

Houma-Terrebonne Regional Planning Commission

Robbie Liner.....	Chairman
Jan Rogers.....	Vice-Chairman
Barry Soudelier.....	Secretary/Treasurer
Michael Billiot.....	Member
Terry Gold.....	Member
Clarence McGuire	Member
Angèle Poiencot.....	Member
Travion Smith.....	Member
Wayne Thibodeaux.....	Member

JANUARY 15, 2026, THURSDAY

6:00 P.M.

**TERREBONNE PARISH COUNCIL MEETING ROOM
Government Tower, 8026 Main Street, 2nd Floor, Houma, Louisiana**

A • G • E • N • D • A

Revised 1/8/2026

I. CONVENE AS THE ZONING & LAND USE COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES:

1. Approval of the Minutes of the Zoning & Land Use Commission for the Regular Meeting of December 18, 2025

E. COMMUNICATIONS

F. NEW BUSINESS:

1. Preliminary Hearing:
Rezone from R-1 (Single-Family Residential) to C-2 (General Commercial); 6634 & 6642 West Main Street; Timothy A. Emerson, applicant; and call a Public Hearing on said matter for Thursday, February 26, 2026 @ 6:00 p.m. (*Council District 3 / Bayou Cane Fire*)

G. STAFF REPORT:

1. *Public Hearing*

Continue discussion and possible action regarding the placement of modular structures in residential zoning districts

H. COMMISSION COMMENTS:

1. Zoning & Land Use Commissioners' Comments
2. Chairman's Comments

I. PUBLIC COMMENTS

J. ADJOURN

II. CONVENE AS THE REGIONAL PLANNING COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES:

1. Houma-Terrebonne Regional Planning Commission Minutes for the Regular Meeting of December 18, 2025

E. APPROVE REMITTANCE OF PAYMENT FOR THE JANUARY 15, 2026 INVOICES AND THE TREASURER'S REPORT OF DECEMBER 2025

1. Discussion and possible action regarding the acceptance of the Louisiana Compliance Questionnaire for the 2025 Audit

F. COMMUNICATIONS**G. APPLICATIONS / NEW BUSINESS:**

1. a) Subdivision: Tract B into Lot TS and Tract B-2-A, Village East Shopping Center
Approval Requested: Process D, Minor Subdivision
Location: 9475 East Park Avenue, Terrebonne Parish, LA
Government Districts: Council District 1 / Village East Fire District
Developer: Mainland Houma LA, LLC
Surveyor: Linfield, Hunter, & Junius, Inc.
- b) Public Hearing
- c) Consider Approval of Said Application

H. STAFF REPORT:

1. Reminder to those who haven't completed the required Planning Commissioner Training (Act 859) and the annual ethics and sexual harassment training for 2025 and upcoming requirements for 2026

I. ADMINISTRATIVE APPROVAL(S):

1. Survey and Division of Lots 7 thru 10, Block 1 of Canafax Place Subdivision into Lot 7A, Lot 8-9 and Lot 10A belonging to James D. Canafax, et ux; Section 105, T17S-R17E, Terrebonne Parish, LA (*110 Agnes Street / Councilwoman Kim Chauvin, District 8*)
2. Revised Tracts "A" & 1 belonging to Hunter D. Parra, et ux and Parra Rentals, LLC; Section 60, T16S-R17E, Terrebonne Parish, LA (*Capri Court & 2639 Bayou Blue Road / Councilman Charles "Kevin" Champagne, District 5*)
3. Revised Tract "A" belonging to P & K Danos Holdings, LLC; Sections 80 & 81, T17S-R16E, Terrebonne Parish, LA (*110 Ellendale Boulevard / Councilman Clyde Hamner, District 5*)

J. COMMITTEE REPORT:

1. Subdivision Regulations Review Committee

K. COMMISSION COMMENTS:

1. Planning Commissioners' Comments
2. Chairman's Comments

L. PUBLIC COMMENTS**M. ADJOURN**

MINUTES

HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION ZONING & LAND USE COMMISSION MEETING OF DECEMBER 18, 2025

- A. The Chairman, Mr. Robbie Liner, called the meeting of December 18, 2025 of the HTRPC, convening as the Zoning & Land Use Commission, to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Wayne Thibodeaux and the Pledge of Allegiance led by Mr. Terry Gold.
- B. Upon Roll Call, present were: Mr. Michael Billiot; Mr. Terry Gold; Mr. Robbie Liner, Chairman; Mr. Clarence McGuire; Mrs. Angele Poiencot; Mr. Jan Rogers, Vice-Chairman; Mr. Travion Smith; Mr. Barry Soudelier, Secretary/Treasurer; and Mr. Wayne Thibodeaux. Absent at the time of Roll Call were: None. Also present was Mr. Christopher Pulaski, Department of Planning & Zoning and Mr. Derick Bercegeay, Legal Advisor.
- C. CONFLICTS DISCLOSURE: The Chairman reminded the Commissioners that if at any time tonight, a conflict of interest exists, arises or is recognized, as to any issue during this meeting, he or she should immediately disclose it, and is to recuse himself or herself from participating in the debate, discussion, and voting on that matter. *No Commissioners had anything to disclose.*
- D. APPROVAL OF THE MINUTES:
 - 1. Mr. Soudelier moved, seconded by Mr. Rogers: "THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes as written, for the Zoning & Land Use Commission for the regular meeting of November 20, 2025."

