

APPENDIX C - ZONING  
ORDINANCE NUMBER 92-2

*An Ordinance Revising, Enacting and Reenacting the Town of Addis Comprehensive Zoning Ordinance Number 79-8 and all Amendments and Maps Thereto by Dividing the Town of Addis into Districts and Within Each District Regulating the Use of the Land, the Density of Population and the Density of Structures; Regulating the Relationship of Each District With Others and With Circulation and Transportation Systems; Establishing a Board of Adjustments and Prescribing its Powers and Duties; Providing Penalties for the Violation of the Ordinance and Repealing all Ordinances in Conflict Herewith.*

FOOTNOTE(S):

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**Editor's note**— The town's zoning ordinance, Ord. No. 79-8, enacted Aug. 1, 1979, as amended and reenacted by Ord. No. 92-2, has been included as appendix C of this Code. The ordinance has been set out basically as enacted, with only minor stylistic changes made by the editor; however, no substantive changes have been made. Editorial emendations made in the interest of clarity are included in brackets. Obviously misspelled words have been corrected without comment. Amendatory ordinances will be included at their proper places and will be identified by a history note following the amended section. Absence of such history note indicates that the section is derived unamended from Ord. No. 79-8.

**Cross reference**— Administration, Ch. 2; buildings and building regulations, Ch. 5; drainage and flood control, Ch. 6; mobile homes and mobile home parks, Ch. 11; planning and development, Ch. 15; subdivisions, App. B.

**State Law reference**— Authority to regulate size and use of buildings, R.S. 33:4721 et seq.

Section 1. - Districts are established.

1.100. The town is hereby divided into zoning districts. Requirements within a zone shall be uniform but shall vary from zone to zone.

- (1) *A-1*—Agriculture, woodlands, open space, floodways, conservation and nature preserves. No structures other than transportation facilities (roads, bridges, etc.) and necessary flood control works shall be permitted.
- (2) *A-2*—Agriculture, woodlands, open space, floodways, conservation and nature preserves, and recreational facilities. Structures built in conformity with the floodplain zoning ordinance (Chapter 6, Article II of the Code) shall be permitted.
- (3) *R-100A*—Restricted residential, detached conventional homes. Low population density.
- (4) *R-100B*—Restricted residential, detached conventional homes. Mobile homes. Low population density.
- (5) *R-80*—Restricted (same as above).
- (6) *R-60*—Restricted (same as above).
- (7) *R-50*—Restricted (same as above).
- (8) *R-A*—Residential apartments. All categories of apartment or apartment-type dwellings. Medium to high population density.
- (9) *R-O*—Multifamily residential, attached and detached conventional homes. Row housing, mobile homes. Medium to high population density.
- (10) *R-T*—Mobile home parks. Mobile homes.
- (11) *C-1*—General commercial, office. All types of office uses. Retail sales with no more than eleven thousand (11,000) square feet retail area.
- (12) *C-2*—High density commercial, shopping center. All types of office uses. All types of retail sales, outdoor sales.
- (13) *I-1*—Light industry. Wholesale and retail sales, any industrial use that creates little or no environmental or safety problems.
- (14) *I-2*—Heavy industry. Any type of industry.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

Section 2. - Agriculture districts.

**A-1:**

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

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

2.102. *Permitted Accessory Uses and Structures:* None.

2.103. *Special Exception Uses and Structures:* None.

2.104. *Special Permit Uses and Structures:* Permanent recreational and water-related structures may be constructed if certified by a recognized hydrologist that it:

- (1) Will not impede the free flow of water;
- (2) Has the first habitable floor at least one foot above the level of a hundred-year flood; and
- (3) Is anchored sufficiently to resist the strongest current expected.

2.105. *Minimum Lot Requirements.*

*Area:* None.

*Width:* 100 feet along the stream line.

*Minimum unimproved lot area:* 60 percent.

2.106. *Minimum Yard Requirements:* None.

2.107. *Maximum Height:* None.

2.108. *Transportation System:* No special requirements.

**A-2:**

2.200. *District: Designation and Intent:* Agriculture, open space. This district is intended for all agricultural or open space uses.

2.201. *Permitted Principal Uses and Structures:* Since this district includes both floodplains and nonflooding land, the structural requirements differ.

(1) *Nonflooding land:* Residential and farm, related structures.

(2) *Floodplain:* Those structures permitted in the floodplain zoning ordinance (Chapter 6, Article II of the Code).

2.202. *Permitted Accessory Uses and Structures:* Any farm-related structure.

2.203. *Special Exception Uses and Structures:* None.

2.204. *Special Permit Uses and Structures:* None.

2.205. *Minimum Lot Requirements:*

*Area:* 3 acres.

*Width:* 210 feet.

Maximum one dwelling unit per three (3) acres.

2.206. *Minimum Yard Requirements:*

*Front:* 30 feet.

*Side yards:* 10 feet for residential structures, 30 feet for accessory structures.

2.207. *Maximum Height:* No limit.

2.208. *Transportation Systems:* No special requirement.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

Section 3. - Residential districts.

**R-100A:**

3.100. *District: Designation and Intent:* Single-family conventional dwellings. Low population density.

3.101. *Permitted Principal Uses and Structures:* Conventional single-family detached homes.

3.102. *Permitted Accessory Uses and Structures:* Any use related to principal use. Any accessory building may not be located less than five (5) feet of the rear property line. Any accessory structure(s) must also conform to the home occupation requirements of section 11 of this ordinance.

3.103. *Special Exception Uses and Structures:* Schools and home occupations.

3.104. *Special Permitted Uses and Structures:* Churches.

3.105. *Minimum Lot Requirements:*

*Area:* 10,000 square feet.

*Width:* 100 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 10,000 square feet.

Maximum four (4) dwelling units per acre.

3.106. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yards:* 8 feet.

*Rear:* 20 feet.

*Minimum unimproved lot area:* 40 percent.

3.107. *Minimum Height:* None.

3.108. *Transportation Systems:* Local street preferred. Collector streets permitted.

