

Chapter 2

DEFINITIONS

General Terms are defined:

Words used in the present tense include the future. The singular includes the plural and the plural the singular. "Building" includes "structure". "Shall" is mandatory.

"A" License is legal permission for an individual or company to install or erect electrical signs.

A-frame or Sandwich Sign is a portable sign that is ordinarily in the shape of an "A" or some variation thereof and usually has no wheels.

Abandoned Sign

- A. On-Premise Signs shall be considered abandoned when the business activity or firm which such sign advertises is no longer in operation upon the premises which the sign is located or does not have a current business license.
- B. Off-Premise Signs shall be considered abandoned when the sign or sign structure remains in a state of disrepair or the sign face remains without advertising content for a period of six months.

Abandonments means an abandoned sign must be removed, or brought to a state of good repair, with advertising content within ninety (90) days from the date of official notice by the Building Official.

Abutting is to share a common property line.

Accessory Building is a part of the main building, or a separate building, devoted to an accessory use.

Accessory Sign is a sign relating only to uses of the premises on which the sign is located.

Accessory Use is a use subordinate to and incidental to the primary use of the main building or to the primary use of the premises. Accessory uses may not be located in a front yard.

Access ways is a paved area intended to provide ingress or egress of vehicular traffic from a public right-of-way to an off-street parking area or loading area. Parking area aisles are not to be constructed as accessways.

Add-On Sign (Rider Sign, Parasite Sign, or Attachment Sign) is any sign, whether commercial or non-commercial, which is generally affixed to a larger sign or sign structure and is not intended to be an integral part of the permanent sign or sign structure.

Address Sign is a sign indicating a street address.

Adult Bookstore is an establishment having as a substantial or significant portion of its stock in trade, books, magazines, or other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical area" (as defined herein), or an establishment with a segment or section devoted to the sale or display of such material.

Adult Motion Picture Theater is an enclosed building or drive-in theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” (as defined herein) for observation by patrons therein.

Adult Mini Motion Picture Theater is an enclosed building or drive-in theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” (as defined herein) for observation by patrons therein.

Advertising Sign is a sign directing attention to a business, commodity, service, or entertainment.

Agricultural Activities is the production, keeping, or maintenance, for sale, lease, or personal use of plants and animals (including fish).

Airport is referred to as The Baton Rouge Metropolitan Airport—Ryan Field.

Airport Elevation is the established elevation of the highest point on the useable landing area.

Airport Hazard is any structure, tree or use of land that obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport.

Alley is a dedicated right-of-way not less than twenty (20) feet in width which provides secondary access to the back or side of properties.

Alter is to change a sign structure or sign can.

Alternative Porous Pavement Parking is parking areas constructed with cellular confinement systems that are designed and manufactured to be utilized as a parking surface. These cellular confinement systems may be filled with aggregates or covered with sod to the manufactures specifications. Concrete or plastic materials may be utilized but plastic materials may be used only for parking spaces that are utilized seasonally and for fire lanes or other vehicular access that has an emergency use. All porous paving materials shall be constructed in accordance with the manufacture(s) design standards, certified by the design professional and approved by the Department of Public Works.

Apartment Hotel is a multiple dwelling under resident supervision.

Area of Shallow Flooding is a designated AO, AH, or VO Zone on a community’s rate map (FIRM) with a one (1) percent chance or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the flood hazard boundary map (FHBM). After detailed ratemaking had been completed in preparation for publication of the (FIRM), Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, VI-30, VE, or V.

Assembly for the purpose of permissible uses in CW, SPUD and PUD zoning districts, means putting together pre-manufactured parts which:

- A. shall be conducted entirely within constructed buildings;

- B. does not use the open area around such buildings for storage of materials or manufactured products, or for any industrial purpose; and
- C. is not noxious or offensive by reason of emission of smoke, dust, gas, fumes, odors, noise, or vibrations beyond the internal confines of the building.

Attached Sign is a permanent On-Premise Sign affixed to, erected or painted on the outside wall of a building and supported only by any part of a building, such as a wall, roof, window, canopy, awning, arcade or marquee.

Attachment Sign (Add-On, Rider Sign or Parasite Sign) See Add-On Sign definition.

Awning is a type of hood or covering over doors, windows or walkways, and including two categories:

- A. Fixed awnings. Awnings constructed of light metals, plastics, fabrics, or equivalent materials mounted on frames that are not adjustable and moveable.
- B. Adjustable awnings. Awnings constructed of light metals, plastics, fabrics, or equivalent materials that are adjustable and moveable.

Awning sign is a sign that is painted, sewn, or affixed on an awning.

“B” License is legal permission for an individual or company to install or erect non-electrical signs.

Banner is any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges; national flags, state or municipal flags, or the official flag of any institution.

Bars and Lounges is any establishment containing an area primarily designated for the preparation or serving of alcoholic beverages.

Base Flood is the flood having a one (1) percent chance of being equaled or exceeded in any given year.

Basement is any area of the building having its floor sub grade (below ground level) on all sides.

Bed and Breakfast Home is a facility limited to four (4) guestrooms within National Register Historic Districts or Sites or homes listed on the National Register of Historic Places or within homes a minimum of fifty (50) years old. All parking areas must be completely screened (see parking screening in Appendix D) from the street and adjacent residences. No signage is allowed. Must be owner occupied. Shall be located on a lot or tract with a minimum size of one acre. Guests are limited to a maximum stay of seven consecutive days. Homes that qualify based upon the fifty (50) year old requirement shall not be located within a recognized residential subdivision unless the lot has frontage on a designated major street.

Board is the Board of Adjustment established in Section 3.201.

Bufferyard is a unit of land, together with a specified type and amount of planting thereon, and any structures that may be required between land uses to eliminate or minimize conflicts between them. Shall not include any servitudes or rights-of-way unless approved by the person(s) in whose favor the servitude or right-of-way is granted and the Building Official.

Build is to erect, convert, enlarge, reconstruct, or structurally alter a building or structure.

Building is any structure built for use of persons or animals or any structure that is incidental but essential to the function of the primary structure or structures.

Building Line is the boundary that determines the building area of a lot or tract.

Building Official is the officer or a duly authorized representative charged with the enforcement of the Unified Development Code.

Building Wall is a wall of a principal building as defined by the building code. Where separate facades of a building are oriented in the same direction or in a direction within forty-five (45) degrees of one another, such facades are considered as one building wall.

Bus Bench Sign is an Off-Premise Advertisement painted on the backrest of a bus bench.

Business (Tenant or Store) is for the purpose of the Unified Development Code a business shall be an individual, firm, partnership, corporation, or other commercial entity that is an occupant of a non-residential building.

Business Identification Sign is a sign that is limited to identifying or directing attention to the name and address of a business, institution, building, person, product, activity, or service provided or offered on the premises.

Campaign Sign (Election Sign) is a temporary sign advertising candidates or soliciting votes in support of or against any proposition or issue at any general, primary, special, school, or other election.

Canopy is a permanent roof-like structure constructed of some durable material that extends or is attached from part or all of a building.

Canopy Sign is a sign that is attached to or painted on a canopy.

Central Business District (CBD) is the area whose boundaries are the Mississippi River on the west, North Boulevard on the south, North Street on the north and Interstate 110 on the east.

