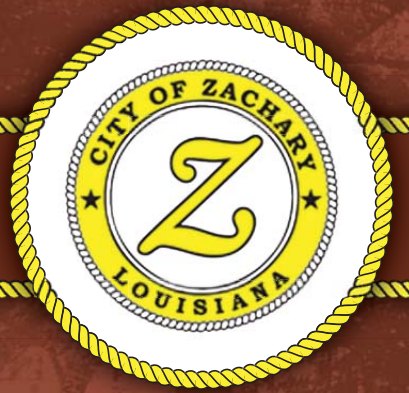




Zachary, Louisiana

Unified Development Code





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ARTICLE 1 ZONING DISTRICTS; USES AND ACCESSORY USES

Division 1.100 Purpose and Application of Article

Sec. 1.101 Purpose of Article

The purpose of this Article is to establish zoning districts and set out, generally, what is allowed and not allowed in each district. This Article also provides supplemental standards that control the development of buildings and structures on residential and nonresidential lots.

Sec. 1.102 Application of Article

- A. **Generally.** In general, this Article:
1. Divides the City into zoning districts;
 2. Sets out which land uses are allowed, and which are not allowed, in each zoning district; and
 3. Provides standards for "limited" and "conditional" uses, which are subject to additional standards, and in the case of conditional uses, public hearing procedures.
- B. **Zoning Districts.** [Division 1.200, Zoning Districts Established](#), establishes the districts that provide for the character and type of development that is allowed in various parts of the City. The zoning districts are shown on the Official Zoning Map, which is established in [Section 1.202, Official Zoning Map](#).
- C. **Permitted, Limited, Conditional, and Prohibited Uses.** [Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses](#), establishes which uses are allowed and not allowed in each zoning district. In general, uses are permitted or prohibited in each zoning district. However, for some uses, there are other classifications:
1. Limited Uses, which are approved by the responsible official according to the procedures set out in [Article 14, Permits and Procedures](#), subject to special standards that ensure that the uses are compatible with their neighbors. These standards are set out in [Division 1.400, Limited and Special Use Standards](#); and
 2. Conditional Uses, which are approved by the City Council, which applies general standards and special standards to ensure that the uses are compatible with their neighbors and the community as a whole.
- D. **Uses That Are Not Specifically Listed.** Any use that is not listed in [Section 1.302, Residential, Home, and Institutional Uses](#); [Section 1.303, Commercial, Recreation, and Amusement Uses](#); [Section 1.304, Industrial, Agricultural, and Special Uses](#); and [Section 1.305, Temporary Uses](#); is prohibited. However, it is not the intent of the City Council to prohibit closely related uses or new uses that have impacts that are similar to those of uses that are allowed. As such, [Section 1.307, Unlisted or Functionally Similar Uses](#), provides the rules for interpretation of unlisted or functionally similar uses, to determine whether they are allowed or not.



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E. **Temporary Uses.** *Division 1.500, Temporary Uses*, provides standards for the approval of temporary uses, including but not limited to garage sales, temporary buildings, and special events.

Division 1.200 Zoning Districts Established

Sec. 1.201 Zoning Districts

A. **Generally.** Ten zoning districts are established in four general use categories. The zoning districts are set out in Table 1.201A, *Zoning Districts*. The general use categories are agriculture, residential, commercial and mixed use, and industry and business. The comprehensive plan designation for each district is provided for reference.

Table 1.201A Zoning Districts			
District Name	District Code	Comprehensive Plan Designation	District Purpose and Description
Agriculture			
Agriculture and Forestry	AF	Rural	<p>Generally. This district is a use-based district intended to permit agriculture and forestry to be the primary use of land, and restrict uses or activities that interfere with agriculture or where owners would be impacted by the noise, dirt, or odors associated with agricultural uses.</p> <p>Character. This district is rural in character. The agriculture and forestry uses around the City have trivial amounts of impervious surfaces and, thus, are considered an open space use.</p> <p>Uses. Agriculture and forestry are the primary use of the land. Residential uses may be accessory to the primary use. Other uses are limited to those that are supportive of or similar to the primary agricultural or forestry use.</p> <p>Infrastructure. Water and sewer may be provided on-site or by public systems.</p>
Residential			
Estate	RE	Estate	<p>Generally. This district is a very low density residential district. It is intended to provide for the use of areas that are not presently accessible to the City's urban services. It is intended that this land remain undeveloped until services can be extended, but the district provides a development option.</p> <p>Character. This district is semi-rural in nature, which is characterized by a balance between the landscape and buildings that favors the landscape. On-site landscaping and tree-lined streets shelter the buildings. Open space and low proportions of impervious surfaces characterize the built environment. Development clustering may be used to ensure an adequate amount of open space will be available upon build-out to enhance neighborhood character and the lifestyle of residents.</p> <p>Uses. This district is intended to allow residential neighborhoods. Recreational uses that serve the neighborhoods are permitted, but are restricted in scale to preserve the safety and integrity of the neighborhood streets.</p> <p>Infrastructure. Public water is required; sewer treatment may be provided on-site</p>

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Table 1.201A Zoning Districts			
District Name	District Code	Comprehensive Plan Designation	District Purpose and Description
Suburban	RS	Suburban	<p>Generally. This district is the primary residential district for the City. It is intended to permit a wide range of residential uses on larger lots, and to encourage a variety of housing types.</p> <p>Character. This district is suburban in nature, which is characterized by a balance between the landscape and buildings, with on-site landscaping and tree-lined streets that shelter the buildings. Open space and low proportions of impervious surfaces characterize the built environment. Development clustering will ensure an adequate amount of open space will be available upon build-out to enhance suburban character and the lifestyle of residents.</p> <p>Uses. This district is intended to allow residential neighborhoods, while permitting a range of housing types to meet all residential needs. Institutional and recreational uses that serve the neighborhoods are permitted, but are restricted in scale to preserve the safety and integrity of the neighborhood streets.</p> <p>Infrastructure. Public water and sewer are required.</p>
Urban	RU	Urban	<p>Generally. This district is the highest intensity residential district. It is intended to permit a wide range of residential uses and encourage a variety of housing types. It is located near the traditional downtown and near major shopping areas and employment centers.</p> <p>Character. This district has an urban character, which is characterized by residential buildings that cover a large percentage of the lot and are spaced closely enough to create a perception of street enclosure.</p> <p>Uses. This district is intended to create higher density residential neighborhoods to meet the community's housing needs for higher density and infill housing development. Institutional and recreational uses that serve this urban neighborhood environment are permitted and encouraged.</p> <p>Infrastructure. Public water and sewer are required.</p>
Neighborhood Conservation See Subsection B., Neighborhood Conservation Subdistricts	NC	See Table 1.201B, <i>Neighborhood Conservation Subdistricts</i> , below.	<p>Generally. This district is intended to preserve the character of the designated existing residential neighborhoods that were developed under prior zoning categories that are no longer used in this UDC, or of platted areas that may now be nonconforming. This district is intended to ensure that owners of property in designated established neighborhoods are not required to seek variances to improve existing homes that were either built before zoning regulations were adopted, or conformed to the regulations that were in effect when they were constructed. By retaining existing lot size and dimensional character of the areas as platted and built upon, nonconformities are avoided. Application of this district does not remove the unlawful status of uses, buildings, or improvements that were constructed without required permits or in violation of applicable regulations that were in effect at the time of construction.</p> <p>Applicability. This district shall only be applied to areas that have been subdivided before the effective date of this UDC, and that are generally surrounded with developed lots that are likely to be divided into no more than ten lots.</p> <p>Character. The NC district varies in character, from urban residential to estate residential. See Table 1.201B, <i>Neighborhood Conservation Subdistricts</i>, below.</p> <p>Uses. The district is intended to preserve existing residential character and discourage conversion of residential uses to other uses.</p> <p>Infrastructure. Public water and sewer are required.</p>



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Table 1.201A Zoning Districts			
District Name	District Code	Comprehensive Plan Designation	District Purpose and Description
Commercial and Mixed Use			
Suburban Commercial	CS	Suburban	<p>Generally. This district is intended to provide for small-scale commercial uses that provide services to nearby neighborhoods, and for the adaptive re-use of residential buildings for commercial and office uses along specific corridors or at specific intersections where changes in traffic patterns have made the buildings less desirable for residential use.</p>
			<p>Character. The character of this district is suburban. Standards are designed so that commercial uses are compatible with suburban residential neighborhoods. Buildings have a residential character and scale, and sites are heavily landscaped to minimize the impacts of nonresidential uses and associated parking areas so that they appear suburban in character. This entails higher landscaped surface ratios and reduced floor area ratios. In addition, the scale of buildings is restricted to permit only neighborhood-serving uses.</p>
			<p>Uses. The district allows for a range of retail and office uses, with the impacts of the uses limited through buffering and the small scale of the buildings. It also allows for live-work units.</p>
			<p>Infrastructure. Public water and sewer are required.</p>
General Commercial	CG	Auto-Urban	<p>Generally. This district is the primary commercial district. It accommodates highway service uses and community or regional commercial, office, and service uses.</p>
			<p>Character. This district has an auto-urban character, generally characterized by a large amount of parking (which often exceeds the building coverage). Landscape buffers and landscaping within parking areas are required to soften the impact of large areas of pavement and beautify the district. Building form regulations apply that encourage and require creativity in building design. These regulations are intended to prevent visual degradation that results from "logo building" architecture, and from very large buildings with large blank walls, little or no building articulation, and little or no attention to architectural detail or design elements.</p>
			<p>Uses. This district is intended to provide for a full range of community and regional scale commercial enterprises, including but not limited to retail, office, restaurant, entertainment, and service.</p>
			<p>Infrastructure. Public water and sewer are required.</p>

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Table 1.201A Zoning Districts			
District Name	District Code	Comprehensive Plan Designation	District Purpose and Description
Urban Center	UC	Urban	Generally. This district is for the downtown area, nearby redevelopment areas, and, in some cases, vertically mixed-use areas in Traditional Neighborhood Developments. It is intended to permit a range of ground floor retail and service uses, as well as residential-over-retail and office-over-retail uses.
			Character. This district has an urban character, which is characterized by multi-story connected buildings that define the street and create a sense of enclosure. Buildings are the dominant visual element. Landscaping is formal, with regular street trees, planters, and street furniture. Parking areas are generally located behind buildings, or otherwise screened from view from Main Street and Church Street. A minimum height of two stories and zero (or minimal) front and side setbacks are necessary to create the urban character.
			Uses. This district is intended to encourage mixed-use infill development and adaptive re-use. Retail, restaurants, and service businesses are desired on the street level. Upper levels should provide office and residential uses. A mix of uses that provides for the optimal 24-hour use of the land.
			Infrastructure. Public water and sewer are required.
Industry and Business			
Business Park	BP	Auto-urban	Generally. This district provides for a full range of office, research, light industrial, wholesale, distribution, and storage uses in a campus-like setting that attracts high-quality businesses. It is intended to provide few potential nuisances to neighboring residential areas.
			Character. The character of this district is auto-urban buildings, buffered from views outside of the district by landscape buffers and buildings with attractive architecture. Landscaped surfaces are required to provide an amenity for the businesses and to accommodate on-site or shared stormwater detention and treatment areas.
			Uses. This district is intended to provide for wide range of business uses. This includes offices, research, light industrial, wholesale, distribution and storage. Also permitted are commercial uses that support these businesses, such as restaurants and office supply businesses. Also permitted are uses that can share available parking in the evening. Outside storage is limited, and must be effectively screened.
			Infrastructure. Public water and sewer are required.
Industry	I	Auto-urban	Generally. This district provides for a range of heavier industrial uses that may be unsightly, or have higher potential for nuisance to adjoining residential neighborhoods than uses in Business Park (BP) districts. It is intended to protect land that has access to water or rail transportation that are critical to many of these uses.
			Character. The character of this district is a utilitarian auto-urban. Buildings and structures, outside storage, and uses that are basically machines (concrete mixing for example) are often unsightly. This district must be buffered from views outside of the district by extensive landscape buffers. Open spaces are required for on-site or shared stormwater detention and treatment areas.
			Uses. This district is intended to provide for industrial uses that are unsightly or have high nuisance potential. Very large buildings both in height and area are permitted in this district. These uses are generally poor neighbors to residential areas.
			Infrastructure. Public water and sewer are required.



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- B. **Neighborhood Conservation Subdistricts.** The Neighborhood Conservation (NC) district is divided into nine subdistricts, as set out in Table 1.201B, *Neighborhood Conservation Subdistricts*. All lots that existed as of the effective date of this UDC are conforming if they are located in any NC subdistrict, regardless of their area or lot width. The minimum lot size and minimum lot width that form the basis for the subdistricts are used to control further subdivision. Development standards for each subdistrict are set out in Section 2.301, *Single-Family Detached and Single-Family Detached Cluster Lot Standards*.

NC Subdistrict	Standards Applicable to New Lots		Typical Neighborhood Characteristics	
	Minimum Lot Area	Minimum Lot Width	General Character	Predominant Building Type
NC _{2A}	2 acres	150 ft.	Estate	Single-Family Detached
NC ₂₀	20,000 sf.	100 ft.	Suburban	Single-Family Detached
NC ₁₅	15,000 sf.	100 ft.	Suburban	Single-Family Detached
NC _{10.5W}	10,500 sf.	80 ft.	Suburban	Single-Family Detached
NC _{10.5N}	10,500 sf.	70 ft.	Suburban	Single-Family Detached
NC _{5.4W}	5,400 sf.	60 ft.	Auto-urban	Single-Family Detached
NC _{5.4N}	5,400 sf.	50 ft.	Auto-urban	Single-Family Detached
NC ₄	4,050 sf.	45 ft.	Urban	Single-Family Detached
NC _{MH}	No minimum lot size or dimensions; existing density is allowed		Auto-Urban	Manufactured Homes

Sec. 1.202 Official Zoning Map

- A. **General.** The boundaries of the zoning districts that are established by Section 1.201, *Zoning Districts*, are shown upon the map entitled "Official Zoning Map of the City of Zachary," (referred to hereinafter as "Zoning Map") which is attached hereto and made part of this Unified Development Code ("UDC"). At least two copies of the Zoning Map are on file and available for inspection and copying during regular business hours at City Hall Annex.
- B. **Force and Effect.** The Zoning Map and all notations, references, and other information shown on it are a part of this UDC and have the same force as the UDC.
- C. **Status of Official Zoning Map.** The Zoning Map that is on file in the City Hall shall control in the event of a conflict between the map that is on file and any other reproduction of said map.

Sec. 1.203 Interpreting the Official Zoning Map

- A. **Generally.** The precise location of any zoning district boundary line shown on the Zoning Map shall be defined by the rules of this Section.
- B. **Identifiable Features.** Where zoning district boundary lines appear to follow identifiable features, their location shall be determined by applying the rules of this subsection in order from 1. to 4.:
1. *Rights-of-Way.* Boundary lines shown as following, or approximately following, streets, alleys, railroad tracks, or utility lines shall be construed as following the centerline of the right-of-way. Where streets or alleys on the ground differ from streets or alleys shown on the Zoning Map, the streets or alleys on the ground control.

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2. *Property Lines.* Boundary lines shown as following, or approximately following, lot lines or other property lines shall be construed as following such lines.
 3. *Watercourses.* Boundaries shown as following, or approximately following, the centerline of streams or other watercourses shall be construed as following the channel centerline. In the event of a natural change in the location of such streams or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.
 4. *Parallel to Features.* Boundaries shown as separated from and parallel, or approximately parallel, to any of the features listed in paragraphs 1. through 3., above, shall be construed to be parallel to such features and at such distances as are shown on the Zoning Map.
- C. **Un-subdivided Land or No Identifiable Feature.** On un-subdivided land, or where a district boundary follows no identifiable feature, the location of district boundaries shall be determined by applying the following rules in order from 1. to 3., until the boundaries are known:
1. *Legal Description.* The boundary shall be according to the legal description in the ordinance establishing the district boundaries.
 2. *Text Dimensions.* The boundary shall be located by reference to dimensions shown in text on the Zoning Map, if any.
 3. *Map Scale.* The boundary shall be located using the map scale appearing on the Zoning Map.

Sec. 1.204 Annexed or Undesignated Land

A. **Annexed Land.**

1. Generally, if property is annexed from East Baton Rouge Parish into the City, it shall be zoned AF upon incorporation. Property owners may petition the City for rezoning pursuant to the procedures of [Article 14, Permits and Procedures](#).
2. Property that is owned by petitioners for annexation shall be zoned according to Table 1.204, *Zoning Upon Successful Annexation Petition*, except that owners may enter into an annexation agreement with the City that assigns alternative zoning, if the alternative zoning has a lesser maximum density and lesser maximum intensity than the district allowed by Table 1.204.

Table 1.204 Zoning Upon Successful Annexation Petition	
Parish Zoning	Zachary Zoning
RE /A 1; RE/A 2; RE/A 3	RE
A1	RS
A2; A2.1; A2.5; A2.6; A2.7; A2.9; A3.1; A3.2; A3.3; A4; A5	RU
R	AF
B1; NO; NC; NC-AB; C1; LC1	CS
LC2; LC3; C-AB-1; C-AB-2	CG
GOL; GOH; C2	BP



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Table 1.204
Zoning Upon Successful Annexation Petition

Parish Zoning	Zachary Zoning
CW; CW1; CW2; CW3; M1; M2	I

3. Property that is zoned TND in the Parish prior to the effective date of this UDC shall be assigned one or more zoning districts that allows for the density and intensity of development set out in the approved TND Master Plan. The zoning that is assigned may be conditioned so that it allows not more than five percent more units than are approved in the TND Master Plan.
- C. **Undesignated Land.** It is the intent of the City Council that all land within the City be zoned. Therefore any land that is not assigned a zoning district on the Zoning Map is zoned AF.

Division 1.300 Permitted; Limited; Conditional; and Prohibited Uses

Sec. 1.301 Interpretation of Use Tables

- A. **Generally.** The tables in Section 1.302, *Residential, Home, and Institutional Uses*, through Section 1.305, *Temporary Uses*, list uses in rows and zoning districts in columns. Where rows and columns intersect, a letter indicates if the use is permitted, limited, conditional, or prohibited in the district.
- B. **Symbols.** All the tables use the following symbols:
 1. "P" means that the use is **Permitted**. Permitted uses are approved by the issuance of use permits pursuant to Article 14, Permits and Procedures.
 2. "L" means that the use is a **Limited Use**. Limited uses are permitted by right, subject to the standards of Division 1.400, *Limited and Conditional Use Standards*, for that specific use.
 - a. The notation "**L(T)**" means that it is a limited use that is restricted to Traditional Neighborhood Developments. The use must also meet the standards in Division 1.400, *Limited and Conditional Use Standards*. L(T) uses are approved by City Staff, but Traditional Neighborhood Development master plans must be approved by the Planning and Zoning Commission.
 - b. The notation "**L(#)**" or "**L(M)**" with is found only in the NC column, and limits the use to the designated NC subdistrict. A number relates to the numerical designation of the NC subdistrict in which the use is allowed. "M" relates to the NC_{MH} subdistrict. See Table 1.201B, *Neighborhood Conservation Subdistricts*.
 - c. The notation "**L(E)**" means that the use is limited by the following standards:
 - i. It is limited to existing lots and buildings that contain the use as of the effective date of this UDC; and
 - ii. The use or buildings may be improved, expanded, or reconstructed, but, in the case of residential uses, additional units may not be added.

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3. "C" means that the use is a **Conditional Use**, subject to the standards in [Division 1.400, Limited and Conditional Use Standards](#), and [Section 14.501, Conditional Use Requirements](#), which apply to all Conditional Uses.
4. "-" means that the use is **Prohibited** in that district.

Sec. 1.302 Residential, Home, and Institutional Uses

Table 1.302, *Residential, Home, and Institutional Uses*, sets out which residential, home, and institutional uses are permitted, limited, conditional, and prohibited in each zoning district.

Table 1.302 Residential, Home, and Institutional Uses											
See Sec. 1.301, Interpretation of Use Tables, for interpretation of codes in individual cells.											
Land Use	Zoning District										Limited / Conditional Use Standard
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I	
Residential Uses											
<i>Housing Types</i>											
Single-Family Detached	P	P	P	P	P	L(E)	L(E)	L(E)	-	-	Sec. 1.301B.2.c.
Single-Family Attached	-	-	P	L(E)	-	-	-	-	-	-	Sec. 1.301B.2.c.
Multifamily	-	L(T)	P	L(E)	-	L	L	L	-	-	Sec. 1.301B.2.c. Sec. 1.401
Manufactured Home	L(E)	L(E)	L(E)	L(E)	L(E)	-	-	-	-	-	Sec. 1.301B.2.c.
<i>Neighborhood Types</i>											
Single-Family Detached Cluster	P	P	-	-	P	-	-	-	-	-	N/A
Conservation or Preservation Subdivision	P	P	-	-	P	-	-	-	-	-	N/A
Mixed Housing Neighborhood or TND	-	L	L	-	-	-	-	L	-	-	Sec. 1.401
Manufactured Home Park or Subdivision	-	C	C	L(M)	L	-	-	-	-	-	Sec. 1.301B.2.b. Sec. 1.401
<i>Special Housing Types</i>											
Community Homes	-	L(T)	P	L(E)	-	L	L	L	-	-	Sec. 1.301B.2.c. Sec. 1.401
Live/Work Units	-	L(T)	L(T)	-	-	P	P	P	L	-	Sec. 1.401
Home Uses											
Home Office	L	L	L	L	L	L ¹	L ¹	L ¹	-	-	Sec. 1.402
Home Occupation	C	C	C	-	L	L ²	L ²	L ²	-	-	Sec. 1.402
Home Business	C	C	C	-	C	L ²	L ²	L ²	-	-	Sec. 1.402
Family Child Day Care Home	C	C	C	C	C	L	L	L	L	-	Sec. 1.402
Bed and Breakfast	C	C	C	-	C	L ²	L ²	L ²	-	-	Sec. 1.402
Institutional Uses											
Cemetery	C	C	-	L(E)	P	-	-	-	-	-	Sec. 1.403
College / University / Vo-Tech	-	-	-	-	L	-	P	P	P	L	Sec. 1.403
Hospitals	-	-	-	-	-	-	P	P	P	-	N/A
Institutional Residential	-	L	L	L(E)	L	-	L	-	-	-	Sec. 1.403
Places of Public Assembly	C	C	C	L(E)	L	P	P	P	P	-	Sec. 1.403
Private Club	C	C	C	L(E)	C	P	P	P	-	-	Sec. 1.403



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Table 1.302 Residential, Home, and Institutional Uses											
See Sec. 1.301, Interpretation of Use Tables, for interpretation of codes in individual cells.											
Land Use	Zoning District										Limited / Conditional Use Standard
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I	
Protective Care	-	-	-	-	C	-	-	-	-	-	Sec. 1.403
Public Service	L	L	L	L	-	P	P	P	P	P	Sec. 1.403
Residential Eldercare Facilities	L	L	P	L	L	P	P	L	-	-	Sec. 1.403
TABLE NOTES:											
¹ Allowed only in existing dwelling units (any type).											
² Allowed only in existing single-family detached dwelling units.											

Sec. 1.303 Commercial, Recreation, and Amusement Uses

Table 1.303, *Commercial, Recreation, and Amusement Uses*, sets out which commercial, recreation, and amusement uses are permitted, limited, conditional, and prohibited in each zoning district.

Table 1.303 Commercial, Recreation, and Amusement Uses											
See Sec. 1.301, Interpretation of Use Tables, for interpretation of codes in individual cells.											
Land Use	Zoning District										Limited / Conditional Use Standard
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I	
Commercial Uses											
Agricultural Support / Other Rural Services	-	-	-	-	P	-	-	-	-	P	N/A
Alcoholic Beverage Sales	-	L(T)	L(T)	-	-	L	L	L	-	-	Sec. 1.404
Car Wash	-	-	-	-	-	-	L	-	L	L	Sec. 1.404
Commercial Lodging	-	-	L(T)	-	-	-	P	P	P	-	Sec. 1.404
Commercial Retail	-	L(T)	L(T)	-	-	P	P	P	L	L	Sec. 1.404
Drive-in / Drive Through Facility	-	-	-	-	-	L	L	-	L	-	Sec. 1.404
Heavy Retail	-	-	-	-	-	-	L	-	L	L	Sec. 1.404
Kennel	-	L(T)	L(T)	-	P	L	L	-	-	-	Sec. 1.404
Light Automobile Service	-	L(T)	L(T)	-	-	-	L	-	L	L	Sec. 1.404
Mixed Use	-	L(T)	L(T)	-	-	L	L	P	-	-	Sec. 1.404
Office	-	L(T)	L(T)	-	-	P	P	P	P	-	Sec. 1.404
Restaurant	-	L(T)	L(T)	-	-	P	P	P	L	L	Sec. 1.404
Services	-	L(T)	L(T)	-	-	P	P	P	P	-	Sec. 1.404
Shopping Center	-	-	-	-	-	P	P	-	-	-	N/A
Vehicle Sales, Rental, and Service	-	-	-	-	-	-	L	-	-	-	Sec. 1.404
Veterinarian	-	L(T)	L(T)	-	P	L	L	L	L	-	Sec. 1.404
Recreation and Amusement Uses											
Adult Uses	-	-	-	-	-	-	-	-	-	C	Sec. 1.405
Campgrounds	-	-	-	-	L	-	-	-	-	-	Sec. 1.405
Commercial Amusement, Indoor	-	L(T)	L(T)	-	-	-	P	L	P	-	Sec. 1.405

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Table 1.303 Commercial, Recreation, and Amusement Uses											
See Sec. 1.301, <i>Interpretation of Use Tables</i> , for interpretation of codes in individual cells.											
Land Use	Zoning District										Limited / Conditional Use Standard
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I	
Commercial Amusement, Outdoor	-	-	L(T)	-	L	-	P	-	-	-	Sec. 1.405
Recreation, Indoor	L	L	L	L	-	-	P	P	L	-	Sec. 1.405
Recreation, Outdoor	L	L	L	L	P	L	P	L	-	-	Sec. 1.405

Sec. 1.304 Industrial, Agricultural, and Special Uses

Table 1.304, *Industrial, Agricultural, and Special Uses*, sets out which industrial, agricultural, and special uses are permitted, limited, conditional, and prohibited in each zoning district.

Table 1.304 Industrial, Agricultural, and Special Uses											
See Sec. 1.301, <i>Interpretation of Use Tables</i> , for interpretation of codes in individual cells.											
Land Use	Zoning District										Limited / Conditional Use Standard
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I	
Industrial Uses											
Disposal	-	-	-	-	-	-	-	-	-	C	Sec. 1.406
Extraction	-	-	-	-	C	-	-	-	-	C	Sec. 1.406
Heavy Industry	-	-	-	-	-	-	-	-	-	P	NA
Light Industry	-	-	-	-	-	-	-	-	P	P	NA
Recycling / Salvage	-	-	-	-	-	-	L	-	L	L	Sec. 1.406
Utilities, Community	C	C	C	C	L	-	L	C	P	P	Sec. 1.406
Utilities, Neighborhood	L	L	L	L	L	L	L	L	P	P	Sec. 1.406
Warehousing and Transportation	-	-	-	-	-	-	-	-	L	P	Sec. 1.406
Agricultural Uses											
Agiculture or Forestry	L	L	L	-	P	-	-	-	-	-	Sec. 1.407
Commercial Stables	L	-	-	-	P	-	-	-	-	-	Sec. 1.407
Nursery or Greenhouse	-	-	-	-	P	-	L	-	-	-	Sec. 1.407
Special Uses											
Airports	-	-	-	-	L	-	-	-	L	C	Sec. 1.408
Parking (stand alone lot) and Transit Facilities	-	-	-	-	-	-	P	L	P	P	Sec. 1.409
Self-Storage Facilities	-	-	-	-	-	-	P	-	P	P	NA (however, design standards apply, see Article 11, <i>Design Standards</i> .)
Wireless Telecommunications Facilities	C	C	C	C	C	C	C	C	C	C	Sec. 1.410



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Sec. 1.305 Temporary Uses

Table 1.305, *Temporary Uses*, sets out which temporary uses are permitted, limited, conditional, and prohibited in each zoning district.

Table 1.305 Temporary Uses											
See Sec. 1.301, <i>Interpretation of Use Tables</i> , for interpretation of codes in individual cells.											
Land Use	Zoning District										Limited / Conditional Use Standard
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I	
Construction and Storage											
Temporary Manufactured Buildings	L	L	L	L	L	L	L	L	P	P	Sec. 1.501 and Sec. 1.502
Model Homes and On-Site Real Estate Sales Offices	L	L	L	-	-	-	C	-	-	-	Sec. 1.501 and Sec. 1.502
Portable Storage Units	L	L	L	L	L	L	L	L	L	L	Sec. 1.502
Community and Neighborhood Events											
Public Interest or Special Events	C	C	C	C	C	C	C	C	C	-	Sec. 1.501 and Sec. 1.503
Garage Sales	L	L	L	L	L	L	-	-	-	-	Sec. 1.504
Commercial Events											
Commercial Outdoor Sales Event	-	-	-	-	-	L	L	-	-	-	Sec. 1.501 and Sec. 1.505
Sidewalk Sales; Truckload Sales; and Farmers' Markets	-	L(T)	L(T)	-	L	L	L	L	-	-	Sec. 1.501 and Sec. 1.506
Farm Stands	-	-	-	-	P	-	-	-	-	-	Sec. 1.501

Sec. 1.306 Prohibited Uses in All Districts

The following uses are prohibited in all zoning districts:

1. Intensive agriculture.
2. Disposal facilities involving radioactive materials.
3. Uses that are prohibited by state law, or that necessarily involve operations or products that are prohibited by state law.
4. Uses that are prohibited by federal law, or that necessarily involve operations or products that are prohibited by federal law.

Sec. 1.307 Unlisted and Functionally Similar Uses

- A. **Generally.** If a proposed use is not listed in Section 1.302, *Residential, Home, and Institutional Uses*; Section 1.303, *Commercial, Recreation, and Amusement Uses*; Section 1.304, *Industrial, Agricultural, and Special Uses*; or Section 1.305, *Temporary Uses*; or if the definition of a use is not obvious as applied to a proposed use, then the responsible official shall decide whether the proposed use is either a subcategory of a permitted, limited, or conditional use, or a use that is

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functionally comparable to a permitted, limited, or conditional use. In making this determination, the responsible official shall apply the following criteria:

1. A proposed use is a subcategory of a permitted, limited, or conditional use if:
 - a. Its North American Industrial Classification System (NAICS) code is a subset of an NAICS code for a permitted, limited, or conditional use; and
 - b. With regard to each of the decision criteria enumerated in subsection B., the proposed use's impacts are not materially greater than the permitted, limited, or conditional use with the more general NAICS code.
 2. A proposed use is functionally comparable to a permitted, limited, or conditional use if, with regard to each of the decision criteria enumerated in subsection B., the proposed use has no greater impacts than the permitted, limited, or conditional use with which it is functionally similar.
- B. **Decision Criteria.** The following decision criteria shall be evaluated when the responsible official decides whether a proposed use is a subcategory of, or is functionally comparable to, a permitted, limited, or conditional use:
1. Parking demand;
 2. Average daily and peak hour trip generation (cars and trucks);
 3. Water demand;
 4. Solid waste generation;
 5. Impervious surface;
 6. Noise;
 7. Lighting;
 8. Dust;
 9. Odors;
 10. Potentially hazardous conditions, such as projectiles leaving the site;
 11. Use and storage of hazardous materials;
 12. Character of buildings and structures;
 13. Character of operation; and
 14. Hours of operation.
- C. **Effect of Responsible Official's Determination.**
1. If the responsible official approves an application for a decision pursuant to this Section, then the use is allowed as a permitted, limited, or conditional use, with the same restrictions as the use to which it was compared for the purposes of the favorable decision.



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2. If the responsible official determines that a proposed use is not a subcategory of, or functionally comparable to, a permitted, limited, or conditional use, then the proposed use is a prohibited use.

Division 1.400 Limited and Conditional Use Standards

Sec. 1.401 Residential Limited and Conditional Use Standards

- A. **Generally.** The standards of Table 1.401, *Residential Limited and Conditional Use Standards*, apply to residential uses that are specified in Table 1.302, *Residential, Home, and Institutional Uses*, as "L," "L(T)," or "C."
- B. **How to Use Table 1.401, *Residential Limited and Conditional Use Standards*.**
 1. The columns in Table 1.401, *Residential Limited and Conditional Use Standards* establish the standards that apply to each of the limited and conditional residential uses. They are interpreted as follows:
 - a. *Use.* The first column, use, lists the residential use to which the standards specified in the same row apply.
 - b. *District.* The second column, district, lists the district in which the standards specified in the same row apply. For example, in the first row, the use is "multifamily" and the district is "RS," while in the second row, the use is the same, but the districts are "CS" and "CG." This means that different standards apply to the use, depending upon the district in which it is located.
 - c. *Location.* The third column, location, specifies where the use may be located; for example, in an existing building that is put to the use or on the upper floors of a mixed-use building. This column may also restrict the location of a particular component of the use, for example, the residential uses of a Traditional Neighborhood Development.
 - d. *Required Access Type.* The fourth column, required access type, specifies the classification of street from which access to the use must be provided.
 - e. *Spacing from Same Use.* The fifth column, spacing from same use, specifies the shortest distance from parcel line to parcel line that is required between the limited or conditional use and other parcels put to the same use (regardless of the district in which the other instance of the same use is located).
 2. A dash "-" in a table cell means that the requirement of the column does not apply to the use indicated in the row.

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Table 1.401 Residential Limited and Conditional Use Standards				
Use	District	Location	Required Access Type	Spacing from Same Use
Multifamily	RS	Permitted in the "Center" subdistrict of a TND or as a permitted housing type in a mixed-housing neighborhood.	-	-
Multifamily	CS CG	Permitted only on upper floors of mixed-use buildings.	As required by nonresidential component of mixed-use building.	-
Multifamily	UC	Allowed on upper floors of mixed-use buildings; or in residential-only buildings in which access to individual units is internal; or in the Center subdistrict of a TND; or as a permitted housing type in a mixed-housing neighborhood.	-	-
Mixed Housing Neighborhood or TND	RE RS RU	-	Primary access to the neighborhood shall be from an arterial, except that mixed-housing neighborhoods with 80 or fewer units may take primary access from a collector. The number of required access points is regulated by <i>Article 8, Streets, Sidewalks, Trails, and Utilities</i> .	-
Mixed Housing Neighborhood or TND	UC	The location of residential uses is restricted as follows: frontages along Church Street, Main Street, and High Street shall not be put to ground floor residential use, nor used for private residential yards.	-	-
Manufactured Home Park or Subdivision ¹	AF RS RU	-	Collector	1,000 feet
Community Home	RS	Allowed in mixed housing neighborhoods and TNDs	-	1,000 feet ²
Community Home	CS CG	Permitted only on upper floors of mixed-use buildings.	-	1,000 feet ²
Community Home	UC	Allowed on upper floors of mixed-use buildings; or in residential-only buildings in which access to individual units is internal; or in the Center subdistrict of a TND; or as a permitted housing type in a mixed-housing neighborhood.	-	1,000 feet ²
Live/Work Units	RS RU	Permitted in the "Center" subdistrict of a TND and in the "General" subdistrict of a TND within one block of the "Center" subdistrict.	-	-
Live-Work Units	BP	Permitted in groups of 10 or more.	Access shall be taken from local streets, except that clusters of live-work units may share a parking lot or structure that is accessed by a collector or arterial.	-



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Table 1.401 Residential Limited and Conditional Use Standards				
Use	District	Location	Required Access Type	Spacing from Same Use
TABLE NOTES: ¹ Manufactured home parks and subdivisions are subject to design standards. See Division 11.200, Manufactured Home Design Standards . ² This spacing is a requirement of RS 28:478, <i>Promotion of Community Based Homes</i> and not an independent requirement of the City of Zachary.				

Sec. 1.402 Home Limited and Commercial Uses

- A. **Generally.** The standards of Table 1.402, *Residential Limited and Special Use Standards*, apply to residential uses that are specified in Table 1.302, *Residential, Home, and Institutional Uses*, as "L" or "C."
- B. **How to Use Table 1.402, Home Use Standards.** The columns in Table 1.402, *Home Use Standards* establish the standards that apply to each of the limited and conditional home uses. Classifications of home uses are listed in columns, and standards are set out in rows. The rows are interpreted as follows:
1. *Minimum Lot Area.* The first row, minimum lot size, establishes the minimum lot size for the use.
 2. *Maximum Floor Area.* The second row, maximum floor area, limits the amount of the principal building that can be used for home uses.
 3. *Signage.* The third row, signage, establishes limitations on the signage related to the home use.
 4. *Separate Access or Entrance.* The fourth row, separate access or entrance, sets the standards for the type of access to the business. It is either a single access through the front door to the dwelling unit, or a separate access to the home use. Unless the use is in an accessory building or structure, there shall be internal connectivity between the home and business.
 5. *Outdoor Storage.* The fifth row, outdoor storage, regulates whether any materials used in the business may be stored outdoors.
 6. *Commercial Vehicles.* The sixth row, commercial vehicles, controls the parking of commercial vehicles and vehicles that advertise the business.
 7. *Street Frontage.* The seventh row, street frontage, limits the type of street from which the use must take vehicular access.
 8. *Parking.* The eighth row, parking, sets the standards for parking of home uses. These standards are in addition to the parking requirements for the dwelling unit itself.
 9. *Retail Sales.* The ninth row, retail sales, governs the sales or products from the use.
 10. *Prohibited Nonresidential Uses.* The tenth row, prohibited nonresidential uses, lists the nonresidential uses that are not allowed in conjunction with the specified home use.

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Table 1.402 Home Use Standards					
Classification of Home Use	Home Office	Home Occupation	Home Business	Family Child Day Care Home	Bed and Breakfast
Min. Lot Area (for uses that are located in a residential or agricultural zoning district)	-	5 acres	20 acres	6,000 sf.	10,000 sf.
Max. Floor Area	20% of floor area of principal building	33% of floor area of principal building	50% of floor area of principal building	33% of floor area of principal building	75% of floor area of principal building
Signage	Not Allowed	Not Allowed	Not Allowed	Not Allowed	4 sf. wall-mounted sign; 8 sf. monument sign permitted if the lot is larger than 10 acres
Separate Access or Entrance	Not Allowed	Not Allowed	Allowed	Allowed	Allowed
Outdoor Storage	Not Allowed	Not Allowed	Must be screened by buildings and 6-foot high opaque masonry or shadowbox fence.	Limited to play equipment in play area	Not Allowed
Commercial Vehicles	Not Allowed	Allowed only if stored in an enclosed garage	Allowed only if stored in an enclosed garage	Not Allowed	Not Allowed
Street Frontage	Any	Any	Collector	Any	Collector
Parking	-	-	1 additional space per non-family employee	2 additional spaces or circular driveway	1 additional space per bedroom that is available for rental
Retail Sales	No	Off-site deliveries only	Limited to products produced on-site	No	No
Prohibited Nonresidential Uses	Home office is allowed in conjunction with other uses, but standards for other uses must be met independently	Family child day care home; bed and breakfast	Family child day care home; bed and breakfast	Any other nonresidential use except home office in an area of the home that is not used for family child day care	Any other use except home office

- C. **Outdoor Displays.** Outdoor displays that are not signage, but are used to advertise the business, are not allowed for any home use.
- D. **Deliveries.** No home use shall take deliveries or ship products from the dwelling unit by any means other than personal vehicles, commercial parcel services, or postal service.



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Sec. 1.403 Institutional Limited and Conditional Uses

- A. **Generally.** The standards of Table 1.403, *Institutional Limited and Special Use Standards*, apply to institutional uses that are specified in Table 1.302, *Residential, Home, and Institutional Uses*, as "L" or "C."
- B. **How to Use Table 1.403, *Institutional Limited and Conditional Use Standards*.**
1. The columns in Table 1.403, *Institutional Limited and Conditional Use Standards* establish the standards that apply to each of the limited and conditional institutional uses. They are interpreted as follows:
 - a. *Use.* The first column, use, lists the residential use to which the standards specified in the same row apply.
 - b. *District.* The second column, district, lists the district in which the standards specified in the same row apply. For example, in the second row, the use is "College / University / Vo-Tech" and the district is "AF," while in the third row the use is the same, but the district is "I." This means that different standards apply to the use, depending upon the district in which it is located.
 - c. *Street Frontage.* The third column, street frontage, specifies the classification of street that must provide access to the use.
 - d. *Use and Scale Limitations.* The fourth column, use and scale limitations, specifies any limitations on the operation or scale of the use. Floor area limitations may also be applicable. See [Article 2, District Intensity and Bulk Standards](#).
 - e. *Spacing from Same Use.* The fifth column, spacing from same use, specifies the shortest distance from parcel line to parcel line that is required between the limited or conditional use and other parcels put to the same use.
 - f. *Spacing from Other Use.* The sixth column, spacing from other use, specifies the shortest distance from parcel line to parcel line that is required between the limited or special use and specified other uses.
 - g. *Buffering.* The seventh column, buffering, specifies additional buffering that must be provided around the use.
 2. A dash "-" in a table cell means that the requirement of the column does not apply to the use indicated in the row.

Table 1.403 Institutional Limited and Conditional Use Standards						
Use	District	Street Frontage	Use and Scale Limitations	Spacing from Same Use	Spacing from Other Uses	Buffering
Cemetery	RE RS	Collector or higher	-	-	-	Type A along street; Type C along borders with residential

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Table 1.403 Institutional Limited and Conditional Use Standards						
Use	District	Street Frontage	Use and Scale Limitations	Spacing from Same Use	Spacing from Other Uses	Buffering
College / University / Vo-Tech	AF	-	Agricultural or forestry research and teaching facilities	-	-	-
College / University / Vo-Tech	I	Arterial or Collector	Laboratory facilities and vocational schools only	-	-	-
Institutional Residential	AF RS	Arterial or Collector	Limited to community homes, residential facilities, and Alzheimer's special care units	1,000 ft.		Type B along street; Type C along borders with residential
Institutional Residential	RU	Arterial or Collector	Limited to community homes, residential facilities, and Alzheimer's special care units	1,000 ft.	-	Type A along street; Type C along borders with residential
Institutional Residential	CG	Collector or Local	-	1,000 ft.	300 ft. from residential; 600 ft. from schools	Type A along street
Place of Public Assembly	RE RS	Uses larger than 5,000 sf. must front on collector or arterial streets; Uses larger than 10,000 sf. must front on arterial streets	All parking shall be provided on-site	-	-	Type A along lot lines
Place of Public Assembly	RU	Collector	All parking shall be provided on-site	600 ft.	-	Type A along lot lines
Place of Public Assembly	AF	Uses larger than 5,000 sf. must front on collector or arterial streets; Uses larger than 10,000 sf. must front on arterial streets	All parking shall be provided on-site; lot may also include one single-family home	-	-	Type A along lot lines within 100 ft. of building used for public assembly
Private Club	RE RS	-	Limited to residents and guests of development in which the private club is located	-	-	Type B along lot lines
Private Club	RU	-	Limited to residents and guests of development in which the private club is located			Type A along lot lines
Private Club	AF	Uses larger than 5,000 sf. must front on collector or arterial streets; Uses larger than 10,000 sf. must front on arterial streets	All parking shall be provided on-site; lot may also include one single-family home	-	Use shall be set back 50 feet from residential lot lines	Type A along lot lines within 100 ft. of building used for public assembly



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Table 1.403 Institutional Limited and Conditional Use Standards						
Use	District	Street Frontage	Use and Scale Limitations	Spacing from Same Use	Spacing from Other Uses	Buffering
Protective Care	AF	Any	90% open space ratio; principal building set back at least 125 feet from all lot lines	2 miles	1,320 ft. from places of public assembly	Type E on all sides; internal fencing as required for security
Public Service	RE RS RU NC	Arterial or Collector	Buildings limited to 12,000 sf.; post offices allowed on arterial frontages only; no outdoor storage for any public service use	-	-	Type C around fleet parking areas and along lot lines shared with residential; Type A along street
Residential Eldercare Facilities	RE RS NC AF	Local Street	Limited to single-family home used for 4 or fewer client residents	600 feet	-	-
Residential Eldercare Facilities	RS	Collector or Arterial Street	-	-	-	Type A along street; Type B along other lot lines
Residential Eldercare Facilities	UC	Any	Facilities for ambulatory residents only	-	-	-

Sec. 1.404 Commercial Limited and Conditional Uses

- A. **Generally.** The standards of Table 1.404, *Commercial Limited and Special Use Standards*, apply to commercial uses that are specified in Table 1.302, *Commercial, Recreation, and Amusement Uses*, as "L" or "C."
- B. **How to Use Table 1.404, *Commercial Limited and Conditional Use Standards*.**
1. The columns in Table 1.404, *Commercial Limited and Conditional Use Standards* establish the standards that apply to each of the limited and conditional commercial uses. They are interpreted as follows:
 - a. *Use.* The first column, use, lists the residential use to which the standards specified in the same row apply.
 - b. *District.* The second column, district, lists the district in which the standards specified in the same row apply. For example, in the first row, the use is "Alcoholic Beverage Sales" and the district is "RS," while in the second row the use is the same, but the district is "RU." This means that different standards apply to the use, depending upon the district in which it is located.
 - c. *Location or Street Frontage.* The third column, location or street frontage, specifies the location within a development where the use is permitted or the classification of street that must provide access to the use.

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- d. *Operation.* The fourth column, operation, specifies any limitations on the operation of the use
 - e. *Scale, Design, and Signage.* The fifth column, scale, design, and signage, specifies any limitations on the scale and design of the building or site and any limitations on signage for the use.
 - f. *Spacing from Other Uses.* The sixth column, spacing from other uses, specifies any requirements for spacing between the listed use and other uses.
 - g. *Buffering.* The seventh column, buffering, specifies additional buffering that must be provided around the use.
2. A dash "-" in a table cell means that the requirement of the column does not apply to the use indicated in the row.