**R-100B:**

3.200. *District: Designation and Intent:* Single-family dwellings. Low population density.

3.201. *Permitted Principal Uses and Structures:* Conventional and nonconventional single-family detached homes; mobile homes.

3.202. *Permitted Accessory Uses and Structures:* Any use related to principal. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupation requirements of section 11 of this ordinance.

3.203. *Special Exception Uses and Structures:* Schools and home occupations.

3.204. *Special Permit Uses and Structures:* Churches.

3.205. *Minimum Lot Requirements:*

*Area:* 10,000 square feet.

*Width:* 100 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 10,000 square feet.

Maximum four (4) dwelling units per acre.

3.206. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yard:* 8 feet.

*Rear yard:* 20 feet.

*Minimum unimproved lot area:* 40 percent.

3.207. *Minimum Height:* None.

3.208. *Transportation Systems:* Local streets preferred. Collector streets permitted.

**R-80:**

3.300. *District: Designation and Intent:* Single-family dwellings. Low population density.

3.301. *Permitted Principal Uses and Structures:* Conventional and nonconventional single-family detached homes; mobile homes.

3.302. *Permitted Accessory Uses and Structures:* Any use related to the principal use. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupation requirements of section 11 of this ordinance.

3.303. *Special Exception Uses and Structures:* Schools and home occupations.

3.304. *Special Permit Uses and Structures:* Churches.

3.305. *Minimum Lot Requirements:*

*Area:* 8,000 square feet.

*Width:* 80 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 8,000 square feet.

Maximum five (5) dwelling units per acre.

3.306. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yards:* 5 feet.

*Rear:* 20 feet.

*Minimum unimproved lot area:* 40 percent.

3.307. *Minimum Height:* None.

3.308. *Transportation Systems:* Local streets preferred. Collector streets permitted.

**R-60:**

3.400. *District: Designation and Intent:* Single-family dwellings. Low to medium population density.

3.401. *Permitted Principal Uses and Structures:* Conventional and nonconventional single-family homes; mobile homes.

3.402. *Permitted Accessory Uses and Structures:* Any use related to principal use. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupation requirements of [section 11](#) of this ordinance.

3.403. *Special Exception Uses and Structures:* Schools and home occupations.

3.404. *Special Permit Uses and Structures:* Churches.

3.405. *Minimum Lot Requirements:*

*Area:* 5,400 square feet.

*Width:* 60 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 5,400 square feet.

Maximum eight (8) dwelling units per acre.

3.406. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yards:* 5 feet.

*Rear:* 20 feet.

*Minimum unimproved lot area:* 20 percent.

3.407. *Minimum Height:* None.

3.408. *Transportation Systems:* Local streets preferred. Collector streets permitted.

**R-50:**

3.500. *District: Designation and Intent:* Single-family dwellings. Low to medium population density.

3.501. *Permitted Principal Uses and Structures:* Conventional and nonconventional single-family homes; mobile homes.

3.502. *Permitted Accessory Uses and Structures:* Any use related to principal use. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupation requirements of [section 11](#) of this ordinance.

3.503. *Special Exception Uses and Structures:* Schools and home occupations.

3.504. *Special Permit Uses and Structures:* Churches.

3.505. *Minimum Lot Requirements:*

*Area:* 4,500 square feet.

*Width:* 50 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 4,500 square feet.

Maximum nine (9) dwelling units per acre.

3.506. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yards:* 5 feet.

*Rear:* 10 feet.

*Minimum unimproved lot area:* 20 percent.

3.507. *Minimum Height:* None.

3.508. *Transportation Systems:* Local streets preferred. Collector streets permitted.

**R-A:**

3.600. *District: Designation and Intent:* Multifamily dwellings. High population density.

3.601. *Permitted Principal Uses and Structures:* Multifamily housing, duplexes, triplexes, town houses, cluster development.

3.602. *Permitted Accessory Uses and Structures:* Any use related to principal. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupation requirements of section 11 of this ordinance.

3.603. *Special Exception Uses and Structures:* Schools and home occupations.

3.604. *Special Permit Uses and Structures:* Churches.

3.605. *Minimum Lot Requirements:*

*Area:* 7,000 square feet.

*Width:* 70 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 1,200 square feet including living area, patios and porches, yards, common open space and parking.

3.606. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yards:* Minimum 8 feet and no less than one-half the height of the exterior wall.

*Rear:* 10 feet.

*Minimum unimproved lot area:* 20 percent.

3.607. *Minimum Height:* None.

3.608. *Transportation Systems:* Local and collector streets preferred. Collector and arterial streets permitted.

**R-O:**

3.700. *District: Designation and Intent:* General residential. Medium to high population density.

3.701. *Permitted Principal Uses and Structures:* Single-family housing; multifamily housing, duplexes, triplexes, row housing, cluster development, atrium or patio homes, mobile homes.

3.702. *Permitted Accessory Uses and Structures:* Any use related to principal use. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupant requirements of section 11 of this ordinance.

3.703. *Special Exception Uses and Structures:* Schools and home occupations.

3.704. *Special Permit Uses and Structures:* Churches.

3.705. *Minimum Lot Requirements:*

*Area:* 7,600 square feet.

*Width:* 30 feet.

*Depth:* 100 feet on both sidelines.

*Minimum lot area for family:* 3,800 square feet including lots, common open space, yards and buffer area adequately landscaped, walkways, parking access drives and at least 200 square feet per dwelling unit of recreation space.

Maximum eleven (11) dwelling units per acre.

3.706. *Minimum Yard Requirements:*

*Front:* 20 feet.

*Side yards:* None, but 10 feet between residential structures.

*Rear:* None, but 10 feet between residential structures.

*Minimum unimproved lot area:* 10 percent.

3.707. *Minimum Height:* None.

3.708. *Transportation Systems*: Collector preferred. Arterial streets permitted.

**R-T:**

3.800. *District: Designation and Intent*: Mobile home parks.

3.801. *Permitted Principal Uses and Structures*: Mobile homes and trailer parks.

