

Chapter 126 Commercial Development.

Section 126-1. – Definitions.

Commercial development means any proposed development that has a proposed use as institutional, religious, commercial, and industrial (schools, hospitals, manufacturing plants, shopping centers, churches, R.V. parks, motels, hotels, and rental property, etc.).

O/D/S means owner/developer/subdivider.

Recreational vehicle (RV): motorhomes, campervans, coaches, caravans, fifth-wheel trailers, popup campers, truck campers, vacation trailers, travel trailers, pick-up campers, tent trailers, and bus campers. Recreational Vehicles located in a trailer park, mobile home park, or camp site and are intended for occupancy will be permitted through the Livingston Parish Permit Office through regulatory permitting processes.

Review engineer means a licensed civil engineering firm appointed to review technical documents and advise the Planning and Zoning Commission.

Submittal means the date the Planning and Zoning commission votes to approve or disapprove the project.

Section 126-2. - Generally.

Prior to the filing of an application for consideration by the Parish, a representative for the developer is required to have an informal discussion with the Planning Director, Parish Review Engineer and Parish staff and officials deemed appropriate, in an effort to resolve technical matters regarding the proposed development prior to setting the public hearing for the proposed development at the Planning and Zoning Commission.

All developers of institutional, hotel, motel, R.V., rental property, religious, commercial and industrial developments (schools, hospitals, manufacturing plants, shopping centers, etc.), are required to prepare a preliminary site plan (pavement section, grading, proposed drainage, method of sewerage disposal, etc.) of proposed improvements to submit to the planning department for public hearing. At the discretion of the Planning Director, Parish Council, or Parish President a pre-construction meeting may be required for commercial developments.

Upon receipt of the preliminary site plan the development will be placed on the Planning Commission agenda for a public hearing. After the Planning and Zoning Commission has held a public hearing and all applicable studies are submitted and all comments from the Parish Review Engineer are addressed the Planning and Zoning Commission will approve or disapprove. Once approved, the construction plans may be submitted to the review engineer and the planning department for review and approval. When the construction plans and/or a final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council. The drainage impact study shall expire twenty-four (24) months after the date it is approved.

Section 126-3. - Commercial development notifications.

The following signage will be required for commercial development. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the public hearing is set for the development. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Commercial Development Is Proposed For This Site" and shall contain the following information:

- a. Name, address and working telephone number of the O/D/S.
- b. Name of Commercial Development or development.
- c. Number of lots.
- d. Number of acres in the development.
- e. Email Address.

Section 126-4. - Commercial development submittals.

- (a) The following plans and impact studies must be submitted to the Parish Planning department and the review engineer's office with all comments addressed by the eighteenth (18th) day of the month prior to the Planning Commission meeting, in order for the development to be placed on the Planning Commission agenda for consideration:
 - (1) Construction plans and/or site plan. Any alterations made by the O/D/S after approval of the site plan shall be submitted to the Planning Director and reviewed by the Planning commission.
 - (2) Drainage impact study. In accordance with Section 125-26.
 - (3) Traffic impact study. In accordance with Section 125-20.
- (b) Proposed construction located in a Parish fire district must submit a copy of the construction plans showing detailed drawings for the proposed commercial development at the same time as other required submittals.

Construction plans should be submitted to all applicable districts (fire, water, sewer, drainage, etc.) for review and approval.

Section 126-5. – Driveways and parking.

Driveways and parking areas must follow:

- a. The Americans with Disabilities Act (ADA) guidelines and regulations for businesses
- b. The State of Louisiana Fire Marshal guidelines for emergency vehicles
- c. The apron and/or buffer standards that the Louisiana Department of Transportation and Development (DOTD) requires for roads that connect to a state highway.

- d. The above requirements from the Louisiana Department of Transportation and Development (DOTD) are also mandated for a parking lot leading onto a Parish road.

Section 126-6. – Change in Use.

Any change in usage of Commercial property shall be submitted to show proposed usage to the Review Engineer and Planning Director for approval. Parish Council, Parish, President, Planning Director may enforce eight (8') feet high solid fence.

Section 126-7. – RV Parks.

R.V. Parks shall have a minimum of 20'X40' lot sizes. Permanent residence shall not be allowed in R. V. Parks. PRIOR to the filing of an application for consideration by the parish, a representative(s) for the developer is REQUIRED to have an informal discussion with the Planning Director, Parish Review Engineer and Parish Staff and Officials deemed appropriate in an effort to resolve technical matters regarding the proposed development prior to consideration by the Planning Commission.

Additions or modifications to existing commercial developments may qualify for an exemption from the requirement for preparing a drainage impact study under Section 125-24 administratively upon recommendation of the Parish Review engineer.

Additions or modifications to existing commercial developments may qualify for an exemption from the required traffic impact study under Section 125-20 administratively upon recommendation of the Parish Review engineer.

Section 126-8. - Commercial development buffer zones.

- (a) A minimum of twenty-five (25') foot buffer zone shall be established and maintained between conflicting uses caused by the location of any new institutional, commercial, industrial developments or public project adjacent to the property being used for residential purposes unless approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.
- (b) The buffer zone shall be established and maintained by the owner of the property on which the new institutional, commercial, industrial developments or public project is established.
- (c) The buffer zone shall consist of an eight (8') foot-high solid wood, brick or masonry fence between the residential and commercial, industrial, multifamily, religious, educational, institutional or public property lines.

Section 126-9. – Building lines.

- (a) The required minimum building line setbacks are:

- (1) Front yard: twenty-five (25') feet;
- (2) Rear yard: twenty (20') feet;
- (3) Side yard: A lot width of sixty-five (65') feet or less shall have a six (6') foot setback.

A lot width of more than sixty-five (65') feet shall have seven (7') foot setback.

- (b) Corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.

Section 126-10. - Commercial development duties and responsibilities.

- a. All commercial development landowners are responsible for the construction, repairs, and maintenance of their drainage and fences.
- b. Should any commercial development landowners not maintain their drainage and/or fence, Livingston Parish Council and/or the Gravity Drainage District shall have access with or without the landowner's authorization to perform maintenance on any issue that their drainage and/or fence is causing.

Section 126-11 Waivers

- 1) If a waiver is requested by the O/D/S, the Planning and Zoning Commission shall make a recommendation to the Parish Council.

Section 126-12 Clearing and grubbing

- a. The Drainage Impact Study shall be approved before any clearing of property. Removal of bushes, shrubs and small trees under eight (8") inches shall be allowed.
- b. Approved erosion control measures must be installed prior to the commencement of the clearing and grubbing.