

# **C-1 ND (Light Commercial Nelson District)**

Neighborhood/Commercial Corridor Overlay District

**Prepared for the  
CALCASIEU PARISH POLICE JURY  
2004**



# **Nelson District**

*An Innovation In Livable/Workable Communities*

Nelson District Regulations  
Boundary Description  
Landscape and Tree Plan  
Definitions  
Map  
Alternative Design Procedures

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## EXECUTIVE SUMMARY

A feasibility study was conducted for Nelson Road to evaluate the creation of an overlay district to incorporate the possibilities of commercial zoning along the corridor. The scope of this project called for the compilation of data and maps for the 2.8-mile section of Nelson Road. The analysis included Geographic Information Systems (GIS) coverage for land use, zoning and infrastructure. Area surveys were conducted for several key issues including rezoning, landscaping, signage, lighting, buffers, commercial building design requirements, setbacks and parking. The study area for this project extended from the incorporated limits of Lake Charles south of Country Club Road to Tank Farm Road. These initiatives were needed to ensure that the design of the Nelson Road corridor would serve the local transportation, economic and aesthetic needs of the Parish while meeting the concerns of the resident's along Nelson Road.

A recommendation was found to be warranted for an overlay district to be established for the Nelson Road corridor. The future of Nelson Road and its potential for growth is inevitable given the fact of the Lake Charles Memorial Hospital expansion to the Gauthier Road intersection. With the City of Lake Charles working toward supplying sewer services to the residents of South Lake Charles and the Parish widening Nelson Road, a proactive approach for zoning regulations for this section of the Parish would be advantageous to enhance and maintain the residential character of this corridor.

Finally, we conclude that with development regulations, the landscape theme needed to continue the character of Nelson Road would be similar to the aesthetic appearance essential for the smart growth approach to creating better communities.

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## INTRODUCTION

### Overlay Districts

How we treat our land is one of the most important challenges facing us today. Many critical decisions about land use are made at the local level, through a community's master plan, zoning laws, subdivision regulations and complementary programs.

Unfortunately, conventional land use regulation such as zoning often fails to protect significant environmental resources. The original, early 20th century concept of zoning regulation was to make living conditions safer by dividing a municipality into different areas; locating, for example, factories and industries in one area and housing in another.

Built on this concept of separation of uses, zoning evolved into a tool for the planning direction of a town or parish's (county) future expansion to best suit its transportation, health and safety needs. More recently, protecting important environmental resources has also become a major issue.

### What is an "overlay district"?

An "overlay district" is a special zone that is drawn on a map outlining a significant resource. The resource could be an aquifer, a watershed, a shoreline, a historic area, or a developing length of road, which may consist of neighborhoods or business potentials commonly called in planning a "**road corridor**". This district is "overlaid" on the existing land use regulations such as subdivision requirements, site plan review or zoning districts of a town. This overlay district then supplements the existing regulations. This approach allows the Parish to maintain or update current codes while addressing the special needs of particularly sensitive areas like Nelson Road.

A good example of overlay districts is floodplains, where any housing or construction must meet certain extra standards in order to be approved. This is done to protect lives and property and ensure the natural functioning of the floodplain.

Overlay districts are currently used in many towns and counties across the country for a variety of purposes, including protecting agricultural resources, historic properties, aquifers, **road corridors**, gateways, and scenic views.

***Features of the overlay district may include: Transportation Design Elements, Landscape Buffers, Building Articulation, Building Materials, Parking, Lighting, and Signage.***

## **Advantages of overlay districts**

An overlay district:

- ❑ Can be written and mapped to incorporate whatever features are most important to a proposed area. Boundaries can be easily defined using tax lot lines, roads, and existing slope or soils maps, which closely approximate the feature of interest.
- ❑ Can address all of the proposed areas concerns regarding any proposed land use change inside the district. Anything that might impact the quality of the proposed mapped feature can be addressed, including road requirements, frontage, lot size, lot coverage, setbacks, tree cutting, vegetation buffers, lighting and open-space natural areas.
- ❑ Can easily be implemented by passing an amendment to the ordinance appending it to the existing land use regulations. Substantial rewriting of underlying zoning, site plan review or subdivision regulations is not required.
- ❑ Can be modified in the future should there be a need to add or modify items. Using an overlay district, the parish continues to protect its own resources without the imposition of authority from outside agencies. The decision-making process, therefore, is kept at the local level where stewardship can remain a point of community pride. Officials and involved citizens retain the opportunity to exercise self-determination and self-responsibility for their parish's future.

## **Benefits**

The real power and effectiveness of overlay districts lies in the fact that all the parties involved in the land development review process can benefit. This includes the parish, property owners, developers and the public. The standards and requirements to the developer are different than they are in other, non-overlaid zoning districts. Within this overlay district there will be no public hearing procedure to obtain approval.

When building in an overlay district, a developer will have a clear understanding of the parish's expectations and realistic development possibilities at the beginning of the approval process, before major commitments or expenditures are made. Since measures to protect the environment are built into the overlay district site plan from the beginning, this can lead to a quicker and less costly approval process.

## **Purpose and intent**

The purpose of the Nelson District is to provide incentives to encourage infill development and redevelopment along Nelson Road, improve the neighborhood characteristics of the area, and improve the overall quality of the surrounding community. The intent of this overlay district is to implement the community's vision for the area and to address the unique land development constraints along Nelson Road. The standards below will ensure that new development is compatible with and enhances the appearance of the surrounding area. Redevelopment of existing buildings or projects will be required to comply with the applicable standards within the affected area only.

ZONING DISTRICT: C-1 ND (LIGHT  
COMMERCIAL - Nelson District)

## **Permitted Uses By Section**

**Section I:** *business and professional offices; institutions; churches; and parks*

**Section II:** *Same as Section I; including bakeries; catering and delicatessen services; clinics; convenience stores; day cares; drug stores; fix-it shops; food service shops (no alcoholic beverages consumed on premises); funeral homes; gas stations; kennels; nurseries (horticultural); personal service shops; ponds; public uses; restaurants (alcoholic beverages consumed on premises); stables; and studios.*

### **1. Applicability**

The provisions shall apply to all development within the boundaries of the Nelson District.

### **2. Boundaries**

The Nelson District consists of those lands within unincorporated Lake Charles South of Country Club Road and North of Tank Farm Road in Calcasieu Parish bounded by property lines and legally described in Attachment A. The boundary is two (2) miles in length of the 2.8 miles of Parish road, up to four hundred (400) feet in depth and separated into two sections:

Section I (Incorporated limits south to Ham Reid Road intersection)

Section II (Ham Reid Road south to approximately 900 feet south of the Gauthier Road intersection)

### **3. Nonconforming Uses: Structures**

All current residences and businesses located within the boundary of the Nelson District are exempt from complying with the overlay district regulations, except: a)

when a residential use converts or is replaced with a business type use or; b) when an existing business is damaged, destroyed, repaired or renovated to 50% or more of the market value of the structure.

