

CITY OF ST. GEORGE

ORDINANCE NO. 2026 - 030

TO AMEND TITLE 7 OF THE UNIFIED DEVELOPMENT CODE (UDC) TO CONSOLIDATE AND UPDATE ALLOWANCES FOR VARIANCES AND PROVIDE FOR RELATED MATTERS.

WHEREAS, on July 23, 2024, the St. George City Council adopted Ordinance No. 2024-002, in part, adopting the EBR Unified Development Code (with some changes) as the City's interim Unified Development Code ("UDC"); and

WHEREAS, the UDC has been incorporated into the St. George Code of Ordinances as Title 7; and

WHEREAS, the UDC allows certain requirements to be varied, waived, or excepted, using the terms "variance," "waiver," and "exceptions;" and

WHEREAS, it is not necessary to use these different terms provided the regulations clearly state what review body (e.g. Board of Adjustment, Planning Commission) has the authority to vary a specific regulation; and

WHEREAS, which UDC regulations can be varied are currently scattered throughout the UDC, making it sometimes difficult to know whether a regulation can be varied and who the decision-making review body for that variance is.

WHEREAS, the regulations that the Board of Adjustment (BOA) can grant variances to are currently limited to yards (a/k/a setbacks), nonconforming structures, manufactured homes, height of a street yard fence, size of accessory structures, and signage size; and

WHEREAS, to address these issues, the City's planning staff has recommended the changes to the UDC attached as an exhibit to this Ordinance; and

WHEREAS, a public hearing was held on the proposed changes on August 3, 2026, before the City of St. George Zoning Commission; and

WHEREAS, the Zoning Commission recommended approval of the text amendments.

NOW THEREFORE, BE IT ORDAINED by the St. George City Council, State of Louisiana, as follows:

Section 1: That the deletions and additions to the UDC set forth in Exhibit 1 attached hereto are hereby adopted.

Section 2: The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the City to the extent that there may be any conflict.

Section 3: Severability. If any provision of this Ordinance is declared invalid by any court of competent jurisdiction, the other provisions shall remain in full force and effect.

Section 4: Effective Date. This ordinance shall be effective upon publication.

This ordinance having been submitted to a vote; the vote thereon was:

For: Cook, Edmonds, Himmel, Monachello, Murrell, Talbot

Against:

Absent: Dellucci

Adopted this 25th day of August, 2026

Signed this 26th day of August, 2026

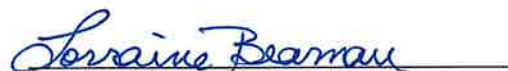
Delivered to the Mayor on the 26th day of August, 2026


Lorraine Beaman, City Clerk

Approved:


Dustin Yates, Mayor

Received from the Mayor on the 31st day of August, 2026


Lorraine Beaman, City Clerk

Adopted Ordinance published in The Advocate on the 1st day or Sept, 2026

EXHIBIT 1

NOTE: Underlined text is new.. [notes provide instructions]

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CHAPTER 2 – ADMINISTRATION

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Sec. 7:2.3. Board of Adjustment

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Sec. 7:2.3.3. Authority

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- C. *Variances*. The Board shall have the authority to vary some requirements of the Unified Development Code. See Chapter 5 – Variances.
- D. *Appeals*. Any person aggrieved by any decision of the Board of Adjustment may appeal to the decision of the Board to the 19th Judicial District Court within 30 days after the decision of the Board.

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CHAPTER 4 – SITE PLANS AND PLATS

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Sec. 7:4.2.5. Criteria for Approval

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- B. Demonstrate, with sufficient and verifiable information and data, that public facilities are, or will be before approval of a certificate of occupancy, adequate to support and service the proposed development, unless the applicant requests and the Zoning Commission approves an adequate public facilities waiver (see Chapter 5 – Variances), or the applicant agrees to enter into a Development Agreement with the City before the certificate of occupancy as provided in Sec. 7:4.4. To provide adequate public facilities for the proposed development, the developer may be required to provide off-site improvements; and

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Sec. 7:4.3.2. Subdivision Plats – Generally

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- C. *Adequate Public Facilities*. No preliminary plat shall be approved unless the applicant demonstrates, with sufficient and verifiable information and data, that public facilities are, or will be before approval of a final plat, adequate to support and service the proposed subdivision, unless the applicant requests and the Planning Commission approves an adequate public facilities waiver (see Chapter 5 – Variances), or the applicant agrees to enter into a Development Agreement with the City before final plat approval as provided in Sec. 7:4.4. To provide adequate public facilities, the developer may be required to provide off-site improvements. Public facilities shall include:

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CHAPTER 5 – VARIANCES

[Delete the contents of this chapter and replace it with the following.]