Table 1.404 Commercial Limited and Conditional Use Standards						
Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Alcoholic Beverage Sales	RS	"Center" subdistrict of TND	According to beverage license; service of alcohol allowed at restaurants with following characteristics only: (1) all food prepared on premises; (2) not less than 60% of food eaten on premises; (3) bar closes not more than 1 hour after kitchen; and (4) facility accommodates at least 25 patrons. At least 60% of revenues from non-alcohol sources (independent records shall be kept); hours of operation restricted by Sec. 6-33 Zachary Code of Ordinances	See Division 11.300, <i>Traditional Neighborhood Development</i>	Not less than 300 ft. from playground; school; or place of public assembly, unless sales occur in an overnight accommodations use.	-
Alcoholic Beverage Sales	RU	"Center" subdistrict of TND	According to beverage license; hours of operation restricted by Sec. 6-33 Zachary Code of Ordinances	See Division 11.300, <i>Traditional Neighborhood Development</i>	Not less than 300 ft. from playground; school; or place of public assembly, unless sales occur in an overnight accommodations use	-



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Table 1.404
Commercial Limited and Conditional Use Standards

Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Alcoholic Beverage Sales	CS	Arterial or Collector street frontage	According to beverage license; service of alcohol allowed at restaurants with following characteristics only: (1) all food prepared on premises; (2) not less than 60% of food eaten on premises; (3) bar closes not more than 1 hour after kitchen; and (4) facility accommodates at least 25 patrons. At least 60% of revenues from non-alcohol sources (independent records shall be kept); hours of operation restricted by Sec. 6-33 Zachary Code of Ordinances.	Use limited to restaurants that seat 25 to 100 patrons	Not less than 300 ft. from playground; school; or place of public assembly, unless sales occur in an overnight accommodations use	Type C along lot lines shared with residential uses
Alcoholic Beverage Sales	CG	Arterial or Collector street frontage	According to beverage license; hours of operation restricted by Sec. 6-33 Zachary Code of Ordinances	-	Not less than 300 ft. from playground; school; or place of public assembly, unless sales occur in an overnight accommodations use	Type C along lot lines shared with residential uses
Alcoholic Beverage Sales	UC	Any frontage; if located in a TND, must be in "Center" subdistrict	According to beverage license; hours of operation restricted by Sec. 6-33 Zachary Code of Ordinances	-	Not less than 300 ft. from playground; school; or place of public assembly, unless sales occur in an overnight accommodations use	-
Car Wash	CG BP I	-	-	Entrances and exits shall not face abutting streets or residential uses unless screened by a 6-foot tall masonry wall located within the building envelope, or type C bufferyard located at the lot line	-	-
Commercial Lodging	RU	"Center" subdistrict of TND	-	<i>See Division 11.300, Traditional Neighborhood Development</i>	-	-
Commercial Retail	RS RU	"Center" subdistrict of TND	-	<i>See Division 11.300, Traditional Neighborhood Development</i>	-	-

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Table 1.404 Commercial Limited and Conditional Use Standards						
Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Commercial Retail	BP I	-	Limited to retail sales that serve employees of district, or sales of products manufactured in district	-	Signs may not be visible outside of district, unless related to uses that sell products made in district	-
Drive-in / Drive-Through Facility	CS	Arterial or Collector street frontage	In CS district, hours of operation limited to 7 AM to 7 PM; no drive-in or drive-through sales of alcoholic beverages.	Menu boards and ordering stations shall not face abutting streets; ordering stations that are located within 30 feet of residential lot lines shall be screened with a 6 foot masonry wall; access may be taken only from arterial, collector, or internal circulation in shared parking area. City may prohibit access from arterial if such access would create unsafe condition due to street conditions, level of service, and intersection configuration.	-	Ordering stations facing abutting residential uses shall be buffered with a 5 to 6 foot high masonry wall and landscaping
Drive-in / Drive-Through Facility	CG BP	Arterial or Collector street frontage	No drive-in or drive-through sales of alcoholic beverages.	Menu boards and ordering stations shall not face abutting streets; ordering stations that are located within 30 feet of residential lot lines shall be screened with a 6 foot masonry wall; access may be taken only from arterial, collector, or internal circulation in shared parking area. City may prohibit access from arterial if such access would create unsafe condition due to street conditions, level of service, and intersection configuration.	-	Ordering stations facing abutting residential uses shall be buffered with a 5 to 6 foot high masonry wall and landscaping
Heavy Retail	CG BP I	Arterial street frontage	-	-	-	Type C buffer around outside storage
Kennel	RS RU	"Center" subdistrict of TND	-	No outdoor dog runs; soundproofing required; See Division 11.300, Traditional Neighborhood Development	-	-



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Table 1.404 Commercial Limited and Conditional Use Standards						
Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Kennel	CS CG	-	Dogs runs may be used only from 8 AM to 7 PM	No outdoor dog runs within 200 feet of a residential zoning district except where the runs are screened by the building or a masonry wall 8 feet in height; building must be soundproofed	-	-
Light Automobile Service	RS RU	"Center" subdistrict of TND; must have frontage along arterial	-	Principal building shall be built to a line 5 ft. from the right-of-way; canopy and service bays shall be located behind principal building and screened by principal building; See Division 11.300, <i>Traditional Neighborhood Development</i> . City may prohibit access from arterial if such access would create unsafe condition due to street conditions, level of service, and intersection configuration.	-	Type B bufferyard along interior lot lines
Light Automobile Service	CG BP I	Arterial or Collector	-	Canopy shall be designed to be architecturally consistent with principal building; service bay doors shall not face abutting streets or residential uses unless screened by a 6-foot tall masonry wall located within the building envelope, or Type C bufferyard located at the lot line. City may prohibit access from arterial if such access would create unsafe condition due to street conditions, level of service, and intersection configuration.	-	-
Mixed-Use	RS RU	"Center" subdistrict of TND	-	See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-

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Table 1.404 Commercial Limited and Conditional Use Standards						
Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Mixed-Use	CS CG	-	Any use allowed in the district as a permitted or limited use is allowed, (except institutional residential), subject to any applicable limited use standards	A unified site plan that includes a pedestrian-oriented circulation plan is required; Parking may be reduced to composite demand during peak hour (see Sec 9.204, <i>Mixed Uses and Shared Parking</i>); Each residential unit shall have not less than 75 sf. of public or private outdoor space designed for use and enjoyment of residents	-	-
Office	RS RU	"Center" subdistrict or "General" subdistrict within one block of "Center" subdistrict of TND	-	Buildings located in "General" subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-
Restaurant	RS RU	"Center" subdistrict of TND	-	See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-
Restaurant	BP I	-	Hours limited to 7 AM to 6 PM	-	Signs may not be visible outside of district	-
Services	RS RU	"Center" subdistrict or "General" subdistrict within one block of "Center" subdistrict of TND	-	Buildings located in General subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-
Vehicle Sales, Rental, and Service	CG	Arterial or Collector	-	Service bays shall not face abutting streets or residential uses; service bays and car wash areas are set back 50 feet from residential uses	Flags shall not be strung to span between light poles; temporary signs that are legible from the street shall not be placed on cars	Type B buffer along street; may include 3 vehicle stands per 100 feet, provided that the vehicle standards are not higher than 3 feet



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Table 1.404
Commercial Limited and Conditional Use Standards

Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Veterinarian	RS RU	"Center" subdistrict of TND	No on-site services for livestock or large animals; all services provided within enclosed building	Soundproofing required; kennels may be included as an accessory use, subject to limited use standards for kennels	-	-
Veterinarian	CS CG	-	No on-site services for livestock or large animals; all services provided within enclosed building	Soundproofing required; Kennels may be included as an accessory use, subject to limited use standards for kennels	-	-
Veterinarian	UC BP	-	No on-site services for livestock or large animals; all services provided within enclosed building	Soundproofing required; Floor area shall not exceed 5,000 sf.; Kennels are not allowed	-	-

Sec. 1.405 Recreation and Amusement Limited and Conditional Uses

- A. **Generally.** The standards of this Section apply to recreation and amusement uses that are specified in Table 1.302, *Commercial, Recreation, and Amusement Uses*, as "L" or "C," as set out herein.
- B. **Adult Uses.** Adult uses are permitted only in the I district, provided that compliance with the following standards is demonstrated:
1. **Separation.** The separation and radius standards set out below shall be measured in a straight line from the closest points between property lines, without regard to intervening structures or objects, for adult uses that are located on a single tenant parcel. If said establishment is located within a multi-tenant building, the measurement shall be from the property line of the entire multi-tenant premises to the property line of other uses specified below, without regard to the intervening structures or objects.
 - a. No adult use shall be located within a 1,000 ft. radius of any other adult use.
 - b. No adult use shall be located within a 1,000 ft. radius of any parcel located in a residential zoning district or development, whether inside or outside of the corporate boundaries of the City of Zachary
 - c. No such use shall be located within a 1,000 ft. radius of any parcel put to any of the following uses:
 - i. A school or other place of public assembly (including places of worship);
 - ii. Outdoor recreation;
 - iii. Indoor recreation;
 - iv. Indoor commercial amusement; or
 - v. Other public facility typically catering to minors or at which minors typically congregate

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- d. No adult use shall be located within 1,000 feet of an entryway or gateway to the City of Zachary.
 2. *No Residential Occupancy on Same Block.* No adult use shall be allowed on either side of the same block as a residential occupancy.
 3. *Single Use Within Premises or Building.* Not more than one adult use shall be located in one building or on one parcel or lot, whichever measurement is more restrictive.
 4. *Adult Use Not an Accessory Use.* No adult use shall be permitted to operate as an accessory use, although more than one sub-type of adult use may be combined in the same establishment.
 5. *Conduct of Business.* No adult use shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified anatomical areas and or specified sexual activities by display, decorations, signage, show window, or other opening from outside of the building.
 6. *Signage.* Signage for such establishments shall not display any pictures, photographs, silhouettes, drawing, or other pictorial representations of a sexually-oriented nature.
- C. **Campgrounds.** Campgrounds are permitted as a limited use in the AF district, provided that compliance with the following standards is demonstrated:
1. *Residential Use Prohibited.* No recreational vehicle or tent shall be used as a permanent place of residence.
 2. *Density.* The overall density shall not exceed three campsites or RV sites per acre for the entire site.
 3. *Open Space.* Open space for common areas shall be planned and provided for at convenient, centralized locations to provide at least 100 sf. per recreational vehicle space. Such open space may include play yards, pools, and recreation buildings, but do not include public facilities and open areas that are not accessible to the tenants.
 4. *Sites.* Campsites and RV spaces must be between 1,600 and 2,400 sf. in size and must be clustered in groups of not less than four and not more than 12 campsites or RV spaces.
 5. *Utilities.* All utilities shall be installed underground, and shall be provided to sites as follows:
 - a. All RV spaces shall be served with sanitary sewer, water, and electricity.
 - b. All tent campsites shall be served with water and electricity.
 6. *Improvement.* Each parking space shall be improved with crushed stone or comparable permeable surface in order to maintain a dust-free condition and still water to infiltrate into the ground.
 7. *Buffers.* This use shall have a minimum of a Type C bufferyard on all sides, except that the bufferyard shall be Type D if the adjoining property is in residential use.
 8. *Floodplain.* No campsites shall be allowed in the 100-year floodplain.



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9. *Site Area.* The minimum area of a parcel proposed for development as a campground is 20 acres.
 10. *Access.* Access to campgrounds shall be from an arterial or collector road. One access point to the campground shall be provided for each 50 campsites.
- D. **Commercial Amusement, Indoor.** Indoor commercial amusement is permitted as a limited use in the RS, RU, and UC districts, provided that compliance with the following standards is demonstrated:
1. *Location.* In the RS or RU district, the use is located in the "Center" subdistrict of a TND and the design of the building is consistent with the applicable nonresidential design standards.
 2. *Restriction on Shooting Ranges.* In the RS, RU and UC districts, shooting ranges are not allowed.
- E. **Commercial Amusement, Outdoor.** Outdoor commercial amusement is permitted in the RU and AF districts, provided that compliance with the following standards is demonstrated:
1. *Standards for the RU district.*
 - a. The use shall be located in the "Center" subdistrict of a TND.
 - b. The use shall not exceed five acres in area.
 - c. The use shall not be a shooting range, archery range, golf driving range, or any other use that could create dangerous projectiles.
 2. *Standards for the AF District.*
 - a. A Type D bufferyard is installed between the outdoor commercial amusement use and abutting lots or parcels that are zoned or used for residential purposes.
 - b. The premises shall either be closed between 9:30 p.m. and 7:00 a.m. or shall be located at least 300 feet from any property that is used for residential purposes.
- F. **Recreation, Indoor.** Indoor recreation is permitted as a limited use in the RE, RS, RU, NC, and BP districts, provided that compliance with the following standards is demonstrated:
1. *Use Restrictions in Residential Districts.* In the RE, RS, RU, and NC districts, indoor recreation is limited to use by residents of the development in which the use is located and their guests. Access shall be controlled to ensure compliance with this requirement. This requirement does not apply to the "Center" subdistrict of a TND.
 2. *Use Restrictions in Business Park District.* In the BP district, indoor recreation is limited to fitness centers.
- G. **Recreation, Outdoor.** Outdoor recreation is permitted as a limited use in the RE, RS, RU, NC, CS, and UC districts, provided that compliance with the following standards is demonstrated:
1. *Operational Restrictions in the RE, RS, RU, NC, and CS Districts, Except in the "Center" Subdistrict of TNDs.*
 - a. The premises shall be closed between 9:30 p.m. and 7:00 a.m.; or
 - b. Portions of the use, such as an athletic field, that are open later than 9:30 p.m. shall be located at least 300 feet from any property that is used for residential purposes.

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2. *Design and Operation of Outdoor Recreation in the "Center" Subdistrict of TNDs and the UC district.*
 - a. Outdoor recreation facilities are limited to recreational facilities that are integrated into formal public gathering spaces, such as formal gardens, small playgrounds, interactive fountains, and comparable facilities.
 - b. Large-scale outdoor recreation, such as driving ranges, ball fields, and playing courts, are not allowed.

Sec. 1.406 Industrial Limited and Conditional Uses

- A. **Generally.** The standards of this Section apply to industrial uses that are specified in Table 1.302, *Industrial, Agricultural, and Special Uses*, as "L" or "C," as set out herein.
- B. **Disposal.** Disposal is permitted as a conditional use only in the I district, provided that compliance with the following standards is demonstrated:
 1. *Agency Approvals.*
 - a. Applications for approval of waste disposal facilities shall provide:
 - i. Copies of all permits required by state and federal law for the type of disposal facility proposed.
 - ii. Copies of all environment impact assessment reports required by state and/or federal agencies.
 - iii. A facility plan, which must include a drainage plan to prevent ponding that could promote waste decay and carry unstable organic materials into nearby water supplies.
 - b. No permits will be issued by the City for a disposal facility until:
 - i. All other required permits are issued;
 - ii. All pertinent "Right to Know" documents are submitted pursuant to 42 U.S.C. §116, *Emergency Planning and Community Right-to-Know Act*;
 - iii. The City Engineer has approved the facility plan; and
 - iv. The Planning and Zoning Commission has approved the site plan and facility plan.
 2. *Bond.* All local permits will require a two-year bond. If any regulated pollutants are found in excess of state and/or federal standards, the bond funds will be used towards corrective measures as determined by the state and/or federal agencies with legal jurisdiction.
 3. *Size, Separation and Buffering, Generally.* The following standards apply to disposal facilities that do not process or store automobiles.
 - a. Minimum lot size: 40 acres.
 - b. The facility shall be separated from other uses as follows:
 - i. 1,320 feet from property with residential or mixed-use zoning; and
 - ii. 600 feet from property with commercial zoning.



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- c. All collection and processing facilities must have Type C buffer around all activities, in addition to any other buffering that may be required by [Article 10, Landscaping](#).
 - d. All containers shall be clearly marked to identify type of material that may be deposited and in accordance with state and federal requirements.
 - e. Truck access shall be from an arterial or collector street, and the site shall be located such that trucks may travel from an arterial to the site without passing through areas that are zoned for residential use.
4. *Size, Separation and Buffering, Automotive Disposal or Scrap Metal Processing.* The following standards apply to automotive disposal or scrap metal processor facilities:
- a. Minimum lot size: 20 acres.
 - b. The facility shall be separated from other uses as follows:
 - i. 300 feet from property with residential or mixed-use zoning; and
 - ii. 100 feet from property with commercial zoning.
 - c. All collection and processing facilities must have a Type C buffer around all activities, in addition to any other buffering that may be required by [Article 10, Landscaping](#).
 - d. Vehicles shall not be stacked to heights greater than twelve feet.
 - e. Truck access shall be from an arterial or collector street, and the site shall be located such that trucks may travel from an arterial to the site without passing through areas that are zoned for residential use.
5. *Operation and Inspection.*
- a. All disposal facilities shall be maintained free of litter, rodents, and other undesirable material and/or pests; and will be inspected for cleanliness at least once a year by the City.
 - b. A notice shall be displayed on all facilities prohibiting dropping off of materials outside of appropriate enclosures or containers.
6. *Prohibited Practices.*
- a. No radioactive waste or materials shall be accepted or deposited at any disposal facility, transfer site, or transfer station.
 - b. It shall be unlawful for any person to set fire or allow fire to be set to any solid waste at a transfer site or transfer station.
 - c. No person shall cause or allow open burning of solid waste at a solid waste disposal facility without Federal, State, and local permits as required for such operations.
 - d. No person shall discard or deposit solid waste onto the ground at or on property adjacent to a transfer site or transfer station.
- C. **Extraction.** Extraction is permitted as a conditional use in the AF and I districts, provided that compliance with the following standards is demonstrated:

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1. *Wellhead Protection Zone.* Extraction uses are prohibited in areas that are within a cone of influence around a wellhead.
2. *Spacing.* Extraction uses shall not be located closer than 1,000 feet to any existing residential occupancy or place of public assembly.
3. *Hours of Operation.* Extraction uses shall restrict hours of operation to 7:00 a.m. to 6:00 p.m., weekdays.
4. *End Use Plan.* An end use plan shall be submitted providing the following:
 - a. The ground surface shall be restored to:
 - i. A condition permitting one of the following uses: agriculture, forestry, or to support building construction; or,
 - ii. A waterbody with sufficient peripheral land for residential or recreational development. The City may require a sketch plan showing how this is to be accomplished (see c., below).
 - b. Either an escrow account or an annual fee shall be required, as approved by the City Attorney and City Council, to ensure that there are sufficient funds set aside to guarantee the restoration.
 - c. If future recreational use is identified, management of such use shall be established. Risks from any subsurface materials to future uses shall be identified.
 - d. Monitoring and post-closure wells and maintenance plans shall be submitted and adequate funding provided to continue their operation and maintenance.
5. *Buffers.* All buffers shall contain berms.
 - a. The buffer must be at least 100 feet wide, and either put to an agricultural use or forested.
 - b. Noise studies shall be conducted to establish the minimum required berm height, based on the equipment operated at the site. The berm shall ensure that noise is not generated at a level greater than 55 dBA at the property line.
6. *Ground and Surface Water.* Different types of extraction uses have different potential impacts on groundwater. The following standards shall be applied to the review and approval of these uses:
 - a. The depth of natural soil and type of soil shall be reviewed. The City may impose requirements for drainage systems, monitoring, and pumping systems to prevent potential ground and surface water pollution or ground water depletions that would interfere with private water wells.
 - b. Any processing which results in waste materials shall provide information about the pollution potential of the waste materials. The City shall deny any plans that have a substantial risk of polluting ground or surface waters due residual or waste materials from extraction.
 - c. Monitoring wells may be required.



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- d. An emergency response plan must be reviewed and approved. The City may impose fees or require security to ensure that an adequate emergency response fund is available.
- D. **Recycling and Salvage.** Recycling and Salvage is permitted as a limited use in the CG, BP, and I districts, provided that compliance with the following standards is demonstrated:
1. *Reverse Vending Machines.* Reverse vending machines may be located in parking areas, according to the following standards:
 - a. Setbacks:
 - i. At least 30 feet from entrances to commercial/industrial structures
 - ii. At least 15 feet from lot lines
 - b. No obstruction of pedestrian or vehicular traffic.
 - c. No occupation or blocking of parking spaces required by primary use.
 - d. Machines shall not be larger than:
 - i. 50 sf. in area; and
 - ii. Eight feet in height.
 - e. Construction shall be of durable, waterproof, and rustproof material.
 - f. Machines shall be clearly marked to identify type of material to be deposited, operating instructions, and the phone number of the operator.
 - g. The area in which the machines are located shall be maintained in a clean litter-free condition on a daily basis.
 2. *Collection Facilities.* Collection facilities are permitted according to the following standards:
 - a. All materials shall be stored in containers.
 - b. Containers shall be constructed of durable, waterproof, and rustproof material.
 - c. Collected materials shall be covered when site is not attended, and secured from scavenging.
 - d. In the CG and BP districts, the facility shall be of a capacity that is sufficient to accommodate materials collected during a bi-weekly collection cycle.
 - e. If the facility is located within 1,000 feet of residentially-zoned land, any power-driven equipment shall not operate between 7:00 p.m. and 7:00 a.m.
 3. *Automotive Salvage Yards.* Automotive salvage yards are only permitted in the I district, and only according to the following standards:
 - a. The salvage yard shall be surrounded by a Type D bufferyard.
 - b. Inoperable vehicles shall not be visible from public rights-of-way.
 - c. The use shall be spaced from other districts as follows:
 - i. From residential or mixed-use zoning districts: 300 feet.

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- ii. From commercial zoning districts: 100 feet.
 - d. The facility shall be maintained free of litter, rodents, and other undesirable material and/or pests; and will be inspected for cleanliness at least once a year by the City.
- 4. *Processing Facilities.* Processing facilities are only permitted in the I district, if it is demonstrated that, in addition to the other standards of this UDC:
 - a. All outside storage of materials shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized.
 - b. No storage, excluding trucks, shall be visible above the height of the buffer area if located within 1,000 feet of residentially zoned land.
 - c. The power-driven processing facility shall not operate between 7:00 p.m. and 7:00 a.m.
- 5. *Composting Facility.* Composting facilities are only permitted in the I district, and only according to the following standards:
 - a. Located on a site that is a minimum of five acres in size.
 - b. Surrounded by a type E bufferyard.
 - c. Composting facilities shall be spaced from other districts as follows:
 - i. From residential or mixed-use zoning districts: 900 feet.
 - ii. From commercial zoning districts: 300 feet.
- 6. *Prohibited Practices.* No hazardous or radioactive waste or materials shall be accepted or deposited at any recycling or salvage facility.
- E. **Utilities, Community.** Community Utilities are is permitted as a conditional use in the RE, RS, RU, NC, and UC districts, and as a limited use in the AF and CG districts, provided that compliance with the following standards is demonstrated:
 - 1. *Demonstration of Need.* The applicant shall demonstrate that the intended use cannot be located in a district in which it is has been established as a permitted use, and is therefore required to be located in one of the above districts for essential service reasons.
 - 2. *Required Buffers.*
 - a. A Type D bufferyard shall be provided on all sides in all districts except the UC District.
 - b. In the UC district, the design of the community utilities shall be compatible with the urban environment. Masonry walls, rather than fences, shall be used to screen the facility. The street faces shall be improved to provide an expansion of the sidewalk areas with landscaping and seating to make the utility a useful part of the streetscape.
- F. **Utilities, Neighborhood.** Neighborhood Utilities are permitted as a limited use in the RE, RS, RU, NC, AF, CS, CG, and UC districts, provided that compliance with the following standards is demonstrated:
 - 1. *Substations.*



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- a. Utility substations shall be accessed from arterial or collector streets, or within 1/2 block of arterial or collector streets, unless such location is not practical.
 - b. Utility substations are screened from view from public rights-of-way and abutting properties by:
 - i. Enclosure in structures that are designed to appear to be buildings; or
 - ii. A Type C bufferyard, which may include a fence if necessary for safety or security reasons.
2. *Other Facilities.* Lift stations, telephone switches, ground-mounted transformers, and similar facilities are screened from view from public rights-of-way and abutting properties by:
- a. Enclosure within a building; or
 - b. Enclosure by a hedge composed of shrubs planted 36 inches on center and maintained at a height that is at least equal to the utility facility. A fence may be located behind the hedge if necessary for safety or security reasons. An opening on one side of the facility of a size that is sufficient to provide access is permitted, provided that it does not face a public right-of-way, unless otherwise required by the City Engineer in the case of public facilities which require such access.
- G. **Warehousing and Transportation.** Warehousing and Transportation is permitted as a limited use in the BP district, provided that compliance with the following standards is demonstrated:
1. *Zoning of Abutting Property.* The zoning designation of abutting property and property across abutting streets is either BP or I.
 2. *Truck Routing.* A truck routing plan shall be submitted for approval by the City Engineer to prevent trucks from using streets that are residential in character.
 3. *Use Restrictions.* The warehousing and transportation use:
 - a. Does not involve hazardous materials; and
 - b. Occupies no more than 60% of a building that is used for related light industrial purposes.

Sec. 1.407 Agricultural Limited and Conditional Uses

- A. **Generally.** The standards of this Section apply to agricultural uses that are specified in Table 1.304, *Industrial, Agricultural, and Special Uses*, as "L" or "C," as set out herein.
- B. **Agriculture or Forestry.** Agriculture and forestry uses are permitted as a limited use in the RE, RS, and RU districts, provided that:
 1. *Time of Establishment.* The agriculture or forestry use was established as of the effective date of this UDC; and
 2. *Operations.* The agriculture or forestry use is operating in accordance with generally accepted agricultural or forestry practices or traditional farm practices. The use is presumed to be operating in accordance with generally accepted agricultural or forestry practices or traditional farm practices unless the contrary is demonstrated.

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- C. **Commercial Stables.** Commercial stables are permitted in the RE district, provided that compliance with the following standards is demonstrated:
1. *Limitation on Use.* The stables are provided for the primary use by residents of an equestrian development in which:
 - a. Not all lots are large enough to accommodate horses; and
 - b. Riding trails through the development's open spaces are provided.
 2. *Minimum Land Area.* The minimum land area is 2 acres per horse.
- D. **Nursery or Greenhouse.** Nurseries and greenhouses are permitted in the CG district, provided that compliance with the following standards is demonstrated:
1. *Access.* Access to the use is provided from an arterial or collector street.
 2. *Spacing.* Active areas of the nursery are spaced not less than 100 feet from residential uses.

Sec. 1.408 Special Limited or Conditional Uses; Airports

Airports are permitted as provided in Article III, *Airport Location and Vicinity Compatible Land Use Zoning Ordinance*, and Article IV, *Noise Impact Zones and Restrictions*, both set out in Chapter 90, *City of Zachary Code of Ordinances*.

Sec. 1.409 Special Limited or Conditional Uses; Parking and Transit Facilities

- A. **Generally.** Parking and transit facilities are permitted as a limited use in the UC district according to the standards of this Section.
- B. **Parking Facilities.** Parking lots and parking structures are permitted as a principal use in the UC district if it is demonstrated that:
1. The parking lot or structure will contribute to the development of a pedestrian-friendly urban environment in the UC district by reducing the impact of required parking (and related access) on individual sites; and
 2. The parking lot or structure is screened from view from Main Street and Church Street by buildings or a Type A bufferyard.
- C. **Transit Facilities.** Transit facilities are permitted as a principal use in the UC district if it is demonstrated that:
1. Buses will not be stored on-site;
 2. Associated parking is designed according to the standards of Subsection B., above; and
 3. The facilities are located on the edge of the UC district.

Sec. 1.410 Special Limited or Conditional Uses; Wireless Telecommunication Facilities

- A. **Generally.** Wireless telecommunication facilities are permitted as a conditional use in all districts, subject to the requirements of this Section.



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- B. **Application.** A report shall be submitted to the City describing the type of proposed wireless telecommunications facility, its effective range, and the technical reasons for its design and placement. If the proposed facility cannot be accommodated on an existing or approved facility within a one mile search radius of the proposed site, the report shall specify the reasons and conditions along with supporting proof. And in an effort to promote long-range planning to minimize the number of towers and their impact on the community, providers of commercial wireless telecommunications service shall include a plan delineating existing and any proposed or anticipated facilities within five miles of the City of Zachary.
- C. **Structure.** Stealth or monopole structures are preferred. Applications for **guyed towers** or **lattice towers** shall demonstrate why a stealth or monopole structure is not feasible.
- D. **Location and Setbacks.** Location preference for new wireless telecommunications facilities shall be given to publicly owned structures used for public safety communications, co-location sites, and industrial or commercial sites. Preference shall also be given to locations for wireless telecommunications facilities attached to or sited adjacent to existing structures. Appropriate types of existing structures may include, but not be limited to buildings, water tanks, telephone and utility poles, signage and sign standards, traffic signals, light standards, and roadway overpasses.
1. *Residential Districts and UC District.* New wireless telecommunications facilities should avoid sites located within or near residential districts or the UC district unless the application includes information sufficient to demonstrate all of the following:
 - a. The location and type of preferred sites which exist within the proposed or technically feasible coverage area.
 - b. Good faith efforts and measures must be taken by the carrier to secure the indicated preferred sites outside of residential districts or the UC district. Specific reasons must be provided which demonstrate why such efforts and measures were unsuccessful and why the location of the proposed facility site is essential to meet the service demands of the applicant.
 - c. That the proposed facility is a stealthed facility.
 2. *Co-Location Provisions.* Any new co-located wireless telecommunications tower shall be designed structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is more than 100 feet in height and for at least one additional user if the tower is more than 60 feet in height but less than 100 feet in height.
 - a. The tower owner shall allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.
 - b. The conditions and terms for shared use shall be submitted to the City of Zachary. If the land for the tower is leased, a copy of the relevant portions of a signed lease allowing the tower owner to add additional users and associated facilities on the tower shall be submitted at the time of application to the City for tower erection.
 3. *Yards and Setbacks.*
 - a. Towers shall be sited within the rear yard unless located on a vacant lot or parcel.

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- b. Monopole type towers shall provide a minimum setback of the tower designed fail area plus 10% of the tower height.
 - c. Guyed and lattice type towers shall provide a minimum setback of the tower designed fail area plus 25% of the tower height.
 - d. Communications ancillary buildings shall comply with the setback requirements for accessory structures that apply in the district in which the tower is located.
- E. Cessation of Use and Removal.**
1. *Prior Notification.* The operator of the facility shall provide a copy of the notice to the Federal Communications Commission of intent to cease operations of subject facility when any intended cessation of operations on the site is expected to exceed a 90-day period.
 2. *Removal.* The operator shall remove all obsolete or unused facilities from the site within 120 days of termination of its lease with the property owner or cessation of operations.
 3. *Bond.* All applicants will furnish a surety bond or make an equivalent cash deposit in an amount to be determined by the Planning and Zoning Commission to be necessary to remove an abandoned facility in the event the persons responsible for such removal default.
- F. Identification.** The operator shall provide signage that includes the current name and telephone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment/structure.
- G. Safety.**
1. *Antenna Capacity/Wind Load.* Wireless telecommunications facilities shall be certified by a qualified and licensed professional engineer in the State of Louisiana to conform to the latest structural standards and wind loading requirements of the Building Code.
 2. *Security Fence.* Ground ancillary buildings and towers shall have a security fence erected within the visually screened area.
 3. *Liability Insurance.* Proof of adequate liability insurance shall be filed with the City of Zachary annually.
- H. Aesthetic Design and Treatment.** All proposed wireless telecommunications facilities shall be designed so as to minimize their visual impact to the maximum extent feasible.
1. *Architectural Integration.* All façade-mounted wireless telecommunications facilities shall be positioned and designed to appear as an integral part of the structure.
 - a. Identical paint colors, alone, are not sufficient to meet this requirement.
 - b. Facade-mounted antennas shall be integrated architecturally with the style and character of the structure or otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly created architectural feature so as to be completely screened from view.
 - c. To the extent feasible, facade-mounted antennas should not be located on the front or most prominent facade of a structure and should be located out of the pedestrian line-of-sight, unless stealthing techniques reasonably eliminate visual impacts.



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- d. Whenever possible, equipment structures, back-up generators, and other equipment associated with building-mounted antennas should be installed within the existing building compound. If this is not feasible, the equipment shall be screened, fenced, or landscaped to minimize its appearance from off-site locations and to visually blend with the surrounding natural and built environment. Equipment buildings should be designed in an architectural style and constructed of exterior building materials that are consistent with surrounding development and/or land use setting (if applicable).
 - e. Roof-mounted antennas and associated equipment shall be located as far back from the edge of the roof as technically possible to minimize visibility from street level locations. Where appropriate, construction of a rooftop parapet wall or other appropriate screening may be required to hide the facility.
2. *Signage.* No advertising signage or identifying logos shall be displayed on any wireless telecommunications facility, except for small identification plates used for emergency notification or hazardous or toxic materials warning.
 3. *Stealth Design.* The applicants are encouraged to consider providing architectural treatments and to use “stealth techniques” to reduce potential visual impacts for all wireless telecommunications facilities, and especially for those proposed in areas easily visible from a major traffic corridor, commercial center or residential area. Stealth techniques can be required as conditions of approval when determined to be necessary to mitigate adverse visual impacts.
 4. *Colors and Materials.* The colors and materials of wireless telecommunications facilities shall be chosen to minimize the visual impact of the facilities.
 5. *Screening.* The lowest ten feet of any accessory building and tower shall be visually screened on a year-round basis with suitable vegetation or nearby buildings. The scale and nature of vegetation shall be of sufficient density to conform with the above requirements within three years, as determined by the Planning and Zoning Commission.
 6. *Lighting.* The use of lighting shall not be allowed on wireless telecommunications facilities except as a required public safety measure by the Federal Aviation Agency. However, when incorporated into the approved design of the tower, light fixtures used to illuminate athletic fields, parking lots, or similar areas may be attached to the tower.

Division 1.500 Temporary Uses

Sec. 1.501 General Standards for All Temporary Uses

- A. **General Standards.** All temporary uses except garage sales and portable storage units shall be reviewed for compliance with the following criteria:
 1. *Traffic Circulation.*
 - a. The temporary use shall have adequate sight distances for safe vehicular ingress and egress.

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- b. It shall have adequate turn lanes or provide for police control to move traffic in and out of the use.
 - c. The adjacent street shall have adequate capacity to handle the anticipated additional flow of traffic.
2. *Public Convenience and Litter Control.*
- a. Adequate on-site restroom facilities may be required to handle the demands of the expected attendance.
 - b. Adequate waste containers are required, along with a written guarantee that all litter generated by the event (on the site and adjoining rights-of-way) will be removed at no expense to the City.
3. *Signs.* A sign permit is not required; however, the responsible official shall review and approve all signage. The responsible official may approve signs up to 50 percent larger than would be permitted in [Article 6, Signs](#), and may also approve attention getting devices such as flags. The number, type, and size of signs and attention getting devices shall be determined using the following criteria:
- a. The need for obvious way-finding information, based on the location of the event and its likelihood of attracting visitors who are unfamiliar with the area, who may lose their way or become confused if signs are limited to the sign area otherwise allowed by this Code.
 - b. The type, length, and scale of the proposed event or use.
 - c. Sight distances, other signage in the area or on the property, sidewalks, traffic volumes, and travel speed of the street upon which the signage is proposed to be posted.
 - d. Other lighting in area, neighboring uses, ambient light intensity, and glare potential.
 - e. Logical travel routes to the site.
- B. **Additional Conditions.** The responsible official may establish additional conditions that are desirable to ensure land use compatibility or minimize potential adverse impacts on neighboring properties, public streets, or the City as a whole. These may include, but are not limited to, the following:
1. Modification or restrictions on hours of operation or duration of the event.
 2. Posting of a performance bond to ensure clean up and removal of signage.
 3. Arrangements satisfactory to the City for the provision of special or extraordinary services or equipment, such as traffic control or security personnel, or equipment that is needed to ensure safe operation of the use or event. This may also include liability insurance.
 4. The responsible official may refuse to issue a permit if the event is too large to be safe for the site, neighborhood, street, or other infrastructure, or may place limits on attendance to ensure it can be properly managed.



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Sec. 1.502 Standards for Temporary Uses in Temporary Structures

- A. **Generally.** The standards of Table 1.502, *Temporary Uses in Temporary Structures*, apply to temporary uses that are specified in Table 1.305, *Temporary Uses*, as "L" or "C."
- B. **How to Use Table 1.502, Temporary Use Standards.** The columns in Table 1.502, *Temporary Uses in Temporary Structures* establish the standards that apply to each of the limited and conditional temporary uses that occupy temporary structures. Classifications of temporary uses are listed in rows, and standards are set out in columns. The columns are interpreted as follows:
 1. *Temporary Use.* The first column, temporary use, refers to the use.
 2. *District.* The second column, district, refers to the district in which the standards of the row apply.
 3. *Time of Installation.* The third column, time of installation, refers to when the temporary building in which the temporary use will be conducted may be installed (or, in the case of temporary storage, dropped off).
 4. *Time of Removal.* The fourth column, time of removal, refers to when the temporary use must be removed or converted to a permanent building housing a permitted use.
 5. *Setbacks.* The fifth column, setbacks, refers to the setbacks that are required between the temporary building and the lot lines.
 6. *Landscaping.* The sixth column, landscaping, refers to the landscaping that must be installed with the temporary building.

Table 1.502 Temporary Uses in Temporary Structures					
Temporary Use	District	Time of Installation	Time of Removal	Setbacks	Landscaping
Temporary Manufactured Buildings	<ul style="list-style-type: none"> RE RS RU NC AF CS CG UC 	Later of: final plat; or development plan approval which indicates location of temporary building; or issuance of curb cut permit for the development	For construction trailers and offices, 10 days after issuance of CO for final building in the development; or, For residential subdivisions, after framing of last house in development; or, for other uses; or For other uses (e.g., schools), 3 years, which may be renewed or extended by the City Council for good cause shown.	20 feet from all property lines, unless applicant demonstrates to City that such location interferes with construction staging	Temporary buildings shall be screened with foundation plantings, which may be in containers, provided that the containers are braced to avoid toppling in the wind.
Model Homes and On-Site Real Estate Sales Offices	<ul style="list-style-type: none"> RE RS RU 	After the roads and all utilities are installed and the subdivision plat is recorded or a guarantee in the form of a letter of credit or other similar instrument is filed with the City	After the last house is framed. Removal not required if the model home or office structure is converted to a use permitted in the district within 10 days after the issuance of a certificate of occupancy for the final unit or building in the development to which the sales office or model relates	Per district requirements for principal buildings	As required for residential uses in the district

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Table 1.502 Temporary Uses in Temporary Structures					
Temporary Use	District	Time of Installation	Time of Removal	Setbacks	Landscaping
On-Site Real Estate Sales Offices	CG	After the roads and all utilities are installed and the subdivision plat is recorded or a guarantee in the form of a letter of credit or other similar instrument is filed with the City	Completion of first multi-tenant building	Per district requirements for principal buildings, unless applicant demonstrates to City that such location interferes with construction staging	Temporary buildings shall be screened with foundation plantings, which may be in containers, provided that the containers are braced to avoid toppling in the wind
Portable Storage Units	RE RS RU NC AF CS CG BP I	Any time	Within three days of the date that they are placed and if they are set back at least two feet from all lot lines; or Within 30 days of the date that they are placed if they are set back according to the requirements for accessory buildings; or Upon completion of construction on the site if they are on-site to support construction activities.	(See previous column)	-
Portable Storage Units	UC	Any time	15 days	Must be located behind principal building. If no principal building, must be set back at least 50 feet from rights-of-way and 5 feet from other lot lines.	-

Sec. 1.503 Public Interest or Special Events

- A. **Generally.** Special events in athletic stadiums or City parks shall be regulated separately by the City and are not limited by this section. All other special events shall comply with the standards of this Section.
- B. **Frequency.** Special events shall not be held on a parcel or lot more than two times per calendar year.
- C. **Duration.** Special events shall not last more than four consecutive days.
- D. **Access.** If deemed necessary by the Police Department, property access shall be controlled by special traffic personnel paid for by the applicant. Prior to receiving a permit, the applicant must provide written communication from the Police Department indicating adequate provisions have been made for access and traffic control.



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- E. **Sanitation.** The City, or another applicable department or agency, shall approve the sanitary provisions. Prior to receiving a permit, the applicant must provide written communication from the applicable department or agency indicating adequate provisions have been made.
- F. **Electrical Service and Lighting.** The City shall review electric and lighting facilities for electrical code compliance and compliance with the standards for lighting set out in Section 9.501, *Nonresidential Lighting Standards*, prior to issuing a permit for the special event.
- G. **Noise.** Maximum noise levels may be established. The levels shall be based on the distance of the site to adjoining residential uses and any history of complaints about similar events.
- H. **Surety.** The applicant shall provide surety for complete site restoration upon the termination of the event.

Sec. 1.504 Garage Sales

- A. **Generally.** Garage sales, porch sales, yard sales and the like are permitted as a temporary use in the RE, RS, RU, NC, AF, and CS districts, subject to the standards of this Section.
- B. **Household Goods Only.** No merchandise other than that normally found in the household may be sold. New merchandise may not be sold.
- C. **Duration.** The sale shall not last more than three consecutive days.
- D. **Number of Annual Sales.** Not more than three sales per year are allowed on a lot or parcel.
- E. **Joint Sales.** In the event that more than one household desires to conduct a joint garage sale, porch sale or yard sale, then each participant in the multiple-owner sale shall be considered to have had an individual sale. Neighborhood or community garage sales that involve more than ten parcels upon which sales will take place, or more than one acre of common open space upon which sales will take place shall be permitted pursuant to Section 1.503, *Public Interest or Special Events*, and shall not count as an individual garage sale.
- F. **Signs.** Signs shall not be placed in rights-of-way. All garage sale signs shall be removed when the garage sale ends.

Sec. 1.505 Commercial Outdoor Sales Events

- A. **Generally.** Commercial outdoor sales events shall only be permitted when hosted by a shopping center as a center-wide event, where the owner or operator of the center has submitted a plan for the location and types of merchandise to be sold. Such events shall comply with the standards of this Section.
- B. **Site Area.** The minimum site area for shopping centers applying for this use is three acres.
- C. **Sale Area.** Outdoor sales events shall be permitted only where no more than two percent of the required parking area is used for the staging of the event.
- D. **Setback.** No outdoor sales event shall be located closer than 35 feet to any public road frontage.
- E. **Frequency and Duration.** Each shopping center is permitted three temporary use permits for commercial outdoor sales events per year. One such permit shall terminate after 72 hours from



initiation of the sale, and the other two shall be terminate three weeks from the initiation of the sale.

Sec. 1.506 Sidewalk Sales and Farmers' Markets

- A. **Generally.** A City-designated farmers' market may be established by the City and permit issued after review by the responsible official. Individual businesses may hold sidewalk sales within the UC and CG districts without an individual permit on sales event days when established by the City for specific weekends or weeks. All other sidewalk sales and farmers' markets are allowed as a temporary use in "Center" subdistrict of TND developments, as well as the AF, CS, CG, and UC districts, subject to the standards of this Section.
- B. **Sidewalks.**
1. There shall be not less than four feet of unobstructed sidewalk width during the sales event to ensure safe pedestrian circulation.
 2. Small, temporary displays for items such as groceries, hardware, books, etc. may be allowed in the optional sidewalk finish area, provided the display does not impede persons passing side by side comfortably on the sidewalk. Such items shall be brought inside at the close of business each day.
- C. **Parking Area Closures.** The City may temporarily close part of a parking area for an event in the UC district, or may approve the temporary closure of parking areas for events within the "Center" subdistrict of a TND, which may be used for sales in accordance with a City-approved plan.
- D. **Duration.** Individual sales shall be limited to a total of 10 days each calendar year, with no more than three applications per year. City-designated sales events shall not count against individual events.



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ARTICLE 2 DISTRICT INTENSITY AND DEVELOPMENT STANDARDS

Division 2.100 Purpose and Application of Article

Sec. 2.101 Purpose of Article

- A. **Generally.** The purpose of this Article is to establish the general standards for the intensity and character of development that is allowed within each zoning district.
- B. **Standards Applicable to Parcels Proposed for Development.** This Article establishes general regulations for the character of entire parcels proposed for development through the use of limitations on density (and, in some cases, intensity); minimum requirements for open space or landscaped surface area; a minimum area requirement for the parcel proposed for development (which is based on the proposed use and zoning district); minimum requirements for the provision of utilities; in the case of traditional neighborhood developments and mixed housing neighborhoods, the minimum required mix of housing types; and the averaging of lot sizes.
- C. **Standards Applicable to Individual Lots.** The character of development of individual lots is regulated by minimum requirements for building height, lot dimensions, setbacks, building coverage, floor area ratios (in limited cases), and open space or landscaped surface ratios (if the individual lot is the entire parcel proposed for development). This Article also provides standards for the design and location of accessory uses and structures, and for common incidental uses of residential and nonresidential lots (e.g., parking of commercial vehicles).

Sec. 2.102 Application of Article

- A. **Generally.** The Divisions of this Article apply as set out in this Section.
- B. **Standards for Parcels Proposed for Development.** [Division 2.200, Standards for Parcels Proposed for Development](#) applies to parcels of land that either have not been subdivided, or are proposed for re-subdivision (replatting) or modifications to an existing subdivision.
- C. **Residential Lot, Yard, and Height Standards.** After the standards of [Division 2.200, Standards for Parcels Proposed for Development](#), are applied (or if a subdivision in a zoning district other than NC had been approved before the effective date of this UDC), then the standards of [Division 2.300, Residential Lot, Yard, and Height Standards](#), are applied to the development of individual lots in the subdivision. If the mixed housing requirements of [Section 2.202, Mix of Housing Types in TNDs and Mixed Housing Neighborhoods](#), apply, then the selection of lot sizes shall implement those requirements.
- D. **Special Standards for Neighborhood Conservation Districts.**
 1. All buildings that lawfully existed or were the subject of an active building permit on the effective date of this UDC are "conforming" buildings with respect to the height and setback requirements of this UDC if they are located in an NC district. However, this Section does not make the following buildings conforming:
 - a. Buildings that were constructed without required permits; and



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- b. Buildings that were constructed in violation of permit requirements.
- 2. All lots that lawfully existed on the effective date of this UDC are "conforming" with respect to lot width and lot area if they are located in the NC district. The lot width and lot area requirements of [Division 2.400, Special Standards for Neighborhood Conservation Districts](#), apply only to the subdivision or combination of existing lots or parcels within the NC district after the effective date. See Example 2.102, *Application of Lot Width and Area Requirements in the NC₁₅ District*.

Example 2.102		
Application of Lot Width and Area Requirements in NC₁₅ District		
This example uses the requirements of the NC₁₅ District (15,000 square foot minimum lot area and 100 foot minimum lot width) for illustrative purposes only. All of the other NC subdistricts are applied in the same way.		
Lawfully Existing Lot #1: NC15 District, 10,000 square feet in area, 90 feet wide	Lawfully Existing Lot #2: NC15 District, 35,000 square feet in area, 190 feet wide	Lawfully Existing Lot #3: NC15 District, 35,000 square feet in area, 250 feet wide
This lot is "conforming" because it is lawfully existing on the effective date of this UDC. Since it is smaller than the minimum lot size (and narrower than the minimum lot width), it cannot be subdivided further.	This lot is "conforming" because it is lawfully existing on the effective date of this UDC. Even though it is more than twice as large as the minimum lot area for the NC ₁₅ District, it cannot be subdivided unless the new lots are configured to meet the minimum lot width requirement.	This lot is "conforming" because it is lawfully existing on the effective date of this UDC. This lot could be subdivided into two lots, provided that each lot meet the minimum lot area and minimum lot width requirements of the NC ₁₅ District.

- 3. Neighborhood Conservation districts are not subject to the standards of [Division 2.200](#) and [Division 2.300](#), but are subject to the general residential standards of [Division 2.500, General Residential Standards](#), except where specifically exempted within that Division.
- F. **Nonresidential Lot, Yard, and Height Standards.** After the standards of [Division 2.200, Standards for Parcels Proposed for Development](#), are applied (or if a nonresidential subdivision had been approved before the effective date of this UDC), then the standards of [Division 2.600, Nonresidential Lot, Yard, and Height Standards](#), are applied to the development of buildings on the parcel or its individual lots.
- G. **Accessory Uses and Supplemental Standards.** In addition to the standards that may apply to a particular use or building, there are standards that apply to all residential and nonresidential uses. These standards cover accessory uses and accessory buildings; fences; vehicle storage; pools; tennis courts; the keeping of animals; and the like. See [Division 2.500, General Residential Standards](#) and [Division 2.700, General Nonresidential Standards](#).

Division 2.200 Standards for Parcels Proposed for Development

Sec. 2.201 Residential Density, Open Space, and Parcel Standards

- A. **Generally.** The open space, density, utility, and minimum parcel area standards that are applicable residential development are provided in Table 2.201, *Residential Parcel Standards*.
- B. **How to Use Table 2.201, Residential Parcel Standards.** The columns in Table 2.201, *Residential Parcel Standards* establish the open space, density, utility, and minimum parcel areas that apply to each of the residential development types. They are interpreted as follows:

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1. The first column, district and development type (average lot size), reflects the zoning districts (shaded in orange) and the residential development types that are permitted in the district. The average lot size listed in parentheses is for informational purposes only (it is the basis for the calculations in the table), and is not a regulatory requirement.
2. The second column, min. OSR, reflects the minimum open space ratio. Open space is required only for development that contains five or more dwelling units. OSR is calculated as set out in Section 17.203, *Open Space Ratio*. The third column, gross density, contains the maximum gross density for the use.
3. The third column, gross density, contains the maximum gross density. This is generally expressed in dwelling units per acre. Where "rms" (rooms) is used, the word refers to individual sleeping rooms, and rooms such as kitchens, storage, laundry, and common areas are not included. Gross density is calculated as set out in Section 17.205, *Density*.
4. The fourth column, net density, contains the maximum net density, which is used in the site capacity calculations in Article 3, *Open Space and Environmental Quality*. Where "rooms" is used, the word refers to individual sleeping rooms, and rooms such as kitchens, storage, laundry, and common areas are not included. Net density is calculated as set out in Section 17.205, *Density*.
5. The fifth column, required utilities, indicates if public water and sewer utilities are required. The requirement for public utilities, either from the City or from an approved utility provider, is indicated by "Public," whereas "On-Site" indicates that on-site potable water and individual sewer systems are permitted (public systems may also be used, and must be used instead of on-site systems if lines are available within 300 feet of the development).
6. The sixth column, min. area of parcel proposed for development, indicates the minimum area of the parcel proposed for development that is required for the development of the specified use.