Centerline is a line halfway between the street right-of-way lines.

Chain wall is the exterior foundation wall used to elevate a structure above grade and provide support for the structure's exterior walls and floor system. The chainwall extends around the periphery of the structure and shall not be construed to include such items as driveways, courtyards, and loading docks.

Changeable Copy Sign or Changeable Letter Sign is any permanently enframed sign, illuminated or not, which is principally devoted to and designated for changeable text and graphics, but which specifically excludes time/ date/ temperature signs as defined here. Portable or Movable Signs are not considered Changeable Copy Signs.

Child Care Center is any place operated by a person, society, agency, corporation, institution, or any other group that is licensed by the State wherein are received seven or more children under seventeen years of age who are not related to such person and whose parents or guardians are not residents in the same house and with such person, society, agency, corporation or institution responsible for the control and care of children enrolled therein.

City is referred to as the City of Baton Rouge.

Clearance is the vertical distance from the established grade level to the bottom of the sign or sign can.

Club is buildings and facilities for a social, educational or recreational purpose, to which membership is required for participation and not primarily operated for profit nor to render a service that is customarily carried on as a business.

Commercial/Office is areas where wholesale and retail trade and service type uses, office uses, and hotels and motels will be the primary land use type.

Commercial Recreation Facilities is any establishment whose main purpose is to provide the general public with an amusing or entertaining activity and where tickets are sold and fees collected for the activity. Includes, but not limited to skating rinks, water slides, miniature golf, arcades, bowling alleys and billiard halls, but does not include movie theatres.

Commercial Warehousing is facilities characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or nuisances such as dust, noise and odors, but not involved in manufacturing or production.

Commission is referred to as the City-Parish Planning and Zoning Commission of the City of Baton Rouge and the Parish of East Baton Rouge.

Common Area is any portion of a development that may not be part of a lot or tract and is designed for the common usage of the development. These areas include Common Open Spaces and Green Open Spaces and may include such other uses as parking lots and pedestrian walkways. Maintenance of such areas is not the responsibility of City-Parish government and shall be set forth by the Development Association in the form of Restrictive Covenants, which shall guarantee the maintenance of these areas.

Common Open Space Land area or water set aside, dedicated, designated, or reserved for the use and enjoyment of all owners and occupants of a project. Usable common open space shall constitute area(s) readily accessible, practical, and generally acceptable for active or passive recreation uses. In no case shall common open space include required setback areas, drainage areas required by the Department of Public Works, servitudes with existing above ground facilities, or contain structures other than those intended for landscape or recreational purposes. Maintenance of such areas is not the responsibility of City-Parish government and shall be set forth by the Development Association in the form of Restrictive Covenants, which shall provide for the maintenance of these areas.

Communication Tower is a tower, pole, or similar structure that supports a telecommunications antenna operated for commercial purpose above ground in a fixed location, freestanding, guyed, or on a building or other structures.

Concept Plan are written and graphic documents submitted for rezoning of a tract to Planned Unit Development Concept (PUD Concept) which indicate in a conceptual form the proposed land uses and their overall impact on the subject tract and surrounding tracts as required in the Concept Plan Checklist.

Conditional Uses are those uses that are generally compatible with the uses permitted in a zoning district, but require individual review of their location, design and intensity in order to ensure their appropriateness on any particular parcel of land and the compatibility of the use with adjacent uses. Conditional uses may be granted for those conditional uses enumerated in each of the zoning districts established in this ordinance with the standards and procedures in Section 8.106 and the standards established for each conditional use in the district regulations.

Consolidated Sewer District is the area within East Baton Rouge Parish designated by the Metropolitan Council and as amended.

Construction, Existing is for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures."

Construction Sign is a sign whose message is limited to identification of architects, engineers, contractors, and other persons involved with the construction project or to the name of the building being constructed, the intended purpose of the building and the expected completion date.

Corner Lots are lots abutting on two or more streets at their intersection. The front yard line shall face the shortest street dimension of the lot.

Council is referred to as the Metropolitan Council of Baton Rouge.

Country Club is an establishment with recreation facilities for members, their families and invited guests.

Critical Feature is an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Density is interpreted as the number of dwelling units per gross area devoted to residential development.

Detached Sign is a sign not attached to or painted on a building, but which is permanently affixed to the ground. A sign attached to a flat surface such as a fence or wall and not a part of a building shall be considered a Detached Sign.

Detention Basin is a specifically designed and engineered storm water management facility whose primary purpose is to temporarily store storm water runoff resulting from a development and slowly release it at a designed rate.

Development is any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

Directional Sign or Instructional Sign is a sign which provides direction or instruction to guide persons to facilities intended to serve the public, including but not specifically limited to those signs identifying restrooms, public telephones, public walkways, parking areas, and other similar facilities.

Directory Sign is a sign identifying the location of occupants of a building or a group of buildings that are divided into rooms or suites used as separate offices, studios, or shops.

District is a part of the City-Parish wherein regulations of the Unified Development Code are uniform.

Double-Faced Sign is a sign with two (2) faces.

Downtown Development District the westerly boundary shall be the east bank of the Mississippi River; the northern boundary shall run east of the Mississippi River, behind the old Our Lady of the Lake Hospital, continuing along the bank of the Capitol Lake, extending down the Capitol Access Road to the I-110 Interstate highway; the eastern boundary shall be the I-110 Interstate highway; and the southern boundary shall be the I-10 Interstate highway and the bridge over the Mississippi River. (Louisiana State Legislature, Act 437, page 1, paragraph 5, 1984)

Drive-in Restaurant is an establishment serving food and beverages to occupants of vehicles for consumption inside the vehicle while still on the premises or on the designated site.

Dry Detention Basin is a detention basin, which is not designed to have a permanent pool level, and does not hold water except during periods of a rainfall occurrence and not more than a 24-hour period thereafter.

Dwelling is a building used entirely for residential purposes and shall not be construed to include trailers.

- A. A single-family dwelling is a building that contains only one living unit including attached buildings in the case of town houses.
- B. A multiple dwelling is a building that contains more than one (1) living unit.

Educational Institution is any public, parochial or private institution that provides educational instruction to students. This definition does not include trade or business schools or colleges.

Elderly is any person having attained the age of fifty-five (55) years.

Electrical Sign is any sign that contains electric wiring. This shall not include reflective illuminated signs.

Elevated Building is a non-basement building (i) built in the case of a building in Zones Al-30, AE, A, A99, AO, AH, BC, X, and D, to have the top of the elevated floor, or in the case of a building in Zones VI-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones Al-30, AE, A, A99, AO, AH, B, C, X, D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of Zones VI-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program regulations.

Embellishment is the area of design made as a cutout that extends beyond the basic rectangular space of an advertising sign.

Emergency is an occurrence where service provided by a public utility is unexpectedly interrupted and requires the restoral of same service or requires the utility to take immediate action to prevent damage or correct a condition that may pose a hazard to life or property.

Erect is to construct, build, raise, assemble, install, place, replace, locate, relocate, affix, attach, display, alter, use, create, paint, draw, illuminate, or in any way bring into being or establish.

Estate Sale (see Garage Sale)

Expansion to an existing manufactured home park or subdivision is the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final sites grading or the pouring of concrete pads).

