



**TOWN COUNCIL MEETING
TUESDAY, JANUARY 9, 2024, 6:00PM
ABITA SPRINGS TOWN HALL
22161 LEVEL ST., ABITA SPRINGS, LA 70420**

Posted: January 5, 2024 4pm

CALL TO ORDER: Mayor Curtis
INVOCATION: Alderman Templet
PLEDGE OF ALLEGIANCE: Alderman Patterson

MAYOR'S ANNOUNCEMENTS:

PUBLIC HEARINGS:1.) Discussion and Public Comment related to Instrument 2023-007, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND THE TOWN'S CODE OF ORDINANCES, SECTION 9-218.2 - C2 HIGHWAY COMMERCIAL DISTRICT, RELATED TO ALLOWABLE USES IN THE DISTRICT. 2.) Discussion and Public Comment related to Instrument 2023-006, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-231 OF THE CODE, TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM RENTALS AND TO PROVIDE FOR RELATED MATTERS.

ROLL CALL:

Call for Agenda Modifications
Accept December 2023, Town Council Meeting Minutes

OLD BUSINESS:

- 1.) Consideration of Adoption of INSTRUMENT 2023-006, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-231 OF THE CODE, TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM RENTALS AND TO PROVIDE FOR RELATED MATTERS.
- 2.) Consideration of Amendment and Adoption of INSTRUMENT 2023-007, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND THE TOWN'S CODE OF ORDINANCES, SECTION 9-218.2 - C2 HIGHWAY COMMERCIAL DISTRICT, RELATED TO ALLOWABLE USES IN THE DISTRICT.

NEW BUSINESS:

- 1.) Introduction of INSTRUMENT 2024-001 AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS TO ESTABLISH A MORATORIUM ON THE ZONING OF ANY LANDS AS PLANNED UNIT DEVELOPMENT; TO ESTABLISH A TIME PERIOD FOR SUCH MORATORIUM AND TO PROVIDE FOR RELATED MATTERS.
- 2.) Discussion of the Town's Code of Ordinances, Section 9-209 (1) Divided zoning, corner lot, parking lot requirements, and maximum size of square and configuration of street. *Lots in two districts.* (E.J. Boudreaux)

OPEN/ADJOURNMENT:

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT US AT (985) 892-0711.
PLEASE CONTACT TOWN HALL AT THE SAME NUMBER FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA.



Instrument 2023-006

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-231 OF THE CODE TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM RENTALS AND TO PROVIDE FOR RELATED MATTERS.

1 **WHEREAS**, the short-term rental of residential units and dwellings is an increasing segment of the
2 rental market across the country; and,
3

4 **WHEREAS**, there are numerous short-term rental listings in the Town of Abita Springs; and,
5

6 **WHEREAS**, the regulation of short-term rentals is necessary to provide minimum safety requirements
7 and for the collection of applicable taxes; and,
8

9 **WHEREAS**, the regulation of short-term rentals is necessary to protect and promote the public peace
10 and the health, safety and welfare of the citizens of the Town of Abita Springs and the occupants of
11 short-term rentals; and,
12

13 **WHEREAS**, the Board of Aldermen of the Town of Abita Springs deems these amendments
14 appropriate to protect the health, safety, and welfare of the citizens of Abita Springs; and,
15

16 **NOW, THEREFORE, BE IT ORDAINED** by the Board of Aldermen of the Town of Abita Springs,
17 at its regular session convened, that Section 9-231 of the Code of Ordinances of the Town of Abita
18 Springs shall be amended as follows, to wit:
19

20 Amend SECTION 9-231. Short term rentals. (1.) *Applicability*, to add two new applicable zoning
21 districts as follows. The remainder of all other applicable districts, as set forth in Section 9-231 shall
22 remain in full force and effect following the amendment below.
23

24 e. Midtown Cultural District as defined in Sec. 9-218.3.