The Chairman called for a vote on the motion offered by Mr. Soudelier. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poiencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- E. COMMUNICATIONS: None.
- F. PUBLIC HEARING:
 - 1. The Chairman called to order an application by Terrebonne Ministerial Alliances, LLC to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) 1128 & 1130½ Daspit Street.
 - a) Mrs. Beth Arceneaux, Kenneth L. Rembert Land Surveyors, discussed the request to rezone the property in order to place multi-unit dwellings.
 - b) There was no one present to speak on the matter.
 - c) Mr. Rogers moved, seconded by Mrs. Poiencot: "THAT the Public Hearing be closed."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poiencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

 - d) Mr. Henri Lucio read the Staff Report and stated Staff recommended approval of the rezone request.
 - e) Mr. Rogers moved, seconded by Mr. Thibodeaux: "THAT the HTRPC, convening as the Zoning & Land Use Commission, grant approval of the application requesting to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) 1128 & 1130½ Daspit Street."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poiencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
 - G. NEW BUSINESS:
 - 1. Planned Building Group:
 - The Chairman called to order the Planned Building Group application by Stingray Rentals, LLC for the placement of three (3) boat & RV storage buildings at 135 & 149 Valhi Lagoon Crossing.
 - a) Mr. Dustin Richard, 408 Tigerlily Drive, discussed the aesthetics of the proposed storage buildings as it pertained to earthtone colors and landscaping and stated it would be a low-traffic storage business.

b) Mr. Billiot moved, seconded by Mr. Thibodeaux: "THAT the HTRPC, convening as the Zoning & Land Use Commission, grant approval of the Planned Building Group application for the placement of three (3) boat & RV storage buildings at 135 & 149 Valhi Lagoon Crossing."

The Chairman called for a vote on the motion offered by Mr. Billiot. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poiencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

H. STAFF REPORT:

1. The Chairman called to order the Public Hearing for the discussion and possible action regarding the placement of modular structures in residential zoning districts.

- a) Mr. Pulaski discussed the definition of a modular home and the proposal to require a special exception from the Board of Adjustment to place the structures in R-1 and R-2 zoning districts and be listed as a permitted use in an R-3 zoning district. He also discussed supplementary yard regulations regarding PODs (i.e. portable buildings, connex buildings, or office trailers).

- b) There was no one from the public to speak on the matter.

- c) Mr. Rogers moved, seconded by Mrs. Poiencot: "THAT the Public Hearing be closed."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poiencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- d) Mr. Thibodeaux discussed modular homes not getting the credit the buildings deserve because they are built to code. Mr. Pulaski discussed the calls received when modulars arrive in subdivisions because of their look aesthetically and not knowing how they are built. Mr. Pulaski said applying to the Board of Adjustment for a special exception would give the neighbors an opportunity to know what was coming before it's moved onto the property.

- e) Discussion was held regarding aesthetics of modular homes and covenant restrictions that are not regulated or enforced by the Parish and it being a civil matter.

- f) Discussion ensued regarding two portions of the regulations proposing to be changed, modular homes as well as PODs and accepting both, one, or none. Mr. Pulaski stated both mobile homes and modular homes are manufactured, just that mobile homes are built to HUD standards and modulars are built to building code standards.

- g) Mr. Gold moved: "THAT the HTRPC, convening as the Zoning & Land Use Commission, approve the proposed regulations pertaining to the placement of modular structures in residential zoning districts as provided by Staff." *The motion died due to lack of a second.*

- h) Discussion ensued regarding approving the portion regarding PODs and not the portion regarding modular homes.

- i) Mr. Smith moved, seconded by Mr. Thibodeaux: "THAT HTRPC, convening as the Zoning & Land Use Commission, recommend to forward Article IV of the Subdivision Regulations as it pertains to residential accessory structures (PODs) to the Terrebonne Parish Council for review and consideration and continue the conversation on modular homes in residential zoning districts to the next regular meeting."

The Chairman called for a vote on the motion offered by Mr. Smith. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poiencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

I. COMMISSION COMMENTS:

1. Zoning & Land Use Commissioners' Comments: None.
2. Chairman's Comments: None.

J. PUBLIC COMMENTS: None.

K. Mr. Rogers moved, seconded by Mr. Soudelier: "THAT there being no further business to come before the HTRPC, convening as the Zoning & Land Use Commission, the meeting be adjourned at 6:40 p.m."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. Billiot, Mr. Gold, Mr. McGuire, Mrs. Poencot; Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.