Exotic Dancer for the purpose of this chapter, is hereby defined as any male or female performer hired to dance, gyrate, twist or do any other physical performance on the floor, tables, stage or other contrivance in a sexually suggestive or provocative manner on the premises of any private or public property, whether said performer is paid a salary or receives compensation by way of gratuities by customers or a commission.

Expressway is a limited access route on the Major Street Plan adopted by the Planning Commission, or any revision thereof.

Face of Sign (Sign Face) is the area of the sign on which the copy may be placed (structure not included).

Family is an individual or two (2) or more persons who are related by blood, marriage or legal adoption living together and occupying a single housekeeping unit with single culinary facilities; or not more than two (2) persons, or not more than four (4) persons (provided the owner lives on the premises) living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a non-profit, cost sharing basis.

Farm Products Sign (Seasonal) is a sign advertising fresh produce grown and sold on the same premises as the sign.

Fascia (Fascia Board) is a horizontal piece (as a board) covering the joint between the top of a wall and the roof or the projecting eaves.

Final Development Plan includes written and graphic documents submitted for detailed plan review and subdivision of a tract zoned Planned Unit Development Concept (PUD Concept) as required in the Final Development Plan Checklist.

Flag is any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of government, political subdivision, or other entity.

Flashing Sign is any illuminated sign that exhibits changes in light or color.

Flood or Flooding is a 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.

Flood Insurance Rate Map (FIRM) is the official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles and water surface elevation of the base flood, as well as the flood boundary-floodway map.

Flood Proofing is any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Protection System is those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standard.

Floodplain is the area located in the 100-year flood plain as determined by the Department of Public Works.

Floodplain or Flood-Prone area is any land area susceptible to being inundated by water from any source (see definition of "Flooding").

Floodplain Management is the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations are zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodway (regulatory floodway) is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floor Area is the square feet of floor space on all floors of a building within the exterior walls. It does not include porches, garages, basements or cellar space, stair wells, elevator shafts or mechanical equipment rooms, bathrooms, corridors and malls from which goods or services are not offered or sold.

Floor to land area ratio is the gross floor area of all buildings on a lot divided by the lot area.

Footprint is the area enclosed within the external walls or periphery of a structure. For elevated structures, trailers, and mobile homes the footprint shall mean the vertical projection of the external walls to the ground surface.

Franchise Sign is a sign dedicated to the purpose of advertising products that the manufacturer has granted authorization to a distributor or dealer to sell.

Freestanding Sign is a sign not attached to a building, but supported by a structure extending from and permanently attached to the ground.

Freight Loading Space is a space within the main building or on the same property having a minimum dimension of twelve (12) feet by thirty-five (35) feet with a minimum vertical clearance of nineteen (19) feet.

Freight Maneuvering Space (for loading) is the unobstructed area needed for a truck to back in a single movement directly from the access street into a loading space, the depth of which is measured perpendicular to and from the front of the loading space to the center line of the access street. Where such space is located in such a manner that a truck must back directly into the loading space, a maneuvering space of fifty (50) feet shall be provided.

Front Lot Line is the boundary common to the front yard and the street right-of-way.

Frontage is the distance along a street line between two intersection streets or from one intersecting street to the end of a dead end street.

Frontage (private servitude of access) is the horizontal distance between the side lot lines measured at a point where the side lot lines intersect the private servitude of access. All sides of a lot that abuts a private servitude of access shall be considered frontage. On curvi-linear private servitude of access, the arc between the side lot lines shall be considered frontage.

Frontage (public street) is the horizontal distance between the side lot lines measured at a point where the side lot lines intersect the street right-of-way. All sides of a lot that abuts a street shall be considered frontage. On curve-linear streets, the arc between the side lot lines shall be considered frontage.

Functionally (dependent use) is a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future Land Use Plan is the Horizon 2010 Land Use Plan adopted by the East Baton Rouge Planning Commission and the Metropolitan Council.

Garage Apartment is a living unit for not more than one family; provided, however, that the building be set back 10 feet from all side and rear lot lines, and the entire lot contains at least 10,000 square feet.

Garage Sale Sign (estate sale, yard sale, rummage sale) is a temporary sign advertising an informal sale of miscellaneous goods.

Gas Station, Full Serve or Self Serve is any buildings, structures or premises, enclosure or other place used for the dispensing, sale, or offering for sale of automobile fuel and oils at retail. When such dispensing, sale, or offering for sale of automobile fuel and oil is incidental to the conduct of a motor vehicle repair shop, the premises shall be classified as a motor vehicle repair shop.

General Office includes areas where large or multi-storied professional, general administrative or non-retail sales offices are located.

Grade is the average level of the finished surface of the ground for building more than five feet from a street line. For buildings closer than five feet to a street the grade is the sidewalk elevation at the center of the building. If there is no sidewalk, the Department of Public Works shall establish the sidewalk grade.

Grade Level is the average level of the finished or natural surface of the ground area adjacent to the exterior walls of a building or adjacent to the supports of a sign structure.

Grading is movement and reshaping of earth to create new contours.

Graphics or Graphic Arts is the architectural design, coordinated paint scheme, or lighting of a building or fence that does not impart a name, logo, or advertisement as being a sign or sign display. (The intent here is to differentiate between "What is sign?" and "What is merely artwork and design?").

Green Open Space Land area consisting of green permeable area(s) readily accessible, practical, and generally acceptable for active or passive recreation uses. In no case shall green open space include required setback areas, drainage areas required by the Department of Public Works, servitudes with existing above ground facilities, or contain structures other than those intended for landscape or recreational purposes. Maintenance of such areas is not the responsibility of City-Parish government and shall be set forth by the Development Association in the form of Restrictive Covenants, which shall provide for the maintenance of these areas. Pedestrian sidewalks located within the green open space may be included in the area calculation as green open space.

Gross Floor Area is the total square floor space on all floors of a building that include exterior walls, porches, garages, basements or cellar space, stair wells, elevator shafts or mechanical equipment rooms, bathrooms, corridors, storage areas, and malls from which goods or services may or may not be offered or sold.

Ground Cover is material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve inches.

Group Home (see Special Home)

Habitable floor is any floor usable for the following purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a "habitable floor."

Heavy Commercial includes a variety of commercial and miscellaneous service activities, such as hotels, shopping malls and department stores, which are relatively large in size, generate a large volume of traffic or impact large areas of land and existing development.

Height (of a sign) is the vertical distance above grade, street pavement, or building facade, as applicable, measured to the highest point of the sign.

Height is for the purpose of determining the height limits in all zoning districts set forth in the Unified Development Code and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Height of a Building is the vertical distance from the grade to (a) the highest point on a flat roof. (b) The deck line of a mansard roof, or (c) the mean height between eaves and ridge for gable, hip and gambrel roofs.

Height of Tower is the distance from the ground elevations of the structure to the top of the structure or any attached wireless transmission or Relay Equipment.

High Density Residential includes areas where multi-family housing, high-rise housing structures and very small, tightly spaced single family housing will be predominant.

High Density Residential Uses are uses permitted in the A3.3 through A5 zoning districts.

High Technology Manufacturing is best defined as non-routine economic activities directed toward developing new products and processes and toward small-volume production of innovative products and services. The same environmental constraints that apply to M1 uses also apply to Hi-Tech Manufacturing.

