

**PARISH OF ASCENSION
TRADITIONAL NEIGHBORHOOD DEVELOPMENT
ZONING DISTRICT**

Section 1.01 Purpose. The purpose of a Traditional Neighborhood Development Zoning District (“**TND District**”) is to encourage mixed-Use, compact Development and facilitate the efficient use of services. A TND District diversifies and integrates land Uses within close proximity to each other, and it provides for the daily recreational and shopping needs of the residents. A TND District is a sustainable, long-term community that provides economic opportunity and environmental and social equity for the residents. This ordinance’s intent is to encourage its use by providing incentives, rather than prohibiting conventional Development. A Traditional Neighborhood Development:

- a. Is designed for the human scale;
- b. Provides a mix of Uses, including residential, commercial, civic, and open space Uses in close proximity to one another within the neighborhood;
- c. Provides a variety of housing types, and sizes to accommodate households of all ages, sizes, and incomes;
- d. Includes residences, shops, workplaces and civic Buildings interwoven within the neighborhood, all within close proximity;
- e. Incorporates a system of relatively narrow, interconnected Streets, Roads, Drives, and other Thoroughfare Types with sidewalks and bikeways, that offer multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of those Thoroughfare Types to existing and future Developments;

Includes compatibility of Buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable, harmonious and diverse environment;

- f. Incorporates environmental features into the design;
- g. Coordinates transportation systems with a hierarchy of appropriately designed facilities for pedestrians, bicycles, and vehicles;
- h. Provides well-configured squares, plazas, greens, landscaped Streets, preserves, greenbelts and parks woven into the pattern of the neighborhood;
- i. Incorporates architecture, landscape, lighting and signage standards integrated with the zoning provisions that respond to the unique character of the region; and

j. Provides an increased range of options than are allowed by conventional zoning.

Section 1.02 Overview

a. A TND District consists of an area of not less than 50 contiguous Acres. In this Article, property is considered contiguous even if separated by a public roadway.

b. A TND District is divided into at least two types of areas, and each type of area has different land Use and site Development regulations. A TND District must have one Neighborhood Center Area (also sometimes referred to as Town Center or Village Center) and at least one Mixed Residential Area. A TND District may also have a Neighborhood Edge Area, Civic Spaces and Green Spaces.

c. A “**Neighborhood Center Area**” serves as the focal point of a TND District, containing retail, commercial, civic, and/or public services to meet the daily needs of community residents. A “**Neighborhood Center**” is pedestrian-oriented, and it is designed to encourage pedestrian movement. A square may be located in a Neighborhood Center Area. Retail and commercial Uses should generally be located adjacent to a square. The Neighborhood Center Uses include retail shops, restaurants, offices, banks, hotels, post office, governmental offices, churches, community centers, and attached residential Dwellings.

d. A “**Mixed Residential Area**” includes a variety of residential land Uses, including single-family residential, duplex, Townhome, and multi-family. Residential scale retail and commercial Uses are permitted within a Mixed Residential Area with strict architectural and land Use controls. Retail and commercial Uses in a Mixed Residential Area are required to blend into the residential character of the neighborhood. A Mixed Residential Area includes open spaces including small squares, pocket parks, community parks, and greenbelts. A Mixed Residential Area promotes pedestrian activity through well designed and varied streetscapes that also provide for the safe and efficient movement of vehicular traffic. Mixed Residential Area Uses include single-family homes, condominiums, Townhomes, apartments, offices, restaurants, neighborhood scale retail, and civic Uses. Mixed Residential areas often utilize Alleys.

e. A “**Neighborhood Edge Area**” is the least dense portion of a TND District, with larger Lots and greater setbacks than the rest of the neighborhood. Alleys are not required, and direct vehicular Access to Streets is permitted. Only single family residential Dwellings are permitted. A Neighborhood Edge Area is appropriate along the perimeter of the neighborhood. A portion of a TND District that adjoins existing or platted conventional low Density housing must be designated as a Neighborhood Edge Area.

f. Large office, low-impact manufacturing Uses and industrial Uses that are not appropriate for a Neighborhood Center Area or a Mixed Residential Area but which serve the local residents may be located in a specified district.

g. Civic Uses that are oriented to the general public are permitted in a Neighborhood Center Area and a Mixed Residential Area. These Uses are essential components of the social and physical fabric of a TND District. Civic space shall be integrated in residential and commercial areas in the TND. TND's shall incorporate civic Common Open Spaces to be maintained by the municipality and/or private open spaces to be maintained by the community or landowners within the TND. Special attention should be paid to the location of government offices, libraries, museums, schools, churches, and other prominent public Buildings to create focal points and landmarks for the community. The locations of these major public civic Uses are designated on the Development Plan at the time of Commission approval of a particular Development.

h. Open space is a significant part of a TND District design. Formal and informal open spaces are required. These serve as areas for community gatherings, landmarks, and as organizing elements for the neighborhood. Open space includes squares, plazas, greens, preserves, parks, and greenbelts.

i. A TND District is designed to be pedestrian oriented. To accomplish this goal, pattern and design of the various Thoroughfare Types are used to reduce vehicle travel speeds and encourage pedestrian activity. An interconnected network of Streets, and other Thoroughfare Types, is required. Streets may be smaller than in conventional Development and more varied in size and form to control traffic and give character to the neighborhood.

j. Thoroughfares and utilities in TND Districts shall connect to existing Thoroughfares and utilities, or dead-end as stubs intended for connection to future Thoroughfares, unless otherwise prohibited by topography, environmental constraints or other considerations, as further described in Section 1.04, h.

Section 1.03 TND District Definitions. The following definitions shall be observed and applied, except when the context clearly indicates otherwise. Words used in the present tense shall include the future tense. Words used in the singular form shall include the plural form. Words used in the plural form shall include the singular. The word "shall" is mandatory and the word "may" is permissive.

a. **Abutting** - Having a border with, or being separated from such common border by, an Alley or Easement.

b. **Access** - An entry to or exit from a property, Lot, Building, parking Lot, or other area within the TND.

c. **Accessory Building** - a Building which is (1) subordinate to and serves a principal Structure or Principal Use; (2) is subordinate in area, extent and purpose to the

principal Structure or Principal Use; (3) is located on the same Lot as the principal Structure or Principal Use; and (4) is customarily incidental to the principal Structure or Principal Use. Any portion of a Principal Building which is devoted to an Accessory Use is not an Accessory Building.

d. **Accessory Use** - A Use which (1) is subordinate to and serves a principal Structure or Principal Use, (2) is subordinate in area, extent, and purpose to the principal Structure or Principal Use served, (3) is located on the same Lot as the principal Structure or Principal Use served except as otherwise expressly authorized by provisions of this ordinance, and (4) is customarily incidental to the principal Structure or Principal Use.

e. **Acre** – Forty-three thousand five hundred sixty (43,560) square feet.

f. **Alley** - a public or private way permanently reserved as a secondary means of Access to Abutting property.

g. **Appeal** - A means for obtaining review of a decision, determination, order, or failure to act under the terms of this ordinance.

h. **Application** - an application filed by a Developer/applicant for TND District zoning.

i. **Association, or Associations** – the association or associations of all the Owners of property in the TND charged with the ownership and maintenance of Common Open Space and associated facilities and operated pursuant to articles of incorporation and bylaws. Initially, the Developer shall maintain control of the Association until such time as two-thirds (2/3) of Lots in the TND have been sold, or as otherwise set forth in its Articles or Bylaws. A TND may have a residential Association and a commercial Association.

j. **Block** - a unit of land bounded by Thoroughfares or by a combination of Thoroughfare Types, public land, railroad rights-of-way, waterways, or any other barrier to the continuity of Development.

k. **Boulevard** - a major Thoroughfare for carrying a large volume of through traffic in the area, normally controlled by traffic Signs and signals with relatively few intersections and/or Drives.

l. **Buffer, or Buffer Yard** - a unit of land, together with a specified type and amount of planting and any fencing which may be required between land Uses to minimize conflicts between them.

m. **Building** - a Structure built, maintained, or intended for Use as a shelter or enclosure of Persons, animals, or property. The term includes any part of the

Structure. Where independent units with separate entrances are divided by party walls, each unit is a Building.

n. **Building Height, or Height** - the vertical distance measured from the lowest ground elevation to the highest point of the Building or Structure. The Building Height may be prescribed as a maximum number of Stories or as a dimension from sidewalk grade to the eave. The Height limit shall not apply to chimneys.

o. **Building Setback** - the distance from the Street Right of Way line to the closest point of the foundation of a Building or projection thereof.

p. **Collector** - a Street designed to carry moderate volumes of traffic from local Streets to Boulevards or from Boulevard to Boulevard. Collectors are also referred to as Avenues.

q. **Commercial Street** – a very urban condition which comprises a Street with raised curbs drained by inlets. Wide sidewalks along both sides are separated from the Thoroughfare by small separate Tree wells. Trees along the Commercial Street consist of a single species aligned in a row or rows. Tree spacing may be irregular to stay clear of shop entrances. Commercial Streets have the highest pedestrian Use.

r. **Commissions** – the Planning Commission and the Zoning Commission, individually and collectively.

s. **Common Open Space** - a Parcel or Parcels of land and/or an area of water within a Development that are held in some form of common ownership and designated, designed and intended for benefit, use or enjoyment of the occupants of the Development. It may contain such complementary Structures and improvements as necessary and appropriate for the benefit and enjoyment of the occupants of such Development as set forth in Section 1.04, e. herein, including those Uses set forth in Section 10.1.1, III., B of the Development Code.

t. **Council** – the Ascension Parish Council.

u. **Density** – A measure of the intensity of Development. In this ordinance, Density for residential Development is calculated in terms of units per Acre. The calculation for residential Density is set forth in Section 17-154 of the Development Code. Density for commercial Development is calculated as the gross Floor Area for each Development project.

v. **Developer** - the legal or beneficial Owner(s) of a Lot or Parcel of any land proposed for inclusion in a Development, including the holder of an option or contract to purchase.