Robbie Liner, Chairman
Zoning & Land Use Commission

Becky M. Becnel, Minute Clerk
Zoning & Land Use Commission

CERTIFICATION

**CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE PROCEEDINGS OF THE
ZONING AND LAND USE COMMISSION MEETING OF DECEMBER 18, 2025.**

**CHRISTOPHER PULASKI, PLA, DIRECTOR
PLANNING & ZONING DEPARTMENT**

PRELIMINARY HEARING ONLY

PUBLIC HEARING
scheduled for:

Thursday, February 26, 2026

@ 6:00 p.m.

ZLU/F.1

**Houma-Terrebonne Regional Planning Commission
Zoning & Land Use Commission**

P.O. Box 1446

Houma, Louisiana 70361-1446

Bus (985) 873-6793 - Fax (985) 580-8141

Upon receipt of an application for amendment, the office of the Zoning Administrator shall examine the application and shall make such investigation as is necessary. Within fifteen (15) days of receipt of an application, the office of the Zoning Administrator shall transmit the application, together with its report and recommendation, to the Zoning Commission. The Zoning Commission then shall hold a preliminary hearing on the application within thirty-five (35) days after receipt of such application for amendment and shall notify the applicant and the office of the Zoning Administrator of the time and place of such hearing. After holding a preliminary hearing, the Commission shall certify the application for public hearing, and shall notify the applicant of the time and place of such public hearing. The Commission shall fix a reasonable time of a public hearing and shall give public notice, as required by law, as well as notice to the applicant and to the office of the Zoning Administrator.

This ordinance, including the zoning map, is based on comprehensive studies, and is intended to carry out the objective of a sound, stable, and desirable development.

Please return the application and supporting plans to the office of the Zoning Administrator.

PLEASE COMPLETE THE FOLLOWING - NO APPLICATION ACCEPTED UNLESS COMPLETE

Date: 12/17/2025

Applicant's Name Timothy Allen Emerson ^{ms.} timothy.a.emerson@morganstanley.com

Address 2429 Twin Palms Lane City Houma State LA Zip 70364

Telephone Number (Home) 985-637-3897 (Work)

Interest in Ownership (Owner, etc.) 100%

Address of Property to be Rezoned & Description (Lot, Block, Subdivision) 6634 & 6642 West Main St. Lot 1-A & 1-B, Block 3, Pine Ridge

Subdivision

Zoning Classification Request:

From: R-1 To: C-2

Previous Zoning History: X No _____ Yes _____

If Yes, Date of Last Application: _____

AMENDMENT POLICY

1. REASONS FOR THIS AMENDMENT:

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

ERROR. There is a manifest error in the ordinance.

CHANGE IN CONDITIONS. Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY. Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

SUBDIVISION OF LAND. The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning.

EXHIBITS REQUIRED

1. LEGAL PLAT OF PROPERTY TO BE REZONED: On the required plat, please include:
 - a. Land area to be affected;
 - b. Present zoning classification of area to be affected and zoning classification of abutting districts;
 - c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
 - d. All existing and proposed structures with supporting open facilities;
 - e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.
2. List names and addresses or property owners within three hundred (300') feet of the fronting corners of the property to be rezoned.
3. Legal Description: The legal description of only the property to be rezoned.
4. Market Information: Applicable only if the following conditions are met:
 - a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
 - b. If the proposed amendment would require more than double the area of an existing district existing totally surrounded by residential districts;
 - c. Finally, if the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. Development Schedule: Indicate a time schedule for the beginning and completion of development planned by the applicant:

6. Effect of the Amendment: On a separate sheet, include a report giving the nature, description, and effect of the proposed amendment on surrounding land use and properties.

SIGNATURES REQUIRED

1. Names and addresses along with interest of every person, firm, or corporation represented by the applicant:

X Timothy Allen Emerson

2. The undersigned is owner(s) of the entire land area included within the proposed district and, in signing, indicates concurrence with application:

X Timothy Allen Emerson

3. Signatures and addresses of all holders of encumbrances, liens, mortgages, etc.:

X Timothy Allen Emerson

4. Signature of applicant indicates that the applicants are all the owners and encumbrance holders of the designated area, and have both the means and ability to undertake and complete the proposed development:

X Timothy Allen Emerson

APPLICATION FEE SCHEDULE

The City of Houma has adopted the following fee schedule:

1. Map Amendment: \$25.00 / first acre
\$ 3.50 / every acre thereafter, up to fifteen (15) acres

Minimum Charge - \$25.00;

Maximum Charge - \$100.00

I (We) own 1 acres. A sum of 25.00 dollars is enclosed and made a part of this application.

DECLARATION

I (We) declare that, to the best of my (our) knowledge and belief, all matters stated herein are true and correct.

X Timothy Allen Emerson
Signature of Owner or Authorized Agent

**6634 & 6642 West Main Street
Lots 1-A & 1-B, Block 3, Pine Ridge Subdivision
Timothy A. Emerson**

Request to Rezone from R-1 (Single-Family Residential) to C-2 (General Commercial)

2. Reasons For This Amendment

Change in Conditions

Over the years, these properties were used for both residential and commercial. When zoning was incorporated into the Bayou Cane area in 2007, these properties were zoned residential and we, as the current owner, would like to see them zoned as commercial just as the adjacent properties along West Main Street to the north and south of our property.