Highest Adjacent Grade is the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure is any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior as meeting the requirements for individual listing on the National Register);
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- D. Individually listed on a local inventory or historic place in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior or;
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Historic District is any area of historic nature so designated by the Planning Commission in cooperation with the property owners and residents of the area, including but not limited to, Spanish Town and Beaugard Town.

Home Occupation is an accessory use; it is an activity carried on only by a resident member of a family meeting the following conditions:

- A. No signs shall be used;
- B. Nothing shall be done to make the building appear in any way as anything but a dwelling;
- C. No business such as a shop or store shall be conducted upon the premises;
- D. No one shall be employed from outside the resident family; and
- E. Mechanical equipment used shall be only that normally used in, or found in a single family dwelling.

Hospital is an establishment that provides physical or mental health services, in-patient or overnight accommodations, and medical or surgical care of the sick or injured.

Hotel is a dwelling not consisting of living units and with facilities for more than twenty persons.

Housing for the Elderly is a multiple dwelling under resident management, designed specifically for the elderly, with at least seventy-five (75) percent of its occupants being elderly.

Identification Sign is any structure, device, display board, screen, surface or wall with characters, letters, or illustrations or means whatsoever, where the matter displayed is used only to indicate to the public the legal or exact firm name and/or the character of the business therein (church, school, hospital, library, park, or similar use). Occupant Identification Signs shall include shingle signs and directory signs; also temporary identity signs such as a non-illuminated sign identifying an engineer, architect, or contractor engaged in the construction of a building.

Identification Sticker is a small sign (2" x 4" min.) applied to the sign or sign structure identifying the licensed party who installed and built the sign.

Illuminated Sign is a sign containing a source of light or is designed or arranged to reflect light from an artificial source.

Incidental Sign (Secondary Sign) is a small sign, not exceeding two (2) square feet, limited to information and directions related to the permitted use on the lot or building on which the sign is located, and containing no direct illumination as defined. Examples of incidental signs would include "no smoking", "restore", "no solicitors", "no trespassing", "self service", "vacancy", credit card acceptance signs, signs indicating hours of operation of business, and similar information.

Indoor Firing Range is a totally enclosed facility designed to offer a controlled shooting environment for target shooting for practice or amusement with any firearm provided for the use of any person. An indoor firing range shall include impenetrable walls, floor and ceiling, adequate ventilation and lighting systems, and acoustical treatment for sound attenuation.

Industrial areas where manufacturing, chemicals, refining, warehousing, open storage, and similar industrial facilities will be the dominant use.

Information Sign is any On-Premise Sign containing no other message, copy, announcement, or decoration other than instruction or direction to the public. Such signs include but are not limited to the following: identifying public telephones, automated teller machines, for lease, for sale, walkways, entrance and exit drives, freight entrances and traffic direction.

Inspection Sticker is a small adhesive label imprinted thereon: "City of Baton Rouge and Parish of East Baton Rouge Sign Permit", the identification number or certificate number thereof and the year of its issuance.

Institution is a non-profit establishment for public use.

Kindergarten is a school for children under 6 years of age with a teaching curriculum and operating hours similar to public kindergartens.

Kitchen is a room primarily used for the preparation of food that contains a sink and other necessary appliances.

Lake bodies of water with a surface area of two or more acres and where the deepest part of the basin at low water is six (6) feet or greater.

Landing Area is the area of the airport used for the landing or taking off of aircraft.

Land Reclamation is the return of land that has been disturbed by mining activities to productive use. Reclamation procedures may include addition of topsoil, return of vegetative cover, planting of trees and restoration of landforms.

Landscape Area is a non-built upon area of land in which landscape materials are placed, planted or maintained.

Landscape Materials are materials such as, but not limited to, living trees, shrubs, vines, lawn grass, ground cover, earthen mounds, landscape water features and non-living, durable materials commonly used in landscaping including, but not limited to rocks, pebbles, sands, decorative walls, fences, brick, stone or concrete paving or landscape support systems such as irrigation, drainage and landscape lighting components.

Landscape Plan is the preparation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of the Unified Development Code.

Legal Sign is a sign that is in conformity with the provisions of the Unified Development Code or a sign that is allowed by law.

Levee is a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

Levee System is a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Light Commercial includes a variety of commercial and miscellaneous services activities generally serving a wide area and located primarily along existing major thoroughfares.

Living Unit is the rooms occupied by a family. The living unit must include a kitchen.

Lodging House is a dwelling consisting of not more than one living unit (kitchen) occupied by not more than twenty persons not related by blood, marriage or adoption. This term includes rooming house, a boarding house and tourist home.

Lot is a parcel of land intended as a building site. A lot is any parcel of land recorded prior to 1950 or any parcel of land recorded after 1950 approved by the Planning Commission in accordance with the requirements of the Unified Development Code. Every lot must front directly on a public street or approved private servitude of access for the minimum distance required by the Unified Development Code. A parcel of land that is not intended as a building site and dedicated on a plat as a common area or special use area shall be clearly defined on the plat and map to be approved by the Planning Director.

Lot width (frontage) is the width of a lot at the front lot line. Buildable width is the width of lot left to be built upon after the side yards are provided. The lot width of any lot or portion of a lot having frontage on a cul-de-sac or flares at right angle street corners may be measured at the building line.

Low Density Residential includes areas where single family detached housing will be the predominant land use.

Lowest Floor is the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Main Building is the building occupied by the principal use of the property.

Maintenance is the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Major Street is a street which serves or is intended to serve as a major traffic way and is shown on a major street plan and adopted by the commission, or a revision thereof.

Mansard Sign is a sign that is attached to or erected against a mansard of a building, with the face horizontally parallel to the building wall. Since the sign is to be mounted parallel to and within limitations of the building wall, it is deemed to be a Wall Sign and not a Roof Sign.

Mansard-type Roof is a roof having the appearance of being flat with at least two (2) sloping sides not in excess of forty-five (45) degrees from the vertical and which derives part or all of its support from the building wall to which it is attached.

Manufactured Home is a structure transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

Manufactured Home Park or Subdivision, Existing is a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Manufactured Home Subdivision is a subdivision (see Subdivision) which is primarily used by manufactured homes or which is designated as such.

Manufacturing are establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics resins, or liquors.

Map is referred to as the Ryan Airport Zoning Map that is designated Exhibit "A" dated July 1974, which is on file in the office of the Clerk of Court of the Parish of East Baton Rouge.

Marquee is a permanent roof-like shelter extending from part or all of a building face, constructed of some durable material such as metal or wood, and which is not supported from the ground.

Marquee Sign is a sign that is attached to or painted on a marquee.

Mayor-President is referred to as the chief administrator of the City-Parish.

Mean Sea Level is for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Medical Clinic is an establishment containing offices and facilities where one or more physicians, dentists, other health care professionals, or similar professions admit human patients who are not lodged over night for examination and treatment.

Medium Density Residential includes areas where small single family, two (2) family and multi-family housing of spacious character, and garden and townhomes will be predominant.

Medium/High Density Residential is areas where two family and multi-family housing, rooming and boarding houses, residence halls, dormitories, and mobile home parks will be predominant land use.

Memorial Sign (or Tablet) is a sign with names of buildings and dates of erection cut into any masonry surface or constructed of bronze or other incombustible materials.

