this section are violated.

(k) Any sign or promotional product not included in this ordinance will be considered prohibited.

(l) Enforcement:

The Zoning Administrator of the City of Thibodaux and his designees shall be authorized to enforce this ordinance.

1. The zoning administrator shall order the removal of any sign erected or maintained in violation of this ordinance.
2. The zoning administrator shall remove a sign at cost to the owner, immediately and without notice, if in his opinion the sign presents an immediate threat of danger to the safety of the public.
3. If the owner of the sign and/or premises fails or refuses to comply or remove the sign or is unable to be located, the zoning administrator may remove or authorize others to remove such sign at the expense of the owner. The zoning administrator shall not be responsible for any sign that has been removed and may dispose of it in any manner he deems appropriate.

(m) Penalties

1. Each sign placed in violation of this ordinance shall be deemed to be a separate violation.
2. Refer to Article XVI, Section 1602 of the Thibodaux Zoning Ordinance No. 1593 for Penalties for violation.

(Ord. No. 1593, 10-1-91) (Ord. No. 2244, 5-3-05)

Section 2005. Sign standards--On-premises.

2005.1. *Visual obstruction:* Signs in a sight triangle shall not obscure vision between heights between three (3) and seven (7) feet above grade.

2005.2. Ground signs, wall signs, mansard signs, marquee and canopy signs shall be subject to the following conditions:

- (1) Temporary signs on private single-family residential property are permitted at the property owner's discretion, provided, however, the sign shall be removed upon termination of the activity, such as, garage or yard sale, political campaign, real property sale or other like activity, for which it was erected. Signs permitted hereunder shall not exceed six (6) square feet in surface area.
- (2) No new ground sign shall be larger than **thirty-two (32)** square feet.
- (3) Business within fifty (50) feet of right-of-way may have one **of the following: wall sign, mansard sign, marquee or canopy** sign, not to exceed sixty-four (64) square feet. Over fifty (50) feet, business is allowed one sign equal to one-half the distance from right-of-way. **(Ord. No. 2391, 4-15-08)**
 - (a) In professional business area developments, fifty (50) square feet.
 - (b) In all other districts where allowed, one hundred and fifty (150) square feet up to three hundred (300) feet setback from the roadway. For setbacks greater than three hundred (300) feet, any increase in sign area must be approved by the planning commission.
- (4) Signs in multi-occupancy nonresidential building. Where a single building or complex of buildings contains two (2) or more separate activities or establishments, the individual establishment located therein shall be permitted a wall sign and wall sign area based on portion of building frontage used by establishment as though there were individual buildings with individual street frontage. Such multiple occupancy buildings will be permitted one directory on a common single multi-listing sign with each individual occupant a surface area not to exceed thirty-two (32) square feet and with a minimum height of seven (7) feet.
- (5) **Maximum number of signs. Only one (1) ground sign and two (2) wall, mansard, marquis or canopy signs shall be allowed for each premises except that on corner and double frontage lots, two (2) ground signs and three (3) wall signs are allowed.**

Any premise may utilize up to the maximum sign surface allowed for each frontage, but no transfers of allowable area may be made from one frontage to another.

(6) Ground signs.

(a) Single businesses shall be allowed one (1) monument type sign not to exceed thirty-two (32) square feet.

(b) Multiple businesses in a single building shall be allowed one (1) monument type sign not to exceed sixteen (16) square feet per business.

(c) The above mentioned signs shall be set on a block type base not less than one (1) foot in height, nor more than three (3) feet in height, the overall height of the monument sign shall not exceed six (6) feet. In a single building over one hundred (100) feet from right-of-way, with multiple businesses in excess of eight (8) occupants, the overall height of the monument sign shall not exceed nine (9) feet in height.

(d) Existing on-site pylon signs shall be "grandfathered" and allowed to stand. All signs which are no longer functional or abandoned shall be removed or relocated at the owner's expense in compliance with the provisions of this article within one (1) year following dysfunction.

(e) One changeable letter sign per premise shall be allowed with permanent on-premise signs and shall be an integral part of the structure. The first sixteen (16) square feet of a changeable letter sign face shall not be calculated in the total sign area and such changeable letter sign area shall not exceed a total of thirty-two (32) square feet. The amount of square footage in excess of sixteen (16) will be included in the maximum square footage allowed in aggregate on that sign structure and such signs shall meet all other regulations as set forth herein. (Changeable letter signs that are an integral part of a permanent on-premise sign are not considered temporary signs.) (Ord. No. 2206, 7-6-04)

(f) One electronic message display board per premise shall be allowed with permanent on-premise sign. The electronic message board shall be an integral part of the on-premise sign not to exceed sixteen (16) square feet and the total area of the sign shall not exceed thirty two (32) square feet. Such signs shall meet all other regulations as set forth herein. The electronic message display board must consist of only alphabetic or numeric

characters on a plain background and may not include any graphic, pictorial or photographic images. Lightness, brightness and color must remain constant within a message and between messages. The electronic sign must not exceed a maximum illumination of 5,000 nits (candelas per square meters) during daylight hours and a maximum illumination of 500 nits (candelas per square meters) between dusk to dawn as measured from the sign's face at maximum brightness. All electronic message display signs shall be required to have an ambient light monitor or similar device that will automatically adjust the brightness level based on ambient light conditions. (Ord. No. 2369, 12-18-07)

(Ord. No. 1593, 2-4-92) (Ord. No. 2014, 5-1-01)

- (7) Wall sign projection. Base of wall signs may not project more than twelve (12) inches from the building to which they are attached.
- (8) Mansard signs. Unless otherwise specified, the mansard type roof portion of a structure may be used for the mounting of a sign, provided such sign shall not extend above the break point of the mansard type roof line upon which the sign is mounted.
- (9) Marquee and canopy signs. Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface and shall not be greater than two (2) feet in vertical dimension and shall not extend beyond the marquee or canopy.