3.802. *Permitted Accessory Uses and Structures*: Any uses related to principal use. Office and utility structures related to mobile home parks. Any accessory building may not be located less than ten (10) feet to rear property line. Any accessory structure(s) must also conform to the home occupation requirements of section 11 of this ordinance.

3.803. *Special Exception Uses and Structures*: Schools, churches, and home occupations.

3.804. *Special Permit Uses and Structures*: None.

3.805. *Minimum Lot Requirements* (mobile home parks):

*Area*: 5 acres.

*Width*: 210 feet.

Maximum twelve (12) homes per acre.

*Area per family*: 5,400 square feet.

3.806. *Minimum Yard Requirements*:

*Front*: 20 feet.

*Side yards*: 5 feet.

*Rear*: 10 feet.

*Minimum unimproved lot area*: 20 percent.

3.807. *Minimum Height*: None.

3.808. *Transportation Systems*: Collector or arterial streets.

3.809. *Minimum Number of Parking Spaces*: In all pertinent zones and throughout the Town of Addis all multi-family housing, including, duplexes, triplexes, town houses, row housing, cluster development, apartments, atrium or patio homes or condominiums shall have a minimum of two (2) parking spaces per dwelling unit provided off public streets, and shall have an additional one (1) parking space for visitors for every four (4) dwelling units in the complex or structure.

**R-70:**

3.900. *District: Designation and Intent*: Single-family dwellings. Low to medium population density.

3.901. *Permitted Principal Uses and Structures*: Conventional and nonconventional single-family homes; mobile homes.

3.902. *Permitted Accessory Uses and Structures*: Any use related to principal use. Any accessory building may not be located less than five (5) feet of rear property line. Any accessory structure(s) must also conform to the home occupation requirements of Section 11 of this appendix.

3.903. *Special Exception Uses and Structures*: Schools and home occupations.

3.904. *Special Permit Uses and Structures*: Churches.

3.905. *Minimum Lot Requirements*:

*Area*: 7,000 square feet.

*Width*: 70 feet.

*Depth*: 100 feet on both sidelines.

*Minimum lot area for family*: 7,000 square feet.

Maximum six (6) dwelling units per acre.

3.906. *Minimum Yard Requirements*:

*Front*: 20 feet.

*Side yards*: 5 feet.

*Rear*: 20 feet.

*Minimum unimproved lot area*: 20 percent.

3.907. *Minimum Height:* None.

3.908. *Transportation Systems:* Local streets preferred. Collector streets permitted.

#### **R-M Minor Subdivision Residential Overlay District Zone.**

1. *Purpose:* The purpose of the R-M minor subdivision residential overlay zoning district shall be to provide for areas in the town that will allow for affordable residential minor neighborhoods (six or fewer lots) using less stringent development requirements on private drives that are not maintained by the town. This zoning district will be concurrent with any existing zoning district, but it can only be placed over the following zones: R-100A, R-100B, R-80, R-70, R-60, R-50, A-1 and A-2.
2. *Permitted, prohibited and special uses.* See each overlay zone for such uses.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92; Ord. No. 95-5, 8-2-95; Ord. No. 2004-1, 5-5-04; Ord. No. 2004-5, 11-3-04; Ord. No. 2006-4, 10-4-06; Ord. No. 2014-2, 3-5-14)

#### **Editor's note—**

Ord. No. 2006-4, adopted October 4, 2006, did not specifically amend the Code; hence, inclusion herein as Appendix C, § 3.809 was at the discretion of the editor. See also the Code Comparative Table.

Section 4. - Commercial districts.

#### **C-1:**

4.100. *District: Designation and Intent:* General commercial.

4.101. *Permitted Principal Uses and Structures:* Any kind of office use. Retail sales in structures with no more than 17,000 square feet of retail area. Retail sales; motels; hotels; restaurants; animal hospitals where all animals are kept inside a building; apartment hotels; billboards and signs as governed by sign ordinance; commercial recreation facilities; commercial greenhouses and nurseries; commercial schools; drive-in restaurants; mortuary parlors; office buildings; paved commercial and private parking lots; poultry and fish markets provided that they shall comply to all other laws, regulations and ordinances; sale of goods, merchandise or products at retail; service stations; shops for the repair and servicing of recorders, household appliances, locksmith, typewriters, and comparable uses. Shops may also include the following uses: dressmakers, tailoring, bakery goods sales, laundry and dry cleaning pick-up stations; theaters, but not the drive-in type; heating and air conditioning service; plumbing and electrical shops; motor vehicle repairs; glass installation; new and used car sales; ministorage garages; animal hospital; carpet cleaning; dry cleaning and laundries; laboratory; farmer's markets; motorcycle sales and repairs; upholstery shop.

4.102. *Permitted Accessory Uses and Structures:* Any use related to principal use.

4.103. *Special Exception Uses and Structures:* Dwelling units contained within the office building, hospitals, rest homes, churches, schools and institutions. Branch banks not requiring outdoor advertising other than on face of building.

4.104. *Special Permit Uses and Structures:* Retail sales.

4.105. *Minimum Lot Requirements:*

*Area:* 6,000 square feet.

*Width:* 60 feet.

*Minimum lot area per family:* 1,000 square feet.

Maximum fifteen (15) dwelling units per acre.

4.106. *Minimum Yard Requirements:*

*Front:* 10 feet.

*Rear:* 20 feet.

*Minimum unimproved lot area:* 10 percent.

4.107. *Maximum Height:* None.

4.108. *Transportation Systems:* Arterial and collector streets.

(Ord. No. 80-6, 12-30-80)

#### **C-2:**

4.200. *District: Designation and Intent:* Heavy commercial.

4.201. *Permitted Accessory Uses and Structures:* Any kind of retail or wholesale use of more than 17,000 square feet area. Any use permitted in the C-1 district.

4.202. *Permitted Accessory Uses and Structures:* Any use related to principal use.

4.203. *Special Exception Uses and Structures:* Dwellings, hospitals, rest homes, churches, schools and institutions.

4.204. *Special Permit Uses and Structures:* Wholesale and retail sales.