25 f. Residential-Commercial Overlay as defined in Sec. 9-229
26

27 Amend SECTION 9-231. Short term rentals. (2.) Regulations. as follows.
28

29 a. The short-term rental permit shall be in the name of the owner, who shall be an owner of the real
30 property upon which the short-term rental use is to be permitted. The owner shall provide a real
31 property document, translative of title, recorded in the St. Tammany Parish Clerk of Court's
32 Office.

33 b. The owner shall keep on file with the town the name, address, telephone number, cell phone
34 number, and e-mail address of a local agent who shall be responsible for responding to

- 35 questions or concerns regarding the operation of the short-term rental. This information shall
36 be posted in a conspicuous location within the short-term rental dwelling. The local contact
37 person shall be available 24 hours a day to accept telephone calls and respond physically to the
38 short-term rental within 60 minutes when the short-term rental is rented and occupied.
- 39 c. One person may hold no more than one short-term rental permit. On property zoned
40 residential, with more than one livable structure, only one will be allowed to be a short-term
41 rental. The permit shall not be transferable between structures.
- 42 d. Short-term rentals shall not be operated outdoors or in a recreational vehicle.
- 43 e. Short-term rentals use shall be limited to residential dwelling units existing and constructed as
44 of the date of application for the short-term rental permit.
- 45 f. Short-term rental dwellings shall meet all applicable building, health, fire, and related safety
46 codes at all times and shall be inspected by the fire department before any short-term rental
47 activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide
48 detector.
- 49 g. A minimum of one on-site parking space shall be provided for use per bedroom used by the
50 short-term rental occupants. Vehicles shall be parked in the designated area onsite and shall not
51 be parked on the street.
- 52 h. The short-term rental shall appear outwardly to be a residential dwelling. No exterior signage
53 or other exterior evidence that the property is used for short-term rental shall be permitted
54 except for a sign not more than four square feet showing the name of the house.
- 55 i. Use of the short-term rentals for commercial functions, ceremonies, and/or other special events
56 shall be prohibited.
- 57 j. The owner shall ensure that the occupants and/or guests of the short-term rental use do not
58 create unreasonable noise or disturbances, engage in disorderly conduct or violate provisions
59 of this Code or any state law pertaining to disturbing the peace, disorderly conduct,, or the use
60 of illegal drugs or be subject to fines and penalties levied by the town up to and including
61 revocation of the short-term rental permit.
- 62 k. The owner, upon notification that occupants and/or guests of his or her short-term rental use
63 have created unreasonable noise or disturbances, engaged in disorderly conduct or committed
64 violations of this Code or state law pertaining to disturbing the peace, disorderly conduct, or
65 the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests
66 or be subject to fines and penalties levied by the town up to and including revocation of the
67 short-term rental permit.
- 68 l. The owner shall maintain an occupational license and pay all occupancy taxes required by law,
69 including but not limited to state sales tax and hotel/motel occupancy tax.
- 70 m. No food service shall be provided by the owner or anyone on his behalf.
- 71 n. In zones that allow multi-family, for properties with more than 1 dwelling unit, only 50% of
72 dwelling units on the property can be used for short-term rentals- up to a maximum of 4.
73 However, all remaining units of owner-occupied multi-family dwelling can be rented as short-
74 term rentals. *(If the property owner lives in the four-plex, 3 units can be short term rental. If
75 none of the 4 units are owner occupied, then only 2 can be STR.*
- 76 o. The following “welcome information” shall be posted in a conspicuous location on an interior
77 wall inside the short-term rental for the safety and convenience of the occupants. As an
78 alternative to posting, the information may be provided in a “welcome binder” placed on a
79 coffee table, kitchen table, or other prominent location in the short-term rental.
- 80 • The address of the short-term rental,

- 81 • the location of the nearest hospital,
- 82 • the Emergency Number is 911,
- 83 • the current non-emergency police telephone number
- 84 • the dates and approximate times of trash and recycling pick up and procedures,
- 85 • the Emergency Contact: Name and phone number of the designated responsible party,
- 86 • emergency evacuation instructions,
- 87 • the floor plan showing emergency exits and shutoff valves,
- 88 • a statement of the presence of natural gas in the residence if applicable.