w. **Development** - the division of a Parcel of land into two (2) or more Parcels; the construction, reconstruction, conversion, structural alteration, relocation, or

enlargement of any Buildings or Structures; any Use or change in Use of any Buildings or land; or any extension of any Use of land or any clearing, grading, or other movement of land.

x. **Development Code** – the Ascension Parish Development Code and Subdivision Regulations.

y. **Drainage** – the removal of surface water or groundwater from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after Development and includes the means necessary for water supply preservation or the prevention or alleviation of Flooding.

z. **Drive or Driveway** – a vehicular Access way within a Lot.

aa. **Dwelling** – any Building or portion of a Building which is designated or used for residential purposes.

bb. **Dwelling, Multi- or Multi-Family** – a Building that contains more than one (1) Dwelling unit.

cc. **Dwelling, Single- or Single-Family** – a Building that contains only one (1) living unit, including attached Buildings in the case of Townhomes.

dd. **Flood, or Flooding** – a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

ee. **Floor Area** – the sum of the gross floor area for each of a Building's or Structure's Stories measured from the exterior limits of the faces of the Building or Structure. The Floor Areas of the Building include the basement Floor Area. The Floor Area includes the attic only if it is habitable Floor Area.

ff. **General Implementation Plan** – the initial plan of Development for a TND which an applicant/Developer submits to the Commissions containing all those items described in the General Implementation Plan Checklist, including written and graphic documents, which represents a conceptual plan of the proposed land Uses and their overall impact on the land and surrounding land for rezoning of the land to TND Concept.

gg. **General Implementation Plan Checklist** – a list containing items which must be included in a General Implementation Plan submitted to the Commissions for TND approval.

hh. **Highway** – a long-distance, speed-movement Thoroughfare designed for vehicle use, traversing open countryside. A Highway should be relatively free of

intersections, Driveways and adjacent Buildings, otherwise it becomes strip Development which interferes with traffic flow and human comfort. Variants include freeways, expressways and parkways.

ii. **Live/Work Unit** – those dwelling structures or units that combine a residence and a workplace, as permitted in this ordinance.

jj. **Lot** - a Parcel of land undivided by any Street or private Road and occupied or intended for occupancy by, or designated to be developed for, one (1) Building or Principal Use and the Accessory Buildings or Accessory Uses customarily incidental to such Building, Use or Development, including such open spaces and yards as are designed and arranged or required by this ordinance for such Building Use or Development.

kk. **Lot Area** – the area contained within the boundary lines of Lot.

ll. **Lot Line** - a line bounding a Lot which divides one (1) Lot from another or from a Street or any public or private space.

mm. **Lot Width** - the horizontal distance between Side Lot Lines measured at the front setback. Where there is only one Side Lot Line, Lot Width shall be measured between such Lot Line and the opposite Lot Line or future Right of Way line.

nn. **Major Change** – a change to an approved Traditional Neighborhood Development as set forth in Section 1.14, a., b., and c.

oo. **Minor Change** – a change to an approved Traditional Neighborhood Development as set forth in Section 1.14, d.

pp. **Net Acre** - an Acre of land excluding Street rights-of-way and other publicly dedicated improvements such as parks, open space, and stormwater detention and retention facilities.

qq. **Owner** - The Person or Persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a Lot or Parcel of land.

rr. **Parcel** - The area within the boundary lines of a Development.

ss. **Parish** - The Parish of Ascension, State of Louisiana.

tt. **Passage** – a pedestrian connector passing between Buildings. Passages provide shortcuts through long blocks and connect rear parking areas with Street frontages. Passages may be roofed over and lined by shopfronts. Variants include **Courts**, a Passage that is wide enough to be landscaped, being the frontage for Buildings which are otherwise provided with vehicular Access only by Rear Alleys.

uu. **Path** – a pedestrian way traversing a park or the countryside. Paths should connect directly with the sidewalk network at the urban edge.

vv. **Person** - An individual, firm, partnership, corporation, company, association, joint stock association or government entity; including a trustee, a receiver, and assignee, or a similar representative of any of them.

ww. **Planning Commission** - An agency legally established by the Council in conformity with state legislation with all the rights and responsibilities defined by such legislation.

xx. **Planning Staff or Commissions Staff** - Professional and non-professional personnel employed by the Commissions to carry out and fulfill the directives and responsibilities of the Commissions. Staff functions may be conducted by private or public consultants at the discretion of the Commissions.

yy. **Principal Building** - a Building in which the Principal Use of the Lot on which the Building is located is conducted or intended to be conducted.

zz. **Principal Use** - The specific primary purpose for which land is used.

aaa. **Public Improvement** - Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for such public needs as vehicular and pedestrian circulation systems, storm sewers, Flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility, and energy services.

bbb. **Queuing** - the Use of one travel lane on local Streets with parking, usually an intermittent parking pattern, on both sides.

ccc. **Rear Alley** – a narrow service Access way to the rear of more urban Buildings providing service areas, parking Access, and utility Easements. Alleys, as they are used by trucks and must accommodate dumpsters, should be paved from Building face to Building face, with drainage by inverted crown at the center. Buildings facing the Alley must have windows.

ddd. **Rear Lane** – a vehicular Access way located to the rear of a Lot providing Access to parking and outbuildings as well as Easements for utilities. Rear Lanes are paved as lightly as possible to Driveway standards or with gravel. Rear Lanes should be as rural as possible in character. Buildings facing the Rear Lane must have windows. Posted speed should equal design speed.

eee. **Rear Lot Line** - that Lot Line which is parallel to and most distant from the front Lot Line of the Lot; in the case of an irregular, triangular, or gore-shaped Lot, a line twenty (20) feet in length, entirely within the Lot, parallel to and at the maximum possible distance from the front line, shall be considered to be the Rear Lot Line. In the

case of Lots which have frontage on more than one (1) Road or Street, the Rear Lot Line shall be opposite the Lot Line along which the Lot takes Access to a Street.

fff. **Restrictive, more (less)** - A regulation imposed by this ordinance is more (less) restrictive than another if it prohibits or limits Development to a greater (lesser) extent or by means of more (less) detailed specifications.

ggg. **Right-of-Way** - A strip of ground dedicated by the Developer for public Use, title to which shall rest in the public for the purpose stated in the dedication.

hhh. **Road** – a Thoroughfare with open swales drained by runoff percolation and an informal walking Path or bicycle trail along one (1) side. Trees along Roads consist of multiple species composed in clusters. Roads have low pedestrian use. Design speed can exceed the posted speed.

iii. **Rural Road** – a Thoroughfare with open swales drained by runoff percolation and no separate pedestrian Path. Trees along Rural Roads consist of multiple species composed in clusters.

jjj. **Secondary Dwelling Unit** - an additional Dwelling unit located within the principal Dwelling on the Lot, in a freestanding Building or above a residential garage.

kkk. **Servitude, or Easement** - A strip existing or to be reserved by the Developer for public utilities, Drainage and other public purposes, the title to which shall remain with the property Owner, subject to the right of Use designated in the reservation of servitude; or a strip of ground designated or intended to be used for Access to Buildings and other portions of property.

III. **Side Lot Line** – any Lot Line other than a front or Rear Lot Line.

mmm. **Sign** - Any Structure, part thereof, or device attached thereto or painted or represented thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, pennant, streamer, banner, emblem, insignia, device, trademark or other representation used as, or in the nature of, an announcement, advertisement, direction or designation of any Person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry which is located upon any land or on any Building.

nnn. **Story, or Stories** - a space in a Building between the surface of any floor and the surface of the next floor above, or if there is no such floor above, then the space between such floor and the ceiling or roof above.

ooo. **Street** - a strip of land, including the entire Right of Way, publicly or privately owned, serving as a means of slow vehicular travel, and furnishing Access to Abutting properties, which may also be used to provide space for sewers, public utilities, shade Trees, and sidewalks. A Street may be public or private.

ppp. **Structure** - An object, including a mobile object, constructed or installed by man, including but without limitation, Buildings, towers, cranes, and overhead transmission lines.

qqq. **Subdivision** - Any division, subdivision or re-division of a subdivision, tract, Parcel, or Lot of land into two (2) or more Lots, plots, sites, parts, or other division of land by means of mapping, platting, conveyance, or change of rearrangement of boundaries for the purpose of sale, lease or Development, whether immediate or future. All Subdivisions are also Developments.

rrr. **Thoroughfare** – A paved vehicular way with moving lanes and parking lanes accompanied by streetscapes at the sides, both within and outside of a public right-of-way, and including all of the Thoroughfare Types as set forth and described herein.

sss. **Thoroughfare Types** - Boulevards, Roads, Rural Roads, Streets, Commercial Streets, Collectors, Driveways, Highways, Passages, Paths, Rear Alleys, and Rear Lanes.

ttt. **Townhome** - Two (2) or more attached living units with common or party sidewalls between units, designated so that each unit may be sold independently as a Lot with its own yards and parking spaces.

uuu. **Traditional Neighborhood or Traditional Neighborhood Development** - a compact, walkable, mixed-Use neighborhood where residential, commercial and civic Buildings are within close proximity to each other as contemplated under this ordinance.

vvv. **Transit Stop** – a location where passengers board and alight. Transit Stops can serve one or more routes and include various levels of amenities depending on the level of actual or anticipated riders. Amenities can include Transit Stop sign pole, benches, trash receptacles, shelters and lighting. Transit Stops can be placed within the public right-of-way or on private property depending on service needs and passenger comfort.

www. **Tree** - Any self-supporting perennial woody plant that is at least four (4) inches in diameter.

xxx. **Urban Street** – a typical urban condition which comprises a Street with raised curbs drained by inlets. A narrower, continuous planter separates wide sidewalks along both sides from the Thoroughfare. Trees along Urban Streets consist of a single species aligned in a row or rows.

yyy. **Use** - The purpose or activity for which land or any Building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

zzz. **Variance** - Permission to depart from the literal requirements of this ordinance granted by the Council.

aaaa. **Zoning Commission** - An agency legally established by the Council in conformity with state legislation with all the rights and responsibilities defined by such legislation.

Section 1.04 TND District Design Requirements.

a. Association.