District and Development Type (average lot size)	Min. OSR	Gross Density	Net Density	Required Utilities	Min. Area of Parcel Proposed for Development
RE					
Single-Family Detached (3 acre average lot area)	N/A	0.30	0.30	On Site (see B.5., above)	N/A
Single-Family Detached Cluster (1 acre average lot area)	50%	0.42	0.85	On Site (see B.5., above)	40 acres
Conservation Subdivision (0.5 acre average lot area)	65%	0.57	1.63	Public	40 acres
Preservation Subdivision (0.33 acre average lot area)	75%	0.57	2.28	Public	40 acres
Mixed Housing Neighborhood (10,000 sf. average lot area)	80%	0.62	3.10	Public	80 acres
Residential Eldercare Facilities	90%	2 rms / ac.	20 rms / ac.	Public	10 acres



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**Table 2.201
Residential Parcel Standards**

District and Development Type (average lot size)	Min. OSR	Gross Density	Net Density	Required Utilities	Min. Area of Parcel Proposed for Development
RS					
Single-Family Detached (12,000 sf. average lot area)	10%	2.01	2.23	Public	N/A
Single-Family Detached Cluster (8,000 sf. average lot area)	25%	2.32	3.09	Public	15 acres
Conservation Subdivision (7,200 sf. average lot area)	30%	2.46	3.51	Public	20 acres
Preservation Subdivision (6,000 sf. average lot area)	35%	2.47	3.80	Public	20 acres
Mixed-Housing Neighborhood (5,000 sf. average lot area)	45%	2.70	4.91	Public	40 acres
TND (mixed use, mixed-housing)	20%	3.60	4.50	Public	100 acres
Manufactured Home Park or Subdivision (6,000 sf. average lot area)	40%	2.54	4.23	Public	minimum area: 15 acres maximum area: 30 acres
Institutional Residential	25%	8 rms / ac.	10.66 rms / ac.	Public	1 acre
Residential Eldercare Facility	25%	10 rms / ac.	13.33 rms / ac.	Public	1 acre
RU					
Single-Family (5,000 sf.)	10%	4.09	4.54	Public	N/A
Attached Single-Family (2,600 sf.)	20%	7.68	9.60	Public	1 acre
Multifamily	20%	15.67	19.59	Public	minimum area: 4 acres maximum area: 10 acres
TND (mixed use 2,200 sf.)	10%	6.33	7.03	Public	15 acres
Manufactured Home Park or Subdivision (6,000 sf. average lot area)	30%	2.97	4.24	Public	10 acres
Institutional Residential	30%	17.46 rms / ac.	26.34 rms / ac.	Public	20,000 sf.
Residential Eldercare Facility	30%	18.40 rms / ac.	27.13 rms / ac.	Public	20,000 sf.
AF					
Single-Family Detached (10 acre average lot area)	N/A	0.09	0.09	On Site (see B.5., above)	N/A
Single-Family Detached Cluster (5 acre average lot area)	40%	0.10	0.18	On Site (see B.5., above)	200 acres
Conservation Subdivision (1 acre average lot area)	60%	0.34	0.85	On Site (see B.5., above)	160 acres
Preservation Subdivision (0.5 acre average lot area)	75%	0.39	1.57	On Site (see B.5., above)	160 acres
Institutional Residential	95%	2 rms / ac.	20 rms / ac.	On Site (see B.5., above)	20 acres
Manufactured Home Park or Subdivision (6,000 sf. average lot area)	80%	1.00	5.00	Public	40 acres



Sec. 2.202 Mix of Housing Types in TNDs and Mixed Housing Neighborhoods

A. Generally.

1. The following types of development shall include a mix of housing types pursuant to this Section.
 - a. Mixed-housing neighborhoods; and
 - b. TNDs.
2. Individual housing types that may be included in the mix are set out in Section 2.301, *Single-Family Detached and Single-Family Detached Cluster*, through Section 2.308, *Cottage Homes*.

- B. **Housing Type Mix Requirements.** Table 2.202, *Housing Type Mix Requirements*, sets out the mix of housing types that are required for mixed housing neighborhoods and TNDs. When calculating the percentage of each housing type in a proposed development, normal rounding is allowed.

Number of Dwelling Units in Mixed Housing Neighborhood or TND	Min. No. of Housing Types	Max. % Any Housing Type	Min. % Any Housing Type ¹
Less than 40	1	100	20
40 - 89	2	75	25
90-149	3	55	20
150- 220	4	50	12
More than 220	5	30	10

TABLE NOTE:
¹ This requirement applies even if more than the minimum number of housing types are provided.

- C. **Phasing.** When a development is to be phased, the maximum residential development capacity of the entire site shall be used for calculating the required mix. When a parcel is to be subdivided and developed as multiple mixed housing neighborhoods or TNDs over time, the City may impose a mix based on the original property size to ensure an adequate mix of housing types.

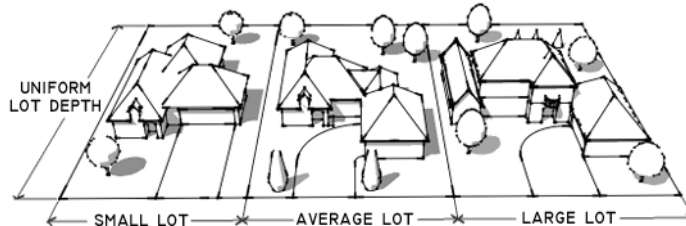
Sec. 2.203 Residential Lot Averaging and Distribution of Averaged Lots

- A. **Generally.** Lot averaging is a design technique which replaces a minimum lot with an average lot width and a requirement that certain percentages of lots fall into one of three lot area groups: small lots, average lots, and large lots. See Figure 2.203, *Lot Averaging*. Lot averaging shall be applied as required in subsection B., and is optional in other cases.



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**Figure 2.203
Lot Averaging**



B. Applicability.

1. Lot averaging shall be applied:
 - a. To a housing type when there are more than 40 units of the housing type in a mixed housing development or TND (e.g., if there are 50 single family detached homes, 45 patio homes, and 30 standard townhomes in a development, lot averaging must be applied to the single family detached and patio homes, but is not required for the townhomes).
 - b. To any of the following types of development that contains more than 40 dwelling units: single family detached, single family detached cluster, conservation cluster, and preservation cluster developments.
2. Lot area groups for each housing type are provided in the tables of [Division 2.300, Residential Lot, Yard, and Height Standards](#).
3. Where lot averaging is not required, but the tables of [Division 2.300, Residential Lot, Yard, and Height Standards](#), indicate three lot area groups, the average lot area group shall be used to establish minimum lot area and minimum lot depth for the housing type.

C. **Identifying Lots in Each Group.** Lots within each size group are identified by lot width. Small lots shall meet the minimum lot width for small lots, and their lot width may be up to (but not including) the lot width of the average lot category. Average lots shall meet the minimum lot width for average lots, and their lot width may be up to (but not including) the lot width of the large lot category. Large lots must meet the minimum lot width for large lots, and their width is not limited.

D. **Calculating the Required Number of Lots of Each Lot Area Group.** In the tables of [Division 2.300, Residential Lot, Yard, and Height Standards](#), that provide for variable lot sizes, the column titled "percent in width type," indicates the minimum proportion of each lot area group that must be provided. The minimum number of small and average lots shall be rounded up to the nearest whole number. The large lot category is always listed as "remainder" because after the minimum proportions for small and average lots are met, the remainder of the lots may be large lots.

E. **Distribution of Averaged Lots.** Lots in the three lot area groups shall be distributed as follows:

1. Lots in each of the three lot area groups (small lots, average lots, and large lots) shall be mixed on each block or cul-de-sac so that they are spread evenly through the development (except as provided in D.2., below). Concentrating lots of a single lot area group in separate areas of a development is not allowed.



2. TND and mixed housing neighborhood plans may designate a mix of housing types or diverse single-family house sizes on a single block or block face. The Planning and Zoning Commission may approve such developments even if they do not strictly comply with subsection D.1., above, if it finds that the overall distribution of housing types in the development does not unreasonably concentrate small lots.

Sec. 2.204 Nonresidential and Mixed-Use Parcel Standards

- A. **Generally.** The standards that are applicable nonresidential development are provided in Table 2.204, *Nonresidential and Mixed Use Standards*. The table includes provisions for density, intensity, utility requirements, and minimum area for the parcel proposed for development.
- B. **How to Use Table 2.204, Nonresidential and Mixed Use Development Standards.** The columns in Table 2.204, *Nonresidential and Mixed Use Development Standards*, establish the landscape area, floor area, utility, and parcel area standards that apply to each of the nonresidential uses. They are interpreted as follows:
 1. The first column, district and development type, reflects the zoning districts (shaded in orange) and the nonresidential or mixed uses that are allowed.
 2. The second column, LSR, reflects the minimum landscape surface ratio for the development type. LSR is calculated as set out in Section 17.204, *Landscape Surface Ratio*.
 3. The third column, maximum floor area, contains the maximum floor area for the use, which may be expressed as an absolute maximum, a maximum size for individual buildings, a gross floor area ratio, or no maximum ("N/A").
 4. The fourth column, required utilities, his column indicates if public water and sewer utilities are required. Requirement for public utilities, either from the City or from an approved public utility provider, is indicated by "Public," whereas "On-Site" indicates that on-site potable water and individual septic systems are permitted.
 5. The fifth and sixth columns, minimum and maximum area of parcel proposed for development, indicates the area of land that is required for the development of the specified use (minimum) and the maximum area of land that is allowed for the specified use in the district (maximum).



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Table 2.204 Nonresidential and Mixed Use Parcel Standards					
District and Development Type	Min. LSR	Maximum Floor Area	Required Utilities	Area of Parcel Proposed for Development	
				Minimum	Maximum
RE					
Cemetery	70%	Primary access to use provided by local street: 10,000 sf.; Primary access to use provided by collector street: 25,000 sf.; No maximum where primary access is provided by arterial street	Public	2 acres	N/A
Place of Public Assembly	60%		Public	30,000 sf.	N/A
Private Club	60%		Public	3 times average residential lot within 1,000 ft. in RE district	N/A
All Other Nonresidential Uses ¹	70%		Public	10 acres	N/A
RS					
Cemetery	70%	Primary access to use provided by local street: 10,000 sf.; Primary access to use provided by collector street: 25,000 sf.; No maximum where primary access is provided by arterial street	Public	2 acres	N/A
Place of Public Assembly	40%		Public	30,000 sf.	N/A
Private Club	40%		Public	3 times average residential lot within 1,000 ft. in RS district	N/A
Nonresidential Components of TND	<i>See Division 11.300, Traditional Neighborhood Development</i>				
All Other Nonresidential Uses ¹	50%	Primary access to use provided by local street: 10,000 sf.; Primary access to use provided by collector street: 25,000 sf.; No maximum where primary access is provided by arterial street	Public	5 ac.	N/A
RU					
Nonresidential Components of TND	<i>See Division 11.300, Traditional Neighborhood Development</i>				
Place of Public Assembly	15%	Primary access to use provided by local street: 10,000 sf.; Primary access to use provided by collector street: 25,000 sf.; No maximum where primary access is provided by arterial street	Public	Conforming Lot	N/A
Private Club	15%		Public	2 times average residential lot within 500 ft. in RU district	N/A
All Other Nonresidential Uses ¹	15%		Public	30,000 sf.	N/A

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Table 2.204 Nonresidential and Mixed Use Parcel Standards					
District and Development Type	Min. LSR	Maximum Floor Area	Required Utilities	Area of Parcel Proposed for Development	
				Minimum	Maximum
NC					
All Nonresidential Uses(NC ₄ ; NC _{5.4N} ; NC _{5.4W} subdistricts)	15%	Primary access to use provided by local street: 10,000 sf.; Primary access to use provided by collector street: 25,000 sf.; No maximum where primary access is provided by arterial street	Public	4 times the minimum lot area of the district	N/A
All Nonresidential Uses(NC _{10.5N} ; NC _{10.5W} ; NC ₁₅ ; NC ₂₀ subdistricts)	30%		Public	3 times the minimum lot area of the district	N/A
All Nonresidential Uses(NC _{2A} subdistrict)	50%		Public	8 acres	N/A
AF					
All Nonresidential Uses(except agriculture and forestry)	90%	0.02 Gross FAR	On-Site	20 acres	N/A
CS					
Commercial Retail / Service / Restaurant	35%	5,000 sf. freestanding building; or 9,000 sf. multi-tenant building with separate entrances; or 16,000 sf. drugstore; or 25,000 sf. multitenant building with drugstore anchor	Public	20,000 sf.	5 acres
Office	45%	Individual buildings shall not exceed 5,000 sf. for freestanding buildings; or 9,000 sf. for multi-tenant buildings with separate entrances	Public	20,000 sf.	N/A
Mixed Use	30%	N/A	Public	2 acres	N/A
All Other Nonresidential Uses ¹	50%	N/A	Public	20,000 sf.	N/A
CG					
Commercial Retail / Services	15%	N/A	Public	20,000 sf.	N/A
Mixed Use	15%	N/A	Public	2 acres	N/A
Vehicle Sales, Rental, and Service	15%	N/A	Public	5 acres	N/A
Office / Commercial Lodging / All Other Nonresidential Uses ¹	20%	N/A	Public	40,000 sf.	N/A
UC					
Commercial Retail / Services	NA	N/A	Public	5,000 sf.	N/A
Mixed Use(<50% Residential Floor Area)	NA	N/A	Public	20,000 sf.	N/A
Mixed Use (>= 50% Residential Floor Area)	15%	N/A	Public	20,000 sf.	N/A
Office / All Other Nonresidential Uses ¹	NA	N/A	Public	10,000 sf.	N/A



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Table 2.204 Nonresidential and Mixed Use Parcel Standards					
District and Development Type	Min. LSR	Maximum Floor Area	Required Utilities	Area of Parcel Proposed for Development	
				Minimum	Maximum
BP					
Commercial Retail / Restaurant	25%	Ground floor of mixed use building (LSR for Mixed Use applies) or FAR of 0.05 in free-standing building	Public	1 ac.	N/A
Office / Mixed-Use	30%	N/A	Public	1 ac.	N/A
Industrial on Lots that Abut Other Districts	30%	N/A	Public	1 ac.	N/A
Industrial on Lots that Do Not Abut Other Districts	20%	N/A	Public	1 ac.	N/A
Warehouse	15%	N/A	Public	1 ac.	N/A
All Other Nonresidential Uses ¹	30%	N/A	Public	1 ac.	N/A
I					
Commercial Retail / Restaurant	20%	Ground floor of mixed use building (LSR for Mixed Use applies) or FAR of 0.05 in free-standing building	Public	40,000 sf.	N/A
Industrial on Lots that Abut Other Districts	25%	N/A	Public	40,000 sf.	N/A
Industrial on Lots that Do Not Abut Other Districts	10%	N/A	Public	20,000 sf.	N/A
All Other Nonresidential Uses ¹	20%	N/A	Public	20,000 sf.	N/A
TABLE NOTE: ¹ See Division 1.300, Permitted; Limited; Conditional; and Prohibited Uses for other uses that are allowed in the district.					

Division 2.300 Residential Lot, Yard, and Height Standards

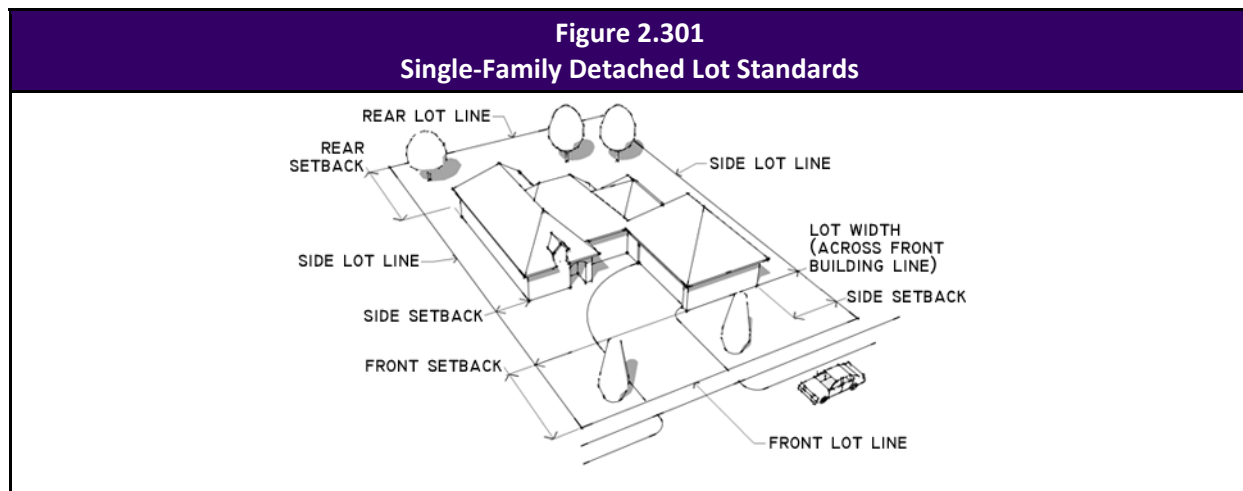
Sec. 2.301 Single-Family Detached and Single Family Detached Cluster Lot Standards

A. Generally.

1. The single-family detached housing type consists of a single-family residence located on a privately-owned lot with private yards on each side of the unit. Lot standards that are set out in this Section are illustrated in Figure 2.301, *Single-Family Detached Lot Standards*, and measured and calculated according to [Article 17, Calculations](#).
2. Subsection C., below, applies to:
 - a. All single-family development in the RE and AF districts;
 - b. All lot splits, lot combinations, new development of vacant lots, and redevelopment of lots in the NC district; and
 - c. All single-family development in subdivisions of 40 or fewer lots in the RS and RU districts.



- 3. Subsection D., below, applies to Subdivisions that include more than 40 single-family lots that are located in the RS or RU districts.
- B. **Where Permitted.** Single-Family Detached housing is permitted as provided in Section 1.302, *Residential, Home, and Institutional Uses*. In TNDs, it is permitted only in the "General" and "Edge" subdistricts.



- C. **Lot Standards for RE, and AF Districts, and Small Subdivisions in RS and RU Districts.** Lot and building standards for single-family detached units are set out in Table 2.301A, *Single-Family Detached Lot and Building Standards (RE / RS / RU / AF)*. See subsection A., above, for applicability.

**Table 2.301A
Single-Family Detached Lot and Building Standards (RE / RS / RU / AF)**

Zoning District and Development Type	Minimum					Maximum	
	Lot Area	Lot Width (ft.)	Front Setback ¹ (ft.)	Side Setback Min. / Total (ft.) ²	Rear Setback (ft.)	Height (ft.)	Building Coverage Ratio (%)
RE							
Single Family Detached	3 acres	200	75	20 / 60	50	35	15%
Single Family Detached Cluster	1 acre	150	75	15 / 40	40	35	15%
Conservation Subdivision	1/2 acre	100	50	10 / 25	40	35	40%
Preservation Subdivision	1/3 acre	80	30	6 / 16	40	35	45%
RS							
Single Family Detached	12,000 sf.	85	25	10 / 25	35	35	30%
Single Family Detached Cluster	8,000 sf.	70	25	5 / 12	30	35	45%
Conservation Subdivision	7,200 sf.	60	25	5 / 10	25	35	45%
Preservation Subdivision	6,000 sf.	60	20	5 / 10	10	25	45%
RU							
Single Family Detached	5,000 sf.	50	12	5 / 10	25	35	45%



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Table 2.301A Single-Family Detached Lot and Building Standards (RE / RS / RU / AF)							
Zoning District and Development Type	Minimum					Maximum	
	Lot Area	Lot Width (ft.)	Front Setback ¹ (ft.)	Side Setback Min. / Total (ft.) ²	Rear Setback (ft.)	Height (ft.)	Building Coverage Ratio (%)
AF							
Single Family Detached	10 acres	400	75	30 / 80	75	35	5%
Single Family Detached Cluster	5 acres	300	75	25 / 70	75	35	5%
Conservation Subdivision	1 acre	150	40	15 / 40	50	35	20%
Preservation Subdivision	1/2 acre	100	30	10 / 25	50	35	35%
TABLE NOTES:							
¹ Street yard refers to all yards on a street front, side, or rear.							
² The first number is the minimum side yard. The second number is the sum of the two side yards.							

- D. **General.** The lot and building standards for single-family detached units in large subdivisions in the RS and RU districts are set out in Table 2.301B, *Single-Family Lot and Building Standards; Large Subdivisions (RS / RU)*. The table requires three classifications of lot area (lot area groups) and width in order to ensure variety within the neighborhood. See subsection A., above, for applicability.

Table 2.301B Single-Family Detached Lot and Building Standards; Large Subdivisions (RS / RU)								
Zoning District and Development Type / Lot Area Group	Minimum					Maximum		
	Lot Area (sf.)	Lot Width (ft.)	Percent in Category	Front Setback (ft.)	Side Setback Min. / Total (ft.) ¹	Rear Setback (ft.)	Height (ft.)	Building Coverage (%)
RS								
Single Family Detached								
Small Lot	10,800	72	25%	25	6 / 16	35	35	24%
Average Lot	12,000	80	50%	25	6 / 16	35	35	30%
Large Lot	13,200	88	Remainder ²	25	6 / 16	35	35	30%
RS								
Single Family Detached Cluster								
Small Lot	7,200	63	25%	25	5 / 12	30	35	27%
Average Lot	8,000	70	50%	25	5 / 12	30	35	34%
Large Lot	8,800	77	Remainder ²	25	5 / 12	30	35	34%
RS								
Conservation Subdivision								
Small Lot	6,000	50	25%	25	5 / 10	30	35	30%
Average Lot	7,200	60	50%	25	5 / 10	30	35	35%
Large Lot	8,000	70	Remainder ²	25	5 / 10	30	35	35%
RS								
Preservation Subdivision								
Small Lot	5,000	50	25%	20	5 / 10	20	35	30%
Average Lot	6,000	60	50%	20	5 / 10	20	35	32%
Large Lot	7,000	70	Remainder ²	20	5 / 10	20	35	35%

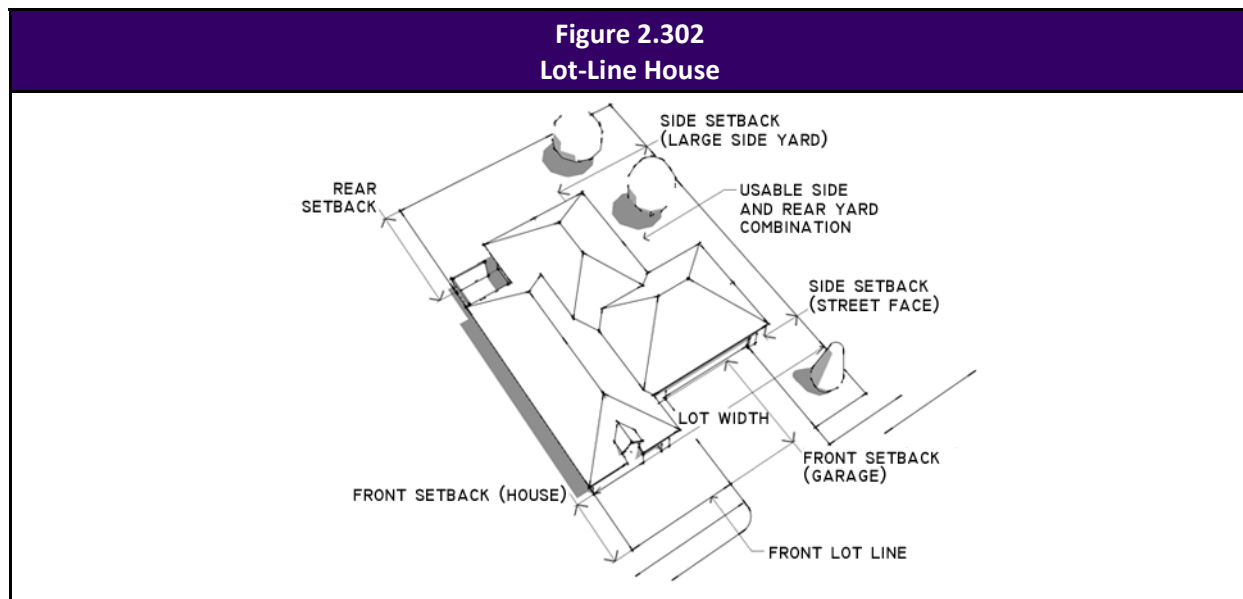


Table 2.301B Single-Family Detached Lot and Building Standards; Large Subdivisions (RS / RU)								
Zoning District and Development Type / Lot Area Group	Minimum						Maximum	
	Lot Area (sf.)	Lot Width (ft.)	Percent in Category	Front Setback (ft.)	Side Setback Min. / Total (ft.) ¹	Rear Setback (ft.)	Height (ft.)	Building Coverage (%)
RU	Single Family Detached							
Small Lot	4,400	44	25%	10	5 / 12	25	32	40%
Average Lot	5,000	50	50%	10	5 / 12	25	32	45%
Large Lot	5,600	56	Remainder ²	10	5 / 12	25	32	45%

TABLE NOTES:
¹ The first number is the minimum side yard. The second number is the sum of the two side yards. For example, 15 / 40 means that if one side yard is 15 feet, the other must be 25 feet (15 + 25 = 40).
² See Section 2.203, Residential Lot Averaging and Distribution of Averaged Lots, subsection C.

Sec. 2.302 Lot-Line House

A. **Generally.** The lot-line house single-family housing type differs from the typical single-family unit in that it is designed to have a large private side yard on one side, and no side yard on the other side (the lot-line house is positioned on one lot line without any setback). The lot sizes duplicate lot sizes for single-family. See Figure 2.302, Lot-Line House. Lot standards are set out in Table 2.302, Lot-Line House Lot and Building Standards.





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Table 2.302
Lot-Line House Lot and Building Standards

Development Type	Lot Line		
	Small	Average	Large
Lot Area Group	Small	Average	Large
Pct. In Group	25%	50%	remainder ¹
Min. Lot Area (sf.)	6,138	7,000	7,862
Min. Lot Width (ft.)	57	65	73
Front Setback (House / Garage) (ft.)	15 / 25		
Side Setback (Street Face / Large Side Yard) (ft.)	10 / 28 ²		
Rear Setback (ft.)	30		
Max. Height (ft.)	28		
Max. Building Coverage Ratio	33%	36%	39%

TABLE NOTES:
¹ See Section 2.203, *Residential Lot Averaging and Distribution of Averaged Lots*, subsection C.
² The lot-line house is set on one property line with a zero setback, and the building is intended to be L-shaped. The two side yard numbers are the minimum setback, the first being the street face of the building. This portion of the building must be at least 25 percent of the building's depth. The second number is the setback of the remainder of the unit, which provides a private side yard.

B. Design Requirements. The following standards apply to the lot-line house.

1. The side yard shall provide for a usable combined side and rear yard.
2. The building separation is a narrower side yard permitted on the front 20 percent of the building's depth. This permits an "L" shaped house, providing more privacy from the street.
3. No windows are allowed on the zero setback side of the house unless they open into an enclosed light court or are windows that are framed at a minimum of six foot four inches above the room floor so as to not provide a line of sight into the neighboring yard.

C. Where Permitted. Lot line houses are permitted in mixed-housing neighborhoods and TNDs. In TNDs, they are allowed only in the "Center" and "General" subdistricts.

Sec. 2.303 Patio House

A. Generally. A patio house is a detached, single-family unit typically situated on a reduced-size lot that orients outdoor activity within rear or side yard patio areas for better use of the site for outdoor living space. The patio house can be single-family, similar to a lot-line, or in a two-family configuration. The rear yard of a patio house is enclosed with a masonry wall, which is six feet high within required setback areas and sometimes higher within the building envelope. A narrow street yard is provided. See Figure 2.303, *Patio House*. Lot standards are set out in Table 2.303, *Patio House Lot and Building Standards*.



Figure 2.303
Patio House

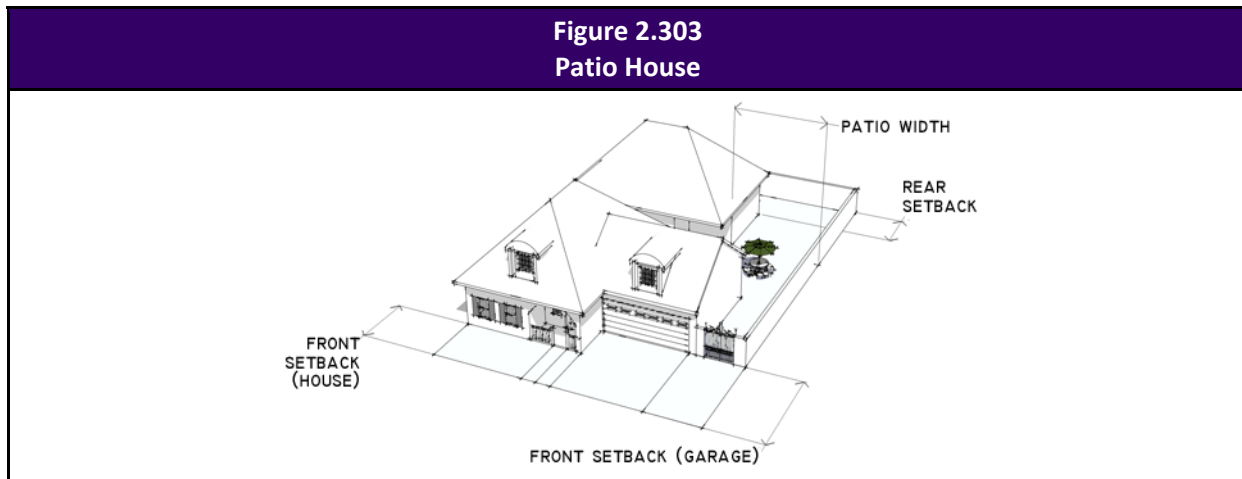


Table 2.303
Patio House Lot and Building Standards

Development Type	Patio House		
	Small	Average	Large
Lot Area Group	Small	Average	Large
Pct. In Group	25	50	remainder ¹
Min. Site Area per Group (sf.)	25,000		
Min. Lot Area per du (sf.)	4,640	5,000	5,450
Min. Lot Width per du (ft.)	50	55	60
Min. Front Setback (House / Garage ²) (ft.)	12 / 20		
Min. Building Separation (ft.)	10		
Min. Patio Area ³ (sf.)	930 / 48	1,000 / 48	1,000 / 48
Min. Patio Width (ft.)	20	20	22
Rear Setback (House / Garage ⁴) (ft.)	10		
Max. Height (ft.)	28		
Max. Building Coverage Ratio	50%	48%	48%

TABLE NOTES:

¹ See Section 2.203, *Residential Lot Averaging and Distribution of Averaged Lots*, subsection C.

² Setback from right-of-way to garage front when the garage faces the street instead of an alley.

³ The patio area is a rectangle having minimum area and width that is a basic yard, but does not count all the yard area. This ensures a useable principal outdoor space.

⁴ Setback from rear lot line to garage when the garage is accessed from an alley.

- B. **Where Permitted.** Patio houses are permitted in multi-housing neighborhoods, TNDs, and locations where attached single-family housing is permitted.

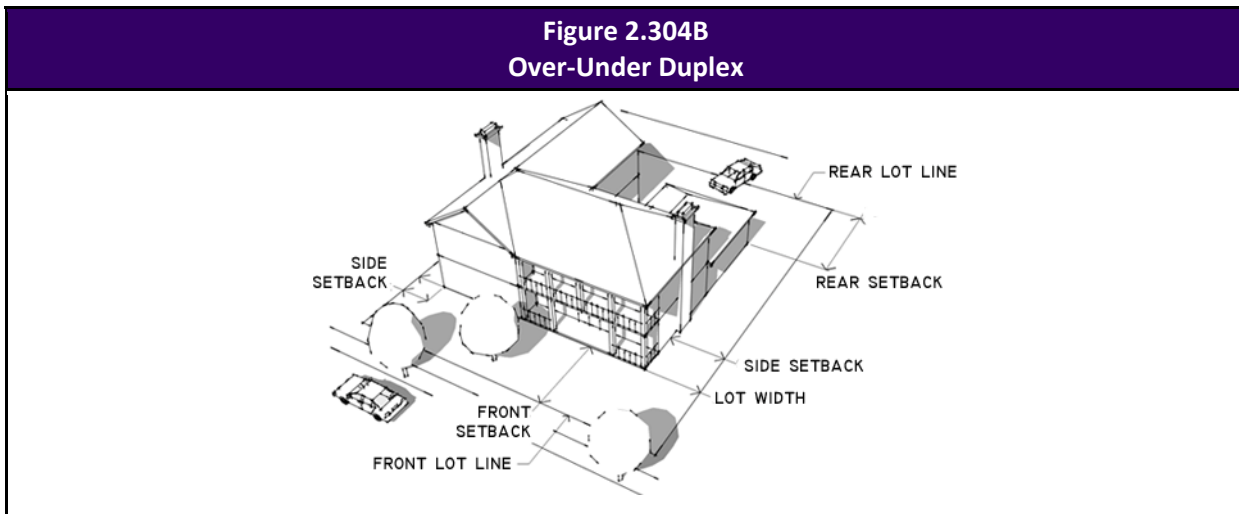
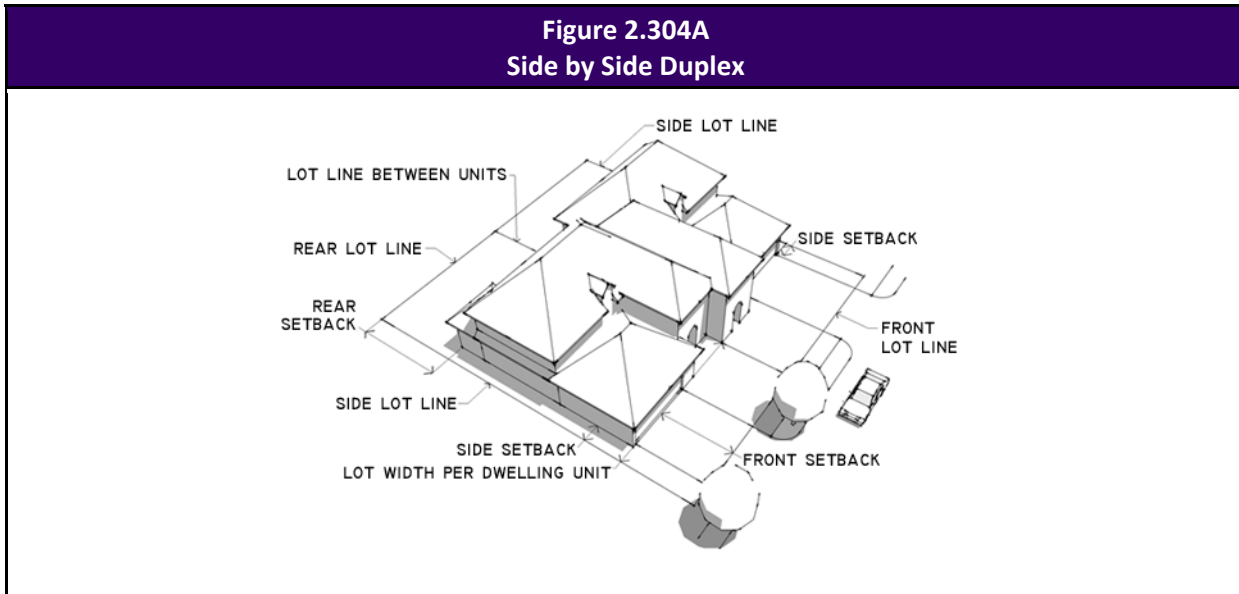
Sec. 2.304 Duplex Houses

- A. **Generally.** Duplexes are two-family dwelling types. The side-by-side duplex has side by side units that may be divided into lots for individual fee simple ownership. The over-under duplex has units



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on different floors. See Figure 2.304A, *Side by Side Duplex*, and Figure 2.304B, *Over-Under Duplex*. Lot standards are set out in Table 2.304, *Duplex Lot and Building Standards*.



**Table 2.304
Duplex Lot and Building Standards**

Development Type	Side-By-Side Duplex			Over-Under Duplex
Lot Area Group	Small	Average	Large	N/A
Min. Area per Building (sf.)	8,400	9,000	9,600	8,000
Min. Lot Area per du	4,200	4,500	4,800	N/A
Min. Lot Width (ft.)	42 ¹	45 ¹	48 ¹	70
Pct. in Group	25%	50%	Remainder ²	70



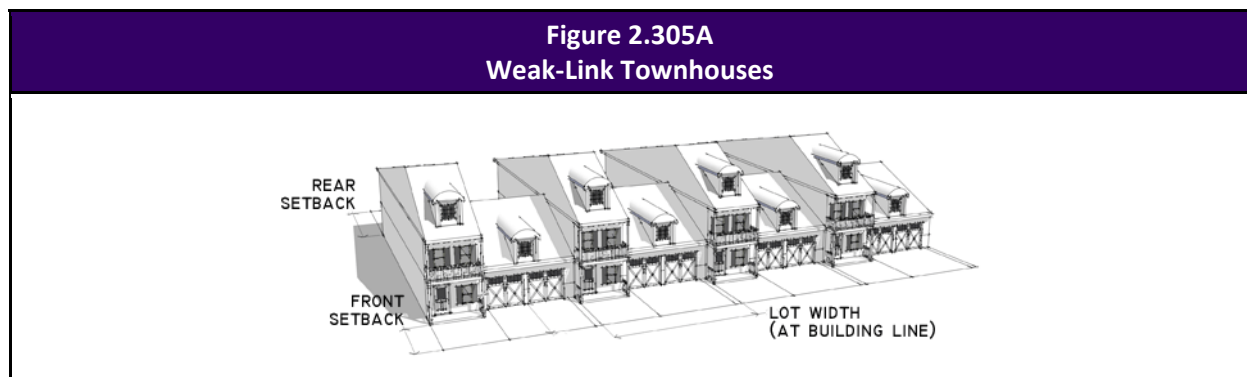
Table 2.304 Duplex Lot and Building Standards				
Development Type	Side-By-Side Duplex			Over-Under Duplex
Front Setback (ft.)	20			20
Side Setback (Min. / Total) ³ (ft.)	5 / 10			8 / 22
Rear Setback (ft.)	25			25
Max. Height (ft.)	32			35
Max. Building Coverage Ratio	50%	50%	50%	45%

TABLE NOTES:
¹ Per dwelling unit
² See Section 2.203, *Residential Lot Averaging and Distribution of Averaged Lots*, subsection C.
³ The first number is the minimum side yard. The second number is the sum of the two side yards. For example, 8 / 22 means that if one side yard is 8 feet, the other must be 14 feet (8 + 14 = 22).

- B. **Where Permitted.** Duplexes are permitted in multi-housing neighborhoods, TNDs, and locations where attached single-family housing is permitted. In TNDs, they are permitted only in the "Center" and "General" subdistricts.

Sec. 2.305 Townhouses; Weak-Link and Standard

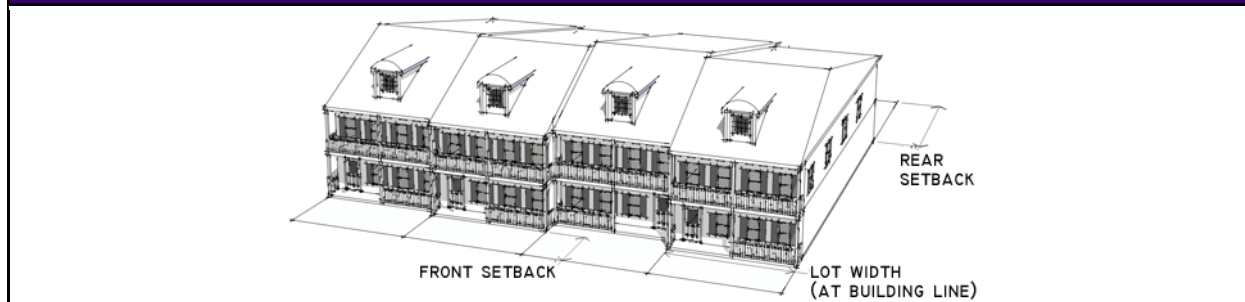
- A. **Generally.** Weak link and standard townhouses are both attached units where the units are lined up in a row with units sharing side walls. The weak-link townhouse has both a one- and two-story portion of each unit and is therefore wider than the standard townhouse. Lot requirements are set out in Figure 2.305A, *Weak-Link Townhouses*, Figure 2.305B, *Townhouse*, and Table 2.305, *Weak-Link Townhouse and Townhouse Units Lot and Building Standards*.





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**Figure 2.305B
Townhouses**



**Table 2.305
Weak-Link Townhouse and Townhouse Lot and Building Standards**

Development Type	Weak-Link Townhouse			Townhouse		
	Small	Average	Large	Small	Average	Large
Lot Size Group						
Min. Lot Area per du (sf.) ²	3,300	3,600	3,900	2,200	2,400	2,600
Min. Lot Width per du (ft.) ²	33	36	39	20	24	26
Pct. In Group	25	50	remainder ¹	25	50	remainder
Min. Street Setback (building / garage) (ft.)	15 / 20			12 / 20		
Min. Building Separation ³ (ft.)	10			10		
Rear Setback ⁴ (ft.)	30			30		
Min. Number of Attached du's	4 ⁵			4 ⁵		
Max. Number of Attached du's	8 ⁶			8 ⁶		
Max. Height (ft.)	35			35		
Max. Building Coverage Ratio	55%			50%		
Floor Area Ratio	0.72	0.88	0.77	1.10	1.20	1.20

TABLE NOTES:

¹ See Section 2.203, *Residential Lot Averaging and Distribution of Averaged Lots*, subsection C.

² The values assume that the garage access is from an alley to the rear. If the garage access is from the street, add 20 percent to lot area and width.

³ The building separation may be common open space if linked to other common areas.

⁴ A rear load garage may extend into the rear yard, provided the maximum building coverage is unchanged and the rear setback to the garage is not less than 20 feet.

⁵ Two units are allowed where at least one other building on site has four or more units and site conditions would result in a loss of units if three were required.

⁶ More than 8 units may be attached if the project is configured along a block face of a public street and adequate access exists to the rear of the building for the provision of emergency services.

B. Design Requirements.

1. The weak-link townhouse shall have a one-story section that constitutes at least 20 percent of the front facade.
2. For developments of only one group of connected townhouses, the minimum lot area shall 15,000 square feet.



3. Generally, a row of connected townhouses shall include at least four units. When the townhouse lots are part of a development with a number of townhouse pads on separate lots, the average should be four or more, but two and three unit rows are permitted as long as the average of four or more is maintained.
- C. **Where Permitted.** Townhouses are permitted in multi-housing neighborhoods, TNDs, and locations where attached single-family housing is permitted. In TNDs, they are permitted only in the "Center" and "General" subdistricts.

Sec. 2.306 Roof Deck and Duplex Townhouses

- A. **Generally.** Roof deck townhouses provide a useable open space on the roof of the townhouse unit. Duplex townhouses contain two units (one above the other) in a single townhouse. Garage access faces a rear alley or parking court. See Figure 2.306A, *Roof Deck Townhouses*, and Figure 2.306B, *Duplex Townhouses*. Lot standards are set out in Table 2.306, *Roof Deck and Duplex Townhouse Lot and Building Standards*.

Figure 2.306A
Roof Deck Townhouses

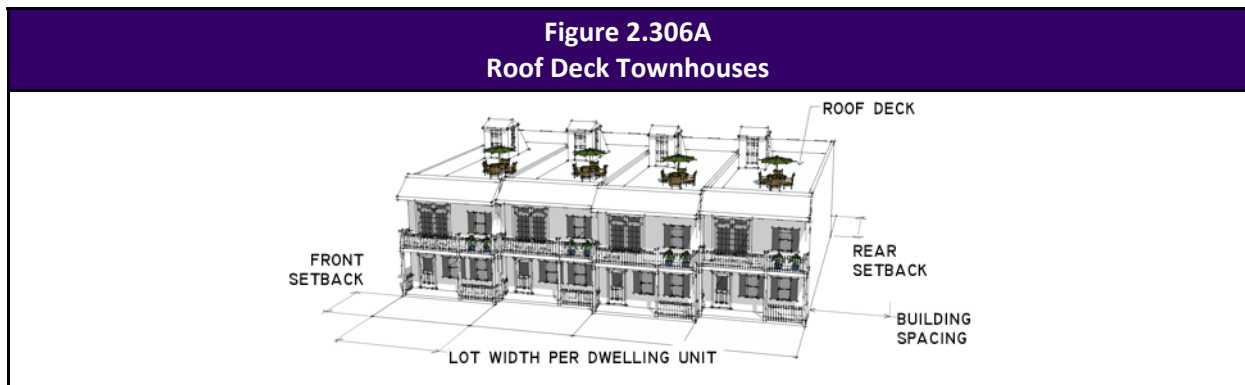
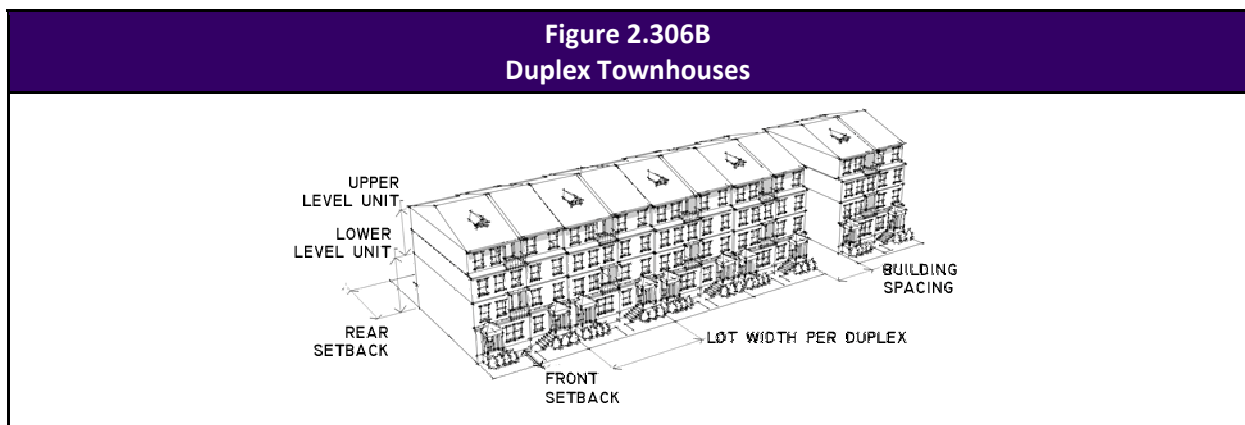


Figure 2.306B
Duplex Townhouses





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Table 2.306
Roof Deck and Duplex Townhouse Lot and Building Standards

Development Type	Roof Deck Townhouse			Duplex Townhouse		
	Small	Average	Large	Small	Average	Large
Lot Area Group						
Pct. In Group	25	50	remainder ¹	25	50	remainder ¹
Min. Lot Area (Per Unit or Duplex / Per du) ² (sf.)	1,800	2,000	2,180	2,520 / 1,260	2,800 / 1,400	3,080 / 1,540
Min. Lot Width per Unit or Duplex ³ (ft.)	20	22	24	36	40	44
Min. Street Setback (ft.)	12			8		
Min. Building Separation ⁴ (ft.)	15			18		
Rear Setback (ft.)	20			20		
Min. Number of Attached Units (or Duplexes)	3			3 ⁵		
Max. Number of Attached Units (or Duplexes)	8			8 ⁶		
Max. Height (ft.)	40			45		
Max. Building Coverage Ratio	64%			60%		
Floor Area Ratio	1.80	1.80	1.75	2.00	2.00	2.00

TABLE NOTES:

¹ See Section 2.203, *Residential Lot Averaging and Distribution of Averaged Lots*, subsection C.

² The duplex townhouse has two units per townhouse lot; thus, the difference between per dwelling unit and per lot.

³ This is the width of a lot having two units (one over the other).

⁴ The building separation may be common open space if linked to other common areas.

⁵ Two attached duplexes are allowed where at least one other building on site has three or more duplexes and site conditions would result in a loss of units if three were required.

⁶ More than eight units may be attached if the project is configured along a block face of a public street and adequate access exists to the rear of the building for the provision of emergency services.

B. Design Requirements.

- For developments of only one group of connected townhouses, the minimum lot area shall 15,000 square feet.
- Generally, a row of connected townhouses shall include at least four units. When the townhouse lots are part of a development with a number of townhouse pads on separate lots, the average should be four or more, but two and three unit rows are permitted as long as the average of four or more is maintained.