Limitations On Proposed Amendments

The adjacent property at 6610 West Main Street is currently zoned C-3 (Neighborhood Commercial) and the property immediately adjacent at 6650 West Main is currently zoned C-2 (General Commercial) so the proposed rezone is exempt from the minimum size requirements.

3. Development Schedule

Commercial/Residential is already existing at 6634 West Main Street and the requested rezone would provide opportunities in the future for 6642 West Main Street.

4. Market Information

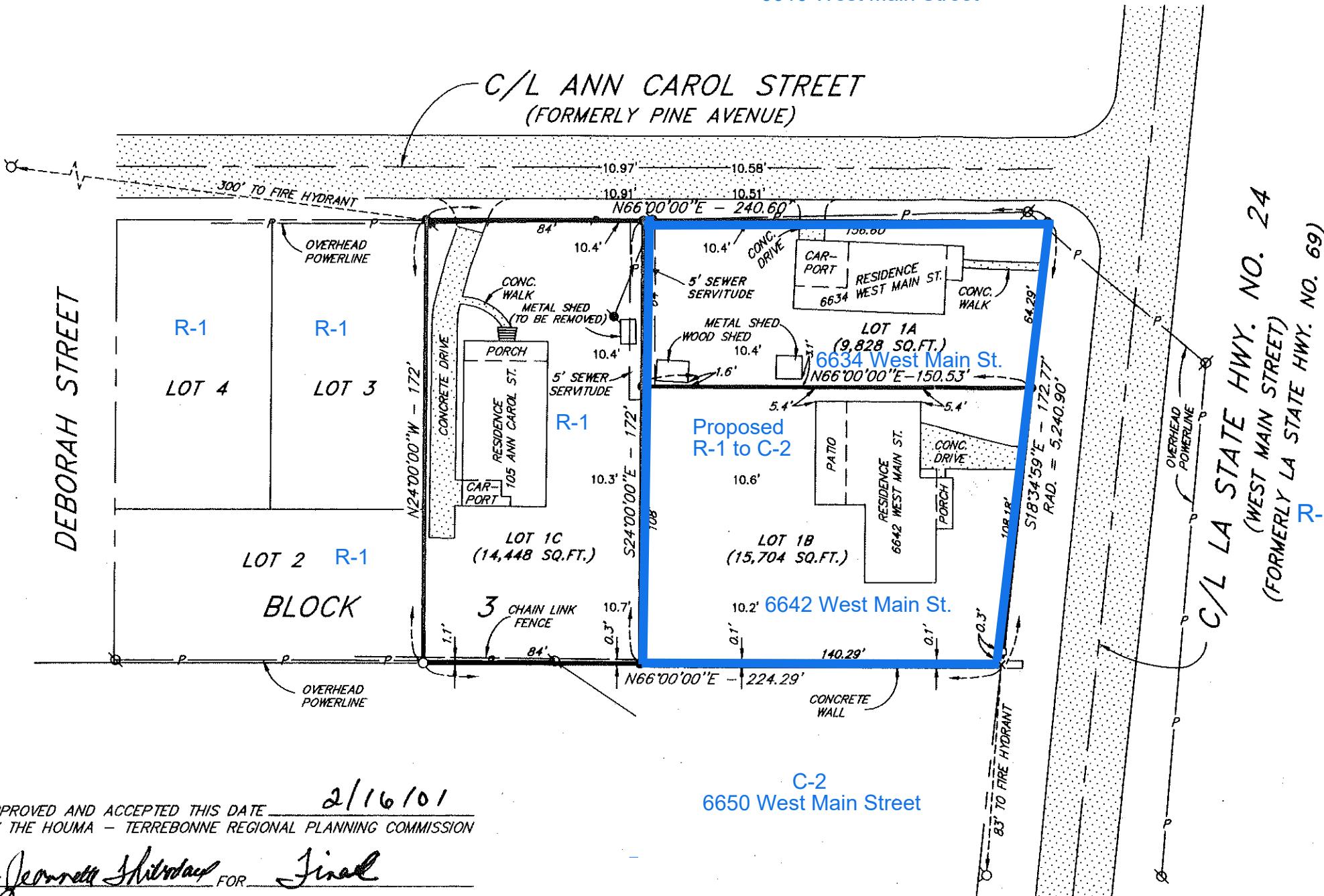
N/A

5. Effect of Amendment

Most properties along Main Street & Park Avenue are already zoned commercial and these changes would not alter the aesthetics in the immediate areas.

C-3
6610 West Main Street

- C/L ANN CAROL STREET
(FORMERLY PINE AVENUE)



APPROVED AND ACCEPTED THIS DATE 2/16/01
BY THE HOUMA - TERRERONNE REGIONAL PLANNING COMMISSION

✓ THIS SURVEY BASED ON MAP RECORDED UNDER C.O.B. 163 FOLIO 348 AS FILED IN THE TERREBONNE PARISH CLERK OF COURT OFFICE AND NO ADDITIONAL TITLE RESEARCH WAS MADE BY KENETH L. REMBERT SURVEYORS.
THE BEARINGS SHOWN HEREON ARE BASED ON SAID MAP.

