

COASTAL MANAGEMENT
PLAN
FOR
CALCASIEU PARISH

APPROVED

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Office of Ocean & Coastal Resource Management
U.S. Department of Commerce

ENACTED

October 16, 1986
Calcasieu Parish Police Jury

N O T I C E

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AUTHOR'S NOTE

The Calcasieu Parish Coastal Zone Management Program has gone through the hands of many individuals since the Parish first entered this program in 1976. As the final coordinator of this project, I can not take full credit for the ideas, technical information, and other data that is incorporated in this report. My job involved taking the information previously prepared, adding to this information and then compiling it into today's format. Therefore, thanks must be given to all parties involved through the years.

The Imperial Calcasieu Regional Planning and Development Commission (IMCAL) is due much gratitude. First, for the initial work on the Calcasieu Parish Program and, then, for the continued assistance given to me as I took over and worked on the program.

Special thanks also goes to Mr. Michael Tritico, whose technical and environmental information added much to this document; to Mr. Lucas Terracina and Ms. Jackie Bowman for their work and support on this project; and, to the Calcasieu Parish Planning Staff, who worked beyond expectations in the preparation of this document.

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Certified Copy of Resolution

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CALCASIEU PARISH

POLICE JURY

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Vice-President

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R. M. Goldsmith

Roy Arrant

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Ray Campbell

A. B. Franklin

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John F. Vaughn

CALCASIEU PARISH
PLANNING COMMISSION

Mickey Laborde
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W. D. Treme
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Pam Sturrock - Departmental Secretary

P R E F A C E

This report has been completed in compliance with the guidelines of Act 361, and the rules and procedures outlined in Appendix 2 of the Louisiana Coastal Resources Program Final Environmental Impact Statement. All materials and information used in the report has been checked to assure consistency with La. R. S. 49: 213.

The need for this report was originally determined by the Calcasieu Parish Police Jury in 1976. Preliminary studies have been developed and reported to the State Planning Office yearly. In 1980, when the rules and procedures for the establishment of a local CZM program were developed and approved, the parish decided to compile the information prepared over the years and establish a local Coastal Management Program to regulate coastal uses in Calcasieu Parish. This report, has been established after revising and updating previously prepared data; and preparing new sections to be added to the old material.

The purpose of completing this program is so that a Coastal Management Program can be established in Calcasieu Parish that will regulate and protect the parish's coastal zone. The Calcasieu Parish Police Jury has a history of establishing programs and policies that will help prepare for the future, while providing for the needs of today. Hopefully, this program will succeed in the preservation of the coastal zone for the future enjoyment of the people of Calcasieu Parish and also meet the future economic needs of the parish.

STATE OF LOUISIANA

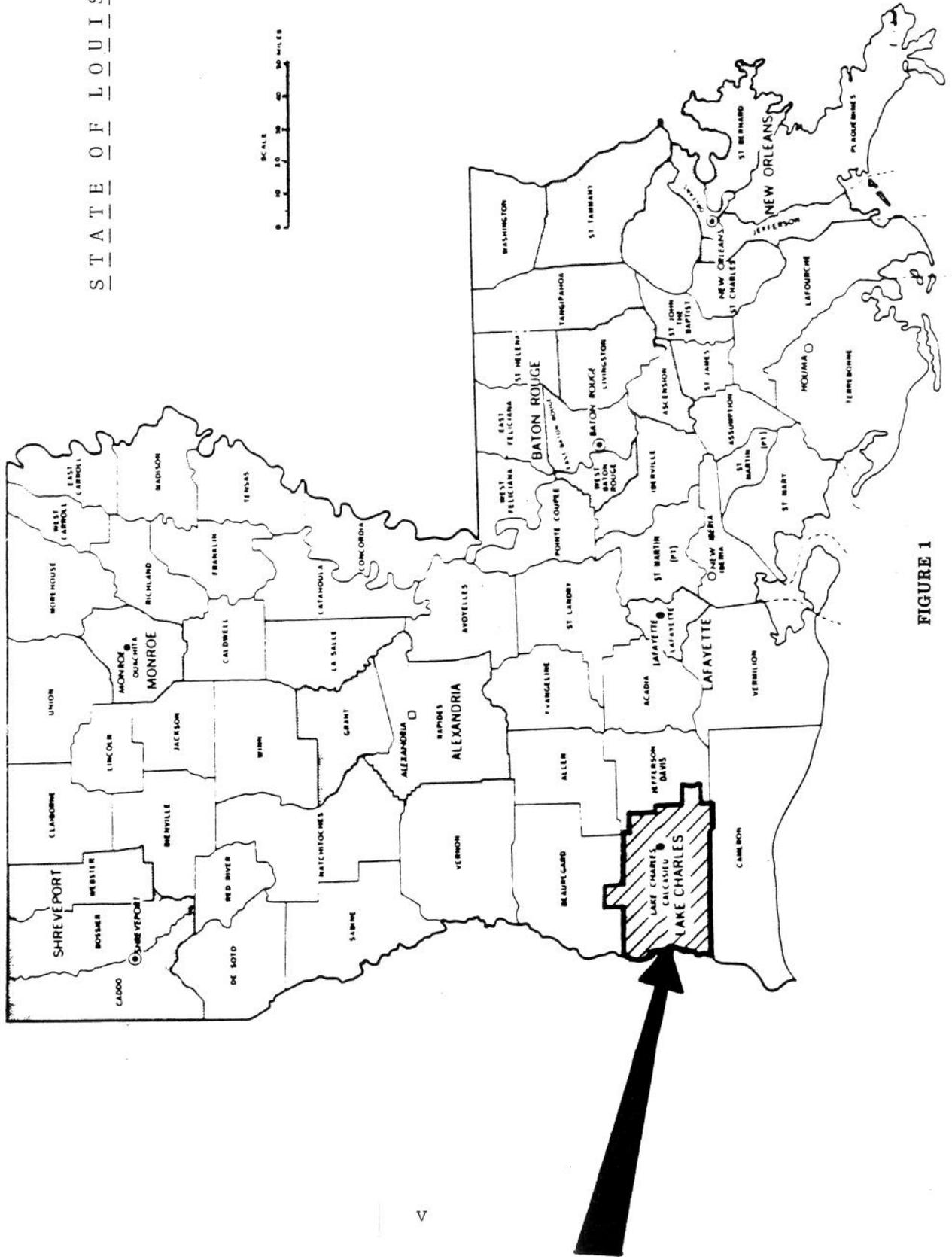


FIGURE 1

INTRODUCTION

TO

COASTAL ZONE MANAGEMENT

AND

THE CALCASIEU PARISH

COASTAL ZONE MANAGEMENT PROGRAM

CALCASIEU PARISH

Calcasieu Parish is located in the southwestern portion of Louisiana (see Figure 1 for location), with the City of Lake Charles serving as the seat for the parish governing body, and as the economic hub of the parish. The entirety of Calcasieu Parish is designated as a Standard Metropolitan Statistical Area (SMSA) with a total population, according to the 1980 census, of 167,223. The six incorporated areas of the parish include Lake Charles, Sulphur, Westlake, DeQuincy, Vinton, and Iowa.

The geography of the parish varies from large level areas of flatwoods combined with rolling hills in the northern portions of the parish to wetland soils, and freshwater and saltwater bodies interspersed with cheniers in the central and southwestern part of Calcasieu Parish. The culture is a synthesis of Old South and Cajun, tempered by the sophistication that has come with the industrialization of the area.

The major employers in the parish are in petrochemicals, chemicals, mining (oil and gas), aluminum, raw and calcined coke, retail merchandise, synthetic rubber, utilities, government, and construction. The transportation network serving these employers and the rest of the parish include air, water, and land transportation types. The Lake Charles Municipal Airport provides convenient air travel service, with the DeQuincy and Sulphur airports providing general aviation and crop-dusting services. The Port of Lake Charles is a major deep water port located on the Calcasieu River Ship Channel which serves the Mid-South and the Mid-West. The Port of Vinton and the West Calcasieu Harbor and Terminal District also serve the local industrial needs. The Intracoastal Waterway which is an inland waterway connects these ports with the Port of New Orleans. Interstate 10 divides the parish into north and south, with U.S. Highway 171 and 90, along with several state highways, also serving the transportation needs of the parish.

Recreational activities in the parish include swimming, and other water related activities on the Lake Charles; various carnivals; museums; concerts, plays and exhibits held at the Le Centre Civique de Lake Charles; horse racing at Delta Downs in Vinton; picnicking, camping and boating at the Sam Houston State Park; and enjoying the Creole Nature Trail south of Sulphur. McNeese State University and Sowela Technical Institute are the higher education facilities serving Calcasieu Parish.

The Calcasieu Parish government is a progressive, administrative type government. The Police Jury, which is elected by single member districts, has established an administrative staff to carry out the technical functions for the Police Jury. Figure 4 shows the departmentalization of the Police Jury staff. The Police Jury has also been forthright in establishing the needed land use controls parish wide, as well as other regulations for the protection and betterment of the parish. The authorization by the Jury to establish a Coastal Zone Management Program is an example of the Calcasieu Parish Police Jury's dedication to planning, preparation and protection of the parish for the needs and uses of the future.

Organizational Chart

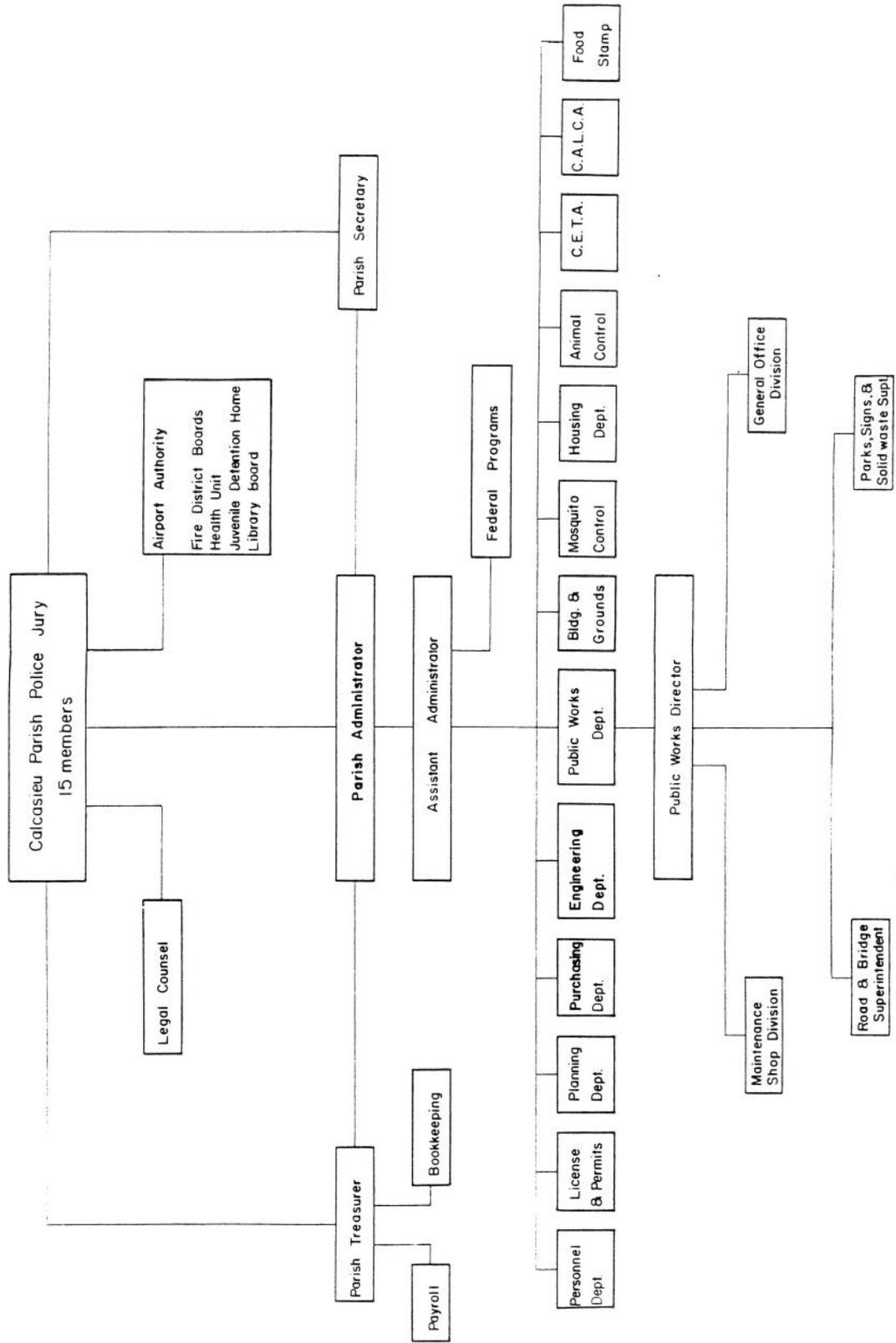


FIGURE 4

COASTAL ZONE MANAGEMENT - A BRIEF HISTORY

The need for coastal management policies grew out of a realization that many of our coastal resources were being depleted. During the early 1970s it was realized that the coastal areas of the United States were providing very important resources to the country, as well as providing recreation, employment, and income to both the residents of the coastal areas and to the people in all parts of the country. The concept of coastal management arose to protect these resources in a manner that would also encourage environmentally sound growth and development.

In 1972, the United States Congress took the first steps necessary for the establishment of coastal management policies. The Coastal Zone Management Act of 1972 was enacted to encourage the development of plans and policies in the nation's coastal areas. The National Oceanographic and Atmospheric Administration (NOAA), under the Department of Commerce, was set up as the federal agency in charge of establishing coastal zone management programs in coastal states.

In response to the action taken at the federal level, the State of Louisiana in 1975, through the State Planning Office, requested that the Southwest Federal Regional Council help in the development of a statewide coastal management program. With "The Louisiana State and Local Coastal Resources Management Act" of 1978 (Act 361), the state legislature became involved, creating a coastal zone management program for the state. This Act basically established a comprehensive set of coastal zone management policies to be used as guidelines; organized the procedures through which to implement the policies set forward; and delineated the coastal zone boundary in the state. In September 1980, the Louisiana Coastal Resources Program was accepted by the Coastal Zone Management Office of the NOAA. Each coastal parish within the state coastal boundary was then encouraged to develop a local program that would identify the goals, problems, and needs at the local level.

Calcasieu Parish's participation in the Coastal Management Program began in 1976 with the help of the staff of the Imperial Calcasieu Regional Planning and Development Commission (IMCAL). With help from the State Planning Office, IMCAL oriented the Calcasieu Parish Police Jury to the goals and ideals of the Federal and State CZM programs. Soon thereafter a Coastal Advisory Committee was set up to review and evaluate the state CZM program and determine what the coastal needs were for the parish. The parish was particularly interested in the concept of coastal management because of its long range growth-management capability. The parish had already been, for some time, aware of the need of regulatory control and user accountability, and had already begun to implement such control oriented ordinances such as subdivision regulations, zoning regulations, flood control regulations, and electrical inspection regulations. Seeing the demands being placed upon the wetland areas of the parish, and becoming increasingly aware of the need to regulate the use of the non-renewable resources present in these wetlands, the parish government decided that the best means of regulating uses in the coastal wetlands would be at the local level. A local program was therefore necessary.

This document is the program deemed necessary in 1976. Much work and effort on the parts of many people has gone into the preparation of the Calcasieu Parish Coastal Resources Program since that time. From 1976 on, the various committees set up to study and prepare reports for the Coastal Management program have been active at both the local and state level. Calcasieu Parish was very actively involved in promoting the establishment of a viable coastal zone management program statewide from 1976 until the acceptance of the state program in 1978.

With the acceptance of the state program, coastal boundaries were set for each parish. The coastal advisory committee for the parish at that time, along with the Parish Police Jury were not pleased with the boundary set for Calcasieu Parish. The Coastal Advisory Committee requested that the northern boundary of the parish's coastal zone be extended to the 100 year flood plain level. It was their contention that the lands contained in conjunction with the existing parish coastal zone, would be a more accurate indication of the true extent of the wetlands of Calcasieu Parish. This boundary was never changed and remains as all the land south of the Intracoastal Waterway and north of the parish line.

Since 1978, work has continued in the parish with the development of yearly reports in 1978, 1979, and 1980. These reports were the building blocks for the development of the local program. With the acceptance of the Final Environmental Impact Statement of the Local Coastal Resource Program in 1980, rules and procedures for the development, approval, modification, and periodic review of local coastal management programs were derived thereby allowing for the completion of the local program to start in 1981.

In 1981 the Calcasieu Parish Planning and Development Office took over the development of the Coastal Management Program from IMCAL. The Planning Office had been set up by the Police Jury during the 1980 fiscal year, and it was the contention of the Jury that the new planning office should take over the CZM functions of the parish so as to allow the coordination of the new program with previously established programs. The Calcasieu Parish Planning Commission was designated the Coastal Advisory Committee for the Parish.

The years of 1981 through 1985 were spent first in the orientation of the Parish Planning Staff to the Coastal Management Program, and second on the compilation of data already completed and the completion of unfinished portions of the local program for the submission of a final draft report to the State Department of Natural Resources for approval. Upon approval of the Calcasieu Parish Coastal Resources Program, it will become a part of the State's coastal resources program.

THE LOCAL PROGRAM

The primary purpose of developing a local Coastal Management Program was so that a workable means by which to regulate uses in the coastal zone could be achieved that would meet the needs of the local people while at the same time would promote development that will be ecologically sound. To develop such regulations and policies a thorough study of the area to be regulated must be conducted.

This document is the culmination of an exhaustive study of the Calcasieu Parish CZM unit which includes an analysis of the problems of the area, the environmental characteristics of the area, the social and economic characteristics and needs, the area's resources, and the conflicts caused by using the resources. Once the area was studied, the goals and objectives were formulated to correct the problems or improve the existing conditions. These goals and objectives are the basis on which the policies included in this program were formed.

In the development of this program, it was necessary to first look at the coastal zone as a whole, and to then divide the zone into several environmental management units (EMU's). Each management unit has unique ecological characteristics, with natural or locally recognized boundaries. The management units are referred to throughout the document when examining particular characteristics, problems, or goals. The Calcasieu Parish EMU's are:

- | | |
|---------------------|--------------------|
| 1. West Black Bayou | 4. Calcasieu River |
| 2. Bancroft | 5. Calcasieu Lake |
| 3. West Black Lake | 6. Black Bayou |

The Louisiana Coastal Resources Program allows parishes to set aside "Special Areas" that are unique natural resources or have development potential. Special policies and/or procedures are allowed to be applied to these areas. In Calcasieu Parish, the entire Coastal Zone could be designated as a special area because of the presence of the Gulf Intracoastal Waterway which acts as the northern boundary for the parish coastal zone, and the Calcasieu River which flows through the eastern portion of the coastal zone on its trek to the Gulf of Mexico to empty its waters. Both of these water courses support ship and barge traffic traversing the coastal zone. Because of the uniqueness of the zone, it was felt best to develop special management procedures throughout the overall program, instead of designating special areas within the zone, so that proper protection of the environment can be accomplished and sustained, while maintaining the economic strength of the area.

In preparing this report, several problems were noted to exist that permeate the EMU's boundaries. These problems will be discussed in greater detail later in this report, however, as a preface for the report, the following is a brief outline of the problems existing in the parish's coastal zone.

1. Waste disposal, in low lying areas, of solid, liquid and toxic waste.
2. Ground water depletion which could become critical as industrial and residential demands north of the coastal zone increase.
3. Soil subsidence caused by channelization, mineral extraction, and shifts in the Chicot aquifer.
4. Saltwater encroachment into fresh surface and ground water supplies.

5. Water pollution caused by sources north of the coastal zone and ship traffic.
6. Water related erosion due to wave action as well as channelization changes.

The goals and objectives designed to relieve the above mentioned problems will be discussed later in this report; however, the problems and the goals were considered throughout the development of the report in the hopes that the final outcome, "The Coastal Management Plan for Calcasieu Parish", would be an effective means of regulating uses in the coastal zone. These regulations will be used by the parish to regulate uses of local concern, as described on page 72; while the guidelines and policies presented herein will provide the basis upon which the parish will develop comments and recommendations concerning uses of state concern. The Calcasieu Parish Coastal Zone Management Ordinance, which can be found on page 75, establishes a process for permitting, regulating, and monitoring activities in the Calcasieu Parish coastal zone. It is therefore a means by which to regulate uses that are potentially harmful to the environment, to plan and direct future development in the parish's coastal zone, and to enforce the goals, objectives and policies throughout the coastal zone in the interest of preserving and enhancing the recreational, cultural and economic features of the Calcasieu Parish coastal zone.

In review it can be seen that a very methodical means was used to establish the direction that Calcasieu parish should take for the future of its coastal zone. The environmental, social and economic characteristics and needs were discussed; the resources in the coastal zone were noted and discussed along with the resource users and the conflicts caused by the use of these resources; the goals, objectives, and policies for the coastal zone as well as the individual management units were delineated; a permitting process was established; and, an ordinance was designed as the legal means by which to regulate the various uses in the parish's coastal zone.

ENVIRONMENTAL
CHARACTERISTICS
OF
THE CALCASIEU PARISH
COASTAL ZONE

ENVIRONMENTAL CHARACTERISTICS

To adequately discuss the problems and needs, and then develop policies to meet these problems and needs, it is necessary to first look at the environmental characteristics of the area to be discussed. This section of the report will give an overall picture of the appearance of the parish's entire CZM unit; however, a more detailed discussion of these characteristics will be given when analyzing the individual environmental management units (EMU's) later.

This section is divided into two parts. The first part will discuss the actual physical components that make up the CZM unit. These components are the ones that Mother Nature provided to the Calcasieu Parish coastal zone, such as the topography, soil conditions, climate, and the vegetation. The second part will discuss the man-made features of the environment such as the farming, the ship canal, and the current land uses.

These features are discussed, and also shown graphically on maps. Together they provide a very good picture of what the parish's coastal zone naturally consists of and how it exists today. This environmental discussion will provide good foundation for the rest of this report.

THE PHYSICAL COMPONENTS OF THE COASTAL ZONE:

Calcasieu Parish lies in the southwest portion of Louisiana, immediately north of Cameron Parish, and approximately 40 miles north of the Gulf of Mexico. Principal waterways in the parish are the Sabine River on the parish's western boundary and the Calcasieu River which passes almost through the center of the parish.

The climate of the Calcasieu Parish Coastal Zone Management Unit is a mixture of tropical and temperate zone conditions and is greatly influenced by proximity to the Gulf of Mexico. The area enjoys abundant rainfall and moderate temperatures with only a few short periods of temperatures below 32 degrees Fahrenheit. However, continual heat and cold waves penetrate the area. In summer, prevailing southeasterly winds reduce occurrences of extremely high temperatures, while bringing rainshowers and an occasional tropical storm. In winter the cold continental air and the warmer tropical air alternate causing drastic variations in the climate. Winter cold masses that penetrate have their severity moderated by the extreme southern location of the unit. They still provide stimulating effects of seasonal change.

Marine air temperature over the area are moderated throughout the year by the combined effects of southerly to easterly prevailing winds and the surface temperature of the Gulf waters. The monthly mean temperature for the area varies from a low of 60 degrees in January to 82.4 degrees in August.

Rainfall is distributed rather evenly throughout the year. Summer has the heaviest rainfall from thunderstorms of short duration and infrequent tropical storms. The lightest rainfall occurs in spring and fall which are transitional times of the year for the area. Maximum rainfall is in July.

Cloudy, rainy weather occurs more frequently in winter than in other seasons. Snow and sleet are seldom seen and hail is infrequently reported. High relative humidity is normal for this area, with it staying fairly uniform year round. The growing season averages 317 days of the year.¹

Soils in the coastal zone have resulted from the build up of sediment over several thousands of years. This sediment was deposited by the Mississippi River as it shifted its course. The soil associations present in the Calcasieu Parish coastal zone are the (1) Harris-Salt Water Marsh Association; (2) Harris-Fresh Water Marsh Association; (3) Morey-Beaumont Association; and (4) Crowley-Morey-Mowata Association.

A soil association is a landscape that has distinctive patterns of soils and normally consists of one or more major soils and several minor soils. A soil association may contain similar or strongly contrasting soils.²

Soil subsidence potential refers to the maximum possible loss of surface elevation after a soil with organic or semifluid mineral layer is artificially drained and dried; or, the amount of sediment compaction occurring. Initial, short term subsidence is due to loss of ground water bouyancy, consolidation, and compaction; after this, lowering of soil surface levels will continue at a rather uniform rate due to biochemical oxidation or organic materials. Long term subsidence occurs naturally as sediments compact beneath the surface of all shallow soils.

Continued subsidence or organic soils is a severe limitation for most urban or industrial uses. However, short term subsidence or organic soils can be prevented by maintaining water levels at the surface, and can be reduced by maintaining the water level as high as possible. Long term subsidence of sediment compaction, though, can not be controlled.

Soil subsidence potential has been divided into five categories reflecting degrees of severity of subsidence potential. Calcasieu Parish's coastal zone only contains three of the five catagories. Figure 5 shows the area of the parish with subsidence potential. Below is an explanation of the catagories existing in the parish.

Limited - Soils have limited potential of subsidence. These include mineral soils that contain no organic or semifluid mineral layers. Subsidence that does occur is a result of natural compaction of the sediment.

Low - Soils have subsidence potential ranging from 0 to 3 inches if drained. These include mineral soils with firm subsoils and thin mucky or semifluid clayey surface layers.

Moderate - Soils have subsidence potential ranging from 3 to 16 inches if drained. These include soils that contain thick semifluid mineral layers and soils that contain layers with a total thickness of less than 16 inches.³

Land loss potential refers to the stability of all land areas, particularly the areas adjacent to channels dug for pipelines, transportation or drainage. It is related to and caused by subsidence; eustatic rise in sea level; salinity intrusion and resultant loss of marsh; and storm surges. There also is close correlation between soil subsidence potential and land loss potential due to channel construction. In general, those areas with limited or low subsidence potential will have low land loss potential, those areas with moderate soil subsidence potential have medium land loss potential.⁴

The vegetation of the coastal zone is fairly determinate on the topography of the area. In areas where pleistocene deposits occur, terrace lands which are above five feet in elevation exist with upland vegetation, such as mixed upland pine and hardwood forest. The coastal zone boundary is close to the juncture of the pleistocene terrace and coastal wetlands. Coastal prairie and cultivated rice fields are prevalent in this area. These areas are designated on Figure 6 as "Mixed Upland Pine and Hardwood Forest".

The rest of the coastal unit is predominantly low lying land consisting primarily of marsh vegetation. The coastal zone of the parish contains three separate types of marsh vegetation with transitional areas where there is gradual blending of different marsh vegetation. The types of marshes existing in the coastal zone are fresh, intermediate, and brackish. Typical vegetation in fresh marsh is maiden cane (Panicum hemitomon), water hyacinth (Pontederia cordata), alligator weed (Alternanthera philoxeroides), cattail (Typha species) and bulltongue (Sagittaria species). Vegetation typical to intermediate marsh is wiregrass (Spartina patens), deer pea (Vigna repens), bulltongue, wild millet (Echinochloa walteri), bullwhip (Scirpus californicus) and sawgrass (Cladium jamaicense). Brackish marsh vegetation typically is wiregrass, three cornered grass (Scirpus olneyi), coco (Scirpus robustus) saltgrass (Distichlis spicata) and black rush (Juncus roemerianus). The various marsh types are shown on Figure 6.

In the Calcasieu River Management Unit, there exist a geological area described as modified wetlands. These are areas that have been leveed, ditched, filled, or drained for urbanization, flood protection, navigation, farming, mining, spoil disposal, or waterfowl management purposes. The natural wetland processes no longer occur in this area. Choupique Island has been modified for farming purposes and has also been used for depositing spoil. This area is designated on Figure 6 as "Modified Wetlands".⁵

Topographic Features of the parish coastal zone are primarily a result of the various waterbodies contained within the boundaries of the CZM unit. The natural waterbodies existing in the unit are Calcasieu Lake and Calcasieu River. Both of these bodies have natural levees caused by sedimentation. Manmade waterways in the unit are the Calcasieu Ship Channel and the Gulf Intracoastal Waterway. Spoil banks and manmade levees have caused ridges in the unit. These levees and ridges are the only areas in the coastal zone which are above or at the five foot elevation. The balance of the coastal zone is below the five foot contour line.

Flood Potential in the coastal zone can be seen best on the map presented as Figure 7. As is shown on the map, most of the zone is prone to flooding. Only those areas built up by spoil banks or manmade levees, or having pleistocene deposits are not flood hazard areas.⁶ The Federal Flood Insurance Hazard Boundary Maps indicate that most of the Bancroft and West Black Bayou areas are in D zones which are areas of undetermined, but possible, flood hazards; that the none flood prone areas are designated in the C and B zones, which are areas of minimal flooding, areas between the limits of the 100-year flood and 500-year flood, or areas protected by levees from the base flood; and that the designated flood prone areas fall within the 100-year flood area with flood hazard factors of A-2 in the West Black Lake EMU and A-5 in the Calcasieu Lake, Calcasieu River and Black Bayou EMU's.⁷

The unique ecological features of the Calcasieu Parish Coastal Zone include the presence of the Red Wolf (Canis rufus), the existence of fish and shellfish nursery grounds, wading bird rookeries, and the ecotonic nature of the unit.

The presence of the Red Wolf is the most unique ecological feature in the Calcasieu Coastal Zone. The Red Wolf is on the Rare and Endangered Species List; and few, if any, have managed to survive in the area because of drastic alterations of natural habitat and extermination attempts by misinformed people who thought that the wolves were less valuable than, and a threat to, domestic livestock. The former role of the Red Wolf may have been as an additional predatory barrier to migration of large herbivores, such as elk or bison which reportedly ranged this far south during a few weeks each winter. By their presence along the perimetry of Texas and Louisiana coastal marshes,

the red wolves could have prevented overgrazing of marsh fringes and the consequent displacement toward the central marsh of local, non-migratory herbivores. Some of the deterioration of regional marshes may be a result of loss of this protective barrier and the simultaneous introduction of large herds of cattle.⁸

Another unique ecological feature, within the Calcasieu Lake EMU, is the existence of primary fish and shellfish nursery grounds. The northern cove of the lake is serving as a lacustrine nursery for certain immature aquatic organisms. Three factors together tend to provide evidence that the area is the location for such a nursery ground. The presence of a gentral gyral which often persists in the area; the presence of a "hole" which is well known to local commercial crabbers and is an area of several acres; and the combination of wind protective, constructive, chemical and biological modifier effects exerted by the variety of adjacent landforms. An area in the western portion of West Black Bayou also is classified by the Louisiana Coastal Resources Atlas as being a fish and shellfish nursery ground.

A wading bird rookery exists in the West Black Lake EMU. A rookery is the nest colony or breeding place of gregarious birds. Such birds to exists in this area would be herons, egrets, ibises and anhingas.⁹

Each management unit is ecotonic in nature. That is, each management unit is almost entirely an interface or transitional zone and therefore an area of great biological diversity and importance. Such a situation existed historically because this region was an area of interlocking marshes with strips of higher ground populated with upland vegetation and, in the aquatic environment, the particular stretch of river which surrounded Choupique Island represented a transition zone of intermediate salinity during part of the year. Manmade alterations, most importantly the Calcasieu Ship Channel and the Gulf Intracoastal Waterway, have compounded the interfacial nature of all management units. There have been both positive and negative ecological effects stimulated by the increase ecotonicity of the Calcasieu Coastal Zone, the most positive being inceases in the areal extent of upland vegetative potential upon spoil banks, with corresponding increases of complimentary wildlife species at the expense of former floral and faunal assemblages. The most negative effects of the increased ecotonicity of this coastal zone are primarily hydrologically based, that is, disruption of north-south sheet flows by the Intracoastal Waterway spoil banks and decreased salinity regulatory potential as a consequence of the Ship Channel. Both alterations greatly alter residences times for nutrients and pollutants. As could have been expected, there have been noticeable changes in ecological equilibria as a result of distortion in ectones.¹⁰

Hydrology deals with the properties, distribution, and circulations of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere. Calcasieu Parish falls within Hydrologic Unit IX, Groundwater region 2, and is most affected by the Calcasieu River Basin.

According to LSU professor, Robert H. Chadbreck, Calcasieu Parish lies within Hydrologic Unit IX, which is a unit providing for grouping of the areas with common drainage characteristics. Unit IX encompasses the Calcasieu River, the Sabine River, and all of the associated marshes.

Groundwater characteristics are catagorized into four regions of differing quantity and quality of groundwater. There is only one groundwater region found in Calcasieu Parish which is Region 2. This region extends over southwest and southcentral Louisiana. Wells in the quanternary sand and gravel deposits range in depth from 200 feet to 700 feet, and yield large quantities of water. The pumping rate obtainable from these wells

is as much as 4000 gpm, but normally ranges between 1,000 and 2,000 gpm. Water levels range from 20 to 70 feet below the surface, except in the Lake Charles area where levels have declined to about 110 feet below the land surface. The contour lines shown on Figure 9 indicate the base of fresh ground water deposits which is defined as having a chloride content of less than 250 ppm.

According to the Department of Environmental Quality's Louisiana Water Quality Management Plan, Calcasieu Parish falls within the Calcasieu River Basin. This basin is located in southwestern Louisiana, east of the Sabine River, south of the Red River, and west of the Mermentau River. The basin is located in a water-rich area of the United States, which receives abundant rainfall, and also has vast sources of untapped groundwater. Aquifers containing fresh groundwater underlie most of the basin, except for the coastal area, with the Chicot Aquifer being the main freshwater supplier for the basin area. The four principal physiographic areas in the basin are the Bently Terrace in the upland areas; the Montgomery Terrace in the rolling hill area between the uplands and the prairie; the Prairie Terrace between the rolling hills and the coastal marsh area; and, the Deltaic Plain in the coastal area. Land use in the Calcasieu River Basin is extremely varied with a large urban industrial area around the Lake Charles Metropolitan Area; and, marsh land, farming and other rural land uses in the majority of the rest of the basin. General soil areas in the basin are the Flatwoods group which is a poorly-drained forested soil developed from Pleistocene sediment; the Coastal Prairies soil series group; and, the Coastal Marsh soil group which is a soil consisting of organic clays and sandy beaches derived from stream sediments and marine deposits.

The Calcasieu River, which drains 3,773 square miles, arises near Slagle, in Vernon Parish, and drains into the Gulf of Mexico at St. John's Pass, in Cameron Parish. The overall length of the mainstem of the river is approximately 160 miles. Geologically, this river flows from the upland hills with elevations generally being around 260 feet above mean sea level, through the coastal prairie and coastal marshes, to an elevation ranging as low as one to two feet above mean sea level. The flood plains along the river are extremely flat with little relief, and have an average elevation of two to three feet above mean sea level. Lakes traversed by the river include Lake Charles, Prien Lake, Moss Lake, and Calcasieu Lake; and, the river's dominant features include oxbow lakes, natural levees, and the surrounding Pleistocene Upland.

The Calcasieu River varies from a small, fast stream in the headwaters to a broad, sluggish estuary from the latitude of Lake Charles to its entrance to the Gulf of Mexico. Flows in the upper basin may range from a high of 180,000 cfs. in the winter and spring, to zero during the summer and fall. Precipitation is generally greatest during December through April, and usually very sparse during May through October. Average annual rainfall in the basin ranges from 55 inches in the western portion to 61 inches in the eastern portion of the basin. The 50 percent duration flow in the Calcasieu and its major tributaries ranges from 0.35 to 0.73 cfs/mi² of drainage area.

The Calcasieu River is tidally influenced for the lower 50 miles, from St. John's Pass to the saltwater barrier above the City of Lake Charles. A semidiurnal tide extends 65 miles upstream and has mean tidal ranges of 1.7 feet at the river mouth and 0.7 feet at Lake Charles. Navigation improvements have modified the Calcasieu River from its mouth approximately 52.6 river miles inland; and, the saltwater barrier divides the river into the riverine freshwater portion above and the estuarine, saltwater portion below. The Calcasieu River is navigable with 71 miles navigable length; and, is crossed by the navigable Intracoastal Waterway just north of the Calcasieu Lake.

Mosquitoes play an important role in the economic growth and the health and well-being of Calcasieu Parish. All industries directly exposed to the elements, such as construction, agriculture, and tourist trade, are adversely affected when massive swarms of mosquitoes invade the parish. Besides industry being affected, many leisure recreational activities are ruined due to mosquito infestation.

Discomfort from these invasions is just part of the problem, with disease possibilities ranking as the biggest threat. Some of these include: dengue fever, yellow fever, malaria, and, most noted of all, encephalomyelitis. For years, these diseases have created turmoil in areas where they became established. Calcasieu has been lucky in that no major outbreak has occurred in humans over recent years. The last major threat was the encephalitis epidemic of 1971, which effected livestock throughout much of S.E. Texas and S.W. Louisiana Coastal areas. Had it not been for intensive spraying for adults over the breeding areas, the outcome could have been devastating. Year in and year out, cattlemen are faced with the problem of cattle weight loss due to swarms of mosquitos. Also, reports of mosquitoes actually smothering cattle, especially calves, is not uncommon. Horses are also effected through various diseases such as swamp fever and equine encephalomyelitis.

The two most important mosquito species within Calcasieu Parish are Psorophora columbiae (the dark ricefield mosquito) and Aedes sollicitans (salt marsh mosquito). Both of these species invade the parish periodically causing much discomfort throughout. Both are strong fliers, with the salt marsh mosquito capable of flying as far as 50 miles and the dark ricefield mosquito up to 10 miles. Their breeding cycles are almost identical, as both are flood water species. The ricefield mosquito is found primarily in the rural agricultural communities throughout the parish. On the other hand, the salt marsh species is found primarily in the communities adjacent to the marshes and dredged disposal islands paralleling the Calcasieu River, Sabine River, and Intracoastal Waterway. But, because of both being strong fliers, when massive hatch offs occur, it is not uncommon to find the two together in large numbers throughout the parish. Both have been linked in the transmission of some diseases, especially those effecting livestock.

Two other important species are Culex quinquefasciatus and Culex salinarius. Both are permanent water breeders using containers such as old tire, cans, jars, and open ditches. These two domestic species are not very strong fliers and are normally found close to their breeding areas. They have both been linked to transmission of several diseases effecting man and therefore very important vector species.

In 1975, the citizens of Calcasieu Parish voted a 1.5 mil tax, dedicated to establishing a mosquito control district. This program has been successful in monitoring mosquito populations and keeping them within minimal tolerance levels. Control is achieved through the use of ground and aerial units against both adult and larval stages. Besides controlling the adults, another function of the program is the education of the citizens, as to how they may aid the program in an effort to achieve its most benefits.¹²

MANMADE FEATURES IN THE ENVIRONMENT:

To survive in the environment man has had to either adapt to his surroundings, or adapt those surroundings to meet his needs. This has been done through the years in the coastal zone. The area of the coastal zone that is now settled, was settled primarily so as to be as close as possible to the fisheries in the immediate area. Some of the land has been drained for farming, and other of the land has been built up to form levees to protect the settlement. Transportation corridors have been developed through the area for ease in land and water travel. Man has changed the environment to meet his needs.

Historic, cultural and archaeological sites are not prevalent in the Calcasieu Parish coastal zone. However, there are 14 known shell midden sites in the coastal zone, and three probable shell midden sites. Shell midden sites are archaeological sites considered to be shell mounds built up by indians decades ago. The shell middens located in the coastal zone are located in the Calcasieu River EMU by the Choupique Island and in the West Black Bayou EMU close to the Sabine River.¹³

Important farmland in the coastal zone of the parish is shown on Figure 10. This prime farmland is suited for production of food, feed, forage, fiber, and oilseed crop. When modern farming methods are employed, high yields of crops can be economically produced. These areas have the soil quality, growing season, and moisture supply needed. Also, for high product yields, they do not have a serious erosion hazard nor are they subject to flooding.¹⁴

Land uses in the area consists of recreational, residential, transportation, and commercial types of uses. Figure 11 shows the areas being used for these purposes.¹⁵ Transportation is the dominant land use in the coastal zone with the existence of three roads, the Calcasieu River and Ship Channel, the Intracoastal Waterway, and oil and gas pipelines. Figure 12 shows the various pipelines in the coastal zone with the pipelines being most prominent in the West Black Bayou Management Unit. Residential and Commercial use of land is occurring only slightly, primarily in the Black Bayou area, where development presently exists.¹⁶ However, lack of developable land restricts continued growth anywhere in the coastal zone.

SOCIAL AND ECONOMIC

CHARACTERISTICS

OF

THE CALCASIEU PARISH

COASTAL ZONE

SOCIAL AND ECONOMIC CHARACTERISTICS

The studying of the social and economic characteristics includes discussing population, employment and unemployment, housing, present and future needs, and land demands for future development. This portion of the report has been set aside to discuss these characteristics.

The purpose of this discussion is to aid in the identification of significant social or economic factors in the parish, to delineate the economic centers in the parish, to determine what the future growth needs will be for the parish, and to finally determine what kind of demands these future needs will have on the parish as a whole and on the individual management units in the coastal zone. This will be accomplished by projecting population growth in the parish and economic expansion in various sectors; estimating what the demand for land and the use of land will be in the future; and then finally assessing how the projected population and economic growth, and land use demands will affect the natural resources in the coastal zone and the parish as a whole.

Hopefully, this portion of the report will help identify the future demands that will be made on the parish and the coastal zone, and then give insights as to what actions need to be taken to either solve future problems or remedy existing issues. These insights should help in the deciding of the policies necessary to meet the future demands.

POPULATION:

Calcasieu Parish has a population of 167,223, according to the Bureau of Census 1980 figures.¹⁷ Compared to 145,415 in 1970 Census reports, this represents a 15.0% increase in population.¹⁸ The parish's growth rate is 1.0% below that of the State's 16% growth for the same period of time. In 1970 the State of Louisiana had a population of 3,641,306, and has grown at an average annual rate of 1.72% to a 1980 population of 4,205,831.¹⁹

The total land area for Calcasieu Parish is 1,071 square miles. With a total population of 167,223, the parish has a ratio of 156.14 people per square mile. If the population for the City of Lake Charles is removed, the ratio of "people per square mile" would be reduced to 91,997 people per 1,036 square miles, or 88.80 people per square mile.

To help illustrate the population disbursement in the parish, the population characteristics for each Ward will be discussed.²⁰ Table 1 shows the population for each Ward for the entire parish for the years 1960, 1970, and 1980, and the the percent change. Figure 13 illustrates the location of each ward in the parish as well as the six incorporate areas.

Ward One is located in the northeast central portion of the parish. It contains mostly high, developable land, with the two communities in the ward being Moss Bluff and Gillis. These communities, which are both unincorporated, have become the major growth areas of the parish for various reasons. The primary reasons are the low cost of land; the opening of bridges and improving the transportation links to the industrial complex to the west and to Lake Charles to the south; and the lack of industrial pollution, urban congestion or city taxes. This ward is primarily a satellite community, with only residential and service type developments in the area. It has grown 142.2% during the period between 1970 and 1980 to a population of 10,126, and growth is expected to continue with the improvement of the road system in the area. U.S. Highway 171 and State Highway 378 already service the area; however, Highway 378 is to be four-laned in the near future. Other expected road work in the Ward includes opening up various north-south arterials to make intracommunity travel easier and to also give a better

TABLE 1
POPULATION FIGURES FOR CALCASIEU PARISH
BY WARD FOR 1960, 1970 - 1980

| | <u>Population for</u> | | | <u>Percent Change</u> | |
|------------------|-----------------------|--------------|--------------|-----------------------|------------------|
| | <u>1960</u> | <u>1970</u> | <u>1980</u> | <u>1960-1980</u> | <u>1970-1980</u> |
| Ward One | 2,772 | 4,180 | 10,126 | 265.3% | 142.2% |
| Ward Two | 1,756 | 1,745 | 1,769 | 0.7% | 1.4% |
| Ward Three | 93,970 | 88,929 | 92,307 | -1.8% | 3.8% |
| Ward Four | 30,419 | 32,632 | 40,344 | 32.6% | 23.6% |
| Ward Five | 1,923 | 2,165 | 2,713 | 41.1% | 25.3% |
| Ward Six | 6,824 | 6,615 | 8,118 | 19.0% | 22.7% |
| Ward Seven | 4,581 | 5,471 | 6,129 | 33.8% | 12.0% |
| Ward Eight | <u>3,230</u> | <u>3,678</u> | <u>5,717</u> | 77.0% | 55.4% |
| Calcasieu Parish | 145,475 | 145,415 | 167,223 | 14.9% | 15.0% |

Source: 1970 Census of Population
1980 Census of Population

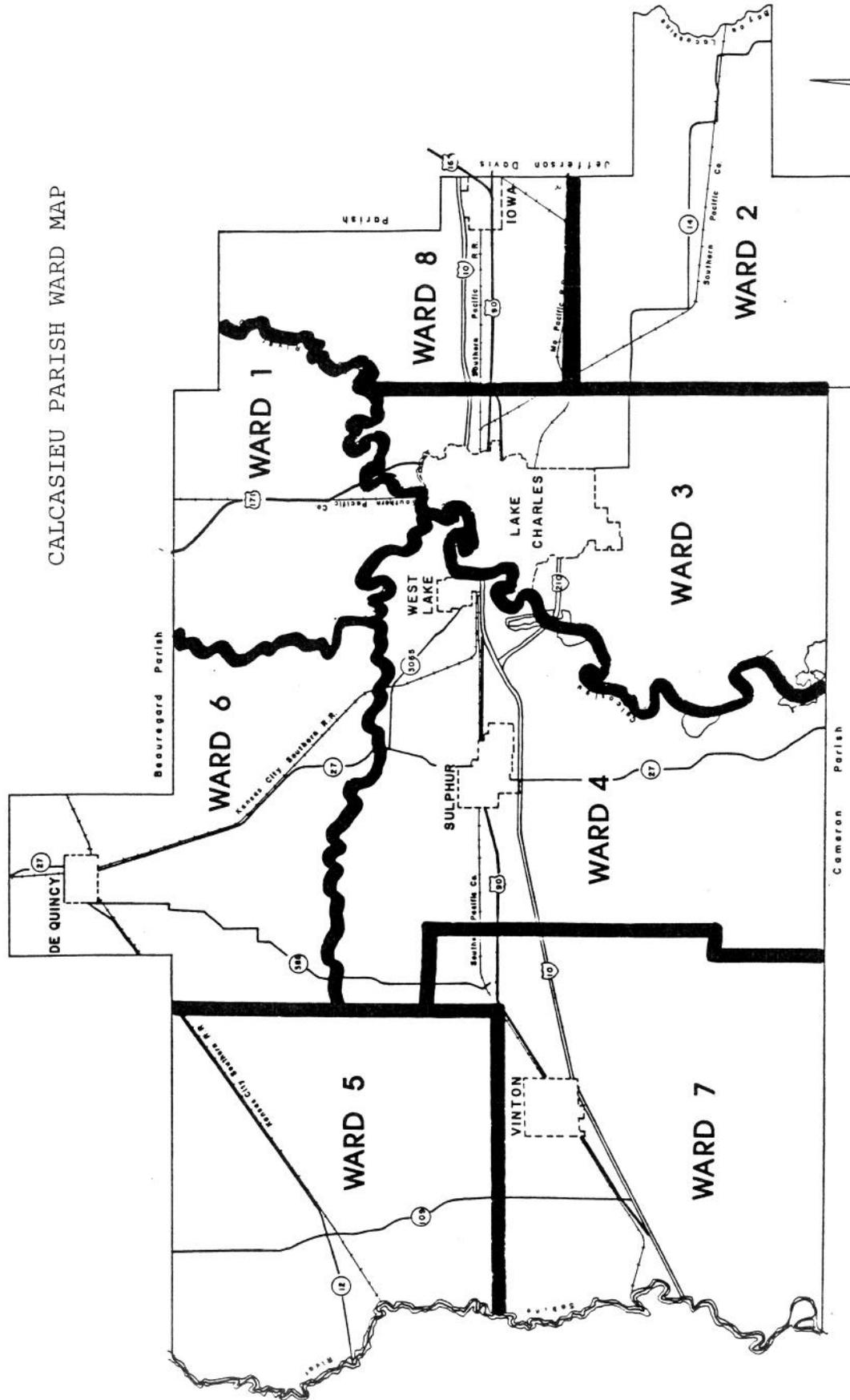
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TABLE 2
PROJECTED POPULATION FOR CALCASIEU PARISH
THROUGH YEAR 2000

| | <u>Projected Population</u> | | | | <u>Percent Increase</u> |
|-----------|-----------------------------|-------------|-------------|-------------|-------------------------|
| | <u>1985</u> | <u>1990</u> | <u>1995</u> | <u>2000</u> | <u>1980 - 2000</u> |
| Calcasieu | 179,992 | 192,019 | 202,661 | 212,145 | 26.9% |

Source: Louisiana Projection, Division of Economic Research,
UNO, Study 21.