- (1) Conditions, covenants, and restrictions for all the property within a TND District must be filed in the Parish records by the Owner before a Lot is sold and/or a Building permit is issued.
- (2) In addition to other terms and conditions acceptable to the applicant, the conditions, covenants, and restrictions must create one (1) or more property owners Associations with mandatory membership for each property Owner, governed by Articles of Incorporation and Bylaws, which shall:
 - (a) be organized by the applicant and operated with a financial subsidy from the applicant before the sale of any Lots within the TND District;
 - (b) provide for the conditions and timing of transferring control of the Association from the applicant to the property Owners;
 - (c) be responsible for maintenance of insurance and taxes on all Common Open Space, enforceable by liens placed on the Association by the Parish, as provided in the Association Bylaws;
 - (d) at all times, cause all Owners to have Access to the Common Open Space within the TND District;
 - (e) establish architectural standards that are in conformity with the requirements of this ordinance which shall be subject to review and approval by the Board of Directors of the Association or the Architectural Control Committee, as described below;
 - (f) create an Architectural Control Committee to review Development for compliance with the architectural standards, to issue certificates of approval, and to review

and approve the Development's architect, designer, and/or other professionals contributing to the Development;

- (g) provide for the ownership, Development, management, and maintenance of private open space (except plazas owned by individual property Owners), community parking facilities, community meeting hall, and other common areas;
- (h) provide for a maintenance program for all property within the TND, including landscaping and Trees within the streetscape;
- (i) require the collection of assessments from members in an amount sufficient to pay for its functions; and
- (g) be effective for a term of not less than fifty (50) years.

b. **Land Use Allocations.** Each Lot within a TND District must be allocated particular permitted land Use categories. The identification of permitted land Uses within all or a portion of a TND District may be made by reference to other zoning districts available within the Parish. Areas which would permit the sale or consumption of alcohol must be approved for an alcohol license by the Alcohol and Beverage Board.

c. **Neighborhood Uses.** In order to achieve the proximity necessary to make neighborhoods walkable, it is important to mix land Uses. A TND District should consist of a mix of residential Uses, a mixed Use area, and open space as provided below:

- (1) **A mix of residential Uses** of the following types can occur anywhere in the TND District, provided that single-family Dwellings shall account for at least fifty (50%) percent of the residential units in the TND. For infill Development, the mix of residential Uses may be satisfied by existing residential Uses adjacent to the TND District by including some and/or all of the following:
 - (a) Single-family detached Dwellings, including manufactured homes;
 - (b) Single-family attached Dwellings, including duplexes, Townhomes, row houses;
 - (c) Multi-family Dwellings, including senior housing;
 - (d) Secondary Dwelling Units ("granny flats");

- (e) “Special needs” housing, such as community living arrangements and assisted living facilities;
 - (f) Residential units above commercial Uses, which shall be considered Multi-Family Units.
- (2) **Mixed Use area**, of commercial, residential, civic or institutional, and open space Uses as identified below. All residents should be within approximately 1/2 mile or a 15-minute walk from existing or proposed commercial, civic, and open space areas.
- (a) Commercial Uses may include the following:
 - i) Food services (including without limitation, neighborhood grocery stores; butcher shops; bakeries; restaurants (including the sale and consumption of alcohol), not including drive-throughs; cafes; coffee shops; neighborhood taverns, bars or pubs); delis, ice cream parlors, specialty foods, and/or outside dining patios and areas;
 - ii) Retail Uses (including without limitation, retail sales, florists or nurseries; gas stations, hardware stores; stationery stores; book stores; galleries, studios and shops of artists and artisans, drug stores, apparel, antiques, furniture, music, pets, farmers market, and toys);
 - iii) Services (including without limitation, child care centers; music, dance or exercise studios; offices, including professional and medical offices; financial and banks; medical clinics, barber; laundromats; educational, hair salon; dry cleaning, health or fitness, dry cleaners, tailor shops, repair and service shops, and postal);
 - iv) Accommodations (bed and breakfast establishments, small hotels or inns); and
 - v) Clubs and organizations, including fraternal organizations.
 - (b) Residential Uses may include the following, for sale or rent:
 - i) Single-family attached Dwellings, including duplexes, Townhomes, row houses;

- ii) Multi-family Dwellings, including senior housing;
 - iii) Residential units located on upper floors above commercial Uses or to the rear of storefronts;
 - vi) Live/Work Units that combine a residence and the resident's workplace; and
 - v) "Special needs" housing, such as community living arrangements and assisted living facilities.
- (c) Civic or institutional Uses may include the following:
- i) Municipal offices, fire stations, libraries, museums, community meeting facilities, and post offices;
 - ii) Places of worship;
 - iii) Transit shelters;
 - iv) Philanthropic institutions; and
 - v) Educational facilities.
- (d) Office which may include the following:
- i) Art galleries and studios;
 - ii) Banks;
 - iii) Child care centers;
 - iv) Clubs;
 - v) Offices; and
 - vi) Medical clinics.
- (e) Open space Uses may include the following:
- i) Central square;
 - ii) Neighborhood parks;
 - iii) Recreational facilities; and

iv) Playgrounds.

(3) **Open space.** Uses identified below should be incorporated in the TND District as appropriate. Large outdoor recreation areas should be located at the periphery of neighborhoods rather than central locations. Common Open Space is more particularly described in Section 1.04, e. below.

- (a) Environmental corridors;
- (b) Protected natural areas;
- (c) Community parks;
- (d) Streams, ponds, and other water bodies; and
- (e) Stormwater detention/retention facilities.

d. **Development Units.** The number of residential Dwelling units and the amount of nonresidential Development, excluding open spaces, shall be determined as follows, provided that single-family detached Dwellings shall account for at least fifty (50%) percent of the total number of residential units in the TND, and two-family units, Townhomes, and Multi-Family Units shall comprise less than fifty (50%) percent of the units:

- (1) In areas devoted to mixed residential Uses:
 - (a) The number of single-family attached and detached units permitted shall be 5 – 8± Dwelling units per Net Acre;
 - (b) The number of Multi-Family units shall be 8 - 40 Dwelling units per Net Acre.
 - (c) Secondary Dwelling Units shall be permissible in addition to the number of Dwelling units authorized under this Section. However, the total number of Secondary Dwelling Units shall not be more than ten (10%) percent of the total number of Single-Family attached and detached units.
 - (d) For each affordable housing unit provided under this Section, one (1) additional Dwelling unit shall be permitted, up to a maximum fifteen (15) percent increase in Dwelling units.
- (2) In mixed-Use areas:

- (a) The number of Single-Family and Multi-Family Dwelling units permitted shall be calculated the same as above plus an additional number of units not to exceed ten (10%) percent of the amount permitted above.
- (b) All Dwelling units constructed above commercial Uses shall be permissible in addition to the number of Dwelling units authorized under this Section. However, the total number of Dwelling units shall not be increased by more than 10 Dwelling units or ten (10%) percent, whichever is greater.
- (c) The total ground Floor Area of nonresidential Development Uses, including off-Street parking areas, shall not exceed twenty-five (25%) percent of the TND District.

e. **Additional Common Open Space Requirements.** At least twenty (20%) percent of the gross acreage of the TND District must be open space. At least twenty-five (25%) percent of the Common Open Space must be dedicated to the public for parkland. Ninety (90%) percent of the Lots within the areas devoted to mixed residential uses shall be within a 1/2 mile or a 15-minute walk from Common Open Space.

- (1) The following Uses may account for Common Open Space with the stated limitations:
 - (a) Parks and other open greenbelt areas which are readily accessible must account for not less than twenty-five (25%) percent of the Common Open Space.
 - (b) Trees along Thoroughfare Types located within designated landscape common areas or landscape Servitude and located within a Street Right-of-Way may not exceed twenty-five (25) percent of the Common Open Space. There shall be one (1) Street Tree per forty (40') feet of frontage. However, Common Open Space within vehicle Use areas or any noncontiguous green area of less than one thousand (1000) square feet may not be included.
 - (c) Lake and ponds, including storm water wet detention basins provided that they are designed so that a minimum of twenty (20%) percent of the Abutting shoreline is made accessible for the common Use of the Development, but in no event less than 300' feet of frontage.
 - (d) Storm water dry detention basins of not less than one (1) Acre; but may not exceed twenty-five (25%) percent of the

Common Open Space and must be designed to provide for acceptable maintenance and upkeep of the detention basin.

- (e) Golf courses may account for up to fifty (50) percent of the Common Open Space.
- (f) Wetlands with not less than fifty (50%) bottomland hardwood.
- (g) Hard surface recreation areas such as recreational courts and pedestrian plazas may account for up to twenty-five (25%) of the Common Open Space.
- (h) Servitudes with existing below ground utilities and/or facilities with a width of not less than 30' feet.
- (i) Electrical transmission line Servitudes with a width of not less than 150' feet.
- (j) School sites, excluding the area devoted to Buildings.
- (k) An existing Building or Buildings that have historical or cultural significance may be located in a common area space; however, the enclosed Building area may not be included in the Common Open Space requirement.
- (l) Common Open Space for the Use by the general public, if agreed to by the appropriate governmental authority, in each case in an amount to be determined by the Commissions.