## **5. Zoning**

All parcels subdivided or unsubdivided within the boundary of the Nelson District shall be zoned C-1 (Light Commercial), but regulated pursuant to permitted uses set forth in these regulations and further herein described as C-1 ND (Light Commercial Nelson District). There shall be no adjustments within the Nelson District except when approved as an Alternative Design. (*Calcasieu Parish Police Jury Ordinance 3940, Article V, Division I, Sec. 26-34 Zoning*)

## **6. Conflict**

Where the provisions of the Nelson District conflict with other applicable restrictions of the Calcasieu Parish Code of Ordinances, the provisions of this section shall prevail.

## **7. Property Development Regulations**

Property development regulations shall apply to any proposed development located within the boundary limits of the district and all development shall comply with the regulations of the underlying zoning districts, except where modified as follows for the Nelson District:

### **a. Setbacks, Maximum Heights, and Access**

- All buildings included in the overlay district along Nelson Road must be set back a minimum distance of thirty (30) feet from the right of way line of Nelson Road. Maximum height on all buildings 35 feet.
- No building or parking is allowed within the thirty (30) foot building setback except for public amenities.

### **b. Building/Landscape**

- (1) Front Setback-30 feet**
- (2) Corner Lot Front Setback-30 feet for both streets**
- (3) Side Landscaped Buffer- 10 feet**
- (4) Front and Rear Landscaped Buffer- 15 feet**
- (5) Corner Lots Front Landscaped Buffer- 15 feet for both streets**

**c. Floor Area**

- None
- Outdoor Seating Areas: only fifteen percent (15%) of the outdoor seating area of the buildings gross floor area.

**d. Parking**

- Location

All required parking spaces for the principal use must be located on the rear or side of the principal structure. No parking spaces shall be located within the front setback. All developments located on corner lots shall comply with the thirty (30) foot setback on both streets.

All parking lots must have a concrete curb configuration. All parking areas must contain a minimum of one (1) Class "A" or three (3) Class B trees within a 9' x 20' square foot landscaped island for separation (*See Attachment B, Section III*). No parking places are allowed to be further than fifty (50) feet from a tree. Shared parking areas and driveways are encouraged.

- Parking lot improvements
  - Reduce environmental effects of run-off
  - Reduce heat generated from pavement
  - Enhance aesthetic appeal of area
- Rear service road

Parcels providing access through a rear service road shall be a minimum of twenty (20) feet wide, subject to utility easements to be approved by the Parish Engineer. The road must be unencumbered, built to Parish standards, and not used for any other purposes.

**e. Street and Buffer Trees (*For more detail refer to Attachment B*):**

- Planting requirements

Landscaping and Buffers: When a business is constructed within the boundary of the Nelson District, a solid six (6) foot wood or masonry fence must be installed on the designated lot line where contiguous to R-1 (Single Family Residential) or R-2 (Mixed Residential) lots with a minimum fifteen (15) foot setback for the



rear buffer, ten (10) foot for the side setback buffer and landscaped including the front fifteen (15) foot setback buffer.

- Location

A planting area is required within the fifteen (15) foot front and rear setback and the ten (10) foot side setback. The minimum requirements for these planting areas include a (1) Class "A" tree or three (3) Class "B" trees for every fifty - (50) linear feet within the buffer zone, or fraction thereof, measured at the property line. Seventy-five (75) percent of the required trees must be indigenous and may be located anywhere within the planting area. All planting areas will also be planted with shrubs and ground cover plantings to the extent that forty (40) percent of the planting area is planted with vegetation other than turf grass. Corner lots with frontage on more than one street must provide planting along the entire street frontage. (See *List of Trees in attachment B*)

- Alternative Landscape Plan

Alternative landscaping and/or spacing may be provided, subject to approval of an Alternative Landscape Plan.

## **f. Signage**

The Calcasieu Parish Ordinance shall govern the maximum number, height, and area, and the location of freestanding signs.

Notwithstanding any other provision to the contrary, only Monument Signs or Wall Signs are allowed in the Nelson District. Only one (1) Monument Sign is allowed per entrance or driveway. One (1) Wall Sign is permitted for each building.

A Monument Sign or Wall Sign may not illuminate, flash, blink or fluctuate and may not be animated. No internal illumination is allowed.

## **g. Pedestrian Circulation**

- A paved, ADA (American Disabilities Act) compliant walkway shall be provided from all adjacent public sidewalks to all entrances used by the general public.
- Benches and trash receptacles shall be provided as follows: One bench and trash receptacle per building.

- Walkways traversing vehicular use areas shall be constructed of pavers, brick, decorative concrete, or similar pavement treatment (other than paint or striping) to indicate the pathway is intended for pedestrians.

## 8. Quality Development Standards

### a. Public Amenities

- Businesses locating within the Nelson District shall provide a minimum of one (1) of the following public amenities, which shall have a French Country theme and be incorporated within the 30-foot front setback and the Nelson Road right of way.
  - (1) public art;
  - (2) outdoor seating or outdoor furniture with umbrellas for open air eating;
  - (3) outdoor patio, courtyard or plaza;
  - (4) water feature/fountain/use of retention area as a focal point; or
  - (5) parks, squares or other public open spaces. Public open spaces shall be at least one hundred (100) feet by fifty (50) feet and are encouraged at intersections.

### b. The Architectural Design Guidelines: **(French Country)**



*The following general architectural design guidelines shall apply a French Country styled building:*

- All roofing materials are limited to Architectural Asphalt Shingles, Standard Seam Copper, Slate (or imitation slate) or Clay Tile.
- Roofs will have a minimum six (6) foot on twelve (12) foot pitch.
- All exterior wall materials are limited to brick or stucco. No vinyl or aluminum siding except where brick is not applicable (i.e. soffet, gable end, facial board).
- Skylights will not be located on the front elevations of the building. Bubble skylights and solar collectors are not allowed.
- All exposed portions of chimneys must be brick or stucco. Chimney caps are required with no exposed spark arrestors. Chimney materials will be brick, copper, bronze color, slate, or flagstone.

# French Country Theme

## Exterior Design Examples



**Country French/Multi-Commercial**



*In keeping with the residential theme throughout the corridor, motorists, pedestrians and residents will feel the comfort of a residential neighborhood, while having the convenience of certain commercial uses nearby.*

- Storage sheds must be attached to the building and will be constructed of the same materials as the building. No prefab, freestanding structures will be permitted.
- All air-conditioning compressors will be screened and in the rear.
- Refuse collection must be kept in a dumpster enclosed by a six (6) foot wood, or masonry fence. Dumpsters may not be located in building setback areas or landscape buffer areas.

- Exterior

Earth tone colors shall be encouraged for the base building color. The same base building color may be used for the entire structure. Exterior siding shall be brick or stucco. Vinyl shall be used only where brick is not applicable (i.e. soffet, gable end, facial board).