C. Where Permitted.

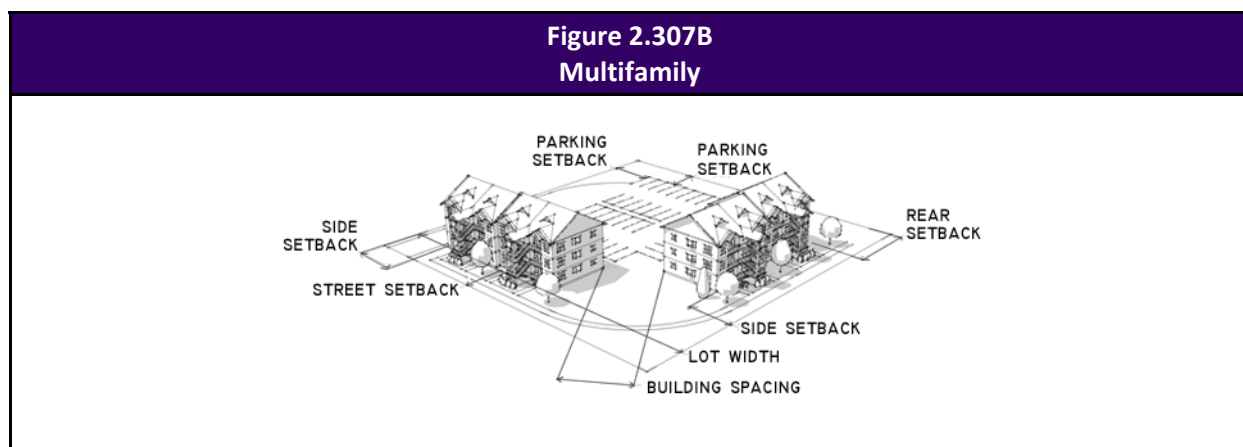
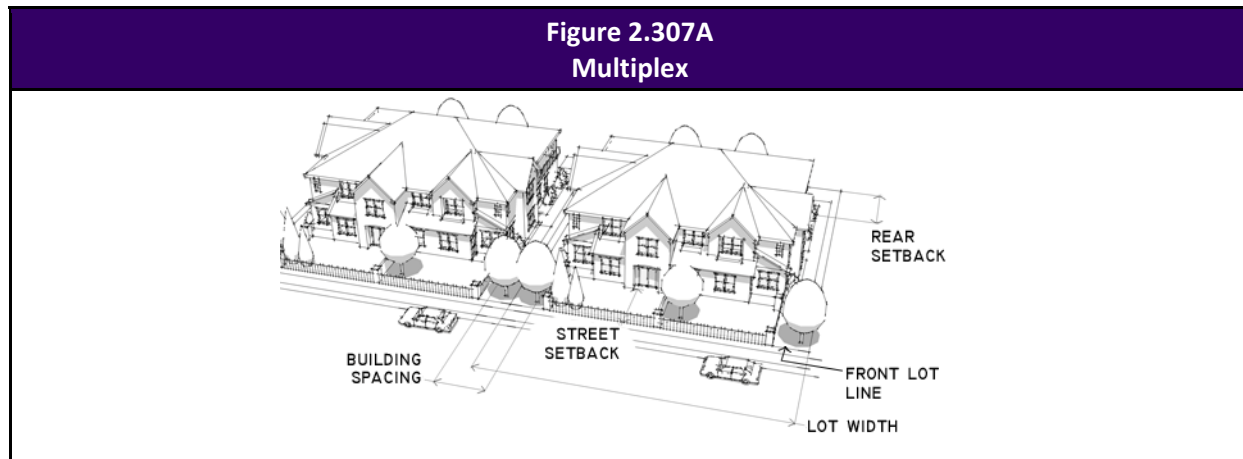
Roof deck and duplex townhouse types are permitted in the Urban Residential (RU) District or in the "Center" or "General" subdistrict of TNDs.

Sec. 2.307 Multiplex and Multifamily

- A. **Generally.** Multiplex and multifamily are both multifamily unit types. The multiplex is designed to appear as a large single-family home, but contains multiple units inside. As such, multiplex also describes homes that have been reconfigured as apartments. The multifamily housing type is typically in the form of apartments or condominiums of two to five stories, and may also be a residential component of mixed-use buildings. See Figure 2.307A, *Multiplex* and Figure



2.307B, *Multifamily*. Lot standards for multiplex and multifamily are set out in Table 2.307, *Multiplex and Multi-Family Lot and Building Standards*.



**Table 2.307
Multiplex and Multi-Family Lot and Building Standards**

Development Type	Multiplex	Multi-family
Min. Site Area per Building (sf.)	8,000	15,000
Min. Lot Area per du (sf.)	2,000	1,800
Min. Lot Width per Building (ft.)	80	100 ¹
Min. Street Setback ² (ft.)	20	30
Min. Rear Setback (ft.)	15	30
Min. Building Separation (ft.)	15	30
Parking Setback from Street Curb (ft.)	20	parking not permitted in street yard
Parking Setback from Rear and Side Lot Lines (ft.)	2.5	8
Max. Height (ft.)	35	50



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Table 2.307 Multiplex and Multi-Family Lot and Building Standards		
Development Type	Multiplex	Multi-family
Max. Building Coverage Ratio	44%	25%
Floor Area Ratio	0.80	0.70
Max. Number of First Floor Units per Building	3	8

TABLE NOTES:
¹ Along arterials, the standards of [Division 11.400, Access Management and Circulation](#), may require a wider lot width.
² Setback from public street right-of-way. Where private internal circulation is used, the setback may be reduced to 12 feet.

- B. **Where Permitted.** Multiplex types are permitted in the Urban Residential (RU) District or in the "Center" or "General" subdistrict of TNDs. Multifamily types are permitted as set out in [Section 1.302, Residential, Home, and Institutional Uses](#).
- C. **Vertically Mixed-Use Exception to Table 2.307, Multiplex and Multifamily Lot and Building Standards.** Where multifamily is a component of a vertically mixed-use building, the lot standards that apply to the ground floor use shall control instead of the standards of [Table 2.307, Multiplex and Multifamily Lot and Building Standards](#).

Sec. 2.308 Cottage Homes

- A. **Cottage Homes.** The cottage home housing type consists of small single-family detached residences, with first floor areas of less than 1,000 square feet, which are closely spaced in a cluster around a green space. See [Figure 2.308, Cottage Homes](#). The lot and building standards for cottage homes are set out in [Table 2.308, Cottage Home Lot and Building Standards](#).

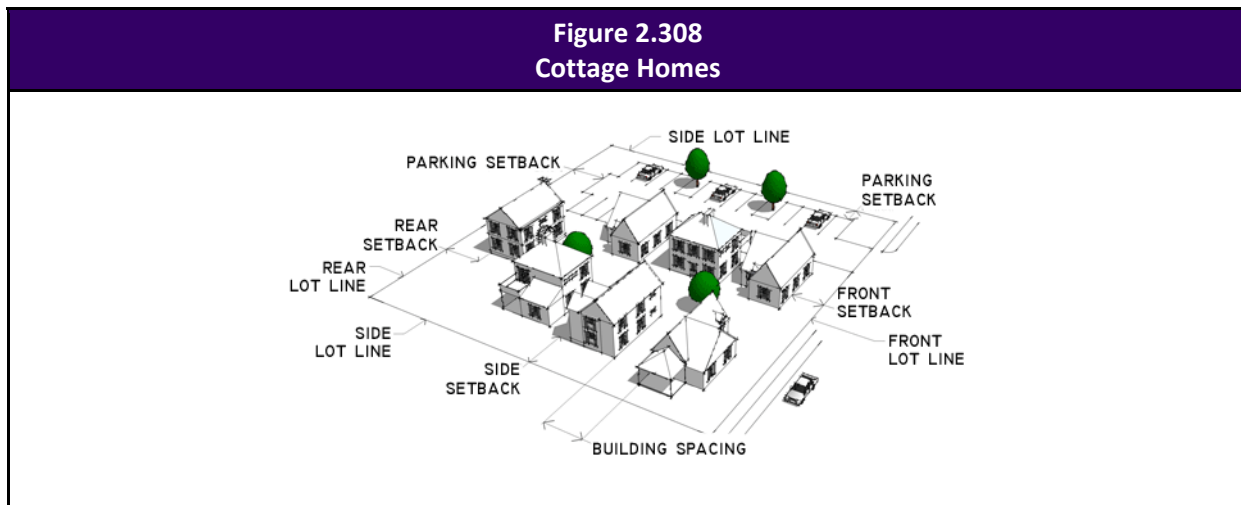


Table 2.308 Cottage Home Lot and Building Standards	
Minimum Parcel Area Per Unit (sf.)	4,250
Maximum Floor Area Ratio on Parcel	0.30

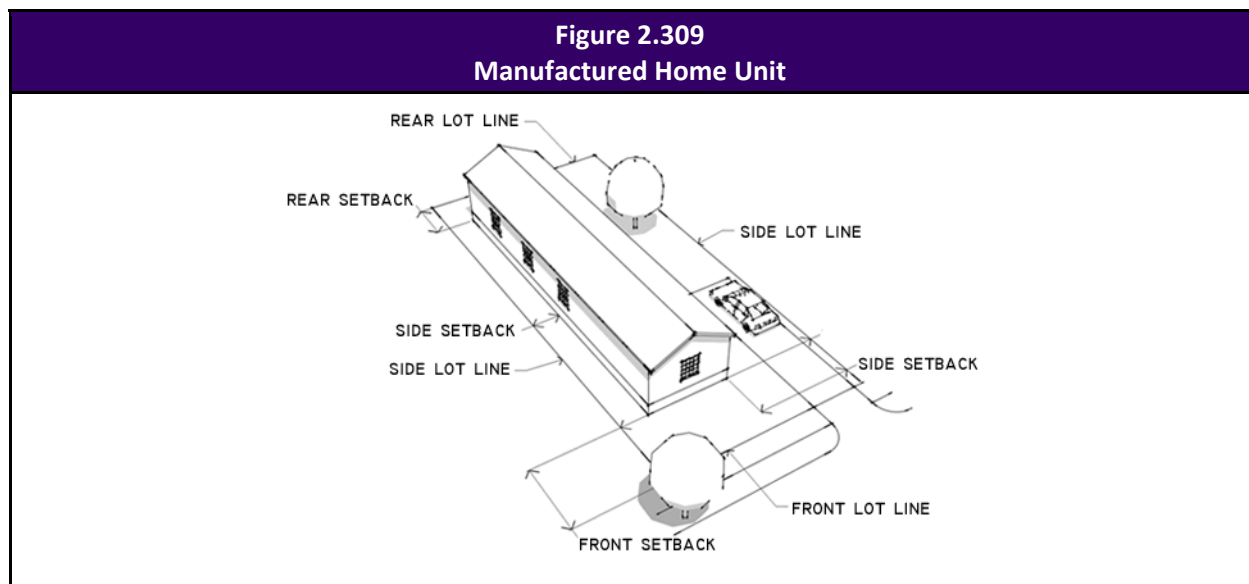


Minimum Building Spacing (ft.)	10
Maximum Height (ft.)	28
Maximum Gross Density for Parcel Developed with Cottages (units / acre)	10
Front Setback (ft.)	15
Side and Rear Setback (ft.)	6
Parking Setback (ft.)	10
Minimum Open Space Ratio for Parcel Developed with Cottages	35%

B. **Where Permitted.** Cottage home types are permitted in mixed-housing neighborhoods and the "Center" and "General" subdistricts of TNDs.

Sec. 2.309 Manufactured Homes

A. **Generally.** The manufactured home housing type consists of a manufactured home that is located on a privately-owned or rented lot in a manufactured home subdivision or manufactured home park. The width of the lots depends upon whether the unit to be placed on the lot will be single-wide or double-wide construction. Manufactured home units have small private yards on each side. See Figure 2.309, *Manufactured Home Unit*. Standards for manufactured homes are set out in Table 2.309, *Manufactured Home Lot and Building Standards*.





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Table 2.309 Manufactured Home Lot and Building Standards							
Zoning District / Lot Type	Minimum					Maximum	
	Lot Area (sf.) ²	Lot Width (ft.)	Front Setback (ft.) ¹	Side Setback min. / total (ft.) ³	Rear Setback(ft.)	Height(ft.)	Building Coverage Ratio (%)
RS RU AF							
Single-Wide Lot	4,500	45	15	6 / 20	10	20	0.40
Double-Wide Lot	6,000	60	15	6 / 20	10	20	0.40
NC MH Subdistrict Only							
All types	6,000 ⁴	60	15	6 / 20	10	20	0.45

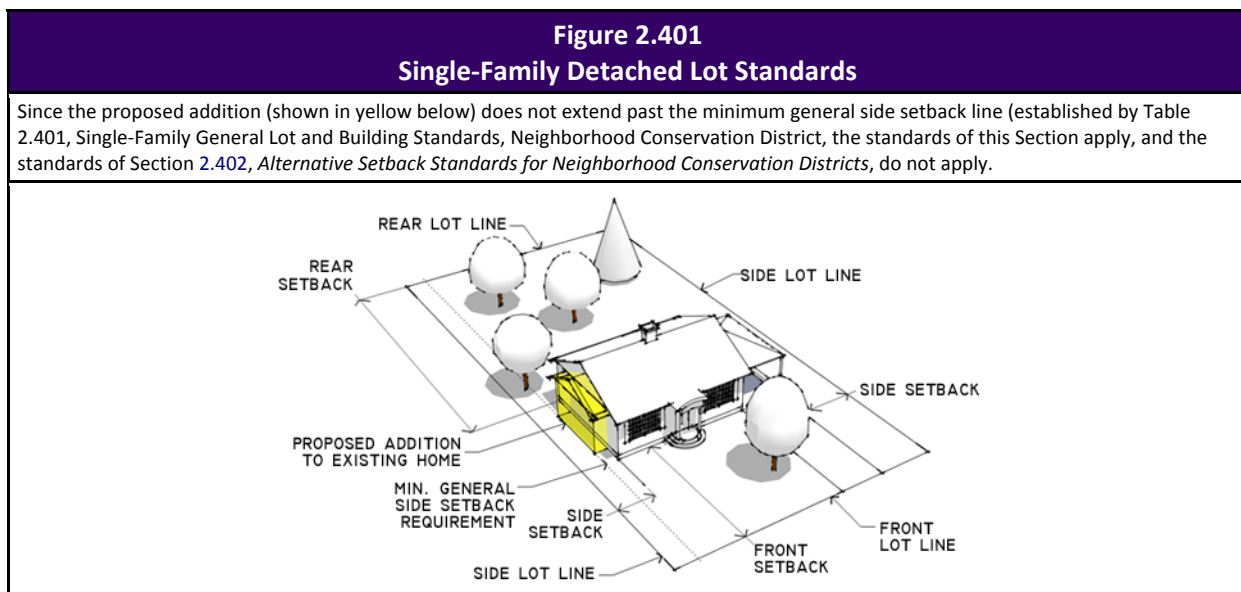
TABLE NOTES:
¹ Street yard refers to front yard of lot.
² Minimum lot area also applies to the area of rented lots in a manufactured home park.
³ The first number is the minimum side yard. The second number is the sum of the two side yards.
⁴ If served by individual sewerage, it shall be on a one acre lot, with a minimum width of 120 feet and front setback of 30 feet.

B. **Where Permitted.** Manufactured homes are permitted as set out in Section 1.302, Residential, Home, and Institutional Uses.

Division 2.400 Special Standards for Neighborhood Conservation Districts

Sec. 2.401 Single-Family General Lot and Building Standards, Neighborhood Conservation District

A. **Generally.** This Section sets out the standards for redevelopment, new development, and expansion of existing single-family homes in the NC district.



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- B. **Standards.** The lot and building standards for single-family homes in each neighborhood conservation subdistrict are set out in Table 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*. These standards do not make existing development nonconforming. If an expansion of an existing single-family home would not comply with the standards of this Section, the proposed expansion will be evaluated pursuant to Section 2.402, *Alternative Setback Standards for Neighborhood Conservation Districts*.

Table 2.401 Single-Family General Lot and Building Standards, Neighborhood Conservation District						
NC	Minimum				Maximum	
Subdistrict	Lot Width and Lot Area	Front Setback (ft.)	Side Setback Min. / Total (ft.)	Rear Setback (ft.)	Height (ft.)	Building Coverage (%)
NC ₄	See Table 1.201B	10	5 / 10	15	35	50%
NC ₅	See Table 1.201B	20	5 / 10	20	35	50%
NC _{5.4N}	See Table 1.201B	20	5 / 10	20	35	50%
NC _{5.4W}	See Table 1.201B	20	5 / 10	20	35	50%
NC _{10.5N}	See Table 1.201B	20	5 / 10	20	35	45%
NC _{10.5W}	See Table 1.201B	20	5 / 10	20	35	45%
NC ₁₅	See Table 1.201B	25	10 / 20	20	35	30%
NC ₂₀	See Table 1.201B	30	10 / 20	35	35	25%
NC _{2A}	See Table 1.201B	35	10 / 20	35	35	15%

Sec. 2.402 Alternative Setback Standards for Neighborhood Conservation District

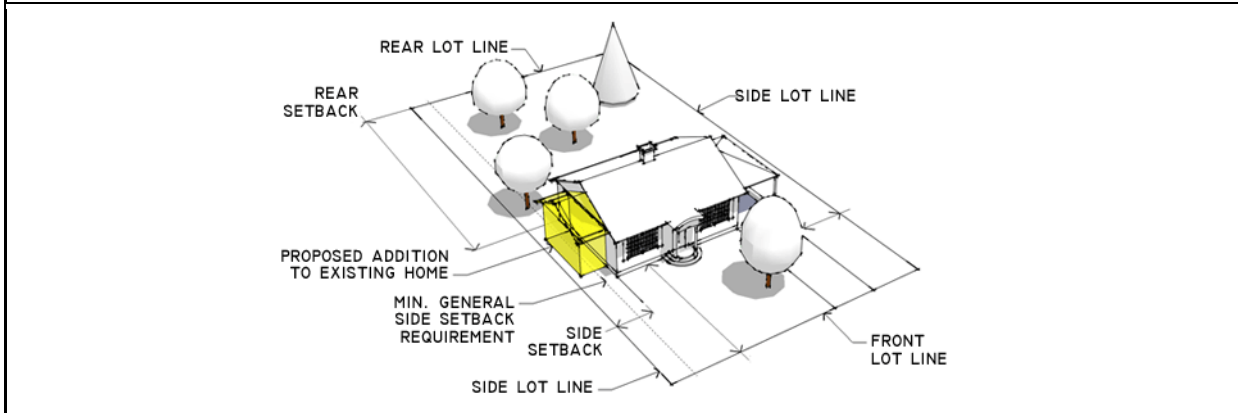
- A. **Generally.** In the Neighborhood Conservation subdistricts, rigid adherence to inflexible building setback requirements is often not practical. This Section provides an alternative set of standards for development, redevelopment, and expansion of existing buildings (as indicated below) within these subdistricts when the new construction would encroach into the setbacks that are established by Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*. See Figure 2.402A, *Single-Family Detached Lot Standards*.



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Figure 2.402A
Single-Family Detached Lot Standards

Since the proposed addition (shown in yellow below) extends past the minimum general side setback line established in Table 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*, the alternative setback standards of this Section would apply instead of the minimum general standards.



B. Alternative Building Setback Standards; All Setbacks. Alternative setbacks shall be applied only if it is demonstrated that the standards of the applicable subsection of this Section are met, and the proposed construction:

1. Does not interfere with planned expansion of right-of-way, and if right-of-way expansion is planned, the application is evaluated as if the right-of-way has been expanded;
2. Does not result in interference with a utility easement;
3. Does not cause more or faster drainage onto abutting properties or rights-of-way than the condition that existed before the proposed construction;
4. Does not result in a nonconformity with respect to the building code on either the applicant's lot or the abutting property;
5. Is built to building code standards (e.g., fire ratings) that would allow construction of the abutting lot to be built to the same standard along the same setback line;
6. Conforms to building coverage limitations of Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*; and
7. Does not reduce the area provided for parking to fewer than two paved off-street parking spaces (one or both may be in a garage or carport).

C. Alternative Building Setback Standards; Front Setbacks.

1. *New Development; Redevelopment; and Building Expansion.* For new development, redevelopment, or building expansion, front setbacks may be reduced from the standards set out in Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*, if it is demonstrated that the proposed new front building setback:
 - a. Is equal to not more than 10 percent less than the average actual setback of the other homes on the same side of the same block; and / or

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- b. For an attached or detached garage, is equal to the average actual front setback to an attached or detached garage with comparable garage door orientation with respect to the street (e.g., door faces the street or door is perpendicular to the street) on the same side of the same block.
2. *Building Expansion Only*. For building expansions only, front setbacks may be reduced from the standards set out in Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*, if compliance with any of the following options is demonstrated:
 - a. Option #1. The reduction is 10 percent or less of the required front setback, and the encroachment will not reduce the depth of a driveway to less than 21 feet in length to the edge of the sidewalk or ditch or street pavement, whichever edge is closest to the building;
 - b. Option #2. The reduction is more than 10 percent of the required front setback, but less than 25 percent of the required front setback, and:
 - i. No garage doors that face the street are located in the reduced setback area;
 - ii. The improvement is not more than 20 feet in height;
 - iii. If the encroachment is more than 10 feet wide (measured parallel to the front building line), then it is screened from view from the public right-of-way by a canopy tree or evergreen tree; and
 - iv. The encroachment is not more than 30 feet wide or 50 percent of the lot width, whichever is smaller.
 - c. Option #3. The existing building encroaches upon the setback set out in Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*, on the effective date, and:
 - i. The proposed construction will not reduce the depth of a driveway to less than 21 feet in length to the edge of the sidewalk or ditch or street pavement, whichever is closest to the building;
 - ii. The proposed construction will be set back not less than 90 percent of the setback to the existing building; and
 - iii. The proposed construction will not create the appearance of a monolithic building frontage by substantially reducing the articulation of the building as viewed from the street.

D. Alternative Building Setback Standards; Interior Side Setbacks.

1. *New Development; Redevelopment; and Building Expansion*. For new development, redevelopment, or building expansion, interior side setbacks may be reduced from the standards set out in Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*, if it is demonstrated that the proposed side building setback is equal to not more than the average actual side building setback of the other homes on the same side of the same block.



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2. *Building Expansion Only.* For building expansion only, interior side setbacks may be reduced from the standards set out in Section 2.401, *Single-Family General Lot and Building Standards, Neighborhood Conservation District*, up to 40 percent if it is demonstrated that the proposed construction meets all of the following standards:
 - a. **Limit of Encroachment**
 - i. If the lot that abuts the proposed building expansion is used for residential purposes, then:
 - a. The building expansion is screened from view from the public street by at least one tree per story of the building expansion, unless it projects into the required side setback less than one foot further towards the lot line than the existing building;
 - b. Building expansions that are 12 feet in height (measured from the average grade across the side of the proposed construction facing the abutting lot) or less are set back at least 42 inches from the side lot line (see, *e.g.*, Figure 2.402B, Limit of Encroachment, One-Story Addition); and
 - c. Building expansions that are more than 12 feet in height (measured from the average grade across the side of the proposed construction facing the abutting lot) are set back at least five feet from the side lot line (see, *e.g.*, Figure 2.402C, Limit of Encroachment, Two-Story Addition).
 - ii. If the lot that abuts the proposed building expansion is used for nonresidential purposes or permanent open space that is at least 20 feet in width, then the building expansion is set back at least 42 inches from the side lot line.

Figure 2.402B
Limit of Encroachment, One-Story Addition

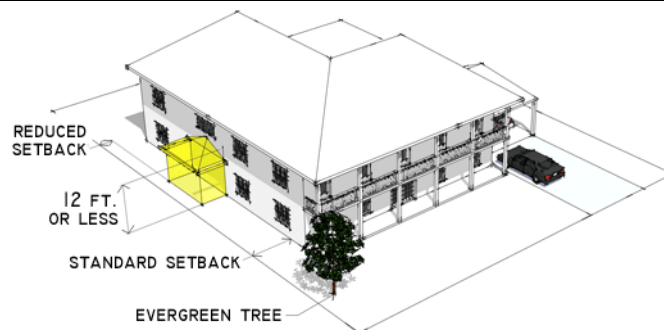
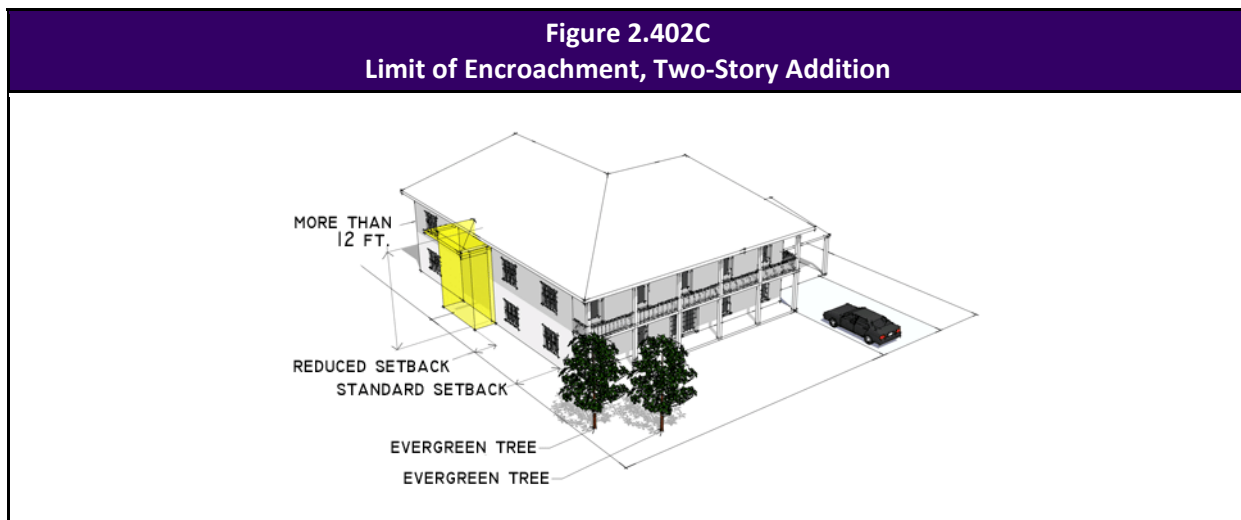




Figure 2.402C
Limit of Encroachment, Two-Story Addition



- b. **Horizontal Dimension.** The building expansion, combined with the existing building, does not create a horizontal dimension of more than 50 feet without an offset in the building wall of at least three feet.
- c. **Windows.** The building expansion does not include a window that is located directly across from another window on a residential building that is closer than 20 feet away, unless:
 - i. The window is on the first floor and an opaque fence is installed between the two buildings to a height of six feet; or
 - ii. The window is not operational and is made of glass block or frosted glass.

F. Alternative Building Setback Standards; Rear Setbacks.

1. Rear setbacks may be reduced on any lot if it is demonstrated that the proposed rear building setback is equal to not more than 10 percent less than the average actual setback of the other homes on the same side of the same block.
2. Rear setbacks may be reduced on lots with rear lot lines that abut permanent open space, and through lots with fences or walls that screen rear yards from arterials and collectors, according to the following standards:
 - b. For construction, or portions of construction, that is 18 feet or less in height (measured from the average grade across the side of the proposed construction facing the rear lot line), the rear setback may be reduced by up to 50 percent if it is demonstrated that:
 - i. The proposed construction will not create the appearance of a monolithic building by substantially reducing the articulation of the building as viewed from abutting property, open space, or public rights-of-way; or
 - ii. The proposed construction is located behind an opaque fence or garden wall that is at least five feet in height, and one evergreen or canopy tree is planted in the rear yard for each 12 feet of width of the encroaching portion of the proposed construction.



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- c. For construction, or portions of construction, that is more than 18 feet in height (measured from the average grade across the side of the proposed construction facing the rear lot line), the rear setback may be reduced up to 30 percent if it is demonstrated that the standards of subsection E.1.a., above, are met.

Sec. 2.403 Accessory Buildings and Fences in NC Districts

- A. **Generally.** The standards of this Section and not Section 2.502, *Fences, Garden Walls, and Hedges*, or Section 2.503, *Accessory Buildings and Structures*, shall apply to residential lots within the NC district.
- B. **Detached Garages.**
 1. On lots that are less than 10,500 square feet in lot area, garages and carports shall be sized for not more than four vehicles, and all vehicles shall be used by the occupants of the premises.
 2. Lots that are larger than 10,500 square feet in lot area may be developed with a garage or carport of any size, but all vehicles shall be used by the occupants of the premises.
- C. **Accessory Building Setbacks.** Accessory buildings that are located less than 10 feet from a principal building shall have the same side yards as are required for the principal building.
- D. **Fence Location.** Fences that are more than 30 percent opaque and other visual obstructions shall not be located within 30 feet of a street intersection. Fences shall not be installed over City servitudes or outside of the applicant's lot.
- E. **Accessory Dwelling Units.** Accessory dwelling units are not allowed.

Division 2.500 General Residential Standards

Sec. 2.501 Exceptions to Residential Lot Standards

- A. **Generally.**
 1. Table 2.501, *Permitted Projections into Required Residential Yards*, sets out structures and building projections that may be located within required yards (between the setback lines and the lot lines).
 2. Measurements in the table are taken from:
 - a. The setback line (A);
 - b. From the lot line (B); or
 - c. Into the right-of-way (C). See Figure 2.501, *Illustrative Measurement of Residential Encroachments*.
 3. Where a measurement is indicated for "(A) Into Yard" and "(B) From Lot Line," then the measurement that results in the larger setback from the lot line controls.
 4. Where a measurement is indicated for "(A) Into Yard" and "(C) Into Right-of-Way," then the measurement that allows the smallest encroachment into the right-of-way controls.

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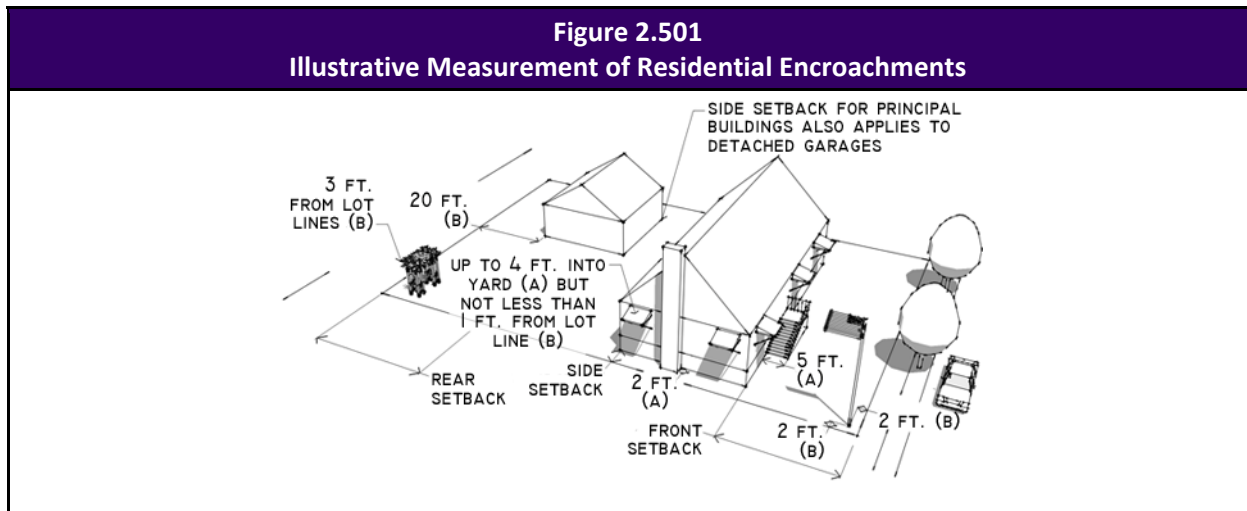


Table 2.501 Permitted Projections into Required Residential Yards			
Location / Projection	Permitted Encroachments		
	(A) Into Yard	(B) From Lot Line	(C) Into Right-of-Way
All Yards			
Awnings and canopies without supports that extend to ground	4 ft.	1 ft.	Not Allowed
Steps, 4 feet or less above grade, which are necessary for access to a permitted building, or for access to a lot from a street or alley.	5 ft. for building access; as needed for access to lots	0 ft.	Not Allowed
Chimneys	2 ft.	1 ft.	Not Allowed
Arbors and trellises	N/A	3 ft.	Not Allowed
Flagpoles	N/A	2 ft.	Not Allowed
Fences, garden walls, and hedges	N/A	See Section 2.502, <i>Fences, Garden Walls, and Hedges</i>	Not Allowed
Front Yard			
One-story bay windows	3 ft.	5 ft.	Not Allowed
Overhanging eaves and gutters	4 ft.	0 ft.	UC District Only: 1 ft., subject to Planning and Zoning Commission approval.
Patios	10 ft., subject to Section 2.504 <i>Decks, Balconies, Patios, and Porches.</i>	2.5 ft.	Not Allowed
Open porch, 40 square feet or less of floor area encroaching	4 ft., subject to Section 2.504, <i>Decks, Balconies, Patios, and Porches</i>	2.5 ft.	Not Allowed
Balconies	Generally: 4 ft. RU Districts: 6 ft. All are subject to Section 2.504, <i>Decks, Balconies, Patios, and Porches</i>	0 ft.	RU District: 3 ft., but not closer than 2 ft. from back of curb, subject to Planning and Zoning Commission approval.
Side Yard			
Overhanging eaves and gutters	4 ft.	Generally: 1 ft. Lot Line Homes: may encroach onto abutting lot if appropriate easements are recorded prior to construction	UC District Only: 1 ft., subject to Planning and Zoning Commission approval.
Air conditioning units	5 ft., if screened from view by a garden wall or hedge that is one foot taller than the equipment	2.5 ft.	Not Allowed
Driveways	N/A	Generally: 1 ft. Shared access drives may cross lot lines if appropriate easements are recorded prior to construction	Permitted perpendicular connections only
Decks, less than four feet above grade	N/A	3 ft., subject to Section 2.504, <i>Decks, Balconies, Patios, and Porches</i> ; but 0 ft. if the adjacent lot is permanent open space	Not Allowed
Decks, four feet or more above grade	6 ft.	6 ft.	Not Allowed



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Table 2.501 Permitted Projections into Required Residential Yards			
Location / Projection	Permitted Encroachments		
	(A) Into Yard	(B) From Lot Line	(C) Into Right-of-Way
Rear Yard			
Overhanging eaves and gutters	4 ft.	1 ft.	UC District Only: 1 ft., subject to Planning and Zoning Commission approval.
Paved off-street parking spaces	N/A	3 ft., except driveway parking	Not Allowed
Rear-load garage	N/A	20 ft.	Not Allowed
Side-load garage	N/A	5 ft.	Not Allowed
One-story bay windows	3 ft.	8 ft.	Not Allowed
Air Conditioning Units	6 ft., if screened from view by a garden wall or hedge that is one foot taller than the equipment	2.5 ft.	Not Allowed
Decks, less than four feet above grade	N/A	3 ft., subject to Section 2.504, Decks, Balconies, Patios, and Porches	Not Allowed
Decks, four feet or more above grade	12 ft.	5 ft., subject to Section 2.504, Decks, Balconies, Patios, and Porches	Not Allowed



B. Limitations. No projection shall cross a lot line:

1. Into separately owned property, unless a recorded document provides for access to and maintenance of the projection; or
2. Into public property, rights of way, or access easements, except as provided in Table 2.501, *Permitted Projections into Required Yards* and approved by the Planning and Zoning Commission and City Engineer; or

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3. Into utility easements, unless the design of the improvement and a recorded agreement allows access to the utility and allows the utility or the City to efficiently remove the encroachment at the property owner's expense.

Sec. 2.502 Fences, Garden Walls, and Hedges

- A. **Generally.** The provisions of this Section apply to all residential development, except in NC zoning districts, which are subject to the standards set out in Section 2.403, *Accessory Buildings and Fences in NC Districts*.
- B. **Fence Height.** No fence shall exceed the height set out in Table 2.502A, Fence Height. See Illustration 2.502, Fence Height and Setbacks.

Table 2.502A Fence Height					
Location of Lot	Maximum Height of Fence In . . .				
	Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	Yards Abutting Nonresidential District
All residential districts	Not allowed	Local Street: 4 feet Arterial or Collector Street: 6 feet	6 feet	6 feet	8 feet
TNDs	3.5 feet	3.5 feet	6 feet	5 feet	8 feet

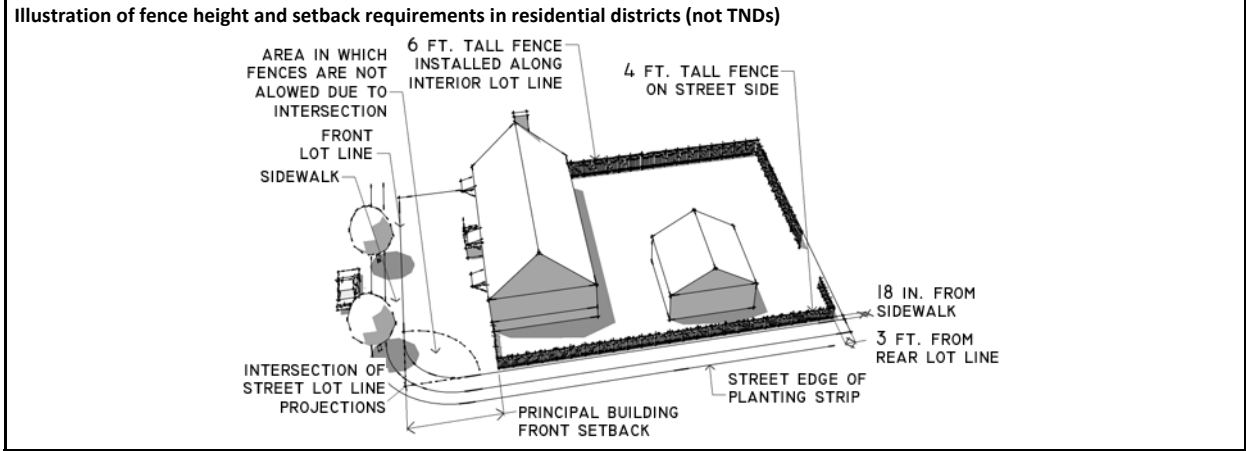
- C. **Fence Setbacks.** No fence shall be set back from lot lines less than the distance set out in Table 2.502B, Fence Setbacks. See Illustration 2.502A, Fence Height and Setbacks. Notwithstanding the setbacks in Table 2.502B, Fence Setbacks, no fence shall be constructed over an easement or servitude.

Table 2.502B Fence Setbacks					
Location of Lot	Minimum Setback of Fence From . . .				
	From Streets	From Sidewalks	Interior Lot Lines	Intersection of Street Lot Lines	Alley Right-of-Way
All residential districts	5 feet	18 inches	0 feet	20 feet	Fence > 40% opaque: 3 feet Fence < 40% opaque: 1 foot See Figure 2.502B, <i>Fence Opacity</i> .
TNDs	5 feet	18 inches	0 feet	As required for visibility	0 feet



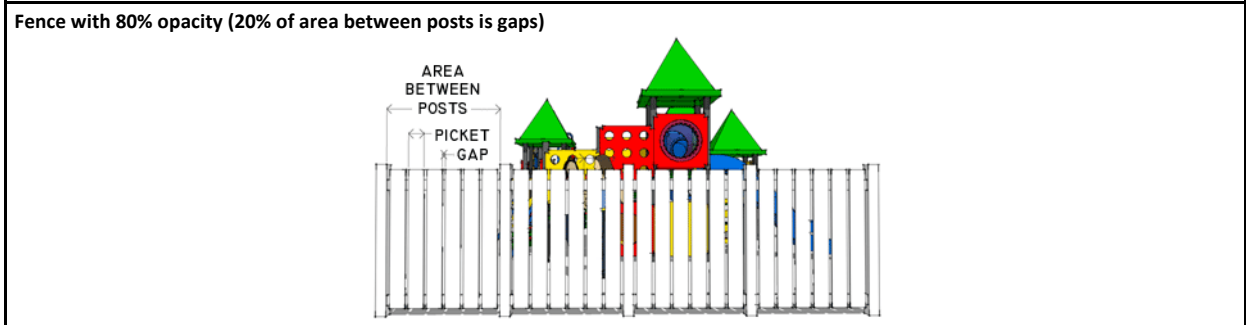
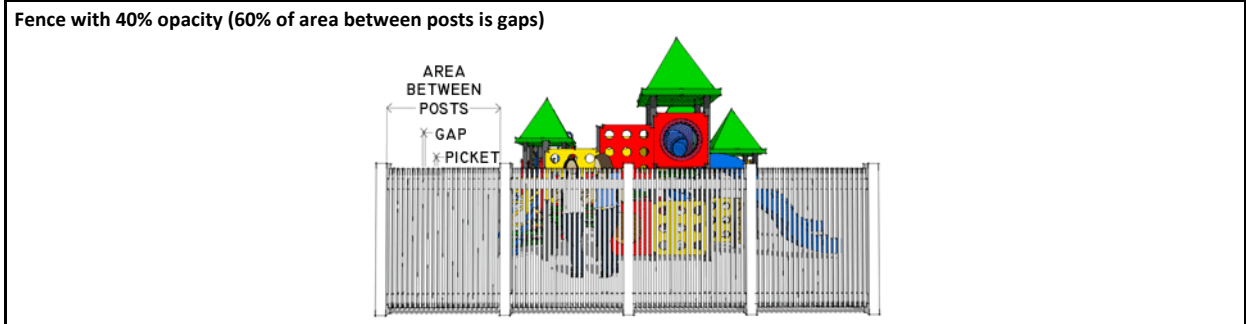
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**Figure 2.502A
Fence Height and Setbacks**



**Figure 2.502B
Fence Opacity**

Opacity is measured as the total width of pickets (or other fence components) between posts, divided by the distance between posts; or in the case of horizontal fence types, the total width of horizontal fence elements divided by the height of the fence.

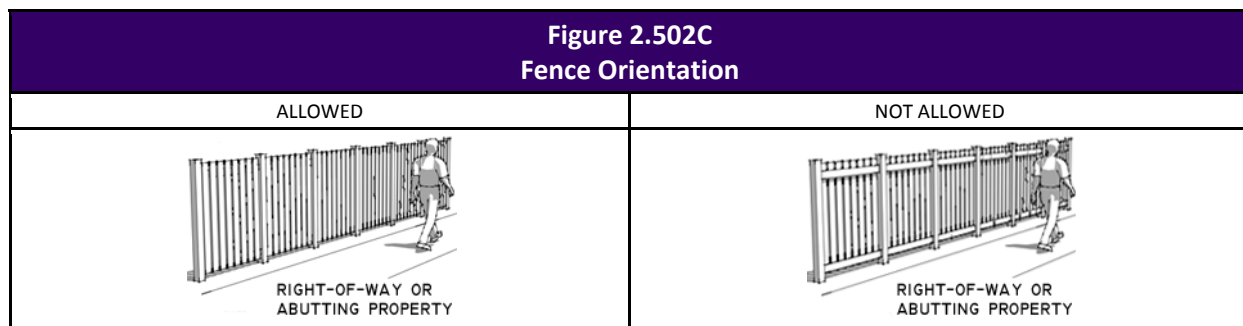


D. Fence Materials and Design.

1. Materials shall be durable, and of a character commonly used in residential applications, including: weather resistant wood species, split rail, pressure-treated wood, ornamental wrought iron or powder-coated metal, vinyl, composite materials, brick, and stone.



2. Chain link fences are permitted only in interior side yards and rear yards (including rear yards that face alleys) that are not also street yards.
 3. The following materials are prohibited: plywood; sheet metal; plastic; fiberglass sheets; barbed wire, spikes, nails, or other sharp point or instrument on top or sides of a fence (except as provided in subsection C.4., below); welded wire; agricultural fencing; and poultry mesh (chicken wire) or hardware cloth.
 4. Barbed wire cradles facing inward toward the property may be placed on top of fences enclosing buildings where the City finds that such are necessary to address a critical security interest. Fences with barbed wire shall be completely screened with a hedge that will be no less than the height of the fence within two years of planting.
- E. **Fence Orientation.** The finished side of all fences shall face out toward neighboring property or adjacent rights-of-way. Where fences are located on the property line of residential property, the finished side of the fence shall face the yard that does not belong to the applicant, unless the applicant provides written consent of the abutting property owner to the City. See Figure 2.502C, *Fence Orientation*.



- F. **Garden Wall Height.** No garden wall shall exceed eight feet in height.
- G. **Garden Wall Setbacks.** No garden wall shall be set back from lot lines less than the distance set out in Table 2.502C, *Garden Wall Setbacks*. Notwithstanding the setbacks in Table 2.502C, *Garden Wall Setbacks*, no garden wall shall be constructed over an easement or servitude.

Table 2.502C Garden Wall Setbacks					
Location of Lot	Minimum Setback From . . .				
	Streets or Alleys	Sidewalks	Interior Lot Lines	Intersection of Street Lot Lines	Alley Right-of-Way
All residential districts	10 feet	4 feet	0 feet	20 feet	3 feet
TNDs	5 feet	18 inches	0 feet	As required for visibility	0 feet or 5 feet from pavement, whichever is a greater setback

- H. **Garden Wall Design and Materials.** Garden walls shall be designed to be architecturally compatible with the principal building. Garden walls shall be constructed of materials that are also used in the principal building.



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- I. **Hedges.** Hedges may be installed along lot lines, and shall be maintained at a height of six feet or less. However, no hedge shall be planted within four feet of a sidewalk or on the street side of an open drainage ditch.
- J. **Exceptions.** Fences, walls, or hedges, which are specifically required pursuant to [Article 10, Landscaping](#), shall conform to the requirements of that Section.

Sec. 2.503 Accessory Buildings and Structures

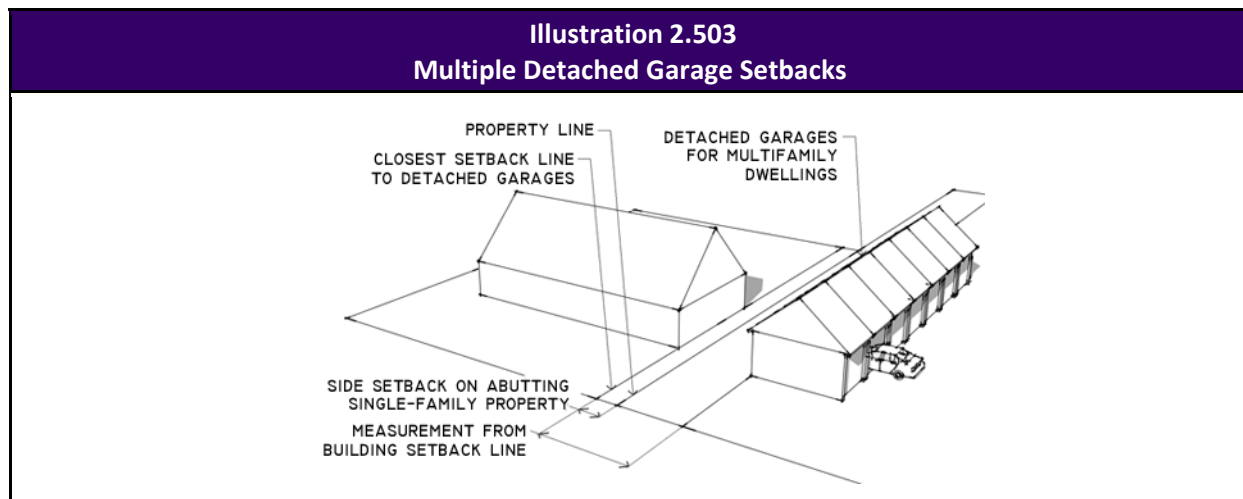
- A. **Generally.** The provisions of this Section apply to all residential development, except in NC zoning districts, which are subject to the standards set out in Section 2.403, *Accessory Buildings and Fences in NC Districts*.
- B. **Timing of Construction.** No accessory building or structure shall be constructed unless the principal building is constructed or under construction simultaneously with the accessory building.
- C. **Attached Accessory Buildings.** Accessory buildings that are structurally attached to a principal building shall conform to all standards that are applicable to the principal building.
- D. **Detached Accessory Buildings or Structures, Except Small Sheds.** The maximum footprint and setbacks for detached accessory buildings in residential districts is set out in Table 2.503, *Detached Accessory Building Standards*.