Sec. 7:5.1. Variance

- A. Applicability. Required for any deviation from the requirements of this UDC.
- B. Allowed Variances. Variances are only allowed to specific requirements of this UDC; see Table 7:5.1.A. No variance is allowed to:
 - 1. Anything that is specifically prohibited (e.g. prohibited materials or signs);
 - 2. Any part of the UDC that specifically prohibits a variance; or
 - 3. Any part of the UDC not listed in Table 7:5.1.A.
- C. Procedures. See Sec. 7:5.2. Variance Procedures.
- D. Notes to Table 7:5.1.A
 - 1. If a structure is destroyed (in whole or in part) by fire or act of God, the BOA may allow it to be reconstructed to no more than the extent of its pre-destruction nonconformity.
 - 2. The BOA may allow a manufactured home in any zoning district only on a lot:
 - a. Where an existing principal dwelling was damaged or destroyed by storm, fire, or act of God, and only for the time required to construct a new principal dwelling and no more than one (1) year, though it may be extended by the Planning Director for one (1) additional year for good cause shown; or
 - b. With existing nonresidential uses to provide housing for security personnel.
 - 3. Only for:
 - a. Setbacks established in Sec. 7:9.2.38.B.3;
 - b. Height to a maximum of 300 feet in the RC zoning district provided that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment equal in number to applicant's present and future requirements or the needs of another provider of similar telecommunication services pursuant to Sec. 7:9.2.38.B.3; and
 - c. Separation requirements established in Sec. 7:9.2.38.B.4 if the applicant certifies that the existing tower, a permitted Communication Tower site, or an existing building of equal or greater height does not meet applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.
 - 4. Only to allow excess parking and structures such as fences, walls, and signs in the setback upon approval of a hold-harmless agreement.
 - 5. The BOA may allow a fence or wall to exceed the maximum height only if it meets the location requirements of Sec. 7:10.5.1.C.
 - 6. Only in:
 - a. The Suburban Character Area Overlay for a single-unit detached or zero lot line dwelling development of five lots or less that is more than ¼ mile from an existing accessible sidewalk, multi-use path, commercial node, school, park, community center, or library in the; or
 - b. Any Character Area Overlay if the applicant proposes an alternative that saves significant trees, maintains drainage ways, or provides connections throughout the development.
 - 7. See Sec. 7:15.12 for allowed variances and decision-making review bodies.

Table 7:5.1.A.
Allowed Variances and Decision-Making Review Bodies

UDC Part	Decision-Making Review Body
<u>Sec. 7:4.2.5.B</u> <u>Adequate Public Facilities, Site Plan</u>	<u>Zoning Commission</u>
<u>Sec. 7:4.3.2.C</u> <u>Adequate Public Facilities, Subdivision</u>	<u>Planning Commission</u>
<u>Sec. 7:7.6</u> <u>Nonconforming Structures</u>	<u>Board of Adjustment¹</u>
<u>Sec. 7:9.1.2</u> <u>Principal, Accessory, and Temporary Uses</u>	<u>Board of Adjustment</u>
<u>Table 7:9.1.3.A</u> <u>Residential, Manufactured Home</u>	<u>Board of Adjustment²</u>
<u>Article 9.2</u> <u>Specific Use Standards, except:</u>	<u>Board of Adjustment</u>
<u>Sec. 7:9.2.38</u> <u>Wireless Communication Tower</u>	<u>Zoning Commission³</u>
<u>Chapter 10</u> <u>General Development Standards, except:</u>	<u>Board of Adjustment</u>
<u>Sec. 10.1.1.C.4.(d)</u> <u>MSP Setbacks</u>	<u>Planning Director⁴</u>
<u>Tables 10.1.1.A-C</u> <u>Impervious Coverage, max.</u>	<u>Engineering Director</u>
<u>Sec. 10.5.1</u> <u>Fences and Walls</u>	<u>Board of Adjustment⁵</u>
<u>Sec. 13.8</u> <u>Sidewalks and Pedestrian Ways</u>	<u>Planning Commission⁶</u>
<u>Chapter 15</u> <u>Floodways, Floodplains, Drainage and Water Quality⁷</u>	