4.205. *Minimum Lot Requirements:**Area:* 2 acres.*Width:* 210 feet.*Minimum lot area per family:* None.4.206. *Minimum Yard Requirements:**Front:* 10 feet.*Minimum unimproved lot area:* 5 percent.4.207. *Minimum Height:* None.4.208. *Transportation Systems:* Arterials.*(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)*

## Section 5. - Industrial districts.

**I-1:**5.100. *District: Designation and Intent:* Light industry. Any industrial use that creates little or no environmental or safety problems.

5.101. *Permitted Principal Uses and Structures:* Wholesale and retail sales. Warehousing and light industry. Furnace repair; sheet metal shops; fabrication of gaskets and packing of soft and metal materials; creameries; bottling works; bus and truck terminals; parcel delivery service; bus and railroad passenger terminals, drive-in theaters when approved by the Louisiana Department of Transportation; truck terminals; frozen food lockers; commercial stables; riding academy; commercial auditoriums; coliseums or convention halls; bulk dairy products; retail; dance halls; dog pound; express office; fish market; private gym; miniwarehouses; tire repair; cemeteries and mausoleums provided, however, that such uses shall be located on sites of at least 20 acres, all graves shall be set back at least 50 feet from all property lines, shall have a minimum street frontage of 100 feet and a fence or screen planting 6 feet high shall be provided along all property lines adjoining all districts.

5.102. *Permitted Accessory Uses and Structures:* Any use related to principal use.5.103. *Special Exception Uses and Structures:* None.5.104. *Special Permit Uses and Structures:* None.5.105. *Minimum Lot Requirements:**Area:* 6,000 square feet.*Width:* None.5.106. *Minimum Yard Requirements:**Front:* 20 feet.*Minimum unimproved lot area:* 5 percent.5.107. *Maximum Height:* None.5.108. *Transportation Systems:* Arterial, local industrial, rail, water.**I-2:**5.200. *District: Designation and Intent:* Heavy industry. Any type of industry.5.201. *Permitted Principal Uses and Structures:* Heavy industry.5.202. *Permitted Accessory Uses and Structures:* Any use related to principal use.5.203. *Special Exception Uses and Structures:* None.5.204. *Special Permit Uses and Structures:* None.5.205. *Minimum Lot Requirements:**Area:* 80 acres.*Width:* 2,000 feet.5.206. *Minimum Yard Requirements:**Front:* 50 feet.



*Sides:* 50 feet each.

*Rear:* 50 feet.

*Minimum unimproved lot area:* 5 percent.

5.207. *Maximum Height:* None.

5.208. *Transportation Systems:* Arterial, rail, water.

(Ord. No. 80-7, 12-3-80; Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

#### Section 6. - Energy considerations.

6.100. All structures shall be sited so as to maximize the use of passive solar energy systems. The infringement upon required yard areas shall not be deemed to need a variance if such infringement is to maximize the use of passive solar energy systems.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

#### Section 6.5. - Railroad right-of-way.

All property abutting and adjacent to any railroad right-of-way within the Town of Addis which is presented to the Town of Addis for subdivision, rezoning and/or development shall dedicate to the Town of Addis a minimum right-of-way of sixty (60) feet abutting and adjacent to the railroad right-of-way for the purposes of a public road; further, any plat approved for such purpose which does not contain said dedication of the sixty-foot right-of-way shall be null and void.

(Ord. No. 2007-1, 3-7-07)

#### **Editor's note—**

Ord. No. 2007-1, adopted March 7, 2007, did not specifically amend the Code; hence, inclusion herein as Appendix C, § 6.5, was at the discretion of the editor.

**Cross reference—** App. B, § (6.5), Railroad right-of-way.

#### Section 7. - Appeals.

7.100. All appeals from the provisions of this ordinance shall be made to the commission. Appeals from the commission action shall be to the Board of Aldermen. Further appeal shall be to the appropriate judicial body.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

#### Section 8. - Enforcement of the ordinance.

8.100. The building official shall enforce this ordinance. Appeals from his decision may be taken to the planning commission.

8.101. No building may be undertaken in the town without an occupancy permit as required by section 8.102. Each application for an occupancy permit shall be accompanied by a plat in duplicate, drawn to scale, showing the name of the person making the application, the actual dimensions of the lot to be built upon as shown by survey, the size, shape, and location of the building to be erected and such other information as may be necessary to provide for the enforcement of this ordinance. A record of applications and plats shall be kept in the office of the building official.

8.102. Subsequent to the effective date of this ordinance, no change in the use of occupancy of land, nor any change of use or occupancy in an existing building other than for single-family dwelling purposes, shall be made, nor shall any new building be occupied until a certificate of occupancy shall state that the new occupancy complies with all provisions of this ordinance. No permit for excavation for or the erection or alteration of any building shall be issued before the application has been made and approved for a certificate of occupancy and compliance, and no building or premises shall be occupied until such certificate and permit issued. A record of all certificates of occupancy shall be kept on file in the office of the building official and copies shall be furnished on request to any interested person.

8.103. Where uncertainty exists with respect to the boundaries of the various districts as shown on the district map accompanying and made part of this ordinance, the following rules apply:

- (1) The district boundaries are either streets, alleys, or property lines unless otherwise shown, and where the districts designated on the map accompanying and made a part of this ordinance are bounded approximately by street, alley, or property lines shall be construed to be the boundary of the districts unless the boundaries are otherwise indicated on the map.
- (2) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the district map accompanying and made a part of this ordinance are bounded approximately by lot lines, the lot lines shall be construed to be the boundary of the districts unless the boundaries are otherwise indicated on the map.
- (3) In unsubdivided property, the district boundary lines on the map accompanying and made a part of this ordinance shall be determined by use of the scale appearing on the map.
- (4) The district map attached to and accompanying this ordinance shall be amended and changed from time to time pursuant to a favorable vote by a majority of the members of the Board of Aldermen of the Town of Addis who are present and voting. The provisions of R.S. 33:4724 relative to public hearing and official notice shall apply. Upon adoption or amendment said map shall be paragraphed to identify with this ordinance by the mayor, and all amendments shall be duly noted thereon.