CALCASIEU PARISH WARD MAP



The preparation of this map was financed in part through an Urban Planning Grant from the Department of Planning and Urban Development under the authority of Section 701 of the Housing Act of 1954, as amended.

FIGURE 13

Source: Imperial Calcasieu Regional Planning & Development Commission

western link from Interstate 10 to U.S. Highway 171. There is still developable land in the ward available to accommodate the expected future growth.

Ward Two is in the southeastern corner of the parish. The unincorporated communities of Holmwood, Bell City, and Hayes are all located in this ward. The area is primarily an agricultural area with the three communities being the development nodes for the ward. As seen on Table 1 population has continued to decrease in the area since 1960, for a total percent increase since 1960 of only 0.7%. This small increase could be a result of the poor economy of the agricultural industry. There is ample developable land available for future growth, though any extreme increase is not expected anytime in the near future.

Ward Three is located on the east side of the Calcasieu River in the southeast central section of the parish. Ward Three is the most developed ward in the parish with the City of Lake Charles situated next to the river. Total population for the ward is 92,307, which is an increase of 3,378 people over the 1970 population figures. However, Ward Three's population has dropped during the 1960/1980 period by 1.8%.

The City of Lake Charles had a population of 75,226, according to the Bureau of Census 1980 figures. Compared to 77,998 in 1970, this represents a drop of 3.5% despite several annexations by the city. Although the 1970 and 1980 totals are above the city's 1960 population of 63,392, all of this apparent growth resulted from annexations. The city and the rest of Ward Three actually experienced sharp declines in population between 1960 and 1965 due to the closing of the Chennault Air Force Base. Since 1970, the City has shown a slight decrease while the remainder of Ward Three has exhibited moderate growth.

Table 1A below shows the populations trends for Ward Three and the City of Lake Charles.

TABLE 1 A
POPULATION TRENDS
FOR
WARD 3 AND THE CITY OF LAKE CHARLES

| | <u>1960</u> | <u>1970</u> | <u>1980</u> | <u>Percent Changed</u> <u>1970 - 1980</u> |
|----------------------|-------------|-------------|-------------|--|
| City of Lake Charles | 63,392 | 77,998 | 75,226 | -3.5% |
| Ward Three | | | | |
| Excluding the City | 30,578 | 10,931 | 17,081 | 56.3% |
| Total Ward | 93,970 | 88,929 | 92,307 | 3.8% |

Source: U. S. Bureau of the Census, Census of Population, 1960, 1970, and 1980.

Though the Ward Three/City of Lake Charles area is considerably developed there is still much land available both in the city itself and in the southern portion of the ward. The city's present policy is one of trying to fill in vacant inner city land. In the past, trends for developing land outside the city had been following a southerly movement; however, the southern portion of Ward Three is more prone to flooding, and developers have started looking for higher land in the eastern and northern portions of Ward Three.

Ward Four is on the west side of the Calcasieu River and is in the direct center of the parish. Its southern boundary is the Calcasieu/Cameron Parish line, the northern border is the Houston River, and the western side is bounded by Ward Five and Ward Seven. The two incorporated cities in Ward Four are Sulphur and Westlake. The unincorporated communities in the ward are the Choupique and Carlyss communities. This ward contains the Industrial Complex of the Parish, which is located along the west bank of the Calcasieu River. This complex serves the employment needs of southwest Louisiana and southeast Texas. According to Table 1, growth has been occurring at a continual rate since 1960 with a total percent increase in Ward Four of 32.6%. Table 1B, which shows the population break down for the incorporated and unincorporated areas of Ward Four, indicates that though growth has been continual for the Ward as a whole, growth in the unincorporated areas of the Ward actually declined during the 1960/1970 decade by 13.3%. This could also be explained by the shutdown of the Chennault Air Force Base, because the following decade shows a 13.2% increase in population. Continued population growth is occurring to the north, south, and west with developable land in all three directions. Though much population growth has occurred in the south, this trend should begin to decline, as high, developable land begins to become scarce. Much of south Ward Four falls in flood hazard areas, with the most southernly portion of Ward Four in the Parish's Coastal Zone. High, developable land is still largely available in the northern and western quadrants of the ward.

TABLE 1B

POPULATION TRENDS
FOR
WARD 4 AND THE INCORPORATED AREAS

| | <u>1960</u> | <u>1970</u> | <u>1980</u> | <u>% Change 1970 - 1980</u> |
|---------------------------------|-------------|-------------|-------------|---------------------------------|
| Incorporated Areas | | | | |
| City of Sulphur | 11,429 | 14,959 | 19,709 | 31.8% |
| Town of Westlake | 3,311 | 4,082 | 5,246 | 28.5% |
| Total Incorporated Area | 14,740 | 19,041 | 24,955 | 31.1% |
| Ward 4 | | | | |
| Excluding Incorporated Areas | 15,679 | 13,591 | 15,389 | 13.2% |
| Total Ward | 30,419 | 32,632 | 40,344 | 23.6% |

Source: U.S. Bureau of the Census, Census of Population, 1960, 1970, and 1980.

Ward Five is located in the northeast corner of Calcasieu Parish, and is bounded by Beauregard Parish on the north, Wards Six and Four on the east, Ward Seven on the south and the Sabine River on the west which acts as the Texas/Louisiana boundary. This ward is very rural, with Starks being the only settlement in the Ward. Ward Five

has continued to grow over the last 20 years to a population of 2,713. However, because the majority of the area is subject to flooding, growth is limited in the ward. The only area in the ward foreseen to continue to develop is that area around the Starks community not prone to flooding.

Ward Six is located in the north central part of the parish, and is bounded on the north by Beauregard Parish, on the east by Ward One and the West Fork of the Calcasieu River, on the south by Ward Four and the Houston River, and on the west by Ward Five. The only incorporated area of the Ward is the Town of DeQuincy. The population according to the 1980 census for Ward Six is 8,118 which is a 22.7% increase over the 1970 population. The Town of DeQuincy alone had a population increase of 15.0% during the 1970/1980 decade, to a total population of 3,966 for the 1980 census. Table 1C shows the breakdown for the incorporated and unincorporated areas of Ward Six. Population is expected to continue to grow in the ward in the areas north of DeQuincy and along State Highway 27. Land is available in the area for future development; however, much of that land is prone to flood hazards.

TABLE 1C
POPULATION TRENDS
FOR
WARD 6 AND THE TOWN OF DEQUINCY

| | <u>1960</u> | <u>1970</u> | <u>1980</u> | <u>% Change 1970 - 1980</u> |
|--------------------------------|-------------|-------------|-------------|---------------------------------|
| Town of DeQuincy | 3,928 | 3,448 | 3,966 | 15.0% |
| Ward Six Excluding the Town | 2,896 | 3,167 | 4,152 | 31.1% |
| Total Ward | 6,824 | 6,615 | 8,118 | 22.7% |

Source: U.S. Bureau of the Census, Census of Population, 1960, 1970, and 1980

Ward Seven is located at the southwestern corner of Calcasieu Parish, with Ward Five as the northern border, Ward Four on the East, the Calcasieu/Cameron Parish line forming the southern border, and the Sabine River acting as the western border and as the Louisiana/Texas State line. The Town of Vinton is the only incorporated area located within Ward Seven. Edgerly and Niblets Bluff are small communities that also fall within the boundaries of Ward Seven. Vinton is the home of Delta Downs, a thoroughbred and quarter horse race track, and Niblets Bluff is the site of the Niblets Bluff State Park. Ward Seven is served by Interstate 10 and U.S. Highway 90. The local government of the Town of Vinton is striving to improve itself and encourage growth by upgrading public facilities and infrastructure to support present and future needs.

As can be seen on Table 1D, growth has increased for the entire Ward and for the Town of Vinton. This is probably explained by the normal trend to try to escape local taxes and also find cheaper land, since the trends show a continual increase in population for the Ward as a whole. Population can be expected to continue to increase for Ward Seven, however, it would be expected for this growth to occur in the northern portions

of the Ward in the Edgerly, Niblett's Bluff, and Vinton areas since the land south of this area is prone to flood hazard and also because of the limited access to land in south Ward Seven.

TABLE 1 D
POPULATION TRENDS
FOR
WARD 7 AND THE TOWN OF VINTON

| | <u>1960</u> | <u>1970</u> | <u>1980</u> | <u>% Change 1970 - 1980</u> |
|----------------------------------|-------------|-------------|-------------|---------------------------------|
| Town of Vinton | 2,987 | 3,454 | 3,631 | 5.1% |
| Ward Seven Excluding the Town | 1,594 | 2,017 | 2,498 | 23.8% |
| Total Ward | 4,581 | 5,471 | 6,129 | 12.0% |

Source: U.S. Bureau of the Census, Census of Population, 1960, 1970, and 1980

Ward Eight is located in the northeastern portion of Calcasieu Parish. Its boundaries are the Jefferson Davis/Calcasieu Parish line on the north and east, Ward Two on the south, and Wards Three and One on the West. The Town of Iowa, located in the extreme southeast of the Ward, is the only incorporated area of the ward and has a 1980 population of 2,437. Ward Eight, as shown on Table 1 has had a 77.0% increase in population since 1960, which is an increase of 2,487 people to a total population of 5,717 according to the 1980 census. Interstate 10 and U.S. Highway 90 both traverse Ward Eight, with future development expected to occur along these corridors. Ward Eight has continued to grow because of its close proximity to the Lake Charles metropolitan area, and because of the abundance of high, developable land. Table 1E shows the growth that has occurred in the Town of Iowa, and the Ward as a whole. The Town of Iowa has the propensity to continue growing in a northerly direction, since its northern town limits parallel the Interstate 10 right-of-way. Population growth can be expected to occur in this area.

TABLE 1E
POPULATION TRENDS
FOR
WARD 8 AND THE TOWN OF IOWA

| | <u>1960</u> | <u>1970</u> | <u>1980</u> | <u>% Change 1970 - 1980</u> |
|----------------------------------|-------------|-------------|-------------|---------------------------------|
| Town of Iowa | 1,857 | 1,944 | 2,437 | 25.4% |
| Ward Eight Excluding the Town | 1,373 | 1,734 | 3,280 | 89.2% |
| Total Ward | 3,230 | 3,678 | 5,717 | 55.4% |

Source: U.S. Bureau of the Census, Census of Population, 1960, 1970, and 1980.

As shown on Table 2 (p. 28), population for Calcasieu Parish is projected to grow by 26.9% by the year 2000. There is still an abundance of land available throughout the parish to accommodate this growth. However, land in the southern portion of the parish is highly subject to flooding. As can be seen on Table 1 growth has been occurring in the northern wards of the parish where the potential of flooding is lessened. The people of the parish have experienced the affects of flooding and have begun to avoid the higher flood risk areas. The projected growth for the parish over the next twenty years can probably be expected to occur to the east along the Interstate and U.S. Highway corridors, to the north into Ward One and north Ward Eight, into the area south and north of the City of Sulphur, and finally into the area west of the City of Sulphur towards the Town of Vinton. No major population growth is expected to occur anywhere in the parish's coastal zone, though a minor increase is probable in the Black Bayou and Calcasieu River management units.

HOUSING:

The dwelling unit ratio in Calcasieu Parish is slightly above the state average of 2.72 persons per dwelling units (4,199,542 persons per 1,546,552 units), with an average of 2.76 persons per dwelling units. Only a few of the wards in the parish fall below the State ratio as can be seen in Table 3.

As is to be expected, the largest number of dwelling units fall in the most populated ward, Ward Three. Ward Three accounts for 56% of the total parish dwelling units, and houses 55% of the parish's population. Another factor to be noted is that Ward Three also has one of the lowest "population per dwelling unit" ratio in the parish. This probably results from the Ward being the major economic, business and educational center the parish and southwest Louisiana, and therefore, having more multi-family housing and single member households. Also, as can be noted on Table 1 there was a population increase of only 3,378 people from 1970 to 1980 in Ward Three. For the City of Lake Charles, which is in the northwest part of Ward Three, population actually decreased during the 1970 to 1980 decade from 77,998 in 1970 to 75,226 in 1980, which is a -3.6% change. This may account for the slight difference between the population and housing units in Ward Three. With a drop in population, more housing has become available, thereby spreading the population in Ward Three out over all housing units in the ward and lowering the population/dwelling unit ratio.

Ward One, the growth area in the parish as indicated by Table 1, has balanced out the affects of the Ward Three low dwelling unit ratio. Ward One has the largest "population per dwelling unit" ratio in the parish with a ratio of 2.99, and also had the largest percentage change in population from 1970 to 1980 with a 142.2% increase. Ward One has become the "bedroom community" of the parish, with primarily single family home subdivisions. This large increase in population, coupled with the existance of mostly single family units, accounts for the higher dwelling unit ratio.

It seems that the trend in the parish is one of migrating away from the urban area, leaving existing housing, and moving into the rural, service communities surrounding the urban center. The reason for this is probably not only because of wanting a more relaxed environment to live in, but also because of lower property cost.²¹

THE ECONOMY:

Wards Three and Four, which are located in the south central portion of Calcasieu Parish, form the economic center for the parish. These two wards are served by two Federal Highways, 11 State Highways, and 2 Interstate Highways. The area is centrally located

TABLE 3
 POPULATION PER DWELLING UNIT
 FOR
 CALCASIEU PARISH

| | <u>Population</u> | <u>Dwelling Units</u> | <u>Ratio</u> |
|------------------|-------------------|-----------------------|--------------|
| Calcasieu Parish | 167,223 | 60,657 | 2.76 |
| Ward 1 | 10,126 | 3,385 | 2.99 |
| Ward 2 | 1,769 | 608 | 2.91 |
| Ward 3 | 92,307 | 34,077 | 2.71 |
| Ward 4 | 40,344 | 14,215 | 2.84 |
| Ward 5 | 2,713 | 989 | 2.74 |
| Ward 6 | 8,118 | 3,088 | 2.63 |
| Ward 7 | 6,129 | 2,304 | 2.66 |
| Ward 8 | 5,717 | 1,991 | 2.87 |

Source: 1980 Census of Population

in the parish and therefore is within fair commuting distance of most of Calcasieu Parish. The Lake Charles Airport serves the center, with 2 commercial airlines and 6,500 feet of lighted runways. Three railways, nine motor freight carriers, two buslines, and a major port round out the transportation picture.

There is already a good variety of economic activity in the area. Major employers are in petrochemicals, chemicals, aluminum, coke, retail merchandise, synthetic rubber, and utilities. Other industries include paint production, printing, shipbuilding and repair, and metal door manufacture. Table 4, shows employment by major employment groups for all of Calcasieu Parish. There is a heavy emphasis on manufacturing; on services, government, and miscellaneous; on wholesale and retail trade; and on construction. Those industries forming the "economic base" of the area are as follows:

- | | |
|---------------------------------|------------------------------------|
| (1) Petrochemical manufacturing | (2) Oil and gas extraction |
| (3) Water transportation | (4) Lumber and wood products |
| (5) Government | (6) Electric Companies and systems |

The first two dominate with the largest number of employees. Hence, a somewhat more diversified base would make the economy less sensitive to changes in demand for these industrial products. At the same time, the specialization in non-durables is beneficial in that these products are usually more stable than durable goods. A variety of new durable goods producers and less concentration in a few large firms would be helpful.

The Port of Lake Charles constitutes an important factor in the area's economy. Projects and programs which create job opportunities and provide needed facilities have been supported by both the port officials and the surrounding cities. The cities have also attempted to provide the area with facilities and services conducive to future economic development. The City of Lake Charles for example, has been working on various improvements which will hopefully spur a strong Central Business District revitalization. Major elements of this project include a \$20 million bank/office building; a \$5.5 million hotel which will greatly increase the use of the Civic Center Convention facilities in Lake Charles as well as tourism in general; an intermodal transportation facility; and utility, street, and drainage improvements in the downtown area. Jobs hopefully will be provided through the hotel as well as the office building, through the increased tourist and convention trade, and through the increased accessibility to the area due to the transportation improvements.

The City of Sulphur has continued in its efforts to promote industrial development and economic opportunities with the completion of its 48 acre industrial park and its capital improvement program. The Town of Westlake has also promoted economic development and has played an active role in related efforts, and has provided an atmosphere, along with Sulphur, which would be conducive to a stimulated economy throughout Calcasieu Parish. The West Calcasieu Chamber of Commerce (which includes Vinton, Sulphur, and Westlake), the DeQuincy Chamber of Commerce, the Lake Charles Chamber of Commerce, the Port of Lake Charles, the City of Lake Charles, the Calcasieu Parish Police Jury, as well as the Imperial Calcasieu Regional Planning and Development Commission have all been involved in efforts to form an Industrial Inducement Board for Calcasieu Parish and organize a full-scale inducement program for the parish. Such a program is badly needed in order for this area to compete more readily for new and expanded industry, particularly industry of a type which would diversify the economic base.

As can be seen on Table 4, there is a need for greater diversification in the types of industries forming the economic base for the parish. Calcasieu Parish has made great

SECTOR ANALYSIS EMPLOYMENT FORECAST
 BY MAJOR EMPLOYMENT GROUPS
 CALCASIEU PARISH
 1975 - 1990

TABLE 4

| <u>INDUSTRY GROUP</u> | <u>1975</u> | <u>1980</u> | <u>1985</u> | <u>1990</u> |
|---|--------------|--------------|--------------|--------------|
| AGRICULTURE, FORESTRY, & FISHERIES | 1,121 | 1,157 | 1,161 | 1,166 |
| MINING | 1,743 | 1,592 | 1,572 | 1,493 |
| CONSTRUCTION | 5,792 | 6,415 | 7,316 | 8,218 |
| MANUFACTURING | 12,027 | 13,001 | 13,889 | 14,777 |
| TRANSPORTATION, COMMUNICATIONS, & UTILITIES | 3,393 | 3,355 | 3,333 | 3,111 |
| WHOLESALE & RETAIL | 11,445 | 11,862 | 12,244 | 12,626 |
| FINANCE INSURANCE & REAL ESTATE | 2,056 | 2,319 | 2,502 | 2,686 |
| GOVERNMENT, SERVICES, & MISCELLANEOUS | 16,273 | 17,889 | 19,258 | 20,643 |
| OTHER | <u>1,500</u> | <u>1,500</u> | <u>1,500</u> | <u>1,500</u> |
| TOTAL | 55,350 | 59,090 | 62,775 | 66,220 |

SOURCE: Imperial Calcasieu Regional Planning & Development Commission.

strides in the past as far as industrial investment is concerned. In 1976, Calcasieu Parish was the sixth in the state in new industrial investment, and 1977, it was fourth. However, almost all the investments in Calcasieu Parish involved the petrochemical industry, and therefore, the investments are capital-intensive rather than labor-intensive. These investments are good, in light of the "multiplier" effects that result on the areas economy; but, more diverse, labor-intensive growth is needed to accomodate the growing number of unemployed, (see Table 5) minorities, women, and low-skilled target groups.

Economic growth is not expected to have an immediate impact on the Coastal Zone of the parish; however, industrial expansion is foreseen for the area directly north of the coastal zone. This expansion and the industrial activities in the Lake Charles/Sulphur/Westlake area will have indirect affect on the coastal zone through water pollution and the increase in barge and ship traffic through the coastal zone. In the distant future, industrial activity may occur in the coastal zone. The policies and guidelines developed in this document should help assure environmentally sound industrial developments and uses within the Calcasieu Parish Coastal Zone.²²

LAND USE:

Calcasieu Parish has a combined urban and built-up land use acreage of 41,289 acres and is projected to need by 1990 an additional 17,795 acres (see Table 6). The urban centers which were projected to increase in urban acres were Lake Charles, Sulphur, Westlake, DeQuincy, Vinton, and Iowa.

Lake Charles is planned to increase by 58.61% or 12,979.56 acres in the urban and built-up land classifications by 1990. This urban area is to increase in practically all urban categories except the mixed land use category.

Residential acres are planned to occur south and north of Lake Charles, industrial acreage is planned to occur along the Calcasieu River and at the port facilities, and the remaining development is planned along the major highway arteries.

Sulphur is planned to expand to the south and north along State Highway 27 and east along U.S. Highway 90. Development within this community is primary in the form of residential, industrial, and strip and clustered acreage. An increase of 2,752.87 acre or 34.84% is expected for the year 1990 (see Table 7). Development south of Sulphur will be limited, as it will be south of Lake Charles, because of limited developable land.

Westlake is expected to need 720.69 more acres by 1990, which is an increase of 28.27% over the present urban land area (see Table 7). This expansion will primarily occur for the residential and industrial classes, and will probably take place along State Highway 3065 and along U.S. Highway 90 near the existing industrial complexes.

DeQuincy is expected to grow in acreage by 24.77% by 1990, which is an increase in acreage of 459.13 acres. Most of the projected acreage is residential, and the least is open space and recreational. Development in this community should occur to the east and west along State Highway 12 and south along State Highway 27.

Vinton is planned to increase in urban land area by 596.12 acres, or 62.02%, by 1990. This expansion will be in the form of residential acres primarily; the least development to occur in the area is expected to be for open space and recreation. Development is expected along Highway 90 to the west, with some industrial growth expected to occur along Highway 108 south of Vinton.

TABLE 5

ANNUAL AVERAGE UNEMPLOYMENT RATE

| <u>Year</u> | <u>Calcasieu Parish*</u> | <u>Louisiana**</u> |
|-------------|--------------------------|--------------------|
| 1970 | 8.7% | 6.7% |
| 1971 | 10.0% | 7.4% |
| 1972 | 11.0% | 7.7% |
| 1973 | 8.8% | 6.8% |
| 1974 | 9.3% | 7.0% |
| 1975 | 8.3% | 7.3% |
| 1976 | 7.4% | 6.8% |
| 1977 | 8.1% | 6.9% |
| 1978 | 8.2% | 7.0% |
| 1979 | 6.7% | 6.9% |
| 1980 | 6.9% | 6.7% |

Source: * Louisiana State Department of Labor,
Employment Security Division, Lake Charles,
Louisiana.

** Louisiana State Department of Labor,
Baton Rouge, Louisiana.

TABLE 6
 CALCASIEU PARISH
 EXISTING AND PROJECTED URBAN ACRES
 1972 - 1990

| <u>Urban and Built-up Category</u> | <u>Present Acres 1972*</u> | <u>Projected Additional Acres Needed</u> | | | |
|--|--------------------------------|--|-------------|-------------|-------------|
| | | <u>1975</u> | <u>1980</u> | <u>1985</u> | <u>1990</u> |
| Residential | 23,373 | 2,531 | 5,020 | 7,518 | 10,082 |
| Commercial-Services | 2,326 | 250 | 498 | 746 | 1,001 |
| Industrial | 5,209 | 561 | 1,116 | 1,672 | 2,243 |
| Transportation- Communication-Utilities | 3,709 | 400 | 795 | 1,191 | 1,597 |
| Institutional | 1,132 | 121 | 242 | 363 | 487 |
| Strip-Clustered | 4,608 | 496 | 986 | 1,479 | 1,984 |
| Mixed | -0- | -0- | -0- | -0- | -0- |
| Open Space-Recreation | 932 | 100 | 199 | 299 | 401 |
| Total | 41,289 | 4,459 | 8,856 | 13,268 | 17,795 |

Source: Imperial Calcasieu Regional Planning and Development Commission

* Base year from 1972 USGS Land Use Maps.

TABLE 7
 CALCASIEU PARISH
 1990 PROJECTED ADDITIONAL ACREAGE OF URBAN AREAS

| URBAN AND BUILT-UP CATEGORY | LAKE CHARLES | SULPHUR | WESTLAKE | DEQUINCY | VINTON | IOWA | TOTAL |
|--|--------------|-----------|----------|----------|----------|--------|-----------|
| Residential | 7,349.78 | 1,559.68 | 408.32 | 260.12 | 337.75 | 166.35 | 10,082 |
| Commercial-Services | 729.73 | 154.85 | 40.54 | 25.83 | 33.53 | 16.52 | 1,001 |
| Industrial | 1,635.15 | 346.99 | 90.84 | 57.87 | 75.14 | 37.01 | 2,243 |
| Transportation- Communication-Utilities | 1,164.21 | 247.06 | 64.68 | 41.20 | 53.50 | 26.35 | 1,597 |
| Institutional | 355.02 | 75.34 | 19.72 | 12.57 | 16.31 | 8.04 | 487 |
| Strip-Clustered | 1,446.34 | 306.92 | 80.35 | 51.18 | 66.46 | 32.74 | 1,984 |
| Mixed | -0- | -0- | -0- | -0- | -0- | -0- | -0- |
| Open Space-Recreation | 292.33 | 62.03 | 16.24 | 10.35 | 13.43 | 6.62 | 401 |
| Total Projected Urban Acreage | 12,972.56 | 2,752.87 | 720.69 | 459.13 | 596.12 | 293.63 | 17,795 |
| Total Existing Urban Acreage | 22,130.07 | 7,900.28 | 2,548.48 | 1,853.44 | 738.20 | 532.86 | 35,703.33 |
| Total 1990 Urban Acreage | 35,102.69 | 10,653.15 | 3,269.17 | 2,312.57 | 1,334.32 | 826.49 | 53,498.39 |
| Percent Increase 1970 - 1990 | 58.61 | 34.84 | 28.27 | 24.77 | 67.20 | 55.10 | 49.84 |

SOURCE: Imperial Calcasieu Regional Planning and Development Commission

Iowa is expected to increase in urban land area by 55.10%, or 293.63 acres. This should be in the form of residential acres primarily, with the least development to occur for the open space, recreational and institutional land uses. Development is expected along U.S. Highway 90 to the west away from flood prone areas.

For the parish as a whole, only about 6% of the parish is developed. The total land area for the parish is 685,327 acres. The major category of improved acreage is the residential areas, which represent 57% of the improved acreage. The residential areas are located primarily around the urbanized areas of the parish. The major area of urban build-up is located in and around the Lake Charles/Sulphur/Westlake area.

The 5,209 industrial acres represent 12.9% of the improved area of the parish. The majority of the industrial development is located west of the Calcasieu River, south and east of the City of Sulphur.

Commercial land area comprises 2,326 acres, or 5.6% of the improved acreage. This land is located predominantly in and around residential and urban built-up areas.

While the improved acreage is a key element in the land use within Calcasieu Parish, it is not the dominant land use. Agricultural land area represents 336,905 acres or 49.2% of the total 685,327 acres in the parish. The second largest land use category is forest lands which consist of 183,349 acres of 26.7% of the total parish land area.

A significant feature of the total land area of Calcasieu Parish is the 92,946 acres of undevelopable land. This figure represents 13.56% of the total land area. The area is significant because this land can not feasibly or economically be developed or improved. Most of this land falls within the parish coastal zone.

The Lake Charles/Sulphur/Westlake metropolitan area represents the majority of the urbanized or improved area in the parish. The area is currently located on major transportation routes including land, sea, and air transportation. The area surrounding this metropolitan area is mainly agricultural, with a significant amount of forest land in the northern portion of the parish. The undevelopable land is located in the south central and southwest parts of the parish, primarily consisting of the parish's coastal zone.

SUMMARY:

The affects of population growth, economic expansion and land use on the Calcasieu parish Coastal Zone should be very minimal. At present, there are only approximately 85 houses in the entire coastal zone, with six businesses to serve the area. The parish's coastal zone consists primarily of undevelopable land, and there is still ample developable land north of the coastal zone. There should be some residential and light commercial growth in the extreme eastern portion of the coastal zone in the Black Bayou management unit. The possibility of industrial development in the Calcasieu River management unit exists in the future because of the large land holdings by various industrial corporations in the area, and because of easy access to the Calcasieu River. However, expansion into this area should not occur until the industrial complex around the Sulphur/Westlake area is completely exploited.

RESOURCES

IN

THE CALCASIEU PARISH

COASTAL ZONE

RESOURCES

This section identifies the existing and potential coastal resources, resource users, and the resource-use conflicts. The resources of the area have been adequately described in the previous section. These resources include the transportation network, the various waterbodies, our wildlife and fisheries, the land itself and the people that live in the area. Resource users are those who benefit from the exploitation of these resources. Resource-use conflicts arise when adverse impacts of man's activities occur, and when conflicts between resource users occur because of multiple use of certain resources.

This task is probably one of the more important tasks of the Coastal Management Program because it not only gives an idea of the benefit which residents of the coastal zone realize from these resources, but also gives an idea of the adverse impacts which occur or could occur from man's utilization of these resources as well. From this point the Calcasieu Parish Coastal Resources Program can address the use of the coastal resources so that renewable resources may be more efficiently managed; non-renewable resources may be preserved for future generations; and, so that resource-use conflicts and problems can be reduced.

RESOURCE USERS:

Resource users shall be defined, for the purpose of this report, as those groups who obtain raw materials, such as minerals or energy, from the coastal zone; harvest renewable resources, such as flora or fauna, for commercial or recreational purposes; require significant land resources for their activities; and/or use the resources of the coastal zone for other activities. Resource users in the coastal zone are the Fishing Industry, Transportation, Recreational Areas, Trappers, Hunters, the Agricultural Industry, and Oil and Gas Related Industries.

The fishing industry in Calcasieu Parish includes shrimp, crab, crawfish, and other types of commercial fish. This industry is a major economic enterprise in the parish and especially in the coastal zone. Calcasieu Lake is the primary fishery in the parish and the coastal zone, with brown and white shrimp, oysters, blue crabs, and saltwater fish all being found within the lake. Commercial saltwater fish common to the Calcasieu Lake region are as follows:

| | |
|----------------------|-------------|
| Butterfish | Sea catfish |
| Mullet | Eel |
| Menhaden | Sheephead |
| Gaff Topsail catfish | |

Commercial fisherman statistics for Cameron and Calcasieu Parish and Louisiana are listed below:

| <u>Fishermen Category</u> | <u>Cameron and Calcasieu</u> | <u>Louisiana Total</u> |
|---|----------------------------------|----------------------------|
| Commercial Shrimpers | 1,664 | 14,830 |
| Commercial Oystermen | 900 | 2,125 |
| Commercial Freshwater Finfishermen | 450 | 2,500 |
| Menhaden Seine and Vessel | 24 | 99 |
| Commercial Bait Fishermen | 61 | 1,944 |
| Commercial Crab-trap Fishermen | 63 | 832 |
| Commercial Saltwater Gill Net Fishermen | 80 | 382 |
| Retail Fish and Seafood Dealers | 155 | 2,867 |

Transportation is a most prominent resource in both the parish as a whole and for the coastal zone. Calcasieu Parish is served by the four major transportation systems: rail, highway, air and water. The coastal zone is served by highway, water and pipeline. Figure 2, on page vi, shows the various transportation networks in the parish, and Figure 12, in the "Environmental Characteristics" section, shows the pipelines traversing the coastal zone. The existence of the various transportation forms has been a major impetus in the development occurring in Calcasieu Parish.

One of the oldest forms of transportation, which played a key role in the development of the parish, is the water system. This system has linked the parish with the Gulf of Mexico and world ports. The Calcasieu River connects the inland Port of Lake Charles with the outside world. It is because of the potential offered by the Calcasieu River for deep water vessels that modern industries were first attracted to the parish.

The river is not the only waterway serving the parish. The Intracoastal Waterway connects the parish with Texas to the west and with the Port of New Orleans to the east. This inland water route was constructed as a means of allowing barge traffic to travel without being subjected to the open waters of the Gulf of Mexico. The Vinton Navigation Channel runs northward from the Intracoastal Waterway to the Port of Vinton.

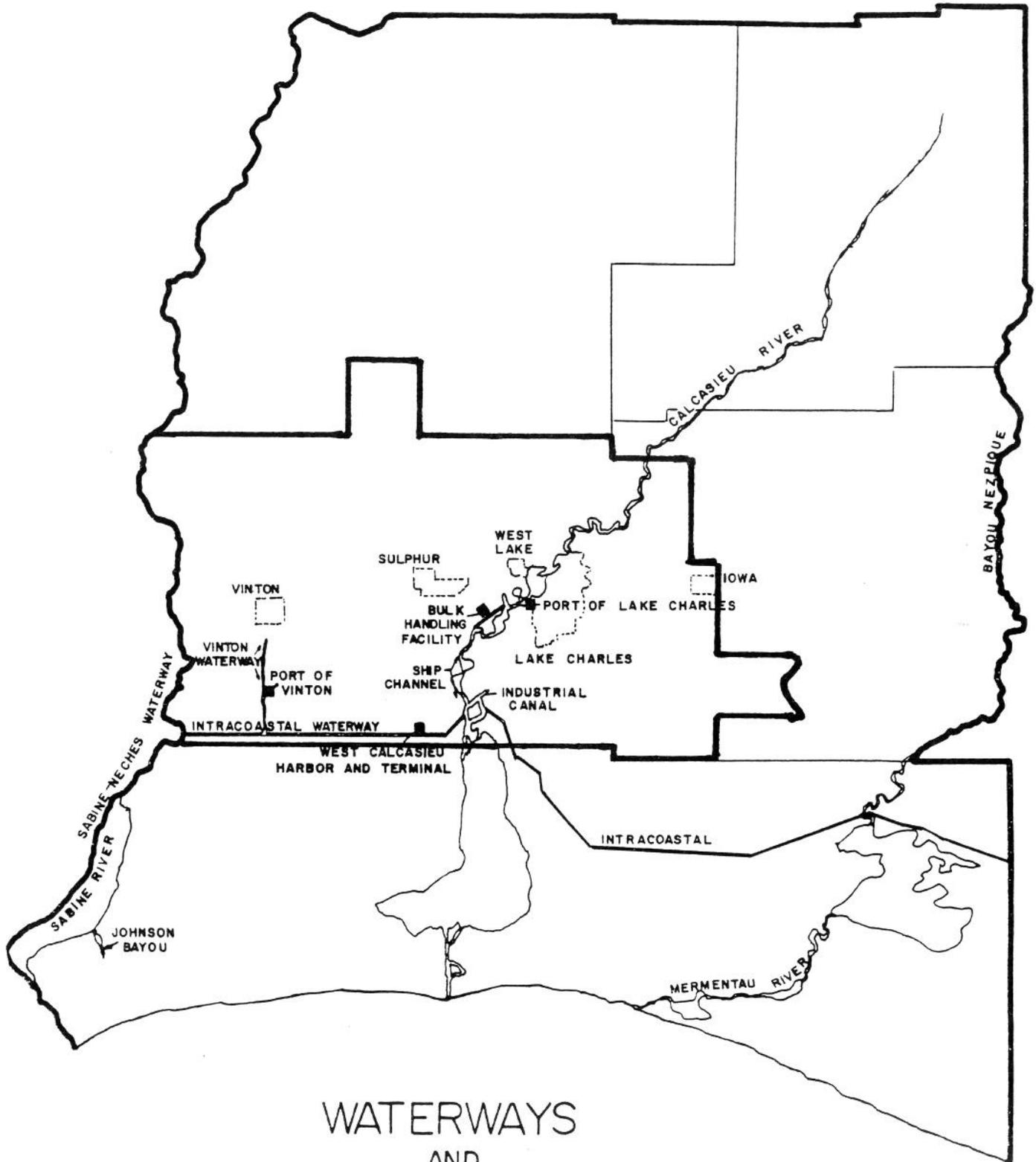
The port facilities in Lake Charles, which serves the mid-south and midwest as well as south Louisiana, have been an important pillar of strength for the parish's economy for almost 60 years. In 1921, due to a special act of the Louisiana Legislature authorizing parishes to form agencies to issue bonds for the improvement of waterways, Lake Charles began construction of a port and a deep water channel. Improvements were made throughout the years, until now there are both public and private port facilities in the parish that ship products into and out of the area. The Lake Charles Harbor and Terminal District is the major entity (see Figure 14) and comprises an area of 203 square miles on both side of the river including the cities of Lake Charles and Westlake, as well as the industries and sites along the Calcasieu Ship Channel and the Industrial Canal. The Industrial Canal is located at the intersection of the Ship Channel and the Intracoastal Waterway, and is immediately north of the parish's coastal zone boundary. Facilities owned by the Port are located on both sides of the Ship Channel and along the Industrial Canal.

The Port of Vinton, located on the Vinton Navigational Channel, has also been a point of transfer between land-and-water-based transportation. Although there are no current operations by the Port of Vinton itself, private firms situated on the channel have handled approximately 10,000 tons annually of crude petroleum and about 1,000 tons of marine shells through the Vinton Channel. There is also significant ship rebuilding-repairing operations associated with the channel.

The West Calcasieu Harbor and Terminal District owns property on the north shore of the Intracoastal Waterway, outside of the coastal zone. Like the Port of Vinton, it is not engaged in any transfer of commodities; instead, firms concerned with barge fleeting and repairs are operating on port property.

The parish is served by the Interstate Highway System, federal highways, state highways, and numerous parish and local roads. Interstate Highway 10 bisects the parish, with the federal and state highways connecting the rest of the parish to the interstate. The parish coastal zone is serviced by Louisiana Highway 27 and Louisiana Highway 384,

FIGURE 14



WATERWAYS AND PORT FACILITIES

Source: Imperial Calcasieu Regional Planning & Development Commission

which connect the coastal zone with Lake Charles to the north and Cameron Parish to the south.

Neither rail nor air transportation services exist in the coastal zone; however, three major rail lines provide service throughout the parish, with rail transportation and rail spurs available to the industrial sites. The rail lines serving the parish are Southern Pacific Transport Company, Kansas City Southern Railroad, and the Missouri Pacific Railroad. Commercial air service is available south of Lake Charles, with two small airports located in Sulphur and DeQuincy for the purposes of general aviation and crop-dusting.

Pipeline transportation parish wide is not significant; however, when looking at the coastal zone of the parish by itself, the significance of pipeline transportation is evident (see Figure 12, page 20). There are four different oil companies and two different gas companies with several pipelines passing through the coastal zone. Most of these lines are coming out of the Cameron oil and gas fields south of the parish line.²⁴

Recreational areas in the parish include the Lake Charles, Calcasieu Lake, three museums, Delta Downs horseracing track, two State Parks, several camping locations, Creole Nature Trail, and various hunting and fishing spots throughout the parish. In the Coastal Zone the recreational areas include the Calcasieu Lake, the Calcasieu River, the Sabine River, the Intracoastal Waterway and the marsh areas. The primary recreational activities in the coastal zone are hunting, fishing, camping, and water sports.

Trapping and hunting in the parish occur primarily in the marsh areas of the parish. Fur bearing animals located in the parish are nutria, muskrat, otter, mink, raccoon, red fox, coyote, and opossum. Alligators can also be found in the coastal zone.

Agriculture is an important resource in the parish as well as in the coastal zone. However, even though there are 336,950 agricultural acres in the parish, only .6% of the residents in Calcasieu Parish are employed in farm related jobs. Farming is not real prominent in the coastal zone because of the lack of developable land. However, some farming does occur in the coastal zone in the West Black Bayou area, around the Gum Cove Road, and in the Black Bayou EMU. Farming is also occurring on the Choupique Island in the Calcasieu River area. Farming activities include rice and soybean farming, dairy farming, and cattle.

The oil and gas industry has provided the economic base for southwest Louisiana for over 50 years. Within Calcasieu Parish's Industrial Complex, which is located just south of the cities of Westlake and Sulphur adjacent to the Calcasieu River, oil and gas are being processed into plastics, rubbers, synthetic materials, as well as, various types of fuels. The effect of these industries on the coastal zone is through exploration for these resources; and, through the transportation of oil and gas via pipelines in the coastal zone (see Figure 12, page 20).

Though these activities are necessary for the well being of the parish as well as the state, they do take a toll on the sensitive environment of the coastal zone. Through the construction of board roads, the development of well sites, cutting of canals, setting of pipelines, and other such related activities, wetlands and natural habitats are disturbed or destroyed. A balance must be found between both of these valuable resources.

RESOURCE-USE CONFLICTS:

Resource-use conflicts include such things as pollution of the water and air, destruction of the marshes and wetlands, erosion, saltwater intrusion and other such factors. The purpose of this section is to determine what existing activities are causing these conflicts, and to then develop possible solutions that will influence decisions concerning management of the coastal zone for the good of all resource users.

The Lake Charles Liquified Natural Gas Terminal, which is located on a 139 acre site just north of the Calcasieu Parish Coastal Zone Boundary, is probably one of the more potential major resource conflicts in the coastal region. This facility, though presently not being utilized, is located on the industrial canal, built by the Lake Charles Harbor and Terminal District, which extends from the top of Devil's Elbow (a bend in the Calcasieu River). This bend is the northern boundary of the coastal zone. Figure 15 shows location of the plant.

The plant is a receiving terminal with related facilities, and can employ about 100 persons when in operation. Natural gas is to be received at the facility in a frozen state. The Lake Charles plant is to then thaw the gas and put it into pipelines for delivery to markets mainly in the Midwest.

Any ship or barge accidents, erosion due to increased traffic, leaks or seepage from the plant would have definite adverse impact on the surrounding wetlands. However, since the facility is not in the coastal zone, this program will have no affect on the existing facility, nor on any enlargements of the present facility.

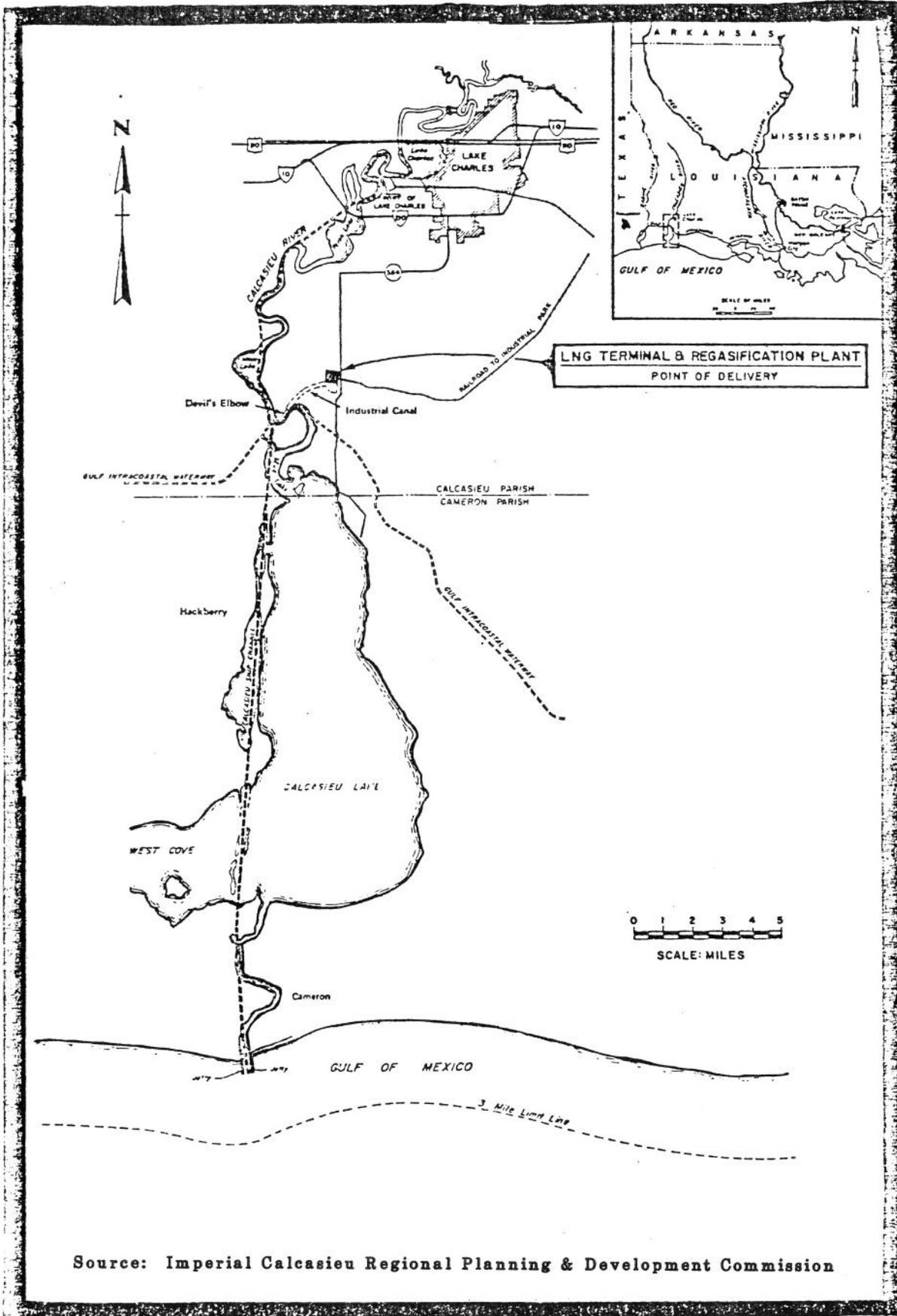
Industrially zoned land exist in the coastal zone, as shown on Figure 16. This land is currently not developed, except for agricultural purposes only, and therefore does not present a significant conflict at the present time. It might be suggested that the property be rezoned to a less obtrusive zoning classification. This will not be politically attractive since the land owners of most of this industrially zoned property are industrial corporations. Possibly, the most palatable alternative would be to apply mitigative measures to any new industrial uses to assure that they will not be overly conflicting; and, to also use the Coastal Permitting Process to sift out the more environmentally detrimental uses.