89

90 Any short-term rental located in a residential district requires notice of the need to respect the
91 peace and quiet of the neighborhood residents which shall state as follows: "Please be a good
92 neighbor by not making excessive noise or engaging in boisterous behavior, especially after
93 10:00pm. Such behavior can deprive your neighbors of the peaceful enjoyment of their
94 homes".

95 (3) **Permits.** Prospective owner-applicants of short-term rental use shall apply for an annual permit with
96 the Planning Director in accordance with the provisions of this section and on a form provided by
97 the town. The application must be approved by the Zoning Commission. A short-term rental permit
98 is a privilege, not a right, and may be revoked or not renewed based on non-compliance with the
99 requirements provided herein.

100 a. The application shall be accompanied by the short-term rental application fee as set forth herein to
101 cover the administrative costs of issuing a short-term rental permit and, but not limited to,
102 inspecting the following information:

- 103 1. The name, address, and phone number of the applicant, and verification that the applicant
104 is the owner of the property.
- 105 2. The assessor's parcel number of the lot on which the short-term rental use is proposed;
- 106 3. A site and floor plan identifying the location of parking on the site and the location of any
107 bedrooms to be used for short-term rental use;
- 108 4. Evidence that the property has current, valid liability insurance of \$500,000.00 or more
109 with proof that such coverage includes use as a short-term rental property; and
- 110 5. Acknowledgment of compliance with all regulations pertaining to the operation of a
111 short-term rental.
- 112 6. Occupational License
- 113 7. Fire Marshal Inspection Report
- 114 8. Copy of the required "Welcome Information"

115 b. The permit term for all short-term rental permits shall run from April 1 to March 31 of each
116 year, regardless of when issued. All permits must be renewed annually.

117 c. There shall be no more than fifteen short-term rental permits issued by the town annually.

118 d. The application fee shall be \$25.00. The annual permit fee for a short-term rental permit shall
119 be \$250.00.

120 e. Any fraud, material misrepresentations, or false statements contained in the attestations,
121 required documentation, or correlating application materials shall be grounds for immediate
122 revocation of a short-term rental permit. Furthermore, all requirements herein shall be
123 continuously maintained throughout the duration of the permit.

- 124 f. In the instance that a property with a short-term rental permit is sold, the issued permit is
125 transferable and will remain in effect for sixty days. The new property owner shall apply
126 within 60 days from the act of sale to apply for the renewal permit.
- 127 g. If an application is a renewal, it must be submitted by March 1. The application will be
128 reviewed administratively by the Planning and Zoning Director. Permits shall be issued upon
129 remittance of applicable fees and a determination that the applicant is in compliance with all
130 town ordinances. Properties found, in mayors court, to be in violation of town ordinances
131 which have not been remediated at the time of the application are ineligible for renewal.

132

133 (4) **Violations.** Any violation of this section and the correlating provisions in this chapter may subject a
134 violator to any remedy, legal or equitable, available to the town. Violations include but are not limited
135 to: advertisement or rental of a short-term rental without proper permitting, operation outside the scope
136 of any of the applicable short-term rental regulations provided by law and advertising a short-term
137 rental outside the permitted scope of a short-term rental permit. The planning director may suspend,
138 revoke or not renew any permit issued pursuant to this section if the planning director determines that
139 the permit holder has violated any provision of this section, two or more times. Remedies include but
140 are not limited to: revocation of a short-term rental permit, daily fines, and property liens, as more
141 fully provided in section 1-108 of this chapter. Each day of violation shall be considered a separate
142 offense. Nothing contained herein shall be construed to limit the legal remedies available to any other
143 person for the correction of violations of this section.

144

145 BE IT FURTHER ORDAINED that all other sections of Chapter 2 shall remain the same and in full
146 force.

147

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

151

152 Introduced on a motion of _____, seconded by _____ on the ____ day of ____.

153 Adopted on a motion of _____ and seconded by _____ on the ____ day of ____ 202.

154

155 The vote was:

156

157 Ayes:

158 Nays:

159 Abstentions:

160 Absent:

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163

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165

Janet Dufrene, Town Clerk

Daniel J. Curtis, Mayor



Instrument 2023-007

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-231 OF THE CODE TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM RENTALS AND TO PROVIDE FOR RELATED MATTERS.