Menu (Board) Sign is a sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through service.

Mobile Home Park is three or more mobile homes located on the same tract of land occupying such space as required by the Unified Development Code.

Monument Sign is a ground sign generally having a low profile with little or no open space between the ground and the sign and having a sign structure constructed of masonry, wood, or materials similar in appearance as approved by the building official.

Motel is an inn or group of cabins designed for occupancy by paying guests.

Motor Vehicle Dealer is any business which holds a valid franchise from a motor vehicle manufacturer or distributor to sell new motor vehicles, together with a valid license granted under the provisions of LA R.S. 32:1251 et seq. Motor Vehicle Dealer shall also include any businesses that are likewise licensed under the provisions of LA R.S. 32:1251 et seq.

Moving Sign is a sign intended to attract attention by physical movement of all or parts of the sign, including rotation, motion or the perception of motion.

Multi-Tenant Property is two or more businesses that are within the same building or group of buildings and located on the same tract or lot and share private off-street customer parking areas.

Natural Resources for the purposes of the Unified Development Code, are to include, but are not limited to, soil, sand and gravel.

Neighborhood Commercial includes areas of small retail stores, such as corner groceries, cafes and drugstores, to serve the needs of surrounding residential neighborhoods.

Neighborhood Office includes areas of small offices, professional offices and personal services to serve the needs of surrounding residential areas.

New Construction is for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision is a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nonconforming Sign is any sign that fails to conform to all applicable standards and restrictions of the Unified Development Code.

Nonconforming Use is any structure, tree, natural growth or use of land which is inconsistent with the provisions of the Unified Development Code or any amendment thereto, and which pre-existed the Unified Development Code or any prior Ordinance of amendments thereof, and which was nonconforming prior to the adoption of said Ordinance or amendment thereto.

Non-Precision Instrument Runway is a runway having an existing instrument approach procedure utilizing air navigation facilities with horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which non-precision approach facilities are planned, or indicated on a FAA planning document.

Office Building is a building designed for or used as the offices of professional, commercial, industrial, religious, public or semi-public persons or organizations.

Off-Premise Sign is a sign that directs attention to a business, commodity or service offered at a location other than the premises on which the sign is erected.

On-Premise Sign is a sign that directs attention to a business, commodity or service offered on the premises on which the sign is erected.

Open Space is area where agriculture, forestry, water, and undeveloped land are dominant.

Outdoor Advertising Sign is a type of sign, generally, but not limited to, a rigidly assembled sign, display, or device, usually freestanding, that is affixed to the ground or to a building, the primary purpose of which is to display advertising posters.

Out Parcel is a parcel of land associated with a shopping center or multi-tenant property development, which is designated on an approved site plan as a location for a freestanding structure.

Overburden is all of the earth and other materials that lie above natural deposits of minerals, and also means such earth and other materials disturbed from their natural state in the process of surface mining.

Overlay Zoning District is an additional level of zoning requirements that is superimposed upon existing zoning in specified areas shown on the official zoning map. Any new development within the overlay district must then comply with the requirements of the underlying zone as well as with the overlay zone.

Owner is the Parish of East Baton Rouge or its legally constituted successor.

Parapet is the portion of a building wall that rises above the roof level.

Parasite Sign (Add-On Sign, Rider Sign, or Attachment Sign) See Add-On Sign definition.

Parish is referred to as the Parish of East Baton Rouge.

Parkway is a route intended to be used primarily by passenger vehicles which may have a varying width of right-of-way and which right-of-way is, or is intended to be, developed with a park-like character.

Pennants (Streamers) are any materials attached to a line designed to wave, reflect and spin in order to attract attention.

Permanent Sign is a sign permanently affixed to a building or to the ground.

Permitted Sign is a sign or sign structure that requires a permit issued by the Inspection Division of the Department of Public Works in order for the sign to legally be erected.

Person is an individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Personal Service Shops are businesses primarily engaged in providing services involving the care of a person or their apparel i.e. barber shop, beauty shop, nail salon, laundries, shoe repair, spas, excluding dry cleaners.

Planned Development is a tract of land under single, corporation, partnership, or association ownership, planned and developed as an integral unit in a single development operation or a definitely programmed series of development operations and according to an approved development plan.

Planned Development Sign is a temporary sign that pertains to the development of a new subdivision, planned multi-family development, planned shopping center, or industrial, office or business park (i.e., Real Estate Sign).

Planned Unit Development (PUD) is the development of land under unified control which is planned and developed as a whole in a single or programmed series of operations with uses and structures substantially related to the character of the entire development.

PUD Common Open Space is any landscaped portion of a PUD that is not part of a lot or tract and is designed for the common usage of the development and provided it meets the minimum requirements provided in Section 10.101 B and 10.102 B unless an area is designated with a landscape servitude or servitude of passage.

Planting Area is any area designed for landscape material installation having a minimum area of twenty-five square feet.

Philanthropic Institution is any non-profit organization that is supported primarily by charity and whose principal function is the performance of charitable works or religious activities. This shall include but is not limited to churches, mosques, synagogues or other religious institutions. This definition does not include social organizations and clubs.

Pole Sign is a Freestanding Sign supported by uprights, braces, columns, poles or other vertical members, which are not attached to a building.

Pond a permanent body of open water that maintains a surface area of half an acre or more.

Portable Sign is any sign designed or intended to be readily relocated and not permanently affixed to the ground or to a building. This shall include signs on wheels, trailers, truck beds, or any other device intended to be moved from one location to another.

Portable Storage Containers are units used for temporary on site storage.

Posted Sign is a sign intended to forbid property to trespassers.

Precision Instrument Runway is a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA approved airport layout plan or any other FAA planning document.

Premise for the purpose of definition, the term "premise" shall be interchangeable with the term "lot".

Premises is a parcel of real property with a separate and distinct number or designation shown on a recorded plat, record of survey, parcel map, subdivision map, or a parcel legally created or established pursuant to applicable zoning. Out parcels of shopping centers shall be considered on the premises of the shopping center for the purpose of the Unified Development Code.

Private Garage is an accessory building housing not more than four (4) vehicles owned and used by occupants of the main building. Where more than four (4) vehicles are housed or where persons other than the occupants use the vehicles, the building is a storage garage.

Projecting Sign is any sign, other than a wall sign, whose leading edge extends beyond the building or wall to which it is affixed.

Public is a use by any agency or department of the city, parish, state, or federal government. This shall also include public utilities or use by any organizations that receive funding either all or in part from any agency or department of the city, parish, state, and federal government. This shall also include buildings and premises used in the operation of the public use.

Public Facilities District is an area specifically set aside for the location of the Government Complex and Civic Center with boundaries as defined in "Exhibit A" in Resolution 9830, adopted by the Parish Council on April 26, 1972, with said Resolution approving the Urban Renewal Plan for Project No. La. R-21.

Public Hearing is any public meeting at which public comment is permitted in accordance with the public body's rules of procedure.

Public Meeting is any meeting of a public body at which a quorum is present and which is subject to the provisions of the Louisiana Open Meetings Law, LRS 42:7.

Public Property is any real property belonging to the City of Baton Rouge or Parish of East Baton Rouge, or any land on which a public street right-of-way has been granted.

Public Service Sign is a sign that provides general public service information such as time, date, temperature, weather, and information to promote public and civic events.