The transportation network, which is a dominant factor in the coastal zone, is also a major conflicting use. Pipelines in the coastal zone have destroyed habitats, as well as disrupted wetlands while being constructed. Once the pipelines are existing, there is no actual continuing disturbance in the area unless the pipes leak, explode or maintenance is needed. It is suggested that any new pipelines constructed in the coastal zone follow existing pipeline corridors.

The roadways in the coastal zone also caused considerable disturbance to the coastal environment during the construction stage. Now disturbance to the coastal zone is caused from exhaust fumes, noise pollution, and disturbance to natural waterflow. No roadway expansion is foreseen in the near future; however, if any should occur, it would be advised to follow existing ridges, and to provide culverts and/or bridges to prevent waterflow disturbance.

The Intracoastal Waterway and the Calcasieu River and Ship Channel have caused a major disturbance to the ecosystem in the coastal zone. Locks have been built to prevent saltwater intrusion; however, the locks must be opened to let through various barges and ships. This traffic, which will increase as industrial development north of the coastal zone increases, has brought more and more saltwater into the coastal zone and as far up the river as the City of Lake Charles.

FIGURE 15



Source: Imperial Calcasieu Regional Planning & Development Commission

The large volume of traffic through the coastal zone has contributed to erosion, siltation of canals and rivers, loss of recreational use, and a loss of fresh water sources. According to the State of the State-Louisiana 1977, and the Louisiana Department of Wildlife and Fisheries, the Calcasieu River, from the Gulf of Mexico to Oakdale north of Calcasieu Parish, "has the most acute water quality problem in the State of Louisiana. Oxygen depletion and coliform counts (a measurement of harmful bacteria) and oily materials are the major problems." This water pollution has been caused by industrial spill-off in north Calcasieu Parish, agricultural run-off, and the large amount of water oriented traffic passing through the coastal zone. There are no ready answers to this most serious problem, since the ship and barge traffic is necessary for the ongoing of the economy in Southwest Louisiana. Stricter enforcement of water pollution laws might be helpful; however, this would not fall under the auspices of this program.

Farming in the coastal zone is both a good use of the local resources, and a land-use conflict. Much of the land in the coastal zone is unfit for the developing of anything; and, therefore is being used for the purpose of grazing, or for the growing of rice and/or soybeans. Farmers have turned to using the wetlands because of the increased demand for the prime farmland in the northern portions of the parish. This prime farmland is high and therefore more "valuable" as residential or another urban land use. Conflict occurs when farmers turn to draining the wetlands for agricultural uses, causing problems between those who want to preserve these areas and the farmers. Grazing of cattle in the wetlands is attractive also to the farmers because of the rich vegetation that exists. However, minor alterations have to be made to the marsh to allow the cattle more mobility. Another farm related problem is the necessary drainage and flooding of the river fields, which is part of the normal farming process. This process can cause an increase in the coastal erosion and can also cause agricultural pesticides to be directly introduced into the coastal waters. Again, there are no ready answers to this use-conflict; however, possible direction could be given to farmers on the best times to release their water, and on the pesticides that would not be so detrimental to the coastal ecosystem.

The exploration for oil and gas in the coastal management area is a major resource-use conflict. The activities, construction and breakout all in involved with the exploration process destroy natural vegetation, habitats, contributes to saltwater intrusion, and have an overall negative effect on the environment. However, because of the need for this particular resource, it is necessary that a compromise be found. Keeping damages to the wetlands limited to the smallest amount of land possible, and requesting mitigation of the damages that do occur would be the best way of limiting the damaging affects of the oil and gas industry on the coastal lands.

Other resource-use conflicts exists, which have not been addressed specifically in this section, such as urban run-off natural to any developed area, unconscious disturbance of the marshes by hunters and trappers, and other activities which have affects on coastal waters. These conflicts do not exist in the parish's coastal zone in any significant fashion. However, the "Goals, Objectives, and Policies for Calcasieu Parish" section, which follows, will address these matters should they occur.

GOALS, OBJECTIVES, AND POLICIES

FOR

CALCASIEU PARISH

AND

THE PARISH COASTAL ZONE

GOALS, OBJECTIVES AND POLICIES FOR CALCASIEU PARISH

Up to this point in this report, an ongoing introduction of the Calcasieu Parish Coastal Zone Management Unit has been given to the reader. In this introduction, the environmental characteristics, social and economic characteristics, and resource users and the conflicts occurring while using some of these resources have been examined. This previous discussion has been to prepare the reader for the remainder of the report. This is the portion that will be actually used by this parish in the administration of and guidance of uses in the coastal zone.

In this section goals, objectives, and policies for the entire parish coastal zone have been delineated, as well as goals, objectives, and policies for each of the environmental units (EMU's). These policies were designed to be consistent with the policies and objectives of Act 361 and the state guidelines established in the "Louisiana Coastal Resources Program". However, even though these state guidelines were followed, the local goals, policies, and objectives were established to preserve the parish's resources that need to be preserved and to direct growth and the appropriate uses into the areas suited for growth, as prescribed for Calcasieu Parish.

Before going on, the terms "goals, policies and objectives" need to be defined for ease in understanding. Goals are broad in scope, more abstract, and more the ideal of what the parish wants to accomplish. Objectives are more specific and identify several items that must be achieved to reach the goals. Policies are very specific and state very specifically what must be done and how it must be done, they are the guidelines through which the objectives can be met. The goals, objectives, and policies for the entire parish coastal zone are much broader in scope than those for the individual management units. They are general and are the basis on which the entire coastal management program was framed. The goals, objectives, and policies for the individual EMU's are specific and address the problems and needs of that particular area of the coastal zone.

These guidelines will be used in the interpretation and the administration of the Calcasieu Parish Coastal Management Ordinance; will apply to uses of local concern; and, will serve as the basis for the parish's comments on uses of state concern. However, these objectives, policies and guidelines which might directly or indirectly affect uses of state concern are not to be construed as being regulatory or binding upon either the permit applicant or the Coastal Management Division (CMD) of the DNR, but are for the purpose of submitting the parish's environmental review comments to the State on applications for uses of state concern. Any policies included herein which contain prohibitions, restrictions or performance standards beyond the scope of the Coastal Use Guidelines shall be considered as advisory by the Parish, the Coastal Management Division and the permit applicants.

Goals, Objectives, and Policies for the Parish Coastal Zone

GOAL:

To adopt a program for the sound management of the Calcasieu Parish Coastal Zone Unit which will preserve, enhance, and protect the sensitive quality of the area for the enjoyment of present and future generations, while promoting a balanced approach to development of businesses, residential, recreational, and industrial facilities for the good of the coastal zone unit, parish, state and nation.

OBJECTIVES:

1. Minimize erosion and saltwater intrusion, and maintain natural water flow within the coastal zone unit.
2. Promote public use and support of recreation facilities as well as public minimization of adverse impacts within the Coastal Zone Management Unit.
3. Institute public awareness program to increase public appreciation of the Coastal Zone Management Unit.
4. Establish a permitting system that will protect the environment as well as minimize conflicts between land uses.

POLICIES:

1. Adopt an ordinance for the Parish Coastal Resources Program which will include a permitting system that will interact with all other permitting systems which are in effect at this time so as to minimize land use conflicts.
2. Monitor and coordinate development within the Coastal Zone Management Unit through the established Development Permit system and zoning.
3. Inhibit saltwater intrusion and maintain the natural water flow through proper operation of canals and other manmade water ways.
4. Stabilize shorelines and areas of erosion through replanting of natural grasses and use of materials which will minimize land loss.
5. Have developer submit plans for review and approval when developing in the coastal zone, which outline the procedures to control any possible erosion and/or saltwater intrusion, any possible disturbance of existing sheet flow or water circulation, and any other possible obstructions or problems relevant to the particular development.
6. Continue enforcement of established parish regulations for existing parks and recreational facilities.
7. Continue the necessary upkeep and maintenance of parks and recreational facilities.
8. Continue enforcement of parish litter laws and other applicable laws.
9. Update existing brochures and develop other means so as to encourage use of the recreational areas within the coastal zone while increasing public awareness of the coastal zone itself.

10. Provide information that will promote the preservation and protection of the scenic and historic resources of the Coastal Zone Management Unit.
11. Make all information about the coastal zone available to citizen groups and others for use in presentation.
12. Encourage public participation at public meetings regarding the Coastal Zone through the use of public notices, special news releases and any other means available.
13. Establish, where feasible, a pipeline corridor system.
14. Restrict chemical injection wells in all areas of the coastal zone.
15. Backfilling of previously cut canals, which have become wildlife habitats, should be allowed only when such action would be beneficial to the restoration of the wetlands and/or provide for the enhancement of wildlife habitats.
16. Encourage boardroads or use of existing canals, instead of allowing new canal cuts, for oil exploration needs in marsh areas.
17. Spoilbanks shall be graded to avoid potholes or other fissures which would create mosquito breeding grounds.
18. Dredged material shall be deposited in open water areas adjacent to marsh in non-navigational areas at elevations conducive to the creation of new marsh.
19. To avoid saltwater intrusion into freshwater areas, canals shall be plugged upon abandonment with earthen plug and rip-rap, or other stabilizing materials; however, to ensure sufficient water interchange between the plugged canal and the surrounding marsh, gaps should be allowed in the spoil bank of the canal.
20. To prevent erosion, stabilization material shall be used on areas of severe erosion along canal lengths.
21. When normal drilling practices might cause severe damage to marsh habitat, wildlife, or archaeological features, directional drilling should be used.
22. To avoid unnecessary disruption of the marshland, existing pipeline corridors should be used.
23. To avoid decreasing navigable water depth, spoil should be spread so as to not decrease the water depth by more than 0.5 feet.
24. Shorelines shall be stabilized by methods, other than bulkheading, such as rip-rap, matting material, or natural vegetation.
25. Boardroads shall be built to ensure that sheet flow and water circulation are maintained, and that toxic substances or pollutants are not allowed to enter into the wetland habitats.
26. If possible dredging or filling of existing marsh that will have extremely adverse affects, should be discouraged. However, whenever, such activity is unavoidable, adverse impacts should be minimized as much as possible, and, when feasible, offset by marsh generation, restoration or prevention projects.

ENVIRONMENTAL MANAGEMENT UNITS

As noted previously in this report, the environmental management unit (EMU's) are specific areas in the parish which have their own unique characteristics and problems. Because of these special qualities, it is necessary that these areas also have their own specific goals, objectives, and policies for the management of the activities that will occur within their boundaries. Figure 3 shows the delineation of the EMU's boundaries.

Many of the EMU's have very similar characteristics with each other. Because of these similarities, the EMU's can be grouped together according to either the geographical and geological semblances; or because they share similar problems and goals, regardless of geographical location. The Calcasieu Parish EMU's have been assigned to one of three different groups according to their ability to support development, or their existing environmental quality. Group I, consists of the three most western management units in the coastal zone. These EMU's have had relatively little disturbance of their ecosystem, and it has been decided to try to maintain this area as it presently exists. Group II, consists of the eastern most EMU which contains the largest human population of the entire coastal zone. This area is best designed to support low density, low impact types of coastal uses such as residential, supportive or recreational type uses. Group III, consists of the two central EMU's which embody the Calcasieu River, part of the Intracoastal Waterway, the Calcasieu Ship Canal, and the northern portion of the Calcasieu Lake. It is also bordered on the west by State Highway 27. Because of the intense use of both units for transportation purposes, these units have been set aside for the consideration of development of coastal uses that will possibly have greater impacts of the coastal zone. However, these units will also be more carefully monitored than the other units to assure that mitigative measures are taken to lessen the expected environmental impacts.

The discussion in this section will consist of a description of each of the management units according to its specific characteristics, location, topography and resources;¹⁷ and then the identification of the goals, objectives, and policies for each group. These policies will serve as the guidelines for each management unit, and as the specific means by which to meet the particular problems occurring throughout the coastal zone.

Goals, Objectives, and Policies for the
Parish Environmental Management Units

GROUP I

West Black Bayou West Black Lake
 Bancroft

Description for Group I

These management units were grouped because of the units intrinsic suitability as they now exist and because the value of the environmental quality in each unit has been recognized. These two factors suggest that there is a need to preserve this quality. In this group development that is in tune with the ecosystem will not be restricted. However, because of moderate soil subsidence, wildlife habitats and breeding grounds, and other factors that make this an area of particular environmental concern, development will be restricted to uses with very limited impacts such as recreational and agricultural uses.

West Black Bayou

Location:

The entire management unit runs from the Intracoastal Canal south to the Calcasieu/Cameron parish line and extends into Cameron Parish. The management unit lies within the boundaries of Ward Seven of Calcasieu Parish. It is bordered on the east by the Bancroft Management Unit and on the west by the Sabine River. Total acreage of the West Black Bayou unit is approximately 2,867 acres. Population according to the 1980 census is zero.

Soils:

There are two types of soils found in the management unit. The first falls under the classification of the Harris-Salt Water Marsh Association, which is mineral and organic salt water marshland. The Harris soil has a dark gray clay surface and the saltwater marsh has a soft organic and mineral mud surface. Both have gray clay subsoil. The second soil classification covers a smaller area in the central part of West Black Bayou and is called the Morey-Beaumont Association. This is nearly level clayey and silty soils.

Vegetation:

Both brackish and intermediate marshes are found with such vegetation existing as wiregrass, three cornered grass, coco and widgeon grass, deer pea, bulltongue, wild millet, bullwhip, and sawgrass. Trees indigenous to the area are shortleaf pine, loblolly pine, black oak, American holly, river birch, boxelder, sweetgum, red, mulberry, sweetbay, and black willow.

Subsidence Potential:

Soil subsidence is only moderate in the Harris soil, and is little to none in the Morey-Beaumont soil.

Land Loss Potential:

Land loss in the management unit has only a low to medium potential.

Topographic Features:

The management unit is bounded on the northern side by the Intracoastal Waterway, on the west by the Sabine River, and on the east by the Vinton Waterway. In the central portion of the EMU pleistocene deposits can be found which provide terrace lands that are above five feet in elevation.

Flood Potential:

Flood potential is high on the northwest side of the unit; however, it is in an area undesignated by the Federal Flood Insurance Program.

Important Farmlands:

In the very central portion of the EMU, land has been designated as farmland of state wide importance.

Land Use:

There is limited potential for development of the land in this area; however, an area in the western portion of the EMU has been designated by the Louisiana Coastal Atlas as a primary fish and shell fish nursery ground. The marshes of the area provide support for nearby populations of fish, shrimp, and crabs. The unit is also heavily traversed by pipelines. The primary use of the land in this area, however, is for hunting, fishing, and trapping.

Unique Ecological Features:

Predominant wildlife in West Black Bayou is muskrat, nutria, and different species of duck. The red wolf is one of two species of wolves left in North America and is confined to southeast Texas and western portions of Cameron and Calcasieu Parishes. The West Black Bayou EMU is the area of Calcasieu Parish where the red wolf can be found.

Recreation Potential:

Fishing, hunting, and trapping are excellent in this area.

Hydrological Resources:

Hydrological resources of West Black Bayou fall in region two, which covers most of southern and south central Louisiana. The base of fresh ground water (water which has a chloride content of less than 250ppm) ranges from 500-900 feet in the unit. The general water levels are from 20-70 feet but the depth increases to 110 feet as one moves towards Lake Charles.

Historic/Cultural/Archaeological Features:

Known shell midden sites exist in the extreme northwestern corner of the West Black Bayou area.

Problems:

Pollutants from the Sabine River can enter the Calcasieu Coastal Zone through the Gulf Intracoastal Waterway at the western boundary of this unit. Pesticides and industrial pollutants from the Calcasieu Basin can be transferred to the Sabine Basin through this same mechanism. At least four private and one government pipelines traverse the management unit. Known impacts associated with these pipelines occurred primarily during their construction and included temporary habitat destruction, reduction of water quality, and displacement of wildlife.

Bancroft

Location:

A portion of the Bancroft management unit lies within Cameron Parish; with the Calcasieu Parish portion running from the Intracoastal Canal south to the parish boundary line. It is bordered on the east by the West Black Lake management unit, and on the west by the West Black Bayou unit. This unit falls within Ward Seven of Calcasieu Parish. The population according to the 1980 census is zero.

Soils:

The type of soil found in the Bancroft management unit is classified under the Morey-Beaumont Association which is nearly level, clayey and silty soils. Seventy percent of this association is composed of Morey soils with a dark gray silty loam surface and a gray silty clay loam subsoil. Beaumont soils with a dark gray, clay surface and a gray clay subsoil compose ten percent of the association. The remaining fifteen percent is Crowley, Mowata, and Harris soils.

Vegetation:

Bancroft is considered a freshwater area with some intermediate marshes, an intermediate marsh being one of low salinity. Typical vegetation is Maidencane, Hydrocotyl, Water Hyacinth, Pickerelweed, Alligatorweed, Bulltongue, Wiregrass, Deerpea, Wild Millet, Bullwhip, and Sawgrass. Trees particular to the unit are Sweetbay, Black Willow, Short Leaf Pine, River Birch, Black Oak, Boxelder, American Holly, Sweetgum, and Red Mulberry.

Subsidence Potential:

Soil subsidence is almost non-existent in the east and moderate in the middle and western sections.

Land Loss Potential:

The eastern section of the unit is classified as having low land loss potential while the western portion has medium land loss potential.

Topographic Features:

The management unit is bound on the north by the Intracoastal Waterway and on the west by the Vinton Waterway. Land in the unit is primarily level.

Flooding Potential:

Most of the Bancroft EMU is not prone to flooding. However, there is a small area in the southeastern portion of the unit that does have a high flood potential. That area is in an A-2 flood zone according to Federal Flood Insurance Flood Hazard Maps.

Important Farmlands:

All the land in the eastern half of Bancroft is considered prime farmland, with it being primarily used for rice farming.

Land Uses:

The primary land uses in this EMU are transportation and agriculture. Within the unit there is the Intracoastal Waterway, the Vinton Waterway, the Gum Cove Ferry, and the Gum Cove Road. The land is also used for pasture and crop production.

Unique Ecological Features:

Predominant wildlife inhabiting the area are muskrat, alligator, geese, and ducks. Although there are no known fisheries in the management unit, the marshes provide support for nearby populations of fish, shrimp, and crabs.

Recreation Potential:

There are no particular recreational sites existing within the unit itself; however, there are several private hunting camps in the area.

Hydrological Resources:

Hydrological resources of Bancroft fall in Region 2, which covers most of southern and south central Louisiana. The basis of fresh ground water ranges from 700-800 feet. General water level is 20-70 feet. This general water level increases in depth as one moves toward Lake Charles.

Historic/Cultural/Archaeological Features:

None.

Problems:

The Bancroft unit supports some agricultural activities since there is fastland, a road, and a ferry across the Gulf Intracoastal Waterway. The typical impacts associated with such activities include conversion of land to pasture and crop production, pesticide runoff, noise, wildlife habitat losses, changes in species dominance, and loss of species diversity. Heavy oilfield equipment which moves along Gum Cove Road to the Cameron Parish oilfield also causes major disruption to the environment.

West Black Lake

Location:

The West Black Lake Management Unit runs from the Intracoastal Waterway south into Cameron. The Calcasieu portion covers 3,968 acres and is located between the Bancroft unit on the west and the Calcasieu River management unit on the east. The unit falls within the boundaries of Ward Four of Calcasieu Parish. The population according to the 1980 census stands at five.

Soils:

The Harris-Salt Water Soil Association is dominant over most areas, but there are scant patches of the Morey-Beaumont Association and the Crowley-Morey-Mowata Association. The composition of the first two associations have been discussed in the West Black Bayou and the Bancroft sections. The Crowley-Morey-Mowata Soil Association is made of nearly level silty soils with clayey and silty subsoils. It is found in the northern part of Cameron Parish and the southern part of Calcasieu Parish. Forty-five percent of the association is Crowley soils with a surface of very dark grayish-brown silt loam and a subsoil of gray silty clay. The Morey soils, with a very dark silt loam surface and a gray silt loam and subsoil, compose some 25% of the association. Twenty percent of the association is the Mowata soils with a surface of gray silt loam and subsoil of gray heavy silty clay loam. The last ten percent of the association consists of the Beaumont soils.

Vegetation:

West Black Lake has various types of marshes within its boundaries: fresh marshes where typical vegetation consists of maidencane, hydrocotyl, water hyacinth, pickerelweed, alligator weed, and bulltongue; brackish marshes that contain wiregrass, three cornered grass, cow and widgeon grass; and intermediate marshes containing wiregrass, deerpea, bulltonuge, wild millet, bullwhip, and sawgrass. There are also non-marsh areas according to the Louisiana Coastal Atlas.

Subsidence Potential:

This land area has no soil subsidence in the west and only moderate subsidence in the east.

Land Loss Potential:

Land loss is low to medium in the unit.

Topographic Features:

This management unit is bounded on the north by the Intracoastal Waterway, on the east of Highway 27, and on the west by the Gum Cove Road. Most of the unit is low lying marshland. The high land in the EMU primarily are located around the right-of-ways of each of the transportation corridors.

Flooding Potential:

The western most part of the EMU is not prone to flooding, however, the remainder and majority of the unit falls in the 100 year flood hazard zone with a Federal Flood Insurance rating of A2.

Important Farmlands:

Land on the very western side of the EMU and a small portion of land at the eastern border of the EMU are classified as prime farmland.

Land Uses:

The western and eastern border of the unit are being used as transportation corridors, with the land directly beside these roadways being most suitable for cropland, with rice as the principle crop. The remaining portion is wetland and is used only as wildlife and fishery habitats.

Unique Ecological Features:

Predominant wildlife in West Black lake include deer, blue and snow geese, and duck. This management unit is considered a breeding ground for crawfish, and also contains wading bird rookeries.

Recreational Potential:

There are no designated recreational facilities in the EMU; however, the area is used as a hunting and fishing ground.

Hydrological Resources:

Water salinity in the West Black Lake study unit is less than 5.0 ppt. to more than 5.0 ppt. but less than 10.0 ppt. West Black Lake lies in hydrologic Unit Number IX., which is found in the western half of Calcasieu Parish and includes marshes drained by the Calcasieu and Sabine Rivers. Fresh groundwater resources of West Black Lake fall in Region 2 of the Hydrologic Unit. Region 2 covers most of southern and south central Louisiana. The base of fresh groundwater ranges from 700-900 feet. The general water level in this area is 20-70 feet and declines as one moves toward Lake Charles.

Historic/Cultural/Archaeological Features:

None.

Problems:

The western portion of the West Black Lake unit supports some agricultural activities, since there is fastland, with a developed road, and a ferry across the Gulf Intracoastal Waterway. The impacts associated with such activities include conversion of land to pasture and crop production, pesticide runoff, noise, wildlife habitat losses, changes in species dominance, and loss of species diversity. Impounding and draining of wetlands are also problems.

GOALS, OBJECTIVES, AND POLICIES FOR GROUP I

Goals:

Minimize development of uses which are incompatible with preservation of present land and water resources; maintain the existing quality of the undisturbed natural resource; and encourage the use of the area for recreational purposes while minimizing adverse impacts.

Objectives:

1. Reduce the subsidence potential from non-environmental sources.
2. Inhibit saltwater intrusion.
3. Limit canal cuts.
4. Stabilize the continuing erosion along the Intracoastal Waterway.
5. Protect the wildlife habitats in the area, especially the Red Wolf present in the West Black Bayou EMU which is an endangered species.

Policies:

1. Require any oil company doing exploration in the unit to refill the area where oil or gas is extracted with water to reduce the chance of soil subsidence.
2. Plug canal cuts leading into major waterways which are not used for navigation; however, to ensure sufficient water interchange between the plugged canal and surrounding marsh, gaps should be allowed in the spoil bank of the canal.
3. Recommend use of boardroads, when transportation is necessary into the marsh areas, where feasible.
4. Discourage uses which are incompatible with preservation of the present land and water resources, especially in the West Black Lake area.
5. Use rip-rap and shell to stabilize banks along the Intracoastal Waterway.
6. Revegetate areas disturbed by dredging with appropriate native vegetation to help prevent erosion of the disturbed areas.
7. To avoid unnecessary disruption of marsh or existing wildlife habitats, new pipelines should follow existing pipeline corridors.
8. To discourage environmentally obtrusive uses in this area, an agricultural zoning classification has been applied to this particular area to be removed only if the proposed use will be environmentally compatible and is capable of meeting the appropriate coastal use guidelines.
9. When possible have spoil deposited onto existing spoil banks.

GROUP II

Black Bayou

Description for Group II

Group II consists of one environmental management unit, known locally as Black Bayou. This is the only management unit that can actually be considered a community, with the largest population concentration of any of the other EMU's. Black Bayou is considered a camp community; and, therefore is only sparsely populated most of the year. The community has developed where the land is most stable. Though the unit has a considerable amount of marsh land, it is a relatively good location for future growth potential in the coastal zone, with growth being limited to residential, recreational, and service oriented type activities.

Black Bayou

Location:

The Black Bayou unit is bordered on the west by the Calcasieu River unit, on the east and the north by the Intracoastal Waterway, and on the south by the Calcasieu-Cameron parish boundary. Acreage for this area is approximately 2,144 acres. Population according to the 1980 census and housing survey is estimated to be 154.

Soils:

The soil of the Black Bayou unit is mainly classified under two associations: Fresh Water Marsh-Harris Association and the Harris-Salt Water Marsh Association. The Fresh Water Marsh-Harris Association is found along the Intracoastal Waterway in the eastern section of Calcasieu and Cameron Parish. The minerals and organic fresh water marshland is flooded with freshwater in many places. Seventy-five percent of the Fresh Water Marsh-Harris Association is made up of freshwater marsh and peat soils; ten percent is undrained Harris soils; and another ten percent is composed of Harris soils, drained. Fresh water marsh has an organic surface; Harris soils, undrained, have a dark gray clay surface; and Harris soils, drained, have a black clay surface. The subsoil is gray clay under all three. The other five percent is Beaumont-Morey and Mowata soils. The Harris-Salt Water Marsh Association is mineral and organic saltwater marshland. The soil has a gray clay surface and the saltwater marsh has a soft organic and mineral mud surface. Both have gray clay subsoil.

Vegetation:

The Black Bayou EMU has a mix of non-marsh and marsh vegetation. Trees particular to the area are Sweetgum, Red Mulberry, American Holly, Sweetbay, River Birch, and Black Oak.

Subsidence Potential:

Subsidence potential is said to be non-existent in some areas and moderate along the waterway.

Land Loss Potential:

Land loss potential of the unit is low.

Topographic Features:

The management unit is bounded on the east and north by the Intracoastal Waterway and on the southwest by the Calcasieu Lake. The non-marsh areas are very level.

Flooding Potential:

The entire management unit falls within the 100 year flood hazard zone, and is designated in an A5 flood zone by the Federal Flood Insurance Program.

Important Farmland:

Land in the south central portion of the EMU has been designated as prime farm land by the Louisiana Coastal Resources Atlas. The principle crop is rice.

Land Use:

The principle land use of the drained area is rice cropland, and of the undrained areas is wildlife habitat. Other uses are permanent residences, service type businesses, and hunting and fishing camps.

Unique Ecological Features:

Black Bayou is considered at certain times of the year to have peak concentration of ducks. There are also deer, alligator, and geese in the unit. There are no listed fisheries within the unit; however, the marshes do provide fish and shellfish nursery grounds for the support of the nearby commercially exploited populations of fish, shrimp, and crab.

Recreational Potential:

There are no existing public recreational facilities in the unit, but because of the stability of the land the area would be a good site for future consideration. Hunting and fishing is very good in this area. Private marinas also exist in this area.

Hydrological Resources:

The EMU falls in Hydrologic Unit IX. Within this hydrologic unit, Black Bayou is classified in Region 2 for basis of fresh groundwater deposits. This region covers south and southeast Louisiana. In the Black Bayou unit the base depth ranges from 800-900 feet. The average water level, however, is 20-70 feet.

Historic/Cultural/Archaeological Features:

None.

Problems:

The junction of the Calcasieu River and the Gulf Intracoastal Waterway provides a mechanism for pollutant exchange although the locks on the Waterway tend to retard

this exchange somewhat, thereby encouraging accumulation of pesticides east of the locks and inside the EMU. At least one pipeline has been constructed through this unit. State Highway 384 which runs through the unit has disrupted marsh sheet flows and animal migratory routes, increased access, noise, and air pollution. Some permanent residences, businesses, and many permanent camps are within this unit creating the usual wildlife displacement and waste disposal problems.

GOALS, OBJECTIVES, AND POLICIES FOR GROUP II

Goals:

Encourage the development of coastal uses which will provide basic services; limit the type of uses to low density, environmentally acceptable uses, which do not significantly alter the unit's resources; and, plan for growth in the unit so as to reduce the harmful effects that urban land uses can have on the environment.

Objectives:

1. Encourage development in areas which are best suited for growth.
2. Provide for basic services, utilities, sewer and flood protection with minimal disturbance to the environment.
3. Plan for orderly growth in those areas of the unit capable of supporting the growth.
4. Discourage the location of activities in the area which will have detrimental effects on the area.
5. Limit the harmful effects of the community waste while insuring efficient treatment of this waste.

Policies:

1. To assure low densities of population in the EMU, the higher density residential zoning classifications should not be applied.
2. Residential zoning classifications should only be applied in areas where subsidence potential is very low.
3. The Agricultural zoning classification should be applied and retained in those areas where subsidence potential is greater and where marshlands exist, to be removed only if the proposed use will be environmentally compatible and is capable of meeting the appropriate coastal use guidelines.
4. Monitoring of the Federal Flood Insurance Program should be continued to assure protection of properties from flooding.
5. Uses which significantly alter the flow of water should be restricted.
6. Discourage water control structures such as levees in critical water flow areas.
7. Assure that EMU is adequately served by the parishwide waste disposal program.

GROUP III

Calcasieu River

Calcasieu Lake

Description for Group III

These two management units were grouped because of the intensity of the transportation networks within and surrounding the units. The areas are also prime target areas for future industrial growth, such as barge terminals or porting facilities, because of the access to water and land transportation; and, because of the amount of land already in the hands of industrial developers. Realistically, the best alternative for the control of coastal uses in this particular area will be by the use of mitigative measures. Hopefully, this means will serve the goal of both concerns -- that is, the concern for available land for industrial development, and the concern for the environmental impacts such development will have on the EMU's.

Calcasieu River

Location:

The Calcasieu River unit lies in both Cameron and Calcasieu parishes, but the largest segment lies within the boundaries of Calcasieu Parish. The unit's boundary follows the Intracoastal Waterway from the west as it juts upward into the Calcasieu River and then extends northeastward to just above what is locally known as Devils Elbow, a major curve in the river. At this point the unit's boundary follows the Intracoastal Canal southeastward to the northeast boundary of Black Bayou. Population according to the 1980 census is approximately 76.

Soils:

The soils of the Calcasieu River Management Unit are classified evenly under both Morey-Beaumont and Harris-Salt Water Marsh Associations.

Vegetation:

The organic content of the area runs from 15% to 50%, but most of the area is non-marsh area. Trees indigenous to the Calcasieu River area are Loblolly Pine, River Birch, Black Oak, American Holly, Sassafras, American Plum, Wahoo, Swamp Cyrella, Red Maple, Devil's Walking Stick, Black Tupelo, Water Tupelo, Flowering Dogwood, Gum Bumelia, Caroline, Silverbell, Green Ash, Caroline Ash, Fringe-tree, Swamp Privet, Common Button Bush, Red Mulberry, and Sweetbay.

Subsidence Potential:

The subsidence potential of the area goes from none in the southwest part of the unit to moderate in the remaining portion of the unit.

Land Loss Potential:

Land loss potential is low in the southwest portion of the unit, with a medium potential for land loss in other parts of the unit.

Topographic Features:

The management unit is bounded on the west by State Highway 27, on the northwest and northeast by the Intracoastal Waterway, and on the eastern border by State Highway 384. Traversing the management unit is the Calcasieu River. Various canals have been cut off of the river leading to the waterway, or as in the case of the ship canal, have been cut to straighten the course a ship must travel. Because of necessary maintenance dredging of both the manmade and natural water courses, spoil banks exist along the Waterway, the river and as islands in the unit. Also, along the road right-of-ways of the two state highways, land has been built up for construction purposes.

Flooding Potential:

The entire management unit, with the exception of a small portion of the unit along State Highway 27 and a western portion of the Intracoastal Waterway is flood prone. The unit is classified within an A5 Flood Hazard Zone by the Federal Flood Insurance Program.

Important Farmland:

There are two areas within the management unit designated as prime farmland. One area is designated in the southeast portion of the EMU, and the other area is in the southwest portion of the unit along Highway 27.

Land Use:

The existing land uses in the area consists of residential, agricultural, commercial, and recreational uses. A large portion of the unit is zoned for future industrial uses, though no industrial activity occurs in the EMU at this time.

Unique Ecological Features:

Although there are no fisheries or wildlife industries listed for this area, the unit is a critical interface among various ecological units (fresh water zone, estuarine zone, Pleistocene Prairie, marsh, and the urban/industrial complex). Wildlife present in the unit include fur bearing animals such as muskrat, nutria, opossum, raccoon, and also many species of ducks and geese, as well as alligator. The southern portion of the unit is also designated by the Louisiana Coastal Resources Atlas as a primary fish and shellfish nursery ground.

Recreation Potential:

Fishing, hunting, and trapping are very good in this area.

Hydrological Resources:

The Calcasieu River unit lies within Hydrologic Unit IX and within Region 2 for the base of fresh ground water, which is 800-900 feet in this area. Water salinity ranges from less than 5.0 parts per thousand to 10.0 parts per thousand.

Historic/Cultural/Archaeological Features:

Known shell middens occur along the Calcasieu River ship channel in the northwestern portion of the EMU. Land in the south central portion of the management unit are probable locations for shell middens.

Problems:

This primarily aquatic management unit has been severely impacted by industrial and agricultural pollution, and the construction of the ship channel and Gulf Intracoastal Waterway. Ecological distortions are serious, water quality is very poor, and the chances of restoration are bleak. Continued pressures for nearby development will increase stresses, and remaining aquatic life forms will be further threatened. Former fish and crustacean migratory activities are hampered, if not made impossible, at times, by toxic chemical contamination, salinity, currents, and maintenance dredging work.

Calcasieu Lake

Location:

The tip of the Calcasieu Lake Management Unit juts into the Calcasieu Parish coastal zone from Cameron Parish where the main portion of the unit is found. Acreage for the Calcasieu Lake Unit within Calcasieu Parish is 1,075 acres, thereby making it the smallest management unit in terms of land area. Population according to the 1980 census is zero.

Soils:

The soils of the area are classified under the Harris-Salt Water Marsh Association, which is scattered around the western shoreline of the lake.

Vegetation:

The organic content is 15-30 percent in the small marsh area; however, most of the Calcasieu Lake management unit is non-marsh. Trees particular to the area are Sugarberry, American Holly, Red Mulberry, Sweetbay, River Birch, and Black Oak. There is a stressed marsh zone with deterioration due to channelization for canals, boat slips, and other uses.

Subsidence Potential:

Subsidence potential is negligible.

Land Loss Potential:

Potential for land loss is low.

Topographic Features:

This management unit is primarily a water body with a small island in the northern portion of the unit and a spoil bank on the western boundary between the lake and Calcasieu River.

Flooding Potential:

The Calcasieu Lake unit lies in the 100 year Flood Hazard Zone and is designated A5 by the Federal Flood Insurance Program.

Important Farmland:

None.

Land Use:

The main land usage includes cattle ranging and wildlife habitats.

Unique Ecological Features:

Wildlife in the area is predominantly fisheries for such things as: gar, shrimp, oyster, blue crab, flounder, redfish, drum, speckled trout, striped bass, menhaden, and other fish. The unit is designated in the Louisiana Coastal Atlas as primary fish and shellfish nursery ground. There are also shorebirds, ducks, and geese.

Recreation Potential:

Fishing, boating, and hunting is good in this unit.

Hydrological Resources:

Water salinity is greater than 5.0 parts per thousand to 10.0 parts per thousand. Calcasieu Lake also falls in Hydrologic Unit IX. The hydrologic resources of Calcasieu Lake are designated in Region 2, which covers most of southwest and south central Louisiana. Probable fresh groundwater depth in this area is 800-900 feet. General water level, however, ranges from 20-70 feet.

Historic/Cultural/Archaeological Features:

Probable shell middens exist on the small island in the north central portion of the unit.

Problems:

A spoil bank island along the western boundary helps prevent rapid interchange of pollutants with the Ship Channel, but most leaching of toxic chemicals from the spoil bank is into Calcasieu Lake in a sector heavily utilized by commercial crabbers, shrimpers, and sport-fishermen. Water quality is much reduced and primary productivity may be seriously hampered for weeks at a time by herbicide runoff from upstream applications. There is some indication that phosphorous concentrations may attain levels high enough to induce tetany in zooplankton and that removal of Calcasieu Lake shell reefs may have altered calcium and carbon dioxide dynamics.

GOALS, OBJECTIVES, AND POLICIES FOR GROUP III

Goals:

Insure good water quality levels to enhance recreational and commercial fishing activities while providing for transportation related industrial development for long range needs which will be environmentally compatible.

Objectives:

1. Monitor coastal uses so as to minimize impacts causing air, water and noise pollution.
2. Monitor pollution levels and saltwater intrusion levels in Calcasieu River.
3. Reduce saltwater intrusion into the Calcasieu Lake.

Policies:

1. Strictly enforce the Federal Flood Insurance Program.
2. To ensure low densities of population in the EMU, higher density residential zoning classifications should not be applied.
3. The agricultural zoning classification should be retained in those areas where subsidence potential is greater and where marsh lands exist, to be removed only if the proposed use will be environmentally compatible, and is capable of meeting the appropriate coastal use guidelines.
4. To reduce the damage to shellfish and other organisms caused by sediment deposition from dredging, turbidity screens should be used during dredging on the Calcasieu River and the manmade canals.
5. Areas disturbed by dredging should be revegetated to help prevent erosion.
6. To help prevent the development of mosquito breeding areas, spoil banks should be graded to avoid potholes or other fissures.
7. Dredged materials should be placed to maintain natural drainage and nutrient exchange.
8. Encourage industrial growth along ship channels where spoil from ship channel dredging has turned into developable land.
9. Use rip-rap and shell to stabilize shoreline erosion along the lake shore and the Intracoastal Waterway, which are subject to tidal action, large amounts of saltwater intrusion, and continuous barge traffic.
10. Plug any and all canals leading into the Calcasieu Lake or the Calcasieu River ship channel which are not used for navigational purposes.
11. Spoil should not be deposited in marsh ponds or tidal streams but be placed on existing spoil banks, in open water areas adjacent to marsh in non-navigation areas at elevations conducive to the creation of new marshes, or to stop up abandoned canals or cuts along the waterway or ship canal.

12. Industrial sites should be designed, constructed, and operated using the best practical techniques to prevent the release of pollutants or toxic substances into the environment.
13. All development should be encouraged to develop only in the most stable areas.
14. Industrial Development should be encouraged adjacent to the ship canal and/or the Intracoastal Waterway; and, directed away from Calcasieu Lake and known oyster reefs in the EMU.

IMPLEMENTATION
OF THE
CALCASIEU PARISH
COASTAL RESOURCES PROGRAM

IMPLEMENTATION OF THE CALCASIEU PARISH COASTAL RESOURCES PROGRAM

The final step in the completing of the local program is to adopt and administer a local coastal zone management ordinance which converts the local program into local parish law. This ordinance outlines the procedures that are to provide for the full participation of federal, state, and local governments. It also outlines the rules and procedures for determining whether a coastal use is of state or local concern. The Calcasieu Parish Coastal Management Ordinance is found in the next section. This section, however, is dedicated to a discussion of the permitting process; uses of greater than local benefit; and, administrative considerations.

PERMITTING PROCESS:

The purpose of including the coastal parishes in the state's CZM program is to provide coordination between DNR and the local parish in which the coastal use permit is being applied. Therefore, the permitting procedure has been designed so that permits may be accepted both at the local government's office or at DNR's office. The following is first an overview of the general permit process requirements; then the state's permitting procedure; and finally, Calcasieu Parish's permitting process:

The general permitting requirements as listed below are as outlined in the LCRP Federal Environmental Impact Statement. The requirements are as follows:

1. No person shall commence a use of state or local concern without first applying for and receiving a coastal use permit. Decisions on coastal use permit applications shall be made by the secretary, except that the local government shall make coastal use permit decisions as to uses of local concern in areas where an approved local program is in effect.
2. Coastal use permit applications shall be submitted to the administrator, except that application for uses in areas subject to an approved local program may instead be submitted to the local government. Local governments with an approved program to whom applications are submitted shall make the initial determination, subject to review by the administrator with a right of appeal, as to whether the proposed use is of state concern or local concern. In the event of an appeal, the burden of proof shall be on the administrator. Copies of all applications submitted to local governments, and the local government's use-type determination, shall be transmitted to the administrator within two days of receipt.
3. Within ten days of receipt of a coastal use permit application by the administrator, copies of the application shall be distributed to the local government or governments in whose parish the use is to occur and all appropriate state and local agencies and public notice shall be given. A public hearing on an application may be held.
4. The decision to approve, approve with modifications, or otherwise condition approval, or deny the coastal use permit shall be made within thirty days after public notice or within fifteen days after a public hearing, whichever is later. The coastal use permit decision must be consistent with the state program and approved local programs for affected parishes and must represent an appropriate balancing of social, environmental and economic factors. In all instances local government comments shall be given substantial consideration.

5. The decision to approve, approve with modifications, or otherwise condition approval, or deny the application for a coastal use permit shall be in writing and copies of the decision shall be sent to all parties.
6. Public notice of coastal use permit decisions shall be given.
7. The secretary may adopt rules providing for alternate procedures for the filing of applications, distribution of copies, giving notices, and public hearings in order to implement the coordinated coastal permitting process established pursuant to Section 213.14.
8. The applicant, the secretary, and affected local government or affected federal, state, or local agency, any aggrieved person, or any other person adversely affected by a coastal use permit decision may appeal the coastal use permit decision. An appeal must be filed in writing within thirty days following public notice of the final decision and shall be in accordance with procedures adopted by the secretary.
9. The secretary is authorized to adopt rules and procedures for the issuance of general coastal use permits and for the issuance of variances from the normal coastal use permitting requirements. For the purpose of this Part, a general coastal use permit is an authorization to prospective users to perform specific uses within prescribed areas of the coastal zone without the necessity for a complete, independent review of each proposed use and allows the shortest time period of review possible. The rules and procedures which may be adopted pursuant to this Section shall provide for expeditious processing of applications for general coastal use permits and may authorize variances from the normal coastal use permit application and review procedures. General coastal use permits and variances from the normal coastal use permitting requirements may not be issued except when the issuance of such general coastal use permits or variances does not impair the fulfillment of the objectives and policies of the Part.
10. The secretary shall adopt rules whereby specified types of activities may be carried out under prescribed emergency conditions without the necessity of obtaining a coastal use permit in advance.
11. The secretary is authorized to establish a reasonable schedule for fees to be charged to the applicant for the processing and evaluation of coastal uses permit applications.

The state's permitting process is carried out through the Department of Natural Resources. The department's procedure are as follows:

1. When an apparently complete application for a permit is received, the permitting body shall immediately assign it a number for identification, acknowledges receipt thereof, and advise the applicant of the number assigned to it.
2. Application processing will begin when an application that is apparently complete is accepted by the permitting body.
3. Within two working days of receipt of an apparently complete application by a local government with an approved program, a copy of the application and all attachments and the local government's decision as to whether the use is one of state or local concern shall be sent to the Administrator.

4. Public notice will be issued within ten days of receipt of an apparently complete application by the Administrator.
5. The permitting body shall evaluate the proposed application, to determine the need for a public hearing.
6. The permitting body shall either send a draft permit to the applicant for acceptance and signature, or send notice of denial to the applicant within thirty days of the giving of public notice or within fifteen days after the closing of the record of a public hearing (if held), whichever is later.
7. The applicant, the secretary, any affected local government or affected federal, state, or local agency, any aggrieved person, or any other person adversely affected by a coastal use permit decision may appeal the coastal permit decision to the Secretary or District Court. An appeal must be filed in writing within thirty days following public notice of the final decision.

The Calcasieu Parish permitting process, which is to be administered by the Office of Planning and Development, is outlined briefly below. The actual process for obtaining a coastal use permit and all of the requirements for holding public hearings, advertising, and notification are outlined specifically in the Calcasieu Parish Coastal Zone Management Ordinance. All of these requirements are consistent with the Louisiana Coastal Resources Program, and provides for cooperation between the state and local agencies.