1 Whereas, the current C2 commercial zoning ordinance possesses a limited and dated list of allowable
2 uses, hindering the adaptive growth and diversification necessary for a thriving commercial district.
3

4 Whereas, recognizing the dynamic nature of commerce and community needs, it is imperative to
5 expand the scope of allowable uses in C2 commercial zones to foster economic vitality, encourage
6 innovation, and meet the evolving demands of businesses and residents.
7

8 Whereas, an updated and comprehensive list of allowable uses in C2 commercial zones will not only
9 attract a broader range of businesses but also contribute to the overall vibrancy and sustainability of
10 our community, aligning with contemporary urban planning principles and supporting a diverse and
11 resilient local economy.
12

13 **NOW, THEREFORE, BE IT ORDAINED** by the Board of Aldermen of the Town of Abita Springs,
14 at its regular session convened, that Section 9-218.2 of the Code of Ordinances of the Town of Abita
15 Springs shall be amended as follows, to wit:
16

17 Amend SECTION 9-218.2 – C2 highway commercial district be amended to add and provide for
18 expanded allowable uses as follows. The remainder of all other applicable districts, as set forth in
19 Section 9-218.2 shall remain in full force and effect following the amendment below and the
20 alphabetical sequencing shall be reordered.
21

22 (b) Commercial enterprises not specifically listed or enumerated in the C-2 highway commercial
23 district, shall apply for a public hearing before the zoning commission to be held not earlier than
24 the next scheduled zoning commission meeting and not later than forty-five days which may be
25 extended by mutual consent of the applicant and the Board. The non-listed enterprises shall
26 submit information required by the zoning commission. The zoning commission shall decide if
27 the use is appropriate within 90 days of the public hearing. The zoning commission shall
28 consider criteria including the following in making their determination.

29 Compatibility with the adjacent neighborhood

30 Impact on existing infrastructure

31 Adherence to the goals of the Town of Abita Springs Master Plan
32
33

34 BE IT FURTHER ORDAINED that all other sections of Chapter 2-28.2 shall remain the same and in
35 full force.

36
37 BE IT FURTHER ORDAINED that if any provision of this Section shall be held to be invalid, such
38 invalidity shall not affect other provisions herein which can be given effect without the invalid
39 provision and to this end the provisions of this ordinance are hereby declared to be severable.

40
41 Introduced on a motion of _____, seconded by _____ on the ____ day of _____.
42 Adopted on a motion of _____ and seconded by _____ on the ____ day of _____ 202.

43
44 The vote was:

45
46 Ayes:

47 Nays:

48 Abstentions:

49 Absent:

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53 _____
54 Janet Dufrene, Town Clerk

Daniel J. Curtis, Mayor



AMEND INSTRUMENT 2023-007

1 THE FOLLOWING AMENDMENT WAS MOVED FOR ADOPTION BY ALDERMAN MEMBER
2 _____ AND SECONDED FOR ADOPTION BY ALDERMAN MEMBER _____.

3
4
5 **AMENDMENT 1**

6 On Page 1 delete the title and replace it with the following title “**AN ORDINANCE TO AMEND SECTION**
7 **9-218.2. OF THE TOWN OF ABITA SPRINGS’ CODE OF ORDINANCES, RELATED TO C-2 HIGHWAY**
8 **COMMERCIAL DISTRICT AND THE APPROVAL AND REGULATORY PROCESS RELATED TO USES NOT**
9 **SPECIFICALLY LISTED OR ENUMERATED AS ALLOWABLE AND TO PROVIDE FOR RELATED MATTERS.”**

10
11 **AMENDMENT 2**

12 On Page 1 line 31, delete the words “Master Plan” and in lieu thereof insert the following words
13 “proposed or adopted Comprehensive Land Use Plan and Development Standards. These documents
14 can be found on the Town of Abita Springs website or in the Planning and Zoning Office at Town
15 Hall.”