- Entries

All entries used by the general public shall be easily identifiable and integrated into the building architecture.

- Awnings/Canopies

Weather protection, such as awnings or canopies, shall be provided over the pedestrian walkway within thirty-(30) feet of all primary general public entrances. Awnings/canopies shall be provided over all entrances. The following types shall be prohibited: high gloss vinyl; plastic; horizontal ribbing; flowered and multi-color (four (4) or more) designs.

- Windows

Clear or low reflective glass shall be used for display windows and doors. Windows shall be defined with elements such as frames, sills, and headers.

- Roofs

All roofing materials and colors shall compliment the base building materials and color. Roof design shall include a minimum of one (1) distinctive architectural focal point or feature (e.g., cupola, dormer, widows walk, weather vane, clock tower). Roofs will have a minimum six (6) foot on twelve (12) foot pitch.

- Loading and service areas screening

Loading docks, dumpsters, outdoor storage areas, compactors, and similar areas shall be screened from view from adjacent properties and public streets. Screening material and method shall be consistent with the architecture of the building and/or equivalent landscaping.

- Lighting

All freestanding poles and wall mounted exterior light fixtures shall be decorative and limited to a maximum height of eighteen (18) feet. Pole lighting prohibited within (15') feet of a residential property line.

1. Lighting mounted on buildings or fences shall be no more than seven (7) feet above the ground.
2. Pole lighting is allowed in parking areas. Pole lighting is limited to eighteen (18) feet in height and must be located no closer than fifteen (15) feet from the property line.
3. Any external lighting must be oriented inward toward the development or structures to minimize intrusion into surrounding property.

- Prohibitions

The following elements shall be prohibited: neon lights and colors, high intensity, metallic or fluorescent colors, mirror or solar glass with a reflectivity or opacity greater than sixty percent (60%).

**c. Crime Prevention Through Environmental Design (CPTED)**

A minimum of one (1) CPTED principle from each category below shall be incorporated into site design for all development.

- Reduce Opportunities

Creating an atmosphere that does not encourage or invite unlawful activity can reduce criminal opportunities.

*Strategies include:*

1. well lighted public outdoor areas and pedestrian walkways;
2. well lighted parking areas;
3. direct general public access from all parking areas;
4. signs directing general public to entrances for general public;
5. easily identifiable store entrances;
6. difficult roof accessibility; and
7. "call-out" pay phones only under surveillance.

- Increase Visibility

Visibility in and around the business area will help to reduce crime.

*Methods include:*

1. store windows facing all parking areas;
2. interior shelves and displays not exceeding five (5) feet in height;
3. well lighted interior/exterior spaces;
4. building-mounted lighting installed on all exterior walls, especially at delivery/service and entrances for general public;
5. clear visibility maintained from the store to the street, parking areas, pedestrian walkways, and passing vehicles;
6. all entrances and exits under visual or electronic surveillance; and,
7. landscaping, buildings, walls and fences, which do not create hiding places or hinder visibility.

- Territorial Reinforcement

Physical features can be used to distinguish private areas from public spaces. Residential areas should be designed to indicate they are off-limits to the general public. Methods to differentiate private areas from public spaces include:

- (a) landscaping, special pavement, and low fences;
- (b) public spaces identified by welcome, directional, marquee, or similar signs; and
- (c) wrought iron, aluminum picket or similar non-opaque decorative gates used to identify entrances into private residence.

## Attachment A

# Nelson District

### *Overlay Boundary*

#### Legal Description

Commencing at a point approximately 1377 feet south of the NW corner of Section 25, Township 10, Range 9, thence east 445 feet, thence south 1320 feet, thence west 400 feet, thence south approximately 1489 feet, thence southeasterly along a drainage ditch a distance of approximately 430 feet to the SW corner of Section 25, thence south approximately 1063 feet to the south line of Section 25, thence west 890 feet along the south line of Section 25, thence north 1320 feet, thence east 400 feet, thence north approximately 2788 feet, thence east 45 feet to the point of commencement, including Right of Way on Nelson Road

And

Commencing at a point 345 feet east of the NW corner of Section 36, Township 10, Range 9, thence south 416 feet, thence west 135 feet, thence south 880 feet, thence east 135 feet, thence south 1320 feet, thence west 300 feet, thence south 2640 feet to the south line of section 26, thence west 390 feet along the south line of Section 26, thence north 2640 feet, thence west 100 feet, thence north 2640 feet, thence east 445 feet to the point of commencement, including Right of Way on Nelson Road

And

Commencing at a point 445 feet east of the NW corner of Section 1, Township 11, Range 9, thence south 900 feet, thence west 890 feet, thence north 900 feet, thence east 445 feet to the point of commencement, including Right of Way on Nelson Road.

**ATTACHMENT B**  
**LANDSCAPE AND TREE PLAN**

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## **Section I: PURPOSE**

The purpose of this Plan is to protect and enhance the Nelson District's environment, economic and aesthetic resources consistent with the goals of the Nelson District Regulations thereby promoting the public health, safety and general welfare of the citizens and contributing to the quality of life by encouraging a high level of design in development.

Further, the standards and requirements of this Plan seek to promote the preservation, protection and enhancement of nature in the Parish, and nature's unique features with particular emphasis on the urban forest canopy and vegetative cover of the land.

## **Section II: APPLICABILITY OF LANDSCAPE REQUIREMENTS**

The provisions of this Plan shall apply to:

- A. All new development within the Nelson Overlay District.
  
- B. When an existing use converts or is replaced with a new type of use or when the existing use is damaged, destroyed, repaired or renovated to 50% or more of the assessed market value of the structure.
  
- C. Development of vehicular use areas (parking lots) or vehicular use area additions of five (5) parking spaces or more.

## **Section III: LANDSCAPE STANDARDS**

- A. The following standards shall be included as the Landscape Plan prepared pursuant to Nelson District Regulations.
  - 1. All landscaping shall be installed in a sound manner and in accordance with accepted standards of the Louisiana Nurseryman's Manual for the Environmental Horticulture Industry, latest edition, as published by The Louisiana Nursery and Landscape Association.
  
  - 2. Plant material shall be true to name, variety and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.
  
  - 3. All single trunk trees shall have a minimum two (2) inch caliper measured at breast height immediately after planting. Single trunk trees must measure a minimum of eight (8) feet tall immediately after planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

4. Multi-trunk trees shall have main stems with a minimum one (1) inch caliper measured at breast height per trunk immediately after planting. All multi-trunk trees shall have a minimum of three (3) main stems. The multi-trunk tree must measure a minimum of eight (8) feet tall immediately after planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

5. Tree Standards: Trees selected for planting shall meet the minimum requirements provided in the Louisiana Nurseryman's Manual for the Environmental Horticulture Industry's latest edition as published by The Louisiana Nursery and Landscape Association.