The primary functions in administering the CZM program in the parish involves permitting uses of local concern for the parish; and, reviewing permit applications for uses of state concern located within the parish. All applications for permitted activities in the parish's coastal zone are to be reviewed by the permitting officer in Calcasieu Parish. Figure 17 is schematic of the process necessary to obtain any type of coastal use permit in Calcasieu Parish; and, the following is a general outline of the permitting process:

1. The state will notify the parish of any pre-application hearing, for which they have 24-hour prior notice.
2. All permit applications are to be submitted to the local permit agent or the state administrator.
3. For permits submitted at the state level, the secretary will make his determination of local or state concern, and then forward this determination along with a copy of the application within two (2) working days.
4. For permits submitted at the local level, the permitting agent will determine whether the use is of local or state concern; review and make comments about the application; and, send the application with the comments and a recommendation to the State Administrator within two (2) working days.
5. The State Administrator will either concur or reverse the decision of the permitting agent and notify the parish accordingly.
6. Public notice will be issued stating that an application for a coastal use permit has been submitted; the use for which the permit is being applied; that any

CALCASIEU PARISH COASTAL USE
PERMITTING PROCESS

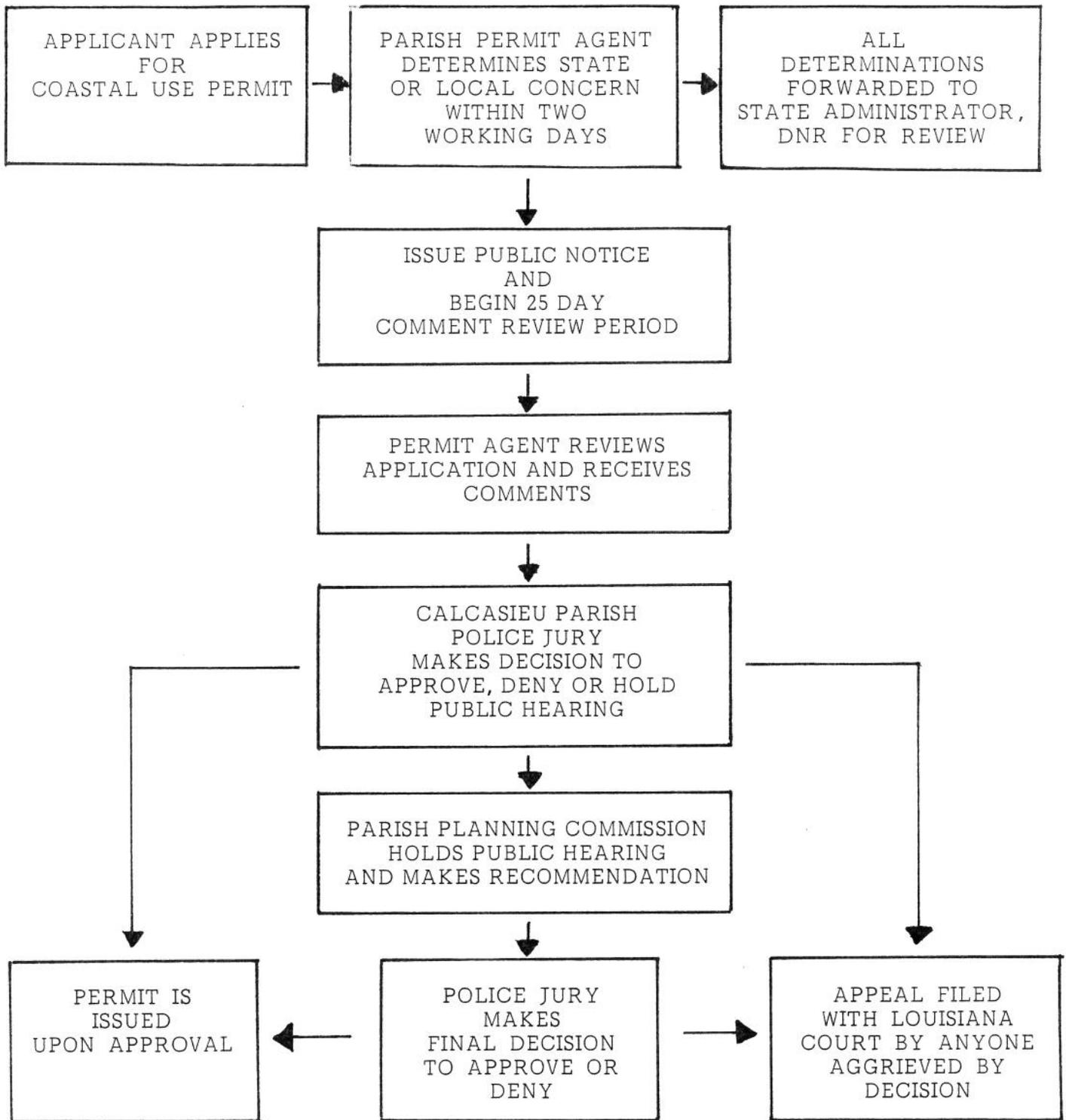


FIGURE 17

comments concerning the proposed development should be submitted within twenty-five (25) days from the date of publication of the notice; and, where to address all comments.

7. For uses of local concern, the parish permitting agent shall review the permit and make appropriate arrangements for the application to be discussed at the next regularly scheduled meeting of the Calcasieu Parish Police Jury following the twenty-five (25) day review period.
8. At the conclusion of the twenty-five (25) day review period, the Police Jury will review and consider the application and all comments concerning the permit application; and will make a decision to either approve, deny, approve with modification, or to hold a public hearing on the application. This decision will be announced at the Police Jury meeting.
9. If a decision is made to hold a public hearing, public notice shall be given at least thirty (30) days in advance of the public hearing. This notice shall contain the time, place and nature of the hearing; and where information may be obtained concerning the hearing.
10. The official public hearing shall be held before the Calcasieu Parish Planning Commission. After hearing and reviewing all comments and evidence, the Commission will make a recommendation at the meeting to either approve, deny, or approve with modification the application. This recommendation will be given to the Police Jury for final action after the ten (10) day comment period.
11. Following the public hearing, the hearing file shall remain open for a period of ten (10) days for submission of written comments or other materials to be included in the file.
12. At the next regularly scheduled Police Jury meeting following the close of the ten (10) day comment period, the Police Jury will take final action on the approval or denials of the coastal use permit application. This action shall be based on the recommendation made by the Planning Commission at their public hearing and all comments received during the comment period. The decision of the Police Jury will be made known at the Police Jury meeting.
13. Notification will be sent to the applicant pertaining to the final decision on the application.
14. Appeals of the decision made by the Police Jury can be made to the Louisiana Department of Natural Resources and/or the District Courts within thirty days after the public hearing.

USES OF GREATER THAN LOCAL BENEFIT:

Consideration of uses of greater than local benefit, as mentioned before, is part of the parish coastal management permitting process. It is necessary during this process to determine if a proposed use is of local, state, regional, or federal concern according to the guidelines set forth in the Louisiana Coastal Resources Final Environmental Impact Statement, Act 361, and in Section 2.5 of the Calcasieu Parish Coastal Management Ordinance. The Louisiana Coastal Resources Management Act specifically requires that the parish program not be so restrictive as to exclude uses of greater than local benefit. Therefore, each permit application shall be reviewed to identify these interest

in compliance with this act. Uses of federal, regional or state interest are included under the state permit and are considered of state concern. Uses of local benefit are included under the local permit. The following is a discussion of the various categories of uses.

Those facilities and resources which are of national interest are listed below. A more detailed discussion of these interest can be found on pages 117-132 of the Louisiana Coastal Resources Final Environmental Impact Statement.

Facilities of National Interest

1. National defense and aerospace facilities such as military bases and installations; defense manufacturing facilities; and aerospace facilities.
2. Energy production and transmission facilities such as oil and gas rigs, storage distribution and transmission facilities; power plants; deep-water ports; Liquefied Natural Gas facilities; geothermal facilities; and coal mining facilities.
3. Recreation facilities such as national seashores, parks, forests; large and outstanding beaches and recreational waterfronts.
4. Transportation facilities such as interstate highways and railroads; airports; ports; and aids to navigation including Coast Guard Stations.

Resources of National Interest

1. Air and Water Quality
2. Wetlands and Endangered Species
3. Historic and Cultural Resources
4. Fisheries and Other Living Marine Resources.

Uses of regional benefit are uses which beneficially affect more than one parish or has beneficial interstate effects, and which have direct and significant impact on coastal waters. A discussion of uses of regional benefit can be found on pages 143 - 146 in the Louisiana Coastal Resources Final Environmental Impact Statement. Listed below are types of uses which are included under the uses of regional benefit.

1. Interstate natural gas transmission pipelines.
2. Major state or federal transportation facilities such as highways and expressways.
3. Major state or federal transportation facilities such as deepwater ports, and navigation projects.
4. Public wildlife and fisheries management projects.
5. Public utility or cooperative energy generating plants.
6. State parks and beaches and other state owned recreational facilities.

Uses of state concern are those uses which directly and significantly affect coastal waters and which are in need of coastal management, and which have impacts of greater than local significance or which significantly affect interests or regional, state, or

national concern. These uses can be also found listed in Subsection 213.5 of Act 361 and in Section 2.4 of the Calcasieu Parish Coastal Zone Management Ordinance. Uses of state concern shall include, but not be limited to the following:

1. Any dredge or fill activity which intersects with more than one water body.
2. Projects involving use of state owned lands or water bottoms.
3. State publicly funded projects.
4. National interest projects.
5. Projects occurring in more than one parish.
6. All mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith and all other associated uses.
7. All pipelines for the granting, transportation or transmission of oil, gas, and other minerals.
8. Energy facility siting and development.
9. Uses of local concern which may significantly affect interests of regional, state or national concern.

Uses of local concern are those uses which directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program. Uses of local concern can also be found listed in Subsection 213.5 of Act 361 and in Section 2.4 of the Calcasieu Parish Coastal Zone Management Ordinance. These uses shall include, but not be limited to the following:

1. Privately funded projects which are not uses of state concern.
2. Publicly funded projects which are not uses of state concern.
3. Maintenance of uses of local concern.
4. Jetties or breakwaters.
5. Dredge or fill projects not intersecting more than one water body.
6. Bulkheads.
7. Piers.
8. Camps and cattlewalks.
9. Maintenance dredging.
10. Private water control structures of less than \$15,000 in cost.
11. Uses on cheniers, salt domes, or similar land forms.

Areas that will normally require permits will be those areas that are five feet below the mean sea level line. Uses falling within these areas might be subject to uses of local concern. The entire Calcasieu Parish Coastal Zone either falls at or below the five foot contour line.

ADMINISTRATIVE CONSIDERATIONS:

Calcasieu Parish is fortunate in that it already possess a level of organizational sophistication far superior to most of the other coastal parishes. Calcasieu Parish has a systematic administrative form of government which utilizes departmental specializations under the umbrella of a parish administrative staff. Figure 4 on page 2, is a flow chart of the administrative network. This operational framework is complemented by a number of standing policy design committees of the Police Jury, which handle various matters for the jury in a more detailed manner. The full Police Jury hears reports from these work committees and ordains as needed after the standing committee have presented their findings.

The planning aspects of coastal zone management have been handed to the Department of Parish Planning and Development, with the Calcasieu Parish Planning Commission acting as the policy design committee for the Police Jury. This department and committee give recommendations to the Jury on all zoning and planning decisions. The Police Jury takes final action on all planning matters with the Planning Commission's recommendation in mind.

Coordination of various parish agencies and departments already exist to assure compliance to the standing parish ordinances. These agencies and departments will be consulted in the review of the coastal use permit applications, and in the monitoring of the coastal zone.

Since there are no incorporated areas within the coastal zone, an intergovernmental agreement will not be necessary. Also, there are no current multi-parish agreements concerning plans in the Calcasieu Parish coastal zone at this time. In the event that some activity or plan concerning environmental consideration in the Calcasieu Parish coastal zone and another parish should arise, there is a provision that the Police Jury will seek to coordinate meetings with the involved parish, or state and federal agency. In order to insure that these multi-parish environmental considerations will be undertaken if needed, all plans and activities involving the Calcasieu Parish coastal zone and another parish shall be reviewed by the coastal use permitting agent.

Staff requirements for the administration of the coastal zone management program will necessitate that a permitting agent be designated to review, issue and monitor permits for uses of local concern in the coastal zone. This permitting agent shall be the Development Coordinator whose office already exists to monitor the Calcasieu Parish Flood Insurance Ordinance and assure compliance of all developments to the parish zoning ordinance, the parish electrical ordinance, and the parish sewers and sewage disposal ordinance.

The responsibilities of the permitting agent shall be as follows:

1. Accept applications for coastal use permits.
2. Determine if the application is of local or state concern.
3. Monitor the permitted uses for compliance with permit specifications.

4. Review any plans, including those of regional, state, or federal concern, which include Calcasieu Parish; check zoning and flood plain ordinances; and carry out any other duties which are consistent with permitting in the coastal zone.
5. Comment on all permit guidelines as set forth by DNR for uses of state concern.
6. Issue coastal use permits for uses of local concern.

Other ordinances having a particular affect on possible future uses in the parish's coastal zone are listed below.

1. Ordinance Number 1927 -"Calcasieu Parish Zoning Ordinance" -- applies to all zoned portions of the parish.
2. Ordinance Number 1777 -- "Flood Plain Management Regulations" -- requires the issuance of a development permit for all new development in the Parish to assure safety from future flooding.

Though these ordinances will apply either wholly or partially to the coastal zone, it is felt best that the ordinances not be considered an actual part of the Parish Coastal Management Program since each ordinance actually serves as a seperate means of monitoring uses in the coastal zone. However, because the ordinances are referenced in the "Goals, Objectives, and Policies" section of this report, the ordinances have been placed in the Appendices of this report for easy reference.

THE CALCASIEU PARISH

COASTAL ZONE MANAGEMENT

ORDINANCE

ORDINANCE NUMBER 2862

AN ORDINANCE amending the Code of Ordinances, Calcasieu Parish, Louisiana, to create a chapter entitled Coastal Zone Management Regulations, Calcasieu Parish, Louisiana.

BE IT ORDAINED BY THE POLICE JURY OF CALCASIEU PARISH, LOUISIANA, convened in regular session on the 16th day of October, 1986, that the Code of Ordinances, Calcasieu Parish, Louisiana, is hereby amended to create a chapter entitled Coastal Zone Management Regulations, Calcasieu Parish, Louisiana.

SECTION 1: GENERAL PROVISIONS

1.1 Title. This ordinance shall hereafter be known, referred to, and cited as "The Coastal Zone Management Regulations of Calcasieu Parish", (hereinafter referred to as "Parish").

1.2 Purposes. The Calcasieu Parish Coastal Zone Management ordinance is hereby enacted for the purpose of:

1. Ensuring ecologically sound development in order to:
 - (a) preserve and enhance the resources of the coastal zone for the enjoyment of present and future generations;
 - (b) promote public safety, health, and welfare;
 - (c) protect wildlife, fisheries, aquatic life, estuarine, and other water resources;
 - (d) preserve and protect the remaining scenic and historic resources of the coastal zone;
 - (e) to enhance opportunities for the use and enjoyment of the recreational values of the coastal zone; and
 - (f) to develop and implement a coastal resources management program which is based on consideration of our resources, the environment, the needs of the people of the State, the Nation, and of state and local government.
2. Promoting a balanced approach to development and conservation within the fragile ecosystem of the coastal zone, and support and encourage multiple use of coastal resources consistent with the maintenance and enhancement of renewable resource management.
3. To employ procedures and practices that resolve conflicts among competing uses within the coastal zone in accordance with Louisiana Legislative Act 361 of 1978, and to simplify administrative procedures.
4. To express certain regulatory and non-regulatory policies for the Coastal Zone Management program. Regulatory policies are to form a basis for administrative decisions to approve or disapprove activities only to the extent that such policies are contained in the statutes of this State or regulations duly adopted and promulgated by the Calcasieu Parish Police Jury. Other policies are non-regulatory. They are included in the Coastal Zone Management Plan to help set out priorities in administrative decisions and to inform the

public and decision makers of a coherent state framework, but such policies are not binding on private parties.

SECTION 2: DEFINITIONS

2.1 Usage.

1. For the purpose of this ordinance, certain words, terms, numbers, and abbreviations used herein shall be used, interpreted and defined, as set forth in this section.
2. Unless specifically defined in this section, words or phrases used in this ordinance shall be interpreted to give this ordinance its most reasonable application.
3. Words used in the present tense include the future tense; words used in the singular number include the plural, and the plural number includes the singular; the word "shall" is always mandatory; and the word "herein" means "in this Ordinance".

2.2 Words and Terms Defined.

1. "Administrator" shall mean the administrator of the Coastal Management Section within the Louisiana Department of Natural Resources.
2. "Coastal use permit" shall mean the permits required by Louisiana Revised Statutes, Title 49, Section 213.11 and shall not mean or refer to, and shall be in addition to, any other permit or approval required or established pursuant to any other constitutional provisions or statute.
3. "Coastal waters" shall mean bays, lakes, inlets, estuaries, rivers, bayous, and other bodies of water within the boundaries of the coastal zone which have measurable seawater content (under normal weather conditions over a period of years).
4. "Coastal Zone" shall mean the coastal waters and adjacent shorelands within the boundaries of the coastal zone established in Louisiana Revised Statutes, Title 49, Section 213.4 or Act 361 of 1978, which are strongly influenced by each other, and in proximity of the shorelines and uses of which have a direct and significant impact on coastal waters.
5. "Exempted use" shall mean any use specifically listed in this Ordinance as a use not requiring a coastal use permit.
6. "Existing" as applied to any use, structure, or development includes the words "existing on the effective date of this Ordinance".
7. "Fastlands" are lands surrounded by publicly-owned, maintained, or otherwise valid existing levees, or natural formations, as of the effective date of Act 361 or as may be lawfully constructed in the future; which levees or natural formations would normally prevent activities, not to include the pumping of water for drainage purposes, within the surrounding area from having direct and significant impacts on coastal waters.

8. "Guidelines" means those rules and regulations adopted pursuant to Louisiana Revised Statutes, Title 49, Section 213.8, known as Rules and Procedures for the Development, Approval, Modification, and Periodic Review of Local Coastal Management Programs.
9. "Local government" shall mean the Calcasieu Parish Police Jury.
10. "Person" shall mean any individual, partnership, association, trust, corporation, public, or authority, or state or local government body.
11. "Planning Commission" shall mean the Calcasieu Parish Planning Commission which is the official planning and zoning body for the parish so designated by the Calcasieu Parish Police Jury.
12. "Police Jury" shall mean the Calcasieu Parish Police Jury, which is the governing authority of Calcasieu Parish having general jurisdiction and operations at the parish level.
13. "Public hearing", wherever required in this Part, shall be a hearing announced to the public at least 30 days in advance, and at which all interested persons shall be afforded a reasonable opportunity to submit data, views, or arguments orally or in writing. At the time of the announcement of the public hearing all materials pertinent to the hearing, including documents, studies, and other data in the possession of the party requesting a coastal use permits must be made available to the public for review and study. As similar materials are subsequently developed, they shall be made available to the public as they become available to the Office of Planning and Development.
14. "Secretary" shall mean the Secretary of the Department of Natural Resources.
15. "Use" shall mean any use or activity within the coastal zone which has a direct and significant impact on coastal waters.

2.3 The Coastal Zone. The Calcasieu Parish coastal zone boundary begins at the Louisiana-Texas border. The northern boundary follows the Intracoastal Waterway eastward until the waterway goes down into Cameron Parish. The southern boundary follows the Calcasieu-Cameron parish line eastward to the Intracoastal Waterway. Calcasieu Parish coastal zone is therefore all that property that falls between the Intracoastal Waterway, the Calcasieu-Cameron parish line, and the Texas border.

2.4 Types of Uses. Uses in the coastal zone subject to the coastal use permitting program shall be of two types:

1. Uses of state concern - Those uses which directly and significantly affect coastal waters and which are in need of coastal management and which have impacts or greater than local significance or which significantly affect interests or regional, state, or national concern. Uses of state concern shall include, but not be limited to:
 - (a) Any dredge or fill activity which intersects with more than one water body.
 - (b) Projects involving use of state-owned lands or water bottoms.

- (c) State publicly-funded projects.
 - (d) National interest projects.
 - (e) Projects occurring in more than one parish.
 - (f) All mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith, and all other associated uses.
 - (g) All pipelines for the gathering, transportation, or transmission of oil, gas, and other minerals.
 - (h) Energy facility siting and development.
 - (i) Uses of local concern which may significantly affect interests of regional, state, or national concern.
2. Uses of local concern - Those uses which directly and significantly affect coastal waters and are in need of coastal management, but are not uses of state concern, and which should be regulated by the Calcasieu Parish Police Jury. Uses of local concern shall include, but not be limited to:
- (a) Privately-funded projects which are not uses of state concern.
 - (b) Publicly-funded projects which are not uses of state concern.
 - (c) Maintenance of uses of local concern.
 - (d) Jetties or breakwaters.
 - (e) Dredge or fill projects not intersecting more than one water body.
 - (f) Bulkheads.
 - (g) Piers.
 - (h) Camps and cattlewalks.
 - (i) Maintenance dredging.
 - (j) Private water control structures of less than \$15,000 in cost.
 - (k) Uses of cheniers, salt domes, or similar land forms.

2.5 Uses of Greater Than Local Benefit.

- 1. No management policy of the Calcasieu Parish Coastal Resources program shall be so restrictive as to exclude uses of greater than local benefit.
- 2. Uses of state interest are found in Section 2.4.

3. Uses of regional benefit include:
 - (a) interstate natural gas transmission pipelines;
 - (b) major state or federal transportation facilities such as highways and expressways;
 - (c) major state or federal transportation facilities such as deep-water ports and navigation projects;
 - (d) public wildlife and fisheries management projects;
 - (e) public utility or cooperative energy generating plants; and
 - (f) state parks and beaches and other state-owned recreational facilities.

Each Permit application will be reviewed to determine whether it is local, regional, state or regional interest.

2.6 Exempted Uses.

1. The following activities normally do not have direct and significant impacts on coastal waters; hence, a coastal use permit is not required, except as set forth in the following section:
 - (a) agricultural, forestry, and aquaculture activities on lands consistently used in the past for such activities;
 - (b) hunting, fishing, trapping, and the preservation of scenic, historic, and scientific areas and wildlife preserves;
 - (c) normal maintenance or repair of existing structures including emergency repairs of damage caused by accident, by fire, or the elements;
 - (d) construction of "single family" residences or camps used for non-commercial, non-profit purposes;
 - (e) construction and modification of navigational aids such as channel markers and anchor buoys;
 - (f) activities which do not have a direct and significant impact on coastal waters.
2. Activities occurring wholly on lands five feet or more above sea level or within fastlands, do not normally have a direct and significant impact on coastal waters; therefore, coastal use permits for such uses generally need not be applied for.
3. However, if a proposed activity exempted from permitting in the Subsection above (2.6,2) will result in discharges into coastal water, or significantly change existing water flow into coastal waters, then the person proposing the activity shall notify the Secretary and provide such information regarding the proposed activity as may be required by the Secretary in deciding whether the activity is a use subject to a coastal permit.

4. The exception described in Subsection 2.6,2 shall not refer to activities occurring on cheniers, salt domes, barrier islands, beaches, and similar isolated, raised land forms in the coastal zone. It does refer to natural ridges and levees.
5. The construction of a residence or a camp shall not require a coastal use permit provided that:
 - (a) the terms shall refer solely to structures used for non-commercial and non-profit purposes, and which are commonly referred to as "single family" and not multiple family dwelling, and
 - (b) the terms shall refer solely to the construction of one such structure by or for the owner of the land for the owner's use and not to practice involving the building, of more than one such structure as in subdividing, tracting development, speculative building, or recreational community development.
6. The exemption shall apply only to the construction of the structure and appurtenances such as septic fields, out buildings, walkways, gazebos, small wharves, landings, boathouses, private driveways, and similar works, but not to any bulkheading or any dredging or filling activity except for small amount of fill necessary for the structure itself, and for the installation and maintenance of septic or sewerage facilities.
7. The construction and modification of navigational aids shall not require a coastal use permit.
8. The term shall include channel markers, buoys, marker piles, dolphins, piling, pile cluster, etc; provided that the exemption does not apply to associated dredge or fill uses or the construction of mooring structures, advertising signs, platforms, or similar structures associated with such facilities. All navigational aids constructed pursuant to this section shall conform to United States Coast Guard Standards and requirements.
9. Agricultural, forestry, and aquacultural activities on lands consistently used in the past for such activities shall not require a coastal use permit provided that:
 - (a) the activity is located on lands or in waters which have been used on an ongoing basis for such purposes, consistent with normal practices, prior to the effective date of the Act;
 - (b) the activity is consistent with good management practices for the particular agricultural, forestry, or aquacultural use to which the land has been put;
 - (c) the activity is conducted or carried out in such a manner as to minimize adverse impacts on the coastal water environment; and
 - (d) the activity is not intended to, or will it result in, changing the type of agricultural, forestry, or aquacultural use to which the land has been consistently used for in the past.

10. Included in the exception are normal agricultural, forestry, and aquacultural activities such as plowing; seeding; grazing; cultivating; insect control; fence building and repair; thinning; harvesting for the production of food, fiber, and forest products; maintenance and drainage of existing farm, stock, or fish ponds; digging of small drainage ditches; or maintenance of existing drainage ditches and farm or forest roads carried out in accordance with good management practices.
11. No use or activity shall require a coastal use permit if:
 - (a) the use or activity was lawfully commenced or established prior to the implementation of the coastal use permit process; or
 - (b) the Administrator determines that it does not have a direct or significant impact.

SECTION 3: ADMINISTRATION AND ENFORCEMENT

- 3.1 Designation and Powers of the Calcasieu Parish Police Jury - The Calcasieu Parish Police Jury, in conjunction with the Office of Parish Planning and Development (Permit Agent) shall exercise jurisdiction within the coastal zone consistently with the Ordinance. The powers and responsibilities of the Police Jury shall include but not be limited to the following:
 1. Maintain and hold open for public inspection all records pertaining to the provisions of the Ordinance;
 2. to issue, deny, or modify permits;
 3. to adopt any rules and regulations, subject to secretary approval, which are consistent with the general law, and which it finds reasonable and necessary to carry out the purposes of this Ordinance;
 4. to conduct any investigation it deems necessary to comply with the purposes of this ordinance;
 5. to submit to the Secretary an annual report on the activities of the Calcasieu Parish local coastal management program which shall include:
 - (a) the number, type, and characteristics of the applications for coastal use and other permits;
 - (b) the number, type, and characteristics of coastal use and other permits granted, conditioned, denied and withdrawn;
 - (c) the number, type, and characteristics of permits appealed to the Coastal Commission of the courts;
 - (d) results of any appeals;
 - (e) a record of any enforcement actions taken;
 - (f) a record of all variances granted;

(g) a description of any problem areas within the state or local program and proposed solutions to any such problems;

(h) proposed changes in the state or local program.

3.2 Multi-Parish Considerations

1. All plans concerning Calcasieu Parish, whether regional, state, or federal, shall be reviewed by the permitting agent's office.
2. Should it become necessary, the permitting agent and the Calcasieu Parish Police Jury shall coordinate meetings with other parishes which are involved in multi-parish plans along with Calcasieu Parish. The parish will also coordinate meetings with appropriate state and federal agencies as needed.

3.3 Coastal Use Permit Requirements - Any person seeking to commence any use not specifically exempted by Section 2. 2.6 of this Ordinance, within the Calcasieu Parish Coastal Zone must first obtain a Coastal Use Permit from either the Calcasieu Parish Police Jury or from the State Department of Natural Resources.

3.4 Permit Procedure - Formal Requirements

1. All applications shall be made on the form(s) prescribed by the Secretary.
2. Applications shall be submitted either to the permit agent in the Calcasieu Parish Office of Planning & Development, or to the Administrator.
3. All applications shall be accompanied by all of the information currently required by the Coastal Management Section of the Department of Natural Resources which includes:
 - (a) maps showing the actual location, size and dimensions of the real property to be used;
 - (b) plans showing the exact location, size, and height of the buildings or structures to be developed;
 - (c) a list of all applications, approvals, and/or denials already made concerning the development to/by federal, state, or local agencies; and,
 - (d) if the development involves dredging, a description of:
 - the type, composition, and quantity of the material to be dredged;
 - the method of dredging; and
 - the site of the plans for the disposal of the dredged material.

4. Applications of local concern shall also be accompanied by an application fee. This fee shall be applied as follows:

| <u>Estimated Cost of Development</u> | <u>Permit Fee</u> |
|--------------------------------------|------------------------------|
| \$ 0 - \$ 5,000 | \$50.00 |
| 5,000- 50,000 | \$100.00 |
| over \$50,000 | \$100.00 + .1% of dev't cost |

3.5 Permit Procedure - Administrative Action

1. When an application for a permit is received, the permit agent shall immediately assign it a number for identification, acknowledge receipt thereof, and advise the applicant of the number assigned to it.
2. Application processing will begin when an application that is apparently complete is accepted by the agent.
3. Within two (2) working days of receipt of a complete application, a copy of the application and all attachments, and the decision as to whether the use is one of state or local concern shall be sent to the State Administrator or parish permit agent, depending upon the location of submittal.
4. If the proposed activity is of local concern, the parish permit agent shall arrange for the Parish Police Jury to discuss the application at its next regularly scheduled meeting following the end of the twenty-five (25) day review period.
5. Public notice of all applications for coastal use permits, which must be issued within 10 days of the filing of the application shall be given by:
 - (a) mailing a brief description of the application, along with a statement indicating where a copy of the application may be inspected, to any person who has filed a request to be notified of such permit applications and to all affected governmental bodies;
 - (b) by posting a copy of the application at the location of the proposed site;
 - (c) by sending notice of the application to the news media in Calcasieu Parish; and
 - (d) by causing publication of notice of the application in the official journal of the parish.
6. The notice shall set forth that any comments on the application shall be submitted to the Office of Parish Planning & Development within twenty-five (25) days from the date of official journal publication of the notice.
7. Comments received will be made a part of the official file on the application. If comments received relate to matters within the special expertise of another government body, the permit agent may seek the advise of the agency.

8. The parish permit agent shall present the application and all comments received in response to the public notice concerning the application to the Calcasieu Parish Police Jury. The police jury shall consider all of the comments received; and will give the applicant the opportunity to explain the proposed coastal use, and rebut any objections or adverse comments during the public meeting.
9. After reviewing the application and hearing all comments at the public meeting, the police jury will make a decision to either grant, deny, grant with modification, or hold an official public hearing on the application. This decision will be announced at the meeting.
10. If the police jury decides that an official public hearing needs to be held, public notice will be given at least (30) days in advance of the public hearing. The notice shall contain the time, place, and nature of the hearing; and the location of materials available for public inspection.
11. The official public hearing shall be held by the Calcasieu Parish Planning Commission. During the public hearing they shall hear and review all comments and evidence presented to them. The meeting shall be conducted in an orderly, but expeditious manner with any person being allowed to submit either an oral or written statement. Cross-examination shall not be allowed. All comments and evidence presented shall be made part of the hearing file. After considering all information presented concerning the application in question, the Planning Commission shall make a recommendation to either approve, approve with modification, or deny the application. This recommendation shall be announced at the public hearing, be made part of the hearing file, and be given to the Calcasieu Parish Police Jury for their consideration when they take final action. It shall be announced at the public hearing that there will be a comment period, following the hearing, during which written comments or other material pertinent to the application may be submitted; that after this comment period the Police Jury will make a final decision concerning the application; and, the date of the meeting at which the Police Jury shall make its final decision on the application.
12. Following the public hearing held by the Planning Commission, the hearing file shall remain open for a period of at least ten (10) days. Written statements or any other information concerning the application may be presented any time prior to the time of closing of the file.
13. The Calcasieu Parish Police Jury, at their regularly scheduled meeting following the close of the ten (10) day comment period, shall take final action on the permit application. Their decision of approval or denial shall be based on the recommendation of the Planning Commission, and on all comments received during the ten (10) day comment period. The decision of the police jury to approve, approve with modification, or deny the application will be made known at the meeting.
14. Written notification of the final decision made by the Calcasieu Parish Police Jury will be sent to the applicant within thirty (30) days of the giving of public notice or within fifteen (15) days after the closing of the record of the public hearing, if held, whichever is later.

15. If the final decision is to issue a permit, the parish permit agent shall have the applicant sign two copies of the draft permit who thereby accepts the conditions of the permit, along with the finding on the application. The permit agent will then sign and date both copies of the permit.
16. The Calcasieu Parish Permit Agent will issue a monthly list of permits issued or denied during the previous month. This list will be distributed to all persons who received the public notices.

3.6 Criteria For Coastal Use Permit Approval

Coastal Use Permits of local concern will be approved by the Calcasieu Parish Police Jury only after:

- (a) it is determined that the probable impact of any phase of the project will not be detrimental to the coastal zone and the people of the parish;
- (b) it is determined that the permit's use conforms to the guidelines and regulations as outlined in the Coastal Zone Management Plan for Calcasieu Parish, and
- (c) full and fair consideration is given of all information.

3.7 Term of Permit

1. Permits issued under this section shall remain in effect for a period of a year from the date of issuance.
2. A coastal use permit may be renewed if the Calcasieu Parish Police Jury is satisfied that substantial progress has been made on said project or that the permittee has been precluded from acting by non-self induced litigation, material shortages, labor problems, or other events beyond the permittee's control.

3.8 Conditions of Permit

1. By accepting the permit the applicant agrees to:
 - (a) carry out or perform the use in accordance with plans and specifications approved by the Calcasieu Parish Police Jury;
 - (b) comply with any permit conditions imposed by the Calcasieu Parish Police Jury;
 - (c) adjust, alter, or remove any structure or other physical evidence of the permitted use if, in the opinion of the Calcasieu Parish Police Jury, it proves to be beyond the scope of the use as approved or is abandoned;
 - (d) provide, if required by the Calcasieu Parish Police Jury, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the permitting body determine it necessary;

- (e) hold and save the State of Louisiana, the local government, the Department, and their officers and employees harmless from any damage to persons or property which might result from work, activity or structure permitted; and
 - (f) certify that any permitted construction has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the permitting body. The Calcasieu Parish Police Jury may, when appropriate, require such certification be given by a registered professional engineer.
2. The Calcasieu Parish Police Jury shall place such other conditions on the permit as are appropriate to ensure compliance with the Coastal Management Program.

3.9 Appeals - Any interested person may appeal the decision of the Calcasieu Parish Police Jury to issue a permit or not to issue a permit to the Administrator and/or District Court. Said appeal must be filed in writing within thirty (30) days of public notice of the Police Jury's final decision on the permit application.

3.10 Modification

- 1. The terms and conditions of a permit may be modified to allow changes in the permitted use, in the plans and specifications for that use, in the methods by which the use is being implemented, or to assure that the permitted use will be in conformity with the Coastal Management Program. Changes which would significantly increase the scope of a permitted activity shall be processed as a new application for permits, not as modifications.
- 2. A permit may be modified upon request of the permittee:
 - (a) if mutual agreement between the permittee and Calcasieu Parish Police Jury can be reached on a modification; or
 - (b) if mutual agreement between the permittee and the Calcasieu Parish Police Jury cannot be reached, a permittee's request for a modification; shall be considered denied.

3.11 Monitoring - The Office of Planning and Development will be responsible for monitoring progress of all permitted uses and compliance with regulations accompanying permit approval. This will include on-site inspections to verify compliance, and followup reports for each permitted project.

3.12 Emergency Permits

- 1. Emergency permits will be issued by the permitting agent when actions are immediately required for the protection of lives, property or the environment. Emergency situations are those brought about by natural or man-made causes, such as storms, floods, fires, wrecks, explosions, spills, which would result in hazard to life, property, or the environment if not immediately corrected.
- 2. The Department of Natural Resources will be notified of such emergency as soon as possible, and be given a brief description of the situation and the necessity for carrying out the emergency action.

3.13 Suspensions

1. The Calcasieu Parish Police Jury may suspend a permit upon a finding that:
 - (a) the permittee has failed or refused to comply with the terms and conditions of the permit or any modifications thereof;
 - (b) the permittee has submitted false or incomplete information in his application or otherwise, or
 - (c) the permittee has failed or refused to comply with any lawful order or request of the Calcasieu Parish Police Jury or the permit agent.
2. The Calcasieu Parish Police Jury shall notify the permittee in writing that the permit has been suspended and the reasons therefore and order the permittee to cease immediately all previously authorized activities. The notice shall also advise the permittee that he will be given, upon request made within ten (10) days of receipt of the notice, an opportunity to respond to the reasons given for the suspension.
3. After consideration of the permittee's response, or if none within a thirty (30) day period after issuance of the notice, the Calcasieu Parish Police Jury shall take action to reinstate, modify, or revoke the permit and shall notify the permittee of the action taken.

3.14 Revocation - If, after compliance with the suspension procedures in Subsection 3.13 above, the Calcasieu Parish Police Jury determines that revocation or modification of the permit is warranted, written notice of the revocation or modification shall be given to the permittee.

3.15 Enforcement - If the permittee fails to comply with a cease and desist order or the suspension or revocation of a permit, the Calcasieu Parish Police Jury shall seek appropriate civil and criminal relief as provided by Louisiana Revised Statutes, Title, 49, Section 213.17.

3.16 Penalty - Violation or failure to comply with the provisions of this Ordinance or the terms of conditions of any coastal use permit shall be punishable by a fine of not less than one hundred dollars (\$100.00) not more than five hundred dollars (\$500.00) or ninety (90) days imprisonment, or both.

SECTION 4: NON-CONFORMING USE AND MAINTENANCE

4.1 Definition and Classification

1. Individual specific uses legally commenced or established prior to the effective date of the coastal use permit program shall not require a coastal use permit.
2. Normal repairs and the rehabilitation, replacement or maintenance of existing structures shall not require a coastal use permit, provided that:
 - (a) the structure or work was lawfully in existence, currently servicable, and in active use during the year preceding the repair, replacement, or maintenance;

- (b) the repair or maintenance does not result in an encroachment into a wetland area greater than that of the previous structure or work;
 - (c) the repair or maintenance does not result in a structure or facility that is significantly different in magnitude or function from the original.
3. This exemption shall not apply to the repair or maintenance of any structure or facility built or maintained in violation of the coastal management program.
 4. Coastal use permits will normally authorize periodic maintenance, including maintenance dredging. All maintenance activities authorized by coastal use permits shall be conducted pursuant to the conditions established for that permit. Where maintenance is performed which is not described in an applicable coastal permit, it shall conform to this section.

4.2 General Coastal Use Permits - General Coastal Use Permits may be issued by the Calcasieu Parish Police Jury, subject to approval by the Secretary. Such a permit is an authorization to prospective users to perform specific uses within a prescribed area without the necessity for a complete independent review of each proposed use. The applicant shall go through the same procedure as if applying for a regular coastal use permit, however, the several proposed uses within a specific area will be considered together instead of individually.

SECTION 5: SCOPE OF COVERAGE

All provisions of this ordinance apply only to uses of local concern as prescribed by Louisiana Revised Statutes, Title 49, Section 213.1. All issues of state concern as prescribed by said Act will be directed to appropriate state agency by the permit agent as authorized by the Calcasieu Parish Police Jury and as stated herein.

Furthermore, this ordinance has been prepared to provide the legal means of enforcing the local coastal management plan. The policies in this plan will be used to regulate Uses of Local Concern and to make recommendations on Uses of State Concern. However, the scope of both the plan and the ordinance are limited as follows as to their affect on Uses of State Concern.

1. The objectives, policies and guidelines outlined in the Calcasieu Parish local program which may directly or indirectly affect Uses of State Concern shall not be construed as being regulatory or binding on either the permit applicant or the Coastal Management Division of the DNR, but are for the purpose of submitting the parish's environmental review comments to the State on applications for Uses of State Concern.
2. Any local policies which contain prohibitions, restrictions or performance standards beyond the scope of the Coastal Use Guidelines shall be considered as advisory by this parish, the Coastal Management Division, and the permit applicants.
3. Parish comments to the Coastal Management Division concerning proposed Uses of State Concern shall be based on the policies of the parish's coastal management program and may be inclusive of recommended project alternatives and conditions. Consideration of these recommendations will

be given by the Coastal Management Division based on the recommendations' conformance with the Coastal Use Guidelines.

4. Recommendations from the parish concerning Uses of State Concern which reflect further detailing of the Coastal use Guidelines as they apply to the parish shall be given substantial consideration by the Coastal Management Division with the objective of maximizing conformance with this program.
5. Recommendations concerning Uses of State Concern which are not in conformance with the Coastal Use Guidelines shall not be considered by the Coastal Management Division.

SECTION 6: VARIANCE

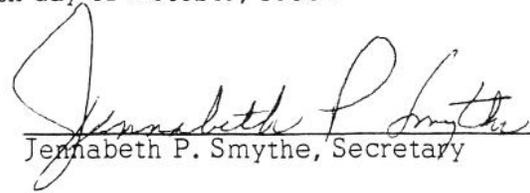
When the permit agent finds that hardships may result from the strict compliance of these regulations, he/she may recommend to the Police Jury that a variance of the regulations be granted so that substantial justice may be done, and so that public interest is secured. However, be it provided that such variation will not have the affect of nullifying the intent and purposes of these regulations. Applications for such a variance shall proceed through the same notification and public hearing process as all other applications of local concern, with notification to be given to the Secretary of any variance granted. This variance procedure shall only exist for coastal uses of local concern over which the Calcasieu Parish Police Jury has jurisdiction.

SECTION 7: SEVERABILITY

If any section, subsection, paragraph, sentence, or phrase of this Ordinance shall, for any reason, be held to be unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue in full force and effect.

CERTIFICATE

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the Police Jury of Calcasieu Parish, Louisiana, convened in regular session on the 16th day of October, 1986.


Jennabeth P. Smythe, Secretary

FOOTNOTES

AND

BIBLIOGRAPHY

FOOTNOTES

1. Imperial Calcasieu Regional Planning and Development Commission, Calcasieu Parish Coastal Zone Management Preliminary Draft, page 10, April 1979.
2. Soil Conservation Service, General Soil Map, Calcasieu Parish, U.S. Department of Agricultural, Alexandria, Louisiana, November 1971.
3. Louisiana Coastal Resources Program, Soil Subsidence, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, June 1976.
4. Louisiana Coastal Resources Program, Land Loss Potential, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, June 1976.
5. Louisiana Coastal Resources Program, Vegetation, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, June 1976.
6. Louisiana Coastal Resources Program, Flood-Prone Areas, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, June 1976.
7. Federal Insurance Administration, FIA Official Flood Hazard Map, Calcasieu Parish, Department of Housing and Urban Development, September 1970.
8. United States Fish and Wildlife Service, The Red Wolf, Department of the Interior, Atlanta, Georgia.
9. Louisiana Coastal Resources Program, Unique Ecological Features of the Louisiana Coast, Louisiana State Planning Office, Baton Rouge, Louisiana, March 1977.
10. Imperial Calcasieu Regional Planning and Development Commission, Calcasieu Parish Coastal Zone Management Preliminary Draft, page 32, April 1979.
11. Louisiana Coastal Resources Program, Hydrologic Resources, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, June 1976.
12. Mr. Lucas Terracina, Mosquito Control Director, Calcasieu Parish Police Jury, Lake Charles, Louisiana, October 1981.
13. Burks and Associates, Louisiana Coastal Resources Atlas, Calcasieu Parish.
14. Louisiana Coastal Resources Program, Important Farmlands, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, June 1976.
15. Burks and Associates, Louisiana Coastal Resources Atlas, Calcasieu Parish.
16. The description of each management unit is the result of studies made by Mr. Michael Tritico, which were documented in the Calcasieu Parish Coastal Zone Management Preliminary Draft, prepared by the Imperial Calcasieu Regional Planning and Development Commission in April 1979.
17. 1980 Census of Population, Bureau of Census, Department of Commerce.
18. 1970 Census of Population, Bureau of Census, Department of Commerce.

19. 1980 Census of Population, Bureau of Census, Department of Commerce.
20. Information for the population characteristics for each individual Ward was obtained from the "Calcasieu Regional Planning Commission Land Use Plan", prepared by Diversified Economic and Planning Associates, Inc., New Orleans, La., in July 1973; and the 1970 Census of Population, and the 1980 Preliminary Census Report, Bureau of Census, Department of Commerce.
21. 1980 Preliminary Census Reports, Bureau of Census, Department of Commerce.
22. Information for this section was derived from the "Overall Economic Development Program for the Imperial Calcasieu Regional Planning and Development District", Imperial Calcasieu Regional Planning and Development Commission, Lake Charles, La., June 1977; and the update to the document prepared in 1980.
23. Louisiana Department of Wildlife and Fisheries, 1978 licenses sales.
24. Information for this section was obtained from the "Overall Economic Development Program for the Imperial Calcasieu Regional Planning and Development District", Imperial Calcasieu Regional Planning and Development Commission, Lake Charles, La., June 1977.

SELECTED BIBLIOGRAPHY

- Bureau of the Census, Department of Commerce, 1970 Census Population, and 1980 Preliminary Census Reports.
- Burks and Associates, Louisiana Coastal Resources Atlas.
- Diversified Economic and Planning Associates, "Calcasieu Regional Planning Commission Land Use Plan", New Orleans, Louisiana, July 1973.
- Federal Insurance Administration, FIA Official Flood Hazard Map, Calcasieu Parish, Department of Housing and Urban Development, 1970.
- IMCAL, Calcasieu Parish Coastal Zone Management, 1st Year Activity, Lake Charles, Louisiana, June 1977.
- IMCAL, Calcasieu Parish Coastal Zone Management Activity, Lake Charles, Louisiana, June 1978.
- IMCAL, Calcasieu Parish Coastal Zone Management Preliminary Draft, Lake Charles, Louisiana, April 1979.
- IMCAL, Calcasieu Parish Coastal Zone Management Preliminary Draft, Lake Charles, Louisiana, April 1980.
- IMCAL, Overall Economic Development Program for the Imperial Calcasieu Regional Planning and Development District, Lake Charles, Louisiana, June 1977.
- IMCAL, Future Land Use Plan for 1990, Lake Charles, Louisiana, June 1975.
- Louisiana Coastal Resources Program, A Nine Point Recommendation for Coastal Resources Management to Develop Louisiana's Wetlands, Louisiana State Planning Office, Baton Rouge, Louisiana, 1976.
- Louisiana Coastal Resources Program, Flood Prone Areas, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, 1976.
- Louisiana Coastal Resources Program, Hydrological Resources, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, 1976.
- Louisiana Coastal Resources Program, Important Farmland, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, 1977.
- Louisiana Coastal Resources Program, Unique Ecological Features of the Louisiana Coast, Louisiana State Planning Office, Baton Rouge, Louisiana, 1977.
- Louisiana Coastal Resources Program, Vegetation, Calcasieu Parish, Louisiana State Planning Office, Baton Rouge, Louisiana, 1976.
- Louisiana Department of Labor, Office of Management and Finance, Employment of Wages, 1979 and 1980, Research and Statistics Unit, 1980.

Louisiana Department of Natural Resources, The Impact of Outer Continental Shelf Development Upon the Parishes of Cameron, Calcasieu, and Jefferson Davis.