8.104. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that if this ordinance imposes a greater restriction, this ordinance shall control.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

Section 9. - Amendments of this ordinance.

9.100. The board of aldermen may amend this ordinance upon its own motion or upon petition.

9.101. Any citizen may petition for an amendment to this ordinance.

9.102. Procedures for amending this ordinance shall be in accordance with the provisions of state law, particularly L.R.S. 33:4721 et seq.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

Section 10. - Violation, penalty, and general provisions.

10.100. [Violation; Penalty:]

Any person, firm or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be fined not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00) or be imprisoned for not more than thirty (30) days. Each day that the violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, individual person, firm, or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be deemed guilty of a separate offense and upon conviction shall be fined as herein provided.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the building official, in addition to other remedies, may institute an appropriate action to other remedies, may institute an appropriate action or proceeding in the name of the town to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, land, or to prevent any illegal act, conduct, business, or use in or about said premises.

10.101. *Validity:* Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or part thereof other than the part so declared to be invalid, this board hereby declaring that it would have passed those parts of this ordinance which are valid, and omitted any parts which may be unconstitutional or otherwise invalid if it had been known that such parts were invalid at the time of the adoption of this ordinance.

10.102. *When Effective:* This ordinance shall take effect on fulfillment of the legal requirements for the passage and implementation of ordinances.

(Ord. No. 86-2, 5-7-86; Ord. No. 92-2, 7-1-92)

Section 11. - Definitions.

*General:*

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* includes the words *intended*, *designed*, or *arranged to be used or occupied*.

*Specific:*

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

*Buildable Area:* The portion of a lot remaining after required yards and open space needs have been met.

*Building:* A roofed structure.

*Dwelling, Multiple-Family:* A dwelling 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, Nonconventional:* A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections of utilities, and the like. A mobile home, as described above, is intended to be powered by another vehicle. A travel trailer is not to be considered as a mobile home.

*Dwelling, Single-Family:* A residential dwelling unit designed for and occupied by one family only.

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

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

[Also:]

*Dwelling Unit:* A structure or a portion of any structure designed, arranged and used for one or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels, motels, boarding houses or the like.

*Family:* One or more persons occupying a single dwelling unit.

*Floodway:* The channel of the watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge the regulatory flood.

*Floodway Fringe; Floodplain:* That area outside the floodway encroachment lines but which is still subject to inundation by the regulatory flood.

*Home Occupation:* A home occupation is a business, profession, occupation or trade conducted for gain or support entirely within a residential building or a structure accessory thereto, which is incidental and secondary to the use of such building for dwelling purposes and which does not change the essential residential character of such building. Specific regulations regarding use and permitting procedures regarding home occupations are dealt with in greater detail in subsequent sections of this Code.

*Housing, Nonconventional:* Mobile homes, modular homes; any type of housing that is visually different from the housing typical within the community.

*Lot:* 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 herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (a) A single lot of record;
- (b) A combination of complete lots of record, or complete lots of record and portions of lots or [of] record, or of portions of lots of record;
- (c) A parcel of land described by metes and bounds; provided that in no case shall any residential lot be created which does not meet the requirements of this ordinance.

*Lot Front:* The front of a lot shall be construed to be the portion nearest the street. Yard requirements shall be as indicated under "yards" in this section. In the case of double-frontage lots, front yard dimensions shall be applied to both frontages. The front of a lot in a mobile home park shall be construed to be that portion nearest the trailer towing mechanism on the mobile home.

*Off-Street Loading Space:* 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.

*Off-Street Parking Space:* An off-street parking space shall be at least 9 feet wide and 19 feet deep with at least 23 feet of depth in tandem for access, 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 spaces 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, and so that any automobile may be parked and unparked without moving another.

*Recreational Equipment:* 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.

*Special Exception:* A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division of 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, and attached to the ground having a fixed location.

*Travel Trailer:* A vehicular or portable structure built on a chassis, designed to be used as temporary dwelling for travel 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 other than a court unoccupied and unobstructed by any structure or portion of a structure.

*Yard, Front:* A yard extending between side lot lines across the front of a lot adjoining a public street. However, a front yard for the purposes of a mobile home park pursuant to Zone R-T shall be construed as that portion of the lot closest to the trailer towing mechanism on the mobile home.

*Yard, Rear:* A yard extending from the rear of the lot between inner side yard lines. However, for the purposes of a mobile home park pursuant to Zone R-T, the rear yard shall be construed as the opposite end of the trailer from the trailer towing mechanism.

*Yard, Side:* A yard extending from the rear line of the required front yard to the rear lot line, or an absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with a public street. However, the side yard shall be construed for the purposes of mobile home park pursuant to Zone R-T as those yards closest to the sides of the trailer where access is obtained.

*Yard, Size:* A required yard shall be measured in such a manner that the yard established is a strip of the size required by district regulations with its inner edge parallel to the inner length of the lot line.

*(Ord. No. 80-5, § 1, 11-5-80; Ord. No. 91-1, 2-6-91; Ord. No. 92-2, 7-1-92; Ord. No. 95-5, 8-2-95; Ord. No. 2005-7, 10-5-05; Ord. No. 2009-4, 3-4-09)*

Section 12. - Definitions [relative to telecommunications.]

- (a) *Communication Tower* as used in this ordinance shall mean a tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, freestanding, guyed or on a building.
- (b) *Telecommunications* as defined in the Federal Telecommunications Act of 1996 means the transmission, between or among points specified by the user, or information of the user's choosing, without change in the form or content of the information as sent or received.
- (c) *Antenna* means a device, dish, or array used to transmit or receive telecommunications signals.
- (d) *Height* of a communication tower is the distance from the base of the tower to the top of the structure.
- (e) *Wireless Transmission and Relay Equipment* means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of telecommunications signals external to or attached to the exterior of any building or other structures.
- (f) *Setback* means the distance from the property line of any residential use to the tower of a wireless facility, if the adjacent property is residentially zoned.
- (g) *Wireless Facility* includes the tower, antenna, relay equipment, perimeter fences and any other equipment or buildings necessary for the operation of wireless reception and transmission.