6. Shrub Quality Standards: Shrubs selected for planting shall meet the minimum requirements provided in the Louisiana Nurseryman's Manual for the Environmental Horticulture Industry's latest edition as published by The Louisiana Nursery and Landscape Association. Shrubs size shall be a minimum 3-gallon well-rooted container stock.

7. Ground Cover and Vines Quality Standards: Ground cover (other than turf grass) shall be minimum of four (4) inch well-rooted container stock spaced no more than eight (8) inches on center. Well-rooted two-and-one-half (2 1/2) inch container stock may be substituted and spaced six (6) inches on center. Vines and ground cover plants should show a number of vigorous woody runners or a well developed crown.

8. A minimum of one hundred (100) square feet for each Class "A" tree or fifty (50) square feet for each Class "B" tree of non-paved area is required for each tree where it is planted. Non-Paved Area refers to an area of ground used for planting, and which is not covered with paving materials that are impervious or which inhibit the free movement of moisture and air into and out of the soil. Such areas may be partially covered with acceptable porous paving materials if prior approval has been obtained from the Director of Planning and Development.

B. Technical requirements for the design, installation and maintenance of plant material and landscape area site development shall be as follows:

1. Developed Site Area: There shall be one (1) Class "A" tree or three (3) Class "B" trees for each five thousand (5,000) square feet, or fraction thereof, of developed site area. On sites with buildings exceeding fifty thousand (50,000) square feet, fifty (50) percent of required trees shall be Class "A".

2. Street Yard Planting Area: Street yard planting area is the unpaved area of land located between the property line/right of way and any building, designated (i.e. within the 15' front landscape buffer area) for the preservation and placement of plant materials along all property lines that border Nelson Road.

a. The street yard planting area shall contain a minimum of one (1) Class "A" tree or three (3) Class "B" trees for every fifty (50) linear feet of street yard, or fraction thereof. The street yard planting area must be a minimum of fifteen (15) feet in width from the front property line. Trees need not be planted in straight lines and Class B trees may be clustered to enhance visual affects. All Class A trees shall be spaced a minimum of 30 feet (Live Oaks 45 feet) and a maximum 50 feet. Class B trees shall be spaced at a minimum appropriate to species and a maximum of 50 feet for singles and 75 feet for clusters of three or more.

b. The street yard planting area shall contain shrubs and non-turf ground cover plantings. Shrub and ground cover plantings must cover forty percent (40%) of the street yard planting area. Generally, shrubs and ground covers should be planted in masses of one type per mass and in sufficient numbers to create beds or "drifts" of plants.

c. The street yard planting area may contain pedestrian walkways, site furniture, signage, site lighting, fountains and any other appropriate landscape features as approved by the Director of Planning and Development. Landscape fixtures should reflect the architectural character of the building.

d. Retaining existing vegetation, either as lone growing specimens or groves of trees, within the street yard planting area is highly encouraged. Underbrush and non-native weeds may be removed, by hand methods only, to allow views to buildings and interior vehicular use areas.

e. No parking lot will be allowed within the street yard planting area except for driveways entering and exiting the site.

f. Lots with frontage on more than one street shall calculate the street planting requirements along the entire street frontage of both streets.

### 3. Buffer Yard Screening:

a. Plant Material: May be used for screening purposes within the buffer yard area. Plant material screening may be located anywhere within the required 15' rear and 10' side buffer yard areas. There shall be a prescribed number of plants per every 50 linear feet. The plant material shall provide the required screening within 3 years from the time installed.

b. Buffer Walls: Any wall shall be constructed in a durable fashion with a finished surface of brick, stone or other decorative masonry material approved by the Director of Planning and Development.

c. Fences: Shall be constructed in a durable fashion with weather resistant wood and be of a consistent pattern. All material used in the construction of a fence shall be designed and intended for such use. Not withstanding the

foregoing, the Director of Planning and Development may approve a buffer fence/wall constructed of other materials provided the materials will provide generally the same degree of opacity, durability, and aesthetic compatibility with adjoining residential areas as weather resistant wood. A finished side of all wall or fences shall face the common property line boundary. No wall or fence used for screening purposes shall be more or less than six (6) feet in height above grade.

d. Prescribed fences or walls may be waived if a building, fence or wall of at least equivalent height, opacity and maintenance exists immediately abutting and on the opposite side of said property line.

4. Sight Triangle Area: No planting or ground cover in sight triangle areas shall exceed twenty-four (24) inches in height at maturity.

5. Vehicular Use Area: Vehicular use areas shall be required to be landscaped with trees, shrubs and ground cover other than turf grass in the parking island, peninsula, or planting space. Such landscaping shall be distributed within the vehicular use area in such a manner that no parking space is further than fifty (50) feet from a Class "A" tree.

a. For vehicular use areas of one to twenty five (25) parking spaces, one (1) Class "A" tree or three (3) Class "B" trees for every five (5) parking spaces, or fraction thereof.

b. For vehicular use areas of twenty five (25) to one hundred (100) parking spaces, one (1) Class "A" tree or three (3) Class "B" trees for every ten (10) parking spaces, or fraction thereof.

c. For vehicular use areas of over one hundred (100) parking spaces, one (1) Class "A" tree or three (3) Class "B" trees for every fifteen (15) parking spaces, or fraction thereof.

d. Any parking island, peninsula, or planting space internal to a vehicular use area must have a minimum width of nine (9) feet by twenty (20) feet of non-paved area if it is to contain a tree or trees.

e. Interior islands, peninsulas, or green space provided around a tree (or trees) for preservation shall provide a non-paved area no nearer than three (3) feet from the tree(s) drip-line or a distance of twelve (12) times the diameter of the trunk (DBH) in feet, whichever is lesser, or as may be required to insure the survival of the preserved tree(s), subject to the approval of the Director of Planning and Development.

f. Underground utilities, drain lines, and the like which are placed beneath vehicular use area planting spaces shall be installed as near to the edge of the

planting space as possible, within the outer one-third of the available width of the planter, so as not to interfere with tree installation.

g. All vehicular use area planter spaces shall be protected from vehicular access by continuous concrete barrier or vertical face curbing of a minimum six (6) inch height.

6. Technical requirements for the maintenance of plant materials and landscape areas shall be as follows:

a. The owner or his agent, shall be responsible for the maintenance, repair and replacement of all landscape materials as may be required by these plans.

b. Landscape maintenance specifications require that all landscaping shall be maintained in a sound manner and in accordance with accepted maintenance procedures as established by the Louisiana Nursery and Landscape Association.

c. All plant materials and planted areas shall be tended and maintained in a healthy growing condition; replaced when necessary and kept free of refuse and debris.

#### **SECTION IV: TREE AND URBAN FOREST PRESERVATION STANDARDS**

A. Existing trees shall be encouraged towards the landscape materials required by these plans.

1. In the Nelson District, as it relates to tree-planting requirements, the preservation of existing trees within Street Yard Planting Areas, Buffer Areas and other areas of the site, which are left undisturbed by construction are encouraged.