Sec. 7:5.2. Variance Procedures

A. Review Types. There are three (3) types of review, which are assigned to each application type in Table 7:5.2.A:

1. Ministerial (M). A ministerial review involves the application of development regulations by a ministerial official (staff).
2. Legislative (L). A legislative review requires action by a legislative body – the Historic Resources Commission (HRC), Planning Commission (PC), Zoning Commission (ZC), or City Council (CC) – and involves one or more public hearings.
3. Quasi-judicial (Q). A quasi-judicial review involves the application of a discretionary standard required by the UDC and requires a public hearing by the Board of Adjustment (BOA) or Construction Board of Appeals (CBOA).

B. Public Notice

1. Legislative. Shall provide the same public notice as rezonings. See Sec. 7:3.1.3 Public Notice.
2. Quasi-Judicial. The Planning Department shall post a sign on or adjacent to the subject property. This sign shall be:
 - a. White in color;
 - b. A minimum size of 18 inches by 24 inches in size, and;
 - c. Shall include the following information printed in a minimum font size of 20:
 - (1) The nature of the request;
 - (2) The date, time, and place of the public hearing; and
 - (3) The phone number for the Department.

C. Review, Standards for Approval. Unless specifically allowed, no application shall be approved unless it complies with all applicable policies and regulations, is consistent with the comprehensive plan, and the following:

1. Variance

- a. Adequate Public Facilities (Secs. 7:4.2.5.B or 7:4.3.2.C). May only be approved when the applicant can demonstrate that the provision of adequate public facilities will require unreasonable expenditure, subject to the following conditions:

(1) Reasons. Either:

(a) The subdivision:

- i. Is for the purpose of inheritance, sale, or similar act without intention of development within five (5) years, provided that a statement to this effect is recorded on the plat; and
- ii. Involves no more than ten (10) lots, with each lot being undeveloped and at least ten (10) acres; or

(b) Other similar or justifiable reasons.

(2) Findings. Only upon finding that:

- (a) The variance will not conflict with the purposes of this UDC or the comprehensive plan;
- (b) Granting the variance will not confer on the applicant any special privilege that is denied by the UDC to other lands that are similar situated and configured;
- (c) Granting the variance will not:
 - i. Be contrary to the public interest;
 - ii. Adversely affect property values; or
 - iii. Adversely affect other property in the vicinity; and
- (d) The variance is the minimum necessary to accommodate the situation.

- b. Board of Adjustment. Any variance request decided upon by the BOA may only be approved:

(1) In cases where:

- (a) There is an unusual physical condition of a lot that is not generally prevalent and which condition, if the requirements of this UDC were strictly applied, would prevent a reasonable or sensible arrangement of structures;
- (b) A change or alteration of property has resulted from expropriation proceedings, and a variance is the only means to allow a reasonable use of the property; or
- (c) Strict application of the regulations would impose an undue hardship, such as the tearing down of all or a portion of a structure that was legally permitted and is substantially complete. Inconvenience of the property owner or other interested party shall not be considered to demonstrate hardship; and

(2) When the applicant demonstrates, and the BOA agrees, that:

- (a) There are topographic or other extraordinary conditions specific to the property in question that would:
 - i. Make strict application of the regulations impractical; or
 - ii. Result in a hardship preventing reasonable use of the property;
- (b) The UDC provides no other means of obtaining relief; and
- (c) There will be no substantial negative impact on surrounding properties.

- c. Impervious Coverage, Max (Tables 10.1.1.A-C). May only be approved if the applicant provides documentation proving that any impervious coverage beyond the maximum allowed will not increase the volume or rate of stormwater flowing off the property.

