ORDINANCE # 2016-06
INTRODUCED BY Alexius
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AMENDED BY ORDINANCE # ____
DATE AMENDED ____

ADOPTION INTRODUCTION

CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2016-06

AN ORDINANCE OF THE CITY OF COVINGTON AMENDING THE FOLLOWING PROVISIONS OF THE COVINGTON CODE OF ORDINANCES: APPENDIX B, COMPREHENSIVE ZONING ORDINANCE OF 2010, PART 2. DEFINITIONS AND RULES OF INTERPRETATION, SEC. 2.2. WORDS AND PHRASES DEFINED (ZONING CASE NO. 15-11-03TXT)

WHEREAS, the Zoning Commission of the City of Covington has recommended certain amendments to the section of the Code which defines words and phrases contained in Appendix B, Comprehensive Zoning Ordinance of 2010; and

WHEREAS, the Covington City Council deems these amendments appropriate to protect the health, safety and welfare of the citizens of Covington; and

WHEREAS, the City Council has held its public hearing in accordance with law,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Covington, at its regular session convened, that Appendix B, Comprehensive Zoning Ordinance of 2010, Part 2. Definitions and Rules of Interpretation, Sec. 2.2. Words and phrases defined, shall be amended to include the following:

Sec. 2.2. - Words and phrases defined.

Area (Gross). See Floor Area - Gross Floor.

Area (Net). Area actually occupied not including accessory unoccupied areas.

Athletic Fields. A site providing recreational areas for activities such as soccer, baseball, softball and football.

Club or Lodge. A use providing meeting, recreational, or social facilities for an association, primarily for use by members and guests. Typical uses include social clubs and fraternal organizations but exclude any residential uses or sale of goods or services for profit.

Club or Lodge (Private). The buildings and facilities owned and operated by a group of people organized for a common purpose to pursue common goals, interest or activities, usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and a constitution and by-laws.

Educational facilities (also see schools). Any land used for educational facilities, including universities, colleges, elementary and secondary, and vocational schools.

~~*Educational facility, college/university.* A post-secondary institution for higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. This also includes post-secondary theological schools for training ministers, priests or rabbis.~~

~~*Educational facility, elementary.* A public, private or parochial school offering instruction at the elementary, middle and/or junior high school level. Religious facilities with elementary educational facilities shall be considered educational facilities, elementary.~~

~~*Educational facility, secondary.* A public, private or parochial school offering instruction at the senior high school level. This also includes secondary schools for training ministers, priests or rabbis. Religious facilities with secondary educational facilities shall be classified as educational facilities, secondary.~~

~~*Educational facility, vocational school.* A school established to provide for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum.~~

Exercise and Workout Room. Health Studio/Physical Culture Salon: A facility operated to promote physical fitness or weight control.

Floor Area - Gross Floor (For Determining Off-Street Parking and Loading Requirements). Gross Floor Area is the sum of the gross horizontal areas of the several floors of a building or structure measured from the interior faces of the interior walls or from the interior line of walls separating two (2) buildings or structures, including the following. The "floor area" of a building shall include:

a. Floor area of the basement if it is not used for other than storage except as required for (g) below;

b. Penthouses;

c. Attics having headroom of seven (7) feet or more;

d. Interior balconies and mezzanines;

e. Enclosed porches;

f. Space devoted to accessory uses;

g. Accessory storage areas located within selling or working spaces such as counters, racks or closets, or storage use in the conduct of business or use and calculated in the gross leasable area for multi-tenant buildings; and

h. Space devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

It shall not include:

a. Elevator shafts and stairwells on each floor;

b. Floor space used for mechanical, telephone and electrical equipment; and

c. Attics having headroom of less than seven (7) feet.

Funeral Home. A dwelling or other structure used and occupied by a professional licensed mortician for burial preparation and funeral services. Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

Gymnasium. A building or room designed and equipped for indoors sports, exercise, or physical education.

Kennel. A facility for the care or boarding of animals which is operated for economic gain or the keeping of more than three dogs more than six months of age outside the ~~principle~~ principal building.

Lodge or Fraternal Order. A "lodge" is a hall or meeting place of a local branch or the members composing such a branch of a fraternal order, or society, such as the Masons, Knights of Columbus, Moose, American Legion and other similar organizations. It may be permissible to serve food and meals on such premises, providing adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests may be allowed provided it is secondary and incidental to the promotion of some other common objective by the organization and further provided that such sale of alcoholic beverages is in compliance with the applicable federal, state and parish laws.

Lot of record. A recorded, platted lot or a parcel of land lot, the map of which has been recorded in the Office of the Clerk of ~~Courts~~ Court of St. Tammany Parish, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Clerk of ~~Courts~~ Court of St. Tammany Parish.

Nursery school/preschool. Schools designed to provide daytime care or instruction for two or more children up to 5 years of age and operated on a regular basis.