*(Ord. No. 97-4, 11-5-97)*

Section 13. - Communications tower and antenna permitted as conditional use; wireless communications.

A communications tower and/or antenna may be permitted upon determination that all of the applicable conditions in this Ordinance are met.

Wireless transmission and relay equipment located in or on existing structures are exempt from the following height and setback requirements; and shall be allowed in all zones in which the existing structures on which they are to be located are allowed:

- (a) *Districts in which conditional uses are permitted or wireless transmission and relay equipment located in or on existing structures are permitted conditionally; height and setback limitations.*

Commercial (C1 and C2)	Freestanding or guyed tower with height not exceeding 180 feet is permitted conditional use; height exceeding 180 feet requires special exception.
Industrial (I1 and I2)	Freestanding or guyed tower with height not to exceed 180 feet is a permitted condition use; height exceeding 180 feet requires special exception.
Other (all city-owned property)	Freestanding or guyed tower with height not exceeding 180 feet is permitted; height exceeding 180 feet requires special exception.

All sites with exception of those sites placed on or in an existing structure that abutt residential property shall have a minimum setback line from all residential lot lines of one times height of structure. Variance on this will be considered by the Town of Addis.

- (b) *Application requirements.* The applicant for a building permit for construction of a communications tower or location on an existing structure must file an application with the Town of Addis. This application must be accompanied by a fee to be set from time to time by the Mayor and Board of Aldermen, and said application must be reviewed by the Planning and Zoning Commission and approved by the Board of Aldermen of the Town of Addis. The following documents must be included in all applications.
  - (1) One copy of typical specifications for proposed structures and antenna, including description of design characteristics and material.
  - (2) A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property. A site plan is not required if antenna is to be mounted on an approved existing structure. However, a survey from a licensed land surveyor or civil engineer indicating the distance from any existing residential land uses on adjacent property to the wireless facility is required.
  - (3) A current map, or update of an existing map on file with the Town of Addis, showing locations of the applicant's antenna, facilities, existing towers, and proposed towers serving any property within the Town of Addis.
  - (4) A certificate from a licensed structural engineer showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222, latest revision, standards. In the event that the antennae are to be located on an approved existing structure, there must be a certificate from a licensed structural engineer that the approved existing structure shall have the design and capacity to support all proposed antennae and facilities and to withstand winds in accordance with the above referenced standards.
  - (5) Identification of the owners of all antenna and equipment to be located on the site.
  - (6) Written authorization from the site owner for the application.

- (7) Evidence that a valid FCC license for the proposed activity has been issued.
- (8) A line of sight analysis from adjacent residential districts showing the potential visual and aesthetic impacts on those districts.
- (9) Certification by the applicant of the proposed activities in compliance with Federal Aviation Administration Requirements as well.
- (10) A written agreement to remove the tower and/or antennae within ninety (90) days after cessation of use.
- (11) Evidence that applicable conditions in the following section are met.
- (12) Additional information as required to determine that all applicable zoning regulations are met.

*(Ord. No. 97-4, 11-5-97)*

#### Section 14. - Conditions.

Applicant must show that all applicable conditions are met.

- (1) The proposed communications tower, antennae or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant's technical design requirements.
- (2) Prior to consideration of a permit for location on private property, applicant must show that available town-owned sites and available privately owned sites occupied by a compatible use, are unsuitable for operation of a facility under the applicable communications regulations and applicant's technical design requirements.
- (3) Applicant must show that the proposed wireless transmission and relay equipment and antennae cannot be accommodated and function as required by applicable regulations and applicant's technical design requirement without unreasonable modifications on any existing structure or communication tower, reasonably available to the applicant, within the area that the new site is to serve.
- (4) Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.
- (5) A permit for a proposed communications tower within 1,000 feet of an existing tower or permitted communication tower site shall not be issued unless that the applicant certifies that the existing tower does not meet applicant's structural specifications and that applicant's technical design requirements, or that a collocation agreement cannot be obtained.
- (6) Applicant must show by a certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Town Clerk a written indemnification of the town and proof of liability insurance or financial ability to respond to claims up to \$3,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in a form approved by the Town's Attorney.
- (7) Land development regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning district regulations except setback and height, shall apply to the use. Setback and height conditions in this section shall apply.
- (8) A tower must be a minimum distance equal to the height of the tower from property designated historic or architecturally significant.
- (9) Existing on-site trees and shrubs shall be preserved to the maximum extent practicable.
- (10) The entire facility must be aesthetically and architecturally compatible with its environment. In no case will metal buildings be allowed for accessory buildings.
- (11) Walls or fences at least eight (8) feet in height shall be used to secure the site and provide a barrier. Such walls or fences shall be used in combination with landscaping to provide security or increase the buffer to other land uses.

*(Ord. No. 97-4, 11-5-97)*

#### Section 15. - Notification.

The Planning Commission must post signs similar to rezoning signs on site at least fifteen (15) days prior to the public hearing and advertise in the newspaper as required in zoning cases.

*(Ord. No. 97-4, 11-5-97)*

#### Section 16. - Abandonment.

In the event the use of any communication tower has been discontinued for a period of ninety (90) consecutive days, the tower shall be deemed abandoned. Determination of the date of abandonment shall be made by the Town of Addis who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Upon such abandonment, the owner/operator of the tower shall have an additional ninety (90) days within which to: (1) reactive the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower, or (2) dismantle and remove the tower and associated facilities to grade, including site clean-up restoration or remediation. At the earlier of ninety-one (91) days from the date of abandonment without reactivation or upon completion of dismantling and removal, all permits issued for the Communications Towers and Wireless Facilities shall expire and a penalty in the amount of \$250.00 a day shall be imposed upon the record owner of the tower until the date of removal.