(2) Common Open Space shall not include:

- (a) Required
 - (i) Yards which are not accessible for the common Use of the Development;
 - (ii) Parking areas;
 - (iii) Drives;
 - (iv) Utility with above ground improvements or Road Easements/Servitudes;
- (b) Structures (unless a part of the open space such as gazebos);

- (c) Drainage ditches or canals; and
 - (d) Areas reserved for the exclusive Use and benefit of an individual tenant or Owner.
- (3) No more than twenty (20%) percent of the Common Open Space shall be devoted to paved areas and Structures such as courts or recreation Buildings. Parking Lots and on-street parking shall not be located within or along the side of a Street or Road bordering parks, greens and squares.
 - (4) Common Open Space shall be permanently set aside for the sole benefit, Use, and enjoyment of present and future occupants of the Traditional Neighborhood Development through covenant, deed restriction, open space Servitude, or similar legal instrument; or, if agreed to by governmental agency, the open space may be conveyed to a governmental agency for the Use of the general public.
 - (5) The Commissions may consider a Traditional Neighborhood Development with a lesser amount of Common Open Space if it is clear that the proposed Traditional Neighborhood Development substantially provides for the intent of a Traditional Neighborhood Development. It is noted that Common Open Space is a very important element of a Traditional Neighborhood Development and reductions to the Common Open Space provision should be granted only as a result of specific, clearly documented reasons (i.e. the Traditional Neighborhood Development may be located on a relatively small site in an area where a respective 15% or 20% provision would detract from Building continuity or historic preservation efforts).
 - (6) In the event land shown on a Specific Implementation Plan (as hereinafter defined) as Common Open Space is dedicated to the Parish, the Council may, but shall not be required to, accept the open space provided: (x) such land is accessible to the residents of the Parish; (y) there is no cost of acquisition other than the costs incidental to the transfer of ownership; and (z) the Parish agrees to and has Access to maintain such lands.
 - (7) Common Open Space shall be protected against Building Development and environmental damage by conveying to the municipality, parish, association, or land trust an open space Servitude restricting the area in perpetuity against any future Building and against the removal of soil, Trees and other natural

features, except as the Commissions determine is consistent with conservation or recreational purposes.

f. **Stormwater Management.** The design and Development of the TND District should minimize off-site stormwater runoff, promote on-site filtration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained/protected to the maximum extent practicable. New Development and redevelopment shall meet the following requirements:

- (1) Untreated, direct stormwater discharges to wetlands or surface waters are not allowed.
- (2) A Drainage analysis shall be submitted in conformance with the Parish's Subdivision regulations.
- (3) Erosion and sediment controls must be implemented.
- (4) Redevelopment stormwater management systems should improve existing conditions and meet standards to the extent practicable.
- (5) All treatment systems or BMPs must have operation and maintenance plans to ensure that systems function as designed.

g. **Lot and Block Standards.**

- (1) **Block and Lot size diversity.** Thoroughfare layouts should provide for perimeter Blocks that are generally in the range of 200-400 feet deep by 400-800 feet long. Block length shall not exceed 2000 feet in perimeter. The Commissions may approve block perimeters of more than 2000 feet if required because of existing topography. A block longer than 500 feet in length shall be traversed near the midpoint by a pedestrian Path. A variety of Lot sizes should be provided to facilitate housing diversity and choice and meet the projected requirements of people with different housing needs.
- (2) **Lot Widths.** Lot Widths should create a relatively symmetrical Street or Road cross section that reinforces the public space of the Street or Road as a simple, unified public space.
- (3) **Building Setback, Front - Mixed Use Area.** Structures in the mixed-Use area have no minimum setback. Commercial and civic or institutional Buildings should abut the sidewalks in the mixed-Use area.

- (4) **Building Setback, Front - Areas of Mixed Residential Uses.** Single-family detached residences shall have a Building Setback in the front between zero (0) and twenty-five (25) feet. Single-family attached residences and multifamily residences shall have a Building Setback in the front between zero (0) and fifteen (15) feet.
- (5) **Building Setback, Rear - Areas of Mixed Residential Uses.** The Principal Building on Lots devoted to single-family detached residences shall be setback no less than thirty (30') feet from the rear Lot line.
- (6) **Side Setbacks.** Provision for zero (0) Lot-line single-family Dwellings should be made, provided that a reciprocal Access Easement is recorded for both Lots and Townhomes or other attached Dwellings, provided that all Dwellings have pedestrian Access to the rear yard through means other than the principal Structure.

h. Thoroughfare Network.

- (1) The circulation system shall allow for different modes of transportation.
- (2) The circulation system shall provide functional and visual links within the residential areas, mixed-Use area, and open space of the TND District and shall be connected to existing and proposed external Development. The circulation system shall provide adequate traffic capacity, provide connected pedestrian and bicycle routes, especially off-Street bicycle or multi-Use Paths or bicycle lanes on the Streets where required and ADA-approved crosswalks and sidewalks, control through traffic, provide adequate Transit Stops, limit Lot Access to Streets of lower traffic volumes, and promote safe and efficient mobility through the TND District.
- (3) The general requirements of Table 1 attached hereto shall apply, which may be modified by the Commissions.
- (4) **Pedestrian Circulation.** Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the TND. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. All Streets, except for Alleys, shall be bordered by sidewalks on both sides in accordance with the specifications listed in Table 1. The following provisions also apply:

- (i) **Sidewalks in residential areas.** Clear and well-lighted sidewalks, [three (3') to five (5')] feet in width, depending on projected pedestrian traffic, shall connect all Dwelling entrances to the adjacent public sidewalk. Sidewalks shall be provided along both sides of each Street in residential areas. For pedestrian safety, sidewalks shall be separated at least seven (7') feet from the curb.
 - (ii) **Sidewalks in mixed-Use areas.** Clear and well-lighted walkways shall connect Building entrances to the adjacent public sidewalk and to associated parking areas. Such walkways shall be a minimum of [five (5') feet] in width. Sidewalks shall be provided along both sides of each Thoroughfare Type located within a mixed-Use area. For pedestrian safety, sidewalks shall be separated at least seven (7') feet from the curb.
 - (iii) **Disabled Accessibility.** Sidewalks shall comply with the applicable requirements of the Americans with Disabilities Act.
 - (iv) **Crosswalks.** Intersections of sidewalks with Thoroughfares shall be designed with clearly defined edges. Crosswalks shall be well lit and clearly marked with contrasting paving materials at the edges or with striping.
- (5) **Bicycle Circulation.** Bicycle circulation shall be accommodated on Streets and/or on dedicated bicycle Paths. Where feasible, any existing bicycle routes through the site shall be preserved and enhanced. Facilities for bicycle travel may include off-Street bicycle Paths (generally shared with pedestrians and other non-motorized users) and separate, striped, four (4') foot bicycle lanes on Streets. If a bicycle lane is combined with a lane for parking, the combined width should be fourteen (14') feet.
- (6) **Public Transit Access.** Where public transit service is available or planned, convenient Access to Transit Stops shall be provided. Where transit shelters are provided, they shall be placed in highly visible locations that promote security through surveillance, and shall be well lighted.
- (7) **Motor Vehicle Circulation.** Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features such as "Queuing Streets", curb extensions, traffic circles, and medians may be used to encourage slow traffic speeds.

(8) The Thoroughfare network of the TND shall be connected to existing Thoroughfares, unless the Commissions and Council determine that topography, requirements of traffic circulation or other considerations make such connections impractical. In suburban areas, TND Streets should be laid out to allow extensions to future neighborhoods. Dead-end Streets are prohibited unless the Commissions and Council determine otherwise.

(9) **Design of Thoroughfares.**

(i) **General.**

- (a) Thoroughfares consist of moving lanes, parking lanes, curbs or swales, planters, Trees, Street lights and sidewalks.
- (b) Thoroughfare Types shall be designated in the Specific Implementation Plan.
- (c) Roads, Streets, and Commercial Streets may be modified to become avenues, Boulevards and Drives.
- (d) Thoroughfares passing from one (1) Use area to another shall change appropriately except those designated as a “connector” in the Specific Implementation Plan.
- (e) The exact locations of Trees and lights along Thoroughfares may be adjusted for specific conditions, such as Building entrances.
- (f) Thoroughfares that exist in or near a TND at the time of rezoning and are consistent with the intent of this ordinance may become an approved standard for use in that TND. An example of such a condition is commonly found in a nearby historic neighborhood.
- (g) If striped, on-street parallel parking spaces shall be striped collectively, not individually.
- (h) The full width of all Paths, Passages, rural lanes, lanes and Alleys shall be designated a utility Easement. Only in the absence of these Thoroughfare Types are utility Easements permitted elsewhere.

- (i) Traffic signals shall be timed on sixty (60) second / thirty (30) second intervals, with exceptions only for unorthodox intersections with an unusually high number of turning motions.
- (j) All Thoroughfares within a TND shall terminate at other Thoroughfares, forming a network. Cul-de-sacs shall be granted only when justified by site conditions.

(ii) **Design of Thoroughfares in Commercial Areas.**

- (a) All Lots shall enfront on a Thoroughfare, except that a maximum of twenty (20%) percent of Lots served by a real lane or Alley may enfront a Path or Passage.
- (b) Thoroughfares may intersect at non-orthogonal angles as acute as thirty (30) degrees.

(iii) **Design of Thoroughfares in Civic Areas.** Thoroughfares enfronting civic Buildings or civic spaces shall follow the standards of the underlying Use area.

i. **Parking requirements.** Parking areas for shared or community Use should be encouraged. On-street parking shall count toward the parking requirements. Side and rear parking shall be allowed. In addition:

- (1) In the mixed-Use area, any parking Lot shall be located at the rear or side of a Building. If located at the side, screening shall be provided as specified in Section 1.04, n.
- (2) A parking Lot or Garage may not be adjacent to or opposite a Street, or other Thoroughfare, intersection.
- (3) In the mixed-Use area, a commercial Use must provide one (1) parking space for every five hundred (500') feet of gross Building area.
- (4) Parking Lots or Garages must provide not less than one (1) bicycle parking space for every ten (10) motor vehicle parking spaces.
- (5) Adjacent on-street parking may apply toward the minimum parking requirements.