Office of City Planning, Preliminary 1980 Census Information on Population and Housing, Lake Charles, Louisiana, September 1982.

Terracina, Lucas, Mosquito Control Director, Calcasieu Parish Police Jury, Lake Charles, Louisiana.

Tritico, Michael, McNeese State University, Lake Charles, Louisiana.

United State Army Corps of Engineers, EIS - Calcasieu River and Pass (Including Saltwater Barrier); Coon Island, Devil's Elbow, Calcasieu River Basin, Louisiana; Continued Operations and Maintenance, United State Army Corps of Engineer District, New Orleans, 1976.

United States Army Corps of Engineers, Lockmaster of Calcasieu Lock System.

United States Fish and Wildlife Service, The Red Wolf, Department of the Interior, Atlanta, Georgia.

Wimberly, Don, Louisiana State Employment Security Division, Lake Charles, Louisiana.

APPENDICES

APPENDICES

- Appendix 1- Flood Plain Management Regulations
- Appendix 2- Calcasieu Parish Zoning Ordinance
- Appendix 3- Declaration of Approval by
Calcasieu Parish Police Jury
 - Letter from Police Jury President
 - Certified Copy of Resolution
 - Certified Copy of Excerpt of Police
Jury Minutes
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Planning Commission Minutes
- Appendix 5- Certified Copy of Legal Advertisement
and Newspaper articles
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Coastal Management Plan
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Advertisement for passage of the Coastal
Zone Management Ordinance

Appendix 1

Ordinance Number 1777

Flood Plain Management Regulations

Calcasieu Parish, Louisiana

ORDINANCE NO. 1777

FLOOD PLAIN MANAGEMENT REGULATIONS

CALCASIEU PARISH, LOUISIANA

SECTION 1: GENERAL PROVISIONS

- 1.1 Title. This ordinance shall hereafter be known, cited, and referred to as the Flood Plain Management Regulations of the Parish of Calcasieu, Louisiana, excluding all incorporated municipalities, (hereinafter referred to as "Parish").
- 1.2 Findings of Fact. The Police Jury of the Parish of Calcasieu, Louisiana, hereby finds and declares that:
- (1) There exist within the unincorporated area of the Parish areas of special flood hazard subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
 - (2) These flood losses are created by the cumulative effect of obstructions in flood plains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are not adequately elevated or otherwise protected from flood damage.
 - (3) Adoption of flood plain management regulations applicable to areas of special flood hazard is required by the Flood Disaster Protection Act of 1973 and implementing regulations thereto (24 CFR 1910-11) to maintain the eligibility of the Parish for participation in the National Flood Insurance Program and for the issuance of flood insurance for all properties within the unincorporated areas.
 - (4) The regulations set forth by this ordinance for the prevention of flood damage are therefore reasonable and necessary to protect the public health, safety, and general welfare.
- 1.3 Policy. In order to minimize public harm and private losses in special flood hazard areas, it is hereby declared to be the policy of the Parish of Calcasieu to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, or property in times of flood, or which cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Regulate and control alteration of natural flood plains, their protective barriers and stream channels;
- (4) Prevent the construction of barriers which will divert flood waters and subject other lands to greater flood hazards;
- (5) Regulate and control development which would cause greater erosion or potential flood damage as a result of grading, dredging or excavation.

1.4 Purposes. These regulations are adopted for the following purposes:

- (1) To protect human life and property exposed to the hazards of flooding;
- (2) To ensure that potential property owners are notified if property is located in a special flood hazard area;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in special flood hazard areas;
- (6) To minimize future expenditures of public funds for costly flood control projects;
- (7) To meet the minimum requirements for local flood plain management regulations as established by the Federal Insurance Administration for participation in the National Flood Insurance Program.

1.5 Applicability. The provisions of this ordinance shall apply to all areas of special flood hazard, as delineated on the most recent Flood Hazard Boundary Maps and Flood Insurance Rate Maps or revisions thereto issued by the Federal Insurance Administration, within the unincorporated area of the Parish of Calcasieu, Louisiana.

1.6 Determination of Flood Hazards.

- (1) The Flood Insurance Study, as proposed by the Federal Flood Insurance Administration for the Parish of Calcasieu, dated March 15, 1978, including accompanying Flood Profiles, Flood Hazard Boundary Maps, Flood Insurance Rate Maps, and Flood Boundary and Floodway Maps, is hereby adopted by reference and declared to be a part of this ordinance, together with any revisions or supplements thereto issued by the Federal Insurance Administration.
- (2) Determinations of flood boundaries and elevations necessary to carry out the provisions of this ordinance shall be based on the information provided by the above described studies and accompanying maps and charts.

1.7 Compliance.

- (1) A Development Permit shall be required for all development in the unincorporated areas of the Parish of Calcasieu to ensure conformity of such development with the requirements of this ordinance. The review of proposed developments for compliance with this ordinance shall be conducted in conjunction with any reviews required by the Zoning Ordinance and Subdivision Regulations of the Parish of Calcasieu, and a single Development Permit may be issued to indicate compliance with zoning and subdivision requirements, as well as with this ordinance.
- (2) No building or land shall be hereafter used or altered, and no structure or improvement shall be erected or located except in full conformity with the provisions of this ordinance. No license or final subdivision plat or site plan approval shall be issued by the Parish for any proposed development or use which is not in compliance with the requirements of this ordinance.

1.8 Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the protection of the public health, safety, and general welfare.

1.9 Conflict with Public and Private Provisions.

- (1) This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, statute, rule or regulation, or other provision of law. Where any provision of this ordinance imposes restrictions different from those imposed by any other provision of this ordinance or by any other ordinance, rule or regulation, or provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(2) This ordinance is not intended to abrogate any easement, covenant, or any other private agreement or restriction provided that where the provisions of this ordinance are more restrictive or impose higher standards than such easement, covenant, or other private agreement or restriction, the requirements of this ordinance shall govern. Where the provisions of an easement, covenant, or other private agreement or restriction impose higher standards, or duties and obligations more restrictive than the requirements of this ordinance or the determinations of the Parish in the enforcement of these regulations, and such private provisions are not inconsistent with this ordinance or determinations thereunder, then such private provisions shall be operative and supplemental to the provisions of this ordinance and determinations made thereunder.

1.10 Separability. If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the application thereof to other persons or circumstances. The Police Jury of the Parish of Calcasieu hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, or application.

1.11 Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. This ordinance does not imply that land outside the areas of special flood hazard, uses permitted within such areas, or buildings or portions thereof constructed above the identified base flood elevations will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Parish or any officer or employee thereof for any flood damages that may result from reliance on the provisions of this ordinance or any administrative decision lawfully made thereunder.

SECTION 2: DEFINITIONS

2.1 Usage.

- (1) For the purpose of this ordinance, certain words, terms, numbers, and abbreviations used herein shall be used, interpreted, and defined as set forth in this section.
- (2) Unless specifically defined in this section, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.
- (3) Words used in the present tense include the future tense; words used in the singular number include the plural, and the plural number includes the singular; the word "shall" is always mandatory; the word "herein" means "in this ordinance".
- (4) The terms "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied"; the term "existing" as applied to any use, structure, or development includes the words "existing on the effective date of this ordinance"; the word "lot" includes the words "plot or parcel".

2.2 Words and Terms Defined.

Administrative Official: The Parish Administrator or his authorized representative.

Appeal: A request for review of an interpretation or decision made by the Administrative Official in carrying out the provisions of this ordinance.

Area of Special Flood Hazard: The area which is subject to inundation by the base flood, that is, the area which is subject to a one percent or greater chance of flooding in any given year. The area of special flood hazard is designated on the Flood Hazard Boundary Map as Zone A or V, and is divided for the purposes of this ordinance into Flood Plain Fringe Areas, Coastal High Hazard Areas, and Regulatory Floodways.

Base Flood. The flood having a one percent chance of being equalled or exceeded in any given year; also referred to as a "100-year flood".

Base Flood Elevation: The elevation above mean sea level of the water surface of the base flood, that is, the flood level which has a one percent or greater chance of occurrence in any given year. The base flood elevation at any given location shall be determined from

the data provided in the Flood Insurance Study, as modified by subsequent determinations of the Federal Insurance Administration.

Building Official: The official designated to enforce the provisions of this ordinance.

Building Site: That portion of a lot which is occupied or intended to be occupied by a structure.

Coastal High Hazard Area: An area of special flood hazard which is subject to high velocity waters from tidal surge or hurricane wave wash. It consists of areas designated as Zone V on the Flood Hazard Boundary Map or Zones VI-30 on the Flood Insurance Rate Map.

Commission: The Calcasieu Parish Planning Commission.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. For the purposes of this ordinance, development shall also include the recording of any subdivision for the purpose of creating additional lots or building sites.

Effective Date of This Ordinance: As applied to any particular use, structure, or area, the effective date on which the elevation requirements of this ordinance became applicable to such use, structure, or area as a result of adoption or amendment of the ordinance or of any maps related thereto.

Existing Mobile Home Park or Mobile Home Subdivision: A parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this ordinance.

Expansion To An Existing Mobile Home Park or Mobile Home Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

Flood Or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map: An official map issued by the Federal Insurance Administration on which the areas of special flood hazard are designated as Zone A or V.

Flood Insurance Rate Map: An official map issued by the Federal Insurance Administration delineating both the areas of special flood hazard and the applicable flood insurance risk premium zones.

Flood Insurance Study: An official report issued by the Federal Insurance Administration and containing flood information developed on the basis of scientific and engineering studies. The Flood Insurance Study includes accompanying flood profiles, Flood Hazard Boundary Maps, Flood Insurance Rate Maps, and floodway maps for areas and watercourses within or adjacent to the unincorporated area of the Parish.

Flood Plain: The area which is subject to inundation by the base flood; also referred to as the area of special flood hazard.

Flood Plain Fringe Area: That portion of the area of special flood hazard which is not generally subject to high velocity waters and is located outside designated Regulatory Floodways. The flood plain fringe consists of areas other than designated floodways which are identified as Zone A on the Flood Hazard Boundary Map or Zones A1-30 on the Flood Insurance Rate Map.

Floodway Boundary Map: An official map adopted by the Calcasieu Parish Police Jury to delineate the boundaries of a designated Regulatory Floodway.

Habitable Floor: Any floor usable for living 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".

Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Mobile Home: A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

New Construction: Structures for which a Development Permit issued or the "start of construction" is commenced on or after the effective date of this ordinance. However, new construction does not include structures for which a building permit is issued prior to the effective date of this ordinance, provided that the start of construction is commenced within 90 days of the permit issue date and such permit remains continuously in force until the structure is completed.

New Mobile Home Park or Mobile Home Subdivision: A parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

Regulatory Floodway: The channel of a watercourse and adjacent land which is reserved primarily for flood discharge by prohibiting development which would increase the height or obstruct the flow of the base flood. The Regulatory Floodway is designated on the basis of floodway data contained in the Flood Insurance Study, and is designed to prevent the base flood elevation from increasing by more than one foot as a result of the cumulative effect of development in all other portions of the flood plain.

Residential Structure: Any structure or portion thereof which is used or occupied as a dwelling or other living accommodations, including hotels and other lodging facilities.

Start of Construction: The first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. 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 the excavation for a 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 as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home has to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

Structure: A walled and roofed building that is principally above ground; includes mobile homes.

Substantial Improvement: The repair, reconstruction, or improvement of a structure where the total cost of all such work during any two-year period exceeds the greater of \$25,000 or 50 percent

of the market value of the structure before the improvement or repair is started. (If the structure has been damaged and is being restored, its market value for the purpose of this definition is that existing before the damage occurred.) However, substantial improvement does not include any improvements of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Ten-Year Flood Elevation: The elevation above mean sea level of the water surface of the flood having an expected recurrence interval of ten years. The ten-year flood elevation shall be determined from the data contained in the Flood Insurance Study and any revisions thereto issued by the Federal Insurance Administration.

Variance: A grant of relief to a person from certain requirements of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance.

SECTION 3: ADMINISTRATION AND ENFORCEMENT

3.1 Designation and Duties of Administrative Agency. The Office of the Parish Administrator is hereby designated to administer and implement the provisions of this ordinance. The duties and responsibilities of the Office of the Parish Administrator shall include but not be limited to the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance;
- (2) Review and approve or deny all applications for Development Permits required by Section 1.8 of this ordinance;
- (3) For the purpose of the determination of applicable flood insurance risk premium rates within areas of special flood hazard (zones A and V on the Flood Insurance Rate Map), the Administrative Official shall obtain and maintain a record of the elevation of the lowest habitable floor (including basement) of all new or substantially improved structures within such areas, and of the elevation to which any such structure is floodproofed;
- (4) Review applications and permits for proposed development in areas of special flood hazard to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required;
- (5) Where interpretation is needed as to the exact location of the boundaries of areas of special flood hazard, (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Administrative Official shall make the necessary interpretation on the basis of available topographic information and the base flood elevation data provided by the Flood Insurance Study. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 3.5 of this ordinance;
- (6) Notify the Louisiana Department of Urban and Community Affairs and other affected governmental agencies prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;
- (7) Require that maintenance is provided within altered or relocated portions of watercourses so that flood carrying capacity is not diminished.
- (8) When base flood elevation data is not available from the Federal Insurance Administration, the Administrative Official

shall obtain, review, and reasonably utilize any base flood elevation data available from a Federal or State agency or other source, in order to administer the provisions of this ordinance.

3.2 Application Requirements.

- (1) Prior to commencement of any construction, site improvements, or landscape alterations for any development located partially or entirely within an area of special flood hazard, application for a Development Permit shall be made to the appropriate division of the Office of the Administrator. Such application shall provide the following information in such form as is required by the above referenced office to enable it to determine whether the proposed development conforms to the provisions of this ordinance:
 - (a) Plans drawn to scale showing the location and dimensions of property boundaries, existing and proposed structures, and proposed landscape alterations in relation to the areas of special flood hazard and regulatory floodways established by this ordinance;
 - (b) The elevation in relation to mean sea level of the lowest habitable floor (including basements) of all proposed structures;
 - (c) The elevation in relation to mean sea level to which any non-residential structure shall be floodproofed;
 - (d) A certificate from a registered professional engineer or architect that each non-residential floodproofed structure shall meet the floodproofing criteria of Section 4.4;
 - (e) Such information as is necessary to determine the extent to which any proposed fill or other landscape alteration will result in displacement of flood waters;
 - (f) Such information as is necessary to determine the extent to which any watercourse or natural drainage will be altered or relocated as a result of the proposed development;
 - (g) Any additional certifications and information required by this ordinance (for example, where proposed structures are located within a regulatory floodway or coastal high hazard area);
 - (h) A report of the status of other governmental permits and approvals required for the proposed development (other than Parish permits or licenses issued subsequent to the approval of a Development Permit).

- (2) Applications for Development Permits shall be coordinated with applications for any zoning or subdivision approvals required for the proposed development. Applications shall be submitted in accordance with the following timing requirements:
- (a) When a proposed development requires subdivision approval, application for a Development Permit under this ordinance shall be submitted with the application for preliminary subdivision plat approval. If preliminary plat approval is not required, the Development Permit application must be submitted prior to or concurrent with the final plat;
 - (b) When a proposed development requires special review and approval under the provisions of the Zoning Ordinance, application for a Development Permit under this ordinance shall be submitted with the application for such special zoning approval. (Special zoning approvals are applicable to such categories as conditional uses, planned unit developments, and other special permit uses or developments.);
 - (c) When a proposed development requires a change of zoning district classification, the Administrative Official or the Calcasieu Parish Planning Commission may require that an application for a Development Permit under this ordinance be submitted prior to consideration of the zoning change;
 - (d) When a proposed development requires both zoning and subdivision approvals, or requires separate approvals for different phases, stages, or portions of the development, the Administrative Official shall determine the timing of applications for Development Permits. If necessary to effectively carry out the provisions of this ordinance, the Administrative Official may require separate applications and issue separate Development Permits for different stages or phases of development. (For example, approval could be granted for construction of roadways, utilities, and landscape alterations for an entire subdivision, but separate Development Permits would be required for each future structure not covered by the permit issued at the time of subdivision approval.)
- (3) The filing fee for an application for a Development Permit shall be twenty (20) dollars.

3.3 Review and Approval Procedures.

- (1) Approval or denial of Development Permits by the Administrative Official shall be based on all of the provisions of this ordinance together with the following factors:

- (a) The danger to life and property due to flooding or erosion damage;
 - (b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (c) The danger that materials may be swept onto other lands to the injury of others;
 - (d) The compatibility of the proposed use with existing and anticipated development;
 - (e) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (f) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets, bridges, and public utilities such as sewer, gas, electrical and water systems;
 - (g) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters, and the effects of wave action if applicable;
 - (h) The necessity to the facility of a waterfront location, where applicable;
 - (i) The availability of alternative locations or designs which would reduce the degree of flood hazard to the proposed development or surrounding properties;
 - (j) Conformance of the proposed use or development with the provisions of the Zoning Ordinance, Subdivision Regulations, official land use plans and policies, and other applicable local regulations;
 - (k) Compliance with any Federal and State permit or approval requirements applicable to the development.
- (2) The Administrative Official shall act upon an application for Development Permits as filed, or as amended, without unreasonable or unnecessary delay. However, such permit shall not be issued until all required zoning and subdivision approvals have been granted for the particular development work to be covered by the permit.
- (3) When the Administrative Official determines that an application for a Development Permit does not meet the requirements of this ordinance, or that such application proposes development which is inconsistent with the purpose of this ordinance, not in conformance with the provisions herein, or inappropriate on the basis of one

or more of the factors set forth in Section 3.3 (1) herein, the application shall be denied. Upon request, the Administrative Official shall provide the applicant with a written notice stating the reasons for denial.

3.4 Conditions of Approval.

- (1) Issuance of a Development Permit shall be construed as a license to proceed with the work specifically authorized by such permit, subject to the provisions of these and other applicable regulations and to approval of any other permits required for the development. A Development Permit shall not be construed to provide any authority to violate, cancel, alter, or set aside any of the provisions of this ordinance or of other applicable laws, ordinances and regulations, nor shall issuance of such permit prevent the Administrative Official from thereafter requiring a correction of errors in plans or in construction, or of violations of this ordinance.
- (2) Every Development Permit shall become invalid if the work authorized thereby is not commenced within one year of the date of issuance.
- (3) Every Development Permit is conditioned upon the development being carried out in accordance with the application information and plans on which the approval of the permit is based. Prior approval must be obtained from the Administrative Official for any changes in the approved plans which may affect the extent or degree of flood hazard or of compliance with this ordinance. When such changes will result in significant variation from the previously approved application or plans, a new or amended Development Permit application shall be submitted.
- (4) The Administrative Official may attach such conditions to the approval of a Development Permit as he deems necessary to further the purposes or to insure conformance with the provisions of this ordinance. Such conditions shall be set forth in writing as a part of or attachment to the permit, and shall have the same force and effect as the provisions of this ordinance. The applicant shall be given a reasonable opportunity to appeal the attachment of such conditions as provided in Section 3.5.

3.5 Appeals.

- (1) The Calcasieu Parish Planning Commission shall hear and render judgement on appeals when it is alleged that there is an error in any order, decision, or determination made by the Administrative Official in interpreting, applying, or carrying out the provisions of this ordinance.

- (2) In acting upon appeals, the Commission shall have all powers conferred upon the Administrative Official with respect to interpretation of this ordinance and approval or denial of Development Permits. The Commission may reverse, affirm, or modify, wholly or partly, the order, decision, or determination appealed from, subject to the following limitations:
 - (a) The concurring vote of not less than six members of the Commission shall be necessary to reverse or modify any order, decision, or determination made by the Administrative Official;
 - (b) No decision or action on an appeal shall have the effect of altering or varying the literal provisions or requirements of this ordinance, or of changing any base flood elevation or diminishing any floodway established by the Federal Insurance Administration, or of otherwise exercising powers not conferred upon the Administrative Official by this ordinance;
 - (c) Determinations concerning flood boundaries shall be supported by adequate technical data, including the data provided by the Flood Insurance Study and the information required for an application.
- (3) Requests for appeal must be submitted in writing to the appropriate division of the Office of the Parish Administrator not less than fifteen (15) days before the meeting of the Commission at which the appeal is taken. A filing fee of ten (10) dollars shall accompany each request for appeal.
- (4) Where interpretation is required as to whether an application constitutes an appeal as authorized by this subsection or a request for a variance as authorized by Section 3.6, the Administrative Official shall make the necessary determination and such determination shall be final unless reversed by the Commission pursuant to paragraph (2) of this subsection.
- (5) Any person or persons jointly or severally aggrieved by a decision made under the provisions of this subsection by the Commission may appeal such decision in the Civil District Court in the Parish of Calcasieu.
- (6) The Administrative Official shall maintain a record of all actions involving an appeal and shall report such actions to the Federal Insurance Administration upon request.

3.6 Variances.

- (1) The Calcasieu Parish Planning Commission shall hear and render judgement on all requests for variances from the requirements of this ordinance.

- (2) Variances may be issued generally for the following purposes, subject to all of the requirements and limitations of this subsection;
 - (a) New construction of residential structures to be erected below the base flood elevation on lots not exceeding one-half acre in area which are:
 - (i) contiguous to and generally surrounded by other lots with existing structures constructed below the base flood level, or
 - (ii) located within an existing subdivision in which streets have been opened or lots sold prior to the effective date of this ordinance.
 - (b) New construction of residential structures to be erected below the base flood elevation on lots larger than one-half acre in area, subject to a limitation of one dwelling unit per lot;
 - (c) Substantial improvements to existing structures constructed below the base flood elevation;
 - (d) Substantial improvements to portions of existing structures within regulatory floodways, provided that the portion of the structure within the floodways shall not be enlarged and shall be protected from flood damage as determined by the Commission.
- (3) Variances may be issued for reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or State Inventory of Historic Places without regard to the requirements and limitations of paragraph (4) of this subsection.
- (4) The concurring vote of not less than six members of the Commission shall be necessary to grant any variance. Variances shall only be issued after consideration of all of the factors set forth in Section 3.3 (1) of this ordinance and upon the Commission's determinations that:
 - (a) Good and sufficient cause has been shown for granting a variance;
 - (b) Failure to grant the variance would result in exceptional hardship to the applicant;
 - (c) The granting of the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, and will not create a

nuisance, contribute to fraud on or victimization of the public, or conflict with local laws and ordinances;

- (d) The variance to be granted is the minimum necessary, considering the flood hazard, to afford relief.
- (5) The authorization for granting of variances is intended to be used primarily for the purposes set forth in paragraph (2) and (3) of this subsection, and shall be further limited as follows:
- (a) Variances may provide relief only from the elevation requirements of this ordinance; no variance shall waive, alter, or reduce any requirements or provisions of this ordinance other than those pertaining to structural elevation;
 - (b) No variance shall be issued within a regulatory floodway for any structures, fill, or other development which would result in any increase in flood levels during discharge of the base flood;
 - (c) No variance shall be issued to permit the construction of any building with a lowest floor elevation below the ten-year flood elevation as determined from the data provided by the Flood Insurance Study.
- (6) Applications for variances must be submitted to the appropriate division of the Office of the Parish Administrator not less than fifteen (15) days before the meeting of the Commission at which the application is to be considered. An application for a variance shall include all information required for a development permit application by Section 3.2 of this ordinance and be accompanied by a filing fee of twenty-five (25) dollars. The Commission shall hold a public hearing on each request for a variance and give public notices thereof in the official journal of the Parish at least five days before the date of the hearing.
- (7) After a variance has been granted, a Development Permit may be issued when the Administrative Official has determined that the proposed development complies with the terms and conditions of the variance and all other applicable provisions of this ordinance. Such permit shall include a notation that the issuance thereof is based on a variance from the elevation requirements of this ordinance.
- (8) To compensate for this increased flood hazard which might otherwise result from the granting of a variance, the Commission may attach such conditions to a variance as it deems necessary to further the purposes of this ordinance.
- (9) Any applicant to whom a variance is granted shall be given written notice that the cost of flood insurance for the structure

subject to such variance will be commensurate with the increased risk resulting from construction of the lowest floor below the base flood elevation, which shall not be more than two feet below the base flood elevation in any case.

- (10) Any person or persons jointly or severally aggrieved by a decision made under the provisions of this subsection by the Commission may appeal such decision in the Civil District Court of the Parish of Calcasieu.
- (11) The Administrative Official shall maintain a record of all actions involving a variance and shall report such actions to the Federal Insurance Administration upon request.

3.7 Proceedings of the Calcasieu Parish Planning Commission.

- (1) All proceedings of the Commission under this ordinance shall be taken in public meetings, and a written record thereof showing the vote of each member upon every decision rendered under the provisions of this ordinance shall be maintained in the appropriate office of the Parish Administrator.
- (2) The Commission shall issue all of its decisions under this ordinance in writing, stating the reasons for the decision or justification thereof.
- (3) In every case, the Commission shall reach a decision without unreasonable or unnecessary delay.
- (4) Every decision rendered by the Commission under the provisions of this ordinance shall be final, subject to such remedy as any aggrieved party may have at law or in equity.
- (5) The Commission may adopt rules of procedure to further govern the conduct of its proceedings under this ordinance. A copy of such rules shall be filed in the office of the Parish Administrator.

3.8 Enforcement.

- (1) The Administrative Official, the Building Official, or their duly authorized representatives may inspect any development or construction work and are empowered to enter any building, structure, or premises to enforce the provisions of this ordinance.
- (2) Upon notice from the Administrative Official or the Building Official, any development, occupancy, or use conducted or

established contrary to the provisions of this ordinance shall be immediately stopped or discontinued. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person conducting the development, occupancy, or use, and shall state the conditions, if any, under which such development, occupancy, or use may be resumed.

- (3) The Administrative Official may revoke a Development Permit or other approval issued under the provisions of this ordinance in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the approval was based. When approval for a development is revoked under the provisions of this ordinance, any building or other permits issued by the Parish for such development may also be revoked.
- (4) Appropriate actions or proceedings may be taken by law or in equity to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, or to prevent illegal occupancy of a structure or premises, and these remedies shall be in addition to the measures described above and any penalties provided by law.

3.9 Administrative Standards. Whenever an administrative decision is necessary or desirable in the course of administration and enforcement of this ordinance, and standards for the making of such decision are not otherwise specified herein, then the decision shall be made so that the result will not be contrary to the policy and purposes set forth in Sections 1.3 and 1.4 of this ordinance.

SECTION 4: FLOOD PLAIN FRINGE AREAS

4.1 Effect of Regulations. The provisions of this section shall apply to development within all areas of special flood hazard other than Coastal High Hazard Areas and Regulatory Floodways. The areas subject to the provisions of this section are those identified on the Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A or Zones A1-A30, excluding those portions of such areas which are designated as Regulatory Floodways pursuant to Section 6 of this ordinance.

4.2 General Requirements:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
- (2) All new construction and substantial improvements shall be constructed by methods and practices which minimize flood damage;
- (3) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (4) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (5) New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters;
- (6) On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding;
- (7) Electric and gas service facilities shall be located and constructed to minimize flood damage;
- (8) Any fill placed below the base flood level or used for structural support shall be compacted and sloped in such a manner as to prevent settling or shifting, and shall be protected from erosion as required by the Administrative Official.

4.3 Residential Structure.

- (1) New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. The elevation of

the lowest floor shall be certified by a registered professional engineer, architect, or land surveyor.

- (2) Structures may be constructed on compacted fill in order to comply with the requirement of paragraph (1) of this subsection. Where the use of fill is impractical due to lot size, elevation or similar factors, the Administrative Official may approve other methods for elevation of residences.
- (3) Accessory structures not used or designed for human habitation may be constructed below the base flood elevation, if not attached to a residential structure. Such structures shall comply with the requirements of Section 4.2, and shall be limited to accessory uses permitted in conjunction with residences by the Zoning Ordinance.

4.4 Non-Residential Structures.

- (1) New construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation, or shall be floodproofed in accordance with paragraph (2) of this subsection.
- (2) When the lowest floor is constructed below the base flood elevation, that portion of the structure and any attendant utility and sanitary facilities located below the base flood elevation shall be floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Examples of floodproofing measures which may be necessary to meet the requirements of this paragraph include the following:
 - (a) Installation of watertight doors, bulkheads, and shutters;
 - (b) Reinforcement of walls to resist water pressures;
 - (c) Use of paints, membranes, or mortars to reduce seepage of water through walls;
 - (d) Construction to resist rupture or collapse caused by water pressure or floating debris;
 - (e) Location of all electrical equipment, circuits, and installed electrical appliances in a manner which will assure they are not subject to inundation by the base flood.
- (3) The elevation of the lowest floor of each new or substantially improved structure shall be certified by a registered professional

engineer, architect, or land surveyor. If the lowest floor is below the base flood level, a registered professional engineer or architect shall certify that the structure will meet the floodproofing standards of paragraph (2) of this subsection, and shall indicate the elevation to which the structure will be floodproofed.

- (4) No new non-residential structure other than an essential public facility shall be constructed with a lowest floor elevation below the ten-year flood elevation.
- (5) The requirements of this subsection shall not apply to structures such as rest room and storage buildings which are incidental to public parks and recreational uses.

4.5 Mobile Homes.

- (1) No mobile home shall be placed in an area of special flood hazard except in an existing mobile home park or existing mobile home subdivision.
- (2) All mobile homes placed after the effective date of this ordinance shall be anchored to resist flotation, collapse, or lateral movement, in accordance with the following standards:
 - (a) Over-the-top ties shall be placed at each of the four corners of the mobile home, at two additional intermediate locations on each side if the mobile home is 50 or more feet in length, and at one location on each side if the mobile home is less than 50 feet in length;
 - (b) Frame ties shall be placed at each of the four corners of the mobile home, at five additional intermediate locations on each side if the mobile home is 50 or more feet in length, and at four additional locations on each side if the mobile home is less than 50 feet in length;
 - (c) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds;
 - (d) Additions to the mobile home shall also be anchored in conformance with the above requirements.
- (3) The following requirements shall apply to:
 - (i) new mobile home parks and mobile home subdivisions,
 - (ii) expansions to existing mobile home parks and mobile home subdivisions,

- (iii) substantial improvement of existing mobile home parks and subdivisions where the cost of repair, reconstruction or improvement of streets, pads and utilities is 50 percent or more of the value of such facilities prior to the commencement of the improvements, and
- (iv) mobile homes placed outside a mobile home park or mobile home subdivision,

for which the start of construction is after the effective date of this ordinance.

- (a) Each mobile home stand or lot shall be elevated on compacted fill or pilings so that the lowest floor of the mobile home will be at or above the base flood elevation. The elevation of each finished mobile home stand shall be certified by a registered professional engineer, architect, or land surveyor.
 - (b) Every mobile home lot or site shall have adequate surface drainage and access for a hauler.
 - (c) For mobile home stands elevated on pilings, piling foundations shall be placed in stable soil not more than ten feet apart, and pilings shall not project more than three feet above the ground level.
 - (d) Every mobile home lot or site shall have a minimum average width of 30 feet and a minimum average length of 75 feet. Each side of the mobile home having an outside entrance shall be placed at least five feet from the side line of the mobile home lot or site.
- (4) The requirements of paragraphs (1) and (2) above shall apply to mobile homes used for office, storage, or other non-residential purposes to the same extent that such requirements are applicable to mobile homes used for residential occupancy. However, these provisions shall not apply to mobile homes temporarily parked on the site of a licensed mobile home sale establishment for the sole purpose of display or sale.

SECTION 5: COASTAL HIGH HAZARD AREAS

5.1 Effect of Regulations. The provisions of this section shall apply to development within Coastal High Hazard Areas identified on the Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone V or Zones VI-V30.

5.2 General Requirements. The requirements enumerated in Section 4.2 of this ordinance shall apply to all development in Coastal High Hazard Areas.

5.3 Use Regulations.

- (1) The following uses and developments are specifically prohibited:
 - (a) Mobile home parks, mobile home subdivisions, and individual mobile homes;
 - (b) Outdoor sales or storage lots for boats, trailers, mobile homes, building materials, and any other materials or equipment susceptible to being swept from the site by high velocity flood waters;
 - (c) Enclosed buildings or structures located within the reach of mean high tide.
- (2) Uses not prohibited by paragraph (1) of this subsection or by other applicable ordinances or regulations may be permitted, subject to compliance with the requirements contained herein.

5.4 Development Standards.

- (1) All buildings or structures for which the start of construction is after the effective date of this ordinance shall be located on the landward side of the reach of mean high tide.
- (2) New construction or substantial improvement of any structure shall have the lowest supporting structural member and the lowest habitable floor located at or above the base flood elevation and shall either -
 - (i) leave open all space below the lowest supporting member so as not to impede the flow of water, or
 - (ii) be enclosed below the base flood elevation only by breakway walls which are not part of the structural support of the building and are designed to break away under abnormally high tides or wave action without damage to the structural integrity of the building.
- (3) All new or substantially improved structures shall be securely anchored on pilings or columns which are designed to withstand all applied loads of the base flood flow.
- (4) Compliance with the provisions of paragraphs (1) through (3) of this subsection shall be certified by a registered professional

engineer or architect. Plans for breakaway walls are subject to the approval of the Building Official prior to issuance of a Development Permit.

- (5) The space below the lowest floor of any existing structure shall not be enclosed by any alteration, repair, or improvements commenced after the effective date of this ordinance except by breakaway walls authorized under the provisions of this subsection.
- (6) No fill shall be used as structural support for any new or substantially improved building or structures.
- (7) There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage.
- (8) No construction of piers, docks, fill, or other improvements located within the reach of mean high tide shall be commenced until a Development Permit has been issued and all other necessary governmental permits and approvals have been obtained as required by Section 3.1 (4) of this ordinance.

SECTION 6: REGULATORY FLOODWAYS

6.1 Effect of Regulations. The provisions of this section shall apply to all development within Regulatory Floodways designated as provided herein.

6.2 Designation of Floodways.

- (1) Regulatory Floodways are hereby established along those watercourses where floodways are identified by the Flood Insurance Studies adopted by Section 1.6. Until a more detailed Floodway Boundary Map is adopted as provided below, the boundaries of each Regulatory Floodway shall be determined from the data provided by the appropriate Flood Insurance Study and by scaling of distances on the Floodway Maps accompanying such study.
- (2) In order to more precisely define the boundaries of the Regulatory Floodway or to modify such boundaries within the limitations herein set forth, the Administrative Official may cause to be prepared and the Calcasieu Parish Police Jury may adopt an official Floodway Boundary Map for all or part of any designated Regulatory Floodway, subject to the following requirements and procedure:

- (a) Except as hereinafter provided, the Floodway Boundary Map shall not diminish the extent of the designated floodway in terms of its total reach along the watercourse or its total width at any cross section shown in the Flood Insurance Study. However, the location of floodway boundaries in relation to the channel of the watercourse may be adjusted or modified provided that the total width of the designated floodway is not reduced at any point along the watercourse.
- (b) Floodway widths may be reduced only when there has been a change in the physical conditions on which the original floodway delineation was based, and only to the extent that a reduction in the required floodway width is supported by engineering data. (For example, enlargement of bridge or culvert openings could increase the discharge capacity of a watercourse and thereby reduce the width of the necessary floodway on the upstream side of the opening.)
- (c) When part of a floodway identified by the Flood Insurance Study is inside the corporate limits of any participating municipality, the delineation or modification of the Regulatory Floodway boundary outside said corporate limits shall be coordinated with the Floodway boundary established by the affected municipality for the portion inside the corporate limits, in order to maintain the required total floodway width.
- (d) Floodway boundaries may be modified only when such modification will not increase the extent of obstructions or impediments to discharge of the base flood within the designated floodway.
- (e) Prior to adoption or modification of an official Floodway Boundary Map, the Police Jury shall hold a public hearing thereon, with notice given in the official journal of the Parish at least five days prior to the date of the hearing. The Police Jury may prescribe such additional rules or procedures as it deems necessary to provide for notification of property owners affected by a proposed modification of Regulatory Floodway boundaries.
- (f) An official Floodway Boundary Map may be adopted or modified by resolution of the Police Jury, and each such map shall bear the effective date of its adoption and of any modifications thereof. When adopted in accordance with the provisions of this subsection, an official Floodway Boundary Map shall be conclusive as to the location of the Regulatory Floodway and shall have the same force and effect as is incorporated in this ordinance.

6.3 General Requirements. The requirements enumerated in Section 4.2 of this ordinance shall apply to all development in Regulatory Floodways.

6.4 Use Regulations.

- (1) The following uses and developments are specifically prohibited:
 - (a) Mobile home parks, mobile home subdivisions, and individual mobile homes;
 - (b) Outdoor sales or storage lots for boats, trailers, mobile homes, building materials, and any other materials or equipment susceptible to being swept from the site by high velocity flood waters;
 - (c) Enclosed buildings or structures having any floor or other enclosed area located below the base flood elevation.
- (2) Uses not prohibited by paragraph (1) of this subsection or by other applicable ordinances or regulations may be permitted, subject to compliance with the requirements contained herein.

6.5 Development Standards.

- (1) New construction or substantial improvement of any structure shall have the lowest floor located at or above the base flood elevation, and shall leave open all space below the base flood elevation so as not to impede the flow of water.
- (2) All new or substantially improved structures shall be securely anchored on pilings or columns which are designed to withstand all applied loads of the base flood flow and to offer the minimum obstruction to the flow of flood waters and debris.
- (3) No fill, structure, enclosure, or barrier of any type shall be placed below the base flood elevation where it would obstruct flood flows, displace flood waters, or otherwise result in any increase in flood levels during discharge of the base flood.
- (4) Compliance with the provisions of paragraphs (1) through (3) of this subsection shall be certified by a registered professional engineer or architect.
- (5) Piers, docks and similar unenclosed improvements may be constructed below the base flood level, provided that such improvements are designed to offer the minimum obstruction to the flow of flood waters and debris. No such construction shall be commenced until a Development Permit has been issued

and any other necessary governmental permits and approvals have been obtained as required by Section 3.1 (4) of this ordinance.

- (6) Installation of sewage disposal facilities requiring soil absorption fields is prohibited.

SECTION 7: SUBDIVISIONS

7.1 Effect of Regulations. The provisions of this section shall apply to all subdivisions or portions thereof located within any area of special flood hazard, and shall be supplementary to all other applicable provisions of this ordinance and of the Subdivision Regulations of the Parish of Calcasieu.

7.2 Approval Requirements and Conditions

- (1) No proposed subdivision shall be processed for approval under the Subdivision Regulations until application has been made for a Development Permit under the provisions of this ordinance. No subdivision plat shall be authorized to be recorded until a Development Permit has been issued therefor.
- (2) The final recorded plat of each subdivision shall show the base flood elevation and finished ground elevation for every building site within an area of special flood hazard.
- (3) Issuance of a Development Permit and other required subdivision approvals shall authorize the recording of the subdivision plat and the development of site improvements as shown in the approved plans, but shall not constitute approval of any proposed structure unless such structure is specifically identified and authorized in the Development Permit for the subdivision.
- (4) Subdivision improvements required by this ordinance or by determinations made thereunder shall be subject to all provisions of the Subdivision Regulations pertaining to required subdivision improvements. Such provisions include but are not limited to standards for design and construction and requirements of performance and surety for completion of improvements.
- (5) The Commission may attach such conditions to subdivision approval as it deems necessary to further the purposes or to insure conformance with the provisions of this ordinance. Where deed restrictions are required as a condition of approval or of compliance with this ordinance, such deed restrictions shall be inserted in every deed and noted on the face of the final plat.

7.3 Development Standards.

- (1) Subdivisions shall be located, designed and developed so as to be reasonably free from flooding, and shall provide adequate storm drainage facilities to prevent any increase in the elevation of the base flood.
- (2) Sewage disposal for lots located within areas of special flood hazard must be in compliance with appropriate regulations of the Calcasieu Parish Health Unit.
- (3) Proposed streets shall be located and designed so that the finished elevation of the roadway center line is not more than two feet below the base flood elevation.
- (4) All subdivision lots intended for residential use shall either -
 - (i) provide a building site with an average elevation at or above the base flood level, or
 - (ii) be subject to deed restrictions requiring elevation of residential structures to or above the base flood elevation.
- (5) All subdivision lots intended for nonresidential use shall either -
 - (i) provide a building site with an average elevation at or above the base flood level, or
 - (ii) be subject to deed restrictions requiring elevation or floodproofing of nonresidential structures to or above the base flood elevation.
- (6) No building sites shall be located within a Regulatory Floodway. Subdivisions shall be designed so that land within the Floodway is either -
 - (i) dedicated as public open space or subject to easements to insure its retention as open space under private ownership, or
 - (ii) included in lots which provide building sites outside the floodway boundary and are subject to deed restrictions prohibiting building development within the floodway.
- (7) No land shall be subdivided within a Coastal High Hazard Area unless each lot with water frontage is subject to deed restrictions prohibiting building development within the reach of mean high tide.

SECTION 8: NONCONFORMING USES AND STRUCTURES

8.1 Definition and Classification. Nonconforming uses and structures are those which were lawfully established in an area of special flood hazard prior to the time this ordinance became applicable thereto, but which do not conform to provisions or requirements of this ordinance. Nonconforming uses and structures are hereby further classified as either (1) nonconforming uses or (2) nonconforming structures, as follows:

- (1) Nonconforming uses are those located in regulatory floodways, coastal high hazard areas, or portions thereof where such uses are prohibited by this ordinance. Nonconforming uses include:
 - (a) Existing lawful structures located in any portion of a regulatory floodway and having any floor level lower than the base flood elevation.
 - (b) Existing lawful structures located within the reach of mean high tide in a coastal high hazard area, without regard to the elevation of such structures.
 - (c) Any other kind or class of use or structure lawfully existing in a regulatory floodway or coastal high hazard area where such kind or class of use or structure is prohibited by this ordinance without regard to elevation. (Mobile homes, mobile home parks, and sales lots, and outdoor storage yards are examples of such prohibited uses and structures.)
- (2) All other existing lawful structures which do not conform to provisions or requirements of this ordinance are classified as nonconforming structures. These structures are nonconforming with respect to elevation, method or type of construction, or other requirements concerning the structure, but are not otherwise prohibited by this ordinance and do not constitute nonconforming uses as defined above. Most such structures are located in flood plain fringe areas as defined and regulated by Section 4, and are generally nonconforming with respect to floor elevation or floodproofing levels.

8.2 Regulations Pertaining to Nonconforming Uses. A nonconforming use may be continued so long as it remains otherwise lawful, provided that:

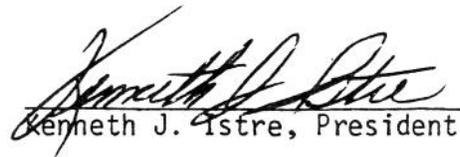
- (1) No nonconforming use shall be enlarged or extended to occupy a greater area of land than was occupied at the time this ordinance became applicable thereto, and no additional structure shall be erected or put in place in connection with such nonconforming use.

- (2) No structure which constitutes a nonconforming use or is devoted to such use shall be enlarged, extended, reconstructed, moved or structurally altered except to -
 - (i) make the structure or use conform to the requirements of this ordinance, or
 - (ii) reduce potential flood damage in a manner consistent with the purposes of this ordinance and subject to appropriate conditions and safeguards required by the Administrative Official or the Commission.
- (3) No structure which constitutes a nonconforming use shall be substantially improved, except as may be authorized by a variance for such improvements within a regulatory floodway under the provisions of Section 3.6.
- (4) No nonconforming use of land conducted outside a structure shall be moved in whole or part to any portion of a lot or parcel other than that occupied at the time this ordinance became applicable thereto, except to make such use conform to the requirements of this ordinance.
- (5) When a structure which constitutes or is devoted to a nonconforming use is removed, destroyed, or damaged by any means to the extent of 50 percent or more of the market value of the structure before the damage occurred, such structure shall not thereafter be restored, rebuilt, replaced, or occupied except in conformity with the provisions of this ordinance applicable to new or substantially improved structures.
- (6) If a structure which constitutes or is devoted to a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, such structure shall not thereafter be restored, rebuilt, or occupied except in conformity with the provisions of this ordinance applicable to new or substantially improved structures and uses.
- (7) When a nonconforming use of land is conducted outside a structure, and such use or any portion thereof is discontinued for any reason for a period of more than 60 days (except when government action impedes access to the premises), the nonconforming use or portion thereof shall not thereafter be resumed, and any subsequent use of the land area formerly occupied by such use or portion thereof shall conform to the requirements of this ordinance.
- (8) When the existence of a structure constitutes a nonconforming use, and such structure is vacated, abandoned, or unoccupied for a period of six consecutive months (except when government action impedes access to the premises), such structure shall not thereafter be used or occupied unless altered or relocated to conform to the provisions of this ordinance applicable to new or substantially improved structures.

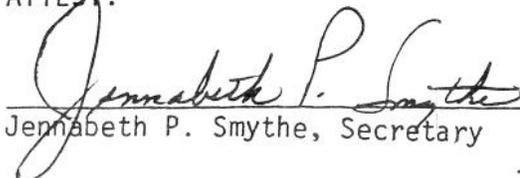
8.3 Regulations Pertaining to Nonconforming Structures. A nonconforming structure may be continued so long as it remains otherwise lawful, provided that:

- (1) If substantial improvements are made to a nonconforming structure, the entire structure shall be made to conform to the provisions of this ordinance applicable to new or substantially improved structures.
- (2) When a nonconforming structure is moved for any reason for any distance whatever, it shall thereafter conform to the requirements of this ordinance applicable to new structures in the location to which it was moved.
- (3) A nonconforming structure may be enlarged, repaired, structurally altered, or otherwise improved without being made to conform to all requirements of this ordinance, subject to the following provisions:
 - (a) The extent of all such improvements undertaken during any two-year period shall not constitute "substantial improvements" as herein defined;
 - (b) All enlargements made after the structure becomes nonconforming shall not increase the amount of its nonconforming floor area by more than 30 percent or 1,200 square feet, whichever is the lesser; for the purpose of this provision, nonconforming floor area means habitable floor area located below the base flood elevation in a structure which is not floodproofed;
 - (c) No addition shall be made to any existing mobile home unless the entire mobile home is made to conform to the anchoring requirements of Section 4.5;
 - (d) Any structural addition which will encroach upon or be located in a Regulatory Floodway or Coastal High Hazard Area shall comply with all requirements applicable to new structures in such areas.
- (4) All existing mobile homes in areas of special flood hazard shall be made to conform to the anchoring requirements of Section 4.5 within three years after the effective date of this ordinance.