Public Utility is any business providing any utility service, including but not limited to, water, sewerage, gas, electricity, telecommunications, or cable television to the residents of the City of Baton Rouge and the Parish of East Baton Rouge.

Real Estate Sign is a temporary sign erected by the owner, or his agent, advertising the real property, upon which the sign is located, for rent, for lease, or for sale.

Reclamation Plan is the applicant's written proposal for reclamation of the affected areas including land use objectives, maps, or other documents as required to describe reclamation, and where relevant, grading specifications and manner and type of revegetation.

Recognized Residential Subdivision is any recorded subdivision containing more than five (5) lots for residential use but not necessarily single family.

Recognized Single Family Residential Subdivision is any recorded subdivision containing more than five (5) lots for single family use.

Record inundation is the highest flood level recorded by the city-parish in an applicable area.

Recreational facility is a commercial, personal, private or public facility designed and equipped for the conduct of sports, leisure time and recreational activities, limited to indoor or outdoor camping, horseback riding, non-combustion engine water touring boats in contained bodies of water, canoe rentals, non-motorized outdoor bike trails. Guests are limited to a maximum stay of fourteen (14) consecutive days.

Recreational Vehicle is a vehicle that is:

- A. Built on a single chassis;
- B. Four hundred (400) square feet or less when measured at the largest horizontal projections;
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Rehabilitative or Recovery Care Centers is a boarding house for criminal offenders, persons recently released from prison or delinquent youth facilities, or persons recovering from alcohol or drug abuse problems. Such facilities may be located in the C2 (Heavy Commercial), HC1 (Heavy Commercial One) and HC2 (Heavy Commercial Two) Districts.

Religious Institutions are buildings used for public worship by congregation, including churches, chapels, cathedrals, temples, and similar designations. This definition does not include buildings used exclusively for residential, educational, recreational or other uses not normally associated with worship.

Research Park is a tract or parcel of land that is occupied by uses permitted by Section 8.207(a) of the Unified Development Code and includes any open spaces required by this section.

RE/A 1 Residential Estate/Agriculture One District the purpose of RE/A 1 is to permit low-density residential development with a maximum density of one (1) unit per acre of land with a minimum of one hundred (100) feet of frontage on a public or private roadway.

RE/A 2 Residential Estate/Agriculture Two District the purpose of RE/A 2 is to permit low-density residential development with a maximum density of one (1) unit per every two (2) acres of land with a minimum of one hundred (100) feet of frontage on a public or private roadway.

RE/A 3 Residential Estate/Agriculture Three District the purpose of RE/A 3 is to permit low-density residential development with a maximum density of one (1) unit per every three (3) acres of land or greater with a minimum of one hundred (100) feet of frontage on a public or private roadway.

Respite Care Centers are those buildings, other than institutions, operated by a person or persons, society, agency, corporation, institution or group licensed by the State wherein temporary out of home care by responsible adult persons is provided to eight or fewer persons with developmental disabilities on a twenty-four hour basis assuring that responsible adults are on the premises at all times in case of emergency. Respite care is provided to persons with developmental disabilities who normally live at home under the daily care of family members or foster family members for the purpose of providing the family with relief, from the special responsibilities associated with caring for this family member, thus preventing placement in an institution.

Such buildings and premises shall meet all City-Parish building codes, fire codes and zoning ordinance requirements and state fire marshal requirements prior to the issuance of any State permits for occupancy and/or operation.

Restaurants are any establishments primarily for serving food, which may have a separate lounge area for the consumption of alcoholic beverages, not to exceed ten (10) percent of floor area.

Rider Sign (Add-On Sign, Rider Sign, Parasite Sign or Attachment Sign) see Add-On Sign.

Right-of-Way is a strip of ground dedicated by the subdivider for public use, title to which shall rest in the public for the purpose stated in the dedication.

Roof Line is the top edge of the roof or the top of the parapet of a mansard roof.

Roof Sign is a sign that is wholly or partially fastened to and supported by or on the roof of a structure or which extends above the mansard roofline of a structure.

Rummage Sale (see Garage Sale)

Runway is a defined area on an airport prepared for landing and taking off of aircraft along its length.

Seasonal Business Sign is any temporary sign advertising an open-air produce stand for the sale of produce grown on the premises (See Farm Products Sign), or temporary sign advertising the sale of seasonal products such as Christmas trees and pumpkins, as may be approved by the Building Official.

Secondary Sign is an incidental, permanent, On-Premise Sign, which may be attached or detached but having secondary importance and size to the prime identification sign.

Self-Service Storage Facility is a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.

Semi Public is any philanthropic and charitable use, including YMCA's, YWCA's, Salvation Army, churches, and church-related institutions, orphanages, humane societies, private welfare organizations, non-profit lodges and fraternal orders, Red Cross, and other general charitable institutions. This shall also include all buildings and premises used in the operation of the semi-public use.

Service Companies are businesses that engage in the repair and maintenance of home and business related items, i.e.: plumbers, appliance repair, electricians, and lawn maintenance.

Servitude is a strip existing or to be reserved by the subdivider, 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 the servitude; or a strip of ground designated or intended to be used for access to building site.

Shingle Sign is a small identification sign customarily used to identify a doctor or attorney's office or other professional services

Shopping Center is two or more retail and service businesses that are located within the same building or within buildings that are connected and which tenants share private, off-street customer parking areas.

Shrub is a woody perennial plant differing from a perennial herb by its persistent and woody stems and from a tree by its low stature (generally obtaining a height less than eight feet) and its habit of branching from the base.

Sight Distance Triangle (See Sight Triangle)

Sight Triangle (Vision Triangle or Sight Distance Triangle) is triangular area formed by a diagonal line connecting two (2) points located on intersecting right-of-way lines (or a right-of-way line and the curb or a driveway). See "Vision Clearance" for vertical restrictions. The sight triangle may consist of one of three different configurations. Intersections of streets and/or drives may consist of a combination of the various geometric designs given below:

- A. At intersections with streets having speed limits that are greater than or equal to forty (40) miles per hour, a sight triangle fifteen (15) feet by sixty (60) feet is required with the longer dimension parallel to the street with the speed limit that is greater than or equal to forty (40) miles per hour (see Appendix -5).
- B. On streets having a speed limit that is less than or equal to thirty-five (35) miles per hour, a sight triangle of fifteen (15) feet by forty-five (45) feet is required with the longer dimension parallel to the street with the speed limit that is equal to or less than thirty-five (35) miles per hour (see Appendix -5).
- C. For driveways exiting commercial or multi-family businesses or developments a sight triangle of fifteen (15) feet by thirty (30) feet shall be required with the longer dimension running parallel to the public street (see Appendix -6).

Sign is 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 (see Graphics).

Sign Area is the entire area within a single, continuous perimeter of regular geometric form enclosing the extreme limits of writing, representation, emblem or any fixture of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding poles, supports or uprights. Where a sign has two (2) or more faces, the area shall be computed as the largest area projected on the vertical plane.

Sign Attachment (Add-On Sign, Rider Sign, Parasite Sign or Attachment Sign) See Add-On Sign.

Sign Can is the metal portion of a sign that is used to house the internal parts of the sign, as well as to provide a mounting surface for the sign face.