- (6) In the mixed residential areas, parking may be provided on-site. One (1) off-Street parking space with unrestricted ingress and egress shall be provided for each Secondary Dwelling Unit.
- (7) Multi-family Uses must provide one (1) parking space for every Dwelling unit and [0.5] parking space for each additional bedroom.
- (8) In residential areas, Garage doors which face the front of a Lot shall be placed twenty (20') feet beyond the setback of the principal Structure. However, the Commissions may modify this requirement for no more than twenty (20%) percent of the Dwelling units if warranted by topography or other environmental conditions.
- (9) In non-residential areas, parking Lots shall be located to the rear or side of Buildings. Side parking Lots shall account for no more than twenty-five (25%) percent of parking, and shall be screened from sidewalks by a combination of low walls or fences and landscaping.
- (10) In the case of commercial or office Uses which have shop or store fronts adjacent to sidewalks and Thoroughfares, parking along the Thoroughfare directly in front of the Lot shall count toward fulfilling the parking requirements.
- (11) The required number of spaces for commercial and office Uses may be further reduced by demonstrating the use of shared parking.
- (12) If a Developer desires additional customer parking for non-residential Uses, it shall be provided on grassy, pervious surfaces (of reinforced/plastic grid, reinforced block or similar material) which are adequate to sustain parked vehicles.
- (13) Off-street parking shall be located in mid-block parking Lots located behind the Buildings.
- (14) Parking shall be accessed by Alley or Rear Lane, when available. However, there shall be no parking in an Alley or lane.
- (15) Parking shall be prohibited within thirty (30') feet of intersections to enable public service and emergency vehicles adequate turning radii, and in mid-block sections such that emergency vehicles can park and operate within 125 feet of all Buildings on the block.
- (16) Required parking may be provided within a five (5) minute (one-quarter mile) radius of the site which it serves.

- (17) The location of permitted parking along Thoroughfares should be coordinated to allow access to mail boxes.
- (18) One (1) bicycle rack space shall be provided for every ten (10) vehicular parking spaces.
- (19) Parking Lots greater than two (2) double loaded parking rows should be carefully arranged to minimize breaks between pedestrian destinations.
- (20) **Shared Parking.**
 - (i) If an office Use and a retail sales and service Use share parking, the parking requirement for the retail sales and service Use may be reduced by twenty (20%) percent, provided that the reduction shall not exceed the minimum parking requirement for the office Use.
 - (ii) If a residential Use shares parking with a retail and service Use other than lodging Uses, eating and drinking establishments or entertainment Uses, the parking requirement for the residential Use may be reduced by thirty (30%) percent, provided that the reduction does not exceed the minimum parking requirement for the retail and service Use.
 - (iii) If an office and a residential Use share off-Street (or other Thoroughfare) parking, the parking requirement for the residential Use may be reduced by fifty (50%) percent, provided that the reduction shall not exceed the minimum parking requirement for the office Use.

j. **Architectural Standards.** A variety of architectural features and Building materials is encouraged to give each Building or group of Buildings a distinct character. In order to achieve harmonious design throughout the TND District, architectural design guidelines for the residential, commercial, office and civic and institutional Uses shall be submitted to the Commissions and used in creating the Development by the Developer, as set forth in Section 1.10 herein and in the General Implementation Plan Checklist.

(1) **Guidelines for Existing Structures**

- (a) Existing Structures, if determined to be historic or architecturally significant, shall be protected from demolition or encroachment by incompatible Structures or landscape Development.

- (b) The U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Properties shall be used as the criteria for renovating historic or architecturally significant Structures.

(2) **Guidelines for New Structures**

- (a) **Height.** New Structures within a TND District shall be no more than three (3) Stories for single-family residential, or five (5) Stories for commercial, multi-family residential, or mixed Use.

- (b) **Entries, Facades, Windows, Doors and Roofs.**

- i) The architectural features, materials, and the articulation of a facade of a Building shall be continued on all sides visible from a public Thoroughfare.
- ii) The front facade of the Principal Building on any Lot in a TND District shall face onto a public Thoroughfare.
- iii) The front facade shall not be oriented to face directly toward a parking Lot.
- iv) Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements shall define the front entrance to all residences.
- v) For commercial Buildings, a minimum of fifty (50%) percent of the front facade on the ground floor shall be glass (transparent), including window or door openings allowing views into and out of the interior.
- vi) New Structures on opposite sides of the same Thoroughfare should follow similar design guidelines. This provision shall not apply to Buildings bordering civic Uses.
- vii) Building and parking placement within the Neighborhood Center, or Town Center, should be arranged to create appropriately scaled continuous Building facades with as few non-pedestrian oriented breaks as possible.

- viii) Building wall materials may be combined on each façade only horizontally, with the heavier generally below the lighter.
 - ix) Walls along Thoroughfares shall be made of brick, or block and stucco, or other material to match the façade of the Principal Building.
 - x) Windows shall use clear glass panels.
 - xi) All openings including porches, galleries, arcades and windows, with the exception of storefronts, shall be square or vertical in proportion.
 - xii) Openings above the first Story shall not exceed fifty (50%) percent of the total Building wall area, with each façade being calculated independently.
 - xiii) The facades on retail frontages shall be detailed as storefronts and glazed no less than fifty (50%) percent of the sidewalk-level Story.
 - xiv) Doors and windows that operate as sliders are prohibited along frontages.
 - xv) Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that porches may be attached sheds with slopes no less than 2:12.
 - xvi) Flat roofs shall be enclosed by parapets a minimum of forty-two (42") inches high, or as required to conceal mechanical equipment to the satisfaction of the Developer, Board or Directors and Architectural Control Committee.
- (c) Dwelling units may be constructed above the ground floor in commercial and office Buildings.
 - (d) Commercial and office Development within the TND shall have an architectural design compatible with the design of residential Buildings.
- (3) **Utilities.** All utilities shall be placed underground and/or shall run within Alley Easements within the TND.

k. **Guidelines for garages and Secondary Dwelling Units.** Garages and Secondary Dwelling Units may be placed on a single-family detached residential Lot within the Principal Building or an Accessory Building provided that the Secondary Dwelling Unit shall not exceed 800 square feet. Garage doors shall have a minimum setback of twenty (20') feet.

l. **Guidelines for exterior signage.** Comprehensive Sign guidelines are required for the entire TND District which establishes a uniform Sign theme. Such guidelines shall be submitted to the Board of Directors of the Architectural Control Committee, if any, for approval. Signs shall share a common style, as to size, shape, and material. In the mixed-Use area, all Signs shall be wall Signs or cantilever Signs; provided, however, that no billboards shall be allowed within the TND. Cantilever signs shall be mounted perpendicular to the Building face and shall not exceed [eight (8')] square feet.

m. **Guidelines for lighting.**

- (1) Lighting along Thoroughfares, including pedestrian scale lighting, shall be provided along all Thoroughfares. Generally more, smaller lights, as opposed to fewer, high-intensity lights, should be used. Lights shall be installed on both sides of Streets at intervals of no greater than seventy-five (75') feet apart. The lighting design shall meet the minimum standards developed by the Illumination Engineering Society.
- (2) Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties.

n. **Landscaping and Screening Standards.**

- (1) Overall composition and location of landscaping shall complement the scale of the Development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas. Where screening is required by this ordinance, it shall be at least three (3') feet in height, unless otherwise specified. Required screening shall be at least fifty (50%) percent opaque throughout the year. Required screening shall be satisfied by one (1) or some combination of a decorative fence not less than fifty (50%) percent behind a continuous landscaped area, a masonry wall, or a hedge.
- (2) A yard 1,000 square feet or less in size is not required to be landscaped.
- (3) **Trees Along Thoroughfares.**

- (i) A minimum of one (1) deciduous canopy Tree per forty (40') feet of frontage, or fraction thereof, shall be required. Trees can be clustered and do not need to be evenly spaced, subject to further provisions as set forth herein.
- (ii) Trees should preferably be located between the sidewalk and the curb, within the landscaped area of a Boulevard, or in Tree wells installed in pavement or concrete.
- (iii) If placement of Trees within the right-of-way will interfere with utility lines, Trees may be planted within the front yard setback adjacent to the sidewalk.
- (iv) Native shade Trees which grow to a minimum height of forty (40') feet at maturity shall be planted along all Streets at a maximum average spacing of thirty (30') feet on center.
- (v) Trees shall have a minimum caliper of two and one-half (2 ½") inches at the time of planting.

(4) **Parking area landscaping and screening.**

- (i) All parking and loading areas fronting public Thoroughfares or sidewalks, and all parking and loading areas abutting residential districts or users, shall provide a landscaped area at least five (5') feet wide along the public Thoroughfare or sidewalk; screening at least three (3') feet in height and not less than fifty (50%) percent opaque; and one (1) Tree for each twenty-five (25') linear feet of parking Lot frontage.
- (ii) **Parking area interior landscaping.** The corners of parking Lots, "islands", and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation may include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- (iii) For all parking Lots with more than six (6) spaces, the landscaped area shall be comprised of a minimum of twenty (20%) percent of the total parking Lot area.
- (iv) In large parking Lots containing more than 200 parking spaces, an additional landscaped area of at least 200' square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, containing one (1) native

shade Tree or canopy Tree. The remainder shall be covered with turf grass, native grasses or other perennial flowering plants, vines or shrubs.

- (5) Landscape materials that are used for screening shall be of a size that allows growth to the desired height and opacity within two (2) years.

o. **Environmental Standards.** All Uses in the Traditional Neighborhood Development shall conform to all applicable federal, state and local laws and regulations regarding the environment such as laws and regulations concerning noise, air quality, water quality, radiation, and radioactivity.

Section 1.05 Fees. The Council may, by resolution, establish fees for the administration of this ordinance.

Section 1.06 Other Code and Ordinances Applicability.

a. The Ascension Parish Development Code and Subdivision Regulations (“**Other Codes and Ordinances**”) for the Parish applies to a TND District unless:

- (1) this ordinance expressly provides otherwise; and
- (2) only as long as such Other Codes and Ordinances do not impede the accomplishment of the stated purpose of the TND District as described in this ordinance.

b. The requirements of this Article supersede any inconsistent provision of any Other Codes and Ordinances.

c. A TND District is a separate and distinct zoning district which shall allow the permitted Uses as provided in the General Implementation Plan, notwithstanding any other zoning classification provided in Other Codes and Ordinances.

Section 1.07 Unified Control. All land included in any TND District shall be under the complete, unified and legal control of the applicant, whether the applicant be an individual, partnership, limited liability company, corporation and/or other Person. Upon request by the Parish, the applicant shall furnish the Parish sufficient evidence to the satisfaction of the Parish that the applicant is in the complete, legal and unified control of the entire area of the proposed Traditional Neighborhood Development. Upon request by the Parish, the applicant shall provide the Parish all agreements, contracts, guarantees and other necessary documents and information that may be required by the Parish to assure the Parish that the Development project may be lawfully completed according to the plans sought to be approved.