THIS MAP DOES NOT PURPORT TO SHOW ALL EXISTING SERVITUDES, EASEMENTS
RIGHTS-OF-WAY, PIPELINES OR PHYSICAL OBJECTS WHICH MAY AFFECT THIS
PROPERTY.

THIS TRACT IS LOCATED IN ZONE "C" (AN AREA OF MINIMAL FLOODING).

I CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION
IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE FOR LAND
SURVEYORS AND THAT THE ACCURACY STANDARDS ARE IN ACCORDANCE
WITH CLASS "C" (SUBURBAN) SURVEYS AS INDICATED IN THE ABOVE STANDARDS.

LEGENDA

- ✗ CHISELED "X" IN CONCRETE SET
- INDICATES 5/8" IRON ROD SET
- INDICATES 2" IRON PIPE FOUND
- INDICATES 1"x 1½" IRON BAR FOUND
- ◆ EXISTING POWER POLE
- ❖ EXISTING POWER POLE WITH LIGHT
- EXISTING FIRE HYDRANT
- 3.3' INDICATES SPOT ELEVATION



GRAPHIC SCALE

JANUARY 31, 2001
REVISED: FEBRUARY 5, 2001

SCALE: 1" = 50'

Proposed Rezone
I (Single-Family Residential) to C-2 (General Commercial)
6634 & 6642 West Main Street
Lots 1-A & 1-B, Block 3, Pine Ridge Subdivision

Applicant: Timothy A. Emerson

DEVELOPER: TIM & NICOLE EMERSON
LAND USE: RESIDENTIAL

*SURVEY OF LOTS 1A, 1B, & 1C
A REDIVISION OF LOT 1 BLOCK 3 TO
PINE RIDGE SUBDIVISION
LOCATED IN SECTION 4, T17S-R17E
TERREBONNE PARISH, LOUISIANA*

KENETH L. REMBERT, SURVEYOR
635 SCHOOL ST., HOUMA, LA.

ARTICLE I. – IN GENERAL

Sec. 28-1. – Definitions

Modular Home: A pre-fabricated structure built to International Building Code (IBC) standards, assembled on-site from factory-built modules.

ARTICLE III. – DISTRICTS

Sec. 28-47. – Residential districts

(a) *R-1 Districts: Single-Family Residential Districts.* These districts are composed mainly of areas containing one-family dwellings and open areas where similar residential development seems likely to occur; few two-family and multiple-family dwellings are found in these areas. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities, to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

(1) *Permitted uses.* In R-1 Districts only the following uses are permitted:

a. *Uses by right*—The uses listed below are permitted subject to the conditions specified: Accessory use.

Residential/single-family residential.

Accessory dwelling unit.

Agriculture.

Nameplate, not exceeding one (1) square foot in area (need not be enclosed within structure).

Recreation—community.

b. *Uses requiring planning approval*—The uses listed below are permitted, upon approval of the location and site plan thereof by the zoning and land use commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection and other public facilities, as not causing undue traffic congestion or creating a traffic hazard and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Cemetery.

Church, religious assembly, including parish house, community house and educational buildings.

Fire station.

Golf course, but not including commercial miniature courses or commercial driving ranges (need not be enclosed within structure).

Home occupation.

Library (public).

Pipeline or electric transmission line (need not be enclosed within structure).

Railroad right-of-way, but not including shops, yards and team tracks (need not be enclosed within structure).

Water storage (need not be enclosed within structure).

- c. *Special exception uses* – The uses listed below are subject to the same approval of location and site plan as uses requiring zoning approval; in addition, the uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of adjustment, in accordance with the provisions of Article IX governing special exceptions:

Armories – military (reserves or national guard)

Nursing homes.

Electric substation (need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substation of other masonry material or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements).

Gas regulator (need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substation of other masonry material or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements).

Nursery, day care center or kindergarten.

Library, public

School, elementary and/or secondary, meeting all requirements of the compulsory education laws of the state.

Water or sewage pump station.

c. Special exception uses - The uses listed below are subject to the same approval of location and site plan as uses requiring zoning approval; in addition, the uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of adjustment in accordance with the provisions of Article IX governing special exceptions:

Modular home.

(2) *Building site area.* Except as provided in Article IV, the minimum building site area shall be:

For a church use: One (1) acre requirement (forty-three thousand five hundred sixty (43,560) square feet).

For a one-family dwelling: Six thousand (6,000) square feet.

For electric substation, gas regulator station, water or sewage pump station: No minimum requirement.

For any other permitted use: Ten thousand (10,000) square feet.

(3) *Building height limit.* Except as provided in Article IV, no structure shall be erected or altered to exceed thirty-five (35) feet.