Sign Copy is all words, letters, numbers, figures, characters, artwork, symbols, or insignia that are used in a sign area.

Sign Face is the entire area of a sign upon, against, or through which sign copy is placed.

Sign Frontage

- A. Building Frontage. The horizontal, linear dimension of that side of a building that abuts a street, parking area, or other unenclosed circulation area open to the general public. Where more than one (1) use occupies a building, the building frontage shall be the front width of the portion of the building occupied by that use.
- B. Street Frontage. The linear distance between the lot lines measured along the abutting public or private street or interstate right-of-way. See Chapter 16, Signs.

Sign Setback is the horizontal distance between the right-of-way line and the outermost point of a sign or sign structure situated on premises.

Sign Spacing is the distance measured between all detached advertising signs. (Method of computing measurements is located within the Unified Development Code in the section "General Provisions, Calculations-Spacing".)

Sign Structure is any structure that supports, has supported or is capable of supporting a sign, including any decorative cover for the sign structure.

Sites or tracts are those parcels of five (5) or more acres on which two (2) or more multi-family buildings, office buildings, shop or store buildings, warehouses or other commercial or industrial buildings are to be developed, whether or not such sites or tracts front on a public street, and whether or not such building(s) are to be retained by the developer, sold, leased, or rented.

Sloping is the inclination of the ground from the horizontal.

Special District is a designated area/section of the City-Parish that may include specific sign and/or urban design regulations that shall supersede and coordinate with the provisions of the Unified Development Code.

Special Event is any activity or circumstance of a business or organization that is not part of its daily activities. Such activities may include, without limitation, grand openings, close-out sales and fund raising membership drives or events of civic, philanthropic, educational, or religious organizations.

Special Event Sign is to advertise or promote a special event.

Special Homes are those buildings, other than institutions, operated by a person or persons, society, agency, corporation, institution or group licensed by the State wherein developmentally disabled persons are housed under the direct care of responsible adult persons on a twenty-four-hour basis to assure that a responsible adult is on premises at all times in case of emergency; and such buildings and premises shall meet all city-parish building codes, fire codes and zoning ordinance requirements and state fire marshal requirements prior to the issuance of any State permits for occupancy and/or operation. Special homes shall not include pilot juvenile diagnostic development centers for at risk youths as established by the Department of Health and Hospitals of the State of Louisiana.

Special homes for the handicapped (within the federal Fair Housing Act definition of "handicapped") are permitted uses in all residential zones where they are not permitted as of right, notwithstanding any zoning requirements inconsistent therewith, in all cases where granting permission for such use would be a "reasonable accommodation under the federal Fair Housing Act. A permit for such use will be granted by the City-Parish along with any provisions of the zoning ordinance that would otherwise prohibit such use will not be enforced, provided that the requested accommodation is reasonable. In determining whether a request for such a permit is reasonable, the City-Parish will consider the following:

- A. Whether the proposed special home for the handicapped would cause a "fundamental change," as interpreted by applicable decisions construing the federal Fair Housing Act in the City-Parish's zoning;
- B. Whether the proposed facility's violation of otherwise applicable zoning rules is "necessary," because of:
 - 1. The economics of its operation,
 - 2. The need for residential opportunities for handicapped persons, or
 - 3. Any other reason constituting "necessity" under applicable federal law; and
- C. Whether the proposed facility would cause any undue financial or administrative burden on the City-Parish.

Parties seeking a reasonable accommodation must submit to the City-Parish Planning Commission staff information addressing these issues on forms supplied by the City-Parish. If the City-Parish has not issued a decision either granting or denying such request within 45 days of the filing of a completed application, the request will automatically be deemed granted, and the facility as described in the application will be allowed to begin its operations.

Specified Sexual Activities for purposes of this chapter, are defined as

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy; or
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Specified Anatomical Areas for purposes of this chapter are defined as:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the aureole; or

- B. Human male genitals in a discernible turgid state even if completely or opaquely covered.

Stacking (Stacking of Sign) is constituted by the placement of more than one (1) face on a structure intended for the attachment of one (1) face per side on a business sign.

Start of Construction [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)] includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Story is the part of a building other than a basement from one floor to the next floor above or to the ceiling above if there is no floor above. A half-story is space under a sloping roof, all of which space must be at least three (3) feet high but not more than sixty (60) percent of which floor area may be finished off for use.

Streamers (See Pennants).

Street is property dedicated for and accepted for primary public access to lots. Alley means land dedicated, improved and publicly maintained providing secondary access to lots.

Street Planting Area is the front yard and the contiguous unpaved area of land that is to be used for landscape planting.

Structural Alteration is any change in the supporting members of a building, such as bearing walls or bearing partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls.

Structure is an object constructed or installed by man, including but not limited to, buildings, towers, smokestacks, and overhead transmission lines.

Subdivision

- A. Means the division of a lot, tract, or parcel of land into two (2) or more lots, plots, sites or a division of land, for the purpose, whether immediate or future, of sale or of building development;
- B. The dedication, granting of construction of a road, highway, street, alley, or servitude through a tract of land regardless of area, except where the dedication, granting or construction of a road, highway, street, alley, or servitude is done by the Parish of East Baton Rouge, the East Baton Rouge Sewerage Commission or the State of Louisiana.

Subdivision Sign is any sign designed to identify a subdivision or neighborhood, including multi-family developments.

Substantial Damage is damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed forty (40) percent of the market value of the structure before the damage occurred.

Substantial Improvement is any repair, reconstruction or improvements of a structure, the cost of which equals or exceeds forty (40) percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living.

Substantial Sign Modification (Substantially Modify) is a sign structure and/or a sign can that requires repairs or changes in excess of fifty (50) percent of the sign structure and/or sign face as determined by the Building Official.

Substitution Sign is a temporary sign that is allowed under the provisions stated in Section 16.12, Removal of Unsafe Signs.

Suburban Area is that area located outside the corporate limits of the city but within the area bounded as follows: Beginning at the intersection of the center line of the Mississippi River and the north boundary of T-6-S, R-1-W and proceeding easterly along the north boundary of T-6-S, R-1-E, to the intersection of this line with the west bank of the Comite River; thence southeasterly along the west bank of the Comite River to its intersection with the center line of the Illinois Central Railroad (Baton Rouge, Hammond and Eastern Branch); thence westerly along the center line of the Illinois Central Railroad (Baton Rouge, Hammond and Eastern Branch) to its intersection with the center line of Flannery Road; thence southerly along the center line of Flannery Road to the center line of Old Hammond Highway; thence southwesterly along the center line of Old Hammond Highway to its intersection with the east boundary of T-6-S, R-1-E; thence south along the east boundary of T-6-S, R-1-E, to Airline Highway; thence southeasterly along the center line of Airline Highway to its intersection with the center line of Siegen Lane; thence southwesterly along the center line of Siegen Lane and McQuaid Road to the center line of Highland Road; thence northwesterly along the center line of Highland Road to its intersection with the south boundary of T-7-S, R-1-E, and T-7-S, R-1-W; thence westerly along the south boundary of T-7-S, R-1-E, and T-7-S, R-1-W to its intersection with the center line of the Mississippi River; thence northerly along this center line of Mississippi River to the point of beginning.

Tablet (See Memorial Sign).

Telecommunications is the transmission, between or among points specified by the user, of information for the user's choosing, without change in the form or content of the information as sent and received.