THUS DONE AND PASSED BY A UNANIMOUS VOTE BY THE POLICE JURY OF CALCASIEU PARISH, LOUISIANA, convened in regular session on the 2nd day of August, 1978.

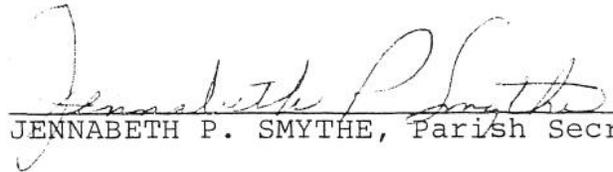

Kenneth J. Istre, President

ATTEST:


Jennabeth P. Smythe, Secretary

C E R T I F I C A T E

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1777, as amended, as appears on file in the Office of Parish Planning.


JENNABETH P. SMYTHE, Parish Secretary

Appendix 2

Ordinance Number 1927, as Amended

Calcasieu Parish Zoning Ordinance

Calcasieu Parish, Louisiana

ORDINANCE NO. 2679

AN ORDINANCE amending and re-enacting Ordinance No. 1927, as amended, relative to zoning and the regulation of building and land use in Calcasieu Parish, Louisiana, and as authorized by Act 196 of 1960, Act 29 of 1983 and Act 91 of 1984 of the Louisiana Legislature.

BE IT ORDAINED BY THE POLICE JURY OF CALCASIEU PARISH, LOUISIANA, convened in regular session on the 24th day of January, 1985, that it does hereby amend and re-enact Ordinance No. 1927, as amended, under the authority of Act 196 of 1960, Act 29 of 1983 and Act 91 of 1984 of the Louisiana Legislature, to read as follows:

ARTICLE I. SHORT TITLE

Sec. 1. Citing Chapter

This ordinance shall be known as, and may be cited and referred to as, the "Calcasieu Parish Zoning Ordinance".

ARTICLE II. DEFINITIONS

Sec. 1. General and Specific

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word "lot" includes the word "plot"; the word "building" includes the word "structure"; the word "shall" is intended to be mandatory; "used" or "occupied" shall be considered as though followed by the words, "or intended, arranged, or designed to be used or occupied".

The following specific definitions shall apply:

Accessory building: A subordinated building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.

Accessory use: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Airport: Any area of land or water which is used or intended for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

Alley: A public thoroughfare which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

Alteration (structural): Any change other than incidental repairs which would prolong the life of the supporting members of a building such as the addition, removal, or alteration of bearing walls, columns, beams, girders, or foundations.

Animal hospital: Any building or portion thereof designed or used for the care, boarding, grooming, observation, or treatment of animals, supervised by a licensed veterinarian.

Apartment: A room or suite of rooms with culinary facilities designed for or used as living quarters for a single family.

Apartment hotel: A building designed for or containing both apartments and individual guest rooms or suites of rooms and apartments, wherein is maintained an inner lobby through which all tenants must pass to gain access to the apartments, and catering to permanent tenants and not transients, and which may furnish dining room service for the exclusive use of its tenants by previous arrangement and not to anyone who may apply.

Apartment house: See "Dwelling, multiple".

Automobile service station: A building or structure used for the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and/or supplies, including installation and minor services customarily incidental thereto. Facilities for washing and for chassis and gear lubrication are permitted if enclosed in a building.

Automobile wrecker yard: An area outside of a building where motor vehicles are disassembled, dismantled, junked or wrecked, or where motor vehicles not in operable condition, or used parts of motor vehicles are stored.

Awning: A roof-like cover, which projects from the wall of a building or roof overhang and is supported by poles, cantilevering or bracketing from the face of the building.

Balcony: A railing-enclosed platform projecting from and supported by an outer wall of a building.

Bar: See "Lounge".

Bar-pits: The removal of gravel, shells, sand and topsoil materials from a lot or a part thereof.

Bay window: A window forming a bay in a room which projects outward from the wall and is supported by its own foundation, in contrast to an oriel window which is similar but lacks foundation support. Synonym: Bow window.

Billboard: See "Outdoor advertising sign".

Buffer strip (greenbelt): A parcel of land which separates lands of differing uses. It is frequently unimproved except for landscaping and screening. Its purpose is to prohibit immediate adjacency of incompatible uses, such as commercially or industrially zoned land which is adjacent to residentially zoned land.

Buildable area: The area of that part of the lot not included within the yards or open spaces herein required.

Building: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

Building area: The total of areas taken on a horizontal plane at the mean grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

Building, height of: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for the flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Cafeteria: A restaurant at which patrons serve themselves at a counter and take the food to the tables to eat.

Camp: A dwelling unit designed to house persons for short periods of time rather than indefinite periods as single-family dwellings.

Campers; camping trailers: The units are not designed for use as single-family dwellings, but rather as camps and shall include units which are self-propelled.

Carport: A canopy or shed open on three (3) sides and attached to the main building for the purpose of providing shelter for one or more vehicles.

Car wash: A lot on which motor vehicles are washed or waxed, either by the patron or by others, using machinery specially designed for the purpose.

Church: A building wherein persons regularly assemble for religious worship, which is used only for such purpose, and those accessory activities as are customarily associated therewith.

Clinic: A building or portion thereof designed for, constructed or under construction or alteration for, or use by two (2) or more physicians, surgeons, dentists, psychiatrists, physiotherapists or practitioners in related specialties, or a combination of persons in these professions.

Clubs: Private recreational buildings and areas operated by membership organizations for the benefit of their membership and not for gain. The term shall include country clubs and lodges. In conjunction with such a club, a dining room may be operated, provided it is incidental to the activities of said club and is conducted for the benefit of the members thereof only, and further, provided no sign is displayed advertising such activity.

Clustered housing: A development of single-family dwellings situated so as to utilize the land as efficiently as possible to reduce the cost of utilities, services, and amenities and to eliminate the waste of standard yard requirements. It is intended that a developer locate dwellings, parking spaces, driveways, streets, easements, accessory buildings, etc., so as to utilize as much of the land as possible as common open recreational space.

Coastal zone: The coastal waters and adjacent shorelands within the boundaries of the coastal zone established in Section 213.4 of the State and Local Coastal Resources Management Act of 1978, which are strongly influenced by each other, and in proximity to the shorelines, and uses of which have a direct and significant impact on coastal waters.

Coastal zone site: An area designated in accordance with State and Local Coastal Resources Management Act of 1978 for Coastal Zone Management.

Commission: The Calcasieu Parish Planning Commission.

Community shopping center: A tract of land improved with a coordinated group of retail buildings having a variety of types of stores and free parking, under single management or control, and catering to an entire community.

Compatible use: A use which is capable of existing in harmony with other uses situated in its immediate vicinity.

Condominium: Any land or building and parts of a building thereon which would normally be used by all the occupants such as yards, foundations, basements, floors, walls, hallways, stairways, elevators, and all other related common elements together with individual ownership of a particular unit or apartment in such building.

Conforming building, structure, or use: Any building or structure or use which complies with all the regulations of this ordinance or any amendment hereto for the zoning district in which such building or structure is located.

Court: An open space from the ground upward, which may or may not direct street access and around which is arranged a single building or a group of related buildings.

Culinary or cooking facilities: A space in a dwelling arranged, intended, designed, or used for the preparation of food for a family. Facilities may include a sink, stove, cabinets, and refrigerator, or any combination of these arranged in such space. A refrigerator alone shall not constitute culinary or cooking facilities under this definition.

Day nursery: Any establishment providing care of four or more children not members of the resident family during the day, but not overnight, including nurseries for children of working mothers, kindergartens, and nursery schools for children under the minimum age for admission to public or non-public schools, or for afterschool care of school children, and other establishments of a similar nature.

District: Any section of the total zoned area in which the zoning regulations are uniform.

Dormitory: A building intended or used principally for sleeping accommodations where such building is related to an educational or public institution, including religious institutions and hospitals.

Drive-in establishment: An establishment of the "drive-in" type is one which accommodates patrons in automobiles from which the occupants may watch, purchase, bank, eat, etc. Such an establishment may also serve customers inside the building.

Duplex: See "Dwelling (two family)".

Dwelling: Any building which is designed for or used exclusively for residential purposes.

Dwelling, multiple-family: A building used or designed as a residence for two (2) or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, flats and group houses.

Dwelling, single-family: A detached building designed for or occupied exclusively by one (1) family.

Dwelling, two-family: A dwelling designed for, constructed or under construction or alteration for, or occupied by two (2) families. This dwelling is commonly referred to as a duplex.

Dwelling unit: A room or group of rooms occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household, or by a person living alone.

Extraction: The removal of natural resources except gravel, shells, sand, and topsoil materials from a lot or part thereof.

Family: One or more persons who are related by blood or marriage living together and occupying a single housekeeping unit with single culinary facilities; or, a group of not more than four (4) persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a nonprofit, cost-sharing basis. The usual domestic servants residing on the premises shall be considered as part of the family.

Farm: Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used.

Filling station: Any building or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, lubricants or tires, except that indoor car washing, minor motor adjustment and flat tire repair may be performed when incidental to the conduct of a filling station.

Floor area: The sum of the gross horizontal areas of the several floors of the main building, but not including the area of roofed porches, terraces, or breezeways. All dimensions shall be measured between exterior faces of the walls.

Frontage: The distance for which the front property line of the lot and the street right-of-way line are coincident.

Garage, parking: A building, land or portion thereof designed or used for the temporary storage of motor-driven vehicles, with or without the retail dispensing sale or offering for sale of motor fuels, lubricants and tires, or indoor car washing, minor motor adjustment and flat tire repair when such operations are incidental to the storage of motor-driven vehicles.

Garage, private: An enclosed space for the storage of not more than three (3) motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one car is leased to a nonresident of the premises.

Garage, public: A building, land or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

Garage, storage: An enclosed space for the storage of three (3) or more motor vehicles pursuant to previous arrangement and not to transients and at which automobile fuels and oils are not sold and motor vehicles are not equipped, repaired, hired or sold.

Grade, finished: The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Hazardous waste: A solid waste or combination of solid wastes, which because of quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or, pose a substantial present or potential hazard to human health, or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, as defined by the Hazardous Waste Management Plan as mandated by Act 334 of the 1978 Louisiana Legislature.

Hazardous waste facility: A facility which collects, separates, stores, disposes, treats or recovers hazardous waste which is not produced or manufactured on the site.

Heliport: An area of land, water, structure, or portion thereof used or intended to be used for the landing and take-off of helicopters and having service facilities for such aircraft.

Helistop: An area of land, water, structure, or portion thereof used or intended to be used for the landing and take-off of helicopters, providing no facilities for service basing of such aircraft are permitted.

Home Occupation: An accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a small nameplate and in connection therewith there is not involved the keeping of stock in trade. The office of a physician, surgeon, dentist, or other professional person who offers skilled services to clients and is not professionally engaged in the purchase or sale of economic

goods, including violin, piano, or other individual musical instrument instruction limited to a single pupil at a time, shall be deemed to be home occupations; and the occupations of dressmaker, milliner, seamstress or beauty parlors, each with not more than one paid assistant, shall also be deemed to be home occupations. The following shall not be interpreted to be home occupations: dancing instructions, band instrument instruction in groups, tea rooms, tourist's homes, real estate offices, convalescent homes, mortuary establishments, and stores, trades, or businesses of any kind not herein excepted.

Hospital: Unless otherwise specified, the term "hospital" shall be deemed to include sanitarium, preventorium, clinic, rest home, nursing home, convalescent home, and any other place for the diagnosis, treatment, or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment, or other care of human elements (ailments).

Hotel: A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied or which are occupied for sleeping purposes by guests and transients and where only a general kitchen and dining room are provided within the building or in an accessory building.

Institution: A building or group of buildings designed or used for the nonprofit, charitable, or public-service purposes of providing board, lodging, and health care for persons aged, indigent, or infirm; or a building or group of buildings for the purpose of performing educational or religious services and offering board and lodging to persons enrolled for training.

Junk yard: The use of any lot, whether inside or outside a building for the storage, keeping, or abandonment of junk, including scrap metals or other scrap materials, or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

Kindergarten: A school for young children which attempts to cultivate in them the normal aptitude for exercise, play, observation, imitation, and socialization.

Laundromat: Business premises equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel.

Light manufacturing: The manufacturing or processing of materials employing electricity or other unobjectionable motor power, utilizing hand labor or unobjectionable machinery or processes, and free from any objectionable odors, fumes, dirt, vibration, or noise.

Line (right-of-way): A line that is the boundary or dedication line of a street.

Line, street: The dividing line between the street and the lot.

Lot: A parcel of land occupied or capable of being occupied by one building, and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this chapter.

Lot, corner: A lot abutting upon two (2) or more streets at their intersection.

Lot, depth of: A mean horizontal distance between the front and rear of lot lines, measured in the general direction of its side lot lines.

Lot, interior: A lot other than a corner lot.

Lot lines: The lines bounding a lot as defined herein.

Lot, record of: A lot which is part of a subdivision, the map of which has been recorded in the Office of the Parish Clerk of Court; or a parcel of land which became legally established and defined by deed or act of sale on or before the adoption of this chapter.

Lot, through: An interior lot having frontage on two (2) parallel or approximately parallel streets.

Lot, width of: The mean width measured at right angles to its depth.

Lounge: An establishment wherein the main source of revenue excluding vending machines is the sale of alcoholic beverages which are customarily consumed on the premises.

Mobile home: A detached single-family dwelling unit with the following characteristics:

- (a) designed for residential occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachments to outside systems: and/or
- (b) designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels; and/or
- (c) arriving at the site where it is to be occupied as a dwelling, complete including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like.

Mobile home park: Land used or intended to be used by three or more mobile homes and/or house trailers.

Mobile home subdivision: A subdivision of land recorded in its entirety with the Calcasieu Parish Clerk of Court as a subdivision plat for the purpose of selling lots as mobile home sites with the appropriate rights-of-way for streets and easements.

Modular unit: A factory fabricated transportable building unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure on a permanent foundation to be used for residential, commercial, educational, or industrial purposes.

Motel: An establishment which (1) is intended primarily for automobile transient guests; (2) provides sleeping accommodations in rooms for pay; (3) provides customary motel services.

Motor vehicle: A vehicle which is self-propelled.

Nameplate: A sign indicating the name and address of a building or the name of an occupant thereof and the practice of a permitted occupation therein.

Neighborhood: An urban or suburban residential or commercial area exhibiting a fairly high degree of homogeneity as to housing, tenancy, income, and population characteristics. Neighborhoods are often outlined by physical barriers, such as railroad tracks, streams, commercial or industrial development, hills, ravines, and by-lines created by subdivision restrictions, or type or age of building development.

Neighborhood shopping center: A tract of land improved with a coordinated group of retail buildings with a limited variety of convenience goods and service facilities, free parking, under single ownership or control, and catering to a limited trade area (neighborhood).

Nightclub: See "Lounge".

Nonconforming use: A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

Nursery: A place for the propagation of small trees, shrubs, and plants.

Nursing home: A facility designed and intended to provide nursing service on a continuing basis to persons, the majority of whom require such service under trained professional nurses or physicians, and for whom medical records are maintained.

Office (business): The office of agents or consultants who offer business services of a competitive nature including, but not limited to, the following: insurance, real estate, savings and loan associations, banks, mortgage companies, and similar businesses who advertise their services through various media; such as newspaper, radio, T.V., magazines, and outdoor advertising.

Office (professional): The office of a physician, accountant, surgeon, dentist, attorney, architect, engineer, tax consultant, or other professional person who offers skilled services to his clients and who is not professionally engaged in the purchase or sale of economic goods.

Open space: Any area of a lot, site, tract, or plot exclusive of structures, driveways, parking, or open storage areas, which is open to the sky.

Personal service shops: Business establishments such as barbershops, beauty shops, chiropody, massage, or similar personal service shops.

Planning Commission: The official planning and zoning body of the Parish of Calcasieu, Louisiana, so designated by the Calcasieu Parish Police Jury.

Police Jury: Calcasieu Parish Police Jury, governing authority of Calcasieu Parish.

Principal use: The primary purpose of function that a lot or structure serves or is intended to serve.

Property lines: The lines bounding a lot, as defined herein.

Restaurant: A retail establishment offering food or beverages, or both, for consumption on the premises. Restaurants do not include barrooms, night clubs, or lounges.

Retail manufacturing: Baking, confectionery, dressmaking, dyeing, laundry, dry cleaning, printing, tailoring, upholstering, and similar establishments, and business of a similar and more objectionable character.

Rooming house: A residential building or portion thereof containing sleeping rooms which will accommodate persons who are not members of the keeper's family.

Sanitarium: An institution for the recuperation and treatment of victims of physical or mental disorders.

School, business: Privately owned schools offering instruction in accounting, secretarial work, business administration, the fine or illustrative arts, trades, dancing, music and similar subjects.

School, private: Privately owned schools having curriculum essentially the same as ordinarily given in a public elementary or high school.

Shopping center: A group of three (3) or more retail stores, planned and designed as a single unit of construction.

Shopping mall: A shopping center in which all business establishments are oriented onto a common pedestrian passageway(s), whether covered or open.

Sign: Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, insignia, or bulletin board of any government or government agency, or of any civic, charitable, religious, patriotic, fraternal, or similar organization.

Sign, advertising: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.

Sign, business: A "sign" which directs attention to a business or profession conducted on the premises. A "For Sale" or a "To Let" sign relating to the property on which it is displayed shall be deemed a business sign.

Solid waste: Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural

operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permit under Section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923).

Solid waste site: A site for the disposal of solid waste excluding hazardous waste.

Stable (private): An accessory building for the housing of horses or mules owned by a person or persons living on the premises, which horses or mules are not for hire or sale.

Stable (public): Any stable for the housing of horses or mules operated for remuneration, hire, sale, or stabling.

Street: A public or private thoroughfare which affords the principal means of access to abutting property.

Structure: A combination of materials other than a building to form a construction that is safe and stable and includes among other things stadiums, platforms, radio towers, sheds, storage bins, fences, and display signs.

Structural alterations: Any change in the physical structure of a building or structure.

Theater, drive-in: An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

Tourist court: A group of attached or detached buildings designed, constructed, or under construction or alteration for guest rooms or dwelling units intended primarily for automobile transients, each unit having a separate entrance opening out of doors or into a foyer, with parking space approximately located on the lot for use by guests of the court, operation of such court to be supervised by a person in charge at all hours. Tourist courts include auto courts, motels, motor hotels, and motor inns.

Tourist home: A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

Townhouse: A single-family dwelling forming one of a group of series of three (3) or more attached single-family dwellings separated from one another by common walls without doors, windows, or other provisions for human passage or visibility through such walls from basement or cellar to roof; and having roofs which may extend from one of the dwelling units to another.

Trade schools: A school offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technician schools and similar commercial establishments operated by a nongovernmental organization.

Trailer: Any vehicle, covered or uncovered, used for living, sleeping, or recreational purposes, having no foundation other than wheels. May be equipped with wheels or other devices for transporting the vehicle from place to place, whether by motive power, or other means. The term "trailer" shall include camp car and house car.

Travel trailer park: Any area providing spaces where one (1) or more auto trailers can be or are intended to be parked, with flush toilet and bathing facilities provided on the site.

Use (principal): The main use of land or buildings as distinguished from a subordinate or accessory use.

Wholesale establishment: A business establishment engaged in selling to retailers or jobbers rather than consumers.

Yard, front: A yard extending across the front of a lot between the side lot lines, and being the required horizontal distance between the street or place line and the maximum permissible main building. On corner lots, the front yard shall be provided facing the street upon which the lot has its lesser dimension.

Yard, rear: A yard extending across the rear of a lot between the side lot lines, and being the required minimum horizontal distance between the rear lot line and the rear of maximum permissible main building. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side: A yard between the main building and the side lot lines and extending from the required front yard to the required rear yard and being the required horizontal distance between a side lot line and the side of the maximum permissible main building.

ARTICLE III. ESTABLISHMENT OF DISTRICTS

Sec. 1. List of districts

For the purpose of promoting the public health, safety, morale, and general welfare of the communities, the unincorporated area of Calcasieu Parish is hereby divided into the following types of districts:

| | |
|-------|--------------------------------------|
| A-1 | Agricultural District |
| R-1 | Single Family Residential District |
| R-2 | Mixed Residential District |
| R-M | Multi-Family Residential District |
| R-MHP | Mobile Home Park District |
| C-1 | Light Commercial District |
| C-2 | General Commercial District |
| C-3 | Central Business Commercial District |
| I-1 | Light Industrial District |
| I-2 | Heavy Industrial District |
| I-3 | Hazardous Industrial District |

Sec. 2. Zoning district map

The boundaries of said districts are shown on a map, which has been properly attested and placed on file in the Office of the Calcasieu Parish Clerk of Court. This zoning district map, together with all notations, references, and other information thereon, is made a part of this ordinance and has the same force and effect as if fully set forth or described herein.

Sec. 3. Interpretation of district boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning district map, the following rules shall apply:

(a) Where district boundaries are indicated as following streets, highways, or alleys, the center lines of such streets, highways, or alleys shall be construed to be such boundaries.

(b) Where the land has been or may hereafter be divided into blocks and lots and where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.

(c) In unsubdivided property, the district boundary lines on the zoning district map shall be determined by use of the scale appearing on the map.

(d) Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.

Sec. 4. Regulation of areas under water

All areas which are under water and not shown as included within any district, shall be subject to all of the regulations of the district adjacent to the water area.

ARTICLE IV. GENERAL REGULATIONS

Sec. 1. Use of building or land

Except as hereinafter provided, no building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the district in which it is located.

Sec. 2. Size and location of building

Except as hereinafter provided, no building shall hereafter be erected or altered to:

- (a) Exceed the height;
- (b) Accommodate or house a greater number of families;

- (c) Occupy a greater percentage of lot area; or
- (d) Have narrower or smaller rear yards, front yards, side yards, inner or outer courts than is specified herein for the district in which such building is located.

Sec. 3. Yard area

No part of a yard or other open space required about any building for the purpose of complying with the provisions of this chapter shall be included as part of a yard or other open space similarly required for another building.

Sec. 4. One building to a lot

Every building hereafter erected, reconstructed, converted, moved, or structurally altered shall be located on a lot of record and in no case shall there be more than one (1) main building on one (1) lot unless otherwise provided for in this ordinance.

ARTICLE V. SCHEDULE OF ZONING DISTRICT REGULATIONS

Sec. 1. Adopted as minimum requirements

The schedule of regulations and the notes appended thereto, included herewith as Chart A, applying to the uses of land and building, the height of buildings, the coverage of lots, the yards and other open spaces to be provided, contiguous to or in connection with buildings, the area of lots and all other matters contained therein, as indicated for the various districts established by this ordinance, are hereby adopted and declared to be a part of this ordinance and may be amended in the same manner as any other part of this ordinance. Off street parking requirements and supplementary regulations included within this section are hereby adopted and declared to be a part of this ordinance and may be amended in the same manner as any other part of this ordinance. The regulations listed for each district as designated, reading from left to right across the schedule, and in all notes appended thereto, are hereby adopted and prescribed for such district, subject to the provisions of Articles V and VI of this chapter and, unless otherwise indicated, shall be deemed to be the minimum requirements in every instance of their application.

MINIMUM OFF-STREET PARKING

| <u>USE:</u> | <u>SPACES REQUIRED:</u> |
|---|---|
| Single and two family dwellings | 2 per dwelling unit |
| Rooming houses, fraternities, sororities, dormitories, convalescent homes | 4 times maximum lawful number of occupants |
| Hotels | 1.2 per room in addition to spaces required for restaurant facilities |

| | |
|--|--|
| Apartments | 2 per dwelling unit |
| Mobile home subdivision and parks | 2 per mobile home |
| Churches, theaters, facilities for spectator sports, auditoriums, concert halls | .35 times the seating capacity |
| Golf courses | 7 per hole |
| Barber shops and beauty parlors | 2 plus 1.5 per chair |
| Bowling alleys | 5 per lane in addition to spaces required for restaurant facilities |
| Fast food take-out establishment and drive-in restaurants | .10 times the floor area in square feet |
| Schools - Elementary | 1.5 per classroom |
| - Secondary | 7 per classroom |
| - University and College | 1 per 10 classroom seats |
| Restaurants (except drive-ins) | 1.2 per 100 square feet of floor area |
| Furniture, appliance, household equipment, carpet and hardware stores, repair shops including shoe repair, contractor's showrooms, museums and galleries | 1 per 800 feet for floor area |
| Funeral parlors | 1 per 50 square feet of floor area |
| Gas stations | 1 per pump plus 2 per list (in addition to stopping places adjacent to pumps) |
| Laundromats | .5 per machine |
| Doctor's and dentist's offices | 1 per 100 square feet of waiting room area and 2 per doctor or dentist, and 75 times the maximum number of employees on the premises at any one time |
| Banks | 1 per 150 square feet of floor space |
| Warehouses | 1 per 50 square feet of floor area |

For uses not specifically listed above, the requirements listed below are applicable:

| <u>USE:</u> | <u>SPACES REQUIRED:</u> |
|--|---|
| Retail stores and service establishments | 1 per 150 square feet of floor space and outdoor sales space |
| Offices | 1 per 300 square feet of floor space |
| Other commercial and industrial uses | .75 times the maximum number of employees on premises at any one time |

Where calculation in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.

SUPPLEMENTARY REGULATIONS

Uses:

- (1) Fences may be erected along the boundaries of a lot or yard area subject to the requirements of the development code; one segment of a fence may be erected in a required side yard.
- (2) Power, heating or refrigerating plants, apparatus, or machinery which are accessory to permitted uses shall be permitted only if placed and operated so as to comply with existing ordinances and not cause serious annoyance or injury to occupants of adjoining premises.
- (3) All "R-1" Single Family Residential uses and "R-2" Mixed Family Residential uses must adjoin a parish maintained public road right-of-way.
- (4) To prevent the sporadic proliferation of commercial uses into surrounding "R-1" Single Family Residential uses and "R-2" Mixed Family Residential uses, no rezoning petition shall provide for a commercial district located other than adjacent to an existing commercial district with the following exceptions:
 - (a) Petition request change to "C-1" Light Commercial District and all other requirements are met for a "C-1" Light Commercial District;
 - (b) Requested change is included as part of a request for approval of Planned Unit Development (PUD);

- (c) Petition request is initiated by the Planning Commission or the Police Jury;
- (d) Petitions concerning nonconforming uses.

Area:

- (1) Where a lot has less area than the minimum requirements for the district within which the lot is located and was a lot or record in separate ownership from adjacent property at the time of the passage of this zoning ordinance, that lot may be used for a single-family dwelling or other non-dwelling use permitted in the district.
- (2) More than one main institutional, public, or semi-public, commercial, or industrial building may be built on a lot provided it is located within the buildable area of the lot.
- (3) One-third of the total acreage must be utilized as a buffer within I-3 (Hazardous Industrial District).
- (4)
 - (a) Certain alcoholic beverage businesses are permitted within certain Commercial and Industrial zoning districts as provided for by Chart A of the zoning district regulations. Notwithstanding any other provisions of this section to the contrary, no Commercial or Industrial zoning district shall permit an alcoholic beverage business in which alcoholic beverages constitute over 50% of the total gross sales to locate within three hundred (300) feet of a dwelling under a Class A Parish Permit excluding civic clubs unless approved by the Zoning Board of Adjustment.
 - (b) The business of selling, offering for sale, keeping for sale, storing, giving away or otherwise handling as a business any alcoholic beverages, whether at retail, wholesale, or otherwise at any place whereby alcoholic beverages constitute over 50% of the total gross sales is hereby prohibited within three hundred (300) feet of a dwelling under a Class A Parish Permit in all Commercial and Industrial zoning districts excluding civic clubs unless approved by the Zoning Board of Adjustment.
 - (c) The distance provided in Subsection (b) shall be measured in a straight line from the nearest point of the property line of such dwelling to the nearest point of the premises such business is conducted or proposed to be conducted; however, if there are sidewalks, the measurement of this distance shall be made as a person walks using the middle of the sidewalk from the nearest point of the property line of the dwelling to the nearest point of the premises to be permitted.
 - (d) The above prohibitions shall not apply to any place of business mentioned in Subsection (b) which was being conducted on and prior to the effective date of this

ordinance, and said prohibitions shall not apply to any such business now or hereafter being conducted under permits validly issued in the event a dwelling is built or established within three hundred (300) feet of said business at any time after such business has commenced, or the permit therefore has been issued.

Height:

- (1) Public, semi-public, or public service buildings, schools, or institutions when permitted in any district may be built to a height not exceeding sixty (60) feet when the required front, side, and rear yards are each increased by one (1) foot of additional height above the height limit of the district.
- (2) The height limitations of the chapter shall not apply to church spires, belfries, monuments, tanks, water towers, fire towers, stage towers or scenery lofts, cooling towers, ornamental towers, spires, radio or television antenna, chimneys, elevator bulkheads, smoke-stacks, oil derricks, conveyors, or flagpoles; except that all uses, including the above, shall comply with the provisions of any government jurisdiction height zoning ordinance.
- (3) Accessory buildings shall not be built more than thirteen (13) feet in height.

Yards:

- (1) Where a lot in a business or industrial district abuts a lot in a residential district, there shall be provided along such abutting lines a yard equal in width or depth to that required in the residential district.
- (2) Where the frontage on one side of a street between two (2) intersecting streets is zoned partly as residential and partly as business or industrial: the front yard depth in the business or industrial district shall be equal to the required front depth of the residential district.
- (3) On every corner lot there shall be provided on the side street a side yard equal in depth to one-half (1/2) the required front yard depth on the said side street; the front yard requirement of a residential district shall prevail over that of a commercial or industrial use.
- (4) On a corner lot in any district, no fence, wall, hedge, or other structure or planting more than three (3) feet in height shall be erected, placed or maintained with the triangular area formed by the intersecting street lines and a straight line joining said street lines' point of intersection, measured along said street lines at points which are thirty (30) feet distant from the point of intersection, measured along said street lines.
- (5) Covered but unenclosed areas may project into required yards not more than ten (10) feet and shall not be considered in determining yard sizes; provided, however, that such area shall not be closer than four (4) feet to any lot line.

- (6) Every part of a required yard shall be open to the sky except ordinary projections not over eighteen (18) inches except that a roof, gutter, or eaves may project to the extent of four (4) feet providing at least three (3) feet remain open to the sky.
- (7) If forty per cent (40%) or more of the frontage on the same side of the street between two (2) intersecting streets is improved with buildings that have observed front yards less than that required, no building need be set back from the street more than the average front yard depth of such buildings.
- (8) Open fire escapes may extend into any required yard not more than two (2) feet.
- (9) Bay windows may project into any required yard not more than two (2) feet.
- (10) The building area of accessory buildings shall not be greater than forty percent (40%) of the required rear yard area.
- (11) Accessory buildings shall not be built less than three (3) feet from a lot line.
- (12) Accessory buildings may be built in required side yards, providing that such building is not less than sixty (60) feet from the front lot line.

ARTICLE VI. PLANNED UNIT DEVELOPMENT

Sec. 1. Intent

It is the intent of this article to permit flexibility in the use and design of structures and land in situations where modification of specific provisions of this ordinance will not be contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the neighborhood in which they occur.

Sec. 2. Application and Modification Powers

The provisions of this section may be applied upon application of the owner, to any lot exceeding 10 acres in size. The owner shall file with the Calcasieu Parish Police Jury a proposed site plan and detailed description of the structures to be erected, the other facilities of the project and the land uses involved. In addition, he shall furnish such other information as the Police Jury may reasonably require. Acting upon the application, the Police Jury may alter setback requirements, height limits, building size limits, and off-street parking regulations. It may also authorize uses not permitted in the district where the lot is located, providing such uses are desirable or convenient for the users of the lot as developed or the immediate neighborhood and provided that such users are planned so as to assure that they will not materially alter the existing character of the neighborhood. However, uses not permitted in the district where the lot is located

shall not be permitted to occupy more than ten per cent (10%) of the building floor area. Where the Police Jury determines that the application is consistent with Section 1 of this article and with other requirements hereof, it shall enter an order recommending development and use in accordance with the site plan and description contained in the application, modified as the Police Jury may require to carry out the intent and purpose of this section and containing any conditions or restrictions which the Police Jury may consider necessary to carry out the purpose of this ordinance and to protect the public health, safety, and welfare. The order shall recite the reasons and findings of fact upon which it is based.

Sec. 3. Procedural Requirements

Prior to making any order recommending development and use under a planned unit development application, the Police Jury shall refer the application to the Calcasieu Parish Planning Commission for a professional opinion and recommendation, and the Commission shall hold a public hearing in the same manner and give notice thereof as required upon application.

ARTICLE VII. NONCONFORMING USES

Sec. 1. Existing nonconforming uses

The lawful use of any building or land existing, at the time of the enactment of this ordinance may be continued, although such use does not conform with the provisions of this ordinance.

Sec. 2. Construction approved prior to ordinance

Nothing herein contained shall require any change in plans, construction, or designated use of a building for which a development permit has been heretofore issued and the construction of which shall have been diligently prosecuted within three (3) months of the date of such permit and the ground story framework of which, including the second tier of beams, shall have been complete within six (6) months of the date of the permit, and which the entire building shall be completed according to such plans as filed within one (1) year from date of this ordinance.

Sec. 3. Extension

A nonconforming use shall not be extended or enlarged except when required to do so by law or by ordinance. The attachment of signs to the building, the placement of signs or display materials on land outside of the building, or the attachment of racks, balconies, or other projections from the building shall be considered as an extension of the use of the building.

Sec. 4. Displacement

No nonconforming use shall be extended to displace a conforming use.

Sec. 5. Alterations

A nonconforming building may not be reconstructed or structurally altered during its life to an extent exceeding an aggregate cost of fifty per cent (50%) of the assessed value of the building unless said building is changed to a conforming use.

Sec. 6. Restoration

No building damaged by fire or other causes to the extent of more than fifty per cent (50%) of its assessed value shall be repaired or rebuilt except in conformity with the regulations of this ordinance.

Sec. 7. Unsafe Structures

Any nonconforming structure or portion hereof declared unsafe by a proper authority may be restored to a safe condition.

Sec. 8. Changes

Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restricted classification.

Sec. 9. Discontinuance

Whenever a building or land used in whole or in part for nonconforming purposes becomes and remains vacant for a continuous period of six (6) months, or when the operations normally carried on in such building or on such land have been discontinued for a period of six (6) months, such nonconforming use shall not thereafter be reestablished and any future use shall be in conformity with the provisions of this ordinance.

Sec. 10. District changes

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any nonconforming uses existing therein.

ARTICLE VIII. BOARD OF ADJUSTMENT

Sec. 1. Creation and appointment

A Board of Zoning Adjustment is hereby created and established. The word "Board" when used in this article shall be construed to mean the Board of Zoning Adjustment. The Board shall consist of seven (7) members appointed by the Calcasieu Parish Police Jury. Each member of the Board shall be a resident and elector of the parish. Commissioners so appointed shall serve staggered terms of five (5) years each. All members shall be removed for cause by the governing authority, upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Sec. 2. Organization

The Board shall elect its own chairman who shall serve for one year. The Director of Planning and Development shall serve as the secretary of the Board of Zoning Adjustment but shall not be considered as a voting member of the Board. It shall be the duty of the secretary to keep a true and correct record of all proceedings of the Board.

Sec. 3. Records

The Board shall keep minutes of the proceedings and records of its examinations and other official actions. The minutes of the Board shall show the vote of each member upon each question or, if failing to vote, indicating that fact. All minutes and records shall be filed immediately in the Office of the Board and shall be public records. Certified copies of all decisions of the Board shall be furnished upon request by the Director of Planning and Development.

Sec. 4. General Procedures

The Board shall adopt rules of procedure not in conflict with any state act or parish ordinance. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. All testimony presented at a public hearing, objections thereto and rules thereon shall be taken down by a reporter. In exercising its powers and duties, the Board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination as ought to be made and to that end, shall have all the powers of the Director of Planning and Development. A majority of the members shall constitute a quorum. The concurring vote of a majority of members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administration official, or to decide in favor of the applicant on any matter upon which it is required to pass under any ordinance, or to effect any variation in the ordinance.

Sec. 5. Appeals

Appeals to the Board may be taken by any party aggrieved, or by any officer, department, commission, board, bureau or other agency of the zoned area affected by any decision of the Director of Planning and Development. Such appeal shall be taken within a reasonable time, by filing with the Director of Planning and Development and with the Board a notice of appeal specifying the grounds thereof. The Director of Planning and Development shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the Director of Planning and Development certified to the Board of Adjustment after the notice of appeal shall have been filed with him, that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by restraining order, which may be granted by the Board of Adjustment or by court of record on application or notice to the Director of Planning and

Development and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the interested parties, and decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney. No petition for the same property will be considered by the Board of Adjustment for a period of one year from the date of the public hearing.

Sec. 6. Powers and duties

The Board of Zoning Adjustment shall have the following powers and it shall be its duty:

(a) To hear and decide appeals involving the interpretation of any provision of this chapter or where it is alleged there is error in any order, requirement, decision, or determination made by the Director of Planning and Development in the enforcement of this chapter.

(b) In hearing and deciding appeals, the Board shall have the power to grant exception in the following instances:

- (1) Where a district boundary line divides a lot in single or joint ownership of record at the time such line is adopted, permit the less restricted portion of such lot to extend not more than thirty (30) feet into the more restricted portion, provided the lot has frontage on a street in the less restricted district.
- (2) Interpret the provisions of this chapter in such a way as to carry out the intent and purposes of the plan, as shown upon the zoning district map, where the district boundaries are uncertain, or where the street layout actually on the ground varies from the street layout as shown on the district map.
- (3) Permit the erection and use of building or the use of land for railroads or public utility purposes.
- (4) Permit unenclosed roadside stands for the sale of products raised on the premises, commercial amusements, or recreational developments for temporary or seasonable periods.
- (5) Permit temporary buildings, that used in conjunction with construction work only, in any district during the period that construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.
- (6) Permit land in an R-2 (Mixed Residential District) within three hundred feet (300') of a use permitted in an R-M (Multi-Family Residential District) to be improved for the parking spaces required in connection with the permitted use but only when there is positive assurance that such land will be used for such purpose during the existence of the permitted use.

No exception shall be granted by the Board of Adjustment unless it finds the use for which such exception is sought will not, in the circumstances of the particular case and under any conditions that the Board considers to be necessary or desirable, be injurious to the neighborhood

or otherwise detrimental to the public welfare. The Board of Adjustment may require such supplementary data including, but not limited to, a plot plan, a site plan, or a building plan. Furthermore, in the granting of any exception, the Board of Adjustment shall prescribe any performing standards including, but not limited to, landscaping, greenbelts, buffering, fencing, and all other applicable standards it deems to be necessary, desirable, and reasonable.

(c) To vary or adapt the strict application of the yard requirements or height restrictions, or parking regulations in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptionally physical conditions, whereby such strict application would deprive the owner of reasonable use of the land in accordance with the use regulations of this chapter; to waive or reduce the parking requirements whenever the use of a building or land is so extraordinary as to make unnecessary the full provisions of parking facilities, or whenever it can be shown that provisions of required off-street parking space within three hundred feet (300') of the main building is not feasible and would impose an unreasonable hardship as contrasted with merely granting an advantage or a convenience.

In granting any variance, the Board of Adjustment shall prescribe any conditions that it deems to be necessary or desirable. No variance shall be granted by the Board of Adjustment unless it finds:

- (1) That there are special circumstances or conditions, fully described in the findings, applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the neighborhood, and that said circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of such land or buildings.
- (2) That, for reason fully set forth in the findings, the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board is the minimum variance that will accomplish this purpose.
- (3) That the granting of the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Sec. 7. Court review

Any person or persons, or any officer, department, commission, Board, bureau, or any other agency of the zoned area jointly or severally aggrieved by any decision of the Board of Zoning Adjustment, may present to the civil district court of the Parish of Calcasieu, within thirty (30) days after filing of the decision of the office of the Board, a writ or certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the state.

Sec. 8. Fees

Each petition concerning a variance or exception for 10 acres or less shall be accompanied by a deposit of two hundred dollars (\$200). For petitions involving more than 10 acres, a fee of twenty dollars (\$20) per acre shall be charged up to one thousand dollars (\$1000). Therefore, the minimum fee for any appeal will be two hundred dollars (\$200) regardless of acreage. The maximum fee for any appeal shall not exceed one thousand dollars (\$1000) which shall apply for all areas of 50 acres or more. This fee shall be paid to the Director of Planning and Development at the time of notice of appeal is filed, which the Director shall forthwith pay over to the Calcasieu Parish Treasurer to the credit of the general operating fund of the Planning Commission.

ARTICLE IX. ADMINISTRATION

Sec. 1. Purpose

The purpose of this article is to describe the functions of the departments, commissions, and governing bodies as they are involved in administering the zoning ordinance, to outline the standards and procedures to be followed in administering the zoning ordinance in respect to amendment, issuance of a certificate of zoning compliance, and permitting exceptions and planned unit development.

Sec. 2. Function of the Planning Commission

It shall be the duty of the Calcasieu Parish Planning Commission to receive for the Police Jury, and process in accordance with the ordinance, petitions for changing the zoning classification of land and revisions of amendments to the zoning text.

When proposals or requests have been filed with the Planning Commission in proper form, the commission will advertise a public hearing. The Planning Commission will prepare and forward the results of the public hearing with recommendations to the Calcasieu Parish Police Jury.

Sec. 3. Function of Director of Planning and Development

The Director of Planning and Development shall issue development permits which are in accord with the provisions of this ordinance, review plans for construction and installation of signs, issue certificates of zoning compliance at the same time as he issues the development permit provided the building or structure meets the requirements of this ordinance, be responsible for the enforcement of the ordinance, conduct inspections of construction to insure that it complies with the provisions of the ordinance, and maintain a set of up-to-date zoning maps and zoning texts.

Sec. 4. Functions of the Police Jury

It shall be the duty of the Calcasieu Parish Police Jury to receive, evaluate, and decide affirmatively or negatively on petitions for zoning amendments after receiving a report and recommendations resulting from a public hearing. This report and recommendation will come from the Planning Commission.

Sec. 5. Functions of Civil District Court

The Civil District Court of the parish is the proper judicial body to receive, within 30 days after the date of an official decision by the Police Jury relating to zoning matters and writs of certiorari from any party aggrieved by any such conditions.

Sec. 6. Enforcement

It shall be the duty of the Director of Planning and Development to enforce this ordinance. It shall also be the duty of all officers and employees of the Calcasieu Parish Police Jury and especially of all members of the Sheriff's Office to assist the Director of Planning and Development by reporting to him upon new construction, alterations, relocations, repairs, or land uses, or upon seeming violations. Appeal from the decision of the Director of Planning and Development may be made to the Board of Zoning Adjustment as provided in Article VIII of this ordinance.

Sec. 7. Development permits

No building or structure shall be erected, altered, repaired, or relocated until a permit therefore has been issued by the Director of Planning and Development. The application for and issuance of such permits shall be in accordance with the requirements of the development code, except that no permit shall be issued until application for a certificate of zoning compliance has been made and approved.

Sec. 8. Certificate of zoning compliance

No change in the use or occupancy of land or of an existing building shall be made, nor shall any new building be used or changed in use until a certificate of zoning compliance shall have been issued by the Director of Planning and Development stating that the proposed use of the building or land complies with the provisions of this ordinance. Applications for a certificate of zoning compliance shall be made coincident with the application for a development permit. After determining that the proposed erection, alteration, repair, relocation, or change in use is in compliance with the provisions of this chapter, each such application shall be approved by the Director of Planning and Development.

ARTICLE X. VIOLATIONS AND PENALTIES

Sec. 1. Violation

In case any building or structure is erected, structurally altered, or maintained, or any building, structure, or land is used in violation of this chapter, any proper official of the zoned area or their duly authorized representatives, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, maintenance, use; or other violations to restrain, correct, or abate such violations; to prevent the occupancy of such building, structure, or

land; or to prevent any illegal act, conduct, business, or use in or about such premises. Each day such violation continues shall constitute a separate violation. The Director of Planning and Development may call upon the sheriff's office to furnish him with the necessary police personnel to carry out his orders. Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis therefore, shall be filed with the Director of Planning and Development during normal business hours.

Sec. 2. Penalty

The owner or general agent of a building or premises where a violation of any provision of this regulation has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the general agent, architect, builder, contractor, or any other person who commits, takes part in, assists in any such violation, or maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor, punishable either by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) or not more than thirty (30) days jail sentence, or both, for each and every day that such violation continues in accordance with Act 91 of the 1984 Legislative Session.

ARTICLE XI. PROCEDURE FOR CORRECTING VIOLATIONS

Sec. 1. Notification of violation

When a violation is found to exist, the Director of Planning and Development will notify the owner or owners of the subject property that a zoning violation exists. If the building is under construction, the owner will be instructed to stop construction until arrangements have been made to correct the violation. The owner will be notified by registered mail and also the property of concern will be posted with a suitable placard, stating that the use is in violation of the zoning ordinance and that all construction work is ordered to stop. If the building or use which is in violation already exists, then the owner will be notified by registered mail to cease operation until corrections have been made.

Sec. 2. Deadline date

Failure of the property owner to respond to these official notifications within the deadline date will be cause for the Director of Planning and Development to notify the District Attorney's Office and the Sheriff's Office to request that the owner be arrested and charged.

Sec. 3. Pertinent information

When a property owner has been arrested and charged with violation of the zoning ordinance, the Director of Planning and Development will supply the District Attorney with all pertinent information dealing with the violation in order that the District Attorney (upon direction by the Police Jury) can take whatever legal action is necessary to fine or otherwise penalize the violator.

ARTICLE XII. AMENDMENTS AND PETITIONS

Sec. 1. Initiation of amendments

The Police Jury may, from time to time, amend, supplement, or change the regulations, restrictions, or boundaries herein or subsequently established. Such amendment, supplement, or change may be initiated:

- (a) By action of the Police Jury itself by introduction of an ordinance or by adoption of a motion (after study and recommendation by the Planning Commission).
- (b) By a recommendation of the Planning Commission.
- (c) By a property owner.
- (d) By a petition of property owners.

Sec. 2. Petitions

Petition by property owners for the amendment, supplementation, or change of the zoning ordinance shall be filed with the Police Jury through the Director of Planning and Development. In filing such petitions, the following rules shall apply:

- (a) No petition for a change in the classification of property shall be filed unless such a petition is duly signed and acknowledged by the owners or authorized agents of not less than fifty per cent (50%) of the area of land for which a change of classification is requested, provided, however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty per cent (50%) area provision.
- (b) Each petition for a change in the classification of property shall conform to such standards and requirements as the Planning Commission shall adopt.