Section 1.08 Application Procedure and Approval Process; General. Prior to the issuance of any permits for Development within a TND District, the following three (3) steps shall be completed according to the procedures outlined in this Section:

- a. Pre-Application Conference;
- b. Approval of a General Implementation Plan by the Commissions and the Council for the entire Traditional Neighborhood Development; and
- c. Approval of a Specific Implementation Plan by the Planning Commission; and
- d. Approval of a Final Plat by the Planning Commission.

If the Development includes the division of property into Lots, the Specific Implementation Plan shall be approved concurrently with a preliminary plat.

Subdivisions of property within a TND District after General Implementation Plan approval, but prior to Specific Implementation Plan approval, shall meet the zoning requirements of the most Restrictive zoning district allowed for each designated Use for that portion of the General Implementation Plan. These Subdivisions shall require Planning Commission approval and will not allow Development or Building permit approval until a Specific Implementation Plan is approved.

Where the Development is to be developed in phases, the General Implementation Plan that is presented for review and approval shall be the General Implementation Plan for the entire Development and shall identify the proposed phasing. Each phase of a Development shall have an individual Specific Implementation Plan.

Independent Consultants may be retained by the Commissions and/or the Council to seek assistance to properly review the General Implementation Plans and Specific Implementation Plans. The reasonable cost of such review shall be reimbursed by the applicant. The applicant shall be advised of the estimated fees and costs and may withdraw their request from consideration at that time. All required fees must be paid regardless of whether the proposed plans are approved, amended, rejected or withdrawn.

Section 1.09 Pre-Application Conference.

a. The pre-Application conference shall be held with the Zoning Official or the Zoning Official's designee for the purpose of exchanging information, providing guidance to the applicant and determining the eligibility of the request for consideration as a Traditional Neighborhood Development.

b. A request for a pre-Application conference shall be made to the Zoning Official. As part of the pre-Application conference, the applicant shall submit five (5) copies of a conceptual plan, at least ten (10) days in advance of the pre-Application conference, which shows the property location, boundaries, significant natural features,

Thoroughfare network (vehicular and pedestrian circulation), land Use(s) for the entire site, and a statement indicating financial responsibility sufficient to complete the Public Improvements shown on the conceptual plan.

c. The Zoning Official or the Zoning Official's designee shall advise the applicant of the conformance of the Traditional Neighborhood Development concept with the intent and objectives of a Traditional Neighborhood Development, whether it appears to qualify under the minimum requirements of Sections 1.01, 1.02 and 1.04, and whether the general concept appears to be substantially consistent with the Ascension Parish Master Plan and the Ascension Parish Land Use Plan. No formal action will be taken at a pre-Application conference, nor will statements made at the pre-Application conference be considered legally binding commitments.

Section 1.10 General Implementation Plan. Following the pre-Application conference, the applicant shall submit a completed Application (General Implementation Plan) to the Zoning Official. When the Zoning Official determines the Application to be complete, the Application shall be sent to the Commission for a public workshop session if deemed necessary by the Zoning Official, followed at a later date by a public hearing. The General Implementation Plan shall contain all information required in the General Implementation Plan Checklist, including architectural design guidelines as described in Section 1.04, j. herein.

a. **Procedures for General Implementation Plan approval.** All Applications for Traditional Neighborhood Developments shall be processed in the following manner:

(1) The General Implementation Plan shall follow the procedures for approval of planning items before the Planning Commission and zoning cases before the Zoning Commission and the Council which are not in conflict with this Section 1.10.

(2) At least fourteen (14) days prior to review and determination by the Commissions, all Abutting property Owners shall be notified by regular mail of the Traditional Neighborhood Development and given an opportunity to submit written comments. Notice shall also be published in the Parish's official journal at least ten (10) days prior to the review.

(3) Following required public notice, the Commissions shall hold a public hearing on the proposed Traditional Neighborhood Development. Following the hearing, the Commissions shall review Traditional Neighborhood Development request and General Implementation Plan and any comments submitted by any adjoining property Owners and shall make a recommendation to the Council to approve, approve with conditions, or deny the Traditional Neighborhood Development rezoning request. In its recommendation to the Council, the Commissions shall include the reasons for such recommendation.

b. **Approval of a General Implementation Plan.** After receiving the recommendation of the Commissions, the Council shall review the Application, including the General Implementation Plan, the record of the Commissions' proceedings and the recommendation, and shall approve, approve with conditions, or deny the Application in accordance with the standards and purposes set forth in Sections 1.01, 1.02 and 1.04. An approval with conditions shall not be considered final (and the rezoning is not final until such time) until the applicant submits a written acceptance of the conditions and all necessary revisions to the General Implementation Plan to the Council.

If approved by the Council, the General Implementation Plan and all other information and material formally submitted with the Application shall be adopted as an amendment to this Development Code and shall become the standards of Development for the Traditional Neighborhood Development. All future Development shall conform to the standards adopted for the Traditional Neighborhood Development regardless of changes in ownership.

Upon approval of the General Implementation Plan, the property shall be designated "TND CONCEPT" on the official zoning map.

Section 1.11 Specific Implementation Plan and Final Plat.

a. **Submittal.** Within thirty-six (36) months of the Council's approval of the General Implementation Plan, and except as permitted under General Implementation Plan approval, the applicant shall submit a Specific Implementation Plan to the Zoning Official prior to commencing construction on property zoned "TND CONCEPT". The applicant may request an extension of up to twelve (12) additional months from the Council if the Specific Implementation Plan has not been approved. If the applicant fails to submit a Specific Implementation Plan, then the General Implementation Plan (not the rezoning) shall be determined to be invalid. If the Traditional Neighborhood Development is to be developed in phases, the applicant must submit a Specific Implementation Plan for the first phase within thirty-six (36) months of the Council's approval of the General Implementation Plan, and within consecutive twelve (12) month periods thereafter for each subsequent phase. If the applicant fails to submit a Specific Implementation Plan, then the General Implementation Plan incorporating all phases not already approved as a Specific Implementation Plan shall be determined to be invalid. The Specific Implementation Plan shall contain all information required in the Specific Implementation Plan Checklist.

b. **Certification.** The following design professionals shall certify direct involvement in the preparation of the Specific Implementation Plan. A Final Plat shall be certified by a:

- (1) Architect or civil engineer; and
- (2) Landscape architect.

c. **Final Plat.** A Final Plat shall be submitted with the Specific Implementation Plan, drawn in ink to a scale of one (1”) inch equals one hundred (100’) feet in one (1) or more sheets whose dimensions are twenty-four (24”) inches by thirty-six (36”) inches, and contain the information required by the Subdivision Ordinance under the Development Code.

The title of the Final Plat shall read “Final Plat of [Name of Traditional Neighborhood Development], [Section, Township, and Range”].

Where the Traditional Neighborhood Development is of unusual size or shape, the Commission may permit a variation in the scale or size of the Final Plat.

d. **Landscape Plan.** A Landscape Plan is required for all Traditional Neighborhood Development Specific Implementation Plans.

e. **Substantial Compliance of Specific Implementation Plan.** The Specific Implementation Plan shall be in substantial compliance with the General Implementation Plan. It is not intended that the Traditional Neighborhood Development so approved shall be inflexibly applied, but rather, the Traditional Neighborhood Development shall be in conformance with the General Implementation Plan subject to modification due to changed economic, social, market or demographic conditions. The burden shall be upon the applicant to show the Planning Commission good cause for Major Change (as defined below) between the General Implementation Plan and the Specific Implementation Plan as submitted for final approval. If the Specific Implementation Plan, as submitted, contains substantial variations from the General Implementation Plan, or Major Changes as defined in Section 1.14 herein, the Planning Commission may, after a meeting with the applicant, within five (5) days of such meeting, advise the applicant in writing why said variations are not in the public interest, and deny the proposed variations. Nothing contained herein shall prohibit an applicant from requesting a change to an approved Traditional Neighborhood Development as set forth in Section 1.14 herein.

f. **Procedure for approval.** The Specific Implementation Plan and Final Plat shall follow the procedure for planning items going to the Planning Commission with a public hearing. Procedure for approval of a Specific Implementation Plan and Final Plat for a Traditional Neighborhood Development shall be processed in the following manner:

- (1) The Engineering Review Agency shall review and approve the construction plans for any Public Improvements shown on the Specific Implementation Plan prior to any construction. Improvements may be completed or bonded for final approval in the same manner as required under the Subdivision Ordinance of the Development Code.

- (2) The Planning Commission shall issue a notice of public hearing by posting the affected site in a conspicuous place at least ten (10) days prior to the hearing date. A record of information and materials presented at the public hearing shall be kept and maintained by the Commission as part of the applicant's permanent record.
- (3) Following required public notice, the Planning Commission shall hold a public hearing on the proposed Specific Implementation Plan and Final Plat. Following the hearing, the Planning Commission shall review the Specific Implementation Plan and Final Plat request and any comments submitted by any adjoining property Owners and shall approve, approve with conditions, or deny the request.
- (4) Upon such approval and subsequent amendment of the Specific Implementation Plan, construction may proceed for public and/or approved private Thoroughfares, utility installations, Common Open Space, recreational facilities, governmental Structures, and similar Uses provided that a preliminary Subdivision plat has also been approved for the Development in accordance with the Development Code.
- (5) Any other proposed modifications, including yard Variances and/or setback waivers, affecting the Traditional Neighborhood Development's legal description shall require a review and approval of the Traditional Neighborhood Development Specific Implementation Plan and/or the Final Plat by the Commissions staff. The burden shall be upon the applicant to demonstrate to the Planning Commission justification for any variation from the approved Specific Implementation Plan.
- (6) Upon approval of a Specific Implementation Plan and the Final Plat, the property shall be redesignated from "TND CONCEPT" to "TND" on the official zoning map. Once land is rezoned to "TND", the provisions of this ordinance are mandatory.