(4) *Yards required.* Except as provided in Article IV, the minimum dimensions of yards shall be:

Feet

Front yard20

Side yard5

Rear yard25

(b) *R-2 Districts: Two-Family, Residential District, Low-Density.* These districts are composed of areas containing one-family and two-family dwellings; in many instances there is evident a trend toward increased density through conversion of single units to duplexes or apartments. The town house, the single-family home and the double home would characterize the low-density development of this district. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities, to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches, and to prevent crowding of the land by requiring certain minimum yard and area standards to be met.

(1) *Permitted uses.* In R-2 Districts only the following uses are permitted:

a. *Uses by right*—The uses listed below are permitted subject to the conditions specified:

Accessory use.

Residential/single-family residential.

Residential/duplex residential.

Agriculture.

Nameplate, not exceeding one (1) square foot in area (need not be enclosed within structure).

Recreation—community.

b. *Uses requiring planning approval*—The uses listed below are permitted upon approval of the location and site plan thereof by the zoning and land use commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection and other public

facilities, as not causing undue traffic congestion or creating a traffic hazard and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Cemetery.

Church, religious assembly, including parish house, community house and educational buildings.

Fire station.

Golf course, but not including commercial miniature courses or commercial driving ranges (need not be enclosed within structure).

Home occupation.

Library (public).

Pipeline or electric transmission line (need not be enclosed within structure).

Railroad right-of-way, but not including shops, yards and team tracks (need not be enclosed within structure).

Water storage (need not be enclosed within structure).

c. *Special exception uses*—The uses listed below are subject to the same approval of location and site plan as uses requiring zoning approval; in addition, the uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of adjustment in accordance with the provisions of Article IX governing special exceptions:

Armories—military (reserve or national guard).

Nursing homes.

Electric substation (need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements).

Gas regulator station (need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substitution of other masonry material or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements).

Residential/mobile home.

Nursery, day care center or kindergarten.

Library, public.

School, elementary and/or secondary, meeting all requirements of the compulsory education law of the state.

Water or sewage pump station.

Modular home.

(2) *Building site area.* Except as provided in Article IV, the minimum building site area shall be:

For a church use: One (1) acre requirement (forty-three thousand five hundred sixty (43,560) square feet).

For a one-family dwelling: Six thousand (6,000) square feet.

For a two-family dwelling: Seven thousand two hundred (7,200) square feet.

For electric substation, gas regulator station, water or sewage pump station: No minimum requirement.

For any other permitted use: Ten thousand (10,000) square feet.

(3) *Building height limit.* Except as provided in Article IV, no structure shall be erected or altered to exceed thirty-five (35) feet.

(4) *Yards required.* Except as provided in Article IV, the minimum dimensions of yards shall be:

Feet

Front yard20

Side yard5

Rear yard25

(c) *R-2M Districts: Two-Family, Residential Districts, High-Density.* These districts are composed of areas containing one-family and two-family dwellings; in many instances there is evident a trend toward increased density through conversion of single units to duplexes and the construction of new common-wall doubles in older neighborhoods. The town house, the single-family home, and the common-wall double would characterize the density development of this district. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities, to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches, [and] to prevent crowding of the land by requiring certain minimum yard and area standards to be met.

(1) *Permitted uses.* In R-2M Districts only the following uses are permitted:

a. *Uses by right*—The uses listed below are permitted subject to the conditions specified:

Accessory use.

Residential/single-family residential.

Residential/duplex residential.

Residential/two-family residential.

Agriculture.

Recreation—community.

b. *Uses requiring planning approval*—The uses listed below are permitted upon approval of the location and site plan thereof by the zoning and land use commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as not causing undue traffic congestion or creating a traffic hazard; and as being in harmony with the orderly and appropriate development of the district in which the use is located: Cemetery.

Church, religious assembly, including parish house, community house and educational buildings.

Fire station.

Golf course, but not including commercial miniature courses or commercial driving ranges (need not be enclosed within structure).

Home occupation.

Library (public).

Pipeline or electric transmission line (need not be enclosed within structure).

Railroad right-of-way, but not including shops, yards and team tracks (need not be enclosed within structure).

Water storage (need not be enclosed within structure).

- c. *Special exception uses*—The uses below are subject to the same approval of location and site plan as uses requiring zoning approval; in addition, these uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of adjustment in accordance with the provisions of Article IX governing special exceptions:

Armories—military (reserve or national guard).

Nursing homes.

Electric substation, need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements.

Gas regulator station, need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements.

Residential/mobile home.

Nursery, day care center or kindergarten.

Library, public.

School, elementary and/or secondary, meeting all requirements of the compulsory education law of the state.

Water or sewerage pump station.

Modular home.

(2) *Building site area.* Except as provided in Article IV, the minimum building site area shall be:

For a church use: One (1) acre requirement (forty-three thousand five hundred sixty (43,560) square feet).

For a one-family dwelling, five thousand (5,000) square feet.

For a two-family dwelling, five thousand five hundred (5,500) square feet.

For electric substation, gas regulator station, water or sewerage pumping station, no minimum requirement.

For any other permitted use, ten thousand (10,000) square feet.

(3) *Building height limit.* Except as provided in Article IV, no structure shall be erected or altered to exceed twenty-five (25) feet.