ARTICLE XIII. PROCEDURE FOR APPLYING FOR ZONING CHANGE OR AMENDMENTS

No amendment, supplement, or change of zoning ordinance or zoning district map shall become effective unless and until:

- (a) The petitioner executes a petition for zoning change. The Planning Commission may require supplementary data including, but not limited to, a plat plan, site plan, or building plans.
- (b) (The petitioner) Files zoning petition with the Director of Planning and Development.

- (c) The Director of Planning and Development forwards petition and supporting documents to the Planning Commission and sets a date for a public hearing. Notice of the time and place of the hearing shall be published at least three times in the official journal of the parish, and at least ten (10) days shall elapse between the first publication and the date of the hearing.

No action will be taken by the Police Jury on the zoning petition until after such public hearing has been held.

- (d) The Planning Commission, after reviewing the petition and hearing comments at the public hearing, will make their recommendation known at the public hearing for the approval, conditional approval, or disapproval of the petition. The Planning Commission may limit the permitted uses in any zoning district as a condition of approving any rezoning petition. Furthermore, in the granting of any rezoning petition, the Planning Commission shall prescribe any performance standards, including, but not limited to, landscaping, greenbelts, buffering, fencing, and all other applicable standards it deems to be necessary, desirable, and reasonable. These recommendations will then be forwarded to the Police Jury by the Planning Commission staff.
- (e) The Police Jury receives the recommendation of the Planning Commission and approves, conditionally approves, or disapproves the petition. The Police Jury may limit the permitted uses in any zoning district as a condition of approving any rezoning petition. Furthermore, in the granting of any rezoning petition, the Police Jury shall prescribe any performance standards, including, but not limited to, landscaping, greenbelts, buffering, fencing, and all other applicable standards it deems to be necessary, desirable, and reasonable.
- (f) A petitioner may withdraw his petition at any time up to its consideration by the Police Jury. However, if a zoning petition is withdrawn by the petitioner after the public hearing has been held, or if the Police Jury disapproves of the request contained in the petition, then no further petition for the same property will be considered by the Police Jury for a period of one year from the date of the public hearing. This provision shall not apply in cases where the Police Jury wished to consider a petition involving a zoning amendment of an area larger than twenty (20) acres.
- (g) The provisions of this section do not apply in cases where there is a proposal to enact an entire new ordinance to change the text as a whole, or to change all of the zoning district map, or both, in which the procedures set out in Legislative Act 196 of 1960 and Legislative Act 29 of 1983 shall be followed.

ARTICLE XIV. FEES

(a) Each petition concerning a zoning change or amendment for ten (10) acres or less shall be accompanied by a deposit of two hundred dollars (\$200.00). For petitions involving more than ten (10) acres a fee of twenty dollars (\$20.00) per acre shall be charged up to one thousand dollars (\$1000.00). Therefore, the minimum fee for any zoning change will be two hundred dollars regardless of acreage. The maximum fee for any petition shall not exceed one thousand dollars which shall apply for all areas of fifty acres or more.

(b) All checks submitted with zoning petitions shall be made payable to the Calcasieu Parish Police Jury.

(c) Under no conditions shall fees, either in whole or in part, be refunded for failure of said change to be adopted by the Police Jury.

ARTICLE XV. INTERPRETATION

Sec. 1. Minimum requirements

In interpreting and applying the provisions of this ordinance, these shall be held to be in minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or land or upon the height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such ordinances or agreements, the provisions of this ordinance shall control.

ARTICLE XVI. VALIDITY

Sec. 1. Severability

If any section, sub-section, paragraph, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance which shall continue in full force and effect.

ARTICLE XVII. CONFLICT OF LAWS

Sec. 1. Repeal

All zoning regulations or parts of zoning regulations in conflict herewith are hereby repealed, provided, however, that all suits at law or in equity and/or all prosecutions resulting from the violation of any zoning ordinance heretofore in effect, which are now pending in any of the courts of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this ordinance, but shall be prosecuted to their finality, the same as if this ordinance had not been adopted; and any and all violations of existing zoning regulations, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may have heretofore been instituted or prosecuted.

ARTICLE XVIII. REPEAL

Sec. 1. Repeal of Ordinance #1097

The Comprehensive Zoning Law of Calcasieu Parish, Louisiana, adopted on July 3, 1962, as Ordinance #1097, as amended, from time to time, is hereby repealed in toto by Ordinance #1927, as amended.

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: A-1 (AGRICULTURAL)

PERMITTED USES

Farms and farm related buildings; private airstrips; single-family dwellings (2 per acre) and accessory uses; single unit mobile homes (2 per acre); extractions (except barpits); parish parks and playgrounds and facilities in conjunction therewith; recreational areas; clubs; public and private forests and wildlife reservations; stables; kennels; animal hospitals; home occupations; boat houses and docks; churches; public and private schools (excluding trade and business); public building or land use whose sole purpose is to preserve national defense; utilities (public and private); libraries; nurseries (horticultural); gardens; police and fire stations; golf courses; roadside stand for products grown on premises; coastal zone sites; oil and gas exploration; oil and gas pump transfer stations; helistops; cemeteries; duplexes (2 per acre).

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; airports; radio and television broadcasting towers; barpits; solid waste sites; off-site advertising (billboards); convenience stores; triplexes (2 per acre); fourplexes (2 per acre); day nurseries and kindergartens; water towers and above ground storage tanks.

PERMITTED SIGNS

Business signs not over 12 square feet. One sign per lot.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | One acre | 35 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|--|--|
| 50 feet | Total: 20% of lot width One Yard: 20 feet | 20% of lot depth Not required to exceed 25 feet |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: R-1 (SINGLE FAMILY RESIDENTIAL)

PERMITTED USES

Single family dwellings (excluding mobile homes); parish parks and playgrounds and facilities in conjunction therewith; libraries; museums; churches; public schools; private schools (except business and trade); private recreational uses; private gardens; private nurseries; private garages; home occupations; accessory uses; fire and police stations.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; radio and television broadcasting towers; day nurseries; kindergartens; mobile homes.

PERMITTED SIGNS

Business signs not over 2 square feet. One sign per lot. Plus one sign identifying each subdivision not to exceed 10 feet in height and 32 square feet in size.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | 10,000 square feet | 35 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|--|--|
| 30 feet | Total: 20% of lot width One Yard: 10 feet | 20% of lot depth Not required to exceed 25 feet |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: R-2 (MIXED RESIDENTIAL)

PERMITTED USES

Single family dwellings (one per lot); parish parks and playgrounds and facilities in conjunction therewith; libraries; museums; churches; public schools; private schools (except business and trade); private recreational uses; private gardens; private nurseries; private garages; home occupations; accessory uses; fire and police stations; single unit mobile homes (one per lot); duplexes (one per lot); and mobile home subdivisions (lots for sale).

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; radio and television broadcasting towers; day nurseries; kindergartens; triplexes (one per lot); and fourplexes (one per lot).

PERMITTED SIGNS

Business signs not over 2 square feet. One sign per lot. Plus one sign identifying each subdivision not to exceed 10 feet in height and 32 square feet in size.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | 7,500 square feet | 35 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|---|--|
| 25 feet | Total: 20% of lot width One Yard: 7 feet | 20% of lot depth Not required to exceed 25 feet |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: R-M (MULTI-FAMILY RESIDENTIAL)

PERMITTED USES

Single family dwellings; parish parks and playgrounds and facilities in conjunction therewith; libraries; museums; churches; public schools; private schools (except business and trade); private recreational uses; fire and police stations; single unit mobile homes (one per lot); duplexes (one per lot); mobile home subdivisions (lots for sale); two-family and multi-family dwellings; boarding houses; cluster housing; college or university dormitories; condominiums; town houses; fraternity or sorority houses; clubs; apartment hotels; tourists' homes; storage garages; hospitals; institutions; mausoleums; and cemeteries.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; radio and television broadcasting towers; day nurseries; kindergartens; and professional offices.

PERMITTED SIGNS

Business signs not over 6 square feet.

MAXIMUM FLOOR AREA

MAXIMUM HEIGHT OF MAIN BUILDING

None

50 feet

MINIMUM LOT AREA

| <u>No. of Families</u> | <u>Area Per Family (square feet)</u> |
|------------------------|--------------------------------------|
| 1 | 7,500 |
| 2 | 1,750 |
| 3 | 1,200 |
| 4 | 1,000 |
| 5-11 | 800 |
| 12-16 | 700 |
| 17-40 | 600 |
| Over 40 | 400 |

Minimum lot area shall conform to this ordinance or existing standards established by the Department of Health and Human Resources, whichever is greater.

YARD REQUIREMENTS

FRONT YARD

20 feet

SIDE YARD

Total: 20% of lot width
One Yard: 5 feet

REAR YARD

20% of lot depth
Not required to exceed 25 feet

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: R-MHP (MOBILE HOME PARK)

PERMITTED USES

Single family dwellings; parish parks and playgrounds and facilities in conjunction therewith; libraries; museums; churches; public schools; private schools (except business and trade); private recreational uses; private gardens; private nurseries; private garages; home occupations; accessory uses; fire and police stations; single unit mobile homes (one per lot); duplexes (one per lot); mobile home subdivision (lots for sale); two-family and multi-family dwellings; boarding houses; cluster housing; college or university dormitories; condominiums; townhouses; fraternity or sorority houses; clubs; apartment hotels; tourists' homes; storage garages; hospitals; institutions; mausoleums; cemeteries; mobile home parks (rental spaces); and travel trailer parks (rental spaces).

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; airports; radio and television broadcasting towers; day nurseries; kindergartens; convenience stores (with or without gasoline); public and private utilities; business and professional offices; personal service shops; and drug stores.

PERMITTED SIGNS

Business signs not over 6 square feet.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|--|--|
| None | 5,000 square feet for mobile home park; 3,000 square feet for travel trailer park | 50 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|---|--|
| 20 feet | Total: 20% of lot width One Yard: 7 feet | 20% of lot depth Not required to exceed 25 feet |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: C-1 (LIGHT COMMERCIAL)

PERMITTED USES

Business and professional offices; personal service shops; restaurants (no alcoholic beverages consumed on premises); studios; fix-it shops; laundromats; drug stores; catering and delicatessen services; cleaning and dying of garments; convenience stores (with or without gasoline); fire and police stations; funeral homes; nurseries (horticultural); similar retail stores for convenience of neighboring residents; day nurseries and kindergartens; bakeries; and a dwelling for resident watchman or caretaker employed on premises.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; airports; radio and television broadcasting towers; parking lots for business uses within 300 feet of district boundary; single family dwellings; single family mobile homes; all other uses permitted in R-M (Multi-Family Residential); billboards; and mini-warehouses.

PERMITTED SIGNS

Business signs not over 120 square feet.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|--|-------------------------|--|
| 6,500 square feet where more than one use is located in one district; 8,000 square feet is maximum combined total floor area | 5,000 square feet | 50 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|------------------|------------------|
| 20 feet | None | None |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: C-2 (GENERAL COMMERCIAL)

PERMITTED USES

Retail manufacturing; filling stations; parking garages and lots; residential appliance sales and service; all offices; retail and wholesale uses; neighborhood shopping; light manufacturing; storage and public garages; barrooms; nightclubs; lounges; radio and television studios; hotels and motels; theaters (including drive-ins); farmers market; printing and engraving; passenger terminals; kennels and animal hospitals; motor and/or mobile home sales, service, and rental; janitorial services (wholesale and retail); farm equipment sales, service, and rental; boat sales and service (wholesale and retail); auto/truck sales, service, and rental; auditoriums and convention centers; amusement places; business schools; commercial recreation (including bowling alleys, skating rinks, skateboard parks, etc.); off-site advertising (billboards); car washes; business and professional offices; personal service shops; restaurants (alcoholic beverages consumed on premises); studios; fix-it shops; laundromats; drug stores; catering and delicatessen services; cleaning and dyeing of garments; convenience stores (with or without gasoline); fire and police stations; funeral homes; day nurseries and kindergartens; bakeries; dwelling for resident watchman or caretaker employed on premises; horticultural nurseries; and similar retail stores for the convenience of neighboring residents.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; airports; radio and television broadcasting towers; parking lots for business uses within 300 feet of district boundary; single family dwellings; single family mobile homes; and all other uses permitted in R-M (Multi-Family Residential).

PERMITTED SIGNS

Business and advertising signs not to exceed 120 feet.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---|-------------------------|--|
| 15,000 square feet where more than one use located in one district; 25,000 square feet is maximum combined total floor area | 10,000 square feet | 100 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|------------------|------------------|
| 20 feet | None | None |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: C-3 (CENTRAL BUSINESS COMMERCIAL)

PERMITTED USES

Retail manufacturing; filling stations; parking garages and lots; residential appliance sales and service; all offices; retail and wholesale uses; neighborhood shopping; light manufacturing; storage and public garages; barrooms; nightclubs; lounges; radio and television studios; hotels and motels; theaters (including drive-ins); farmers market; printing and engraving; passenger terminals; kennels and animal hospitals; motor and/or mobile home sales, service, and rental; janitorial services (wholesale and retail); farm equipment sales, service, and rental; boat sales and service (wholesale and retail); auto/truck sales, service, and rental; auditoriums and convention centers; amusement places; business schools; commercial recreation (including bowling alleys; skating rinks; skateboard parks; etc.); off-site advertising (billboards); car washes; business and professional offices; personal service shops; restaurants; studios; fix-it shops; laundromats; drug stores; catering and delicatessen services; cleaning and dyeing of garments; convenience stores (with or without gasoline); fire and police stations; funeral homes; nurseries (horticultural); bakeries; similar retail stores for convenience of neighboring residents; shopping centers and shopping malls; large food stores; large department stores; large business parks; and a dwelling for resident watchman or caretaker employed on premises.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Railroads; temporary commercial amusements or recreational developments; temporary buildings used in connection with construction; institutions; airports; radio and television broadcasting towers; parking lots for business uses within 300 feet of district boundary; single family dwellings; single family mobile homes; and all other uses permitted in R-M (Multi-Family Residential).

PERMITTED SIGNS

Business signs not over 120 feet.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | 10,000 square feet | 100 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|------------------|------------------|
| 20 feet | None | None |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: I-1 (LIGHT INDUSTRIAL)

PERMITTED USES

Same as C-3; plus animal hospitals and kennels; airport and airstrips; automobile, truck trailer, motorcycle, bicycle repair and assembly; bakery products; wholesale manufacturing; basket and hamper construction (wood, reed, rattan, etc.); bedding manufacture (mattress, pillow, and quilt); beverage blending and bottling (excluding distilling); business and commercial offices; candy wholesale (manufacturing permitted); carbon paper and inked ribbon manufacture; carpet, rug, and mat manufacture and cleaning; cemetery (mausoleum); cigar and cigarette manufacture; coffee roasting and blending; cold storage; contractor shop and storage yard; dairy product processing and packaging; exterminating establishments; fertilizer blending; fire and police station; fruit and vegetable processing and packaging; garment factory; heliport and helistop; ice manufacture, including dry ice (no gases to be manufactured on premises); industrial vocational training school (including internal combustion engines); ink manufacturing (blending only); insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only); iron (ornamental) fabrication or storage; knitting, weaving, printing, and finishing of textiles and fibers into fabric goods; laboratories (research or experimental); laundries and linen service; leather goods manufacture (excluding tanning); meat products, processing and packaging (except slaughtering); monument processing and shaping, including sales; perfume and perfumed soap (blending only); pipe fabrication (3 inch diameter or less); plating, electrolytic process; radio, television, and microwave transmission and relay tower; shipping container manufacture (including corrugated board, fiber, steel, or wood); transit vehicle storage and servicing; warehouses; oil well drilling and service company; water tower and above-ground water storage tanks; water well service and drilling company; welding and soldering shops; wholesale distributors; truck terminals; mobile homes for office purposes; railroads; and public and private utilities.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Parking lots for business uses within 300 feet of district boundary; hospitals; single family dwellings; single family mobile homes; and all R-M (Multi-Family Residential) uses.

PERMITTED SIGNS

Business signs not over 120 square feet.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | 10,000 square feet | 100 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|------------------|------------------|
| 30 feet | None | None |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: I-2 (HEAVY INDUSTRIAL)

PERMITTED USES

Same as I-1; plus, beverage blending and bottling (including distilling); bulk materials storage, sales and manufacture (cement, lime in bags or containers, sand, gravel, shell, lumber, and the like); chemical processing and storage; coal and coke storage, sales, and manufacture; commercial and industrial machinery sales and service; electric utility generating (excluding nuclear power plant); fish, shrimp, oysters, and other seafood processing, packaging, and storing, fur finishing (including tanning); grain and rice blending, milling, and packaging; insecticides, fungicides, disinfectants and related industrial and household chemical compounds (manufacturing); junk and scrap storage and sales; machine shops; manufacture of gases; meat products packaging and processing (including slaughtering); paper products manufacture; petroleum and petrochemical production, refining, and storage; pipe fabrication (over 3 inch diameter); tire retreading, recapping, and vulcanizing; transportation terminal; bar-pits; and solid waste sites.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Parking lots for business uses within 300 feet of district boundary; hospitals; single family dwellings; single family mobile homes; and all R-M (Multi-Family Residential) uses.

PERMITTED SIGNS

Business signs not over 120 square feet.

| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | 10,000 square feet | 100 feet |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|------------------|------------------|
| 30 feet | None | None |

CHART A

SCHEDULE OF ZONING DISTRICT REGULATIONS

ZONING DISTRICT: I-3 (HAZARDOUS INDUSTRIAL)

PERMITTED USES

Same as I-1; plus, beverage blending and bottling (including distilling); bulk materials storage, sales, and manufacture (cement, lime in bags or containers, sand, gravel, shell, lumber, and the like); chemical processing and storage; coal and coke storage, sales, and manufacture; commercial and industrial machinery sales and service; electric utility generating; fish, shrimp, oysters, and seafood processing, packaging, and storing; fur finishing (including tanning); grain and rice blending, milling, and packaging; insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (manufacturing); junk and scrap storage and sales; machine shops; manufacture of gases; meat products packaging and processing (including slaughtering); paper products manufacture; petroleum and petrochemical production, refining, storage; pipe fabrication (over 3 inch diameter); tire retreading, recapping, and vulcanizing; transportation terminal; bar-pits; solid waste sites; hazardous waste facility; nuclear power plant; and nuclear waste disposal sites.

PERMITTED AS EXCEPTIONS BY BOARD OF ADJUSTMENT

Parking lots for business uses within 300 feet of district boundary; hospitals.

PERMITTED SIGNS

Business signs not over 120 square feet.

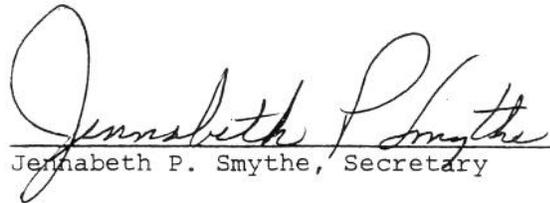
| <u>MAXIMUM FLOOR AREA</u> | <u>MINIMUM LOT AREA</u> | <u>MAXIMUM HEIGHT OF MAIN BUILDING</u> |
|---------------------------|-------------------------|--|
| None | 10,000 square feet | None |

YARD REQUIREMENTS

| <u>FRONT YARD</u> | <u>SIDE YARD</u> | <u>REAR YARD</u> |
|-------------------|------------------|------------------|
| 200 feet | 200 feet | 200 feet |

C E R T I F I C A T E

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of ordinance adopted by the Police Jury of Calcasieu Parish, Louisiana, convened in regular session on the 24th day of January, 1985.



Jennabeth P. Smythe, Secretary

Appendix 3

Declaration of Approval by

Calcasieu Parish Police Jury

D. C. GREEN
PRESIDENT
KENNETH R. BROWN
VICE-PRESIDENT



RODNEY M. VINCENT
ADMINISTRATOR-ENGINEER
439-3656

LAROY ALSTON
TREASURER
433-3661

JENNABETH P. SMYTHE
SECRETARY
433-3661

CALCASIEU PARISH POLICE JURY

P. O. BOX 1583

LAKE CHARLES, LOUISIANA 70602

February 8, 1983

DISTRICT 1
DEXTER PELOQUIN

DISTRICT 2
ELCIE J. GUILLORY

DISTRICT 3
JOSEPH J. ST. MARY

DISTRICT 4
ALLEN AUGUST

DISTRICT 5
ERNEST BARRAS

DISTRICT 6
CHARLES S. LIGGIO, SR.

DISTRICT 7
D. C. "CHICK" GREEN

DISTRICT 8
ANTHONY "TONY" MAYEUX

DISTRICT 9
ROGER C. MILLER

DISTRICT 10
RAY W. MANUEL

DISTRICT 11
ALBERT L. CLIFTON

DISTRICT 12
C. W. "CORKY" LOCKHART

DISTRICT 13
J. L. "BUDDY" BENOIT

DISTRICT 14
KENNETH R. "KEN" BROWN

DISTRICT 15
JOHN F. VAUGHN

Mr. Frank P. Simoneaux, Secretary
Department of Natural Resources
P. O. Box 44396
Baton Rouge, LA 70804-4396

Attention: Mr. L. Phil Pittman, CZM Administrator

Dear Mr. Simoneaux:

Attached herewith is a certified copy of the resolution adopted by the Calcasieu Parish Police Jury, declaring approval of the Coastal Zone Management Plan for Calcasieu Parish, and the Jury's intent to implement the plan upon approval. Also enclosed is a certified copy of an excerpt of the minutes of January 20, 1983, when said resolution was adopted.

This action was taken after the Calcasieu Parish Planning Commission held a public hearing to discuss the plan, and subsequently, recommended to the Police Jury that said plan be approved. Full opportunity for governmental and public involvement and coordination in the development of the local program has been given. The following items have been enclosed to document this:

1. Certified copy of the Calcasieu Parish Planning Commission minutes when the public hearing was held for discussion of the CZM Plan;
2. Certified copy of the public notice, advertised thirty days prior to the public hearing;
3. Copies of all comments received concerning the plan, and written responses to each comment; and
4. Copies of newspaper articles concerning the Coastal Zone Management Plan.

Mr. Frank P. Simoneaux, Secretary
February 8, 1983
Page -2-

The Calcasieu Parish Police Jury enthusiastically recommends that approval of the plan be granted at the state level. Please advise if the Police Jury or its administrative staff can be of further assistance.

Sincerely,



D. C. Green
President

DCG:ljh

Enclosures

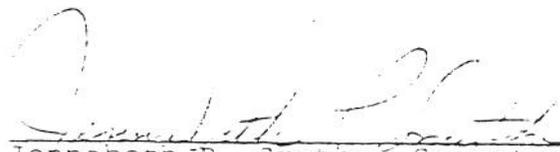
R E S O L U T I O N

BE IT RESOLVED BY THE POLICE JURY OF CALCASIEU PARISH,
LOUISIANA, convened in regular session on the 20th day of January,
1983, that it does hereby approve the Coastal Zone Management
Program for Calcasieu Parish as submitted by the Calcasieu Parish
Planning Office, and declares its intent to implement said program
subsequent to approval of the State of Louisiana, Department of
Natural Resources.

* * * * *

C E R T I F I C A T E

I, the undersigned, do hereby certify that the above is a true
and correct copy of resolution as adopted by the Police Jury of
Calcasieu Parish, Louisiana, convened in regular session on the
20th day of January, 1983.



Jennabeth P. Smythe, Secretary

EXCERPT OF THE OFFICIAL PROCEEDINGS OF THE POLICE JURY OF CALCASIEU PARISH,
LOUISIANA, CONVENEED IN REGULAR SESSION ON THE 20TH DAY OF JANUARY, 1983:

"Motion was made by Mr. Lockhart, seconded by Mr. St. Mary and carried
unanimously that the following resolution be adopted:

R E S O L U T I O N

BE IT RESOLVED BY THE POLICE JURY OF CALCASIEU PARISH, LOUISIANA, convened
in regular session on the 20th day of January, 1983, that it does hereby approve
the Coastal Zone Management Program for Calcasieu Parish as submitted by the
Calcasieu Parish Planning Office, and declares its intent to implement said pro-
gram subsequent to approval of the State of Louisiana, Department of Natural
Resources.

* * * * *

C E R T I F I C A T E

I, the undersigned, do hereby certify that the above is a true and correct
copy of excerpt of the official proceedings of the Police Jury of Calcasieu Parish,
Louisiana, convened in regular session on the 20th day of January, 1983.


Jennabeth P. Smythe, Secretary

Appendix 4

Certified Copy of

Calcasieu Parish Planning Commission

Minutes

CALCASIEU PARISH PLANNING COMMISSION

MEETING

Tuesday, January 18, 1983

at

6:15 p.m.

Meeting Room
Parish Government Building
Lake Charles, Louisiana

The Calcasieu Parish Planning Commission met on Tuesday, January 18, 1983 at 6:15 p.m. in the Meeting Room of the Parish Government Building which is located at the corner of Gill and Pithon Streets in Lake Charles, Louisiana, with Mr. Gordon Wooster presiding and the following members present:

| | |
|---------------------|------------------------------|
| Mr. W.D. Treme | Representing Wards 5 & 6 |
| Mr. Thomas Lee | Representing Wards 1, 2, & 3 |
| Mr. Dallas Moss | Representing Ward 4 |
| Mrs. Josie Buggs | Representing Ward 3 |
| Mr. Joe Palermo | Representing Ward 4 |
| Mrs. Mickey LaBorde | Representing Ward 3 |
| Mr. James Vincent | Representing Ward 7 |
| Mr. Joe Lee Pea | Representing Ward 2 |

The roll was called with the results being as outlined above.

Also present were Mr. James J. Vickers, Director of Parish Planning & Development; Ms. Susan F. Grafton, Assistant Director of Parish Planning & Development; Mrs. Pam G. Sturrock, Secretary; Mr. Ken Brown, Police Juror; Mr. Albert Clifton, Police Juror; and Mr. Phil Pittman; and Mr. Joel Taylor, Louisiana State Department of Natural Resources, Coastal Management Section.

Chairman Wooster announced that the Police Jury would make a final decision on zoning actions taken at their meeting to be held on January 20, 1983 at 5:30 p.m. in the Meeting Room of the Parish Government Building.

The first item on the agenda was to take appropriate action on the Coastal Zone Management Program for final approval and submission to the Department of Natural Resources. Chairman Wooster then introduced Mr. Phil Pittman and Mr. Joel Taylor, from Louisiana State Department of Natural Resources. Mr. Pittman stated that he would be glad to answer any questions or comments.

Ms. Grafton then stated that this meeting was the official public hearing to consider the approval of the Calcasieu Parish Coastal Zone Management Plan. The Planning Commission, she explained, has the option to approve the plan as is, approve the plan with modification, or disapprove it. She then depicted the coastal zone area on a map and stated that the coastal zone area is approximately 27 miles long, at the widest point it is 3 1/4 miles wide, at the narrowest point it is about a half of a mile wide, and altogether it consists of approximately 12,000 acres. Ms. Grafton also stated that the total population is approximately 150 to 200 people, and the most populated area is the Beatonville area. The remaining area is mostly undeveloped and farm land. Ms. Grafton then elaborated on the different sections within the plan itself. She further stated that there had been several requirements from the state level that have been met. First, a public notice, advertised 30 days prior to the public hearing was required; second, the CZM plans had to be distributed to all the Public Libraries within the parish; and third, the staff was required to hear any comments or answer any questions. Ms. Grafton added that she had received mainly questions; however, all comments were favorable. She also informed everyone that there will be a 15 day comment period following the hearing. Ms. Grafton went on to state that the staff had added a couple of policies, which would encourage development on the more stable land, and encourage industrial sites to be designed and constructed to prevent the release of pollutants and toxic substances into the environment.

Ms. Grafton then stated that if there were any comments or changes that need to be made, she would like to hear them. Commissioner LaBorde asked Ms. Grafton if the Planning Commission could grant with modification a coastal zone permit. Ms. Grafton answered that the Planning Commission would be able to modify the plans before granting a permit. Chairman Wooster asked if there were any comments from the audience. There being none, Mr. Palermo then made the motion recommending to the Police Jury the approval of the Calcasieu Parish CZM Plan subject to any comments or changes. The motion was seconded by Mrs. Buggs and carried unanimously.

The next item discussed was to take appropriate action on zoning case RZ4-02-83; application by Mr. Joe C. Rohrer to rezone from C-1 (Light Commercial) to C-2 (General Commercial) for the purpose of developing a retail and light manufacturing shop on Carolyn Street in South Ward Four. Mr. Joe C. Rohrer approached the commissioners and stated that he currently has a light concrete product business located on Weekly Street in Sulphur that he would like to have moved to his property on Carolyn Street. Chairman Wooster asked Mr. Rohrer where his business would be located in regards to the existing mobile home on the property. Mr. Rohrer replied that his business will be to the east of the

mobile home that his daughter lives in.

There was no opposition to the proposal and roll was called as follows:

| | | | |
|-------------|-----|------------------|-----|
| Mr. Moss | Yea | Mr. Vincent | Yea |
| Mr. Palermo | Yea | Mr. Treme | Yea |
| Mr. Pea | Yea | Mrs. LaBorde | Yea |
| Mrs. Buggs | Yea | Mr. Lee | Yea |
| | | Chairman Wooster | Yea |

The vote was unanimous to grant the rezoning request as outlined above. The petition was sent to the Police Jury for final action.

The next item discussed was to take appropriate action regarding the Ward Eight Comprehensive Zoning Plan. Mr. Vickers stated that this will be the final public hearing held for the Comprehensive Zoning Plan for Ward Eight. He explained that the Ward Eight Comprehensive Zoning Advisory Committee has worked on this plan. Mr. Vickers also stated that he has not heard any opposition on the plan, however, he has received a few inquiries as to how certain individuals' property will be zoned. Then Mr. Vickers depicted on the map the different zoning classifications, and stated that there is very little commercial development in that area, excluding Iowa. Mr. Vickers further stated that this was the third advertised meeting for the Ward Eight Comprehensive Zoning Plan, and if there are any comments or question about the plan he would like to hear them. Mr. Harvey Hay inquired about any change on Highway 397. Mr. Vickers responded that basically Highway 397 is the same as previously zoned, with the exception of extending the C-1 (Light Commercial) zoning district in Section 6, Township 9 South, Range 7 West, and extending and changing from a I-1 (Light Industrial) to I-2 (Heavy Industrial) zoning district in Section 7, Township 9 South, Range 7 West.

There being no further comments, Mr. Palermo made the motion to approve the Ward Eight Comprehensive Zoning Plan as presented, which was seconded by Mr. Lee and carried unanimously.

The next item on the agenda was to take appropriate action on zoning case RZ3-01-83; application by Mr. Phillip Goodson to rezone from I-1 (Light Industrial) to I-2 (Heavy Industrial) for the purpose of developing an auto recovery and storage operation on Gauthier Road in South Ward Three. The request was withdrawn; therefore, no action was necessary.

The next item on the agenda was the consideration of a request by the property owners for the Planning Commission to initiate a zoning study to rezone the property on Penton Road in DeQuincy to I-2 (Heavy Industrial). Mr. Albert Clifton presented the commissioners with a petition in favor of rezoning the property, which was signed by all the property

owners in that area. Mr. Clifton also stated that the people in that area failed to request to have the property zoned I-2 (Heavy Industrial) when that area was comprehensively zoned. Mr. Clifton further stated that there was no opposition to the rezoning request. Mr. Clifton pointed out that the property to the north and east of the property in question is currently zoned I-2 (Heavy Industrial). Mr. Clifton and Mr. Treme both recommended that the property be rezoned to I-2 (Heavy Industrial). Mr. Palermo made the motion to have a zoning study of the property prepared by the staff, and that the request be advertised for consideration at the February Planning Commission meeting. The motion was seconded by Mr. Moss and carried unanimously.

The next item on the agenda was to take appropriate action on road abandonment case RA1-01-83; application by the Calcasieu Parish Planning Commission to abandon the public road way providing access to the United Methodist Church, off Highway 378, in Ward One. Commissioner Lee stated that the public road way is actually the driveway into the United Methodist Church in Moss Bluff. He also stated that the church is in the process of constructing a new sanctuary, and that is the reason the church wants the driveway abandoned. Mr. Palermo asked Mr. Lee if the surrounding property was owned by the church. Mr. Lee answered that the church does own the property.

There was no opposition to the proposal and roll was called as follows:

| | | | |
|--------------|-----|------------------|-----|
| Mrs. Laborde | Yea | Mr. Bea | Yea |
| Mr. Lee | Yea | Mrs. Buggs | Yea |
| Mr. Moss | Yea | Mr. Vincent | Yea |
| Mr. Palermo | Yea | Mr. Treme | Yea |
| | | Chairman Wooster | Yea |

The vote was unanimous to grant the road abandonment as outlined above. The petition was sent to the Police Jury for final action.

The next item on the agenda was to take appropriate action on approval of the preliminary plans for the Bon Terre Part IX Subdivision. Mr. Vickers informed the commissioners that at the November meeting the subdivision had been presented for approval as a PUD (Planned Unit Development). The Planning Commission denied the request for the PUD (Planned Unit Development); therefore, action was deferred on approval of the subdivision plans. However, the Police Jury approved the PUD (Planned Unit Development) concept and therefore Mr. Ward is now back for preliminary approval of the subdivision. Mr. Vickers went on to state that the staff had made two recommendations concerning the subdivision. First, that an engineering plan be submitted to the staff for approval prior to any construction. Second, that there be a second

access into the subdivision, which the developer, Mr. Ward, has already met. At that time, Mr. L.M. Ward presented the commissioners with a new plat of the Bon Terre Part IX Subdivision. Mr. Ward stated that the new plat provides not only drainage for the proposed subdivision, but also drainage to the north and south, including Hardy Subdivision. Mr. Ward further stated that he had received approval from the Corp of Engineers to dig a canal which will run into Bayou Serpent.

Mrs. LaBorde asked what the difference was between the two plats. Mr. Vickers informed her that on the plat provided for the PUD (Planned Unit Development) there was only one entrance and the new plat has a second entrance, which will be Barton Drive. Mr. Vickers also pointed out that on the old plat some of the lots were less than an acre. In the new plat all of the lots exceed an acre.

Mr. Palermo commented that there should be more than one entrance on to Highway 388, River Road, because when the area develops there will be traffic problems. Mr. Ward replied that in able to meet the required lot sizes they could only allow one entrance on to River Road.

Mr. Vickers then stated that Hardy Road, which runs north off River Road and into Hardy Subdivision, has flooding problems. Therefore, Mr. Ward has decided to move one of his roads over so that it will connect with Hardy Subdivision, providing Hardy Subdivision a second outlet; and also making another outlet for the proposed subdivision.

Harvey Hay, representing the Ward Eight Drainage Board, asked Mr. Ward several questions about the drainage ditch he was planning to dig. Mr. Ward responded that the elevation is about 20 feet above sea level in that area, and also stated that his plans will provide adequate drainage for that area.

Mr. Palermo asked Mr. Brown how often the Police Jury ran into the problem of a one entrance subdivision and what the Police Jury's feelings were about the roads. Mr. Brown answered that the more roads that are built, the more roads the Police Jury has to maintain. However, more entrances into a subdivision is better.

Mr. Palermo made the motion to accept the preliminary plans subject to approval of the drainage board and a meeting between the drainage board and Mr. Ward. The motion was seconded by Mr. Moss and carried unanimously.

Mr. Ward stated that he will work with the drainage board, but does not want the project delayed. Mr. Vickers suggested that the drainage board make their recommendation to the Planning Commission

At that time, Mr. Brown noted that the reason the Police Jury overturned the Planning Commission's recommendation on denying the zoning change for the proposed PUD (Planned Unit Development) was because of the Police Jury's experience with Mr. Ward as a developer. Mr. Brown further stated that Mr. Ward has gone out of his way to not only improve the drainage in the area he is developing, but also improve drainage in the surrounding areas as well. Mr. Vincent commented that the Police Jury has overturned their recommendation twice on the same property in question. Once, when it was zoned for farmland, and two months ago when it was requested for a PUD (Planned Unit Development). Mr. Palermo then stated that the drainage board would be more familiar with the drainage in that area than the Police Jury or Planning Commission.

The next item on the agenda was the consideration of adopting a resolution to the Legislative Delegation with regards to the minutes of the Calcasieu Parish Planning Commission. Mr. Vickers stated that the Planning Commission is required to have two sets of minutes when the commission acts on zoning matters and on planning matters. Mr. Vickers also stated that the reason he would like the Planning Commission to adopt the proposed resolution is so that only one set of minutes will be necessary for both planning and zoning matters. Chairman Wooster then read the resolution as follows:

BE IT RESOLVED BY THE PLANNING COMMISSION OF CALCASIEU PARISH, convened in regular session on on the 18th day of January, 1983, that it does hereby request the enactment of legislation to provide that the Calcasieu Parish Planning Commission shall be allowed to include action on both zoning and planning matters at any meeting, after all legal requirements have been met, without having two separate meetings and separate minutes for the two different functions.

Mr. Palermo made the motion to adopt the resolution. Said motion was seconded by Mr. Moss and carried unanimously.

The next item discussed was the consideration of amending the parish zoning ordinance. Mr. Vickers stated that the staff has some ideas that they would like to present to the Planning Commission at a later date regarding amendments to the nonconforming use section of the zoning ordinance. For example, Mr. Vickers stated that a nonconforming use in a residential area would not be able to enlarge their business due to the fact that it is a nonconforming use. Mr. Pea asked Mr. Vickers if a business would be able to continue to operate if the owner changed. Mr. Vickers pointed out that as long as the type of business does not change it can remain.

The next item discussed was to set a date for the February meeting. Mr. Vickers stated that the regularly scheduled

date for the February Planning Commission meeting will fall on a holiday; therefore, the date needs to be rescheduled. After discussion, Chairman Wooster stated that the date for the February meeting will be February 3, 1983.

There being no further discussion, Mr. Vincent made the motion to adjourn. The motion was seconded by Mr. [redacted] and carried unanimously.

Minutes of Tuesday, January 18, 1983

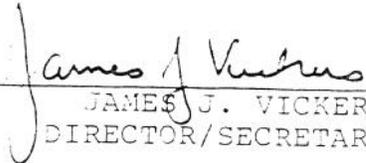
GORDON WOOSTER, CHAIRMAN

ATTEST:

JAMES J. VICKERS, PLANNING DIRECTOR

C E R T I F I C A T E

I, the undersigned, do hereby certify that the attached is a true and correct copy of the minutes of the Calcasieu Parish Planning Commission, convened in regular session on the 18th day of January, 1983.



JAMES J. VICKERS
DIRECTOR/SECRETARY

Appendix 5

Certified Copy of Legal

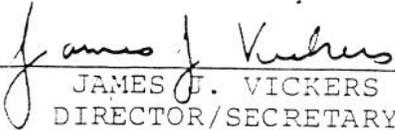
Advertisement and Newspaper articles

01-00 LEGAL

NOTICE OF PUBLIC HEARING
The Calcasieu Parish Planning Commission will conduct a public hearing on Tuesday, January 18, 1983 at 6:15 p.m. in the Meeting Room of the Parish Government Building which is located at the corner of Gill and Pithon Streets in Lake Charles, Louisiana. The purpose of this hearing is to discuss the draft proposed Coastal Management Plan for Calcasieu Parish. Copies of this plan are available for public inspection during normal working hours at all Parish Libraries within the parish, and in the Office of Parish Planning & Development located in the Parish Government Building.
JAMES J. VICKERS,
Director,
Parish Planning & Development,
Dec. 15, 29, Jan. 12 —31

C E R T I F I C A T E

I, the undersigned, do hereby certify that the above is a true and correct copy of the legal advertisement of the public hearing notice for the Coastal Management Plan for Calcasieu Parish published in the Lake Charles American Press on December 15, 29, 1982 and January 12, 1983.



JAMES J. VICKERS
DIRECTOR/SECRETARY

LAKE CHARLES
AMERICAN PRESS

11/18/82

CZM plan for parish due soon

A Coastal Zone Management (CZM) plan for Calcasieu Parish is in the final draft stages, the parish Planning and Zoning Commission was told Tuesday.

Susan Grafton, assistant parish planner who is formulating the plan, submitted a copy of the tentative proposal to the commission for review. Grafton said the state has already given tentative approval to the plan, with only a few state revisions expected to come in the near future.

Grafton urged commission members to make personal recommendations for the final version. She also said the planning office is soliciting comments and ideas from the general public. Once the plan is adopted in its final form, changes will be difficult, she said.

The federal government has mandated that parishes having wetland areas develop CZM plans. The plans would closely regulate the development and use of wetlands in an attempt to preserve the areas in their natural state. The CZM regulations would apply primarily to construction and other projects that alter the surface area.

Under a CZM plan, permits would be required for certain activities within wetland areas.

Jim Vickers, parish planner, said Calcasieu has a relatively small wetlands area — approximately one-half mile wide along the Calcasieu-Cameron line. He said he foresees few permit applications.

It appears that the federal government wants to get out of the permitting business, delegating that responsibility to state and local government, he said.

Grafton said the proposed parish ordinance must eventually be approved by the Calcasieu Parish Police Jury. Permit applications would go first to the planning commission, and then to the Police Jury, she said.

The U.S. Army Corps of Engineers and state Department of Natural Resources (DNR) would continue to play roles in the permitting process, she said.

The commission accepted the proposal for review. On a motion by commission member Thomas Lee, the commission commended Grafton and planning office personnel for the work that has gone into the proposal.

Saving wetlands

Management plan proposed

By DON ELLZEY
American Press Staff Writer
Man, in his frantic search for "elbow room" and a higher standard of living, is often thrust into conflict with a delicately balanced environment.
In most cases the environment, being no match for dozers, backhoes, draglines and earthmovers, emerges the loser. Once destroyed, it can seldom be restored to its original state.
The ideal solution would be to arrive at a balance that would

protect the environment and allow development to continue.

In Louisiana, probably no areas are as environmentally sensitive as the wetlands. For that reason, protection of the state's wetlands and coastal areas has long been a goal of environmentalists.

Sometime in 1983, Calcasieu Parish is expected to have a legal instrument to regulate development in the parish's small coastal zone area. Called

the Coastal Zone Management (CZM) plan, the proposal goes before the parish planning commission at its Jan. 18 meeting. It then goes to the Police Jury for consideration, and then to the state Department of Natural Resources (DNR) for a final review.

Susan Grafton, assistant parish planner who drafted the proposal, said the public will be given opportunities to provide input during the various hearings. Copies of the proposal have been placed in all branches of the parish library for review by the public. The public is also invited to review the proposal at the parish planning office located in the Parish Government Building, Grafton said.

The federal government is in the process of transferring responsibility for coastal zone areas to state and local governing authorities, she said. Basically, the Calcasieu Parish CZM area constitutes a one-half mile strip from Black Bayou west to the Texas line. The area is sandwiched between the Calcasieu-Cameron line and the Intracoastal Canal.

Once the local management plan is finalized, responsibility for managing the coastal zone area will be transferred from the state to local governing entities, Grafton said. Previously, the coastal zone was the exclusive domain of the U.S. Army Corps of Engineers.

Even after the coastal zone becomes the responsibility of local government, the state and federal government will continue to have input, Grafton said.

Along with the transfer of responsibility, the program has a secondary purpose — to make the public aware of the wetlands and the necessity for protecting them, she said.

The economic impact of Louisiana's wetland areas is frequently taken for granted, Grafton said. Louisiana's coastal area produces over 28 percent of the nation's fish, and ranks third in employment for fishing related occupations. The state's coastal zone is a major source of oil and natural gas, as well as rice and sugar.

Grafton said the CZM plan would regulate development in the parish's coastal zone area. It would include a CZM ordinance and a system requiring permits for certain types of development.

Contrary to what some critics may contend, the plan is not designed to hinder development in the coastal zone, she said.

The purpose of the program is to insure compatibility between development and the environment, according to Grafton.

Moreover, most of the coastal zone area's population is in the Destonville community, she said. Residents of the area, who make their living from coastal

resources, will have the most incentive to protect the wetlands.

Grafton said most of Calcasieu's CZM area is zoned agriculture, with some industrial zoning, and small areas zoned residential and commercial. Plans call for keeping the residential density as low as possible through single family residential zoning, she said.

While Choupique Island and the west side of the ship channel within the zone are zoned industrial, there is presently no industry within the area. Grafton said she does not foresee industrialization of the coastal zone area anytime in the near future. The cost would be prohibitive, she said.

The Office of Parish Planning would administer the CZM plan. Developers would submit construction plans to the planning office. The development coordinator would determine if the plans were of local or state concern.

If the state administrator agrees that the plans are of a local nature, they would go to the parish planning commission for a hearing. The planning commission would decide whether to approve the project. The commission's recommendation would then go to the Police Jury for final action.

Should the state administrator decide that the construction project is of state concern, the permit application would follow state review procedures.

Grafton said that major permits, such as for dredging and pipeline construction within the CZM area, will be of state concern. The CZM plan exempts single family residences and non-commercial camps, she said. Actually, the average citizen or sportsman would likely never be affected by the plan, she said.

Should the planning commission or state deny a permit application, the applicant can appeal to the state Coastal Commission, Grafton said.

The proposed ordinance provides penalties for violations.



Reviewing proposal

Susan Grafton, assistant parish planner, holds a copy of the proposed Calcasieu Parish Coastal Zone regulations that are scheduled to be finalized in 1983. The

proposed ordinance would attempt to balance development and the environment in the parish's coastal zone area. (American Press photo)

Commission OKs Ward 8, CZM plans

The Calcasieu Parish Planning Commission on Tuesday recommended approval of a comprehensive zoning plan for Ward 8 and a parish Coastal Zone Management (CZM) plan.

And, following an outburst by commission member Joe Palermo Jr. at Police Juror Ken Brown, the commission conditionally recommended approval of preliminary plans for Bon Terre Subdivision Part IX, located in Ward 8.

Jim Vickers, parish planner, said he has received no opposition to the Ward 8 Comprehensive Zoning Plan. Vickers recommended approval of the plan.

Susan Grafton, assistant planner, said comments regarding the CZM plan have been favorable. She said the plan has been distributed to parish branch libraries for public review.

Two minor changes have been made since the initial plan was drafted, Grafton said. One would require that industrial development, if approved, would be on stable land only. Also, developers would be required to use the best available technology to prevent environmental damage, she said.