Table 2.503 Detached Accessory Building Standards							
District	RS	RU	NC	UC	RE	AF (nonagricultural buildings)	AF (agricultural buildings)
Maximum Height	Lower of one story or 17 feet				Lower of one story or 17 feet		any
Maximum Footprint (calculated as the least of the next three rows)							
Percent of principal building footprint	100%				50%		Footprint of agricultural accessory buildings is not limited
Percent of required rear yard	25%				N/A		
Not to exceed	600 sf.				1,800 sf.		
Setbacks							
Front, Generally	Behind principal building					10 feet	
Front, Detached Garages and Carports	10 feet behind front building line					N/A	
Street Side	Same as principal building's front setback					10 feet	
Interior Side	Greater of 3 feet or 6 feet from the closest principal building setback line on abutting property					10 feet	
Rear, Generally	3 feet					10 feet	
Rear, Garage with Door Facing Alley	20 feet					N/A	
Separation of Buildings on Same Lot	6 feet					6 feet	

- E. **Configuration of Detached Carports and Garages.** Detached carports and garages that serve attached single-family dwellings or multifamily dwellings shall not be located closer than 20 feet to



a building setback line on an adjacent lot that is not used for attached single-family dwellings or multifamily dwellings of the same type; See Illustration 2.503, *Multiple Detached Garage Setbacks*.



F. Standards Applicable to All Accessory Buildings (Except Small Sheds, Which Are Addressed in Subsection G, Below).

1. *Effect on Lot Coverage.* Accessory buildings count toward the calculation of lot coverage.
2. *Encroachment into Easements:* Accessory structures shall not be located within access or utility easements unless the easement expressly allows the encroachment. A copy of the easement shall be provided to the City prior to the issuance of permits or clearances for such structures.
3. *Architectural Compatibility.* Except in NC districts, accessory buildings shall be designed to be compatible with the principal building in terms of:
 - a. Color, which shall be the same as the principal building or which shall compliment the principal building;
 - b. Materials, which shall be the same as those used on the principal building, and in the case of siding or brick, shall be installed with the same patterns as on the principal building.
 - c. Roof pitch, which shall be the same as the principal building;
 - d. Roof materials and color, which shall be the same as the principal building;
 - e. Fenestration, if windows are provided, they should be of a type and aspect ratio that is similar to those on the principal building.
4. *Residential Occupancy.* Residential occupancy of accessory buildings that are not constructed and approved for residential use is prohibited.

- G. Small Sheds.** Sheds that are less than nine feet in height to the peak of the roof and less than 20 square feet in floor area may be located not closer than two feet to lot lines, subject to F.2., above, provided that if they are located closer than four feet to a side or rear lot line, the area between the shed and the lot line is planted with shrubs that will grow to form a hedge with a height of three



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feet within not more than 18 months of planting. Small sheds are not subject to subsection F.3. (architectural compatibility).

Sec. 2.504 Decks, Balconies, Patios, and Porches

- A. **Decks.** No deck shall have a surface that is elevated higher than the level of the second floor of the principal building.
- B. **Patios.**
 - 1. *Coverage.* Patios may occupy 60 percent of the rear yard.
 - 2. *Drainage.* Any application for a patio that is more than 750 square feet in area shall include a drainage plan for approval by the City Engineer.
- C. **Enclosed Porches.** Enclosed porches are subject to the same requirements as the building to which they are attached.
- D. **Open Porches.** Front yard encroachment in addition that that permitted by Table 2.501, *Permitted Projections into Required Yards*, shall be permitted for open porches in areas of existing development, provided that:
 - 1. The open porch will have at least the same front setback as the average front setback of similar existing open porches on the same street on the same side of the block; and
 - 2. The open porch is designed so that it will not cause additional stormwater runoff onto adjacent properties compared to the pre-development condition.

Sec. 2.505 Swimming Pools and Spas

- A. **Timing of Construction.** No residential swimming pool shall be constructed unless the principal building is constructed or under construction simultaneously with the swimming pool.
- B. **Setbacks.**
 - 1. *Front:* Behind the principal building.
 - 2. *Side:* Same as side setback requirements for principal buildings.
 - 3. *Rear:* The greater of:
 - a. Six feet, measured from the outside wall of the pool.
 - b. Any utility easement width at the rear property line.
 - 4. *Building:* Six feet between the pool wall and any building.
- C. **Access Restrictions.** Access to pools and spas shall be restricted by either of the following means:
 - 1. Walls or fencing not less than five feet high and completely surrounding the pool and deck area with the exception of self-closing and latching gates and doors, both capable of being locked. In addition, the pool fence must not be built within the required front yard or required corner lot side yard.
 - 2. A power safety pool cover which shall:



- a. Provide a continuous connection between the cover and the pool deck or patio, so as to prevent access to the pool when the cover is completely drawn over the pool; and
- b. Be mechanically operated by a key or key and switch such that the cover cannot be drawn open or retracted without the use of a key.

Sec. 2.506 Antennae and Satellite Dishes

A. TV Antennae, DTV Antennae, Wireless Cable Antennae, Satellite Dishes.

1. The following are permitted if they are attached to a building or mounted on a mast that extends not more than 12 feet above the peak of the roof:
 - a. TV antennae
 - b. DTV antennae
 - c. Wireless cable antennae
 - d. Satellite dishes that are one meter or less in diameter.
2. All cabling must be run internally when feasible, securely attached, and as inconspicuous as practicable.
3. Masts that are greater than 12 feet above the peak of the roof are permitted if it is demonstrated that an adequate signal cannot be obtained at a lower height and:
 - a. The mast and antenna are lower than overhead power lines, or set back from overhead power lines such that a collapse of the mast will not result in contact with the lines.
 - b. The mast and antenna are designed to withstand a 110 mile per hour sustained wind.
4. Satellite dishes that are more than one meter in diameter are permitted if:
 - a. They are located on the ground in the rear yard and not visible from ground-level views from public rights-of-way or abutting properties; or
 - b. If the dish cannot be located in the rear yard, it is located on the ground within the permitted building envelope on the side of the building and the dish or antenna is fully screened from view from public rights-of-way with:
 - i. a masonry wall; or
 - ii. an evergreen hedge or shrub and understory trees.

B. Amateur Radio Antennae. Amateur radio antennae are permitted if the following standards are met:

1. Height, setbacks, and screening for the antenna structure shall be as provided in Table 2.506, *Amateur Radio Antennae*.



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**Table 2.506
Amateur Radio Antennae**

Zoning district and lot size	Max. Height (ft.)	Min. Street Setback (ft.)	Min. Side and Rear Setback (ft.)	Required Screening
<div style="display: flex; flex-direction: column; align-items: center;"> <div style="display: flex; gap: 5px;"> <div style="border: 1px solid black; padding: 2px;">RE</div> <div style="border: 1px solid black; padding: 2px;">NC</div> </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">AF</div> </div> Lot sizes of 5 acres or more	more than 75, up to 200 ¹	100; or, alternatively, 40 ft. behind back wall of principal building	Greater of required building setback or 70 ft.	Continuous evergreen hedge around sides of base that face lot lines; 2 understory trees, located to maximize interruption of views from adjacent property and public rights-of-way. Existing vegetation that provides comparable screening may be substituted for this requirement.
	40 to 75	100; or alternatively, 15 ft. behind back wall of principal building	Greater of required building setback or 25 ft.	Continuous evergreen hedge around sides of base that face lot lines; 1 understory tree, located no more than 15 feet away from the antenna, positioned to screen view from adjacent property. Existing vegetation that provides comparable screening may be substituted for this requirement.
	less than 40	Same as required for principal building.		None
All other lots (any district)	75 or less ²	Same as required for principal building.		None

TABLE NOTES:
¹ The maximum permitted height in the AF and RE Districts on lots of at least 5 acres in area is 200 ft.
² The maximum permitted height in all other districts, or on lots of less than 5 acres in the AF and RE districts is 75 ft.

2. Support structures that are not attached to the antenna structure shall be treated as accessory structures for the purposes of height, setbacks, and screening.

Sec. 2.507 Trucks and Business Vehicles

No vehicles, trucks, semi-trailer trucks, or vans that are heavier than 15,000 pounds gross vehicle weight shall be parked outside on lots or on streets in residential zoning districts.

Sec. 2.508 Recreational Vehicles and Inoperable Vehicles

A. Recreational Vehicles.

1. Recreational vehicles, boats, trailers, ATVs, and personal watercraft, shall not be stored for a period of more than 14 days unless it is demonstrated that:
 - a. In residential districts:
 - i. They are located within carports or enclosures; or
 - ii. Screened by a six foot tall wall or opaque fence and located behind the front building line; or
 - b. In nonresidential districts, the vehicle is parked on an improved parking space designated for the purpose of such storage, in locations where outdoor storage is a permitted use; or
 - c. The recreational vehicle is located in a recreational vehicle park, parked on a designated space.



2. Recreational vehicles, boats, and utility trailers, and any other comparably sized non-motorized vehicles shall not be parked on any public right-of-way.

B. Inoperable Vehicles.

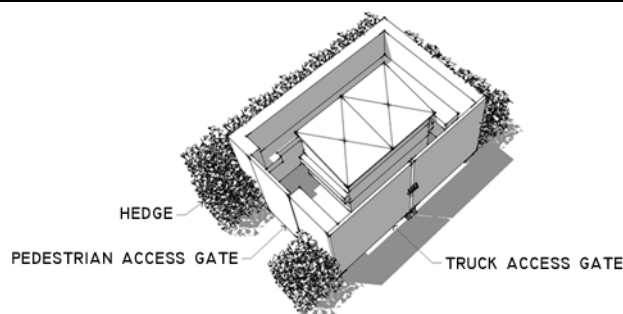
1. Inoperable vehicles shall be stored within enclosures or at locations permitted pursuant to this UDC that process them.
2. Inoperable vehicles shall not be parked on any public right-of-way.

Sec. 2.509 Refuse Containers

Centralized solid waste facilities may be provided for attached residential or multifamily residential uses through the use of dumpsters or common garbage bins if it is demonstrated that:

1. The facilities are located no more than 200 feet (walking distance) from the individual residential units that they are intended to serve.
2. Access to the facilities is configured to meet the requirements of the refuse service provider.
3. The facilities are located in a side or rear yard, unless it is not possible to provide service access in such locations.
4. The areas where dumpsters and/or garbage bins are stored are fully enclosed by an opaque wall constructed of brick, stone, or stucco-finished concrete block, and/or earthen berms, to a height of one foot above the top of the dumpster. A hedge shall be planted around the enclosure (except at entries), and maintained at a height of between three and five feet.
5. If an enclosure must be located in a front yard to meet the requirements of the refuse service provider, it shall be designed and constructed to be consistent and compatible with principal building in terms of materials and architecture.
6. The enclosures have service gates which remain closed at all times except when the dumpster or garbage bins are being serviced; and access gates or an access entry that screens the dumpster from view, for pedestrian access; as shown in Figure 2.509, *Trash Enclosure*.
7. The enclosures are oriented so that landscaping faces adjoining properties or streets.

**Figure 2.509
Trash Enclosures**





City of Zachary Unified Development Code

Sec. 2.510 Easements and Utilities

- A. **Required.** The applicant shall provide for electric, telephone, natural gas, and cable television connections to be extended to all building sites. Fiber-to-the-home is encouraged.
- B. **Location.**
1. Where local overhead distribution lines do not already exist, all utilities shall be located underground.
 2. Lot lines shall form the centerlines of easements for utilities, except at the edge of platted subdivisions, or where utilities traverse dedicated open spaces pursuant to Section 8.301, *Location of Utilities*.
 3. The locations of easements shall be established by the utility that provides the service, subject to approval by the City.
 4. In instances where utilities are provided along rear lot lines, side yard easements may be required to provide access for the purposes of constructing and maintaining lines.

Sec. 2.511 Common Areas and Gatehouses

- A. **Common Areas.** Recreational equipment for the common use of all development residents shall be located on lots or out-lots in accordance with the approved plat or site plan.
- B. **Gate Houses.** When a private street development is approved pursuant to Section 8.204, *Private Streets*, gate houses or security posts shall be set back as follows:
1. From private street right-of-way: No setback is required, provided that the City Engineer and the Fire Department approve the location as not conflicting with utilities and fire protection needs.
 2. From public street right-of-way: 40 feet; additional setback may be required by the City Engineer to accommodate stacking requirements of large subdivisions.
 3. From private property that abuts the parcel proposed for development: 30 feet.

Division 2.600 Nonresidential Lot, Yard, and Height Standards

Sec. 2.601 Nonresidential Lot Regulations

Table 2.601, *Nonresidential Bulk Requirements*, sets out nonresidential lot, setback, and height standards for each district and development type. These standards may be modified for a traditional neighborhood development, according to the standards of Division 11.300, *Traditional Neighborhood Development*.

City of Zachary Unified Development Code



Table 2.601 Nonresidential Bulk Requirements						
District and Use	Minimum					Maximum Height (ft.)
	Lot Width (ft.) ¹	Build-to Line (ft.) ²	Front Setback (ft.) ²	Side Yard Min. / Total (ft.) ²	Rear Setback (ft.) ²	
RE						
Place of Public Assembly and Private Clubs	150	N/A	30	15 / 40	35	35
All Other Nonresidential Uses	500	N/A	75	30 / 60	100	28
RS						
Institutional Residential	300	na.	50	10 / 20	35	28
All Other Uses	300	na.	50	25 / 50	50	28
RU						
Institutional Residential	250	na.	20	30 / 60	50	28
All Other Uses	125	na.	20	20 / 40	50	35
NC						
All uses	Two times the yards for single-family					35
CS						
Commercial Retail	50	15	na.	5 / 10	10	28
Office / Service	50	15	na.	5 / 10	10	35
All other uses	40	15	na.	10 / 20	25	35
CG						
Commercial Retail	50	15	na.	8 / 16	10	35
Office / Lodging	50	20	na.	10 / 20	10	50
Services	50	15	na.	10 / 20	10	35
All Other Uses	100	15	na.	10 / 20	10	35
UC						
Mixed Use	66	0 ³	na.	0	0	50
All Other Uses	22	0 ³	na.	0	0	50
BP						
Office	125	na.	15	15 / 30	30	55 ft.,
Industrial	125	na.	15	15 / 30	30	50 ft.
Warehouse	150	na.	15	15 / 30	30	50 ft.,
All Other Uses	100	na.	55	10 / 20	10	50 ft.,
I						
All other uses	125	na.	25	15	30	4 stories or 50 ft., whichever is lower



City of Zachary Unified Development Code

**Table 2.601
Nonresidential Bulk Requirements**

District and Use	Minimum					Maximum Height (ft.)
	Lot Width (ft.) ¹	Build-to Line (ft.) ²	Front Setback (ft.) ²	Side Yard Min. / Total (ft.) ²	Rear Setback (ft.) ²	
TABLE NOTES:						
¹ Along arterials, frontages in excess of the minimum lot width may be required. See Division 9.400, <i>Access Management and Circulation</i> .						
² If a larger bufferyard is required, the setback or build-to line shall be the width of the bufferyard.						
³ Buildings shall be constructed to a build-to line that allows enough room for a 10 foot wide attached sidewalk. If the 10-foot wide sidewalk can be constructed entirely within the right-of-way, then the build-to line shall be the property line.						

Division 2.700 General Nonresidential Standards

Sec. 2.701 Exceptions to Yard Standards

- A. **Generally.** Table 2.701, *Permitted Projections into Required Nonresidential Yards*, sets out projections that may be located within required yards (between the setback lines and the lot lines). Measurements in the table are taken from the setback line (A); from the lot line (B); or into the right-of-way (C). See Figure 2.701, *Illustrative Measurement of Nonresidential Encroachments*. If a measurement is indicated for "(A) Into Yard" and "(B) From Lot Line," then the measurement that results in the larger setback from the lot line controls. If a measurement is indicated for "(A) Into Yard" and "(C) Into Right-of-Way," then the measurement that allows the smallest encroachment into the right-of-way controls.

**Table 2.701
Permitted Projections into Required Nonresidential Yards**

Location / Projection	Permitted Encroachments		
	(A) Into Yard	(B) From Lot Line	(C) Into Right-of-Way
All Yards			
Awnings and canopies without supports that extend to ground, not less than 8 feet above sidewalk, and no interference with traffic flow	8 ft.	All Districts Except UC: 2 ft.	UC District Only: 8 ft., but not closer than 2 ft. from back of curb, subject to Planning and Zoning Commission approval.
Steps, 4 feet or less above grade, which are necessary for access to a permitted building, or for access to a zoning lot from a street or alley.	5 ft.	0 ft.	Not Allowed
Chimneys	2 ft.	1 ft.	Not Allowed
Arbors and trellises	N/A	0 ft.	Not Allowed
Flagpoles	N/A	2 ft.	Not Allowed
Fences, garden walls, and hedges	N/A	See Section 2.702, <i>Fences, Garden Walls, and Hedges</i>	Not Allowed
Front Yard			
Overhanging eaves and gutters	2.5 ft.	All Districts Except UC: 0 ft.	UC District Only: 1 ft., subject to Planning and Zoning Commission approval.
Patios; Decks that are less than 3 feet above grade	10 ft.	5 ft., or width of bufferyard, whichever is greater.	Not Allowed

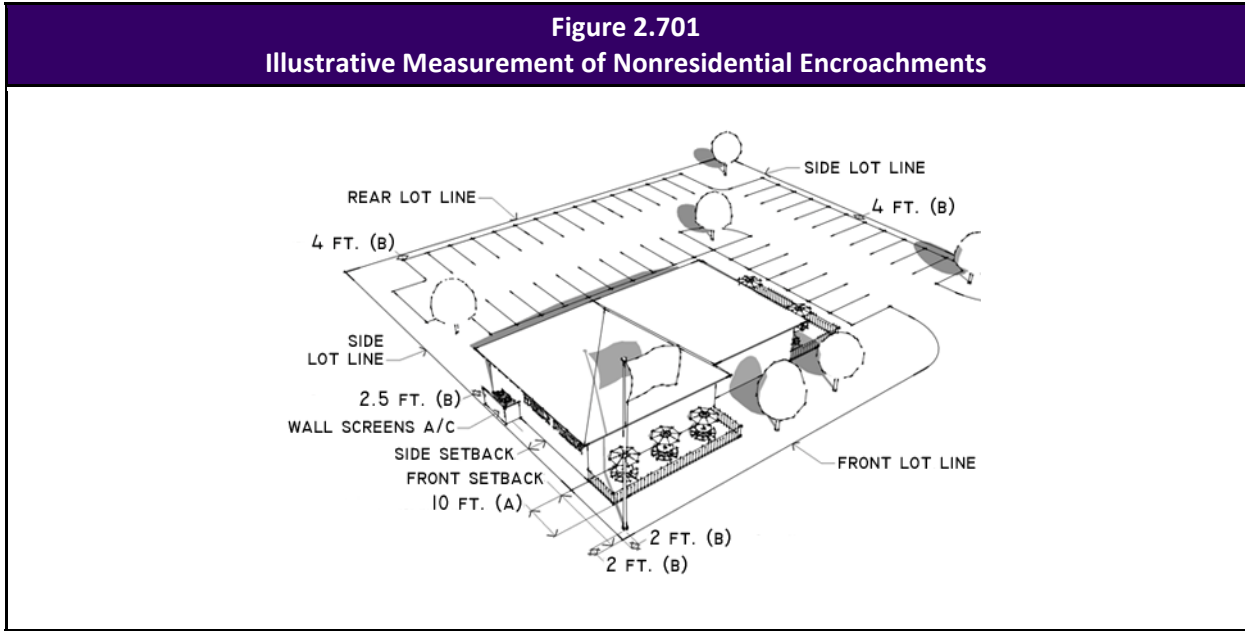
City of Zachary Unified Development Code



Table 2.701 Permitted Projections into Required Nonresidential Yards			
Location / Projection	Permitted Encroachments		
	(A) Into Yard	(B) From Lot Line	(C) Into Right-of-Way
Enclosed vestibule, 40 square feet or less in floor area encroaching	5 ft.	3 ft.	Not Allowed
Paved off-street parking spaces	N/A	As required by Section 10.304, <i>Street Bufferyard Standards</i>	Not Allowed
Side Yard			
Overhanging eaves and gutters	2.5 ft.	All Districts Except UC: 1 ft.	UC District Only: 1 ft., subject to Planning and Zoning Commission approval.
Air conditioning units	5 ft., if screened from view by a garden wall or hedge that is one foot taller than the equipment	2.5 ft.	Not Allowed
Paved off-street parking spaces	N/A	4 ft., or as required by Section 10.304, <i>Street Bufferyard Standards</i>	Not Allowed
Patios; Decks, less than 3 feet above grade	na.	3 ft.; but 0 ft. if the adjacent lot or parcel is permanent open space	Not Allowed
Decks, 3 feet or more above grade	6 ft.	6 ft.; but 0 ft. if the adjacent lot or parcel is permanent open space	Not Allowed
Rear Yard			
Overhanging eaves and gutters	2.5 ft.	All Districts Except UC: 1 ft.	UC District Only: 1 ft., subject to Planning and Zoning Commission approval.
Paved off-street parking spaces	N/A	4 ft.	Not Allowed
Air Conditioning Units, provided that the building is located in a CN district	5 ft., if screened from view by a garden wall or hedge that is one foot taller than the equipment	5 ft.	Not Allowed
Patios; Decks, less than 3 feet above grade	N/A	3 ft., subject to Section 2.504, <i>Decks, Balconies, Patios, and Porches</i>	Not Allowed
Decks, 3 feet or more above grade	12 ft.	5 ft., subject to Section 2.504, <i>Decks, Balconies, Patios, and Porches</i>	Not Allowed



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- B. Limitations.** No projection shall cross a lot line into:
1. Separately owned property, unless a recorded document provides for access to and maintenance of the projection; or
 2. Public property, rights of way, or access easements, except as provided in Table 2.701, *Permitted Projections into Required Yards* and approved by the Planning and Zoning Commission and the City Engineer; or
 3. Utility easements, unless the design of the improvement and a recorded agreement allows access to the utility and allows the utility or the City to efficiently remove the encroachment at the property owner's expense.

Sec. 2.702 Fences, Garden Walls, and Hedges

- A. Height.** No fence, garden wall, or hedge shall exceed the heights specified in Table 2.702A, *Fence, Garden Wall, and Hedge Height*, unless so required by [Division 10.300, Bufferyard Requirements](#):

Table 2.702A Fence, Garden Wall, and Hedge Height					
District	Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	Abutting Industrial District (side or rear lot lines)
CS	3 ft.	3 ft.	6 ft.	6 ft.	8 ft.
I	3.5 ft.	3.5 ft.	6 ft.	5 ft.	8 ft.



District	Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	Abutting Industrial District (side or rear lot lines)
All Other Districts	Fences and garden walls are not allowed in front yards unless they are required by Section 2.502, <i>Fences, Garden Walls, and Hedges</i> ; Hedges shall not exceed 2.5 ft. in height unless a greater height is required by Section 2.502, <i>Fences, Garden Walls, and Hedges</i> .	4 ft.	6 ft.	6 ft.	8 ft.

B. Setbacks. Fences, garden walls, and hedges shall be set back as follows:

1. 18 inches from sidewalks or 5 feet from streets, whichever results in the greatest setback (this measure shall not allow encroachments into rights-of-way). See Figure 2.502A, *Fence Height and Setbacks*
2. 20 feet from Intersection of street lot lines. See Figure 2.502A, *Fence Height and Setbacks* (lower left corner of illustration)
3. Alleys:
 - a. Face is at least 40 percent opaque: Three feet.
 - b. Face is less than 40 percent opaque: One foot. See Figure 2.502B, *Fence Opacity*.

C. Materials and Design.

1. Fence materials shall be durable, and of a character commonly used in residential applications, including: weather resistant wood species, split rail, treated wood, ornamental wrought iron or powder-coated metal, vinyl, composite materials, brick, and stone.
2. Garden wall materials shall be brick, stone, concrete masonry units (split face or polished), simulated stone, or other materials that are used in the principal building.
3. Chain link fences are permitted only in interior side yards and rear yards (including rear yards that face alleys) that are not also street yards.
4. The following materials are prohibited: plywood; sheet metal; plastic; fiberglass sheets; barbed wire, spikes, nails, or other sharp point or instrument on top or sides of a fence (except as provided in subsection C.5., below); welded wire; agricultural fencing; and poultry mesh (chicken wire) or hardware cloth.
5. Barbed wire cradles facing inward toward the property may be placed on top of fences enclosing public utility buildings or wherever the City finds that such are necessary to address a critical security interest. Fences with barbed wire shall be completely screened with a hedge that will be no less than the height of the fence within two years of planting.

D. Orientation. The finished side of all fences shall face out toward neighboring property or adjacent rights-of-way. Where fences are located on the property line of residential property, the finished side of the fence shall face the yard that does not belong to the applicant, unless the applicant



City of Zachary Unified Development Code

provides written consent of the abutting property owner to the City. See Figure 2.502C, *Fence Orientation*.

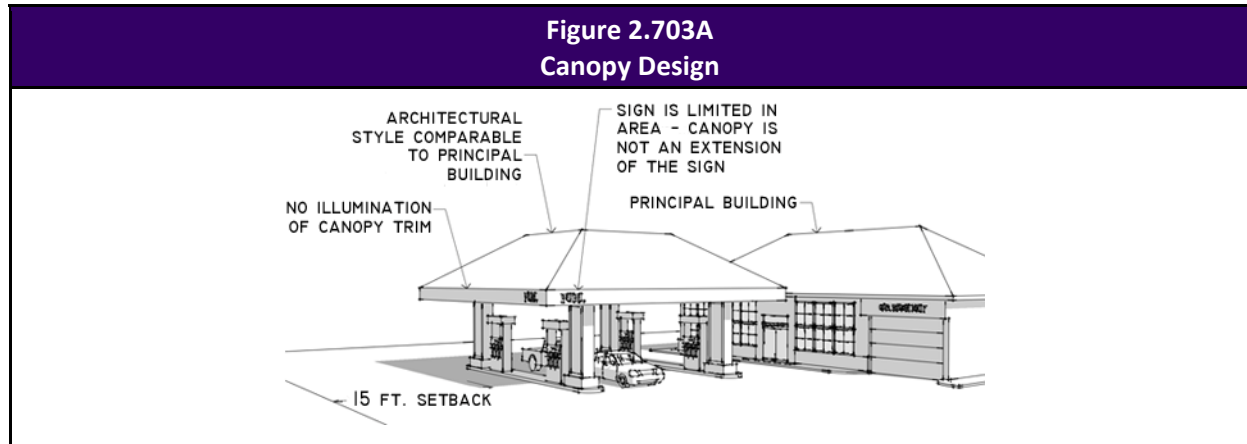
- E. **Exceptions.** Fences, walls, or hedges, which are specifically required pursuant to [Article 10, Landscaping](#), shall conform to the requirements of that Section.

Sec. 2.703 Accessory Buildings or Structures

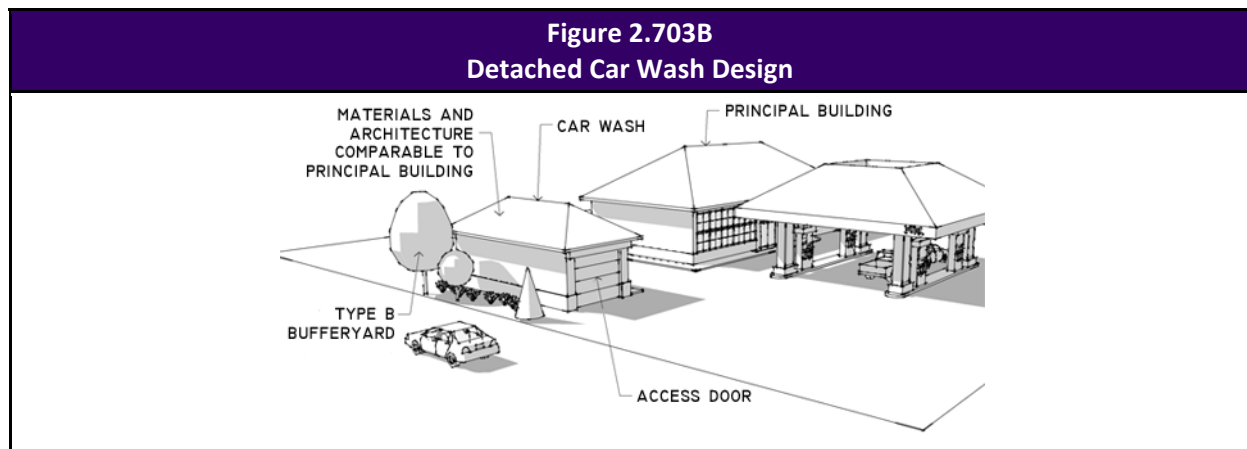
- A. **Timing of Construction.** No accessory building or structure shall be constructed unless the principal building is constructed or under construction simultaneously with the accessory building.
- B. **Attached Accessory Buildings or Structures.** Accessory buildings or structures that are structurally attached to a principal building shall conform to all standards that are applicable to main buildings.
- C. **Storage and Utility Sheds.**
1. Storage buildings are permitted as accessory structures on nonresidential lots in any district except the I district (which is regulated by paragraph 2., below) if it is demonstrated that:
 - a. The cumulative floor area of storage and utility buildings does not exceed two percent of the maximum floor area permitted on the lot.
 - b. The floor area of any individual storage or utility building does not exceed 1,500 square feet.
 - c. Storage and utility buildings are located only behind principal buildings, or if there is no principal building, at least 150 feet from street rights-of-way.
 - d. Storage and utility buildings are completely screened from view from adjacent properties and public rights of way by hedges, buildings, or perimeter walls.
 - e. Converted semi-trailers, manufactured homes, modular shipping containers, dumpsters, or similar structures or equipment are not used for storage.
 - f. Storage and utility buildings are used for property maintenance purposes, and not for commercial uses or storage of goods for resale.
 2. Storage buildings are permitted as accessory structures on lots in the I district, provided that:
 - a. If they are larger than 200 square feet, they are located within the building envelope; or
 - b. If they are 200 square feet or less, they are situated behind the principal building and set back at least 10 feet from all side and rear property lines.
- D. **Gasoline Dispensing Islands and Service Station Canopies.** Gasoline dispensing islands and service station canopies shall be permitted as accessory structures for light automobile service uses if it is demonstrated that:
1. Canopies use a similar architectural style, materials, and roofing as the principal building.
 2. Canopies are not used as an extension of signage beyond that which is allowed in [Article 6, Signs](#). The colors of the corporate logo (except white or black) are not painted on the canopy or trim outside of the area allowed for signage.
 3. The trim of the canopy is not internally or externally illuminated.



4. Gasoline dispensing islands and service station canopies are set back 15 feet from front lot or corner side yard lot lines. See Figure 2.703A, *Canopy Design*.



- E. **Car Washes.** Car washes are permitted as accessory structures for light automobile service uses if it is demonstrated that:
1. The car wash, except for an area for manually drying and polishing vehicles, is located entirely within a building;
 2. Access to the car wash is provided by doors that open on demand by customers or employees;
 3. The car wash building is designed with a similar architectural style, materials, and roofing as the principal building;
 4. The car wash building is buffered from public rights-of-way within 40 feet by a Type B bufferyard, pursuant to Section 10.301, *Bufferyard Classifications*; and
 5. Outside areas for manually drying and polishing cars have sufficient capacity and do not interfere with on-site circulation. See Figure 2.703B, *Detached Car Wash Design*.





City of Zachary Unified Development Code

F. Other Detached Accessory Buildings or Structures.

1. *Footprint.* In the all zoning districts except the I district, the cumulative footprint of accessory buildings and structures on a nonresidential lot shall not be larger than 25 percent of the footprint of the principal building.
2. *Location.* No detached accessory building shall be located in a required front yard.
3. *Easements.* Accessory buildings and structures shall not be located in easement areas on a property unless express written permission has been granted by all easement grantees and such permission is recorded in the public records of East Baton Rouge Parish. A copy of such written permission, including proof of recording, shall be submitted to the City prior to the issuance of permits for such structures.
4. *Spacing.* No detached accessory building or structure shall be located closer than six feet to any other building.
5. *Height.* No detached accessory building shall have more than one story, nor exceed 17 feet in height, unless located within the building envelope and permitted as an accessory to business or manufacturing uses.

Sec. 2.704 Outdoor Storage

- A. **Generally.** Outdoor storage is permitted in the AF, CG, and I districts, subject to the standards of this Section. Outdoor storage is prohibited in any district for which standards for outdoor storage are not provided in this Section.
- B. **AF District.** Outdoor storage areas for agricultural equipment or materials shall be set back 100 feet from public rights-of-way and properties that have different zoning.
- C. **CG District.** Outdoor storage areas are permitted if it is demonstrated that the outdoor storage area:
 1. Occupies not more than five percent of the floor area of the principal building; and
 2. Is screened in one of the following ways:
 - a. Enclosed by a wall that is designed into the principal building's facade and composed of the same materials as the principal building.
 - b. Enclosed by a wall or opaque fence of sufficient height to completely screen the stored materials from public view. Such wall or fence shall be landscaped with shrubs planted 36 inches on center that are maintained as a hedge around the entire periphery of the wall, except at points of access.
- D. **I District.** Outdoor storage areas are:
 1. Located in the building envelope; and
 2. Screened in one of the following ways:
 - a. Views from public rights-of-way are completely blocked by the principal building; or



- b. The area is enclosed by a wall or opaque fence of sufficient height to completely screen the stored materials from public view. Such wall or fence shall be landscaped with shrubs planted 36 inches on center that are maintained as a hedge around the entire periphery of the wall, except at points of access.

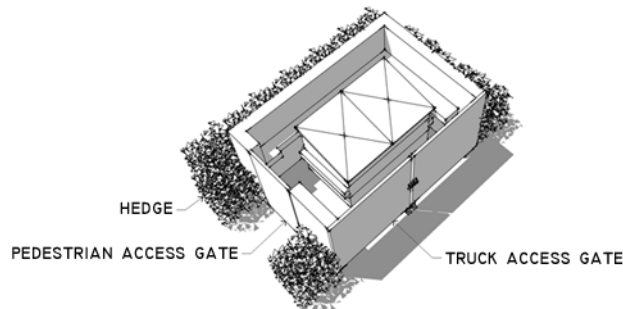
Sec. 2.705 Loading, Truck Access, and Solid Waste Collection

- A. **Loading and Truck Access.** Except as provided in subsections C. or E., loading and truck access facilities shall be:
 1. Located behind principal buildings; and
 2. Screened from view from public rights-of-way by building walls, fences, landscaping, or berms.
- B. **Over-the-Curb Loading.** Over-the-curb loading is permitted in the UC district only during hours permitted by the City Engineer.
- C. **Solid Waste Collection Facilities, Generally.** Dumpsters or garbage bins may be provided for solid waste collection if it is demonstrated that:
 1. The facilities are located:
 - a. No more than 300 feet (walking distance) from all individual commercial uses that they are intended to serve;
 - b. On the same lot as the property they serve, unless otherwise authorized by the responsible official upon written proof of an agreement with an adjacent property owner and demonstration that the facilities will have the capacity to serve both properties.
 2. The facilities are located behind a principal building or in a side or rear yard, unless it is not possible to provide service access in such locations.
 3. Access to the facilities is configured to meet the requirements of the refuse service provider.
 4. The areas where dumpsters and/or garbage bins are stored are fully enclosed by:
 - a. An opaque wall that is one foot taller than the refuse container and constructed of finished masonry painted the same color as the building, or stone, or brick; or
 - b. Earthen berms improved with ground cover that are one foot taller than the refuse container and held in place with a retaining wall.
 5. If an enclosure must be located in a front yard, it is designed and constructed to be consistent and compatible with principal building in terms of materials and architecture, and surrounded by landscaping in addition to that required by subsection C.7., below, that is sufficiently dense to completely conceal the enclosure from view from adjacent properties and public rights-of-way.
 6. The enclosures have gates which remain closed at all times except when the dumpster or garbage bins are being serviced.
 7. The enclosures are landscaped as indicated in Figure 2.705A, *Trash Enclosure*.
 8. The enclosures are oriented so that landscaping faces adjoining properties or streets.



City of Zachary Unified Development Code

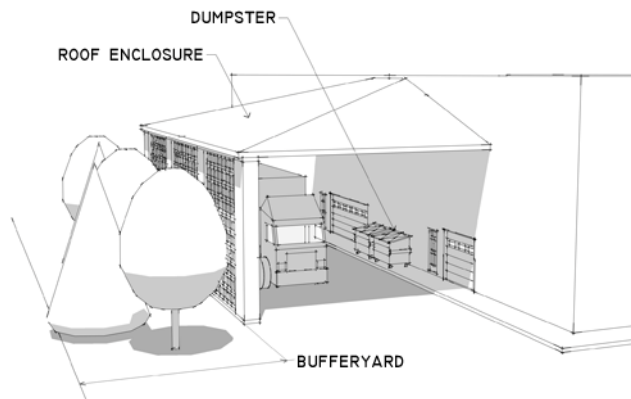
**Figure 2.705A
Trash Enclosures**



D. **Service Areas Adjacent to District Boundaries.** If loading, truck access, or solid waste collection facilities are located between a principal building and property that is used or zoned for residential purposes, then the following additional standards apply:

1. The loading, truck access, or waste storage area is screened along the entire boundary along the area where trucks are expected to circulate by a bufferyard that has one level more opacity than required by the district boundary (e.g., if a Type C bufferyard is normally required, then a Type D bufferyard shall be installed). The bufferyard shall include a six-foot tall berm or low maintenance, durable solid fence or wall of the same height; or
2. The loading, truck access, or waste storage area shall be located under roof as indicated in Figure 2.705B, *Roof Enclosure*. If a roof enclosure is used, the buffer may be reduced by one level of opacity adjoining the shed (e.g., if a Type C bufferyard is required along the district boundary, a Type B bufferyard may be installed along the enclosure).

**Figure 2.705B
Roof Enclosure**



E. **Front Loading in I District.** In the I District, truck loading may be in the front yard of the building if it is demonstrated that:

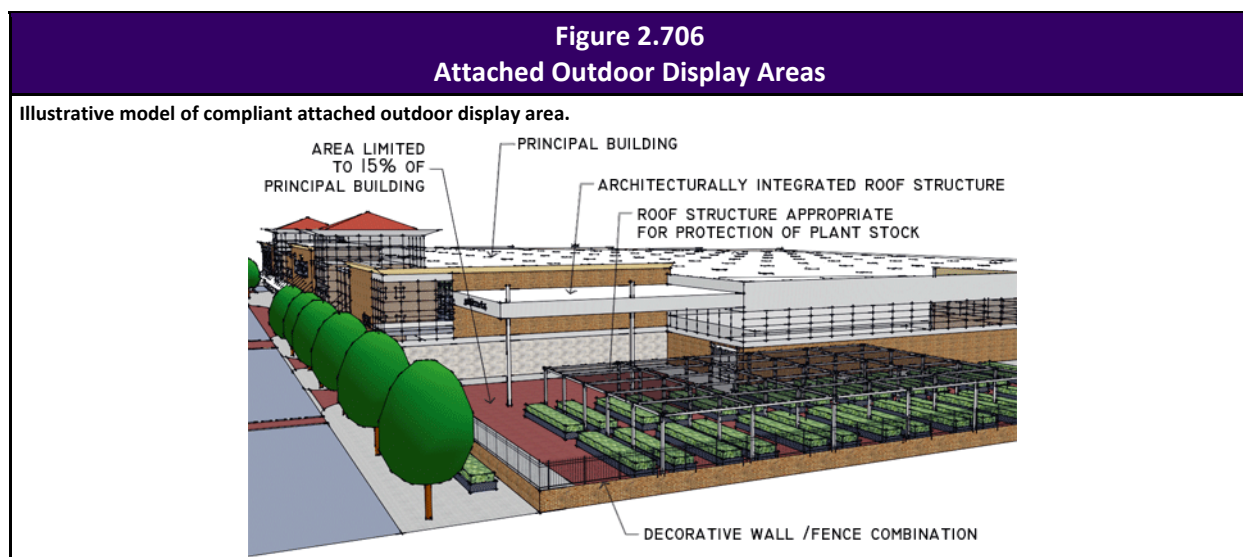
1. The frontage street is not an arterial; and



2. The property on the other side of the street is also zoned I.

Sec. 2.706 Outdoor Display of Merchandise

- A. **Generally.** Permanent outdoor displays of merchandise by retail businesses are permitted if compliance with all of the applicable requirements of this Section is demonstrated.
- B. **Accessory Use.** The outdoor display area involves items for sale by a commercial retailer that is located within a permanent structure or designated area on the same site.
- C. **Attached to Principal Building.** Outdoor display areas that are attached to principal buildings are permitted if it is demonstrated that the outdoor display areas are:
 1. Adjacent to a wall of a principal structure,
 2. Configured as a walled and/or decoratively fenced area that is architecturally integrated into the principal building;
 3. If covered, covered with a roof structure that is architecturally integrated into the principal building, except that nursery areas may be covered by greenhouse roofing, screen, or other cover that is appropriate for protecting plant stock;
 4. Within the buildable area of the site;
 5. Not larger than 15 percent of the floor area of the principal building, except that garden centers or stores may have outdoor display areas that are not larger than 50 percent of the floor area of the principal building; and
 6. Not located in areas that are required or used for parking or vehicular circulation.



- D. **Sidewalk Displays.** Displays are permitted on sidewalks that abut the principal building if it is demonstrated that:
 1. Merchandise is displayed at a height of six feet or less;



City of Zachary Unified Development Code

2. There is at least 5 feet of clear width on the sidewalk for use by pedestrian traffic;
3. All sidewalk merchandise displays are within 40 feet of an entrance to the principal use, or located in the area defined by the forward projection of the side walls of the use, whichever is a smaller display area.

Sec. 2.707 Columbaria and Memorial Gardens

- A. **Generally.** Columbaria and memorial gardens shall be permitted as accessory uses to places of public assembly according to the standards of this Section.
- B. **Columbaria.** Columbaria shall be:
 1. Set back not less than 100 feet from residential property lines.
 2. Located in or behind the principal building.
 3. If located outside the principal building, shall be no more than nine feet in height.
 4. Screened from view from adjacent property by a Type A bufferyard.
- C. **Memorial Gardens.** Memorial gardens shall be:
 1. Located only on lots of 10 acres or more in size, and occupy not more than ten percent of the lot.
 2. Set back not less than 75 feet from residential property lines.
 3. Located behind the front building line of the principal building, adjacent to the building.
 4. Enclosed by a three-foot or higher masonry wall, decorative fence, or combination of masonry wall and decorative fence.
 5. Screened from view from adjacent property and public streets by a Type A bufferyard.
- D. **Trust Fund or Bond Required.** Applicants shall demonstrate financial security for permanent maintenance of the columbarium or memorial garden, and for moving the ashes to an appropriate and lawful location if the property is sold or the use is abandoned.



ARTICLE 3 OPEN SPACE AND ENVIRONMENTAL QUALITY

Division 3.100 Purpose and Application of Article

Sec. 3.101 Purpose of Article

The purpose of this Article is to establish standards that allow for the use of designated open spaces for purposes that do not interfere with their open space functions (e.g., drainage and community character protection), and to establish standards for maintaining a quality living environment by limiting the noise, vibration, light, and glare associated with land uses in the City, and by protecting drinking water supplies.

Sec. 3.102 Application of Article

A. Generally.

1. This Article provides standards that relate to the use of tracts of land that are designated as open space, to the operation of land uses, and to the designation of drinking water protection critical areas.
2. Other environmental standards are provided in the City of Zachary Code of Ordinances, as follows:
 - a. Floodplain management and flood damage protection standards are set out in [Chapter 46, Flood Damage Prevention](#);
 - b. Sanitation, weed control, hazardous waste, and junked vehicle regulations are set out in [Chapter 38, Environment](#);
 - c. Disorderly houses are regulated by [Section 58-104, Disorderly House Prohibited](#); and
 - d. Solid waste is regulated by [Chapter 68, Solid Waste](#).
3. State or Federal environmental standards may also apply to certain uses. Applicants for approval of development that requires permitting under state or federal law shall provide copies of the required state or federal permits to the City.

B. **Open Space.** Common open space may be required by [Article 2, District Intensity and Development Standards](#). [Division 3.200, Open Space](#) establishes standards that allow for the economic and/or recreational use of the open space areas.

C. **General Environmental Standards.** [Division 3.300, General Environmental Standards](#), establishes standards for noise, vibration, light and glare, and designation of drinking water protection critical areas.



Division 3.200 Open Space

Sec. 3.201 Use and Function of Open Space

- A. **Generally.** This Section sets out the uses that are allowed in areas that are designated as open space during the development approval process.
- B. **Permitted Uses and Functions.** Open spaces may be put to the following uses or functions, subject to any applicable standards of this Division:
1. Landscaped or natural areas;
 2. Open water;
 3. Floodplains and floodways;
 4. Wetlands;
 5. Passive recreation;
 6. Golf courses, ball fields, and other active outdoor recreation;
 7. Play courts, provided that impermeable court surfaces cover not more than 15 percent of the area of open space;
 8. Stormwater detention and retention areas, subject to the standards of [Article 7, Storm Water Management](#);
 9. Agriculture or forestry, provided that there is a 50 foot wide landscaped buffer between the agriculture or forestry use and other uses that are not agriculture or forestry, and a 25 foot wide landscaped buffer; and
 10. Apiaries, provided that they are set back at least 300 feet from residential, commercial, recreation, and institutional uses.

Sec. 3.202 Identification of Open Space

- A. **Generally.** All boundaries of open space shall be identified as open space parcels on a plat or site plan.
- B. **Posting of Open Spaces.** Open spaces that are delineated in order to protect natural resources or to be otherwise left in a natural state shall have their boundaries with lots or rights-of-way identified with signs placed on the center of each lot line, or every 330 feet (four per quarter-mile), whichever is less. The signs and their locations shall be approved with the subdivision plat or site plan and shall meet the specifications of this Section.
1. *Sign Dimensions:* 30 in. x 18 in.
 2. *Sign Height:* 3 feet.
 3. *Identification Requirements:* The sign shall identify the open space area, the entity dedicating or preserving the area, and whether mowing or cutting is allowed, as follows:



- a. For publicly dedicated areas:

**CITY OF ZACHARY OPEN SPACE /
RESOURCE PROTECTION AREA**
No mowing or cutting beyond this point.

- b. For privately managed areas:

OPEN SPACE / RESOURCE PROTECTION AREA
No mowing or cutting beyond this point.

Sec. 3.203 Ownership and Maintenance Easements

- A. **Ownership.** Open space that is required by this UDC shall be placed in a conservation easement, and may be owned in the following ways:
1. As common land by homeowners', condominium, or property owners' associations, with a conservation easement in favor of the City and all property owners within the association;
 2. By the landowner, with the conservation easement in favor of the City;
 3. By a public agency (by dedication), provided such agency shall have the final decision to accept and the right to refuse such offers of dedication; or
 4. By a City-approved, private, non-profit organization that is capable of managing the open space with a conservation easement running in favor of the City, the non-profit organization, and the owners of rest of the property in the development.
- B. **Maintenance.** Under any arrangement, the conservation easement shall require the maintenance of such areas as indicated on the approved plat or site plan. The City shall have the right under such conservation easements to maintain the area and place a lien on the property to recover its costs, and may otherwise pursue the recovery of such costs.