Section 1.12 Consolidated General Implementation Plan and Specific Implementation Plan. The applicant may file a General Implementation Plan, Specific Implementation Plan and Final Plat simultaneously with the Specific Implementation Plan conforming in all respects to the requirements of the General Implementation Plan.

Section 1.13 Additional Regulations for Phased Developments. A Traditional Neighborhood Development may be developed in phases or stages in accordance with the following requirements:

a. **Boundaries.** The boundaries of all proposed Traditional Neighborhood Development phases shall be shown on the General Implementation Plan.

b. **Data.** All data required for the project, as a whole, shall be given for each phase shown on the General Implementation Plan.

c. **Improvements.** The phasing plan shall be consistent with the traffic circulation, Drainage, Common Open Space, and utilities plans for the entire Traditional Neighborhood Development. Traditional Neighborhood Developments that are to be developed in phases or stages shall be required to provide Public Improvements, Common Open Space, and other amenities attributed to such phase at the same time as or before the construction of Principal Buildings and Structures associated with individual phases. The nature, type, and amount of Public Improvements, Common Open Space, and other project amenities provided during an individual phase of the project shall be commensurate with and proportionate to the overall Development of the phase.

Section 1.14 Changes to an Approved Specific Implementation Plan.

a. **Types of Changes.** There are three (3) types of changes: Major Use Change, Major Site Change, and Minor Change. A Major Use Change and a Major Site Change are collectively referred to herein as a “**Major Change**”.

b. **Major Use Change.** A major Use change (“**Major Use Change**”) is one that will have significant impacts on the approved Uses within the Traditional Neighborhood Development, or on the site surrounding the Traditional Neighborhood Development. Major Use Changes include, but are not limited to:

- (1) An increase in the Development site area of more than five (5%) percent;
- (2) An increase in Density of any permitted land Use, including the number of housing units, by more than five (5%) percent;
- (3) In residential areas, a change in the mix of Single-Dwelling and Multi-Dwelling Structures by more than five (5%) percent;
- (4) An increase in the amount of land in nonresidential Uses by more than five (5%) percent;
- (5) Involve any land Use not specified on the approved General Implementation Plan or the list of permitted Uses;
- (6) Substantial and material reduction in the amenities proffered by the applicant; and/or

- (7) Material changes in the permitted land Use authorized in the Traditional Neighborhood Development which in the opinion of the Zoning Officer will have a material adverse change with the Traditional Neighborhood Development or on the site surrounding the Traditional Neighborhood Development.

c. **Major Site Change.** A major site change (“**Major Site Change**”) is a major change (other than a Major Use Change) that will have significant impact on the site and layout of the Development in the Traditional Neighborhood Development which is not a Major Use Change, or on the site surrounding the Traditional Neighborhood Development. Major Site Changes include, but are not limited to:

- (1) Changes that vary the individual Lot Area requirement as submitted in the General Implementation Plan by more than ten (10) percent;
- (2) Changes in non-residential Floor Areas by more than five (5) percent of the total Floor Area within a component of the Traditional Neighborhood Development;
- (3) Deleting or changing the purpose of Flood hazard Servitudes or Easements;
- (4) Changes to the Thoroughfare network which result in a significant adverse change in the amount or location of Thoroughfares and shared Driveways, common parking areas, circulation patterns, and Access to the Traditional Neighborhood Development;
- (5) Changes in the allocation of prescribed land Uses such that it would result in an increase in the number of vehicle trips generated in excess of ten (10) percent;
- (6) Changes which are material in the typical sections of Thoroughfare design;
- (7) Changes in the designation of Thoroughfares between private and public; and/or
- (8) Material changes in the approved overall layout of the site plan and/or matters related to onsite and/or offsite infrastructure requirements authorized in the Traditional Neighborhood Development which in the opinion of the Zoning Officer will have a material adverse change with the Traditional Neighborhood Development or on the site surrounding the Traditional Neighborhood Development.

d. **Minor Change.** A minor change (“**Minor Change**”) is a change that will not alter the basic design and character of the Traditional Neighborhood Development, nor any specified conditions imposed as part of the original approval. Minor changes include, but are not limited to:

- (1) Changes in location of the Neighborhood Center Area, a Mixed Residential Area, a Neighborhood Edge Area, a civic area, green area, Common Open Space or other designated areas, if the Commissions determine that (a) the basic layout of the TND District remains the same, and (b) the TND District functions as well as before the revision;
- (2) Changes in size of a Neighborhood Center Area, a Mixed Residential Area, a Neighborhood Edge Area, a civic area, green area, Common Open Space or other designated areas, if the size is increased or decreased by not more than ten (10%) percent, and the Commission determines that (a) the basic layout of the TND District remains the same, and (b) the district functions as well as before the revision;
- (3) Changes in the general location of a major civic Use, if the Commission determines that (a) the revised location is appropriate, and (b) the Thoroughfare network, the infrastructure, and the overall land Use mix are not adversely affected. The Commissions may not approve a revision that includes the addition of a major civic Use within 500 feet of an area that is part of a final plat in a Mixed Residential Area or Neighborhood Edge Area;
- (4) Changes in the location of a commercial Use in a Mixed Residential Area, if the Commissions determine that the revised location is appropriate;
- (5) Change in the layout of a Thoroughfare network, if the Commissions determine that (a) the basic layout remains the same, and (b) the revised layout functions as well as the previous layout;
- (6) Change in the location or size of a private open space, if the overall amount of private open space acreage does not decrease by more than ten (10%) percent, and the Commissions determine that the quality and functionality of the revised private open space is the same or better. The Commissions may not approve a revision that includes the deletion of a private open space within 500 feet of an area that is part of a final plat in a Mixed Residential Area or Neighborhood Edge Area;

- (7) Change in the location or size of a public open space, if the overall amount of public open space acreage does not decrease by more than ten (10%) percent, and the Commissions determine that the quality and functionality of the revised public open space is the same or better. The Commissions may not approve a revision that includes the deletion of a public open space within 500 feet of an area that is part of a final plat in a Mixed Residential Area or Neighborhood Edge Area;
- (8) Change in the location or description of a major private open space improvement, if the Commissions determine that the revised improvement is as beneficial to the residents as the previous improvement;
- (9) Change in a construction phasing plan for major private open space improvements if the change extends a deadline by not more than twenty-four (24) months;
- (10) Change in the location or type of a Drainage or water quality control, if the Commissions determine that (a) the basic layout of the TND District remains the same, and (b) the revised location or type of control functions as well as the previous location or type of control;
- (11) Change in the location of a 100-year floodplain, if the Commissions determine that the revision more accurately describes the location of the floodplain;
- (12) Change in the locations of major utility facilities and Easements, if the Commissions determine that the revised locations are more appropriate or functional;
- (13) Change in a preliminary architectural standard, if the Commissions determine that the revised standard is consistent with the architectural character of the TND District;
- (14) Reduction of the size of any Building;
- (15) Movement of Buildings and/or Signs by no more than ten (10') feet, but in no event in required Buffers and/or setbacks;
- (16) Landscaping approved in the Specific Implementation Plan that is replaced by similar landscaping to an equal or greater extent;

- (17) Changes in non-residential floor plans, of up to five (5%) percent of the total Floor Area, which do not alter the character of the Use or increase the amount of required parking;
- (18) Internal rearrangement of a parking Lot that does not affect the number of parking spaces or alter Access locations or design;
- (19) Changes required or requested by the Parish and other State or Federal authorities in order to conform to other laws or regulations;
- (20) On balance, compared to the approved Traditional Neighborhood Development, the change will equally or better meet the purposes and approval criteria set forth in Sections 1.01, 1.02 and 1.04 above in the opinion of the Zoning Official; and/or
- (21) Any adverse impacts caused by the change are mitigated to the satisfaction of the Zoning Official.

e. **Permitted Uses.** Any changes to the permitted Uses within the TND District must be approved by the Council.

f. **Review Procedures.** Requests for changes to an approved Traditional Neighborhood Development are processed as follows:

(1) **Major Use Changes.**

- (a) **Application for Major Use Changes.** The Owner(s) of record of the property shall file an application with the Zoning Official, upon a form prescribed therefore, which shall contain the reason for the classification of the change as a Major Use Change, as described in Section 1.14, b., and the resulting impacts from the Major Use Change on the Development.
- (b) **Public Hearing.** Upon receipt and verification of the completion of the application by the Zoning Official, the Zoning Official shall forward the application to the Commissions. The Commissions shall issue a notice of public hearing by posting the affected site in a conspicuous place at least ten (10) days prior to the hearing date. A record of information and materials presented at the public hearing shall be kept and maintained by the Commissions as part of the applicant's permanent record.
- (c) **Findings and Recommendations.** The Commissions shall make their findings on the Major Use Change based on the

information set forth in the application and the approval criteria set forth in 1.14, b., and submit recommendations to the Council within fifteen (15) days from the hearing date. The Commissions shall forward a copy of their findings and recommendations to the applicant.

- (d) **Adoption of Major Use Change.** The Council shall adopt or reject the proposed Major Use Change within fifteen (15) days from receipt of the recommendations from the Commissions. The Council shall submit reasons for its decision to the applicant.

(2) **Major Site Changes.**

- (a) **Application for Major Site Changes.** The Owner(s) of record of the property shall file an application with the Zoning Official, upon a form prescribed therefore, which shall contain the reason for the classification of the change as a Major Site Change, as described in Section 1.14, c., and the resulting impacts from the Major Site Change on the Development.

- (b) **Public Hearing.** Upon receipt and verification of the completion of the application by the Zoning Official, the Zoning Official shall forward the application to the Planning Commission. The Planning Commission shall issue a notice of public hearing by posting the affected site in a conspicuous place at least ten (10) days prior to the hearing date. A record of information and materials presented at the public hearing shall be kept and maintained by the Planning Commission as part of the applicant's permanent record.

- (c) **Findings and Recommendations.** The Planning Commission shall make its findings on the Major Site Change based on the information set forth in the application and the approval criteria set forth in Section 1.14, c. The Planning Commission shall forward a copy of its findings and recommendations to the applicant.

- (d) **Appeal.** The applicant may appeal the decision by the Planning Commission pursuant to Section 1.20 herein.