2. The owner is encouraged to preserve as many existing mature trees and shrubs as possible in the design and implementation of the landscape plan.

3. Trees preserved in the street planting area shall be credited towards street planting requirements, trees preserved in vehicular use areas shall be credited toward vehicular use area requirements and trees preserved in a buffer planting area shall be credited toward buffer area planting requirements.

B. It shall be the responsibility of the owner to use reasonable care to maintain preserved trees. If a preserved tree dies within five years, it is the responsibility of the owner to replace that tree with the number of trees of the required class on a matching basis within six months.

C. Duties Relating to Trees, and the Placing of Materials; Indemnity Bond:

In the erection of any building or structure, the builder, contractor or owner thereof shall use Best Management Practices (BMP's) (e.g. tree guards or barriers) around all existing credited trees on the development site to prevent injury to them, and shall not place building materials or trash upon neutral grounds without the permission of the Director of Planning and Development. Contractors and others doing work on neutral grounds, either for excavation or other projects for which permission has been granted by the Director of Planning and Development, shall give bond to the Parish to guarantee the payment of all costs for repairing any settlement or other damage or deterioration that shall take place in the neutral grounds as a result of the project undertaken by them.

## **SECTION V: LANDSCAPE PLAN REQUIREMENTS**

A. All building permit applications covered by this shall be accompanied by a landscape plan. A qualified professional shall draw landscape plans. The landscape plan shall include such criteria that are required by the Director of Planning and Development to determine compliance with this code. These criteria shall include, but are not limited to:

1. The planting plan shall be drawn to a universal scale (i.e. 1" = 10', ¼ " = 1', etc.).
2. All plants drawn on the planting plan shall be shown at the average mature size.
3. Show all buildings, walkways, vehicular use areas, utility areas, sight triangles, and miscellaneous site structures.
4. Show all on and off site utilities, servitudes, rights-of-way, or easements.
5. Show proposed routing of utility service to proposed buildings.
6. Show all current land use of all adjacent property.
7. Show all protected trees and their trunk sizes using DBH (Diameter measured at Breast Height – 4 ½ feet). Show actual canopy spread of all protected trees or groupings of trees.
8. Show layout of all plant materials, sizes, and specifications.
9. Show all other proposed site development amenities.
10. Show all existing and proposed paved surfaces, curbs, steps and grade changes.
11. Show topography, existing natural features, and drainage information.
12. Provide complete plant schedule of materials to be planted on the site.

13. Provide irrigation or watering system plans if applicable.

**B. Tree Removal, Tree Relocation or Tree Pruning:**

The Director of Planning and Development shall have the authority to require that property owners treat or allow the Parish at the property owners expense to treat trees or shrubs suffering from transmittable diseases of infestation pests. If the disease or pests warrant(s) drastic action to curb the spread to healthy trees or shrubs, on the advice of the Director of Planning and Development, the property owner shall cut and destroy the trees or shrubs or else allow the Parish to do so, charging the actual cost involved to the property owner.

Documentation with permit application: A Landscape Plan shall be submitted along with the building plans when applying for a building permit. The Director of Planning and Development shall approve the Landscape Plan prior to issuance of the building permit.

**C. Alternative Design Solutions:**

The Director of Planning and Development shall have the authority to approve alternative design solutions where it is found that the requirements of this section may impede the objectives of the proposed development The alternative design solution shall be equal or exceed the requirements of this section. In no way shall the alternative design solution circumvent the intent of this section.

**Section VI: ENFORCEMENT AND APPEALS**

A. The Director of Planning and Development shall enforce the requirements set forth in this Plan and also shall be responsible for performing necessary inspections to determine if the required landscaping has been installed according to the approved Landscape Plan.

B. The Director of Planning and Development shall review each Landscape Plan and within ten (10) working days from receipt of such plan either approve it or issue to the applicant a written denial.

C. Any applicant whose Landscape Plan is rejected in whole or in part by the Director of Planning and Development may appeal to the Planning and Zoning Board within thirty (30) days of written notice of rejection. The appeal must be in writing and fully state the reason or reasons for appeal. A copy of the Landscape Plan, as submitted to the Director of Planning and Development, must also accompany the written appeal.



## **Section VII: PART SUPPLEMENTARY TO OTHER ORDINANCES**

A. This Plan shall be supplemental and in addition to the Nelson District Regulations and to any other ordinances or regulations designed to protect the public property and right-of ways or designed to protect, improve or beautify The Nelson District.

B. Nothing contained herein shall be construed to impede or interfere with a public utility's right and obligation to provide timely service to the public.

## **Section VIII: DEFINITIONS**

**DBH - Diameter at Breast Height** - The caliper measurement taken approximately four and one half (4 1/2) feet high on the trunk of a tree.

**Historical Ancient or Unique Tree** - refers to a particular tree or group of trees, which has historical or horticulture value because of its unique relationship to the history of the region, state, nation, or world.

**Homeowners Association** - means a nonprofit corporation, unincorporated association, or other legal entity which is created pursuant to a declaration, whose members consists primarily of lot owners, and which is created to manage or regulate, or both, the residential planned community.

**Horticulture Law** - Title 3, Louisiana Horticulture Commission Horticulture Law, Sections 3801 through 3816; Title 7, Agriculture and Animals Part XXIX. Horticulture Commission, Chapter 1, Horticulture.

**Median** - refers to a landscaped strip of land dividing a thoroughfare, boulevard or street into lanes according to direction of travel; or neutral ground within a circle drive of a cul de sac, or neutral ground separating a turn-out lane from the main street.

**Site specific Plant Material** - refers to the use of the best-adapted plant species to minimize supplemental irrigation, fertilization and necessary pest control.

**Street Yard Planting Area** - is the unpaved area of land located between the property line and any building designated for the preservation and placement of plant materials along all property lines that border a public street (*i.e. the 15' front landscape buffer*).