16
17 **AMENDMENT 2**

18 On Page 2 line 34, make the following technical correction: change the numbers “2-28.2” to “9-218.2.”

19
20 The vote was:

21
22 AYES:

23 NAYS:

24 ABSTENTIONS:

25 ABSENT:

26
27
28 _____
29 ATTEST

30 Janet Dufrene, Town Clerk

Honorable Daniel J. Curtis, Mayor

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INSTRUMENT 2024-001

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AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS TO EXTEND THE MORATORIUM ON THE ZONING OF ANY LANDS AS PLANNED UNIT DEVELOPMENT; TO ESTABLISH A TIME PERIOD FOR SUCH MORATORIUM, AND TO PROVIDE FOR RELATED MATTERS.

WHEREAS the Town of Abita Springs has availed itself of the provisions of R.S. 9:4722 which allow municipalities to create zoning districts; and,

WHEREAS pursuant to that authority, the Town of Abita Springs has created the zoning classification of a Planned Unit Development (PUD); and,

WHEREAS the Town of Abita Springs engaged Dover, Kohl & Partners, a town planning firm, to develop a Comprehensive Land Use Plan and prepare development standards to guide future growth in the Town, which is scheduled to be presented to the Planning Commission on January 26, 2024; and,

WHEREAS additionally, the Town has engaged and received commissioned reports from the Town Engineer concluding that the Town’s Wastewater Treatment System is lacking in capacity to accommodate new substantial development projects at this time; and,

WHEREAS the Town’s PUD Ordinance warrants evaluation and amendment to provide for the inclusion of a Planned Unit Development Flow Chart to assist in clarification of the PUD process; and,

WHEREAS the Mayor and the Board of Aldermen desire that no large tracts of land be reclassified as a PUD until adoption of the new Comprehensive Land Use Plan and resolution of current sewer capacity inadequacies; and,

WHEREAS it is therefore necessary to affect a temporary moratorium on the classification of additional lands in the corporate limits of Abita Springs as Planned Unit Development.

THEREFORE, BE IT ORDAINED by the Town of Abita Springs that there is hereby established an extension of the existing moratorium (Ordinance #526) involving the reclassification of any land situated in the municipal corporate limits of the Town of Abita Springs as a Planned Unit Development Zoning District.

BE IT FURTHER ORDAINED that this moratorium shall remain in effect and no land shall be reclassified as PLANNED Unit Development for twelve months from the effective date of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall be posted on the Town website and remain so until the moratorium’s expiration.

Introduced by Alderman Member Randolph, seconded by Alderman Contois on the ____ day of _____ 2024. Adopted on motion of Alderman Member _____ and seconded by Alderman Member _____ on the ____ day of _____ 2024.

This ordinance becomes effective upon signature of the Mayor.

Vote was:
YEAS:
NAYS:
ABSENT:
ABSTAIN:

ATTEST

Janet Dufrene, Town Clerk

Honorable Daniel J. Curtis, Mayor



INSTRUMENT 2024-002

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS, TO EXTEND THE MORATORIUM ON THE ISSUANCE OF ANY PERMITS WHATSOEVER IN THE FURTHERANCE OF OR USES ALLOWED IN THE COMMERCIAL DISTRICT OF THE TOWN AND FURTHER ANY SUCH PERMITS IN CONNECTION WITH COMMERCIAL AND MULTIFAMILY USES IN CERTAIN DESCRIBED PROPERTY IN THE TOWN OF ABITA SPRINGS AND TO PROVIDE FOR RELATED MATTERS.

WHEREAS the Town of Abita Springs engaged Dover, Kohl & Partners, a town planning firm, to develop a Comprehensive Land Use Plan and prepare development standards to guide future growth in the Town; and

WHEREAS additionally, the Town has engaged and received commissioned reports from the Town Engineer concluding that the Town's Wastewater Treatment System is lacking in capacity to accommodate new substantial development projects at this time; and,

WHEREAS, as although there have been several public hearings relative to land use in the commercial district, more citizen input is desired; and,

WHEREAS certain allowed uses in the Commercial District as set out in Section 9-218 Commercial District are outdated and not properly regulated; and,

WHEREAS the uses allowable in certain areas of the Historic District need to be delineated.