- d. Expiration of Approval. An approval shall expire or be voided, and require submittal of a new application:

1. Variance, BOA. If substantial construction or change of use has not commenced in accordance with the approved variance within:
 - a. One (1) year of approval; or
 - b. More than one (1) year only:
 - (1) If specified by the Board of Adjustment at the time of approval; and
 - (2) For good cause shown.

Table 7:5.2.A.**Review Types, Recommendations (R), Decisions (D), and Appeals (A)**

<u>Application Type</u>	<u>Review Type</u>	<u>Review Bodies</u>								
		<u>Staff</u>	<u>DRC</u>	<u>HRC</u>	<u>PC</u>	<u>ZC</u>	<u>CC</u>	<u>BOA</u>	<u>CBOA</u>	<u>JDC</u>
<u>Variance, BOA</u>	<u>Q</u>	=	=	=	=	=	=	<u>D</u>	=	<u>A</u>
<u>Variance, CBOA</u>	<u>Q</u>	=	=	=	=	=	=	=	<u>D</u>	<u>A</u>
<u>Variance, PC</u>	<u>L</u>	<u>R</u>	=	=	<u>D</u>	=	<u>A</u>	=	=	=
<u>Variance, Staff</u>	<u>M</u>	<u>D</u>	=	=	=	=	=	<u>A</u>	<u>A</u>	=
<u>Variance, ZC</u>	<u>L</u>	<u>R</u>	=	=	=	<u>D</u>	<u>A</u>	=	=	=

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CHAPTER 7 – NONCONFORMITIES

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Sec. 7:7.6. Nonconforming Structures

Nonconforming structures may only be enlarged, extended, reconstructed, or structurally altered if the extent of the nonconformity is not increased, and for reconstruction, if a variance is granted (see Chapter 5 – Variances).

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CHAPTER 9 – USE REGULATIONS

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ARTICLE 9.2. SPECIFIC USE STANDARDS

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Sec. 7:9.2.13. Dwelling, Two- or Multi-Unit

In the Mixed Use districts, any building with a ground floor that is within 60 feet of and visible from a collector or arterial public right-of-way shall devote at least half of that ground floor gross floor area and street-facing façade to nonresidential uses that are not solely for the benefit of or only accessible to on-site residents (Figure 7:9.2.13.A).

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Sec. 7:9.2.38. Wireless Communication Tower

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B. Wireless communication towers shall:

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4. Not be located within 1,320 feet of any previously approved or existing wireless communication tower or any building taller than the proposed wireless communication tower, unless a variance is granted (see Chapter 5 – Variances);

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Table 7:9.2.38.A.**Wireless Communication Tower Height and Setbacks**

Districts	Height, max. (ft)	Wireless Tower Setback, min.
MX-2, MX-3	120 ¹	1½ x tower height
MX-4, B-2	250 ¹	
B-3	None	200 feet
RC	85 ¹	1½ x tower height from abutting property lines under different ownership
All others	85	

1. A greater height may be approved (see Chapter 5 – Variances).

CHAPTER 10 – GENERAL DEVELOPMENT STANDARDS**ARTICLE 10.1. DIMENSIONAL STANDARDS****Sec. 7:10.1.1. Dimensional Standards for Principal Uses**

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- C. *Notes to the Tables.* The following notes apply to the corresponding superscript in the tables of dimensional standards for principal uses:

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7. The Engineering Director may waive this requirement. See Chapter 5 - Variances.

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16. Shall be both the minimum and maximum yard (a.k.a. a build-to line) for at least half of the street yard frontage (Figure 7:10.1.1.E).

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CHAPTER 13 – TRANSPORTATION

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Sec. 7:13.8. Sidewalks and Pedestrian Ways

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- D. *Waivers.* The Planning Commission may waive sidewalk location requirements. See Chapter 5 – Variances.

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CHAPTER 19 – DEFINITIONS AND MEASUREMENTS

ARTICLE 19.1. DEFINITIONS

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Sec. 7:19.1.2. Defined Terms

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Variance: in Chapter 15 refers to a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see 44 CFR Sec. 60.6. of the National Flood Insurance Program regulations).

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