Sec. 3.204 Use of Wetlands and Open Water Areas

- A. **Generally.** Wetlands and open water areas may be used for water dependent uses by conditional use approval.
- B. **Water Dependent Uses.**
1. Water dependent uses are permitted as a conditional use in wetlands or open water areas if it is demonstrated that, in addition to the conditional use standards of Section 14.501, *Conditional Use Requirements*:
 - a. The location of access to the water has been selected:
 - i. To minimize adverse impacts to the water body from erosion, pollutants, or turbidity; and
 - ii. To minimize adverse impacts to riparian zone flora and wildlife habitat;



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- b. The dimensions of the access are the minimum necessary to provide reasonable access for the purposes of the water dependent use; and
 - c. Any facilities that support the water dependent use that do not require direct access to water are located away from the water, to minimize their impact on water quality, floodplains, and wetlands.
 2. As part of the review process, the applicant shall provide evaluations of at least three reasonable alternative sites to assist the City in determining which location is the best suited for these uses in terms of compliance with this subsection B.
- C. **Boardwalks.** Boardwalks are permitted in wetlands if it is demonstrated that:
 1. They are not more than five feet wide, except that seating or shelter areas that are not more than 250 square feet in area may be located at intervals of not less than 300 feet;
 2. They have railings to prevent visitors from leaving the boardwalk;
 3. They provide limited access to the site in order to balance the educational and recreational opportunity inherent in public access with the need to protect the site from human impacts;
 4. They are posted with notices that visitors must stay on the boardwalk; and
 5. They do not require the destruction of any healthy tree (except nuisance species) that is greater than six inches in diameter at breast height.
- D. **Storm Water Management.**
 1. *Water Bodies.* Natural water bodies shall not be used for storm water detention. However, man-made ponds may be used for detention, and their size or dam height may be increased as necessary to provide required detention.
 2. *Wetlands.* Existing wetlands may be used for storm water detention if it is demonstrated that:
 - a. The detention structure allows for an increase in water depth;
 - b. The raising of the maximum flood elevation allows for the herbaceous plants to migrate with the higher water, even if the result is higher open water in the interior;
 - c. Swamps with woody plants that will not tolerate the raised level of water shall not be used for storm water detention.
- E. **Federal Approvals.** Nothing in this Section limits the jurisdiction of the State of Louisiana or the U.S. Army Corps of Engineers. No construction of water dependent uses under the jurisdiction of the U.S. Army Corps of Engineers shall commence until all required Federal permits are issued.

Sec. 3.205 Use Limitations in Drinking Water Protection Critical Areas

- A. **Generally.** Drinking water protection critical areas ("DWPCAs") are of critical importance to public health and safety. In order to protect the public water supply from contamination, the uses, accessory uses, facilities, infrastructure, and other hazards set out in subsections B., C., and D., below are not allowed in these locations, regardless of how they are zoned.

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- B. **Identification of DWPCAs.** Drinking water protection critical areas are the areas that are within a 1,000 foot radial boundary of any water well that serves an active public water system.
- C. **Prohibited Uses.** The uses set out in Table 3.205, Prohibited Uses in DWPCAs, are not allowed in DWPCAs:

Table 3.205 Prohibited Uses in DWPCAs	
Category of Use	Prohibited Uses in DWPCA
Institutional	Cemeteries; Funeral Homes; and Hospitals
Commercial	Car Washes; Dry Cleaners; Laundromats; Light Automobile Service; Printing Shops; and Vehicle Sales, Rental, and Service
Recreation	Golf Courses
Industrial	Agriculture Chemical-Formulation and/or Distribution Facilities; Asphalt Plants, Auto/Boat/Tractor/Small Engine Shops; Battery Recyclers, Body Shop; Automobile Paint Shop; Chemical Plants; Dry Cleaning Plants; Furniture Stripping Facilities; Metal Plating / Metal Working Facilities; Paper Mills; Petroleum Bulk Plants; Salvage Yards; Sanitary Landfills; Sewer Treatment Plants; Truck Terminals; Wood Preserving Plants; Nuclear Plants; and Power Plants that Generate Power from Combustible Materials.
Agricultural	Animal Feed Lots; Dairies; Lumber Mills; Plant Nurseries; and Sand / Gravel Pits
Special	Airports; Military Facilities; and Railroad Yards (Switching / Loading and Offloading / Maintenance)

- D. **Prohibited Accessory Uses, Facilities, and Infrastructure.** The following accessory uses, facilities, and infrastructure are not allowed in DWPCAs:
1. Above-ground storage tanks
 2. Injection wells (Class I, Class II, Class III, and Class IV)
 3. Irrigation wells
 4. Oxidation ponds
 5. Pipeline compressor stations
 6. Sewer lift stations
 7. Underground storage tanks
- E. **Other Hazards.** The following other hazards are not allowed in DWPCAs, and if a parcel proposed for development contains any of these hazards, they must be remediated as a condition of development approval:
1. Abandoned water wells
 2. Non-functional on site sewage systems
 3. Promiscuous dumps
- F. **Exceptions.** Any land use, accessory use, facility, infrastructure, or other hazard that is identified in this Section may continue to exist on the parcel upon which it is located, provided that it is lawfully in existence on the Effective Date of this UDC. The City may allow repair or replacement of such uses, accessory uses, facilities, or infrastructure.



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G. Uses and Activities that are Permitted by DWPCA Special Permit.

1. The following uses and activities are permitted only upon the issuance of a DWPCA Special Permit:
 - a. Enlargement or alteration of nonconforming uses that would be prohibited by subsections C., D., and E. if they did not exist prior to the Effective Date of this UDC.
 - b. Activities that involve the handling of hazardous materials in quantities greater than those associated with normal household use.
2. DWPCA special permits may be granted if the applicant demonstrates that:
 - a. An unnecessary and undue hardship will result if the uses and activities are not allowed:
 - b. Reasonable measures are taken to secure and manage hazardous materials to prevent contamination of groundwater supplies during normal operations, emergency situations (e.g., fire), and natural disasters (e.g., hurricane or flood).

Sec. 3.206 Development and Management Standards for Golf Courses

A. Standards Applicable to All Golf Courses.

1. *Required Best Management Practices.* Golf courses that are approved after the Effective Date of this UDC shall operate using the following Best Management Practices:
 - a. Nutrients shall be applied only via irrigation, and shall only be applied in concentrations such that the grass will take up all the nutrients applied with no leaching below the root zone of the grasses.
 - b. Pesticides, herbicides, or other chemicals shall be managed to limit the potential for such materials reaching the groundwater. This may require special under-draining or other construction techniques to capture or reduce infiltration of these chemicals.
 - c. Rroughs shall not be irrigated, or shall be irrigated only from long-term stormwater storage.
2. *Nutrient Management Plan.* A nutrient management plan for the fairways, tees, and greens that protects waters and wetlands from damage due to nutrients and pesticides shall be developed by the applicant and submitted to the City. Adherence to the approved nutrient management plan is a condition of all golf course approvals.

- B. **Standards for Use of Deep Floodplains in Golf Courses.** Golf courses may cross floodplains in which the land is more than one foot lower than the base flood elevation if it is demonstrated that there is no construction, grading, or clearing within 50 feet of the stream channel or waterbody and within the floodways. Such areas shall be maintained in their natural vegetated state.

- C. **Standards for Use of Wetlands and Natural Water Bodies in Golf Courses.** Wetlands and natural water bodies may be integrated into a golf course if it is demonstrated that:
1. The course uses the wetlands or natural water bodies as natural hazards;
 2. The wetlands and water bodies are not situated in areas where a high percentage of shots are likely to land;



3. There is no filling of wetlands or natural water bodies; and
4. A buffer of natural vegetation at least 25 feet in width is maintained around the border of all wetlands and natural waterbodies.

Division 3.300 General Environmental Standards

Sec. 3.301 Noise

A. **Maximum Noise Level.** No use shall exceed the noise level indicated in Table 3.301, *Maximum Noise Levels*, measured at any property line. Noise levels will be measured by a sound level meter, set to A-weighted decibels. For illustrative purposes only, Figure 3.301, *Illustrative Noise Levels*, shows how the limitations relate to common noises.

Table 3.301 Maximum Noise Levels						
Adjoining Use or District					Max. dBA from 9 AM to 11 PM	Max. dBA from 11 PM to 9 AM
AF	RE	RS	RU	NC	55	45
CS	CG	UC			65	55
BP	I				75	65

Figure 3.301 Illustrative Noise Levels	
Noise	Typical Noise Level (dBA) ¹
Typical threshold of pain	140 dBA
Chainsaw	100 dBA
Diesel truck, listener 50 feet away	90 dBA
Shouting, listener 10 feet away	75 dBA
Typical threshold of discomfort	70 to 80 dBA
Car driving at 50 MPH, listener 50 feet away	65 dBA
Conversation	55 dBA
Quiet room	45 dBA
Threshold of human perception	0 dBA
TABLE NOTE:	
¹ Note that increases in noise levels are not linear. That is, 70 dBA is perceived as twice as loud as 60 dBA, and 80 dBA is perceived as twice as loud as 70 dBA.	

- B. **Most Restrictive Standards Apply.** Where different uses or zoning adjoins the subject property, the most restrictive noise level standard shall apply. The standard must be met not only on abutting properties, but also where a district boundary is not also a property boundary.
- C. **Barriers and Structures.** Where barriers or structures are used to meet noise reduction, they shall be certified by a registered acoustical engineer as meeting these standards pursuant to the Federal



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Highway Administration's Highway Traffic Noise Prediction Model (FHWA-RD-77-108, as amended). The actual elevation of noise sources on the property shall be used in the model.

D. **Exceptions.** The following are excepted from the standards of this Section:

1. Noises emanating from construction activities between the hours of 7:00 AM and 7:00 PM that are temporary in nature.
2. Transient noises from moving vehicles, such as trucks and automobiles or trains.
3. Extraction activities may be granted limited exceptions to noise standards during the Limited or Special Use approval process, and those conditions shall be controlling.

Sec. 3.302 Vibration

A. **Generally.** No land use shall produce a perceptible vibration at the property line.

B. **Exceptions.** This Section does not apply to:

1. Temporary construction activities;
2. Vehicles on public streets; or
3. Trains.

Sec. 3.303 Light and Glare

See [Division 9.500](#), *Exterior Lighting Standards*.



ARTICLE 4 BONUS PROVISIONS

Division 4.100 Purpose and Application of Article

Sec. 4.101 Purpose of Article

- A. **Generally.** The City desires to encourage better development design and buildings that are more sustainable in terms of energy consumption and carbon footprint. This Article provides bonuses for development that achieve one or more of these community objectives. The bonuses are available as matter of right to developers that meet the standards of this Article.
- B. **Green Bonus.** The bonus provisions set out in [Division 4.200](#), *Green Bonus*, are intended to provide incentives for the development of sites and buildings with low impact development techniques, "green building" materials and techniques, and renewable energy systems.

Sec. 4.102 Application of Article

[Article 2](#), *District Intensity and Development Standards*, establishes the density and intensity of development that is permitted in each zoning district. This Article establishes bonuses that are intended to increase the development yield of property that implements the policies set out in this Division, in order to encourage sustainable development and offset some of the potentially higher initial costs associated with it.

Division 4.200 Green Bonus

Sec. 4.201 Residential Green Building Bonus

- A. **Generally.** The City of Zachary encourages the development of high-performance "green" residential buildings, which use less energy, water and natural resources; create less waste; and are healthier and more comfortable for the occupants. As such, a density bonus is available to applicants who construct homes to the [LEED for Homes](#) Certification standard.
- B. **Green Building Bonus.** The permitted density of development may be increased by 10 percent if the applicant demonstrates compliance with this Section.
- C. **LEED for Homes Certification Requirements.** The residential green building bonus is available to applicants who demonstrate commitment to LEED for Home Certification for all residential buildings in their proposed residential or mixed-use developments, as follows:
 - 1. During a pre-application meeting, City Staff will meet with the applicant to discuss the proposed building design and anticipated LEED for Home credits.
 - 2. Concurrent with the application for site plan or plat review, the applicant shall submit:
 - a. A written letter of intent that indicates their commitment to achieve a LEED for Homes Certification on all homes and associated infrastructure that is subject to LEED for Homes rating that will be constructed in the proposed development; and



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- b. LEED for Homes checklists that show how the applicant intends to obtain the required LEED for Homes Certification.
3. The density bonus will be granted by the Planning and Zoning Commission upon approval of the site plan or plat.
4. Building permits for the development will be issued only upon demonstrated compliance with the approved LEED for Homes checklist.
5. Within 180 days of receiving the final Certificate of Occupancy, the applicant must submit documentation that demonstrates achievement of LEED for Homes Certification.

Sec. 4.202 Nonresidential Green Building Bonus

- A. **Generally.** The nonresidential bonus rewards those developments that achieve a LEED rating of "Certified" or higher. The standards for receiving the bonus is different for large scale development than small scale or individual developments. Developments that meet the following standards shall receive a bonus.
- B. **Green Building Bonuses.** Bonuses are available for projects that demonstrate a commitment to LEED certification. These bonuses increase the development potential of a parcel proposed for development by reducing open space requirements, bufferyard requirements, and parking requirements.
 1. *Open Space Offset.* LEED Certified buildings with green roofs shall be entitled to an offset of open space for the area of the green roof, up to 15 percent of the area of open space required by Section 2.204, *Nonresidential and Mixed-Use Parcel Standards*.
 2. *Reduction of Bufferyards.* All nonresidential and mixed-use development (except industrial development) that meets the criteria of this Section shall be allowed to install constrained bufferyards, regardless of the geometry of the parcel proposed for development.
- C. **LEED Certification Requirements.** The applicant is eligible for the bonuses set out in subsection B., above, if it is demonstrated that:
 1. During a pre-application meeting, City Staff will meet with the applicant to discuss the proposed project design and anticipated LEED Certification credits.
 2. Concurrent with the application for site plan or plat review, the applicant shall submit:
 - a. A written letter of intent that indicates their commitment to achieve a LEED Certification on all buildings and associated infrastructure that is subject to the LEED Rating System that will be constructed in the proposed development; and
 - b. LEED checklists that show how the applicant intends to obtain the required LEED Certifications.
 3. Building permits for the development will be issued only upon demonstrated compliance with the approved LEED checklist.
 4. Within 180 days of receiving the final Certificate of Occupancy, the applicant must submit documentation that demonstrates achievement of LEED Certification.

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ARTICLE 5 SIGNS

Division 5.100 Purpose and Application of Article

Sec. 5.101 Purpose and Authority

- A. **Purposes.** The purposes of this Article are to ensure that:
1. Each sign user has a reasonable opportunity to provide information, identification and/or direction to a permitted use;
 2. The reasonable, orderly, and effective display of outdoor commercial and noncommercial messages, while remaining consistent with all relevant national and state policies to protect the public investment in highways;
 3. The unique "small town" character and quality of the City, which is essential to its economic, cultural, and social welfare, is protected and preserved;
 4. The City's property values, which are essential to the City's sustainability and the general welfare of its residents, institutions, businesses, and industries, are maintained and enhanced;
 5. The safety of the public and the viability of commercial corridors are promoted by reducing:
 - a. Sign clutter;
 - b. Conflicts between and among signs; and
 - c. The incidence of certain design elements that tend to distract motorists;
 6. The character of the community is protected by promoting proper maintenance of signs and requiring removal of abandoned signs and dilapidated signs;
 7. The number, size, scale, proportions, design and balance of signs are regulated according to content-neutral standards that are based on architectural quality and character; and
 8. The beauty, order and attractiveness of the City to its residents, tourists and visitors, is maintained and enhanced, and thus the economic prosperity of the City and the region is positively influenced.
- B. **Authority.** The City Council finds that:
1. The City has the authority to regulate signs under the United States Constitution, the Constitution of the State of Louisiana, and the City Charter of the City of Zachary;
 2. This Article advances important and substantial governmental interests;
 3. The regulations set out in this Article are unrelated to the suppression of constitutionally-protected free expression and do not involve the content of protected messages which may be displayed on signs, nor do they involve the viewpoint of individual speakers;
 4. The incidental restriction on the freedom of speech is no greater than is essential to the furtherance of the interests protected by this Article; and



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5. Certain types of speech are not protected by the First Amendment due to the harm that they cause to individuals or the community, and speech that is harmful to minors may be prohibited in places that are accessible to minors.

C. General Findings of Fact. The City Council finds that:

1. The ability to display signs of reasonable size and dimensions is vital to the health and sustainability of many businesses, and the display of signs with noncommercial messages is a traditional component of the freedom of speech;
2. The City has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists), because sign clutter degrades the character of the community, makes the community a less attractive place for commerce and private investment, and dilutes all of the messages displayed along the City's streets by creating visual confusion and aesthetic blight;
3. Sign clutter can be prevented by regulations that balance the legitimate needs of individual property owners to convey their commercial and noncommercial messages against the comparable needs of adjacent and nearby property owners and the interest of the community in providing for a high quality community character;
4. Temporary signs that are not constructed of weather-resistant materials are often damaged or destroyed by wind, rain, and sun, and after such damage or destruction, degrade the aesthetics of the City's commercial corridors;
5. The City has an important and substantial interest in keeping its rights-of-way clear of obstructions and litter;
6. The City has an important and substantial interest in protecting the health of its tree canopy, which contributes to the character and value of the community; and
7. The uncontrolled use of off-premises outdoor advertising signs and their location, density, size, shape, motion, illumination and demand for attention can be injurious to the purposes of this Article, and destructive to community character and property values, and that, as such, restrictions on the display of off-premises commercial messages are necessary and desirable.

Sec. 5.102 Application of Article

- A. **Generally.** Hereinafter, all construction, relocation, enlargement, alteration, and modification of signs within the City shall conform to the requirements of this Article, all State and Federal regulations concerning signs and advertising, and applicable building codes as adopted by the City in [Section 14-1, Uniform Construction Codes -- Codes Adopted](#), *City of Zachary Code of Ordinances*, as may be amended from time to time. Approval of a sign shall be by sign permit, which may be issued with a building permit.
- B. **Design Requirements.** All signs shall comply with the general design requirements of [Division 5.200, General Design and Maintenance Standards](#), except as provided in this Section.
- C. **Signs That Do Not Require Permits.** The following signs may be posted in compliance with these regulations without a sign permit:

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1. Temporary signs, provided that they comply with the general standards of [Division 5.200, General Design and Maintenance Standards](#), and the standards of [Division 5.400, Temporary Signs](#);
 2. Flags that display a noncommercial message, provided that:
 - a. Not more than three flagpoles (which may be vertical or mast arm) are installed on the lot or parcel; and
 - b. The total area of flags does not exceed 45 square feet (*e.g.*, one flag that is 5 ft. x 9 ft.; or three flags that are 3 ft. x 5 ft. each).
- D. **Exempt Signs.** The following are exempt from the application of this Article, but may be subject to building or electrical codes or other Articles of this UDC if they involve structures or equipment that are regulated by such codes or other Articles:
1. Official traffic signs or sign structures and provisional warning signs or sign structure, when erected or required to be erected by a governmental agency;
 2. Temporary signs designed to call the attention of the public to any detour or public danger;
 3. Changing of copy on a message center (electronic or manual);
 4. Painting and routine maintenance of sign structures and supports, if the sign area is not increased and no structural improvements, alterations or replacements are made;
 5. Signs that are carried by people (however, such signs are not exempt if they are set down or propped on objects);
 6. Bumper stickers on vehicles;
 7. Signs that are not visible from abutting property or public rights of way;
 8. Signs that are affixed to a building wall within five feet of the principal entrance to the building that are:
 - a. Not more than 5 square feet in area; and
 - b. Are not legible from the street.
 9. Signs that are less than three-fourths of a square foot in area, that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, or utility cabinets; and
 10. Holiday decorations that are displayed for not more than two months per year.
- E. **Exemption for Addressing.** The City Council finds that the posting of the addresses of buildings in locations that are visible from the street is necessary for the effective delivery of public safety services, including E-911. The efficient and timely delivery of emergency services is a compelling governmental interest. Accordingly, the City requires that street addresses shall be posted as follows:
1. In nonresidential districts, street addresses shall be posted at:
 - a. All primary building entrances; and
 - b. On detached signage if the address on the building is not visible from the street.



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2. In residential districts, street addresses shall be posted:
 - a. On the facade of the building that faces the street from which the address is taken; and
 - b. On the mailbox or mailbox support, if the mailbox is detached from the building.
 3. Because address signs are required, numbers and letters used for addressing are not included in the calculation of sign area if they are not more than 14 inches in height.
- F. **Signs Permitted Before Effective Date.** If a permit for a sign has been issued in accordance with all City ordinances in effect prior to the effective date of this Article, and provided that construction is begun within six months of the effective date of this Article and diligently prosecuted to completion, said sign may be completed in accordance with the approved plans on the basis of which the permit has been issued, subject thereafter, if applicable, to the provisions of this UDC regarding nonconforming signs. See Section 12.205, *Nonconforming Signs*, and Section 12.301, *Termination, Restoration, and Removal*.

Division 5.200 General Design and Maintenance Standards

Sec. 5.201 Measurements

- A. **Generally.** The regulations of this Article shall be applied using the measurements set out in this Section.
- B. **Sign Area.** Sign area is calculated as follows:
 1. *Generally.* The area within a continuous perimeter with up to eight straight sides that encloses the limits of text and graphics, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign's message from the background against which it is placed, excluding the structure upon which the sign is placed; but including any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip, or figure of any kind composing the display face, whether this open space is enclosed by a frame or border or not. See Figure 5.201A, *Sign Area, Generally*, below.

**Figure 5.201A
Sign Area, Generally**

The sign area of this illustrative monument sign (below) is measured as the area within the smallest eight-sided polygon that encloses the graphics.

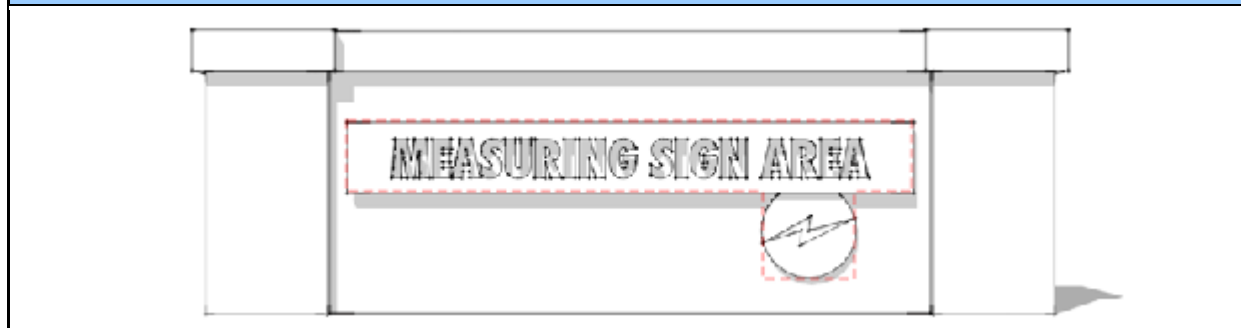
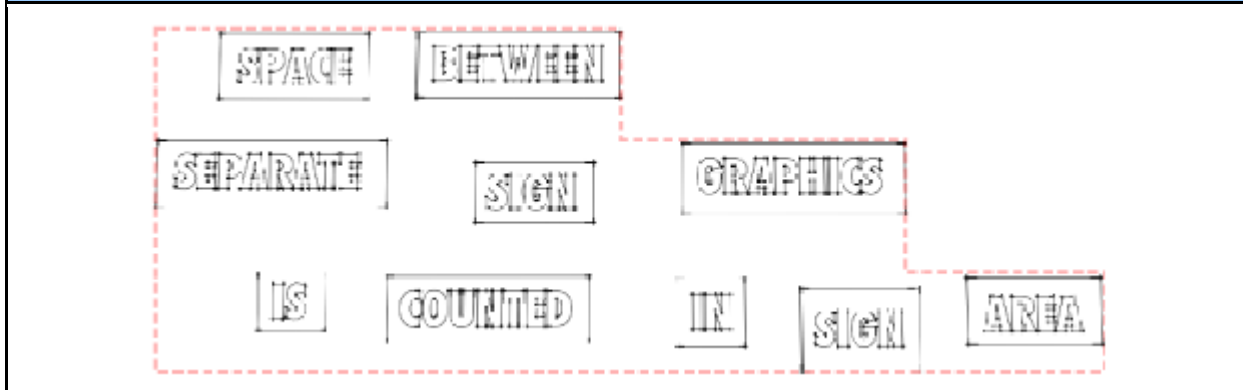




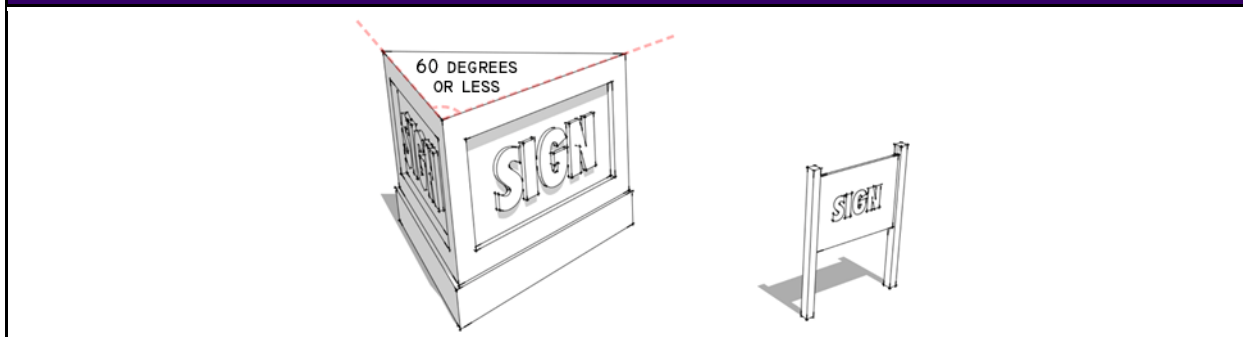
Figure 5.201A
Sign Area, Generally

The sign area of this illustrative collection of wall signs (below) is measured as the area within the smallest eight-sided polygon that encloses all of the text and graphics.



2. **Double-Faces.** For projecting or double-faced signs (see Figure 5.201B, *Sign Area, Illustration of Double-Faced Signs*, below), only one display face is measured in computing sign area which the sign faces are parallel, or where the interior angle formed by the faces is 60 degrees or less, provided that the signs are mounted on the same structure. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be taken as the area of the larger face.

Figure 5.201B
Sign Area, Illustration of Double-Faced Signs



- C. **Clearance.** Clearance is the distance between the bottom of a sign and the nearest point on the surface under it. See Figure 5.201C, *Sign Clearance*.



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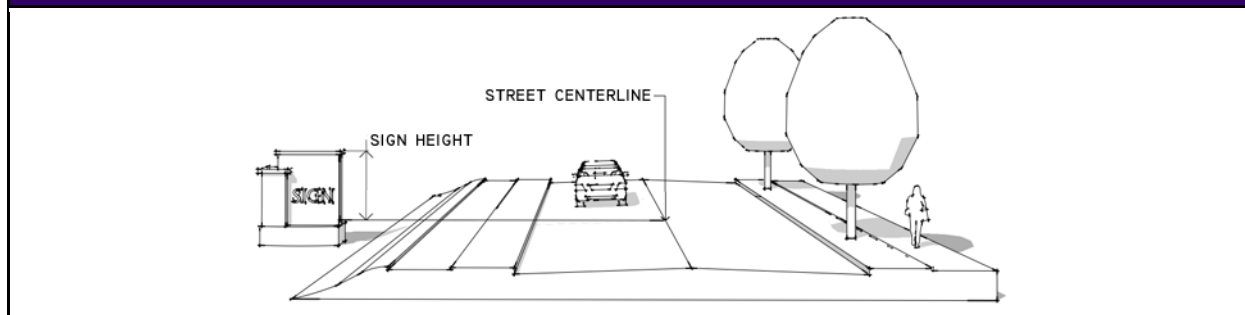
**Figure 5.201C
Sign Clearance**



D. Sign Height.

1. *Generally.* Sign height is the distance from the average grade of the surface under the sign to the top of the sign or sign structure, whichever is higher. However, chains or brackets that suspend a shingle sign from a horizontal plane of the building, awning, or canopy are not counted, provided that:
 - a. There are no more than three chains or brackets used in the mount, and
 - b. The chains or brackets are less than three inches in width.
2. *Monument Signs.* The height of monument signs is measured as provided in subsection D.1., unless the surface under the sign is lower than the centerline of the abutting street, in which case the height is measured from the average elevation of the centerline of the abutting street along the frontage of the parcel proposed for development to the top of the sign or sign structure, whichever is higher. See Figure 5.201D, *Monument Sign Height*.

**Figure 5.201D
Monument Sign Height**



Sec. 5.202 Prohibited Signs and Prohibited Design Elements

- A. **Prohibited Signs.** The following types of signs are prohibited in all areas of the City:
 1. **Abandoned signs.**



2. Signs that advertise a use that is not legally established.
 3. Off-premise signs.
 4. Inflatable signs.
 5. Parasitic signs.
 6. Feather flags.
 7. Wind socks.
 8. Pennant strings.
 9. Streamers (including fringe, flag, and pennant streamers).
 10. Banners that are tied to stakes, trees, or bollards.
 11. Any sign or sign structure determined by the Building Official to be:
 - a. Structurally unsafe; or
 - b. A hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment.
 12. Any sign that is illegal under state or federal law.
- B. **Prohibited Design Elements.** The following elements shall not be used as an element of signs or sign structures, whether temporary or permanent:
1. More than two sign faces.
 2. Back-lit awnings.
 3. Plastic awnings.
 4. Bare light bulbs, except on holiday displays which comply with the applicable standards of Section 5.102, *Application of Article*.
 5. Flashing lights, except on holiday displays which comply with the applicable standards of Section 5.102, *Application of Article*.
 6. Mirrored surfaces that are larger than two square inches or that create a traffic hazard.
 7. Sound, smoke, particulate, or odor emitters.
 8. Spinning parts.
 9. Stacked products.
 10. Unfinished wood support structures, except that stake signs may use unfinished stakes.
 11. Motor vehicles, unless:
 - a. The vehicles are functional, used as motor vehicles, and have current registration and tags;
 - b. The display of signage is incidental to the motor vehicle use; and
 - c. The motor vehicle is properly parked in a marked parking space or is parked behind the principal building.



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12. Semi trailers, shipping containers, or portable storage units, unless:
 - a. The trailers, containers, or portable storage units are functional, used for their primary storage purpose, and, if subject to registration, have current registration and tags;
 - b. The display of signage is incidental to the use for temporary storage, pick-up, or delivery; and
 - c. The semi trailer is parked in a designated loading area or on a construction site at which it is being used for deliveries or storage.
13. The following classifications of text and/or graphics:
 - a. Text or graphics which are not constitutionally protected speech because they are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats.
 - b. Text or graphics which are not constitutionally protected because they present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "Stop," "Yield," "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
 - c. Text or graphics that include "material harmful to minors," as defined in [R.S. 14:91.11.A.\(2\)](#) which may be prohibited in areas that are accessible to minors.
 - d. Signs that advertise illegal activities.

Sec. 5.203 Prohibited Sign Locations

- A. **Generally.** Attached signs shall be installed on signable areas of buildings, as defined by Section [5.201](#), Measurements. Detached signs shall be set back as required by Section [5.303](#), *Detached Sign Setbacks*.
- B. **Attached Signs.** In no event shall a sign, whether temporary or permanent, obstruct building ingress or egress, including egress windows.
- C. **Detached Signs.** No detached sign, whether temporary or permanent, shall be posted, installed, or mounted on any of the following locations:
 1. On trees.
 2. On utility poles or light poles, unless:
 - a. The sign is a banner that is not more than 24 inches in width and 48 inches in height;
 - b. The banner is attached at the top and bottom to brackets that project not more than 30 inches from the light pole;
 - c. There is at least eight feet of clearance under the banner;
 - d. If the pole is owned or maintained by a utility company, the utility company has granted permission for the brackets to be mounted on the pole; and
 - e. The utility or light pole is on the property of the person or entity that posts the banner.



3. In or over public rights-of-way, except:
 - a. Traffic control signs installed by a governmental entity or which are required to be installed by a governmental entity;
 - b. Signs posted by governmental entities that support emergency management, such as hurricane evacuation or wayfinding to disaster relief facilities;
 - c. Banners posted by the City on utility or light poles according to the standards of subsection C.2., above; or
 - d. Signs that overhang public sidewalks within the UC zoning district or within a center subdistrict of an approved Traditional Neighborhood Development, provided that:
 - i. The signs project not more than four feet or one-third of the width of the sidewalk, whichever is less; and
 - ii. There is at least eight feet of clearance under the sign.
4. In areas around intersections which must remain clear pursuant to Section 8.212, *Sight Distance Requirements*.
5. In any location that obstructs the view of any traffic control sign, traffic light, or street sign.

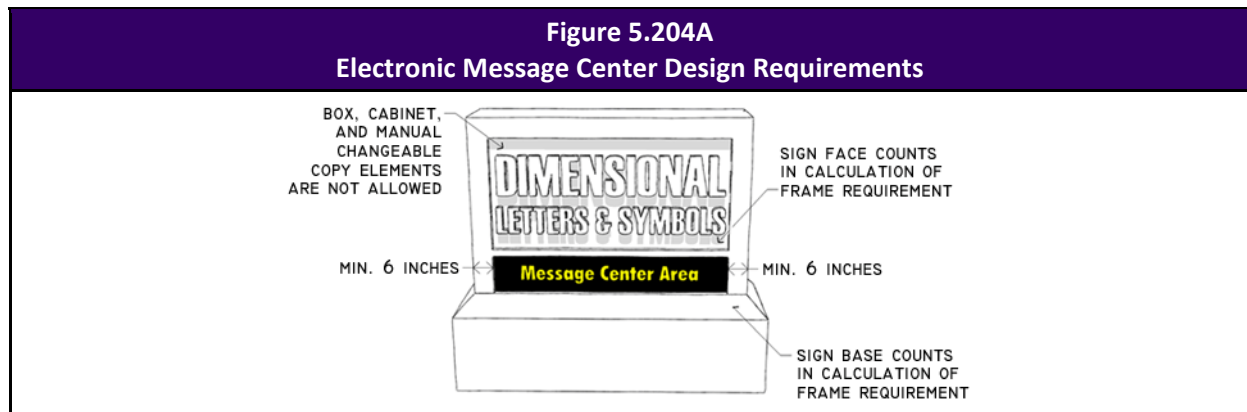
Sec. 5.204 Message Centers

- A. **Generally.** Manual and electronic message centers may be used in detached signs and marquee signs to a limited degree, pursuant to the applicable standards of this Section.
- B. **Removal of Portable Changeable Copy Signs.** If a message center is incorporated into a new or existing sign, then all portable message center signs shall be removed from the property upon completion of the new or modified sign as a condition of the sign permit.
- C. **Electronic Message Centers.** Electronic message centers may be incorporated into signage as follows:
 1. *Design Requirements.*
 - a. Electronic message centers are only permitted on monument signs or marquee signs which enclose the electronic message center component on all sides with a finish of brick, stone, stucco, or sign face that extends not less than six inches from the electronic message center in all directions.
 - b. Electronic message centers shall make up not more than 25 percent of the sign area of a monument sign or 40 percent of the sign area of a marquee sign. The balance of the sign area shall utilize permanent, dimensional letters or symbols.
 - c. No sign structure that includes a cabinet, box, or manual changeable copy sign may also include an electronic message center. See Figure 5.204A, *Electronic Message Center Design Requirements*.
 2. *Operational Requirements.* Electronic message centers:
 - a. Shall be monochromatic;



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- b. Shall contain static messages only;
- c. Shall display messages for a period of not less than one minute;
- d. Shall not use transitions or frame effects between messages;
- e. Shall include an automatic dimmer that dims the sign at dusk or low-light conditions; and
- f. Shall be turned off each day by the later of 10:00 PM or upon closing of the associated land use.

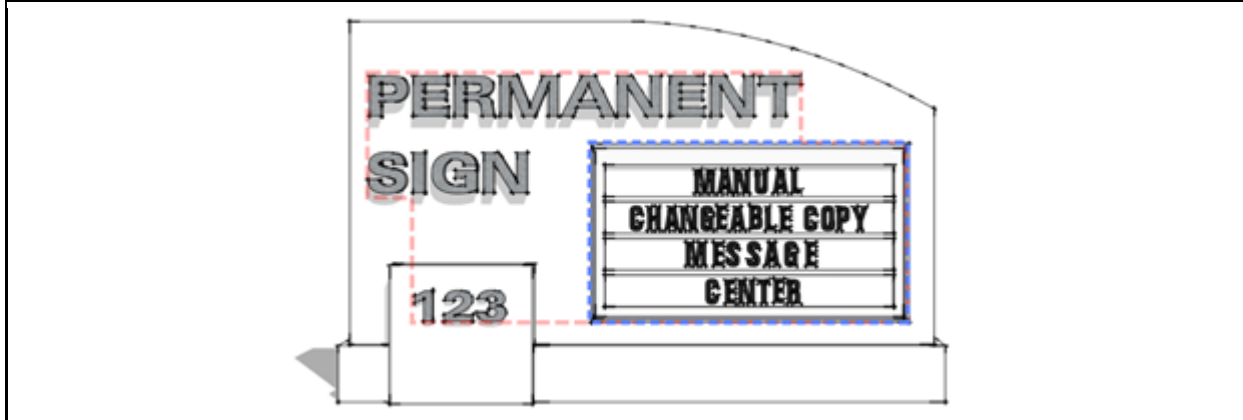


- C. **Manual Changeable Copy Message Centers.** Manual changeable copy signs may be incorporated into signage as follows:
1. Manual changeable copy message centers are only permitted on monument signs or marquee signs which enclose the message center component on all sides with a finish of brick, stone, stucco, or sign face that extends not less than six inches from the message center in all directions.
 2. Manual changeable copy message centers, including their frames, shall make up not more than 50 percent of the sign area. The balance of the sign area shall utilize permanently affixed letters or symbols. See Figure 5.204B, *Manual Changeable Copy Centers*.
 3. Manual changeable copy message centers shall not be internally lit unless:
 - a. They use opaque inserts with translucent letters, numbers, or symbols (see Figure 5.204C, *Changeable Copy Inserts*, below);
 - b. Blank opaque inserts that are the same color as the opaque portions of the letters, numbers, and symbols are used over all areas of the sign where copy is not present; and
 - c. The opaque portion of the letters, numbers, and symbols is the same color.



**Figure 5.204B
Manual Changeable Copy Centers**

The manual changeable copy message center (outlined in dashed blue line) may occupy not more than 50 percent of the sign area (outlined in dashed red line).



**Figure 5.204C
Changeable Copy Inserts**

Changeable copy message centers may be internally lit if they use opaque inserts with translucent letters, numbers, or symbols (see A below), but shall not be internally lit if they use clear or translucent inserts with opaque or translucent letters, numbers, or symbols (see B below).



Sec. 5.205 Illumination of Signs

- A. **Generally.** Monument signs may be illuminated only by a reflected or internal light source.
- B. **Shielding of Light Source / Prevention of Glare.** The source of light shall be oriented or otherwise controlled to prevent glare toward any part of an existing residence, a residential area or district, or a public street or highway.
- C. **Code Compliance.** Illuminated signs shall be constructed in accordance with all applicable building and electrical codes.

Sec. 5.206 Use of Fill Under Monument Signs

Mounds or berms may be used to elevate permanent monument signs, provided that the mound or berm elevates the base of the sign not more than three feet above the natural grade at the location of the sign.



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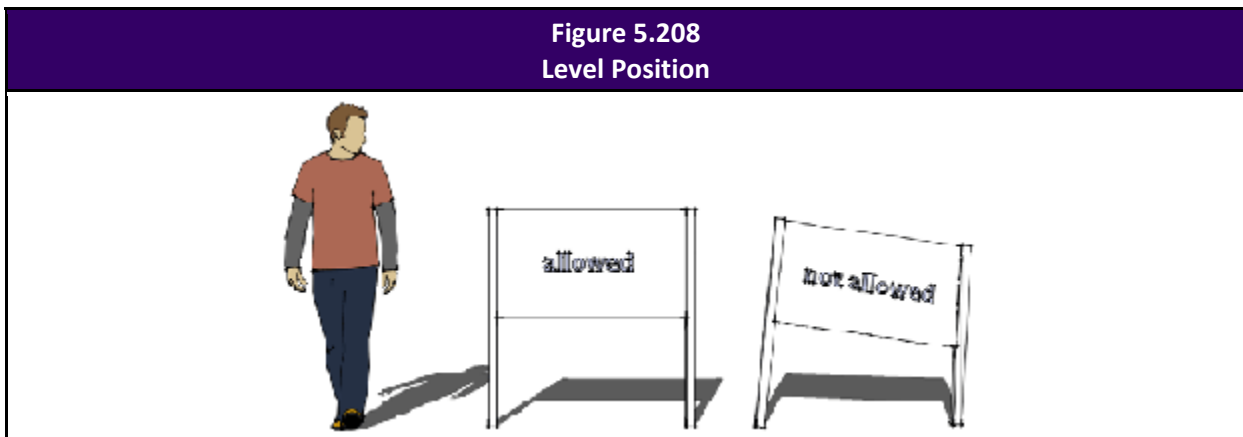
Sec. 5.207 Construction and Identification

- A. **Construction.** All permanent signs must be in compliance with the provisions of the building codes and the electrical codes that are adopted by the City.
- B. **Identification.** Every permanent sign shall be marked, in a conspicuous place, the name of the sign installer and manufacturer, and the voltage of any electrical apparatus used on it.

Sec. 5.208 Sign Maintenance

- A. **Generally.** Signs and the ground area around signs shall be maintained as provided in this Section. These regulations apply to all signs, temporary or permanent, attached or detached, unless otherwise specifically provided herein.
- B. **Upkeep of Ground Around Sign.** No person constructing, erecting, owning or controlling a monument or pylon sign shall fail, refuse, or neglect to remove all weeds, rubbish, or flammable waste or material within a distance of ten feet on each side of the base of such structure,
- C. **Sign Structure, Generally.** No person shall fail to keep a permanent sign and its structural supports in good repair and safe condition. This Section shall be enforced as provided in Section 16.203, *Enforcement of Sign Maintenance*.
- D. **Paint and Finishes.** Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, or removed if the running colors were not a part of the original design.
- E. **Mineral Deposits and Stains.** Mineral deposits and stains shall be promptly removed.
- F. **Corrosion and Rust.** Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust. A patina on copper elements is not considered rust.
- G. **Level Position.** Signs that are designed to be level shall be installed and maintained in a level position. See Figure 5.208, *Level Position*.

**Figure 5.208
Level Position**



- F. **Damage or Destruction.** Damaged signs and sign structures shall be promptly repaired (to their original condition or better) or removed. Damaged or destroyed nonconforming permanent signs



are subject to the applicable requirements of [Article 12, Nonconformities](#). Damaged or destroyed temporary signs shall be removed.

Division 5.300 Permanent Signs

Sec. 5.301 Attached Signs

A. Generally.

1. There are many forms of attached signs. This section sets out which forms of attached signs are allowed in each zoning district and the standards that apply to them.
2. Attached signs that are not listed in a table are not allowed in any of the districts set out in the table, except that:
 - a. Traditional Neighborhood Developments are subject to the specific standards of subsection D. and not the standards of subsections B. or C.; and
 - b. Other types of attached signs may be allowed pursuant to a sign design program. See [Division 5.500, Sign Design Program](#).

B. Relationship Between Maximum Sign Area and Maximum Signable Area Ratio. Where both a maximum sign area and a maximum signable area ratio are set out, the standard that results in the least sign area applies.

C. Residential and Agriculture/Forestry Districts.

1. The standards of [Table 5.301A, Permissible Attached Sign Types in Residential and Agriculture / Forestry Districts](#), apply to multifamily and nonresidential uses in the districts set out in the table. However, some may be allowed in Traditional Neighborhood Developments, which are subject to subsection C., below, and not this subsection.
2. Attached signs are not allowed on residential or home uses, except for required address signs.

Sign Type and Limitations	Zoning District				
	NC	RE	RS	RU	AF
Wall Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Number of Signs Allowed	1 per building			1 per facade	1 per building
Maximum Sign Area	25 sf.			30 sf.	35 sf.
Other Limitations				Not allowed with fascia or parapet sign on same facade	50 sf. of sign area is allowed if no fascia or parapet sign is present



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Table 5.301A Permissible Attached Sign Types in Residential and Agriculture / Forestry Districts					
Sign Type and Limitations	Zoning District				
	NC	RE	RS	RU	AF
Fascia Sign or Parapet Sign	Not Allowed	Not Allowed	Not Allowed	Allowed	Allowed
Number of Signs Allowed	-			1 per facade	1 per facade
Maximum Sign Area	-			30 sf.	20 sf.
Other Limitations	-			Not allowed with wall sign on same facade; Box and cabinet signs are not allowed	box and cabinet signs are not allowed
Window Sign	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Allowed
Minimum Window Transparency	-				60%
Maximum Sign Height	-				10 ft.
Awning Sign	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Allowed
Number of Signs Allowed	-				1 per awning
Maximum Sign Area	-				4 sf. (on valence)
Nameplate	Allowed	Allowed	Allowed	Allowed	Allowed
Number of Signs Allowed	1 per building				1 per primary entrance
Maximum Sign Area	2 sf.				3 sf.
Other Limitations	Must be installed with at least one edge that is within 18 in. of door frame				

D. **Nonresidential Districts.** The standards of Table 5.301B, *Permissible Attached Sign Types in Nonresidential / Mixed-Use Districts*, apply in the districts that are set out in the table.

Table 5.301B Permissible Attached Sign Types in Nonresidential / Mixed-Use Districts					
Sign Type and Limitations	Zoning District				
	CS	CG	UC	BP	I
Wall Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Number of Signs Allowed	1 per building	1 for each full 80 linear ft. of facade (at least 1 per facade is always allowed)	1 per 25 linear ft. of facade	1 per facade	1 per facade
Maximum Sign Area	30 sf.; or 45 sf. if no fascia or parapet sign is present	Aggregate (total) sign area of 0.25 sf. per linear ft. of facade width	Aggregate (total) sign area of 15 sf. for each full 25 lf. linear ft. of facade width	0.25 sf. per linear ft. of facade width	0.30 sf. per linear ft. of facade width

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Table 5.301B Permissible Attached Sign Types in Nonresidential / Mixed-Use Districts					
Sign Type and Limitations	Zoning District				
	CS	CG	UC	BP	I
Fascia Sign or Parapet Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Number of Signs Allowed	1 per primary building entrance	Greater of 1 per primary building entrance; or 1 for each 80 linear ft. of facade	1 per primary building entrance		
Maximum Sign Area	30 sf.	Aggregate (total) sign area of 0.7 sf. per linear ft. of facade width	Aggregate (total) sign area of 0.8 sf. per linear ft. of facade width	40 sf.	50 sf.
Window Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Minimum Window Transparency	60%	40%	50%	80%	50%
Other Limitations	-	See neon signs, below		-	-
Awning Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Number of Signs Allowed	1 per awning	1 per awning		1 per awning	
Maximum Sign Area	4 sf.	5 sf.		4 sf.	
Marquee Sign	Not Allowed	Allowed	Allowed	Not Allowed	Not Allowed
Number of Signs Allowed	-	1 per building		-	
Maximum Sign Area	-	20 sf. per face, up to 3 faces	25 sf. per face, up to 3 faces	-	
Other Limitations	-	Not allowed on facades that face residential uses in a different zoning district; not allowed on buildings that are less than 12,000 sf. of floor area; counts as a fascia or parapet sign		-	
Blade Sign or Shingle	Not Allowed	Allowed	Allowed	Not Allowed	Not Allowed
Number of Signs Allowed	-	1 per primary building entrance		-	
Maximum Sign Area	-	8 sf.	10 sf.	-	
Minimum Clearance	-	8 ft.		-	
Maximum Height	-	12 ft.	15 ft.	-	
Other Limitations	-	Allowed under awnings or arcades on front facades only	-	-	
Nameplate	Allowed	Allowed	Allowed	Allowed	Allowed
Number of Signs Allowed	1 per building entrance	Any number, subject to maximum sign area, below		Any number, subject to maximum sign area, below	
Maximum Sign Area	2 sf.	Aggregate (total) sign area of 6 sf.	Aggregate (total) sign area of 8 sf.	Aggregate (total) sign area of 6 sf.	
Other Limitations	Must be installed with at least one edge that is within 18 in. of door frame				



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Table 5.301B Permissible Attached Sign Types in Nonresidential / Mixed-Use Districts					
Sign Type and Limitations	Zoning District				
	CS	CG	UC	BP	I
Neon Sign	Not Allowed	Allowed	Allowed	Not Allowed	Not Allowed
Number of Signs Allowed	-	1 per window	2 per window	-	-
Maximum Sign Area	-	6 sf.	6 sf.	-	-
Other Limitations	-	Sign area of neon sign hung in window counts as opaque in measurement of window transparency; Neon signs must be turned off when the use closes each day		-	-
Roof Sign	Not Allowed	Allowed	Allowed	Not Allowed	Not Allowed
Number of Signs Allowed	-	1 per building		-	-
Maximum Sign Area	-	0.6 sf. per linear ft. of facade width		-	-
Other Limitations	-	Allowed only on buildings that meet all of the following criteria: (1) the building existed as of the effective date; (2) the fascia is less than 1 ft. wide; (3) there is less than 25 sf. of signable area; (4) the sign is mounted on a sloped roof system; (5) the sign does not extend higher than two feet below the peak of the roof; and (6) the sign is not illuminated.		-	-

- E. **Traditional Neighborhood Developments.** The standards of Table 5.301C, *Permissible Attached Sign Types in Traditional Neighborhood Developments*, apply to Traditional Neighborhood Developments regardless of the zoning district they are in. The table provides standards for signage for each subdistrict within the Traditional Neighborhood Development.