THEREFORE, BE IT ORDAINED by the Town of Abita Springs Board of Aldermen that there is hereby established a moratorium of the issuance of any permits whatsoever in the furtherance of or relative to the uses as set out in Section 9-218 Commercial District.

BE IT FURTHER ORDAINED that this moratorium shall only apply to those properties that require the issuance of a non-residential building permit for new construction including additions that enlarge existing structures by fifty percent.

BE IT FURTHER ORDAINED that there is additionally established a moratorium on the issuance of any permits whatsoever in the furtherance of a Commercial or Multifamily use in the following described property situated in the Town of Abita Springs:

Beginning on Hwy. 59 at the southeast corner of Square 31 in the Southwest Division of the Town of Abita Springs, proceed in a westerly direction to the intersection of the northern extension of Haynes Avenue. Proceed south on the Haynes Avenue extension to Cahill Street. Take Cahill Street west to Gordon Street. Proceed south on Gordon Street to Pearl Street. Take Pearl Street in a westerly direction to the intersection with Poitevent Street. Proceed on Poitevent Street in a northerly direction to North Street. Run east on North Street to its intersection with Gordon Street; Gordon Street north to Hwy. 36; Hwy. 36 west to Davis Cemetery Road; Davis Cemetery Road north to its intersection with the old Hwy. 435 extension to Hwy. 59, shown as old road on original map of Abita Springs dated January 1, 1951 by Robert A. Berlin, Deputy Parish Surveyor. Then continue along the projected extension of old Hwy. 435 from its intersection with Hwy. 59 in an easterly direction to a point where a northern extension of the Quarter corner of Section 30, T6S- R 12E would intersect with the old Hwy 435 extension. Thence run south 0 degrees 06 minutes east 1,340 feet; thence run south 89 degrees 50 minutes east 1,329.4 feet; thence run south 663.3 feet; Continue south 106.5 feet; thence run south 86 degrees 30 minutes west 330 feet; thence run south 0 degrees 30 minutes east 677 feet to the Abita River. Thence follow the meanderings of the Abita River in an easterly direction to its intersection with the Talisheek Road Hwy. 435. Thence follow Talisheek Hwy. 435 in a southwesterly direction to its intersection with Magnolia Street. Thence proceed south along Magnolia Street to Grover Street. Thence proceed in a westerly direction along Grover Street to its intersection with Pine Street. From Pine Street go south to the intersection of Eads Street. Thence proceed westerly along Eads Street to Gum Street. Thence south on Gum Street crossing Hwy. 36 to the intersection of 6th Street. Thence east on 6th Street to its intersection with the old right-of-way of the GM&O Railroad, now the Tammany Trace. Thence proceed south along the Tammany Trace right-of-way to the southern boundary of the Bossier City Addition to the Town of Abita Springs. Thence proceed westerly along the southern boundary of the Bossier City Addition to the Town of Abita Springs to its intersection with Hwy. 59. Thence north on Hwy. 59 to its point of beginning.

Start at the Corner of Sections 1,6,12, and 7 at the Intersection of LA Hwy 59 and Harrison Avenue and proceed East along Mandeville Street to Dundee then proceed North to a point where it intersects with an

70 extension of the Bossier City Line and proceed west along said southern line of the Bossier City Addition to
71 the Town of Abita Springs, the Commercial Overlay that runs parallel with Hwy 59 and then proceed south
72 along said eastern side of the commercial overlay to the point of beginning. The squares adjacent to the
73 trace (already controlled by Ordinance# 258) and along St. Charles Street the property noted as Squares
74 8,9,34,36,37,33,38,32,39,49,44,48,42,47,43,46,45 and 41 of the Bossier City Addition and exclude the
75 Industrial District adjacent to Mandeville Street and Dundee Street. Property along Highway 435 from the
76 Abita Springs Post Office to Acorn/ Confederate Lane and westward to join the area already zoned Historic.
77

78 BE IT FURTHER ORDAINED that an applicant may appeal to the Planning and Zoning Commission for
79 an exception to this moratorium. The Commission shall consider criteria including the following in
80 making their determination.