**Native Trees** - means certain species naturally occurring in south Louisiana and along the Gulf Coast.



**LIST OF TREES AVAILABLE TO SATISFY NELSON DISTRICT REQUIREMENTS**

**CLASS A DECIDUOUS TREES**

<u>COMMON NAME</u>	<u>LATIN NAME</u>
RED MAPLE	ACER RUBRUM "DRUMONDII"
HICKORY	CARYA SPECIES
GREEN ASH	FRAXINUS PENNSYLVANICA
TULIP POPLAR	LIRIODENDRON TULIPIFERA
SWEET GUM	LIQUIDAMBAR STYRACIFLUA
WHITE OAK	QUERCUS ALBA
SOUTHERN RED OAK	QUERCUS FALCATA
CHERRYBARK OAK	QUERCUS FALCATA PAGODIFOLIA
OVERCUP OAK	QUERCUS LYRATA
BASKET OAK	QUERCUS MICHAUXII
NUTTAL OAK	QUERCUS NUTALLII
WILLOW OAK	QUERCUS PHELLOS
SHUMARD OAK	QUERCUS SHUMARDII
CYPRESS	TAXODIUM DISTICHUM
WINGED ELM	ULMUS ALTA
AMERICAN ELM	ULMUS AMERICANA (CULTIVARS RESISTANT TO DUTCH ELM DISEASE)
CEDAR ELM	ULMUS CRASSIFOLIA

**CLASS A EVERGREEN TREES**

<u>COMMON NAME</u>	<u>LATIN NAME</u>
SWEET BAY MAGNOLIA	MAGNOLIA VIRGINIANA
WAX MYRTLE	MYRICA CERIFERA
RED BAY	PERSEA BARBORNIA
SLASH PINE	PINUS ELLIOTTI
SHORTLEAF PINE	PINUS ECHINATA
SPRUCE PINE	PINUS GLABRA
LONGLEAF PINE	PINUS PALUSTRIS
LOBLALLY PINE	PINUS TAEDA
CHERRY LAUREL	PRUNUS CAROLINIANA
PALM SPECIES	PALM SPECIES
(CLUSTERED TO OBTAIN FIFTEEN (15) FOOT SPREAD)	
LIVE OAK	QUERCUS VIRGINIANA

**EXHIBIT A CONTINUED**

**CLASS B DECIDUOUS TREES**

<u>COMMON NAME</u>	<u>LATIN NAME</u>
RIVER BIRCH	BETULA NIGRA
RED BUD	CERCIS CANADENSIS
SILVER BELL	HALESIA DIPTERA
HOLLY SPECIES	ILEX SPECIES
(MATURING OVER (15) FEET IN HEIGHT)	
CRAPE MYRTLE	LAGERSTROEMIA INDICA
OSAGE ORANGE (MALE ONLY)	MACLURA PORNIFERA
MAGNOLIA SPECIES	MAGNOLIA SPECIES
(MATURING OVER (15) FEET IN HEIGHT)	
CHINESE PISTACIO	PISTACIA CHINENSIS
TAIWAN FLOWERING CHERRY	PRUNUS CAMPANULATA
MEXICAN PLUM	PRUNUS MEXICANA
BRADFORD PEAR	PYRUS CALLERYANA“BRADFORD”
(OR CULT. WITH SMALL FRUIT)	
WIINGED ELM	ULMUS ALATA
CEDAR ELM	ULMUS CRASSIFOLIA

**CLASS B EVERGREEN TREES**

<u>COMMON NAME</u>	<u>LATIN NAME</u>
SWEET BAY MAGNOLIA	MAGNOLIA VIRGINIANA
WAX MYRTLE	MYRICA CERIFERA
RED BAY	PERSEA BARBORNIA
SLASH PINE	PINUS ELLIOTTI
SHORTLEAF PINE	PINUS ECHINATA
SPRUCE PINE	PINUS GLABRA
LONGLEAF PINE	PINUS PALUSTRIS
LOBLOLLY PINE	PINUS TAEDA
CHERRY LAUREL	PRUNUS CAROLINIANA
PALM SPECIES	PALM SPECIES
(CLUSTERED TO OBTAIN FIFTEEN (15) FOOT SPREAD)	

## LIST OF SHRUBS AVAILABLE

### HEIGHT (8) FOOT HEDGE

- WAXLEAF LIGUSTRUM (LIGUSTRUM JAPONICUM)
- VIBURNUM MACROPHYLLUM
- BURFORDI HOLLY (ILEX CORNUTA BURFORDI)
- CHERRY LAUREL (PRUNUS CAROLINIANA)
- OLEANDER, HARDY VARIETIES

### SIX (6) FOOT HEDGE

- CLEYERA (TERNSTROEMIA GYMNANTHERA)
- ELEAGNUS PUNGENS FRUITLANDII
- CAMELIA SASANQUA
- JAPANESE YEW, LARGE LEAF (PODOCARPUS MACROPHYLLUS)
- YAUPON HOLLY (ILEX VOMITORIA)
- OLEANDER, DWARF HARDY VARIETIES

### FOUR (4) FOOT HEDGE

- DWARF BURFORDI HOLLY (ILEX CORNUTA DWARF BURFORDI)
- NEEDLEPOINT HOLLY (ILEX CORNUTA NEEDLEPOINT)
- JAPANESE YEW, SMALL LEAF (PODOCARPUS MACROPHYLLUS)
- AZALEAS SOUTHERN INDICA VARIETIES
- INDIAN HAWTHORN (RAPHIOLEPSIS INDICA "SPRINGTIME" OR SIMILAR)

### TWO (2) FOOT HEDGE

- DWARF YAUPON HOLLY (ILEX VOMITORIA NANA)
- DWARF CHINESE HOLLY (ILEX CORNUTA ROTUNDA)
- CARISSA HOLLY (ILEX CORNUTA ROTUNDA)
- DWARF PITTOSPORUM (PITTOSPORUM TOBIRA WHEELER DWARF)

## Attachment C

### Definitions for C-1 ND (*Light Commercial Nelson District*)

**Alley:** A dedicated public right-of-way having a required minimum width of twenty (20) feet and used to provide access to the rear or side of properties otherwise abutting a street. (*As defined in the Subdivision Ordinance No. 1800, Sec. 23-2*)

**Animal hospital:** Any building or portion thereof designed or used for the care, boarding, grooming, observation, or treatment of animals, supervised by a licensed veterinarian.

**Awning:** A roof-like cover which projects from the wall of a building or roof overhang and is supported by poles, cantilevering, or bracketing from the face of the building.

**Buffer strip:** (greenbelt): A parcel of land which separates land of differing uses. It is frequently unimproved except for landscaping and screening. Its purpose is to prohibit immediate adjacency of incompatible uses, such as commercially or industrially zoned land which is adjacent to residentially zoned land.

**Building:** Any structure having a roof supported by columns or by walls and intended for shelter of animals or chattel, excluding mobile homes.

**Building area:** The total of areas taken on a horizontal plane at the mean grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

**Church:** A building wherein persons regularly assemble for religious worship, which is used for such purpose, and those accessory activities as are customarily associated therewith.

**Clinic:** A building or portion thereof designed for, constructed or under construction or alteration for, or use by two (2) or more physicians, surgeons, dentists, psychiatrists, physiotherapists or practitioners in related specialties, or a combination of persons in these professions.

**Commercial:** Area shall mean a district composed of certain lands and structures used primarily to provide for the retailing of goods and the furnishing of selected services.

**Day care:** Any establishment providing care of four (4) or more children not members of the resident family during the day, but not to exceed twenty-four (24) hour periods, including day care for children and pre-school for children under the minimum age for admission to public or non-public schools, or for after-school care of school children, and other establishments of similar nature.