Temporary Sign is a sign that is not permanently installed in the ground or affixed to any structure or building, and which is erected for a period of time as allowed or permitted in the Unified Development Code.

Time, Date, and Temperature Sign is a sign that provides only such items of information as time of day, date, temperature and other weather-related information (see Public Service Sign).

Town Housing is two 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. Town houses shall be permitted only in the A2.5, A3, A4, NC, C1, LC1, LC2, LC3, C2, PUD, and SPUD Zoning Districts.

Trailer or Mobile Home is a vehicle equipped for use as a dwelling and designed so that it may be hauled or transported along a highway. For the purpose of the Unified Development Code storage of individually owned vacation trailers, travel trailers, pick-up truck campers, tent trailers and bus campers is excluded, but no occupancy permits may be issued for any use including leasing, occupancy, renting or offering for sale of such trailers and no utility or sewer tie-ins will be permitted unless they are located in a trailer or mobile home park.

Transportation, Communication, and Utilities include areas where railroad, trucking, aviation, ports, automobile parking, communication, and utility facilities will be dominant.

Trash and Garbage Storage Area is that area of a development used for the storage and containment of refuse and refuse containers (i.e. "dumpsters").

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

Tree Class "A" is any self-supporting woody plant of a species that normally grows to an overall height of at least fifty (50) feet, usually with one (1) main stem or trunk and many branches, as in several varieties of oak trees.

Tree Class "B" is any self-supporting woody plant of a species which normally grows to an overall height of at least twenty-five (25) feet, with either one (1) main stem or trunk with many branches, or several stems or trunk (Crape myrtles for example).

Tree Removal or Shrub Removal is any intentional or negligent act which is likely to cause a tree or shrub to decline and die within one (1) year, including but not limited to, damage inflicted by application of toxic substances, operation of machinery, excavation or filling around root systems, or fire.

V-Shape Sign is any sign with the interior angle of the two (2) faces not exceeding forty-five (45) degrees when drawn on a plan.

Variance is a grant of relief to a person from the requirements of this chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this chapter (see Section 60.6 of the National Flood Insurance Program regulations).

Violation is the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

Vehicular Sign is a sign affixed to a vehicle, inside or outside of the vehicle, for the primary purpose to advertise a product or to direct people to a business or activity.

Vehicular Use Area is that area of private development subject to vehicular traffic, including accessways, parking aisles, loading and service areas, areas used for parking and storage of vehicles, boats, or portable construction equipment and all land which vehicles cross over as a function of primary use.

Vision Clearance is an area between the height of three (3) feet and ten (10) feet measured vertically from the grade level of the street.

- A. For a Freestanding Pole Sign the vision clearance is the sign-free area that extends from the road grade to the bottom of the sign.
- B. For a Freestanding Monument Sign the vision clearance is the sign-free area above the sign.

Vision Triangle (See Sight Triangle).

Waiver of Local Freeboard is a grant of relief to a person from the freeboard requirements of Section 15.18 that are in excess of the minimum requirements established in Section 60.6 of the National Flood Insurance Program Regulations.

Water Surface Elevation is the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Wall Area (Usable Wall Area) is the exterior wall or surface area of a building or structure that excludes doors.

Wall Sign is a sign applied to or mounted on the wall or mansard of a building or a structure, the display surface of which is approximately parallel to the wall. This definition excludes wall paintings and graphics.

Wastewater Suburban Transportation Network is the existing gravity and pressurized sanitary sewerage collection system operated by the City of Baton Rouge and the Parish of East Baton Rouge Department of Public Works.

Wholesale Trade are businesses primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wind Sign is any sign or display fastened in such a manner to move upon being subjected to pressure by wind or breeze.

Window Sign is any sign attached to or directly applied onto a window or glass door of a building, and intended for viewing from the exterior of such building.

Wireless Facility includes the tower, antennae, relay equipment, perimeter fences and any other equipment or building necessary for the operation of wireless reception and transmission.

Wireless Tower Setback is the distance from the property line of any Rural or residential zoned property or residential use to the perimeter fence of a wireless facility.

Wireless Transmission & Relay Equipment is any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of telecommunication signals external to or attached to the exterior and any building or other structures.

Yard is an open space on the same lot or tract as a building; except as provided herein it is unoccupied and unobstructed by a structure. Yard width or depth is the shortest horizontal distance from a lot line to the main building.

- A. **Front yard** means the area from one side lot line to the other side lot line and between the required front building line or main building and the street right-of-way line.
- B. **Rear yard** is the area from one side lot line to the other side lot line and from the main building to the rear lot line. On corner lots, the rear yard is the area from the side street side yard line to the other side lot line and from the main building to the rear lot line. The rear yard is always on the opposite end of the lot from the front yard.
- C. **Side yard** is the area from the front yard line to the rear yard line and from the main building to a side lot line.

Yard Sale (See Garage Sale).

Zero Lot Line Housing is Single Family Detached Housing and shall have only one (1) yard. The Zero Lot Line must be designated on the approved subdivision plat. The exterior wall constructed on the zero lot line shall be a one (1) hour fire UL rated wall with no openings. A five (5) foot private maintenance easement shall be provided on the lot adjacent to the Zero Lot Line for maintenance of the zero lot line wall. This shall be noted on the approved subdivision plat. Zero Lot Line subdivisions that contain lots that cannot meet Zero Lot Line criteria because of unusual circumstances may be allowed to have lots meeting the zero lot line area and dimensional requirements without a zero lot line designation when deemed appropriate and reasonable by the Planning Director.

- A. Interior Side Yard: The dwelling unit “zero” side must be placed on the property line with a zero (0) setback, and the dwelling unit setback on the other interior side property line shall be a minimum of five (5) feet (less than ten (10) feet shall be a one (1) hour fire UL rated wall with not more than twenty (20) percent of unprotected openings) excluding the connecting elements such as fences, walls and trellises. No structure, with the exception of fences, shall be placed within the five (5) foot maintenance easement for maintenance of the zero lot line wall. This shall be noted on the approved subdivision plat.
- B. Accessory buildings and structures shall observe setback requirements as otherwise provided in the Code.
- C. Openings Prohibited on the Zero Lot Line Side: The wall of the dwelling located on the zero lot line shall have no windows, doors, air-conditioning units, or any other type of openings. The following exceptions may be applied:
 - 1. Atriums or courts shall be permitted on the zero lot side when the court or atrium is enclosed by three (3) walls on the dwelling unit and a solid one (1) hour UL rated wall of at least eight (8) feet in height provided on the zero lot line. Said wall shall be constructed of the same material and fire rating as exterior walls of the unit;
 - 2. Fire rated and UL approved glass (or glass blocks) may be used, provided glazing is obscure in visibility. The opening shall not exceed eight (8) square feet in area;

3. Open porches are permitted on the zero lot line side provided openings facing toward the zero lot line are constructed within fifteen (15) feet of the zero lot line. An eight (8) foot one (1) hour fire rated wall shall be constructed on the zero lot line where openings are less than fifteen (15) feet from the zero lot line and facing that line; and
4. Open carports are permitted on zero lot line side provided the support post and beams are one (1) hour UL fire rated. Any accessory storage walls on the zero lot line must be one (1) hour UL fire rated.