- 81
- 82 • Compatibility with the adjacent neighborhood
- 83 • Impact on existing infrastructure
- 84 • Adherence to the goals of the Town of Abita Springs, proposed or adopted Comprehensive
85 Land Use Plan and Development Standards. These documents can be found on the Town of
86 Abita Springs website or in the Planning and Zoning Office at Town Hall.
87

88

89 THAT THIS MORATORIUM shall be in effect and extended for twelve months from the effective date of
90 this ordinance. This ordinance becomes effective upon the signature of the mayor.

91

92 Introduced by Council Member _____, seconded by Council Member _____ on the -
93 _____ day of _____ 2024. Adopted on motion of Council Member _____ and seconded by
94 Council Member _____ on the _____ day of _____ 2024.
95

96

97 Vote was:
98 YEAS:
99 NAYS:
100 ABSENT:
101 ABSTAIN:
102

103

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105 Signed by the Mayor this _____ day of _____ 2024.
106

107

108 ATTEST
109

110

111

112

113 _____
114 Janet Dufrene, Town Clerk

115 _____
116 Honorable Daniel J. Curtis, Mayor
117

12/19/2023

Motion to amend Ordinance 9-209 (1)

Currently Ordinance 9-209 (1) states: *Lots in two districts*. Where a district boundary line as established in this chapter or as shown on the zoning map divides a lot which was in single ownership and of record at the time of adoption of this chapter, the use thereon and the other district requirements applying to the least restricted portion of the lot under the chapter shall be considered as extending to the entire lot, provided one-half or more of the lot is in the least restricted district. The use so extended shall be deemed to be conforming.

It is hereby ordained that section 9-209 (1) of the Town of Abita Springs Code of Ordinances be amended and reordained to read as follows:

(1) Lots in two districts: Where a district boundary line was established in this chapter or as shown on the zoning map divides a lot in single ownership and of record at the time of adoption of this amendment, the use thereon must comply with the requirements of section 9-306 Jurisdiction, that establishes the corridor relative to Historic District Jurisdiction and section 9-802 Standards for Planned Unit Development, and to provide for related matters.



Sec. 9-209. - Divided zoning, corner lot, parking lot requirements, and maximum size of square and configuration of street.

The following provisions apply to the districts established in this chapter:

- (1) *Lots in two districts.* Where a district boundary line as established in this chapter or as shown on the zoning map divides a lot which was in single ownership and of record at the time of adoption of this chapter, the use thereon and the other district requirements applying to the least restricted portion of the lot under this chapter shall be considered as extending to the entire lot, provided one-half or more of the area of the lot is in the least restricted district. The use so extended shall be deemed to be conforming;
- (2) *Lots in business or industrial districts adjacent to residential zone.* Where a lot in a business or industrial district abuts a lot in a residential district there shall be provided along the abutting lines a yard equal in width or depth to that required in the residential district unless the building is constructed of masonry fire resistant material as defined in the fire code;
- (3) *Parking lots and driveways abutting residential district.* Whenever a parking lot or a driveway to a parking lot is hereafter established in a commercial district so as to abut the side or rear line of a lot in a residence district a solid masonry wall, or a substantial sightly fence not less than five feet high and not more than six feet high, shall be constructed and maintained along the side or rear lot line. In addition, in all use districts, the lighting, including any permitted illuminated sign, on any parking lot or driveway shall be arranged so that there will be no annoying glare direct or reflected toward residence buildings or residence districts.
- (4) *[Maximum size of squares.]* All streets accepted into the maintenance system of the Town of Abita Springs shall be conformed into grids with squares at right angles. Those squares shall not be larger than 300 square feet. All lots created in such squares shall be of a minimum size of 100 feet by 150 feet. All properties developed shall provide for the connection into existing streets as provided in this subsection.

(Ord. No. 108, § 19.18, 9-4-79; Ord. No. 188, § 1, 6-18-96; Ord. No. 302, 4-18-06)