**District:** Any section of the total zoned area in which the zoning regulations are uniform.

**Drive thru establishment:** An establishment of the “drive thru” type is one, which accommodates patrons in automobiles from which the occupants may bank or conduct business of convenience. *(This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District)*

**Fix-it shop:** A mercantile establishment for the retail sale of service repair excluding automobile repair shop.

**Floor area:** The sum of the gross horizontal area of the floor of the main building, but not including the area of roofed porches, terraces, or breezeways. All dimensions shall be measured between exterior faces of the walls.

**Food Service Shop:** Shall mean every cafe, cafeteria, deli, coffee shop, sandwich shop, parlor or luncheonette which offers food or beverages for purchase and consumption on the premises (no alcoholic beverages consumed on premises).

**Frontage:** The distance for which the front property line of the lot and the street of right-of-way line are coincidental.

**Gas station:** Any building or land used for the dispensing, sale, or offering for sale at retail of any automobile fuels including retail offering food or beverages including but not limited to other convenience goods. *(This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District)*

**Height:** The vertical distance of a building measured from the average elevation of the proposed finished grade of the highest point of the roof for flat roofs, to the deck line of a mansard roof, and the mean height between eaves and ridges for gable, hip, and gambrel roofs. For structures, the vertical distance measured from average finished grade to its highest point; provided, however, that no height limitation in this chapter shall apply to silos, barns, and other agricultural structures, church spires, cupolas, domes, monuments, water towers, smoke stacks, derricks, flag poles, masts, solar energy facilities, and similar structures required to be placed above the roof level and not intended for human occupancy.

**Institution:** A land use for hospitals, clinics or health service facilities. *(This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District)*

**Kennel:** A facility for the care or boarding of animals of more than six (6) dogs/cats over six (6) months of age outside the principal building and operated for professional offices

only. *(This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District)*

**Line, right of way:** A line that is the boundary or dedication line of a street.

**Lot:** A parcel of land lawfully subdivided and occupied or capable of being occupied by one building, and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this chapter, and which has been recorded with the Calcasieu Parish Clerk of Court.

**Lot Corner:** A lot abutting upon two (2) or more streets at their intersection.

**Neighborhood shopping center:** A tract of land improved with a coordinated group of retail buildings with a limited variety of convenience goods and service facilities, free parking, under single ownership or control, and catering to a limited trade area (neighborhood).

**Nonconforming use:** A structure or land lawfully occupied by a use that does not conform to the regulations of this district in which it is situated.

**Office, business:** The office of agents or consultants who offer business services of a competitive nature including, but not limited to, insurance, real estate, savings and loan associations, banks, mortgage companies, and similar businesses who advertise their services through various media, such as newspaper, radio, television, magazines, and outdoor advertising.

**Office, professional:** The office of a physician, accountant, surgeon, dentist, attorney, architect, animal hospital, engineer, tax consultant, or other professional person who offers skilled services to his clients and who is not professionally engaged in the purchase or sale of economic goods.

**Overlay district:** Is a special zone that is drawn on a map outlining a significant resource. The resource could be an aquifer, a watershed, a shoreline, an historic area or a developing length of road, which may consist of neighborhoods or business potentials commonly called in planning a "road corridor".

**Personal service shop:** A business establishment such as barbershop, beauty shop, chiroprody, massage, or similar personal service.

**Pond:** The removal of gravel, shells, sand, and topsoil materials from a lot or part thereof with the excavated materials remaining on-site.

**Public amenity:** Something that contributes to physical or material enhancement of the property and increases attractiveness or value, especially of a piece of real estate or a geographic location for the community or the people as a whole such as a fountain, courtyard, outdoor patio, open air eating, public art, or park.

**Public use:** Any use operated by an agency of government or private entity, which provides a direct service to the public for police, fire or public transportation facilities.

**Park:** A facility which provides recreational opportunities which has minimal impacts on the surrounding area and has ten (10) percent or less coverage of the parcel by impervious surfaces, such as parks or playgrounds.

**Restaurant:** An establishment, which is devoted to the selling and serving of food for consumption by patrons on the premises and shall include alcoholic beverages sold as an accompaniment to meals only. *(This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District)*

**Right-of-way:** The area of land designated by grant, contract, deed or dedication from the owner, or acquired by use, maintenance or acquisitive prescription, for use as a street, alley or utilities, whether such area is owned by the public or other user in fee or as servitude.

**Road corridor:** A developing length of road, which may consist of neighborhoods or business potentials commonly called in planning a "road corridor".

**Section:** Those areas between road intersections designated for a separation within a road corridor.

**Sign:** Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, insignia, or bulletin board of any government or government agency, or of any civic, charitable, religious, patriotic, fraternal, or similar organization.

**Sign, Monument:** A freestanding structure erected for a site that is marked and preserved as a business and used for advertising, building identification, street address and/or operating information. Sign shall be made of similar exterior materials of the building advertised and be no more than eight feet in height, eight feet in length and two feet in width.

**Sign, Wall:** A sign painted on or attached to the face of a building or structure supported throughout its length by such building. *(This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District)*

**Stable:** Any stable for the housing of livestock, operated for professional office. (*This definition under the C-1 ND is modified from the Zoning Ordinance No. 3940, Sec. 26-6 and only applicable as written for the Nelson District*)

**Street:** A public or private thoroughfare used for vehicular and pedestrian travel. Streets are further classified by the functions they perform.

**Yard, Front:** A yard extending across the front of a lot between the side lot lines. On corner lots, the front yard shall be provided facing the street upon which the lot has its lesser dimension.

**Yard, Rear:** A yard extending across the rear of a lot between the side lot lines. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

**Yard, Side:** A yard between the main building and the side lot lines.

ZONING DISTRICT: C-1 ND (LIGHT  
COMMERCIAL - Nelson District)

## Permitted Uses By Section

**Section I:** *business and professional offices; institutions; churches; and parks*

**Section II:** *Same as Section I; including bakeries; catering and delicatessen services; clinics; convenience stores; day cares; drug stores; fix-it shops; food service shops (no alcoholic beverages consumed on premises); funeral homes; gas stations; kennels; nurseries (horticultural); personal service shops; ponds; public uses; restaurants (alcoholic beverages consumed on premises); stables and studios.*