Table 5.301C Permissible Attached Sign Types in Traditional Neighborhood Developments			
Sign Type and Limitations	Subdistrict		
	Center	General	Edge
Wall Sign	Allowed	Allowed on Nonresidential Buildings	Allowed on Nonresidential Buildings
Number of Signs Allowed	Signs allowed in any signable area on first floor front and street-side facades; one sign per interior side and rear elevation	1 per building	1 per building
Maximum Sign Area	Based on signable area ratio	25 sf.	10 sf.
Maximum Signable Area Ratio	60%	80%	60%
Other Limitations	Box and cabinet signs are not allowed	Not allowed if a fascia sign or parapet sign is present	-



Table 5.301C			
Permissible Attached Sign Types in Traditional Neighborhood Developments			
Sign Type and Limitations	Subdistrict		
	Center	General	Edge
Fascia Sign or Parapet Sign	Allowed	Allowed on Nonresidential Buildings	Not Allowed
Number of Signs Allowed	1 per front facade; 1 per street side facade	1 per building	-
Maximum Sign Area	0.8 sf. per linear ft. of facade width	0.6 sf. per linear ft. of facade width	-
Maximum Signable Area Ratio	40%	40%	-
Other Limitations	-	Allowed on one-story nonresidential buildings only; not allowed if a wall sign is present	-
Window Sign	Allowed	Allowed on Nonresidential Buildings	Not Allowed
Minimum Window Transparency	60%	80%	-
Other Limitations	See neon signs, below	-	-
Awning Sign	Allowed	Allowed on Nonresidential Buildings	Not Allowed
Number of Signs Allowed	1 per awning	1 per awning	-
Maximum Sign Area	5 sf.	4 sf.	-
Maximum Signable Area Ratio	90%	85%	-
Other Limitations	Must be located on valence	Must be located on valences	-
Marquee Sign	Allowed	Not Allowed	Not Allowed
Number of Signs Allowed	1 per building	-	-
Maximum Sign Area	20 sf. per face, up to 3 faces	-	-
Other Limitations	Not allowed on facades that face residential uses in a different zoning district; not allowed on buildings that are less than 12,000 sf. of floor area; not allowed on same building as fascia or parapet sign		
Blade Sign or Shingle	Allowed	Allowed on Nonresidential Buildings	Not Allowed
Number of Signs Allowed	1 per primary entrance	1 per primary entrance	-
Maximum Sign Area	10 sf.	5 sf.	-
Minimum Clearance	8 ft.	8 ft.	-
Maximum Height	15 ft.	Nonresidential buildings only	-
Nameplate	Allowed	Allowed	Allowed
Number of Signs Allowed	Any number, subject to maximum sign area, below	1 per building	
Maximum Sign Area	Aggregate (total) sign area of 8 sf.	4 sf.	
Other Limitations	Must be installed with at least one edge that is within 18 in. of door frame		



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Table 5.301C Permissible Attached Sign Types in Traditional Neighborhood Developments			
Sign Type and Limitations	Subdistrict		
	Center	General	Edge
Neon Sign	Allowed	Not Allowed	Not Allowed
Number of Signs Allowed	2 per window	-	-
Maximum Sign Area	6 sf.	-	-
Other Limitations	Sign area of neon sign hung in window counts as opaque in measurement of window transparency; Neon signs must be turned off when the use closes each day		

Sec. 5.302 Freestanding Signs

A. **Generally.** There are many forms of freestanding signs. Table 5.302, *Permissible Freestanding Sign Types*, and the balance of this Section, set out which forms of freestanding signs are allowed in each zoning district and the size and height standards that apply to them.

Table 5.302 Permissible Freestanding Sign Types										
Sign Type and Limitations	Zoning District									
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I
Monument Sign	L	L	L	L	P	P	P	L	P	P
Number of Signs Allowed	1 sign per nonresidential lot; or 2 sign faces per subdivision entrance				1 per frontage	1 per 400 ft. of frontage	2 per entrance to UC District	2 per frontage		
Maximum Sign Area	30 sf.				35 sf.	70 sf.	80 sf.	70 sf.	70 sf.	
Maximum Sign Height	5 ft.				5 ft.	7 ft.	8 ft.	7 ft.	6 ft.	
Pylon Sign	L	L	L	L	L	L	-	-	-	-
Number of Signs Allowed	1 sign per nonresidential lot; or 2 sign faces per subdivision entrance				1 per frontage	-				
Maximum Sign Area	20 sf.				30 sf.	-				
Maximum Sign Height	4 ft.				5 ft.	-				
Kiosk Sign	-	-	-	-	-	L	L	L	L	L
Number of Signs Allowed	-					No limit, except signs shall be located in pedestrian-use areas and spaced at least the shorter of 100 ft. or at sidewalk intersections where the intersecting sidewalks are at least 30 feet long				
Maximum Sign Area	-					8 sf. per sign face	10 sf. per sign face	20 sf. per sign face	10 sf. per sign face	
Maximum Sign Height	-					7 ft.	8 ft.	10 ft.	8 ft.	



Table 5.302 Permissible Freestanding Sign Types										
Sign Type and Limitations	Zoning District									
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I
Bus Stop Bench Sign	-	-	P	-	-	P	P	P	P	P
Number of Signs Allowed	-		1 per bench	-		1 per bench				
Maximum Sign Area	-		10 sf.	-		10 sf.				
Maximum Sign Height	-		3.5 ft.	-		3.5 ft.				
Transit Shelter Sign	P	P	P	P	P	P	P	P	P	P
Number of Signs Allowed	2 per transit shelter									
Maximum Sign Area	20 sf. per sign face									
Maximum Sign Height	7 ft.									

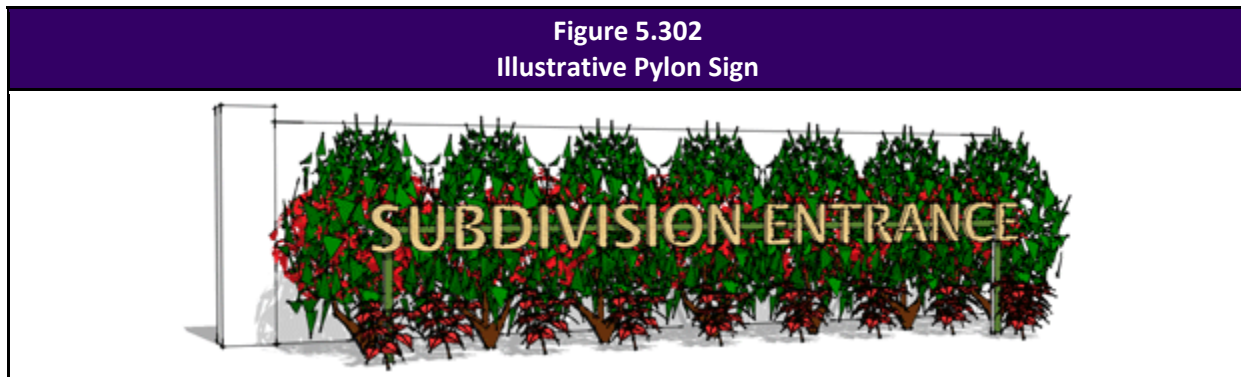
B. **Additional Standards for Limited Sign Types.** Sign types that are indicated as "L" in Table 5.302, *Permissible Freestanding Sign Types*, shall comply with the applicable additional standards set out in this subsection.

1. Monument signs in RE, RS, RU, and NC districts are allowed only:
 - a. On parcels that are developed with nonresidential uses; or
 - b. At subdivision entrances, provided that the signs are used for the purposes of identifying the subdivision, in order to facilitate the delivery of emergency services; and the land upon which the sign is located is either:
 - i. Owned by the property owners' association; or
 - ii. Within the right-of-way in a location that is designated on the subdivision plat; or
 - iii. Within the right-of-way in a location that is approved by the City Engineer, who may approve such signs in locations where they do not interfere with the safe movement of traffic or the maintenance of utilities.
 - c. Outside of servitudes.
2. Pylon signs in the RE, RS, RU, NC, AF, and CS districts are allowed only if:
 - a. The sign is mounted in front of a hedge or wall so that the sign appears to be a monument sign that incorporates the hedge or wall as part of the structure;
 - b. The sign is used in place of a permitted monument sign; and
 - c. The pylons are screened by landscaping and finished with colors that blend with the background plants or structure. *See Figure 5.302, Illustrative Pylon Sign.*



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Figure 5.302
Illustrative Pylon Sign



3. Kiosk signs in the CS, CG, UC, BP, and I districts are allowed only if:
 - a. They are located within three feet of a sidewalk that is part of the internal pedestrian circulation system of the development, or located within pedestrian plazas; and
 - b. They are set back at least 35 feet from any collector or arterial right-of-way.

Sec. 5.303 Freestanding Sign Setbacks

- A. **Generally.** Freestanding signs shall be set back from property lines and other uses or districts as provided in this Section.
- B. **Setbacks from Property Lines.**
 1. *Front and Side Street Setbacks.* Along street frontages, signs shall be set back from street property lines the greater of:
 - a. 10 feet; or
 - b. Two feet for each foot of sign height.
 2. *Side and Rear Setbacks.* Signs shall be set back from side and rear lot lines according to the interior side and rear setback requirements that apply to principal buildings within the applicable zoning district.
 3. *Line of Sight / Safety Requirements.* The city building inspector shall review the line of sight from a safety perspective to ensure that signs do not obstruct views from travel lanes of public streets in a manner that would create an unsafe condition.
- C. **Additional Setbacks from Uses and Districts.**
 1. No permanent freestanding sign shall be constructed:
 - a. Within 200 feet of a public park, or a publicly owned parcel that contains or could contain a public building, or public school facility;
 - b. Within 200 feet of a parcel that contains a private school;
 - c. Within 200 feet of any historical site or historic district; or
 - d. Within two times the height of the sign from the nearest point of entrance into any area zoned for residential purposes.



2. This requirement may be waived for development on existing lots if:
 - a. The development cannot comply with the terms of the subsection because of the existing geometry of the lot;
 - b. The existing building is set back more than 25 feet from the edge of pavement; and
 - c. The setback from the uses and districts listed in subsection B.1., above is as large as is practicable in order to give effect to the other setback requirements of this Section.

Division 5.400 Temporary Signs

Sec. 5.401 Freestanding Temporary Signs

- A. **Generally.** There are many forms of Temporary signs. This section sets out which forms of temporary signs are allowed in each zoning district and the size and height standards that apply to them. Sign types that are not listed in Table 5.401, *Freestanding Temporary Signs*, are not permitted as freestanding signs.
- B. **Setbacks.** All temporary signs shall be set back at least five feet from all property lines. Temporary signs that are not visible from public rights-of-way or abutting property are not restricted by this Section.

Table 5.401 Freestanding Temporary Signs										
Sign Type and Limitations	Zoning District									
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I
Yard Sign	P	P	P	P	P	-	-	-	-	-
Number of Signs Allowed	No maximum number; see next row for maximum area					-				
Maximum Sign Area (per sign / total)	4 sf. / 24 sf.					-				
Maximum Sign Height (to top of structure)	3 ft.					-				
Maximum Days Signs May Be Displayed	90 days					-				
Swing Sign	P	P	P	P	P	-	-	-	-	-
Number of Signs Allowed	1 per lot				1 per frontage	-				
Maximum Sign Area	5 sf. (including up to 2 riders)					-				
Maximum Sign Height	6 ft.					-				
Maximum Days Signs May Be Displayed	9 months per year					-				
Sidewalk Sign	-	L	L	-	-	-	-	L	-	-
Number of Signs Allowed	-	1 per ground floor tenant bay		-				1 per ground floor tenant bay	-	
Maximum Sign Area	-	8 sf.		-				8 sf.	-	



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Table 5.401 Freestanding Temporary Signs										
Sign Type and Limitations	Zoning District									
	RE	RS	RU	NC	AF	CS	CG	UC	BP	I
Other Requirements	-	Allowed in Center subdistrict of TND only					-		-	-
Display Duration	-	During business hours of use to which sign is associated					-		During business hours of use to which sign is associated	-
Site Sign	P	P	P	-	P	P	P	P	P	P
Number of Signs Allowed	1 per frontage			-	1 per frontage					
Maximum Sign Area	12 sf.			-	16 sf.					
Maximum Sign Height	5 ft.			-	8 ft.					
Other Requirements	Not allowed on lots with existing residential uses			-					Allowed on construction sites only	-
Maximum Days Sign May Be Displayed	On construction sites: duration of construction; All others: 4 months per year			-	On construction sites: duration of construction; All others: 4 months per year				Duration of construction	On construction sites: duration of construction; All others: 4 months per year
Temporary Flags¹	-	-	-	-	-	-	L	-	-	-
Number of Signs Allowed	-						1 per 100 feet of frontage	-		
Maximum Sign Area	-						10 sf.	-		
Maximum Sign Height	-						9 ft.	-		
Other Requirements	-						Not allowed with site signs; subject to amortization per subsection D., below	-		
Maximum Days Sign Type May Be Displayed	-						100 days per year	-		

TABLE NOTE:
¹ Does not include flags that are flown from permanently installed flagpoles, regardless of whether the flags are lowered or changed from time to time.

- B. **Sidewalk Signs.** Sidewalk signs are permitted in areas where they are indicated with an "L" in Table 5.401, *Freestanding Temporary Signs*, if it is demonstrated that:
1. The sign is located within three feet of the building or the outside edge of the sidewalk; and
 2. There is at least six feet of clear sidewalk area for pedestrian use;
 3. The sign is located in front of the use to which it is associated.



C. **Amortization of Temporary Signs.**

1. After January 1, 2012, temporary feather flags are prohibited and shall not be displayed.
2. After January 1, 2015, the portable changeable copy signs are prohibited and shall not be displayed.

Sec. 5.402 Attached Temporary Signs

- A. **Generally.** Attached temporary signs are permitted subject to the standards of this Section.
- B. **Banners.** Banners are permitted in the nonresidential and mixed-use districts, provided that:
1. There is only one banner per principal building;
 2. The banner is attached to the principal building, and complies with the standards of Section 5.203, *Prohibited Sign Locations*;
 3. The sign area on the banner is not larger than the sign area allowed for a wall sign on the building upon which the banner is attached; and
 4. No banner is displayed for a period of more than 14 days every 6 months.
- C. **Sock Signs and Temporary Wall or Fascia Signs.** Sock signs are permitted in nonresidential and mixed-use districts, and may be installed upon issuance of a building permit for a permanent sign, and may remain in place for not more than 30 days. Such signs shall have a sign area that is not more than 15 percent larger than that which is permitted for the permanent sign for which the permit application was filed.
- D. **Window Signs.** Temporary window signs are allowed in all locations where permanent window signs are allowed, provided that the transparency standards of Section 5.301, *Attached Signs*, are met.

Division 5.500 Sign Design Program

Sec. 5.501 Sign Design Program Alternative

- A. **Generally.**
1. *Purpose.* The requirements of [Division 5.200, General Design and Maintenance Standards](#), [Division 5.300, Permanent Signs](#), and [Division 5.400, Temporary Signs](#), are intended to ensure that signs that meet certain minimum standards that are consistent with the expected character and quality of new development in Zachary may be quickly approved and displayed. For some proposals, alternative standards may contribute to the aesthetic qualities of the development. Approval of a sign design program pursuant to the standards of this Division allows for unified presentation of signage throughout a parcel proposed for development, flexibility to provide for unique environments, and pre-approval of designs and design elements to make subsequent applications for sign permits more efficient. To this end, a sign design program alternative is created.
 2. *Approval Criteria.* The Planning Commission may approve a sign design program if it results in a substantially improved, comprehensive, and unified proposal compared to what is allowed



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through strict compliance with the sign regulations of this Article. The responsible official shall review all sign types (*e.g.*, freestanding, attached, window, etc.) for the parcel proposed for development, to determine the degree of compliance with this Article, and shall report to the Planning Commission with regard to the degree of deviation from these standards that is sought by the applicant. The degree of deviation sought by the applicant shall be measured against the degree of compliance with the standards of this Division.

3. *Conditions of Approval.* The Planning Commission may impose reasonable conditions on a sign design program that are not related to the content of the signs or the viewpoints of the sign users, in order to ensure continuing compliance with the standards of this Division and approved sign design programs.
- B. **Contents of Sign Design Program.** A sign design program shall set forth a master plan for signage for an entire parcel proposed for development. For example, shopping center sign design programs shall include all tenants and out parcels, and office or industrial parks shall include all types of signs for wayfinding and tenants or uses within the development.
1. Sign design programs shall set out:
 - a. Sign dimensions and approximate locations;
 - b. Materials and colors;
 - c. Proposed illumination, including illumination levels;
 - d. Maximum numbers of items of information per sign face;
 - e. A design theme with illustrative examples of each sign type and the proposed general locations of each sign type; and
 - f. A demonstration that the sign design program will improve the aesthetics of the development and will not have an adverse impact on the use, enjoyment, or value of property in adjacent or nearby residential districts.
 2. Sign design programs may also set out standards for temporary signage, such as the display of banners.
- C. **Effect of Approval.** Upon approval of a sign design program, issuance of a sign permit shall be based on compliance with the standards set out in the sign design program for the parcel proposed for development.

Sec. 5.502 Flexibility Criteria

- A. **Generally.** Signage which is proposed as part of a sign design program may deviate from the standards of this Article in terms of the types and numbers of signs allowed, the maximum sign area, the maximum signable area ratio, and materials and illumination standards (including electronic message centers), subject to compliance with a sign design program that is approved according to the flexibility criteria set out in this Section.
- B. **Prohibited Signs and Sign Elements.** Prohibited signs and sign elements are not eligible for inclusion in a sign design program unless specifically indicated in this Article.



- C. **Modification of Sign Setbacks.** Setbacks for detached signs may deviate from the requirements of this Article if it is demonstrated that there is no impact on public safety or utility easements, and all other requirements for approval of a sign design program are met.
- D. **Architectural Theme.**
1. All signs shall be architecturally integrated into or complimentary to the design of the buildings and character of the site, and shall use similar and coordinated design features, materials, and colors. The sign design program shall establish an integrated architectural vocabulary and cohesive theme for the parcel proposed for development.
 2. The design, character, location, and/or materials of all freestanding and attached signs proposed in a sign design program shall be demonstrably more attractive than signs otherwise permitted on the parcel proposed for development under the minimum standards of this Article.
 3. The height of all freestanding signs proposed through the sign design program shall relate to the design of the sign and the scale of the use, and shall not exceed 14 feet in height.
- E. **Lighting.** Lighting standards shall not deviate from the standards of Section 9.501, *Nonresidential Lighting Standards*, except as part of a sign design program for a parcel proposed for development in the UC district, in locations where the lighting:
1. Cannot be seen from outside of the parcel proposed for development;
 2. Does not create a sky glow under normal conditions; and
 3. Does not shine into windows of residential units located within the district.
- F. **Height, Area, Number and Location of signs.**
1. The height, area, number and location of signs permitted through the sign design program shall be determined by the Planning Commission based on the following criteria:
 - a. The overall size of the parcel proposed for development and the scale of the use or uses located or anticipated to be located there (larger land areas and scales of use tend to favor larger signs and / or more signs);
 - b. Relationship between the building setback and sign location (additional signage may be appropriate for buildings with less visibility, particularly where buffering is providing an aesthetic and / or environmental benefit to the City);
 - c. Frontage (larger frontages may justify more or larger signs, particularly if the size of the frontage tends to prevent sign clutter from multiple adjacent parcels);
 - d. Access and visibility to the site;
 - e. Intended traffic circulation pattern and the need for wayfinding;
 - f. Hierarchy of signage;
 - g. Relationship between the site and adjacent uses; and
 - h. The desired function of the site (*e.g.*, an urban center would tend to include signage that is more urban and more dynamic in character than a strip shopping center).



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2. Additionally, the maximum permitted sign area shall be based on the following formula when evaluated against the above criteria:
 - a. The maximum area permitted for attached signage shall range from one percent up to a maximum of six percent of the building facade to which the sign is to be attached.
 - b. The maximum total permitted area of all freestanding signs on a parcel proposed for development shall not exceed 20 percent more than the total sign area that would otherwise be permitted by this Article.
- G. **Community Character.** The signage proposed in a sign design program shall not have an adverse impact on the community character of the district in which the parcel proposed for development is located, or of the City of Zachary.
- H. **Property Values.** The signage proposed in a sign design program will not have an adverse impact on the value of property in the immediate vicinity of the parcel proposed for development.
- I. **Elimination of Nonconforming Signs.** If there are existing signs on-site, they shall be removed or brought into conformance with the standards of the approved sign design program.



ARTICLE 6 SUBDIVISION DESIGN AND LAND DEVELOPMENT

Division 6.100 Purpose and Application of Article

Sec. 6.101 Purpose

- A. **Generally.** This Article sets forth regulations for the substantive review of subdivision plats and site plans. These regulations are to be considered in addition to the other applicable regulations of this UDC.
- B. **Purposes.** The purposes of this Article are to:
1. Ensure that new development is consistent with the policies of the Comprehensive Plan;
 2. Provide for the harmonious development of the City, for the coordination and alignment of streets within subdivisions with other existing or planned streets, or with other features of the City;
 3. Provide for appropriate open space for recreation, public facilities, light, and air;
 4. Ensure conformance of development plans with the capital improvement program of the City;
 5. Equitably allocate the costs of providing infrastructure that is needed to support new development;
 6. To the maximum extent permitted by Louisiana law and the City of Zachary Home Rule Charter, ensure that development is compatible with and properly integrated into existing and future neighborhoods;
 7. Ensure that subdivisions and subdivision improvements are designed to:
 - a. Reduce potential impacts on street congestion by:
 - i. Providing alternative travel routes;
 - ii. Promoting alternative modes of transportation;
 - iii. Shortening journey to work trips; or
 - iv. Lessening overall vehicle miles traveled;
 - b. Promote the orderly layout and use of land;
 - c. Secure safety from fire and other dangers;
 - d. Facilitate adequate provision of transportation, potable water, wastewater, schools, parks, playgrounds and other public requirements;
 - e. Protect residential and mixed-use neighborhoods from the hazard of high-speed through traffic; and
 - f. Protect groundwater and surface water resources from contamination.



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8. Assure the prospective purchaser of a subdivision lot that necessary streets, sewers, drainage, sidewalks, schools, and parks are available;
9. Protect the integrity of the purchaser's title by requiring certification that monuments and markers are installed according to the locations designated on the approved plat; and
10. Assure that facilities to be accepted and maintained by the local government are properly located and constructed.

Sec. 6.102 Application of Article

- A. **Generally.** This Article establishes the rules for the approval of site plans and subdivision plats. With respect to infrastructure requirements, this Article works in conjunction with [Article 7, Stormwater Management](#); [Article 8, Streets and Utilities](#). With respect to lot standards and open space, this Article works in conjunction with [Article 2, District Intensity and Development Standards](#) and [Article 3, Open Space and Environmental Quality](#). Site plans are also affected by the parking requirements of [Article 9, Parking, Loading, Access, and Lighting](#) and the design standards of [Article 11, Design Standards](#).
- B. **Applicability.** The standards of this Article apply to all development except single-family detached homes or duplexes that are constructed on individual lots or parcels.
- C. **Covenants, Conditions, and Restrictions.** Many subdivisions and nonresidential developments are subject to recorded covenants, conditions, and restrictions. [Division 6.300, Covenants, Conditions, and Restrictions](#), sets out CCRs that may be required with subdivision or plat approval.
- D. **Subdivision and Land Development Design.** [Division 6.400, Subdivision and Development Design](#), sets out the basic standards that apply to the layout of a subdivision or site plan. Alternative standards may apply to specific types of development (see, e.g., [Article 11, Design Standards](#)).
- E. **Dedication of Land and Improvements, Fees in Lieu.** [Division 6.500, Dedication of Land and Improvements; Fees](#), sets out dedication requirements for subdivisions and site plans that involve public improvements. It also provides for fees in lieu of certain dedication requirements.
- F. **Mapping and Monuments.** [Division 6.600, Mapping and Monuments](#), sets out the requirements for mapping the subdivision and installing monuments at lot corners and street centerlines.

Division 6.200 Subdivision and Street Names

Sec. 6.201 Subdivision or Development Name

No subdivision shall have a name that is substantially similar to the name of another subdivision in the City of Zachary, except that a group of related, adjacent subdivisions that are part of an overall plan of development may be named according to a common theme, or given the same name followed by a phase number to identify each phase of the project.



Sec. 6.202 Street Names

A. Verification.

1. Proposed street names shall be checked to ensure that names of existing or planned streets within East Baton Rouge Parish are not duplicated. A list of street names approved for use within the Parish is maintained by the Parish Planning Commission.
2. No street names shall be approved which will duplicate or be confused with the names of existing streets in the City or Parish unless the new street is an extension of, or in alignment with, an existing street.

B. Naming Conventions. Street shall be named according to the following conventions:

1. Streets that extend existing streets shall be assigned the same name as the existing street.
2. Streets that are on materially the same alignment as an existing street shall be given the same name as the existing street.
3. No street shall use the same name as an existing street, modified by the term street, avenue, road, court, etc. Only where a single cul-de-sac or loop street comes off a street may the words place, lane, court, or terrace, be used.

C. Approval of Street Names. The Planning and Zoning Commission approves street names concurrently with the approval of the subdivision.

Division 6.300 Covenants, Conditions, and Restrictions

Sec. 6.301 Property Owners' Association Required

- A. **Generally.** Any subdivision or land development which requires a property owners' association in order to comply with these regulations (*e.g.*, to own and maintain common open space) shall be subject to a mandatory property owners' association and a recorded declaration of covenants, conditions, and restrictions ("CCRs") that ensures such compliance.
- B. **Property Owners' Association.** If required by this UDC or as a condition of approval, the applicant shall incorporate a property owners' association that will bear responsibility for ensuring continuing compliance with these regulations and conditions of subdivision or site plan approval. The City Attorney shall review the documents only for the following provisions:
1. Membership in the property owners' association shall be mandatory for all owners of property in the subdivision or condominium;
 2. The property owners' association shall have lien rights with respect to unpaid dues;
 3. The property owners' association shall be permanent; and
 4. The property owners' association shall have all responsibilities required by these regulations (*e.g.*, ownership and maintenance of common elements).



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Sec. 6.302 Required Covenants, Conditions, and Restrictions

- A. **Generally.** Conditions and requirements of development approval that require ongoing efforts of tenants or successors in title shall be included in a declaration of covenants, conditions, and restrictions for the property that shall be recorded in the public records in the chain of title for the property at the applicant's expense. The applicant shall provide proposed covenants, conditions, and restrictions to the City:
1. Upon filing the application for final plat approval; or
 2. If no plat approval is sought, before the issuance of any permit that directly authorizes development (development approvals that require covenants, conditions, or restrictions shall be contingent upon approval of the covenants, conditions, and restrictions document).
- B. **Plat Annotations.** Requirements regarding maintenance of common areas or operation and maintenance of drainage facilities shall be summarized on the plat and set forth in full in the declaration of covenants, conditions, and restrictions, which shall be referenced on the plat.
- C. **City Enforcement.**
1. The Planning and Zoning Commission and City Attorney shall review covenants, conditions, and restrictions that implement requirements of this UDC or conditions of approval.
 2. The Planning and Zoning Commission may require that the applicant grant the City a right of enforcement of the covenants, conditions, and restrictions, in order to ensure continuing compliance. To this end, the City may require that the CCRs give the City a right to designate a management company, to be paid a reasonable fee from the dues payable by the property owners, after the third notice of noncompliance to the association's registered agent. The management company shall be responsible for remedying violations that are the subject of the notices.

Sec. 6.303 Optional Covenants, Conditions, and Restrictions

- A. **Generally.** The City shall approve only those covenants, conditions, and restrictions that relate to the development approval, and its right of enforcement shall extend only to those matters and matters that substantially bear upon them. The City will not seek to intervene in purely private disputes about covenants, conditions, and restrictions.
- B. **Optional Elements.** The CCRs may include any provisions considered desirable by the applicant with respect to the management and maintenance of the subdivision or condominium, provided that they do not undermine the following requirements:
1. Required membership in, and payment of dues to, the Property Owners' Association.
 2. Inclusion and enforcement of all of the provisions required by these regulations and any conditions of approval, in a form acceptable to the City Attorney;
 3. Clauses that provides for enforceability by the City of those covenants, conditions, and restrictions that relate to these regulations or conditions of approval; and
 4. Applicable requirements of this UDC at the time of approval of the CCR document.



Sec. 6.304 Conversions from Unified Control to Multiple Ownership

A development that is approved under unified ownership and control shall not be conveyed into multiple ownerships (e.g., individual buildings in an office park being sold to separate entities) until the required CCRs are recorded.

Division 6.400 Subdivision and Development Design

Sec. 6.401 Development Design Review Principles

- A. **Generally.** It is the policy of the City that the principles of this Section be applied to the maximum extent possible without imposing restrictions that reduce the density or intensity of development that is permitted on the subject property by this UDC. The City may require modifications to proposed site plans or subdivision plats that otherwise conform to the standards of the UDC in order to enhance the quality of the design in accordance with the qualitative principles of this Section. The standards of this Section shall be applied and interpreted in the context of the other applicable standards that are set out in other Articles of this UDC.
- B. **Compatibility.** The proposed site plan or subdivision plat shall be designed in a way that:
1. Provides appropriate space for buffers and transitions between incompatible land uses or obvious changes in density or intensity alongside and rear lot lines;
 2. Provides appropriate vehicular and pedestrian linkages between residential uses and retail, service, and office uses, providing access while protecting neighborhood integrity;
 3. Protects neighboring property from stormwater runoff;
 4. Anticipates and provides for future vehicular and pedestrian connections to neighboring properties that are likely to be developed or redeveloped with similar or supportive land uses within ten years;
 5. Minimizes interference with existing access to adjacent and nearby properties, unless new and improved access is provided by the proposed development; and
 6. Does not materially reduce the level of service of public utilities that are provided to surrounding development.
- C. **Consistency with City Capital Improvement Plans.** The proposed development shall conform to all adopted and applicable capital improvement plans of the City, East Baton Rouge Parish (for capital improvement plans within the City), and the State of Louisiana with regard to public infrastructure and facilities, including water, sewer, gas, streets, trails, and parks and recreation.
- D. **Flood Damage Prevention.** See [Chapter 46, Flood Damage Prevention, City of Zachary Code of Ordinances](#).
- E. **Future Adjacent Development.** The proposed development shall be designed in a way that shows how future development of adjacent parcels under common ownership will relate to the parcel proposed for development in terms of transportation linkages and utilities.
- F. **Landscaping.** The subdivision landscaping layout shall promote the zoning district's qualities and character and meet or exceed the standards therein. Bufferyard landscaping shall be located to



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achieve the screening objectives and, where possible, enhance open space objectives beyond the minimum requirements.

- G. **Preservation of Density and Intensity.** Design review is intended to permit plan modifications that improve design, but not to require a density or intensity reduction. The design review shall focus on revising the site plan by altering roads, lots, landscaping, or other plan elements, but not by altering development density or intensity unless the density or intensity exceeds permitted standards or the open space, buffering, landscaping, or resource protection does not meet the requirements of this UDC.

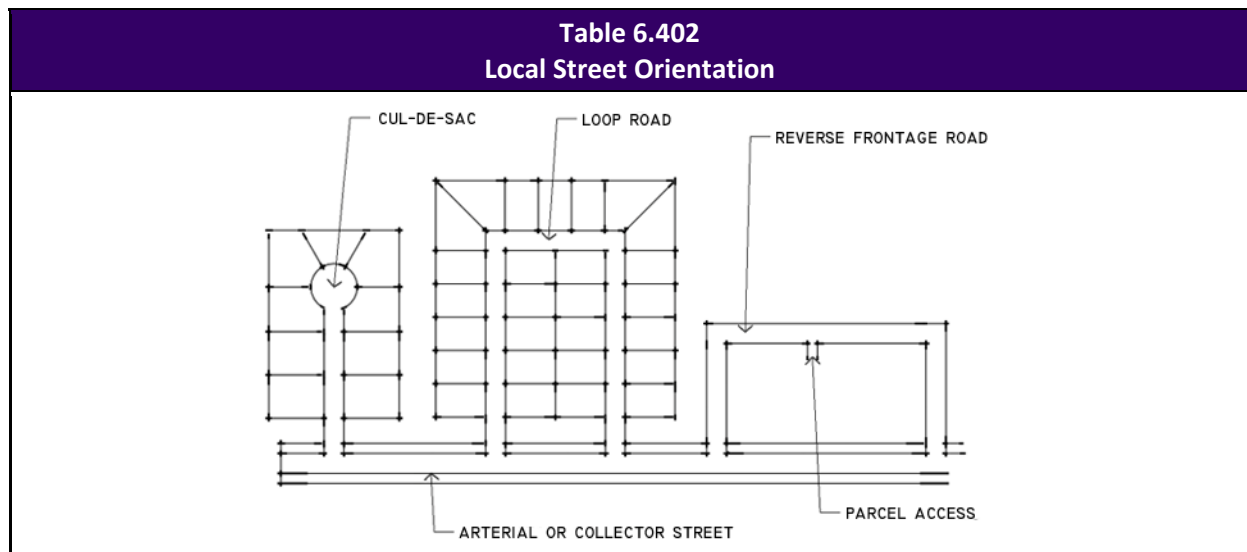
Sec. 6.402 Streets

A. Alignment of Subdivision Streets with Existing Streets.

1. Streets shall be configured as required by Section 8.202, *Street Standards*.
2. Streets shall, to the extent practicable, align with existing streets, and be given the name of the streets with which they align, or shall be offset the minimum distance specified in the *Engineering Standards Manual*. See Division 8.400, *Engineering Standards Manual*.

B. Alignment of Local Streets with Arterials and Collectors. Generally, local roads or streets shall be either:

1. Perpendicular to arterials or collectors; or
2. Loop streets, reverse frontage roads, or cul-de-sacs (which are limited by Section 8.205, *Cul-de-Sacs*. See Figure 6.402, *Local Street Orientation*).



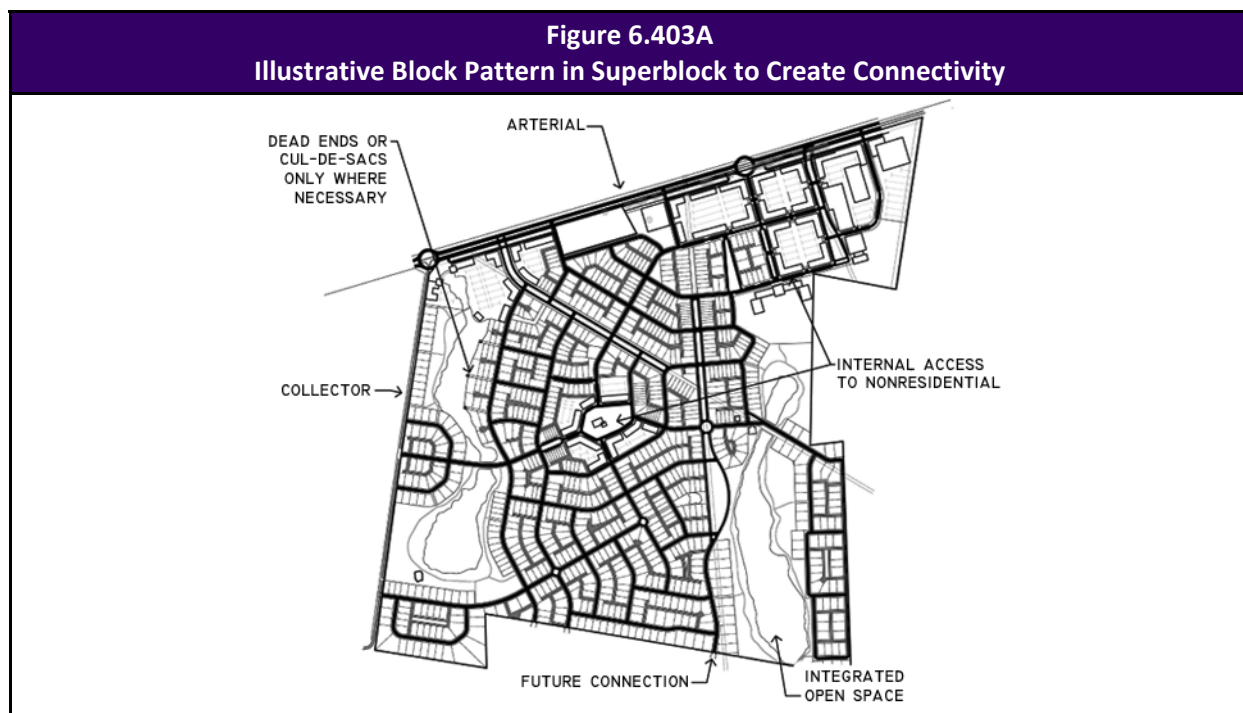
- C. **Width of Public Ways.** The minimum width of public street rights-of-way in subdivisions shall be established according to the functional classification of each street, pursuant to Section 8.202, *Street Standards*.



- D. **Grades and Curves of Public Ways.** The City Engineer shall promulgate the requirements for grades and curves of public ways in the *Engineering Standards Manual*. See [Division 8.400, Engineering Standards Manual](#).

Sec. 6.403 Blocks

- A. **Block Pattern.** In general, streets shall be laid out to create blocks. Within any superblock created by arterials or collectors, the design objective is to provide an interconnected network of streets and pathways so that people may reach other locations within the superblock by walking or bicycling or driving, but without having to access arterial or collector streets with vehicles. See Figure 6.403A, *Illustrative Block Pattern in Superblock to Create Connectivity*. If practicable, streets shall be arranged in a loose grid or comparable formal arrangement, and open spaces shall be integrated into the block design. Exceptions will be made for green spaces along drainage or stream channels or where other natural resources make a grid or comparable formal arrangement difficult or cost prohibitive.



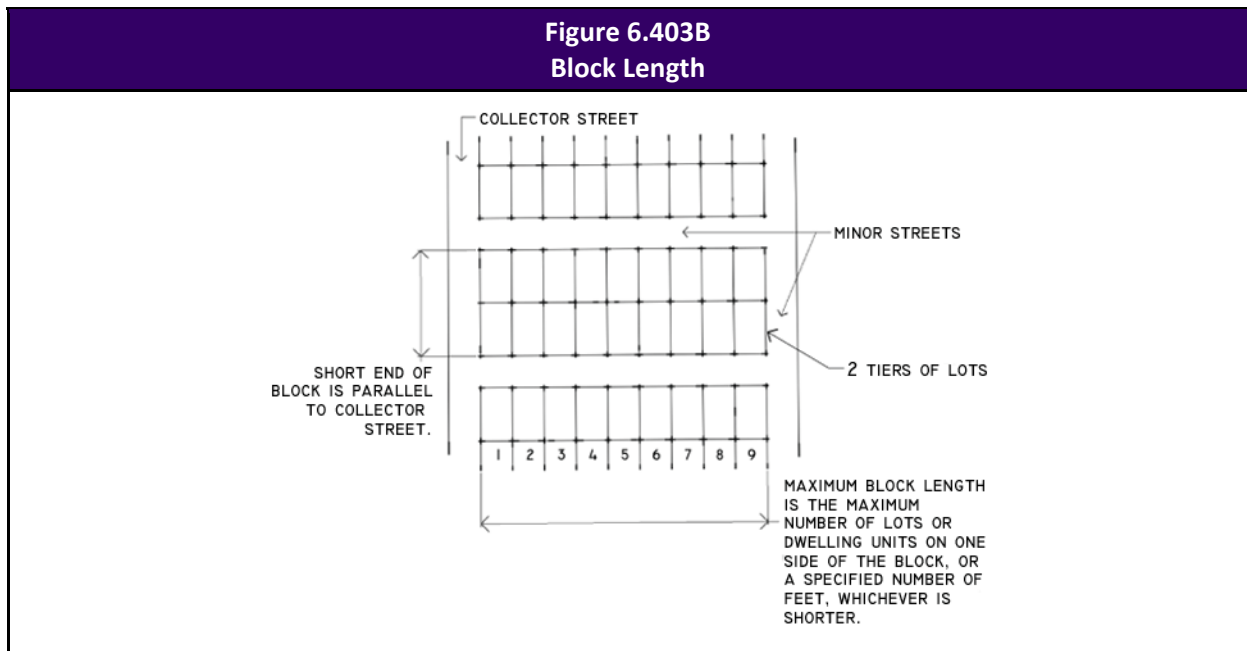
- B. **Block Orientation.** Where possible, blocks shall be laid out to have their short length abutting arterials, collectors, or the development's major internal street. The length, width, and shape of blocks should be determined with due regard to the provision of adequate sites for buildings of the type proposed, zoning requirements, fire access, emergency service, and police protection. See Figure 6.403B, *Block Length*.
- C. **Block Length and Width.**
1. Blocks should not, in most instances, exceed the lengths specified in Table 6.403A, *Block Length*. Blocks may exceed the lengths in Table 6.403A, *Block Length*, provided that the blocks are the minimum additional length necessary to achieve a stated design objective, and either:



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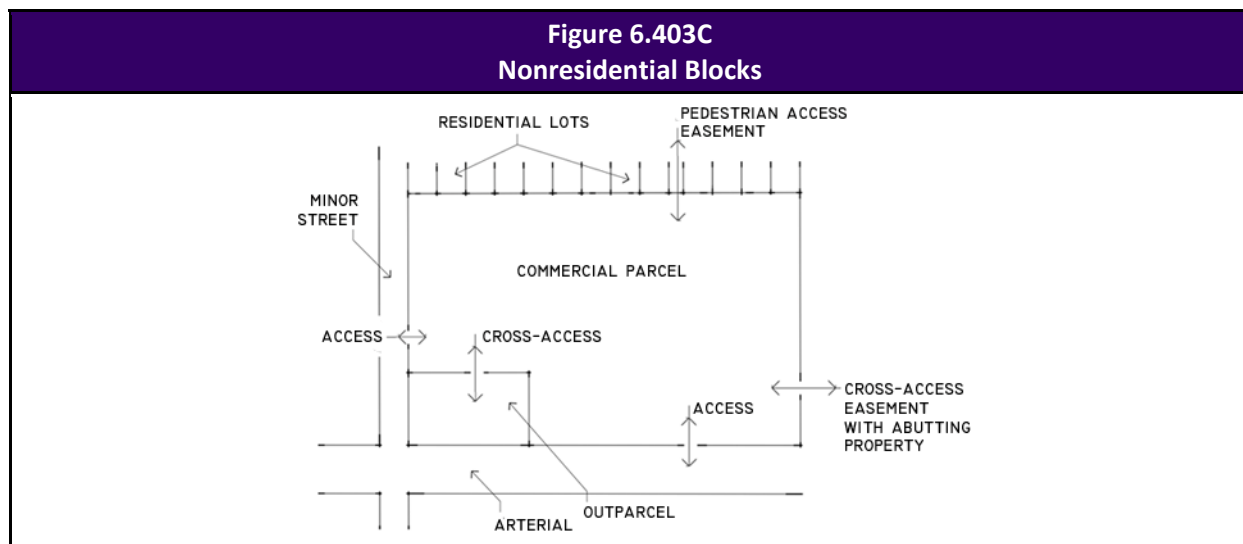
- a. The block traverses a span of open space that is wider than the distance specified in the table; or
 - b. Mid-block access is provided that allows pedestrian circulation from the block to another block (or, in TND "Center" subdistricts, to parking areas behind buildings). Such access shall be provided at intervals of not less than 300 feet, including street intersections.
2. Blocks should be such width as will provide two tiers of lots, except:
- a. Where reverse frontage lots are located along an arterial or collector street;
 - b. Where such an arrangement is prevented by the size or other inherent site conditions of the property; or
 - c. Where lots are arranged in a cluster format that promotes visual access to common open space by reducing back-to-back residential lots.

Table 6.403 Block Length		
Development Type	Maximum Block Length Is Lesser Of . . .	
	Max. Lots Accessed on One Side of Street	Max. Distance Between Intersections or Significant Curves, Jogs, or Offsets
Standard Residential Subdivisions; Clustered Residential Subdivisions (all types); Mixed-Housing Neighborhoods	9 single-family detached; or 15 single-family attached; or 15 multifamily footprints plus required building side yards	800 ft.
TND "Center" subdistrict	N/A	500 ft.
TND "General" and "Edge" subdistricts	N/A	650 ft.





- D. **Nonresidential Blocks.** Blocks for commercial, industrial, and mixed-use areas may vary from the elements of design contained in this Section if the nature of the use requires other treatment. See Figure 6.403C, *Nonresidential Blocks*. In such cases, safe and convenient access to the street and pathway systems shall be required. Space for off-street parking may also require similar access for employees and customers. Extension of streets and utilities shall be provided, as necessary.



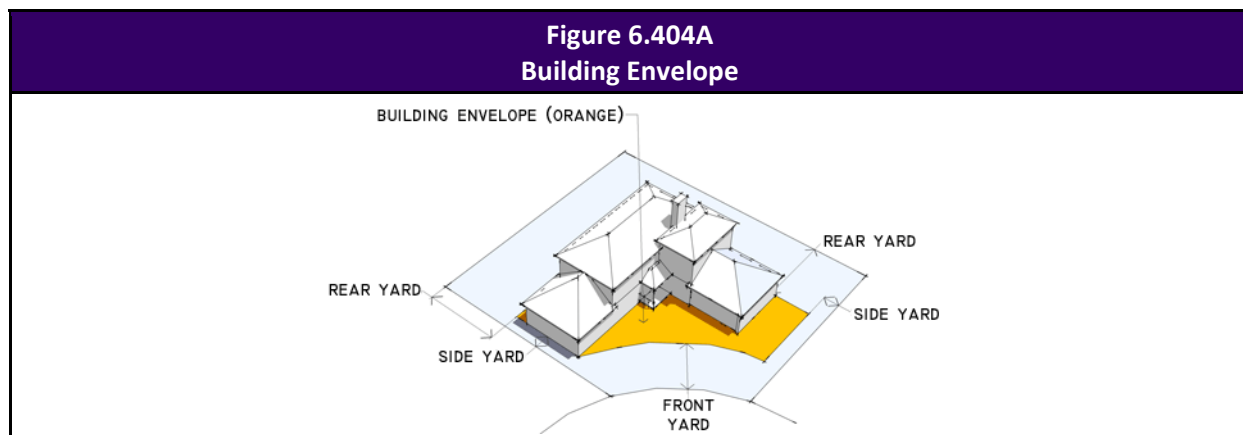
Sec. 6.404 Lots

- A. **Minimum Width.** The minimum width of lots in a subdivision shall be as set out in:
1. [Article 2, District Intensity and Development Standards](#), for the applicable zoning district and development type; or
 2. A pattern book for a TND that is approved according to the standards of Section [14.504, Pattern Book Requirements](#).
- B. **Minimum Depth.** The minimum depth of lots in a subdivision shall be:
1. As required to achieve the minimum lot area (lot depth equals lot width divided by lot area) set out in [Article 2, District Intensity and Development Standards](#), for the applicable zoning district and development type; or
 2. The depth indicated in a pattern book for a TND that is approved according to the standards of Section [14.504, Pattern Book Requirements](#).
- C. **Minimum Area.** The minimum area of lots in a subdivision shall be as set out in:
1. [Article 2, District Intensity and Development Standards](#), for the applicable zoning district and development type; or
 2. A pattern book for a TND that is approved according to the standards of Section [14.504, Pattern Book Requirements](#).