Personal Improvement Services. Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services of a nonprofessional nature. Typical uses include secretarial schools, driving schools, health or physical fitness studios, reducing salons, dance studios, personal computer training, handicraft and hobby instruction.

Planning commission. The term "planning commission" shall mean the Covington Planning Commission created under R.S. 33:101 et seq., which shall have the powers provided for by Louisiana law and as may be provided for in this ~~appendix~~ Appendix B, Comprehensive Zoning Ordinance of 2010, for ~~zoning of~~ the City of Covington~~, Code of Ordinances~~.

Public Assembly. Places where public or private groups assemble for civic, educational, political, religious, or social purposes including, but not limited to, arenas, religious institutions, lecture halls, theaters, schools, auditoriums, and stadiums.

~~*Pubic*~~ *Public utility station.* A structure or facility used by a public or quasi-public agency to store, distribute, and/or generate electricity, gas telecommunications and related equipment, or to pump or chemically treat water. This does not include storage or treatment of sewerage, solid waste or hazardous waste.

Recreational facilities, indoor. An establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or sale of equipment related to the enclosed uses. Included in this definition shall be YMCAs, health clubs, athletic clubs, bowling, roller-skating or ice-skating, billiards, pool, motion picture theaters, and related amusements.

Restaurant. A structure, or any part thereof, in which food or beverages are prepared and dispensed for consumption at the time of sale. May include one or more of the following:

Restaurant, drive-in. A restaurant where the customers are either served in their vehicles or at a drive through or walk up window or service unit.

Restaurant, fast food. ~~An establishment that sells food already prepared for consumption, packaged in paper, Styrofoam or similar materials, and may include drive-in or drive-up facilities for ordering.~~ An establishment which offers quick food service, accomplished through a limited menu of items already prepared and held for service, or prepared, fried or griddled quickly, or heated in a device such as a microwave oven. Orders are not taken at a customers' table and food is generally served in disposable wrapping or containers. Fast food establishments may or may not deliver food or beverages to customers in motor vehicles at drive-up windows.

Restaurant, full-service. A restaurant with table service (order placement and delivery on-site) provided to patrons, also including cafeterias; carryout service, if any, shall be a limited portion of the facility and activity.

Restaurant, limited-service. A restaurant without table service provided to patrons; walk-up counter and carryout trade is a primary portion of the facility; includes food delivery, carryout, public snack bars and delicatessens, but not specialty food or fast-food stores.

Restaurants Sit-Down. A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in non-disposable containers, where the customer consumes these foods while seated at tables or counters where alcoholic beverages may be served to dining patrons from a service bar (not accessible to patrons) and where there typically is not a rapid turnover of clientele. Special events center services considered to be allowed accessory uses to sit-down restaurants.

Schools.(Also see "educational facilities"). Any land used for educational facilities, including universities, colleges, elementary and secondary, and vocational schools.

Schools - College/university. A post-secondary institution for higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. This also includes post-secondary theological schools for training ministers, priests or rabbis.

Schools - Kindergarten through 12th Grade. A public, private or parochial school offering instruction at the elementary, middle/junior high or senior high school levels.

Schools - Vocational or Trade. A school established to provide for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for-profit and that do not offer a complete educational curriculum.

Sight triangle. The triangle at either side of an accessway or public right-of-way at its junction with a ~~pubic~~ public street with sides of not less than ten feet in length each along the public right-of-way and/or accessway within which clear visibility of approaching vehicular or pedestrian traffic must be maintained in all directions.

Trash and garbage storage area. ~~that~~ That area of a development used for the storage and containment of refuse and refuse containers (i.e. dumpsters).

Zoning commission. The term "zoning commission" shall mean the Covington Zoning Commission created under R.S. 33:4721 et seq., which shall have the powers provided for by Louisiana law and as may be provided for in this ~~appendix~~ Appendix B, Comprehensive Zoning Ordinance of 2010, for ~~Zoning of~~ the City of Covington~~, Code of Ordinances~~.

BE IT FURTHER ORDAINED that all other sections of Appendix B, Comprehensive Zoning Ordinance of 2010, shall remain the same and in full force.

BE IT FURTHER ORDAINED that if any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

MOVED FOR ADOPTION by Smith, seconded by Callahan.

YEAS: 7 **ABSENT:** 0

NAYS: 0 **ABSTAIN:** 0

PASSED AND ADOPTED this 19th day of January, 2016.

Lee S. Alexius
LEE S. ALEXIUS
COUNCIL PRESIDENT

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Presented to the Mayor on this 22nd day of January, 2016, at 11:30 o'clock A.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Approved ✓ or Vetoed ___ by the Mayor on this 22nd day of January, 2016.

MICHAEL B. COOPER
MAYOR

Received from the Mayor on this 22nd day of January, 2016, at 1:55 o'clock P.M.

BONNIE D. CHAMPAGNE
COUNCIL CLERK