(3) **Minor Changes.**

- (a) **Application.** The Owner(s) of record of the property shall file an application with the Zoning Official, upon a form

prescribed therefore, which shall contain the reason for the classification of the change as a Minor Change, as described in Section 1.14, d., and the resulting immaterial impacts from the change on the Development, if any.

(b) **Findings and Recommendations.** Upon receipt and verification of the completion of the application by the Zoning Official, the Zoning Official shall make its findings based on the information set forth in the application and the approval criteria set forth in Section 1.14, d., and notify the applicant of its decision. If the Zoning Official determines the change to be a Minor Change, the Zoning Official's decision shall be final and no Appeal shall be available.

(4) **Appeal of Classification as Major Use Change or Major Site Change.** If the Zoning Official determines the change to be a Major Use Change or a Major Site Change, the applicant may appeal the decision by the Zoning Official pursuant to Section 1.20 herein.

g. **Subdivision of Land.** If the TND District involves the Subdivision of land as defined in the Parish's Subdivision ordinance, the applicant shall submit all required land division documents in accordance with the requirements of the Subdivision ordinance. If there is a conflict between the design standards of the Subdivision ordinance and the design guidelines of this ordinance, the provisions of this ordinance shall apply. It being understood that the size and configuration of Lots within a TND District may otherwise be disallowed under the Parish's Subdivision regulations, but encouraged and permitted within a TND District.

Section 1.15 Maintaining a Specific Implementation Plan.

a. **Ownership and Maintenance of Public Space.** Provision shall be made for the ownership and maintenance of public Thoroughfares, squares, parks, open space, and other public spaces in a TND District by dedication to the Parish and/or Association(s).

b. **Construction.** Construction may take place only within such portion(s) of a Traditional Neighborhood Development for which a current Specific Implementation Plan is in effect.

c. **Development Agreement.** All "TND" zoning granted on the basis of Specific Implementation Plan approval shall be subject to a Parish/Applicant Agreement prior to or contemporaneous with Final Plat approval. Prior to final approval, the applicant shall be required to enter into a Parish/Applicant Agreement with the Parish. This Agreement is designed and intended to reflect the agreement of the Parish and the applicant as to the phasing of construction to insure the timely and adequate provisions of public works facilities and public type improvements. This Parish/Applicant

Agreement is also intended to insure balanced intensity of Development to avoid overloading existing public facilities during the construction phase. This Parish/Applicant Agreement will be individually negotiated for each project, but should address the following issues:

- (1) Any agreement on cost sharing for the installation or oversizing of major utility systems, lines or facilities.
- (2) Any agreement on cost sharing for the installation of interior or perimeter roadways or Thoroughfare network.
- (3) Any agreement as to a mandatory construction or dedication schedule for Common Open Space area or improvements, school site(s), landscaping or greenbelt Development or other comparable items to be dedicated or constructed for each Acre of property within the Traditional Neighborhood Development released for construction by Specific Implementation Plan approval. This requirement is intended to allow the Parish to insure that pre-planned public type facilities, improvements or amenities are installed concurrently with other Development on the basis of a negotiated formula.
- (4) Any agreement as to the establishment of a maximum residential Density or commercial intensity of Use during the construction process. This requirement is intended to allow the Parish to establish a maximum Development intensity that cannot be exceeded while each phase of the project is being completed. Under this provision, the Parish may establish a maximum overall Density for each phase of the project to be applicable only during the construction phase of the Traditional Neighborhood Development. This restriction would require concurrent Development of lower Density or intensity of Use activities with higher Density or intensity of Use activities.
- (5) Any agreement by the applicant or Association to maintain all Common Open Space at no cost to the Parish.

d. **Development Schedule.** The Development schedule shall contain the following information:

- (1) The order of construction of the proposed stages delineated in the Specific Implementation Plan.
- (2) The proposed date for the beginning of construction of each stage.
- (3) The proposed date for the completion of construction of each stage.

- (4) The proposed schedule for the construction and improvement of common area within each stage including any Accessory Buildings.

e. **Enforcement of the Development Schedule.** The construction and provision of all Common Open Spaces and public facilities and infrastructure which are shown on the Specific Implementation Plan must proceed at no slower a rate than the construction of Dwelling units or other Structures of a commercial nature. The Planning Commission may, at any time, compare the actual Development accomplished with the approved Development schedule. If the Planning Commission finds that the rate of construction of Dwelling units or other commercial Structures is substantially greater than the rate at which Common Open Spaces and public facilities and infrastructure have been constructed and provided, then either or both of the following actions may be taken:

- (1) The Planning Commission shall cease to approve any additional Specific Implementation Plans for subsequent phases; and/or
- (2) The Building Official shall discontinue issuance of Building permits.

In any instance where the above actions are taken, the Planning Commission shall gain assurance that the relationship between the construction of Dwellings or other Structures of a commercial nature and the provision of Common Open Spaces and public facilities and infrastructure are brought into adequate balance prior to the continuance of construction.

f. **Permits.** No Building permit for a Structure other than a temporary contractor's office or temporary storage Building shall be issued for a Lot or Parcel within an approved Traditional Neighborhood Development prior to a determination by the fire marshal or designee that adequate fire protection and Access for construction needs exists. No occupancy permit for a Structure other than a temporary contractor's office or other approved temporary Building shall be issued for a Structure on a Lot or Parcel within an approved Traditional Neighborhood Development prior to final inspection and approval of all required improvements which will serve such Lot or Parcel to the satisfaction of the Director of the Department of Public Works and the Building Official.

Section 1.16 Expiration and Lapse of Specific Implementation Plans.

Specific Implementation Plan approval shall expire three (3) years from the date of Planning Commission approval of a Specific Implementation Plan. The applicant may request an extension from the Planning Commission for not more than one (1) year if the project is not complete after three (3) years. Nothing herein shall be construed to limit the time limitations for phased Developments as set forth in Section 1.11, a.

Section 1.17 The Approved Final Development Plan. Development restrictions and/or conditions, as required by the Commissions and/or the Council, shall be recorded by the applicant with the Clerk of Court of Ascension Parish within fifteen (15) days of the date of the final approval of the General Implementation Plan and/or the Specific Implementation Plan by the Commissions or Council, as the case may be. Certified copies of these documents shall also be filed with the Office of the Commissions. The applicant shall record Development restrictions and other required documents, which pertain to a Subdivision within the approved Specific Implementation Plan, with the Clerk of Court of Ascension Parish within fifteen (15) days of the signing of the Final Plat, as provided in this Section 1.17.

Section 1.18 Filing and Distribution of Specific Implementation Plan Final Plat. The applicant shall have a total of ten (10) blackline prints of the approved Final Plat to be disbursed as required by the Commissions staff.

Section 1.19 Violations. Any violation of the General Implementation Plan and/or Specific Implementation Plan or any other phase or plan adopted as part of the amendment to the Development Code shall constitute a violation of the Development Code. Any Person or legal entity violating any provision of this ordinance, or who shall violate or fail to comply with any order made hereunder; or who shall continue to work upon any Structure after having received written notice from the Zoning Official to cease work, shall be guilty of a misdemeanor and punishable by a fine not to exceed five hundred (\$500) dollars per violation. Each day such violation shall be permitted to exist shall constitute a separate offense. Notice of violation shall be sufficient if directed to such Owner, the agent of the Owner, or the contractor and/or left at his known place of residence or place of business.

Section 1.20 Appeal. An applicant may appeal the findings and recommendations of the Commissions or Zoning Official, as applicable, by filing an objection in writing to the Council within five (5) days of receipt of the Commissions' or Zoning Official's recommendations. The Council shall grant or deny the Appeal, and the Council's decision shall be final. If the Council grants the Appeal, the Council shall submit a notice to the Commissions or Zoning Official stating reasons for its grant of the Appeal.

Section 1.21 Rezoning from "TND" District to Prior Zoning District. The Zoning Official shall request that the Council initiate the rezoning of the property back to the zoning district existing immediately preceding the "TND CONCEPT" and/or "TND" zoning within a Traditional Neighborhood Development, only as to that portion of the property which has not been developed, if:

a. A Specific Implementation Plan for a portion of the property is not approved within three (3) years after the effective date of the ordinance approving "TND CONCEPT" for the property unless extended by the Council for up to one (1) additional year; or

b. An approved Specific Implementation Plan expires as stipulated in the Specific Implementation Plan.

Section 1.22 Relation to Zoning Districts. An approved Traditional Neighborhood Development shall be considered to be a separate zoning district in which the Development plan, as approved, establishes the restrictions and regulations according to which Development shall occur, and may depart from the normal procedures, standards, and other requirements of the other sections of the zoning ordinance and Subdivision regulations to the extent provided herein. Upon approval, the official zoning map will be changed to indicate the area as “TND CONCEPT”, or if final approval granted then as “TND”. Every approval of a Traditional Neighborhood Development shall be considered an amendment to the zoning ordinance.

**Table 1: Street Design Guidelines in a TND District
(Each subject to Modification by the Commissions)**

	Collector or Avenue	Subcollector or Drive	Local Street or Road	Alley
Average Daily Trips	750 or more	750-1500	Less than 250	Not Applicable
Right-of-Way	76-88 feet	58-72 feet	35-50 feet	15-30 feet
Auto travel lanes	two or three 12 foot lanes	Two 10 foot lanes	Two 10 foot lanes, or one 14 foot (Queuing) lane	Two 8 foot lanes for two-way traffic, or one 12 foot lane for yield traffic
Bicycle lanes	Two 6 foot lanes combined with parking lanes	4 foot lanes with no parking, or 6 foot lanes combined with parking lanes	None	None
Parking	Both sides, 8 feet	None, one, or both sides, 8 feet	None or one both side, 8 feet	None (Access to individual Drives & garages outside Right of Way)
Curb and Gutter	Required	Required	Not Required	Not Required
Planting Strips	Minimum 6 feet	Minimum 6 feet	Minimum 3 feet	None
Sidewalks	Both sides, 5 feet minimum	Both sides, 3-5 feet	Both sides, 3-5 feet	None