(4) *Yards required.* Except as provided in Article IV, the minimum dimensions of yards shall be:

Front yard, twenty-five (25) feet.

Side yard, five (5) feet.

Rear yard, twenty (20) feet.

(d) *R-3 Districts: Multiple-Family Residential Districts, High-Density.* These districts are composed mainly of areas containing a mixture of one-family, two-family and multiple-family dwellings; in many of them there is evident a trend toward increased population density through conversion of large houses into duplexes or apartments and through use of remaining vacant land for apartment buildings. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities, to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches, to prevent overcrowding of the land by requiring certain

minimum yard and other spaces for all buildings and to avoid excessive population density by requiring certain minimum building site areas for dwelling units.

(1) *Permitted uses.* In R-3 Districts only the following uses are permitted:

- a. *Uses by right*—The uses listed below are permitted subject to the conditions specified:

Accessory use.

Residential/single-family residential.

Residential/duplex residential.

Residential/two-family residential.

Residential/multiple-family residential.

Residential/mobile home park.

Residential/mobile home.

Residential/modular home.

Agriculture.

Home occupation.

Nameplate, not exceeding one (1) square foot in area (need not be enclosed within structure).

Recreation—community.

- b. *Uses requiring planning approval*—The uses listed below are permitted upon approval of location and site plan thereof by the zoning and land use commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection and other public facilities, as not causing undue traffic congestion or creating [a] traffic hazard and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Armory—military (reserve or national guard).

Cemetery.

Church, religious assembly, including parish house, community house and educational buildings.

Fire station.

Golf course, but not including commercial miniature courses or commercial driving ranges (need not be enclosed within structure).

Library (public).

Pipeline or electric transmission line (need not be enclosed within structure).

Railroad right-of-way, but not including shops, yards and team tracks (need not be enclosed within structure).

Water storage (need not be enclosed within structure).

- c. *Special exception uses*—The uses listed below are subject to the same approval of location and site plan as uses requiring zoning approval; in addition, the uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of adjustment in accordance with the provisions of Article IX governing special exceptions:

Art gallery or cultural services.

Nursing homes.

Electric substation (need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements).

Gas regulator station (need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials, provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements).

Nursery, day care center or kindergarten.

Library, public.

School, elementary and/or secondary, meeting all requirements of the compulsory education laws of the state.

Telephone exchange.

Water or sewage pump station.

(2) *Building site area.* Except as provided in Article IV, the minimum building site area shall be:

For a church use: One (1) acre requirement (forty-three thousand five hundred sixty (43,560) square feet).

For a one-family dwelling: Six thousand (6,000) square feet.

For a two-family dwelling: Seven thousand two hundred (7,200) square feet.

For a multiple-family dwelling:

First two (2) dwelling units—Seven thousand two hundred (7,200) square feet.

Each additional dwelling unit—Two thousand (2,000) square feet.

For electric substation, gas regulator station, water or sewage pump station: No minimum requirement.

For any other permitted use: Ten thousand (10,000) square feet.

(3) *Building height limit.* Except as provided in Article IV, no structure shall be erected or altered to exceed forty-five (45) feet.

(4) *Yards required.* Except as provided in Article IV, the minimum dimensions of yards shall be:

Feet

Front yard25

Side yard 5

Rear yard30

(e) *R-3M: Multifamily Town House Condominium Districts.* These districts are composed mainly of areas containing a mixture of one-family, two-family, and multiple-family

dwellings; in many of them there is evident a trend toward increased population density. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities, to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches, to prevent over-crowding of the land by requiring certain minimum yard and other spaces for all buildings and to avoid excessive population density by requiring certain minimum building site areas for dwelling units.

(1) *Permitted uses.* In R-3M Districts only the following uses are permitted:

- a. *Uses by right*—The uses listed below are permitted subject to the conditions specified:

Accessory use.

Residential/single-family residential.

Residential/duplex residential.

Residential/two-family residential.

Residential/townhouse residential.

Residential/condominium residential.

Agriculture.

Home occupation.

Nameplate, not exceeding one (1) square foot in area (need not be enclosed within structure).

Recreation—community.

- b. *Uses requiring planning approval*—The uses listed below are permitted upon approval of location and site plan thereof by the zoning and land use commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities; as not causing undue traffic congestion or creating traffic hazard; and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Armory—military (reserve or national guard).

Cemetery.

Church, religious assembly, including parish house, community house and educational building.

Fire station.

Golf course, but not including commercial miniature courses or commercial driving ranges (need not be enclosed within structure).

Library (public).

Pipeline of electric transmission line (need not be enclosed within structure).

Railroad right-of-way, but not including shops, yards and team tracks (need not be enclosed within structure).

Water storage (need not be enclosed within structure).

c. *Special exception uses*— The uses listed below are subject to the same approval of location and site plan as uses requiring zoning approval; in addition, these uses are declared to possess such characteristics of unique or special form that each specific use shall be considered as an individual case and shall be subject to approval of the board of adjustment in accordance with the provisions of Article IX governing special exceptions:

Art gallery or cultural services.