(Ord. No. 1593, 2-4-92) (Ord. No. 2207, 7-6-04)

[DIVISION 2.]

REGULATIONS APPLICABLE TO OFF-PREMISE OUTDOOR ADVERTISING

Section 2101. Definitions.

(a) **Off-premises sign** means any outdoor sign, display, figure, painting, drawing, message, billboard, or any other thing which is designed, intended, or used to advertise or inform, any part of which advertising or information content is visible from any place on the main traveled way of any thoroughfare in the city; but does not include on-premises signs advertising or identifying activities conducted on or products sold on the property upon which they are located.

(b) **Thoroughfare** means any street, road, expressway, freeway, or highway located within this city.

(c) **Sign** means all portions of an outdoor advertising structure, including structural elements, bases, sign faces, trim and borders.

(d) **Sign Face or panels** means that portion of a sign, including the display area, border and trim, but excluding the base, supports, and other structural members, facing traffic moving in one direction.

(e) **Back-to-back sign** means a structure with two (2) parallel sign faces oriented in opposite directions, or two (2) structures, each with one sign face and located not more than ten (10) feet from an obstruction preventing both structures from being seen at the same time from any point along the thoroughfare.

(f) **V-Type sign** means a structure or structures with two (2) or three (3) sign faces, forming the shape of the letter "V" or a triangle when viewed from above, with an angle between any two (2) faces of not more than sixty (60) degrees.

(Ord. No. 1593, 2-4-92)

Section 2102. Location of off-premises signs.

Off-premise signs which conform with the provisions of this section shall be permitted in all commercial and industrial zoning districts except C-1.

(Ord. No. 1593, 2-4-92)

Section 2103. Size of off-premises signs.

The maximum area of an off-premise sign face shall be four hundred square feet with maximum length of forty-five (45) feet, plus temporary embellishments not exceeding twenty (20) percent of the permanent sign area, but not to exceed one display panel on the same face.

(Ord. No. 1593, 2-4-92)

Section 2104. Location of off-premises signs.

Property facing thoroughfares and all other property which is zoned so as to permit the construction and maintenance of off-premises signs shall be subject to the following:

- (a) No two (2) off-premises signs shall be spaced less than four hundred (400) feet apart in all directions on any thoroughfare.
- (b) No off-premises sign shall be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of, an official traffic sign, signal or device, or obstruct or physically interfere with a driver's

view of approaching or intersecting traffic.

(Ord. No. 1593, 2-4-92 & Ord. No. 1883, 4-6-99)

Section 2105. Height of off-premises signs.

There shall be a minimum clearance of seven (7) feet to the bottom of an off-premises sign face and a maximum height of forty-five (45) feet to the top of an off-premise sign face, from grade of the thoroughfare to which the sign is oriented.

(Ord. No. 1593, 2-4-92)

Section 2106. Lighting of off-premises signs.

Off-premise signs may be illuminated, subject to the following restrictions:

- (a) No revolving or rotating beam or beacon of light that simulates any emergency light device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign; however, illuminated signs which indicate customary public information, such as time, date, temperature or other similar information shall be permitted.
- (b) External lighting, such as floodlights, thin line and gooseneck reflectors, are permitted, provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the thoroughfare.
- (c) The illumination of any sign within one hundred feet of a residential zone lot line shall be diffused or indirect in design to prevent direct rays of light from shining into adjoining residential districts.

(Ord. No. 1593, 2-4-92)

Section 2107. Prohibited off-premises signs.

The following off-premises signs shall not be permitted to remain or to be erected:

- (a) Signs which are obsolete structures not meeting city engineer construction standards, out-of-date political billboards, signs advertising defunct businesses and signs which have been erected without a building permit having been issued therefore.
- (b) Signs which are not clean and in good repair.
- (c) Signs which are illegal under state law or regulations.
- (d) Signs that are not securely fixed on a substantial structure.

- (e) Signs which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate, or resemble any official traffic sign, signal or device.
- (f) Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
- (g) Signs which are nonconforming and damaged or destroyed commencing with the year 2000.
- (h) Signs that prevent free ingress or egress from any doors, window, or fire escape; or that are attached to a standpipe, fire escape.
- (i) Signs are prohibited on the batture (area between highway and bayou) of Bayou Lafourche within the city limits with the exception of the area in between and including Ridgefield Road and St. Bernard Street. Signs are also prohibited on North Canal Blvd. from Bayou Lafourche North to the corporate city limits. The prohibited area on North Canal Blvd. shall be that area measuring 400' out from the center line of the thoroughfare extended both in an easterly and westerly direction.
- (j) Sign panels cannot be side by side or stacked; single sign panels only.

(Ord. No. 1593, 2-4-92) & (Ord. No. 1883, 4-6-99)

Section 2108. Construction standards.

All off-premises signs shall be constructed in accordance with the Building Code of the city. The structural elements of all off-premises signs shall be of metal construction.

(Ord. No. 1593, 2-4-92)

[DIVISION 3.]

GRANDFATHERING PROVISIONS

Section 2200. Provisions established.

All legal and permitted signs built and installed prior to this ordinance are "grandfathered."

(Ord. No. 1593, 2-4-92)

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