Maximum Floor Area—None

Minimum Lot Area—None

Maximum Height of Main Building--35 feet

Setback Requirements--

Front Setback--30 feet

Side Setback—10 feet

Rear Setback—15 feet

Front Landscape Buffer—15 feet

Side Landscape Buffer— 10 feet

Rear Landscape Buffer—15 feet

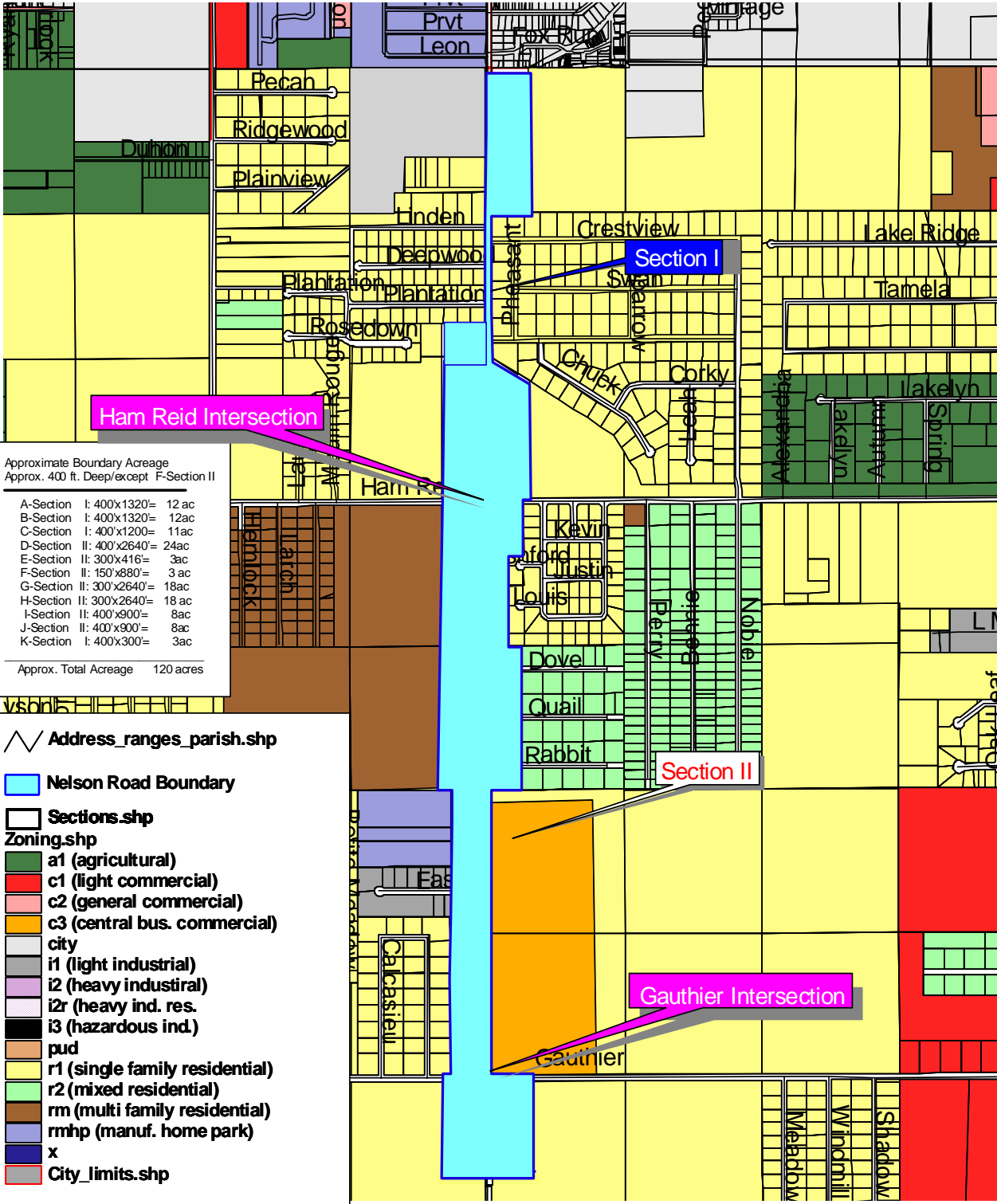
Corner Lots shall adhere to Front Setbacks of 30 feet for both streets and Landscape Buffers of 15 feet for both streets.



# Nelson District Boundary



A Maximum 400 Foot Boundary Depth



Approximate Boundary Acreage  
Approx. 400 ft. Deep/except F-Section II

A-Section I: 400x1320=	12 ac
B-Section I: 400x1320=	12 ac
C-Section I: 400x1200=	11 ac
D-Section II: 400x2640=	24 ac
E-Section II: 300x416=	3 ac
F-Section II: 150x880=	3 ac
G-Section II: 300x2640=	18 ac
H-Section II: 300x2640=	18 ac
I-Section II: 400x900=	8 ac
J-Section II: 400x900=	8 ac
K-Section I: 400x300=	3 ac

Approx. Total Acreage 120 acres

- Address\_ranges\_parish.shp
- Nelson Road Boundary
- Sections.shp
- Zoning.shp**
  - a1 (agricultural)
  - c1 (light commercial)
  - c2 (general commercial)
  - c3 (central bus. commercial)
  - city
  - i1 (light industrial)
  - i2 (heavy industrial)
  - i2r (heavy ind. res.)
  - i3 (hazardous ind.)
  - pud
  - r1 (single family residential)
  - r2 (mixed residential)
  - rm (multi family residential)
  - rmhp (manuf. home park)
  - x
- City\_limits.shp

## Alternative Design Procedures

Alternative design solutions may be submitted to the Division of Planning and Development when it is found that the literal interpretation of this ordinance causes an undue hardship or may impede the objectives of the proposed development. Alternative designs may apply only to site planning difficulties (i.e., setbacks, landscaping, architectural design guidelines, parking, etc.)

### (A) Alternative Request.

There will be two types of request for alternative designs to the Nelson District Overlay considered. Type one will consist of a Minor and type two a Major.

- (1) Minor: A request made for changes in development standards such as building setbacks, parking, landscaping, etc. that do not vary more than 20% of the required development standards.
- (2) Major: A request made to enlarge the boundary of the District, a request to establish a specific use that is not allowed within the particular section of the District, a request to modify the architectural theme or when any variance request for development standards exceeds 20% of the required development standards.

### (B) Alternative Design Review Process.

The review of Minor or Major request will be as follows:

- (1) Application must be made with the Division of Planning and Development. The Director of Planning and Development will determine when an application is complete.
- (2) In the case of a Minor request, upon the determination of a complete application a 7-day review period will ensue. At the end of the 7-day review period the Director of Planning and Development will issue in writing an approval, conditional approval, or disapproval of the application.
- (3) In the case of a Major request, upon the determination of a complete application a 14-day review period will ensue. Once determined complete, the application will be forwarded to the Nelson District Overlay Review Team and within 14-days or less the Director of Planning and Development will issue in writing an approval, conditional approval, or disapproval of the application.

- (4) In the case of a Minor request, the Director of Planning and Development will make the final decision.
- (5) In the case of a Major request, the Nelson District Overlay Review Team will make the final decision.
- (6) The Fourteenth Judicial District Court is the proper forum for any aggrieved party of any decision made by the Director of Planning and Development or the Nelson District Overlay Review Team.

(C) Nelson District Overlay Review Team.

The Nelson District Overlay Review Team shall consist of the following members:

- Director of Planning and Development
- Police Jury member, District Six
- Police Jury member, District Eight
- Two (2) Planning and Zoning Board members, Ward Three