*(Ord. No. 97-4, 11-5-97)*

#### Section 17. - Exceptions.

If additional tower height is requested, total tower height will not exceed one hundred fifty (150) percent of the maximum height permitted in the district as a conditional use. Applicant must demonstrate the additional height above that permitted by conditional use regulations is necessary for service to occupants of an area within the municipality.

*(Ord. No. 97-4, 11-5-97)*

#### Section 18. - Additional requirements.

Additional conditions may be established by the Board of Aldermen as deemed necessary to remove danger to health and safety and to protect adjacent property.

*(Ord. No. 97-4, 11-5-97)*

Section 19. - Denial of permit.

The Telecommunications Act of 1996 requires that a denial of a permit be supported by substantial evidence.

*(Ord. No. 97-4, 11-5-97)*

Section 20. - Home occupations—Purpose.

The regulations of these sections dealing with home occupations are designed to protect and maintain the residential character of established neighborhoods while recognizing that certain professional and limited business activities have traditionally been carried out in the home. This section recognizes that, when properly limited and regulated, such activities can take place in a residential structure without changing the character of either the neighborhood or the structure.

*(Ord. No. 2005-7, 10-5-05)*

Section 21. - Home occupations—Authorization.

Except as otherwise expressly provided or limited in these sections, any home occupation that is customarily incidental to the principal use of a building as a dwelling shall be permitted in any dwelling unit. Any question of whether a particular use is permitted as a home occupation by the provisions of this section shall be reviewed by the Addis Planning and Zoning Commission and approved by the Addis Town Council. The town shall have the right to inspect the home occupation and determine if the occupation is adhering to the requirements thereof.

*(Ord. No. 2005-7, 10-5-05)*

Section 22. - Home occupations—Definition.

A home occupation is a business, profession, occupation or trade conducted for gain or support entirely within a residential building or a structure accessory thereto, which is incidental and secondary to the use of such building for dwelling purposes and which does not change the essential residential character of such building.

*(Ord. No. 2005-7, 10-5-05)*

Section 23. - Home occupations—Use limitations.

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

- (1) Home occupations shall be conducted entirely within the principal structure or an accessory structure associated with the residential use, and shall be carried on by not more than two (2) family inhabitants thereof. A family member who does not so reside within the dwelling cannot be employed in the home occupation.
- (2) No more than twenty-five (25) percent or four hundred (400) square feet of the floor area of the dwelling unit and/or accessory structure, whichever is less, shall be the maximum area for home occupation use.
- (3) No alteration of the principal structure shall be made which changes the character and appearance thereof as a residential dwelling.
- (4) There shall be no substantial retailing or wholesaling of stocks, supplies or products conducted on the premises of a home occupation; however, delivery of retail products to the consumer off the premises, such as in the course of a mail order business, shall be permitted.
- (5) The home occupation shall be conducted entirely within the principal dwelling unit or in a permitted accessory structure thereto, and in no event shall such use be apparent from any public way.
- (6) There shall be no outdoor storage of equipment or materials used in the home occupation.
- (7) Not more than one vehicle used in commerce shall be permitted in connection with any home occupation, and parked on the premises.
- (8) No mechanical, electrical or other equipment which produces noise, electrical or magnetic interference, vibration, heat, glare or other nuisance outside the residential or accessory structure shall be used.
- (9) No home occupation shall be permitted which is noxious, offensive or hazardous by reason of vehicular traffic, generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation or other objectionable emissions.
- (10) No sign, other than one unlighted sign not over three (3) square feet in area attached flat against the dwelling and displaying only the occupant's name and occupation, shall advertise the presence or conduct of the home occupation.
- (11) Home occupations shall not be transferable to alternate locations or persons, but in the case of death of the person holding the home occupation permit, the home occupation permit may be transferred to the family member living at the address of the home occupation but must re-apply for a home occupation permit.
- (12) Only one home occupation shall be permitted per residence unless more than one home occupation can be operated using no more than twenty-five (25) percent or four hundred (400) square feet of the floor area of the dwelling unit and/or accessory structure, whichever is less.
- (13) Home occupations shall only conduct business between the hours of 8:00 a.m. and 9:00 p.m.
- (14) Home occupations shall be conducted by the resident of the parcel, and if the applicant/resident requesting the home occupation permit is not the property owner, then the resident must obtain written approval from the property owner.
- (15) A drawing of the area(s) with dimensions to be used for the home occupation must be submitted with the application for home occupation including the dimensions of the dwelling unit and/or accessory structure.
- (16) After a home occupation permit has been granted, if the holder of the permit wishes to make any change in the conduct of business that departs from the description in the application or from any other conditions or restrictions imposed by the Addis Planning and Zoning Commission and approved by the Addis Town Council, the holder of the permit must obtain prior permission of the Addis Town Council on the basis of a new application.

(17)

All home occupation permits shall be valid for a period of one year and shall be renewed by the permittee each year. After four (4) successive renewals the home occupation application must be reviewed by the Addis Planning and Zoning Commission and approved by the Addis Town Council to determine that the original home occupation is being operated.

- (18) Shall register as a business with the Director of Finance of the Parish of West Baton Rouge and shall pay applicable business and occupation taxes.
- (19) The Town of Addis shall have the right to reasonably inspect the premises upon which the home occupation is conducted to insure the compliance with the foregoing standards and conditions, and to investigate complaints, if any, from neighbors.
- (20) The use shall not generate any waste not in compliance with normal residential waste disposal restrictions adopted by the town.
- (21) Any home occupation which is legally permitted prior to the adoption of this ordinance shall not be required to conform to the criteria of this ordinance. Prior legal home occupations shall be subject to renewal every year and shall not expand or alter the uses as stated in the original permit agreement.