Upon approval of the Police Jury, the proposed plan will be forwarded to the state Department of Natural Resources (DNR) for final approval. Grafton said a 15-day comment period will be allowed to receive input from the public.

Recommendations of the planning commission will be finalized by the Police Jury during its regular meeting at 5:30 p.m. Thursday, Jan. 20.

L.A. Ward, who is developing a large subdivision in Ward 8, submitted preliminary plans to the commission for approval. Vickers said that due to the size of the development, the planning office had requested that Ward provide an additional exit route from Bon Terre Subdivision.

Palermo questioned whether one exit to Louisiana 388 was sufficient. As the subdivision grows, one exit-entrance could create a traffic problem, he said.

Brown said more roads mean more maintenance responsibility and more expense for the Police Jury. Moreover, each additional road has no ditches that must be maintained, he said.

Ward said he has received preliminary approval from the U.S. Army Corps of Engineers to construct a large ditch to drain the subdivision.

Harvey Hay, representing the Ward 8 Drainage Board, said it was his understanding the ditch would measure 40 feet at the bottom and about 100 feet across the top. During times of flooding, such a large ditch would allow water to back into the subdivision, Hay said.

He also questioned where the spoil from the ditch would go. To put it on one side or both sides of the ditch would impeded drainage, he said.

Palermo moved that the commission accept the preliminary plans subject to a meeting between Ward and drainage board members. Palermo said the ditch could have significant impact on drainage in the area. The drainage board would be in a better position to analyze the drainage impact than either the commission or the Police Jury, he said.

Ward said he would work with the drainage board, but did not want the project delayed. He said the subdivision has already met stiff resistance. Ward added that he would do the best job possible toward providing adequate drainage. He said he would stand on his record as a developer in Calcasieu Parish as to the quality of his projects.

Vickers suggested that the drainage board make its recommendations to the planning commission.

Brown noted that the Police Jury several weeks ago overturned a recommendation of the commission denying a zoning change for the subdivision. The jury's rebuke of the commission's decision may be at the root of questions about the proposed drainage ditch, he said.

Brown said the jury voted to approve Ward's project based on his past history as a developer. Ward has worked closely with the jury to provide roads and drainage rights-of-way as they were needed by the parish, he said.

Without development, the parish will stagnate, Brown said.

Drainage and rights-of-way mistakes have been made by the Police Jury in the past, Palermo countered. The time has come to start taking a closer look at proposed development projects to make certain the mistakes are not repeated, he said.

"I'm not for any rhetoric from any Police Juror as to what the Police Jury does!" he almost shouted, looking at Brown.

Brown did not respond.

Palermo continued, saying that the Police Jury is not infallible, and that Ward is not infallible.

"I hope my statement was not interpreted as speaking against Palermo's motion," Brown said.

He said he was simply attempting to explain the quality of Ward's projects.

Palermo's motion to accept the plans with concurrence of the drainage board was approved by the commission without objection.

Appendix 6

Responses to Comments

Received on

Coastal Management Plan

RESPONSES TO COMMENTS RECEIVED ON
COASTAL MANAGEMENT PLAN
FOR CALCASIEU PARISH

1) U.S. Department of Interior, Fish and Wildlife Service
(Frugé' 1/18/83)

A) Comment

Item 15, on page 60, discourages backfilling of existing canals. We are of the opinion that in certain instances backfilling is a very useful wetland restoration technique that can be used effectively in the coastal zone.

Response

The intent of Policy 15, on page 60, was not to prohibit all backfilling of all previously cut canals; it was intended to provide protection for the wildlife habitats that have developed in certain canal cuts throughout the coastal zone. However, since it is understood that backfilling of certain canals can actually enhance the environment of the coastal wetlands, and thereby allow a broader spectrum of vegetation and wildlife into the area; it is therefore felt, that for clarification, that Policy No. 15, on page 60, should be rewritten to read as follows:

"Backfilling of previously cut canals, which have become wildlife habitats, should be allowed only when such action would be beneficial to the restoration of the wetlands and/or provide for the enhancement of wildlife habitats."

B) Comment

We suggest that a mitigation policy be included in the policy section and in an appropriate ordinance to encourage measures to offset unavoidable losses of productive wetland areas, caused by permitted projects.

Response

Because of the limited size and the continuing dynamics of the coastal zone, it was felt best not to develop a stagnant list of mitigative measures, but however, to develop a comprehensive set of policies and regulations that would provide for good management throughout the entire coastal zone. Policies have been designed for each EMU to meet this goal, as well as incorporated into the application review process to allow consideration to be given to each individual coastal use.

- C) Comment
Although we agree with statement No. 5 that developers should submit any plans ". . . to control any possible erosion and/or saltwater intrusion," anytime that such control might also alter existing sheet flow or water circulation, detailed water management plans should be submitted.

Response

We agree; and Policy No. 5 has been amended to read as follows:

"Have developer submit plans for review and approval, when developing in the coastal zone, which outline the procedures planned to control any possible erosion and/or saltwater intrusion, any possible disturbance of existing sheet flow or water circulation, and any other possible obstructions or problems relevant to the particular development."

- D) Comment
Dredging or filling of marsh by developers should, to the maximum extent possible, not be permitted.

Response

Though the intention to preserve existing marsh is evident in other policies, no individual policy asserts this intention clearly. This was an oversight; therefore the following policy has been added to the list of policies on pages 59 - 61.

"26. If possible dredging or filling of existing marsh, that will have extremely adverse affects, should be discouraged."

- E) Comment
The discussion of backfilling in No. 15 should also indicate when it should be encouraged.

Response

Comment accepted. See response to Comment 1A.

- F) Comment
In reference to Policy No. 19, gaps should be placed in the spoil banks to ensure sufficient water interchange between the plugged canal and the surrounding marsh.

Response

Comment accepted. The following policies have been altered to include this concept:

Policy No. 19, page 60: "To avoid saltwater intrusion into freshwater areas, canals shall be plugged upon abandonment with earthen plug and rip-rap, or other stabilizing materials; however, to ensure sufficient water interchange between the plugged canal and the surrounding marsh, gaps should be allowed in the spoil bank of the canal."

Policy No. 2, page 70: "Plug canal cuts leading into major waterways which are not used for navigation; however, to ensure sufficient water interchange between the plugged canal and surrounding marsh, gaps should be allowed in the spoil bank of the canal."

G) Comment

Regarding No. 17, whenever the spoil is placed to an elevation of about marsh level, isolated holes would be unlikely.

Response

It is agreed that it is most likely that holes would not be present if spoil is deposited at marsh level; however, there will be times when spoil is not deposited at marsh level, and it will be necessary to rid all banks of any fissures that may be conducive for the breeding of mosquitoes. Therefore, this policy will remain as is.

H) Comment

Policy No. 18 includes one of the successful generation and restoration techniques currently being employed to help regain lost areas of marsh; therefore, the N.M.F.S. endorses this policy of creating potential marsh surfaces when upland spoil disposal sites are unavailable.

Response

No response necessary.

I) Comment

The policies on spoil management, in general, should seek to avoid blocking or greatly reducing ingress and egress of marine organisms to the wetlands.

Response

It is felt that the policies developed in this plan do afford, to the maximum extent possible, the ingress and egress of marine organisms to the wetland.

J) Comment

A management plan for operation of the structures delineating water levels and exchange should be submitted and be made a part of any issued permit for any project that semi-impounds or controls water from within any EMU.

Response

Agreed, this will be incorporated into Policy No. 5. See response to 30.

F) Comment

We endorse the concept of Policy No. 21, that the drilling of wells should incorporate practices which would minimize environmental impacts. However, it should be noted that any removal of marsh, by dredging and filling, has severe impacts on living marine resources.

Response

This is realized, and the policies were designed with this in mind. See response to B, Policy No. 21 and 22 on page 61, Policy No. 4 on page 81, Policy No. 8 on page 71, and Policy No. 4 on page 70.

L) Comment

We recommend that the following policy be added in essence. Whenever some marsh destruction is unavoidable, adverse impacts should be minimized as much as possible on-site and the unavoidable marsh impacts should be offset by marsh generation, restoration, or prevention of ongoing deterioration that would be at least equivalent to any adverse impacts from the projects.

Response

Policy No. 26, outlined in response 3D, shall be amended to also include the following:

"26. If possible dredging or filling of existing marsh that will have extremely adverse affects, should be discouraged. However, whenever such activity is unavoidable, adverse impacts should be minimized as much as possible, and when feasible, offset by marsh generation, restoration or prevention projects."

4) Calcasieu Parish Police Jury; Mosquito Control Program (Terracina 12/28/82)

Comment

In the Goals, Objectives and Policies Section, the description of the Black Bayou area implies that the area is primarily non-marsh area. However, the area is considered a primary mosquito breeding ground because of large marsh areas.

Response

The area definitely has much marsh, and there was no intention to indicate otherwise. However, the area also has more non-marsh areas than other EMU's, and therefore does make it a good location for any future development. Since the EMU does have buildable areas, emphasis was put on these areas. This resulted in an inaccurate description of the EMU. To remedy this, the description of the Black Bayou EMU has been revised to make clear that the area does have a considerable amount of marsh land.

Port of Lake Charles
(Pugh 12/28/82)

Comment

The program looks good and will be an asset to the area.

Response

No response necessary.

APPENDIX 7

PUBLIC HEARING MINUTES
AND LEGAL ADVERTISEMENT
FOR PASSAGE OF
CALCASIEU PARISH COASTAL ZONE
MANAGEMENT ORDINANCE

CALCASIEU PARISH PLANNING COMMISSION

MEETING

Tuesday, October 14, 1986

at

6:15 p.m.

Meeting Room
Parish Government Building
Lake Charles, Louisiana

The Calcasieu Parish Planning Commission met on Tuesday, October 14, 1986, at 6:15 p.m. in the Meeting Room of the Parish Government Building, which is located at 1015 Pithon Street in Lake Charles, Louisiana, with Mrs. Mickey Laborde presiding and the following members present:

| | |
|-----------------------|------------------------------|
| Mr. Lynn Andrus | Representing Wards 2, 3, & 8 |
| Mr. Robert B. Coleman | Representing Ward 4 |
| Mr. Whit Baker | Representing Ward 7 |
| Mr. W. D. Treme | Representing Wards 5 & 6 |
| Mr. Dallas Moss | Representing Ward 4 |
| Mr. Joe Lee Pea | Representing Ward 3 |

Absent was:

| | |
|------------------|---------------------|
| Mr. Frank Taylor | Representing Ward 4 |
|------------------|---------------------|

Mr. Taylor was absent due to the fact that he was on vacation.

Also present were Mr. James J. Vickers, Director of Planning and Development; Ms. Susan F. Grafton, Assistant Director of Planning and Development; Mrs. Pamela G. Sturrock, Departmental Secretary; and Mr. Darrell Derouen, Police Juror.

Chairman Laborde mentioned the death of Mr. Thomas O. Lee and stated that he will be missed, and that she would like to observe a moment of silence in his memory.

Chairman Laborde asked if there were any corrections or additions to the minutes of the meeting held on September 16, 1986. Mr. Coleman made the motion to approve the minutes. The motion was seconded by Mr. Andrus and approved unanimously.

Chairman Laborde then announced that the Police Jury would make a final decision on rezoning cases at their next meeting on October 16, 1986, at 5:30 p.m., in the Meeting Room of the Parish Government Building.

Chairman Laborde explained that Item X. will be taken before the rezoning cases because Ms. Susan Grafton had another meeting to attend. Therefore, the first item discussed was to take appropriate action on the Coastal Zone Management Plan and Ordinance for Calcasieu Parish. Ms. Susan Grafton explained that the Planning Commission approved the Coastal Zone Management Plan in 1983, but deferred action on the Ordinance until state approval was obtained. Ms. Grafton went on to say that the parish has obtained state approval and is now in the process of getting federal approval. She further stated

that one criteria for obtaining federal approval is that the parish have a Coastal Zone Management ordinance in effect. Therefore, for that reason the ordinance is now being brought before the Planning Commission for action. Ms. Grafton stated that she would be glad to answer any questions concerning the ordinance.

Chairman Laborde asked where the dividing line was between the parish obligation and the state obligation. Ms. Grafton answered that uses of local concern primarily include residential uses, cattle guards, wharves, and small water diversions. She also stated that uses of state concern would consist of subdivisions or larger projects. Ms. Grafton added that if the plan was passed, that the parish would have the authority to comment on state and federal concerns, but not be able to approve such project.

Chairman Laborde asked how the parish would comment on uses of state and federal concern. Ms. Grafton replied that the parish would encourage everyone developing property in the Calcasieu Parish Coastal Zone to apply for permits, be it local, state, or federal concern, through the Parish Planning Office and thereby give the Parish the opportunity to make comments, and then submit the application to the state office.

Ms. Grafton commented that the Coastal Zone Management Plan and Ordinance strictly affects the part of the parish that lies south of the Intracoastal Waterway.

Upon Chairman Laborde's request for questions or comments, Mr. Terry Laughlin stated that he was a resident of Deatonville and would like to know what the ordinance entails. Ms. Grafton explained that any development that occurs in the coastal zone has to now be permitted through the state office; however, with the passage of the ordinance, it would allow the applicant to initiate the permit procedure through the parish office instead of the state office.

Mr. Laughlin asked if the ordinance would include additional restrictions. Ms. Grafton answered that there would be no additional restrictions.

There being no further questions or opposition, Mr. Andrus made the motion to approve the Coastal Zone Management Ordinance for Calcasieu Parish. Mr. Moss seconded the motion, which was approved unanimously.

Ms. Grafton mentioned that changes have also been made to the Coastal Zone Management Plan; and, that the changes would basically make the parish plan comply with the changes made to the state plan.

Mr. Treme made the motion to approve the changes to the plan. Mr. Andrus seconded the motion, which was approved unanimously by a voice vote.

The next item on the agenda was to take appropriate action on zoning case **RZ3-26-86**; an application by **Highland Meadows Development Corporation** to rezone from R-M (Multi Family Residential) to R-1 (Single Family Residential) to update to conform to existing use located off Lake Street in Ward Three. Mr. Allen Singletary, President of Highland Meadows Development Corporation, approached the Commission and stated that

C E R T I F I C A T E

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of excerpt of the official proceedings of the Planning Commission of Calcasieu Parish, Louisiana, convened in regular session on the 14th day of October, 1986.



JAMES J. VICKERS, SECRETARY

NOTICE OF PUBLIC HEARING

The Calcasieu Parish Planning Commission will conduct a public hearing on Tuesday, October 14, 1986, at 6:15 p.m. in the Meeting Room of the Parish Government Building, which is located at 1015 Pithon Street in Lake Charles, Louisiana. The following items will be discussed.

RZ3-26-86: (off Lake Street in Ward Three) A request to rezone from R-M (Multi Family Residential) to R-1 (Single Family Residential) the property described as: Commencing at a point 300 feet East of the Southwest Corner of the North Half of the Northwest Quarter of Section 31, Township 10 South, Range 8 West, thence East 1350 feet more or less, thence North 400 feet more or less, thence Northwest a distance of 1400 feet more or less, thence South 650 feet more or less to the point of commencement, to include all property located in Highland Meadows Part II located in the North Half of the Northwest Quarter of Section 31, Township 10 South, Range 8 West, which is currently zoned R-M (Multi Family Residential). An application by Highland Meadows Development Corporation to update to conform to existing use.

RZ3-27-86: (off Arsene LeBleu Road in Ward Three) A request to rezone from A-1 (Agricultural) to R-2 (Mixed Residential) the property described as: A proposed Southwest Corner of Section 23, Township 9 South, Range 10, Calcasieu Parish, Louisiana. An application by John Gregory, L. Stevens, Robert King, and Adam G. Nunex for future commercial and residential development.

RZ3-24-86 (Sundale Road in Ward Three) A request to rezone from A-1 (Agricultural) to C-1 (Light Commercial) the property described as: Commencing and the Southeast Corner of Lot 15 of Sundale Subdivision in Section 29, Township 10 South, Range 8 West, Calcasieu Parish, Louisiana, as per plat recorded in Plat Book 10 at page 36 of the public records of Calcasieu Parish, Louisiana, said point being on the West line of the Northeast Quarter of the Southwest Quarter of said Section 29, thence North on East line of said Lot 15, a distance of 147.25 feet to the Northeast Corner of said Lot 15; thence East 80 feet; thence south 147.25 feet; thence West 80 feet to the point of commencement. An application by Mr. Louis A. Tommasi to update zoning classification to conform to existing use.

Take appropriate action on the preliminary approval on Nashville Estates located off Arsene LeBleu Road in Section 36, Township 11 South, Range 9 West, Calcasieu Parish.

Take appropriate action on the Coastal Zone Management Plan and Ordinance for Calcasieu Parish.

Published: The Southwest Builder, Sept. 28, Oct. 5, Oct. 8, 1986.

State of Louisiana

PARISH OF CALCASIEU

Before me, the undersigned authority, personally came and appeared Lewis Cain who, being duly sworn, deposes and says: That he is the manager of the SOUTHWEST BUILDER, a newspaper published weekly at Sulphur, Louisiana.

That the hereto attached notice was published in said newspaper in its issues dated the

9-28-86
10-5-86
10-8-86

Lewis Cain
Manager.

Sworn and subscribed to at my office in Sulphur, Louisiana, on this 17th day of October A. D., 1986

Before me, Linda Sue Casler
Notary Public

October 16, 1986
Lake Charles, Louisiana

The Police Jury of Calcasieu Parish, Louisiana, met in regular session at 5:30 P.M., in the Police Jury Room on the first floor of the Parish Government Building, Lake Charles, Louisiana, with the Honorable James N. Schooler, President, presiding, and the following members present:

Messrs. Roy Arrant, Ray Campbell, Darrell Derouen, A. B. Franklin, R. M. Goldsmith, D. C. Green, Elcie J. Guillory, Charles LeBoeuf, Charles S. Liggio, Sr., C. W. Lockhart, Joseph J. St. Mary and John F. Vaughn, and Dr. Charles S. Mackey

Absent: Mr. Don Manuel

The meeting was called to order and the roll called with the above result.

President Schooler advised that action was needed on adoption of the Coastal Zone Management Plan and Ordinance for Calcasieu Parish. He further advised that the Planning Commission voted unanimously to recommend that said plan and ordinance be adopted.

Whereupon, motion was made by Mr. St. Mary, seconded by Mr. Vaughn and carried unanimously that the following ordinance be adopted:

(Other business not pertinent to the present excerpt may be found of record in the official minutes.)

ORDINANCE NUMBER 2862

AN ORDINANCE amending the Code of Ordinances, Calcasieu Parish, Louisiana, to create a chapter entitled Coastal Zone Management Regulations, Calcasieu Parish, Louisiana.

BE IT ORDAINED BY THE POLICE JURY OF CALCASIEU PARISH, LOUISIANA, convened in regular session on the 16th day of October, 1986, that the Code of Ordinances, Calcasieu Parish, Louisiana, is hereby amended to create a chapter entitled Coastal Zone Management Regulations, Calcasieu Parish, Louisiana.

SECTION 1: GENERAL PROVISIONS

1.1 Title. This ordinance shall hereafter be known, referred to, and cited as "The Coastal Zone Management Regulations of Calcasieu Parish", (hereinafter referred to as "Parish").

1.2 Purposes. The Calcasieu Parish Coastal Zone Management ordinance is hereby enacted for the purpose of:

1. Ensuring ecologically sound development in order to:
 - (a) preserve and enhance the resources of the coastal zone for the enjoyment of present and future generations;
 - (b) promote public safety, health, and welfare;
 - (c) protect wildlife, fisheries, aquatic life, estuarine, and other water resources;
 - (d) preserve and protect the remaining scenic and historic resources of the coastal zone;
 - (e) to enhance opportunities for the use and enjoyment of the recreational values of the coastal zone; and
 - (f) to develop and implement a coastal resources management program which is based on consideration of our resources, the environment, the needs of the people of the State, the Nation, and of state and local government.
2. Promoting a balanced approach to development and conservation within the fragile ecosystem of the coastal zone, and support and encourage multiple use of coastal resources consistent with the maintenance and enhancement of renewable resource management.
3. To employ procedures and practices that resolve conflicts among competing uses within the coastal zone in accordance with Louisiana Legislative Act 361 of 1978, and to simplify administrative procedures.
4. To express certain regulatory and non-regulatory policies for the Coastal Zone Management program. Regulatory policies are to form a basis for administrative decisions to approve or disapprove activities only to the extent that such policies are contained in the statutes of this State or regulations duly adopted and promulgated by the Calcasieu Parish Police Jury. Other policies are non-regulatory. They are included in the Coastal Zone Management Plan to help set out priorities in administrative decisions and to inform the

public and decision makers of a coherent state framework, but such policies are not binding on private parties.

SECTION 2: DEFINITIONS

2.1 Usage.

1. For the purpose of this ordinance, certain words, terms, numbers, and abbreviations used herein shall be used, interpreted and defined, as set forth in this section.
2. Unless specifically defined in this section, words or phrases used in this ordinance shall be interpreted to give this ordinance its most reasonable application.
3. Words used in the present tense include the future tense; words used in the singular number include the plural, and the plural number includes the singular; the word "shall" is always mandatory; and the word "herein" means "in this Ordinance".

2.2 Words and Terms Defined.

1. "Administrator" shall mean the administrator of the Coastal Management Section within the Louisiana Department of Natural Resources.
2. "Coastal use permit" shall mean the permits required by Louisiana Revised Statutes, Title 49, Section 213.11 and shall not mean or refer to, and shall be in addition to, any other permit or approval required or established pursuant to any other constitutional provisions or statute.
3. "Coastal waters" shall mean bays, lakes, inlets, estuaries, rivers, bayous, and other bodies of water within the boundaries of the coastal zone which have measurable seawater content (under normal weather conditions over a period of years).
4. "Coastal Zone" shall mean the coastal waters and adjacent shorelands within the boundaries of the coastal zone established in Louisiana Revised Statutes, Title 49, Section 213.4 or Act 361 of 1978, which are strongly influenced by each other, and in proximity of the shorelines and uses of which have a direct and significant impact on coastal waters.
5. "Exempted use" shall mean any use specifically listed in this Ordinance as a use not requiring a coastal use permit.
6. "Existing" as applied to any use, structure, or development includes the words "existing on the effective date of this Ordinance".
7. "Fastlands" are lands surrounded by publicly-owned, maintained, or otherwise valid existing levees, or natural formations, as of the effective date of Act 361 or as may be lawfully constructed in the future; which levees or natural formations would normally prevent activities, not to include the pumping of water for drainage purposes, within the surrounding area from having direct and significant impacts on coastal waters.

8. "Guidelines" means those rules and regulations adopted pursuant to Louisiana Revised Statutes, Title 49, Section 213.8, known as Rules and Procedures for the Development, Approval, Modification, and Periodic Review of Local Coastal Management Programs.
9. "Local government" shall mean the Calcasieu Parish Police Jury.
10. "Person" shall mean any individual, partnership, association, trust, corporation, public, or authority, or state or local government body.
11. "Planning Commission" shall mean the Calcasieu Parish Planning Commission which is the official planning and zoning body for the parish so designated by the Calcasieu Parish Police Jury.
12. "Police Jury" shall mean the Calcasieu Parish Police Jury, which is the governing authority of Calcasieu Parish having general jurisdiction and operations at the parish level.
13. "Public hearing", wherever required in this Part, shall be a hearing announced to the public at least 30 days in advance, and at which all interested persons shall be afforded a reasonable opportunity to submit data, views, or arguments orally or in writing. At the time of the announcement of the public hearing all materials pertinent to the hearing, including documents, studies, and other data in the possession of the party requesting a coastal use permits must be made available to the public for review and study. As similar materials are subsequently developed, they shall be made available to the public as they become available to the Office of Planning and Development.
14. "Secretary" shall mean the Secretary of the Department of Natural Resources.
15. "Use" shall mean any use or activity within the coastal zone which has a direct and significant impact on coastal waters.

2.3 The Coastal Zone. The Calcasieu Parish coastal zone boundary begins at the Louisiana-Texas border. The northern boundary follows the Intracoastal Waterway eastward until the waterway goes down into Cameron Parish. The southern boundary follows the Calcasieu-Cameron parish line eastward to the Intracoastal Waterway. Calcasieu Parish coastal zone is therefore all that property that falls between the Intracoastal Waterway, the Calcasieu-Cameron parish line, and the Texas border.

2.4 Types of Uses. Uses in the coastal zone subject to the coastal use permitting program shall be of two types:

1. Uses of state concern - Those uses which directly and significantly affect coastal waters and which are in need of coastal management and which have impacts or greater than local significance or which significantly affect interests or regional, state, or national concern. Uses of state concern shall include, but not be limited to:
 - (a) Any dredge or fill activity which intersects with more than one water body.
 - (b) Projects involving use of state-owned lands or water bottoms.

- (c) State publicly-funded projects.
 - (d) National interest projects.
 - (e) Projects occurring in more than one parish.
 - (f) All mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith, and all other associated uses.
 - (g) All pipelines for the gathering, transportation, or transmission of oil, gas, and other minerals.
 - (h) Energy facility siting and development.
 - (i) Uses of local concern which may significantly affect interests of regional, state, or national concern.
2. Uses of local concern - Those uses which directly and significantly affect coastal waters and are in need of coastal management, but are not uses of state concern, and which should be regulated by the Calcasieu Parish Police Jury. Uses of local concern shall include, but not be limited to:
- (a) Privately-funded projects which are not uses of state concern.
 - (b) Publicly-funded projects which are not uses of state concern.
 - (c) Maintenance of uses of local concern.
 - (d) Jetties or breakwaters.
 - (e) Dredge or fill projects not intersecting more than one water body.
 - (f) Bulkheads.
 - (g) Piers.
 - (h) Camps and cattlewalks.
 - (i) Maintenance dredging.
 - (j) Private water control structures of less than \$15,000 in cost.
 - (k) Uses of cheniers, salt domes, or similar land forms.

2.5 Uses of Greater Than Local Benefit.

- 1. No management policy of the Calcasieu Parish Coastal Resources program shall be so restrictive as to exclude uses of greater than local benefit.
- 2. Uses of state interest are found in Section 2.4.

3. Uses of regional benefit include:
 - (a) interstate natural gas transmission pipelines;
 - (b) major state or federal transportation facilities such as highways and expressways;
 - (c) major state or federal transportation facilities such as deep-water ports and navigation projects;
 - (d) public wildlife and fisheries management projects;
 - (e) public utility or cooperative energy generating plants; and
 - (f) state parks and beaches and other state-owned recreational facilities.

Each Permit application will be reviewed to determine whether it is local, regional, state or regional interest.

2.6 Exempted Uses.

1. The following activities normally do not have direct and significant impacts on coastal waters; hence, a coastal use permit is not required, except as set forth in the following section:
 - (a) agricultural, forestry, and aquaculture activities on lands consistently used in the past for such activities;
 - (b) hunting, fishing, trapping, and the preservation of scenic, historic, and scientific areas and wildlife preserves;
 - (c) normal maintenance or repair of existing structures including emergency repairs of damage caused by accident, by fire, or the elements;
 - (d) construction of "single family" residences or camps used for non-commercial, non-profit purposes;
 - (e) construction and modification of navigational aids such as channel markers and anchor buoys;
 - (f) activities which do not have a direct and significant impact on coastal waters.
2. Activities occurring wholly on lands five feet or more above sea level or within fastlands, do not normally have a direct and significant impact on coastal waters; therefore, coastal use permits for such uses generally need not be applied for.
3. However, if a proposed activity exempted from permitting in the Subsection above (2.6,2) will result in discharges into coastal water, or significantly change existing water flow into coastal waters, then the person proposing the activity shall notify the Secretary and provide such information regarding the proposed activity as may be required by the Secretary in deciding whether the activity is a use subject to a coastal permit.

4. The exception described in Subsection 2.6,2 shall not refer to activities occurring on cheniers, salt domes, barrier islands, beaches, and similar isolated, raised land forms in the coastal zone. It does refer to natural ridges and levees.
5. The construction of a residence or a camp shall not require a coastal use permit provided that:
 - (a) the terms shall refer solely to structures used for non-commercial and non-profit purposes, and which are commonly referred to as "single family" and not multiple family dwelling, and
 - (b) the terms shall refer solely to the construction of one such structure by or for the owner of the land for the owner's use and not to practice involving the building, of more than one such structure as in subdividing, tracting development, speculative building, or recreational community development.
6. The exemption shall apply only to the construction of the structure and appurtenances such as septic fields, out buildings, walkways, gazebos, small wharves, landings, boathouses, private driveways, and similar works, but not to any bulkheading or any dredging or filling activity except for small amount of fill necessary for the structure itself, and for the installation and maintenance of septic or sewerage facilities.
7. The construction and modification of navigational aids shall not require a coastal use permit.
8. The term shall include channel markers, buoys, marker piles, dolphins, piling, pile cluster, etc; provided that the exemption does not apply to associated dredge or fill uses or the construction of mooring structures, advertising signs, platforms, or similar structures associated with such facilities. All navigational aids constructed pursuant to this section shall conform to United States Coast Guard Standards and requirements.
9. Agricultural, forestry, and aquacultural activities on lands consistently used in the past for such activities shall not require a coastal use permit provided that:
 - (a) the activity is located on lands or in waters which have been used on an ongoing basis for such purposes, consistent with normal practices, prior to the effective date of the Act;
 - (b) the activity is consistent with good management practices for the particular agricultural, forestry, or aquacultural use to which the land has been put;
 - (c) the activity is conducted or carried out in such a manner as to minimize adverse impacts on the coastal water environment; and
 - (d) the activity is not intended to, or will it result in, changing the type of agricultural, forestry, or aquacultural use to which the land has been consistently used for in the past.

10. Included in the exception are normal agricultural, forestry, and aquacultural activities such as plowing; seeding; grazing; cultivating; insect control; fence building and repair; thinning; harvesting for the production of food, fiber, and forest products; maintenance and drainage of existing farm, stock, or fish ponds; digging of small drainage ditches; or maintenance of existing drainage ditches and farm or forest roads carried out in accordance with good management practices.
11. No use or activity shall require a coastal use permit if:
 - (a) the use or activity was lawfully commenced or established prior to the implementation of the coastal use permit process; or
 - (b) the Administrator determines that it does not have a direct or significant impact.

SECTION 3: ADMINISTRATION AND ENFORCEMENT

3.1 Designation and Powers of the Calcasieu Parish Police Jury - The Calcasieu Parish Police Jury, in conjunction with the Office of Parish Planning and Development (Permit Agent) shall exercise jurisdiction within the coastal zone consistently with the Ordinance. The powers and responsibilities of the Police Jury shall include but not be limited to the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of the Ordinance;
2. to issue, deny, or modify permits;
3. to adopt any rules and regulations, subject to secretary approval, which are consistent with the general law, and which it finds reasonable and necessary to carry out the purposes of this Ordinance;
4. to conduct any investigation it deems necessary to comply with the purposes of this ordinance;
5. to submit to the Secretary an annual report on the activities of the Calcasieu Parish local coastal management program which shall include:
 - (a) the number, type, and characteristics of the applications for coastal use and other permits;
 - (b) the number, type, and characteristics of coastal use and other permits granted, conditioned, denied and withdrawn;
 - (c) the number, type, and characteristics of permits appealed to the Coastal Commission of the courts;
 - (d) results of any appeals;
 - (e) a record of any enforcement actions taken;
 - (f) a record of all variances granted;

- (g) a description of any problem areas within the state or local program and proposed solutions to any such problems;
- (h) proposed changes in the state or local program.

3.2 Multi-Parish Considerations

- 1. All plans concerning Calcasieu Parish, whether regional, state, or federal, shall be reviewed by the permitting agent's office.
- 2. Should it become necessary, the permitting agent and the Calcasieu Parish Police Jury shall coordinate meetings with other parishes which are involved in multi-parish plans along with Calcasieu Parish. The parish will also coordinate meetings with appropriate state and federal agencies as needed.

3.3 Coastal Use Permit Requirements - Any person seeking to commence any use not specifically exempted by Section 2. 2.6 of this Ordinance, within the Calcasieu Parish Coastal Zone must first obtain a Coastal Use Permit from either the Calcasieu Parish Police Jury or from the State Department of Natural Resources.

3.4 Permit Procedure - Formal Requirements

- 1. All applications shall be made on the form(s) prescribed by the Secretary.
- 2. Applications shall be submitted either to the permit agent in the Calcasieu Parish Office of Planning & Development, or to the Administrator.
- 3. All applications shall be accompanied by all of the information currently required by the Coastal Management Section of the Department of Natural Resources which includes:
 - (a) maps showing the actual location, size and dimensions of the real property to be used;
 - (b) plans showing the exact location, size, and height of the buildings or structures to be developed;
 - (c) a list of all applications, approvals, and/or denials already made concerning the development to/by federal, state, or local agencies; and,
 - (d) if the development involves dredging, a description of:
 - the type, composition, and quantity of the material to be dredged;
 - the method of dredging; and
 - the site of the plans for the disposal of the dredged material.

4. Applications of local concern shall also be accompanied by an application fee. This fee shall be applied as follows:

| <u>Estimated Cost of Development</u> | <u>Permit Fee</u> |
|--------------------------------------|------------------------------|
| \$ 0 - \$ 5,000 | \$50.00 |
| 5,000- 50,000 | \$100.00 |
| over \$50,000 | \$100.00 + .1% of dev't cost |

3.5 Permit Procedure - Administrative Action

1. When an application for a permit is received, the permit agent shall immediately assign it a number for identification, acknowledge receipt thereof, and advise the applicant of the number assigned to it.
2. Application processing will begin when an application that is apparently complete is accepted by the agent.
3. Within two (2) working days of receipt of a complete application, a copy of the application and all attachments, and the decision as to whether the use is one of state or local concern shall be sent to the State Administrator or parish permit agent, depending upon the location of submittal.
4. If the proposed activity is of local concern, the parish permit agent shall arrange for the Parish Police Jury to discuss the application at its next regularly scheduled meeting following the end of the twenty-five (25) day review period.
5. Public notice of all applications for coastal use permits, which must be issued within 10 days of the filing of the application shall be given by:
 - (a) mailing a brief description of the application, along with a statement indicating where a copy of the application may be inspected, to any person who has filed a request to be notified of such permit applications and to all affected governmental bodies;
 - (b) by posting a copy of the application at the location of the proposed site;
 - (c) by sending notice of the application to the news media in Calcasieu Parish; and
 - (d) by causing publication of notice of the application in the official journal of the parish.
6. The notice shall set forth that any comments on the application shall be submitted to the Office of Parish Planning & Development within twenty-five (25) days from the date of official journal publication of the notice.
7. Comments received will be made a part of the official file on the application. If comments received relate to matters within the special expertise of another government body, the permit agent may seek the advise of the agency.

8. The parish permit agent shall present the application and all comments received in response to the public notice concerning the application to the Calcasieu Parish Police Jury. The police jury shall consider all of the comments received; and will give the applicant the opportunity to explain the proposed coastal use, and rebut any objections or adverse comments during the public meeting.
9. After reviewing the application and hearing all comments at the public meeting, the police jury will make a decision to either grant, deny, grant with modification, or hold an official public hearing on the application. This decision will be announced at the meeting.
10. If the police jury decides that an official public hearing needs to be held, public notice will be given at least (30) days in advance of the public hearing. The notice shall contain the time, place, and nature of the hearing; and the location of materials available for public inspection.
11. The official public hearing shall be held by the Calcasieu Parish Planning Commission. During the public hearing they shall hear and review all comments and evidence presented to them. The meeting shall be conducted in an orderly, but expeditious manner with any person being allowed to submit either an oral or written statement. Cross-examination shall not be allowed. All comments and evidence presented shall be made part of the hearing file. After considering all information presented concerning the application in question, the Planning Commission shall make a recommendation to either approve, approve with modification, or deny the application. This recommendation shall be announced at the public hearing, be made part of the hearing file, and be given to the Calcasieu Parish Police Jury for their consideration when they take final action. It shall be announced at the public hearing that there will be a comment period, following the hearing, during which written comments or other material pertinent to the application may be submitted; that after this comment period the Police Jury will make a final decision concerning the application; and, the date of the meeting at which the Police Jury shall make its final decision on the application.
12. Following the public hearing held by the Planning Commission, the hearing file shall remain open for a period of at least ten (10) days. Written statements or any other information concerning the application may be presented any time prior to the time of closing of the file.
13. The Calcasieu Parish Police Jury, at their regularly scheduled meeting following the close of the ten (10) day comment period, shall take final action on the permit application. Their decision of approval or denial shall be based on the recommendation of the Planning Commission, and on all comments received during the ten (10) day comment period. The decision of the police jury to approve, approve with modification, or deny the application will be made known at the meeting.
14. Written notification of the final decision made by the Calcasieu Parish Police Jury will be sent to the applicant within thirty (30) days of the giving of public notice or within fifteen (15) days after the closing of the record of the public hearing, if held, whichever is later.

15. If the final decision is to issue a permit, the parish permit agent shall have the applicant sign two copies of the draft permit who thereby accepts the conditions of the permit, along with the finding on the application. The permit agent will then sign and date both copies of the permit.
16. The Calcasieu Parish Permit Agent will issue a monthly list of permits issued or denied during the previous month. This list will be distributed to all persons who received the public notices.

3.6 Criteria For Coastal Use Permit Approval

Coastal Use Permits of local concern will be approved by the Calcasieu Parish Police Jury only after:

- (a) it is determined that the probable impact of any phase of the project will not be detrimental to the coastal zone and the people of the parish;
- (b) it is determined that the permit's use conforms to the guidelines and regulations as outlined in the Coastal Zone Management Plan for Calcasieu Parish, and
- (c) full and fair consideration is given of all information.

3.7 Term of Permit

1. Permits issued under this section shall remain in effect for a period of a year from the date of issuance.
2. A coastal use permit may be renewed if the Calcasieu Parish Police Jury is satisfied that substantial progress has been made on said project or that the permittee has been precluded from acting by non-self induced litigation, material shortages, labor problems, or other events beyond the permittee's control.

3.8 Conditions of Permit

1. By accepting the permit the applicant agrees to:
 - (a) carry out or perform the use in accordance with plans and specifications approved by the Calcasieu Parish Police Jury;
 - (b) comply with any permit conditions imposed by the Calcasieu Parish Police Jury;
 - (c) adjust, alter, or remove any structure or other physical evidence of the permitted use if, in the opinion of the Calcasieu Parish Police Jury, it proves to be beyond the scope of the use as approved or is abandoned;
 - (d) provide, if required by the Calcasieu Parish Police Jury, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the permitting body determine it necessary;

- (e) hold and save the State of Louisiana, the local government, the Department, and their officers and employees harmless from any damage to persons or property which might result from work, activity or structure permitted; and
 - (f) certify that any permitted construction has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the permitting body. The Calcasieu Parish Police Jury may, when appropriate, require such certification be given by a registered professional engineer.
2. The Calcasieu Parish Police Jury shall place such other conditions on the permit as are appropriate to ensure compliance with the Coastal Management Program.
- 3.9 Appeals - Any interested person may appeal the decision of the Calcasieu Parish Police Jury to issue a permit or not to issue a permit to the Administrator and/or District Court. Said appeal must be filed in writing within thirty (30) days of public notice of the Police Jury's final decision on the permit application.

3.10 Modification

- 1. The terms and conditions of a permit may be modified to allow changes in the permitted use, in the plans and specifications for that use, in the methods by which the use is being implemented, or to assure that the permitted use will be in conformity with the Coastal Management Program. Changes which would significantly increase the scope of a permitted activity shall be processed as a new application for permits, not as modifications.
 - 2. A permit may be modified upon request of the permittee:
 - (a) if mutual agreement between the permittee and Calcasieu Parish Police Jury can be reached on a modification; or
 - (b) if mutual agreement between the permittee and the Calcasieu Parish Police Jury cannot be reached, a permittee's request for a modification; shall be considered denied.
- 3.11 Monitoring - The Office of Planning and Development will be responsible for monitoring progress of all permitted uses and compliance with regulations accompanying permit approval. This will include on-site inspections to verify compliance, and followup reports for each permitted project.

3.12 Emergency Permits

- 1. Emergency permits will be issued by the permitting agent when actions are immediately required for the protection of lives, property or the environment. Emergency situations are those brought about by natural or man-made causes, such as storms, floods, fires, wrecks, explosions, spills, which would result in hazard to life, property, or the environment if not immediately corrected.
- 2. The Department of Natural Resources will be notified of such emergency as soon as possible, and be given a brief description of the situation and the necessity for carrying out the emergency action.

3.13 Suspensions

1. The Calcasieu Parish Police Jury may suspend a permit upon a finding that:
 - (a) the permittee has failed or refused to comply with the terms and conditions of the permit or any modifications thereof;
 - (b) the permittee has submitted false or incomplete information in his application or otherwise, or
 - (c) the permittee has failed or refused to comply with any lawful order or request of the Calcasieu Parish Police Jury or the permit agent.
2. The Calcasieu Parish Police Jury shall notify the permittee in writing that the permit has been suspended and the reasons therefore and order the permittee to cease immediately all previously authorized activities. The notice shall also advise the permittee that he will be given, upon request made within ten (10) days of receipt of the notice, an opportunity to respond to the reasons given for the suspension.
3. After consideration of the permittee's response, or if none within a thirty (30) day period after issuance of the notice, the Calcasieu Parish Police Jury shall take action to reinstate, modify, or revoke the permit and shall notify the permittee of the action taken.

3.14 Revocation - If, after compliance with the suspension procedures in Subsection 3.13 above, the Calcasieu Parish Police Jury determines that revocation or modification of the permit is warranted, written notice of the revocation or modification shall be given to the permittee.

3.15 Enforcement - If the permittee fails to comply with a cease and desist order or the suspension or revocation of a permit, the Calcasieu Parish Police Jury shall seek appropriate civil and criminal relief as provided by Louisiana Revised Statutes, Title, 49, Section 213.17.

3.16 Penalty - Violation or failure to comply with the provisions of this Ordinance or the terms of conditions of any coastal use permit shall be punishable by a fine of not less than one hundred dollars (\$100.00) not more than five hundred dollars (\$500.00) or ninety (90) days imprisonment, or both.

SECTION 4: NON-CONFORMING USE AND MAINTENANCE

4.1 Definition and Classification

1. Individual specific uses legally commenced or established prior to the effective date of the coastal use permit program shall not require a coastal use permit.
2. Normal repairs and the rehabilitation, replacement or maintenance of existing structures shall not require a coastal use permit, provided that:
 - (a) the structure or work was lawfully in existence, currently servicable, and in active use during the year preceding the repair, replacement, or maintenance;

- (b) the repair or maintenance does not result in an encroachment into a wetland area greater than that of the previous structure or work;
 - (c) the repair or maintenance does not result in a structure or facility that is significantly different in magnitude or function from the original.
- 3. This exemption shall not apply to the repair or maintenance of any structure or facility built or maintained in violation of the coastal management program.
 - 4. Coastal use permits will normally authorize periodic maintenance, including maintenance dredging. All maintenance activities authorized by coastal use permits shall be conducted pursuant to the conditions established for that permit. Where maintenance is performed which is not described in an applicable coastal permit, it shall conform to this section.
- 4.2 General Coastal Use Permits - General Coastal Use Permits may be issued by the Calcasieu Parish Police Jury, subject to approval by the Secretary. Such a permit is an authorization to prospective users to perform specific uses within a prescribed area without the necessity for a complete independent review of each proposed use. The applicant shall go through the same procedure as if applying for a regular coastal use permit, however, the several proposed uses within a specific area will be considered together instead of individually.

SECTION 5: SCOPE OF COVERAGE

All provisions of this ordinance apply only to uses of local concern as prescribed by Louisiana Revised Statutes, Title 49, Section 213.1. All issues of state concern as prescribed by said Act will be directed to appropriate state agency by the permit agent as authorized by the Calcasieu Parish Police Jury and as stated herein.

Furthermore, this ordinance has been prepared to provide the legal means of enforcing the local coastal management plan. The policies in this plan will be used to regulate Uses of Local Concern and to make recommendations on Uses of State Concern. However, the scope of both the plan and the ordinance are limited as follows as to their affect on Uses of State Concern.

- 1. The objectives, policies and guidelines outlined in the Calcasieu Parish local program which may directly or indirectly affect Uses of State Concern shall not be construed as being regulatory or binding on either the permit applicant or the Coastal Management Division of the DNR, but are for the purpose of submitting the parish's environmental review comments to the State on applications for Uses of State Concern.
- 2. Any local policies which contain prohibitions, restrictions or performance standards beyond the scope of the Coastal Use Guidelines shall be considered as advisory by this parish, the Coastal Management Division, and the permit applicants.
- 3. Parish comments to the Coastal Management Division concerning proposed Uses of State Concern shall be based on the policies of the parish's coastal management program and may be inclusive of recommended project alternatives and conditions. Consideration of these recommendations will

be given by the Coastal Management Division based on the recommendations' conformance with the Coastal Use Guidelines.

4. Recommendations from the parish concerning Uses of State Concern which reflect further detailing of the Coastal use Guidelines as they apply to the parish shall be given substantial consideration by the Coastal Management Division with the objective of maximizing conformance with this program.
5. Recommendations concerning Uses of State Concern which are not in conformance with the Coastal Use Guidelines shall not be considered by the Coastal Management Division.

SECTION 6: VARIANCE

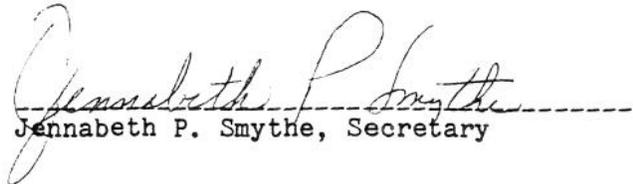
When the permit agent finds that hardships may result from the strict compliance of these regulations, he/she may recommend to the Police Jury that a variance of the regulations be granted so that substantial justice may be done, and so that public interest is secured. However, be it provided that such variation will not have the affect of nullifying the intent and purposes of these regulations. Applications for such a variance shall proceed through the same notification and public hearing process as all other applications of local concern, with notification to be given to the Secretary of any variance granted. This variance procedure shall only exist for coastal uses of local concern over which the Calcasieu Parish Police Jury has jurisdiction.

SECTION 7: SEVERABILITY

If any section, subsection, paragraph, sentence, or phrase of this Ordinance shall, for any reason, be held to be unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue in full force and effect.

CERTIFICATE

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of excerpt of the official proceedings of the Police Jury of Calcasieu Parish, Louisiana, convened in regular session on the 16th day of October, 1986.



Jennabeth P. Smythe, Secretary