Nursing homes.

Electric substation, need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials; provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning and land use commission as being equally satisfactory for meeting enclosure requirements.

Gas regulator station, need not be enclosed within structure, but must be enclosed within a brick or perforated brick wall at least eight (8) feet high and adequate to obstruct view and passage of persons or materials; provided that the substitution of other masonry materials or a fencing material in lieu of brick may be approved by the zoning commission as being equally satisfactory for meeting enclosure requirements.

Nursery, day care center or kindergarten.

School, elementary and/or secondary, meeting all requirements of the compulsory education laws of the state.

Telephone exchange.

Water or sewerage pumping station.

Residential/modular home.

(2) *Building site area.* Except as provided in Article IV, the minimum building site area shall be:

For a church use: One (1) acre requirement (Forty-three thousand five hundred sixty (43,560) square feet).

For a one-family dwelling, six thousand (6,000) square feet.

For a two-family dwelling, seventy-two hundred (7,200) square feet.

For a multiple-family dwelling:

First two (2) dwelling units, seventy-two hundred (7,200) square feet.

Each additional dwelling unit, two thousand (2,000) square feet.

For electric substation, gas regulator station, water or sewage pumping station, no minimum requirement.

For other permitted use, ten thousand (10,000) square feet.

(3) *Building height limit.* Except as provided in Article IV, no structure shall be erected or altered to exceed thirty-five (35) feet.

(4) *Building units.* Maximum number of housing units per building unit, four (4).

(5) *Yards required.* Except as provided in Article IV, the minimum dimensions of yards shall be:

Feet

Front yard25

Side yard 5

Rear yard30

ARTICLE IV. – SUPPLEMENTARY REGULATIONS

Sec. 28-74. – Supplementary yard regulations.

The following regulations shall apply in all districts as established in Article III of this chapter:

(a) *Front yard depth.* In any residential district, any building site lying between two (2) building sites adjacent thereto and having dwellings erected upon them on the effective date of the ordinance from which this section derives shall have a front yard equal in depth at least to the average depth of the front yards of the building sites adjacent thereto; provided however, that no front yard shall be less than twenty (20) feet in depth, and no front yard shall be required to be more than thirty (30) percent of the depth of the building site.

(b) *Side yard at abutting districts.* Where the side line (and rear line, in the case of a corner lot) of a building site in a business or an industrial district, except a C-4 District, abuts upon the side line of a building site in any residential district, there shall be provided on the building site lying in the business or industrial district and adjacent to the residential district a side yard (and rear yard, in the case of a corner lot) not less than twenty-five (25) feet in width. No part of the side yard required herein shall be used for a building or for any purpose other than landscaping; provided, however, that if screen planting at least eight (8) feet in height is provided and maintained, then as much as twenty (20) feet of the required side yard may be used for parking or other open air purposes not detrimental to the purpose of protection of the adjacent residential district.

(c) *Corner building site.* In any district a corner building site having to its rear a building site facing toward the intersecting or side street shall have provided on the intersecting or side street of the corner building site a side yard having width equal at least to the depth of the front yard required for a structure on the building site to the rear of the corner building site; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner building site to less than thirty (30) feet nor require a side yard of more than fifteen (15) feet except in the case of an R-1 District where the required side yard shall be twenty (20) feet for lots in subdivisions approved after November 19, 2014.

(d) *Projecting architectural features.* Every part of a required yard shall be open and unobstructed from the ground to the sky except for permitted accessory structures and for the ordinary projections of sills, belt courses, cornices, buttresses, eaves and similar architectural features, provided that such projections shall not extend more than two (2) feet into any required yard. Open fire escapes may extend into any required yard not more than three and one-half (3½) feet.

(e) *Accessory structures.* In any business or industrial district no accessory structure shall occupy any part of the required rear yard, except that in the C-4 Districts an accessory

structure for parking facilities, where the main building is a dwelling, may occupy not more than thirty (30) percent of the required rear yard; in any residential district, no accessory structure shall occupy more than thirty (30) percent of a required rear yard; and in no district shall an accessory structure occupy any part of a required front or side yard.

(1) *Side yard and rear yard requirements.* No accessory structure shall be erected or altered so that it is closer to any side or rear line than five (5) feet.

(2) *Corner building site.* No accessory structure on a corner building site having to its rear a building site facing toward the intersecting or side street shall be erected or altered nearer to the intersecting or side street line than the front building line to be observed by any structure on the building site to the rear of the corner building site.

(3) *Residential accessory structures.* **Structures such as but not limited to** portable storage units, **shipping containers, and office trailers** shall not be permitted as permanent accessory structures in residential districts or on a property used for residential purposes. Portable storage units may be permitted at the time of building permit application for construction or renovation of residential property. Such units shall be removed in a timely manner, not to exceed thirty (30) days, after the termination of the construction or renovation. Portable storage units not affiliated with construction, renovation or relocation that remain on residential property for more than thirty (30) days shall apply for and obtain a permit from the planning department prior to placement.