*(Ord. No. 2005-7, 10-5-05)*

#### Section 24. - Particular home occupations permitted.

Except as provided in section 26 herein below, customary home occupations include all occupations which meet the purposes, standards and requirements of sections 20 through 24 of this Code and, in particular, include, but are not necessarily limited to, the following list of examples:

- (1) Providing instruction to not more than two (2) students at a time, except for occasional groups.
- (2) Day care of not more than six (6) nonresident children.
- (3) Office facilities for accountants, architects, brokers, engineers, lawyers, insurance agents, realtors and members of similar professions.
- (4) Office facilities for ministers, priests, rabbis and other clergy.
- (5) Office facilities for salesmen, sales representatives and manufacturer's representatives when no retail or wholesale sales are made or transacted on the premises.
- (6) Studio of an artist, photographer, craftsman, writer, composer or similar person.
- (7) Shop of a beautician, barber, hair stylist, dressmaker, tailor or similar person.
- (8) Homebound employment of a physically, mentally or emotionally handicapped person who is unable to work away from home by reason of his disability.
- (9) The letting for hire by a resident owner of rooming units for residential use for a total of not more than two (2) persons.
- (10) The owning and renting of two (2) or more rental properties.
- (11) Direct sale product distribution (Amway, Avon, Tupperware, Mary Kay Cosmetics, etc.).

*(Ord. No. 2005-7, 10-5-05)*

#### Section 25. - Particular occupations prohibited.

Permitted home occupations shall not, in any event, be deemed to include:

- (1) Nursing homes.
- (2) Funeral homes, mortuaries and embalming establishments.
- (3) Restaurants.
- (4) Stables, kennels or veterinary hospitals.
- (5) Tourist homes or the letting of more than two (2) rooming units.
- (6) Clinics, hospitals or the general practice of medicine or dentistry.
- (7) Clubs, including fraternities and sororities.
- (8) Retail or wholesale businesses of any kind involving transactions on the premises.
- (9) Fish or poultry sales.

*(Ord. No. 2005-7, 10-5-05)*

#### Section 26. - Fees.

A fee as established by the Addis Town Council by resolution shall be due upon approval of new applications, and in the case of renewals, upon submission of the application. Each home occupation shall be renewed annually.

*(Ord. No. 2005-7, 10-5-05)*

#### Section 27. - Complaints and revocation.

Persons may file a written complaint with the Administration of the Town of Addis. Upon receipt of such a complaint, the Town of Addis shall investigate the home occupation to determine if any provisions of this chapter or conditions of approval are being violated by the home occupation.

A home occupation permit may be revoked or modified by the Town of Addis if any of the following circumstances are found to be true:

- (1) The use has become detrimental to the public health, safety, or welfare or constitutes a nuisance;
- (2) The permit was obtained by misrepresentation or fraud;
- (3) The use for which the home occupation permit was granted has changed, and a different home occupation is occurring;
- (4) The condition of the premises has deteriorated because of the home occupation;
- (5) The use in any violation of any statute, ordinance, or regulation.

Whenever an apparent violation of this section is observed, a written notice shall be served certified mail from the Town of Addis notifying the applicant of the intent to revoke the home occupation permit. Such notice may include:

- (6) Findings in support of revocation;
- (7) A statement of the action required to bring the home occupation in compliance;
- (8) A statement advising that if any required actions are not brought into compliance within the time specified, the home occupation permit will be revoked;
- (9) A statement advising that any person having legal interest in the home occupation involved may file a written request for a hearing before the town council at the town council's next scheduled meeting within ten (10) days after receipt of notice. Should a request for a hearing not be made within ten (10) days, then the home occupation shall cease operations without further action by the Town of Addis.

(Ord. No. 2005-7, 10-5-05)

Section 28. - Penalties for noncompliance.

Each and every violation shall be punishable according to the jurisdiction of Addis' Mayor's Court pursuant to Addis Code of Ordinances, Chapter 1, section 1-8. General penalty; continuing violations.

(Ord. No. 2005-7, 10-5-05)

Zone	Use	Trans. System	Lots			Yards			Min. Unim. Area	Max. Du/Ac	Uses Permitted	Uses Prohibited
			Min. Size	Size/Family	Width (Feet)	Front	Side	Rear				
A-1	Floodway Agriculture Recreation Open Space	No Req.	None	None	100	None	None	None	80%	None	Recreational	
A-2	Floodplain Agriculture Recreation	No Req.	3 Acres	3 Acres	210	30	10' Res. 30' Access.	None	None	1 per 3 Acres	Recreational Residential	
R-100a	Residential	Local Collector	10,000	10,000	100	20	8	20	40%	4	Residential	Nonconventional Housing
R-100b	Residential	Local Collector	10,000	10,000	100	20	8	20	40%	4	Residential	
R-80	Residential	Local Collector	8,000	8,000	80	20	5	20	40%	5	Residential	
R-60	Residential	Local Collector	5,400	5,400	60	20	5	20	20%	8	Residential	
R-50	Residential	Local Collector	4,500	4,500	50	20	5	10	20%	9	Residential	
R-A	Apartment	Local Collector Arterial	7,000	1,200*	70	20	***	10	20%		Multifamily Residential	
R-O	Multifamily Residential	Collector Arterial	7,600	3,800**	30	20	None, but 10% min. between res. structures	None, but 10' min. between res. structures	10%	11	Multifamily	
R-T	Mobile Home Park	Collector Arterial	5 Acre Park	3,500	210	20	Min. 10' between structures	5	20%	12	Mobile Home Park	
C-1	General Commercial Office	Collector Arterial	6,000	1,000	60	10	None	20	10%	15	Residential Commercial	
C-2	High	Arterial	2	None	210	10	None	None	5%	None	Commercial	



	Intensity Commercial		Acres									
I-1	Light Industrial	Arterial Industrial Rail Water	5,000	None	None	20	None	None	5%	None	Industrial	Residential
I-2	Heavy Industrial	Arterial Industrial Rail Water	80 Acres	None	2,000	50	50	50	5%	None	Industrial	Residential

\* Including living area, patios and porches, yards, common open space and parking; a minimum of two (2) parking spaces per dwelling unit.

\*\* Including lots, common open space, yards and buffer area adequately landscaped, walkways, parking, access drives, and at least two hundred (200) square feet per dwelling unit of recreation space.

\*\*\* Minimum of eight (8) feet and no less than one-half the distance of the height of the exterior wall.

(Ord. No. 86-2, 5-7-86)