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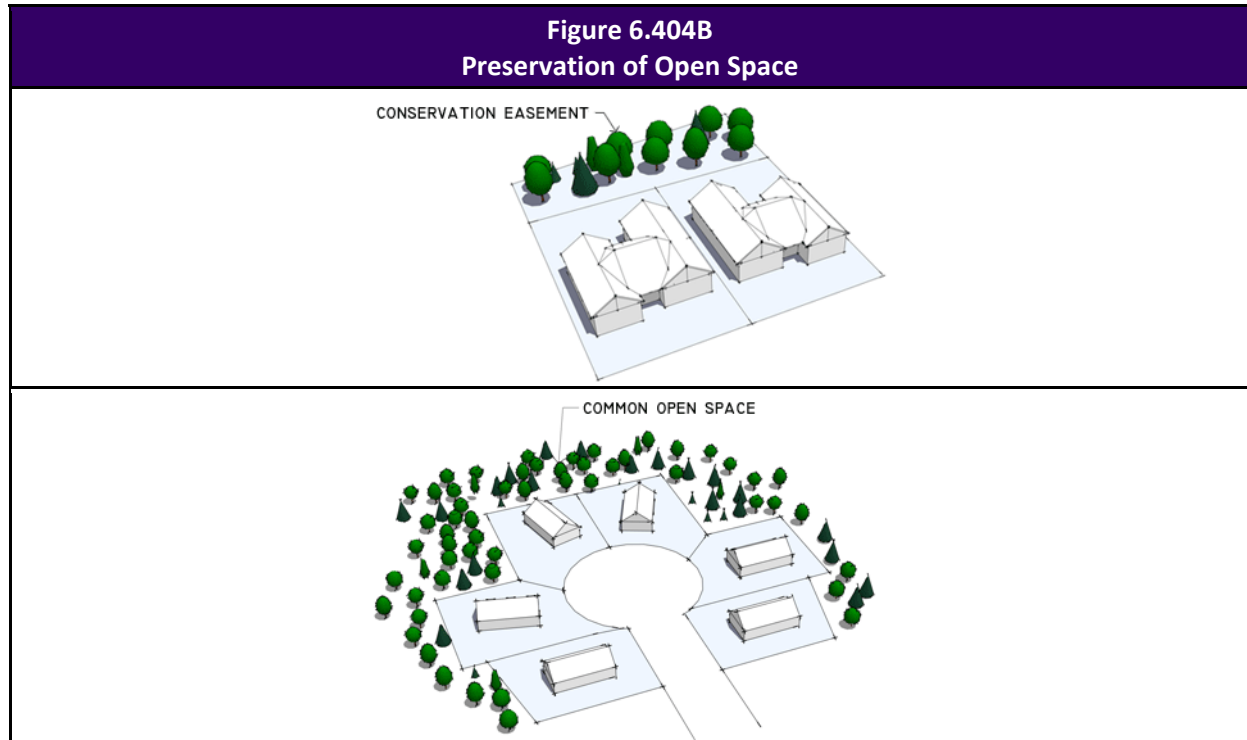
- D. **Required Frontage.** All lots that are not subject to a conservation easement or used as common elements or recreational areas shall front upon an improved public street, unless it is demonstrated that a private street subdivision is approved that complies with Section 8.204, *Private Streets*.
- E. **Lot Shape, Generally.**
1. Generally, lots shall be rectangular or "pie-shaped." All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.
 2. Corner lots shall have extra width to permit the establishment of front building setback line on both the front and the side of the lots adjoining the streets irrespective of whether the rear lot lines of said corner lots abut lots fronting on the side streets.
 3. Lots on major street intersections and at all acute angle intersections which, the Planning and Zoning Commission finds are likely to be dangerous to the traffic movement shall have a radius of 20 feet at the street corner. Where grade separation structures are proposed at the intersection of major streets, the lots and improvements in the subdivision shall be arranged so as to make adequate provisions for such structures.
- F. **Lot Shape, Alternative.** Alternative lot shapes may be approved in any of the following circumstances:
1. *In General.*
 - a. The alternative shape does not interfere with the efficient development of other property; and
 - b. The lots allow for a building envelope that is adequate for conventional building design. The building pad used meets minimum lot width where the home is to located. The City shall require a building pad designation on the plat. See Figure 6.404A, *Building Envelope*.



2. *Irregularly Shaped Parcel Proposed for Development.* The shape of the parcel required irregular lots in order to subdivide.
3. *Preservation of Open Space with Trapezoidal Lots.* Trapezoidal lots are encouraged in cluster development because they better enable the land planner to adjust to curvilinear roads or cul-de-sacs by increasing the total open space area of the site. Figure 6.404B, *Preservation of Open*



Space, compares the use of trapezoidal lots to the use of conservation easements on private lots.



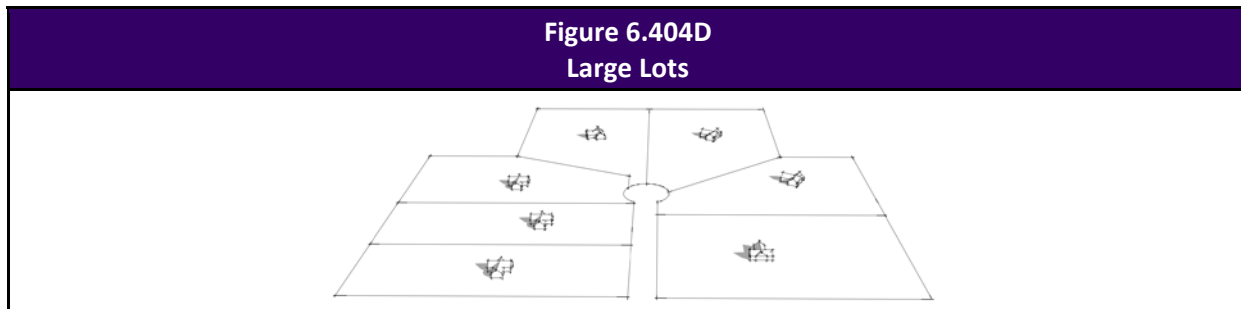
4. *Curvilinear Streets*. Irregular lots are permitted where the street alignment would otherwise force larger, pie shaped lots and the use of irregular lots would allow for smaller lots and more access to open space. See Figure 6.404C, *Curvilinear Streets*.





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5. *Large Lots*. Where lots exceeding three acres are provided, the lot shape that provides efficient use of the land and minimum lot size may be used. See Figure 6.404D, *Large Lots*.



G. Access to Lots.

1. No residential lots shall front on collector or arterial roads or streets unless:
 - a. They have alley access to parking and on-street parking is permitted on the arterial or collector; or
 - b. They are three acres or larger in area and have a minimum frontage of 250 feet along the collector or arterial.
2. Residential lots in the "Center" and "General" subdistricts of TNDs shall be accessed by alleys.

Sec. 6.405 Easements

- A. **Generally.** During development approval, the City may require the granting of a variety of easements on private property or lots. These easements may be for any of the following, or other approved, purposes:
1. Drainage;
 2. Utilities;
 3. Access to public utilities or drainage areas;
 4. Fire protection;
 5. Police protection and other emergency services;
 6. Solid waste removal;
 7. Pedestrian access; and
 8. Natural resource or open space conservation.
- B. **Utility Easement Width and Location.** Where required, all lots shall provide utility easements (U.E.) for sewer, water, gas, drainage, electricity, cable, fiber-to-the-home, or other public utilities that are necessary or desirable to serve the subdivision. Their width and location shall be such that access and maintenance, repair or reconstruction can be accomplished without undue hardship to the utility. Easement standards may be included in the *Engineering Standards Manual*.

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- C. **Drainage Easements.** To the extent possible, existing surface drainage patterns serving any off-site properties or two or more proposed lots or properties shall be protected by easements or open space. In addition, drainage easements shall be placed on lots to convey surface water to storm sewers located on the street or to surface drainage channels located in easements or open spaces as topography and grading dictate.
- D. **Fire Protection Easements.** Rear fire protection access easements, where necessary to provide adequate protection for the structure, shall be improved as appropriate for fire protection equipment, at a width of 20 feet, with appropriate turning radii for the City's fire protection equipment as determined by the Fire Department.
- E. **Pedestrian Access Easements.** Pedestrian access easements may be required in accordance with [Division 8.200, Streets, Sidewalks, and Trails](#).
- F. **Conservation Easements.**
1. The City shall require conservation easements to preserve open space as required by this UDC, and to protect natural resources that this UDC requires to be protected.
 2. Conservation easements shall exclude other easements that would result in the disturbance of the land, except that pedestrian access easements and non-destructive utility and drainage easements are permitted within areas protected by conservation easements.
 3. Conservation easements shall provide for permanent management and maintenance of the property by a responsible party other than the City, such as a nonprofit land trust or property owners' association.
 4. All conservation easements shall run in favor of two parties:
 - a. All lots or unit owners in the development; and
 - b. The City.
 5. The conservation easements shall be in a form approved by the City Attorney.
- G. **Encroachments and Removal of Encroachments.** No permanent encroachment or structures shall be allowed to be located within the area of any easement required by this Section. While the City or utility benefiting from the easement will make efforts to minimize disturbances, both shall have the right to remove any encroachment, structures, fences, landscaping or other improvements placed upon such easements. The City and/or utility shall not be obligated to restore or replace any such encroachment but shall restore any disturbed ground surfaces with seeding. The City may assess the cost of removing an unauthorized improvement from an easement against the landowner, including the placing of a lien on the property.
- H. **Maintenance of Easements.** The responsibility for the regular maintenance of the ground surface in any easement shall rest with the owner of the property within which the easement exists.

Sec. 6.406 Open Spaces

- A. **Generally.** This Section is designed to achieve the open space requirements of bufferyards, resource protection, recreation, stormwater management, and preservation of community character.



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B. Design.

1. Generally, open spaces shall be integrated into the development design to bring significant open space to the maximum number of properties, as well as visibility from public rights-of-way within the proposed development. Visual or physical access to open spaces may be limited if such limitations would materially enhance natural resource management.
2. Open space shall be designed to provide greenways along drainage corridors and streams. The landscaping along corridors or streams shall be designed to enhance the filtering of surface and subsurface water flows. Trails shall provide access along the greenway for the residents of the proposed development.
3. Formal open spaces shall be designed to provide areas of focus within the development. Landscaping and furniture for pedestrians shall be installed to enhance this effect.

Sec. 6.407 Utilities

A. Generally.

1. All developments shall make provision for water, sewer, stormwater, electric, telephone, and cable service, and may make provision for fiber-to-the-home and other public and/or private utilities available to City residents. Where on-site water and sewer are allowed by [Division 2.200, Standards for Parcels Proposed for Development](#), on-site systems will satisfy this requirement.
2. All drainage and utilities shall be efficiently and unobtrusively integrated into the design and shall avoid off-site impacts.

B. **Capacity.** Where a parcel proposed for development is part of a larger tract of land, the City shall require the capacity of facilities to be adequate to serve the entire tract to the extent that the capacity is matched to that of the lines that are extended to the parcel proposed for development. Where the parcel proposed for development is part of a larger utility service area, the City may require the capacity of the appropriate facilities to be adequate to serve the remainder of the service area.

C. **Potable Water Line Loops.** Potable water lines shall be looped and shall have a secondary feed to the potable water supply.

D. **Interceptors.** Where an interceptor is to be extended through the area being developed, the landowner shall provide the necessary easements.

E. **Common Use Easements.** Wherever possible, the City shall require compatible utilities to share easements. See Section [6.405, Easements](#).

Sec. 6.408 Required Improvements; Upgrade Agreements

A. Design and Installation of Improvements.

1. All improvements required by this UDC and related City regulations shall be designed and installed in accordance with the *Engineering Standards Manual*.



2. All improvements shall be furnished, installed, and constructed by the applicant at no cost to the City, except as specifically provided in this UDC. Escrows or sureties may be required for off-site improvements that are required by this UDC.
- B. **Utility Upgrade Agreement.** The City may require that the applicant upgrade the capacity of municipal utility lines in order to provide adequate facilities to future development in the area of the proposed development. To this end, the City Council may authorize the Mayor to enter into a participation agreement or development agreement that sets out the City's share of additional costs of standard line sizes, and the method and timing of repayment to the applicant. The written agreement shall fairly apportion the cost of providing the upgraded capacity, and shall be executed between the applicant and the City prior to the final approval of plans and specifications.

Sec. 6.409 Development Phasing

- A. **Generally.** A parcel proposed for development may be developed in phases, which each phase separately platted. In such cases, the applicant shall submit a concept plan with the first application for preliminary plat approval. The concept plan shall show compliance with this UDC by showing:
1. The general arrangements of streets and utilities, and how they will connect to the streets shown on the first application for preliminary plat approval;
 2. The general location of drainage facilities;
 3. The general location of protected natural resources; and
 4. The general location of proposed uses and housing types.
- B. **Consistency with Concept Plan.** In considering each subsequent phase shown on a concept plan, the Planning and Zoning Commission may impose conditions that are necessary to assure the orderly development of the platted land. Such conditions may include, but are not limited to, temporary alley and street extensions, temporary cul-de-sacs, and off-site utility extensions.

Division 6.500 Dedication of Land and Improvements; Fees

Sec. 6.501 Utilities Infrastructure Fee

- A. **Applicability.**
1. After April 27, 2004, a utility infrastructure fee shall be paid as provided by this Section by any person who:
 - a. Has subdivision improvements which are to be connected to the utility system, including but not limited to, the gas, water, storm drainage, or sewer system operated and maintained by the City, which are to be accepted for maintenance by the city; or
 - b. Connects to the utilities infrastructure of the city, or changes, modifies or expands the use of an existing connection to the utilities system.
 2. This article is to apply to all subdivisions which have not received final approval and acceptance of a final plat as of April 27, 2004.



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3. This fee shall be in addition to any fees assessed or charged by any other governmental entity, including, but not limited to, the City of Baton Rouge/Parish of East Baton Rouge, the East Baton Rouge Sewerage Commission, or any of their related entities.

B. Computation of Utilities Infrastructure Fee.

1. *Residential*. The utilities infrastructure fee for residential development is as follows:
 - a. New Single-Family (All Detached and Attached Types, including Manufactured). \$300.00 per lot for each new subdivision development.
 - b. Multiplex or Multifamily. \$300.00 per unit.
2. *Commercial/Light Industrial*.
 - a. The infrastructure fee for new construction shall be calculated based on contract cost for the new construction, as set forth in Table 6.501A, *Commercial and Light Industrial Utilities Infrastructure Fees; New Construction*.

Table 6.501A Commercial and Light Industrial Utilities Infrastructure Fees; New Construction	
Contract Cost for New Construction	Utilities Infrastructure Fee
\$0--\$50,000.00	\$100.00
\$50,000.01--\$100,000.00	\$150.00
\$100,000.01--\$500,000.00	\$50.00 + \$3.00 per \$1,000.00
\$500,000.01--\$1,000,000.00	\$100.00 + \$2.00 per \$1,000.00
\$1,000,000.01--\$2,500,000.00	\$150.00 + \$1.50 per \$1,000.00
\$2,500,000.01--\$5,000,000.00	\$200.00 + \$1.00 per \$1,000.00
\$5,000,000.01 and greater	\$250.00 + \$0.50 per \$1,000.00

- b. Existing commercial structures that undergo improvements the cost of which exceed 25 percent of the current appraised value of the existing structure shall be subject to the utilities infrastructure fee which shall be calculated based on the contract cost for those improvements, the fee to be calculated according to Table 6.501B, *Commercial and Light Industrial Utilities Infrastructure Fees; Improvements*.

Table 6.501B Commercial and Light Industrial Utilities Infrastructure Fees; Improvements	
Contract Cost for Improvements	Utilities Infrastructure Fee
\$0--\$50,000.00	\$100.00
\$50,000.01--\$100,000.00	\$150.00
\$100,000.01--\$500,000.00	\$50.00 + \$3.00 per \$1,000.00
\$500,000.01--\$1,000,000.00	\$100.00 + \$2.00 per \$1,000.00
\$1,000,000.01--\$2,500,000.00	\$150.00 + \$1.50 per \$1,000.00
\$2,500,000.01--\$5,000,000.00	\$200.00 + \$1.00 per \$1,000.00
\$5,000,000.01 and greater	\$250.00 + \$0.50 per \$1,000.00



C. Payment of Utility Infrastructure Fee for New Development.

1. *Single-Family Residential (all detached and attached types, including manufactured).* For new subdivision developments, 50 percent of the utilities infrastructure fee assessed for each lot must be paid by the developer of the new subdivision prior to the approval of the final plat. The remaining balance of the utilities infrastructure fee per lot shall be paid by the purchaser of the lot, the builder, or the property owner of the lot prior to the issuance of a building or occupancy permit.
2. *Multiplex, Multifamily, and Manufactured Home Park (rental pads).* For multiplex, multifamily, and manufactured home park developments, the developer must pay 100 percent of the utilities infrastructure fee assessed prior to issuance of the occupancy permit.
3. *Nonresidential.* For nonresidential new construction or remodeling, the developer or owner must pay 100 percent of the utilities infrastructure fee assessed prior to issuance of the occupancy permit.

Sec. 6.502 Recreation

Consideration shall be given by the developer to the dedication or reservation of suitable sites for parks, playgrounds, and other areas for public use so as to conform to the recommendations of the Planning and Zoning Commission in its adopted master plan or portion thereof of the city. Areas to be dedicated or reserved for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be dedicated to, or acquired by the appropriate taxing agency. In general, whenever the proposed subdivision contains 20 acres or includes more than 100 lots, consideration shall be given to the reservation or dedication of a suitable area for school and recreation purposes.

Division 6.600 Mapping and Monuments

Sec. 6.601 Protected Resources

- A. **Generally.** All subdivisions and site plans that include areas of protected natural resources shall show the boundaries of areas of protected natural resources, if such exist on the site. Such delineation shall be by a registered professional land surveyor.
- B. **Mapping Criteria.** The following criteria shall be used for mapping natural resources:
 1. Streams (perennial, *intermittent*, mapped, and unmapped) with identifiable banks and beds shall have their boundaries set at the top of the bank.
 2. Initial identification of the water courses/water bodies shall be made using the U.S. Geological Survey quadrangle maps or more accurate information, as available. Field survey verification to determine evidence and location of channelized flow is required for primary plats and site plans.
 3. Woodlands shall be measured at the canopy line.
 4. Wetlands shall be delineated by the criteria promulgated by the U.S. Army Corps of Engineers.



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- C. **Boundaries.** Boundaries shall be drawn as follows:
1. Measurements for boundaries are to be made horizontally, perpendicular from, or radial from any feature or point.
 2. Boundaries that are dependent on elevation shall be based upon on-site elevations and shall not be interpolated.
- D. **Topography.** Topographic lines shall be at one-foot contour intervals unless such intervals are impractical due to essentially flat topography.

Sec. 6.602 Monumentation

- A. **Generally.** Monuments shall be placed to mark the following:
1. Lot corners, points of curvature, points of tangency, and reference points; and
 2. Street centerlines, points of curvature, points of tangency, and reference points.
- B. **Monument Requirements.** The following guidelines apply to artificial monuments to be set.
1. Monuments of a ferrous material must have at least 1/2 inch outside diameter, and must be at least 18 inches in length (longer in soft or unstable soil).
 2. Concrete monuments must be at least 3 inches in width or diameter by 24 inches in length, reinforced with an iron rod at least 1/4 inch in diameter, and may contain a precise mark on top indicating the exact location of the corner.
 3. Marks on existing concrete, stone, or steel surface must consist of drill holes, chisel marks or punch marks and must be of sufficient size, diameter or depth to be definitive, stable and readily identifiable as a survey monument. Marks on asphalt roads may consist of railroad spikes, large nails, "PK nails", or other permanent ferrous spikes or nail-like objects.
 4. Wooden stakes shall not be set as permanent boundary monuments.
- C. **Monument Installation.** Monuments must be set vertically whenever possible and the top may be reasonably flush with the ground when practical. Monuments subject to damage from earthwork, construction or traffic should be buried at a sufficient depth to offer protection.
- D. **Witness Monuments.** When physically impossible to set a monument at the corner, witness monuments shall be set when possible, preferably on each converging line at measured distances from the corner and identified as such in the description and on the plat of the property.

Sec. 6.603 As-Built Drawings

As-built drawings, certified by a registered surveyor, shall be submitted to the City upon completion of subdivision infrastructure.



ARTICLE 7 STORM WATER MANAGEMENT

Division 7.100 Purpose and Application of Article

Sec. 7.101 Purpose

A. Findings of Fact.

1. It is hereby determined that:
 - a. Land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition;
 - b. This stormwater runoff contributes to increased quantities of water-borne pollutants; and
 - c. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from development sites.
2. The City recognizes that water quality and quantity requirements of federal, state, and parish laws applicable to surface waters provide reasonable guidance for the control of stormwater runoff for the purpose of protecting local water resources from degradation.
3. It is determined that the control of stormwater runoff discharges from land development projects and other construction activities in order to manage and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will prevent threats to public health and safety.

B. **Purpose of Regulations that Apply to Permanent Controls and Maintenance.** The purpose of [Division 7.200, Drainage](#), is to ensure that stormwater management requirements and controls are in place to protect and safeguard the general health, safety, and welfare of the public. [Division 7.200, Drainage](#), requires plans that are reviewed according to performance standards promulgated by East Baton Rouge Parish, the State of Louisiana, and the federal government, depending upon the circumstances of the individual application. It also includes specifications for construction of drainage facilities.

C. **Purpose of Regulations that Apply to Construction Activities.** During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat. Consequently, the purpose of [Division 7.300, Stormwater Management During Construction](#), is to implement federal laws that seek to safeguard persons, protect property, and prevent damage to the environment.



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Sec. 7.102 Application of Article

- A. **Generally.** Drainage plans and stormwater pollution prevention programs (for construction activities) are required as provided in federal and state law.
- B. **When Required.** *Article 7, Storm Water Management*, is applicable to all subdivision or site plan applications, unless eligible for an exemption. The ordinance also applies to land development activities that are smaller than the minimum applicability criteria if such activities are part of a larger common plan of development that is not exempt, even though multiple separate and distinct land development activities may take place at different times on different schedules. In addition, all plans must also be reviewed by federal, state, and local environmental protection officials with jurisdiction to ensure that established water quality standards will be maintained during and after development of the site and that post construction runoff levels are consistent with any local and regional watershed plans.
- C. **Construction with Other Articles and Ordinances.** This Article is not intended to interfere with, abrogate, or annul any other Article, ordinance, rule or regulation, statute, or other provision of law. The requirements of this Article should be considered minimum requirements, and where any provision of this Article imposes restrictions different from those imposed by any other Article, ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

Division 7.200 Drainage

Sec. 7.201 Drainage Impact Study Requirement

- A. **Requirement.**
 1. *Drainage Impact Studies Required.* Any owner, developer, subdivider or their agents who apply to subdivide, develop, improve or build upon any residential, industrial or commercial development or subdivision must, in addition to any other requirement of law or ordinance, submit a drainage impact study in conformity with this Section.
 2. *Number of Copies; Required Review.* Two copies of the required drainage impact study of the proposed development and surrounding affected areas must be submitted. The subdivision construction plans will not be reviewed and approved until the drainage impact analysis has been reviewed. The public works department may refer the study for review by East Baton Rouge Parish, the State of Louisiana, or appropriate federal agencies.
- B. **Exemptions.**
 1. *Mandatory Exemptions.* The following development activities are exempted from the requirements of preparing a drainage impact study:
 - a. Development in which the area of impervious surface does not exceed 20 percent of the development area at the point of discharge from the site. The total impervious area shall include all buildings, driveways, sidewalks, streets, parking lots, lakes, ponds, etc. All undeveloped open space, common area, etc., must be clearly identified.



- b. Additions or modifications to existing developments which result in no more than a ten percent increase in existing impervious area and which have existing public storm drainage facilities designed to accommodate runoff from the existing site.
2. *Discretionary Exemptions.* Developers may request that the Planning and Zoning Commission approve an exemption from providing the drainage impact study. If such a request is granted, the Planning and Zoning Commission director will provide written approval. A copy of the exemption authorization shall be forwarded to the public works director and no detailed drainage impact study shall be required for the development. An exemption under this section must be requested in writing that includes specific details of the proposed development. An exemption under this section shall be considered for approval provided:
- a. The proposed development results in no more than a ten year predevelopment peak discharge at the point of discharge from the development site.
 - b. The site is located within existing developed areas which are served by a network of public storm drainage facilities which were designed to accommodate runoff from the development site. Notwithstanding the above, a discretionary exemption may be granted provided sufficient information can be submitted indicating that the runoff from the proposed development is consistent with, and discharges to, a previously approved development or is a part of an approved larger plan of development, both having adequate drainage facilities.

Sec. 7.202 Information Required in Drainage Impact Study

- A. **Generally.** The drainage impact study shall include the minimum information requirements of this Section.
- B. **Location.** Describe location of subject property; locate by township and range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block by page number or other reference to recordation with the parish clerk of court; and provide a vicinity map.
- C. **Description.** Describe the predominate existing land use and future land use in projected watershed. Describe the proposed development, soil types, vegetative cover, watershed slopes and provide an estimate of percent of impervious area for pre and post development conditions. Provide photos of existing channels, ditches, natural drains and drainage structures.
- D. **Watershed Map.** Delineate drainage boundaries; indicate the acreage; and show slope of basins, and peak ten year runoff rate at entry and exit points of the development. The watershed map should indicate the location of existing channels, ditches, natural drains, proposed major drainage structures, channel realignments and cross section locations.
- E. **Hydrologic Design.**
 1. The drainage impact analysis shall indicate existing condition peak 25-year flow rates at the development entry and exit points. Interior drainage shall be designed to ten-year flow rates.
 2. The drainage impact analysis should indicate future condition peak 25-year flow rates at the development entry and exit points.



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- F. **On-Site Hydraulic Capacity.** Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, etc.) within the proposed development site and required type size, and capacity of any proposed outfall facilities as defined above.
- G. **Off-Site Hydraulic Capacity.** Determine capacity of existing downstream outfall facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from the downstream limits of the proposed development to the first public outfall as identified by the city engineer. An inventory of downstream structures including size, type, invert elevation, and cover topping elevation should be made. Channel cross sections at upstream and downstream limits of the proposed development, at structure locations and at intermediate canal locations shall be required to adequately define existing channel capacities.
- H. **Special Site Conditions.** Special conditions which may exist at the proposed development site should be clearly identified including but not limited to such items as:
1. Special flood hazard areas (firm zones A and AE);
 2. Regulatory floodway;
 3. Fill placement location and mitigation requirements;
 4. Potential wetland sites;
 5. Churches;
 6. Schools;
 7. Cemeteries;
 8. Landfills and hazardous waste sites;
 9. Parks.
- I. **Study Conclusions and Recommendations.** The study should clearly identify the results and conclusions of the analysis and provide recommendations of any required action(s) so that no adverse impact is experienced by surrounding properties.

Sec. 7.203 Required TMDL Review; Exemptions

- A. **Generally.** Section 303(d) of the Clean Water Act requires the Louisiana Department of Environmental Quality ("LDEQ") to establish total maximum daily loads ("TMDLs") for waterbodies. LDEQ permits are required for all development except for the location of a single-family home or manufactured home, in order to ensure that the TMDLs are not exceeded.
- B. **Required Review.**
1. No preliminary subdivision approval or site plan approval shall be issued until the applicant submits:
 - a. A "Request for Preliminary Determination of LPDES Permit Issuance" ("RPD") to the Louisiana Department of Environmental Quality; and
 - b. A response letter to the request.
 2. No final subdivision approval shall be granted until a TMDL permit is issued by LDEQ.



Sec. 7.204 Drainage Requirements for Development

- A. **Generally.** Drainage systems shall be designed according to the standards of this Section.
- B. **Design.** Drainage systems within development shall be designed and engineered for a 10-year design storm, and outfalls shall be designed and engineered for a 25-year design storm.
- C. **Storm Drainage Pipe.** The interior storm drainage pipe shall meet the requirements of ASTM Designation C-67, Class II, Reinforced Concrete Pipe with Rubber Gasket joints or its equivalent, including polyethylene pipe, and shall be sized using Manning's Roughness Coefficient of 0.013 for design. The minimum size of pipe shall be 15 inch inside diameter or equivalent pipe arch. As an alternate for locations not within roadways, corrugated plastic pipe of a minimum 15 inch diameter may be used if approved as part of the drainage impact study. Corrugated plastic pipe or polyethylene shall meet the requirements of ASTM F794, and shall be sized using Manning's Roughness Coefficient as recommended by the pipe's manufacturer. Other pipe materials which are equal to or superior to the above materials may be utilized if approved by the city prior to submission of the drainage impact analysis.
- D. **Changing or Altering Existing Drainage Channels.** No individual, partnership, or corporation shall deepen, widen, fill, re-route or change the location of any existing ditch, stream, drain, or drainage canal without first obtaining written permission from the city engineer and the public works director. Such deepening, widening, filling, re-routing or changing the location of any existing ditch, stream, drain or drainage canal shall be constructed under the supervision of the city engineer and be approved by the planning and zoning commission as part of the drainage impact analysis. Adequate servitude or rights-of-way must be obtained at the cost of the developer and dedicated to public use for the construction and maintenance of any channels which may be relocated. Any such relocation must be by subsurface drainage under terms, conditions and specifications approved by the public works director or the city engineer. The city shall not be required to pipe preexisting open ditches, but if a landowner decides to pipe an open ditch, the landowner must do so according to the specifications promulgated by the city engineer, and the piping of the ditch must be approved by the city department of public works.
- E. **Servitude for Existing Drainage Channels.** Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the subdivider shall dedicate an adequate right-of-way along each side of the stream as determined by the city engineer; the subdivider shall, where feasible, arrange for subsurface drainage to replace any existing open drainage.
- F. **Concrete Liners.** When open drainage is allowed, four inch concrete liners meeting city standards shall be installed in those portions of drainage channels which are located within the limits of subdivision development. Such open drainage, however, shall be acceptable only when allowed by this chapter.
- G. **Permanent Markers.** All subdivision boundary corners and the four corners of all street intersections in subdivisions of previously unsubdivided tracts shall be marked with permanent monuments of concrete with a minimum dimension of four inches extending a minimum of three feet below the ground, or steel pipe firmly imbedded in concrete which extends a minimum of three feet below the ground line. Should conditions prohibit the placing of monuments on line, offset marking will be permitted, provided however, that exact offset courses and distances are shown on the subdivision plat. A permanent benchmark shall be accessibly placed, and its elevation



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shall be based on gulf level datum as determined by the U.S. Geological Survey, and accurately noted on the subdivision plat.

- H. **Improvements.** Improvements which are made in accordance with the drainage impact study must be designed and constructed in such a way as to prevent any adverse impact to surrounding areas. Provision of stormwater retention ponds may be required to reduce the stormwater flow to any off-site point to the volume which was discharged prior to development.
- I. **Guidelines; Subsurface Drainage.** The developer shall plan all drainage in the subdivision in accordance with guidelines from the city engineer and the public works director with approval of the planning and zoning commission. All interior storm drainage pipe shall meet the requirements of ASTM Designation C-67, Class II, Reinforced Concrete Pipe and Rubber Gasket joints and shall be sized using Manning's Roughness Coefficient of 0.013 for design. The minimum size of pipe shall be 15 inch inside diameter or equivalent pipe arch. Unless otherwise provided, all drainage in subdivisions will be subsurface drainage. Subsurface drainage shall be required in any plan by a developer submitted to the planning and zoning commission for approval where the smallest lot in the proposed development has less than 150 feet of road frontage and the smallest lot in the proposed subdivision is less than two acres.

Sec. 7.205 As-Built Plans

All applicants are required to submit actual "as built" plans for any stormwater management practices located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

Sec. 7.206 Continuing Maintenance

- A. **Generally.** Continuing maintenance of stormwater management facilities is required pursuant to this Section.
- B. **Maintenance Easement.** Prior to the issuance of any permit that has an stormwater management facility as one of the requirements of the permit, the applicant or owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. The agreement shall provide for access to the facility at reasonable times for periodic inspection by the City, or its contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this Article. The easement agreement shall be recorded in the public records of East Baton Rouge Parish, and if associated with a plat, shall be identified on the recorded plat.
- C. **Maintenance Covenants.** Maintenance of all stormwater management facilities shall be ensured through the creation of a formal maintenance covenant that must be approved by the City and recorded upon final plan approval and prior to the issuance of a building permit. As part of the covenant, a schedule shall be developed for when and how often maintenance will occur to ensure proper function of the stormwater management facility. The covenant shall also include plans for periodic inspections to ensure proper performance of the facility between scheduled cleanouts.
 - 1. *Requirements of Maintenance Covenants.* All stormwater management facilities must undergo, at the minimum, an annual inspection to document maintenance and repair needs and ensure

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compliance with the requirements of this ordinance and accomplishment of its purposes. These needs may include; removal of silt, litter and other debris from all catch basins, inlets and drainage pipes, grass cutting and vegetation removal, and necessary replacement of landscape vegetation. Any maintenance needs found must be addressed in a timely manner, as determined by the City, and the inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the stormwater management facility.

2. *Inspection of Stormwater Facilities.* Inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the NPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater treatment practices.
 3. *Right of Entry for Inspection.* When any new drainage control facility is installed on private property, or when any new connection is made between private property and a public drainage control system the property owner shall grant to the City or other appropriate enforcement agency the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this Article is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this Article.
- D. **Records of Installation and Maintenance Activities.** Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least five years. These records shall be made available to the City during inspection of the facility and at other reasonable times upon request.
- E. **Failure to Maintain Practices.** If a responsible party fails or refuses to meet the requirements of the maintenance covenant, the City, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the City shall notify the party responsible for maintenance of the stormwater management facility in writing. Upon receipt of that notice, the responsible person shall have not more than seven days to effect maintenance and repair of the facility in an approved manner, which may be reduced if justified by the level of danger posed. After proper notice, the City may assess the owner(s) of the facility for the cost of repair work and any penalties.
- F. **Dedication in Lieu of Covenant.** In lieu of an maintenance covenant, the City may, in its discretion, accept dedication (or allow dedication to another appropriate entity) of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements



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of this Article and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

Division 7.300 Stormwater Management During Construction

Sec. 7.301 Construction Runoff Control

- A. **Generally.** Pursuant to the Louisiana Pollutant Discharge Elimination System ("LPDES") program, a stormwater pollution prevention plan ("SWP3") permit is required for all development that:
1. Impacts one or more acres of land; or
 2. Occurs within a larger development in which one or more acres of land is disturbed.
- B. **Requirements.**
1. The developer or builder must file a Notice of Intent ("NOI") with the Louisiana Department of Environmental Quality ("LDEQ").
 2. General contractors shall create or update and submit a stormwater pollution prevention plan for the specific sites upon which they work and the sequence of work on the site. Contractors shall follow:
 - a. Best management practices to minimize off-site sedimentation; and
 - b. All requirements of the LAR 1000 *General Permit for Stormwater, General Permit for Construction Activities*.
 3. Erosion control devices shall be maintained for the entire duration of the construction project. The Contractor shall inspect the condition of erosion control devices:
 - a. At intervals of not less than seven days; and
 - b. After each rain event of 0.5 inches or more.
 4. The Contractor shall maintain a record of these inspections, which shall be available to the City or other designated enforcement entity upon request.
 5. Temporary seeding shall be performed as soon as practicable in order to reduce siltation.
 6. The contractor shall file a Notice of Termination ("NOT") with LDEQ after a certificate of approval is issued.



ARTICLE 8 STREETS, SIDEWALKS, TRAILS, AND UTILITIES

Division 8.100 Purpose and Applicability

Sec. 8.101 Purpose

The purpose of this Article is to establish standards for the design, layout, and construction of streets, sidewalks, trails, and utilities.

Sec. 8.102 Application of Article

- A. **Generally.** This Article applies to all subdivisions and site plans that involve the creation of new roads or streets, or the improvement of existing streets.
- B. **Right-of-way Standards.** [Division 8.200, Streets, Sidewalks, and Trails](#), provides the standards for how much right of way must be dedicated and what cross-sections are required for streets, depending upon how many lots they are designed to serve. It also provides requirements for intersection spacing and the geometry of curves.
- C. **Utilities.** [Division 8.300, Utilities](#), provides the standards for the installation of utilities.
- D. **Engineering Standards Manual.** [Division 8.400, Standards Manual](#), authorizes the City to promulgate a Standards Manual to establish the standards for the construction of streets, sidewalks, trails, and utilities.

Division 8.200 Streets, Sidewalks, and Trails

Sec. 8.201 Street Design Objectives

- A. **Integration.** New streets and substantially improved existing streets shall integrate into the existing street pattern so as to:
 - 1. Address the new development's circulation needs;
 - 2. Provide a pattern of streets that facilitates navigation within the City; and
 - 3. Where higher-order functional classifications are involved, facilitate City-wide traffic movements.
- B. **Safety.** New streets and substantially improved existing streets shall provide a safe and convenient layout and design.
- C. **Character.** New streets and substantially improved existing streets shall correspond to and reinforce the community character of the district(s) in which they are constructed. Within TNDs, new streets shall be designed to reinforce the pedestrian environment and encourage use by pedestrians and bicyclists.



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- D. **Natural Resources.** New streets and substantially improved existing streets shall respect natural resources, topography, and drainage. Streets shall be adjusted to the contours of the land so as to produce useable lots and streets with reasonable gradients (slopes).

Sec. 8.202 Street Standards

A. Access.

1. Subdivisions with 30 or more lots, or multifamily developments with 50 or more dwelling units, shall have at least two access points to/from existing roadways. Those access points shall be located as far apart as practical and consistent with [Division 9.400, Access Management and Circulation](#).
2. The street layout of a subdivision shall provide access to all building sites and parcels.
3. Street alignment within the subdivision shall utilize curves, islands, intersections, and / or other methods that allow adequate access but discourage speeding.

B. Offsite Connectivity.

1. Wherever streets have been dedicated or platted on the adjacent properties for extension into or through the proposed subdivision, then those streets shall be incorporated into the street layout of the proposed subdivision.
2. Subdivision streets shall be extended to the boundaries of the parcel proposed for development in appropriate locations to provide for future connections to other properties.

C. Right-of-Way and Pavement Widths.

1. Generally, widths of rights-of-way shall conform to the widths specified in Table 8.202A, *Right-of-Way Width*. However, where the major street plan adopted by the City provides a different width of right-of-way for a particular street, the major street plan shall control.
2. Details regarding the width of pavement, number of lanes, sidewalks, medians, parkways, and other street elements are provided in the *Engineering Standards Manual*.
3. Where additional right-of-way is needed to obtain vertical curve, grade, clear sight triangles, turn lanes, or medians, the required right-of-way shall be adjusted to the extent necessary in accordance with local needs as determined by the City Engineer.

Classification	ROW Width
Major Arterial	120 ft.
Arterial	100 ft.
Minor Arterial	80 ft.
Collector	60 ft.
Local Street (Nonresidential or Multifamily)	60 ft.
Local Street (Residential)	50 ft.



D. TND Street Configurations.

1. Streets within TNDs shall be designed according to Table 8.202B, *TND Street Configurations*. Examples of street configurations that are permissible pursuant to Table 8.202B, *TND Street Configurations* are provided in Figure C-1, *Street Configuration Examples*, in Appendix C, *Illustrations*.
2. In order to promote a pedestrian-friendly environment, curb radii may be reduced as specified by the applicant, provided that:
 - a. The School District approves a bus route that has curb radii that are acceptable to the School District for the safe operation of its buses.
 - b. The Fire Department approves the curb radii or emergency (flattened or mountable) curb treatment.
 - c. The trash removal service provider approves the curb radii.

Table 8.202B TND Street Configurations							
Classification	Type	Min. Right-of-Way	Max. ADT	Min. Travel Lanes	Min. Vehicle Travel Lane Width	Min. Clear Sidewalk Width	On-Street Parking
Collector	Primary Boulevard	110 ft.	-	4	12	10 ft.	Not allowed
Collector	Boulevard	72 ft.	-	2	12 ft.	8 ft.	Allowed
Local	Main Street Mixed-Use	67 ft.	-	2	10 ft.	10 ft.	Allowed
Local	Green Streets	58 ft.	< 1,000	2	9 ft.	5 ft.	Allowed
Local	Main Street Residential	57 ft.	-	2	10 ft.	5 ft.	Allowed
Local	Small Streets	47 ft.	-	2	8 ft. in G or E subdistricts; 9 ft. in C	5 ft.	Allowed
Local	Small streets that abut parks or plazas	43 ft.	< 2,500	2	10 ft.	8 ft. (one side)	Allowed
Local	Small streets that abut parks or plazas	37 ft.	< 1,000	2	9 ft.	5 ft. (one side)	Allowed
Local	One-way streets that abut parks or plazas	32 ft.	< 1,000	1	10 ft.	6 ft. (one side)	Allowed
Alley	Alley	20 ft.	-	1	10 ft.	None	Not allowed

Sec. 8.203 Performance Standards For Residential Streets

- A. **Floodplain Areas.** In floodplain areas, narrower rights-of-way may be approved and drainage accomplished in a manner that provides for the minimum width, while accommodating the stormwater movement. The City's Floodplain Manager shall assist in developing an acceptable cross-section that minimizes environmental impact.



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- B. **Traffic Calming.** Straight, or nearly straight, sections of residential streets of a length greater than 500 feet shall be designed to include traffic calming devices.
- C. **On-Street Parking.** Streets in all districts except AF and RE may be designed to include on-street parking. Design requirements are outlined in [Article 9, Parking, Loading, Access, and Lighting](#).
- D. **Mid-Block Pedestrian Connections.** Mid-block connections in the form of public access easements and walkways shall be provided along blocks that are 500 feet or greater in length, to establish linkages between blocks and, particularly, to common facilities such as parks and open areas.
- E. **TNDs and Multi-Housing Neighborhoods.** In TNDs and multi-housing neighborhoods, an efficient multimodal system shall be provided that include streets, sidewalks, and trails throughout the development. In the "Center" and "General" subdistricts of a TND, and in areas of multi-housing neighborhoods with lot widths that are less than 50 feet, private alleys shall provide access to residential lots.

Sec. 8.204 Private Streets

- A. **Generally.** Private roads and streets are permitted only as provided in this Section.
- B. **Residential Subdivisions.** Private streets are permitted in residential subdivisions only as follows:
 - 1. Because of unique operation or maintenance issues, the City determines that private maintenance and operation of the road or street is in the best interest of the City; or
 - 2. The subdivision is a minor subdivision.
- C. **Nonresidential and Multifamily Subdivisions.** The private road or street runs through, to, or between parking areas in commercial, industrial, or multifamily developments, where:
 - 1. All property accessed by the street is under single ownership;
 - 2. There is sufficient alternative access to abutting properties;
 - 3. The access to the parcel proposed for subdivision and the abutting properties meets the spacing requirements of [Division 9.400, Access Management and Circulation](#); and
 - 4. The City Council finds that connecting the street to the public street network is not desirable because it would increase through traffic in an established or proposed neighborhood.
- D. **Requirements for Private Streets.** If and when private streets are permitted, they shall meet all of the following requirements:
 - 1. Private streets shall be laid out, designed, and constructed in the same manner as public streets;
 - 2. The final plat shall be annotated with a notice that the streets are private and subject to a covenant for maintenance;
 - 3. Street name signs shall indicate that the streets are private;
 - 4. The private streets will not interfere with the implementation of the City's Thoroughfare Plan, Capital Improvements Plan, or plans for construction or expansion of State or Federal highways; and

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5. The private streets will not materially interfere with street connectivity in the City or create an unreasonable impact on an adjacent public street by curtailing opportunities for alternative travel routes.
- E. **Gates.** Gates are permitted at entries to private street subdivisions, provided that they comply with the standards of this subsection..
1. Gates shall be set back from the public street to allow for stacking, as follows:
 - a. 2 to 30 dwelling units: 20 feet
 - b. 31 or more dwelling units: 40 feet
 2. Two inbound gates shall be provided, one for residents and one for guests, for all subdivisions that include more than 60 dwelling units. The paved area behind the guest gate shall be sufficient to accommodate at least one vehicle without interfering with the use of the resident gate.
 3. A means of prompt access shall be provided to police, fire, and emergency medical transport service providers.
- F. **Covenants, Conditions, and Restrictions.** Covenants, conditions, and restrictions ("CCRs") shall be recorded for all private street subdivisions with the approved final plat. The CCRs shall include the following, which shall be in a form acceptable to the City Attorney, and which shall be enforceable by the City:
1. A mandatory property owners' association with lien rights to collect dues from lot or unit owners;
 2. A perpetual obligation of the property owners' association to maintain the private streets and drainage systems;
 3. Ownership of the private streets by a single entity, such as a Property Owners' Association, rather than under lot owners (or other owners);
 4. A perpetual obligation to enforce restrictions against on-street parking, unless the street is designed for on-street parking;
 5. Cross-access easements for all lot owners;
 6. Easements for access by:
 - a. School buses;
 - b. Emergency vehicles; and
 - c. Garbage and trash collection; and
 7. Easements for public utilities.
- G. **Conversion to Public Streets.**
1. Private roads or streets shall not be converted to public streets unless:
 - a. The rights-of-way comply with the dimensional standards of the UDC or *Engineering Standards Manual*;



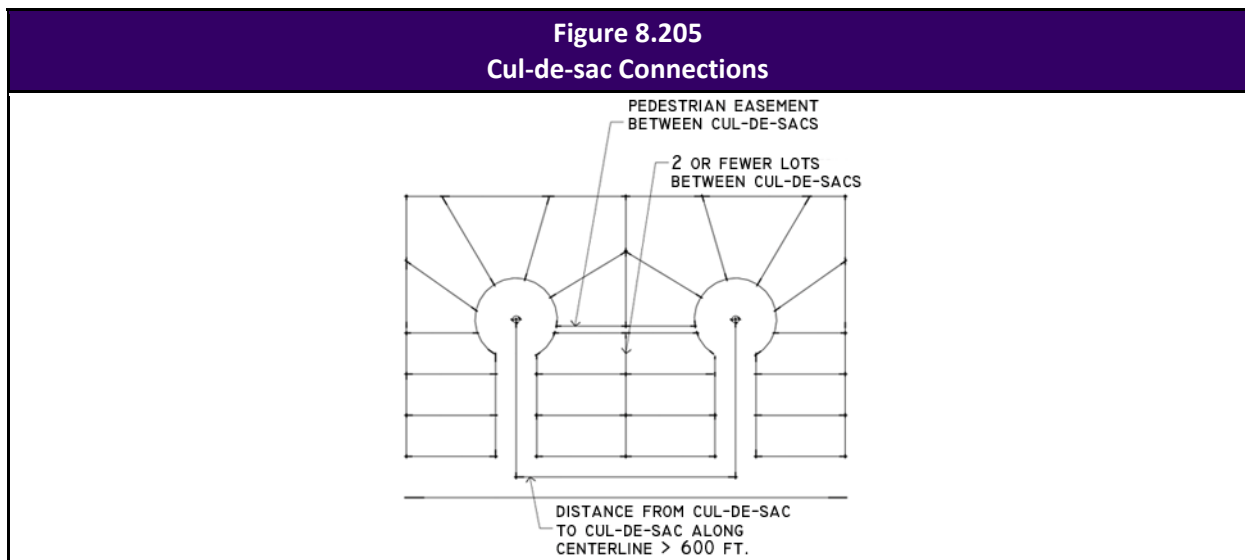
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- b. The roads or streets are hard surfaced according to City standards for public roads and streets; and
 - c. The streets and associated drainage are in good repair.
2. If private streets do not comply with subsection G.1., above, then the City may allow conversion to public streets if:
 - a. All of the property owners with frontage on the street consent in writing to the conversion; and
 - b. All of the property owners with frontage on the street consent to a special assessment to cover the cost of improving the roads or streets to the standards of subsection G.1., above.

Sec. 8.205 Cul-de-sacs

- A. **Generally.** Cul-de-sacs shall not be permitted except in instances where the Planning and Zoning Commission finds that unusual or hardship circumstances exist which justify their use.
- B. **Unusual and Hardship Circumstances.** The following constitute unusual or hardship circumstances which permit the use of cul-de-sac streets:
 1. Natural resources, such as floodplains, wetlands, or open water, make standard blocks inefficient; and
 2. The cul-de-sac streets serve no more than 20 lots, or are no more than 600 feet in length (350 feet in length in TNDs), whichever results in a shorter street segment; and
 3. The pedestrian circulation system provides for direct, non-vehicular access between cul-de-sac ends, where:
 - a. Two lots or fewer are situated between them; and
 - b. The distance between them, measured along street centerlines, is more than 650 feet. See Figure 8.205, *Cul-de-sac Connections*.

Figure 8.205
Cul-de-sac Connections





C. **Dimensional Standards.**

1. All cul-de-sacs shall be designed to permit vehicles to turn around without backing, except on private roads serving less than five lots.
2. Cul-de-sacs shall have minimum radii of 68 feet to the property line and 59 feet to the back of curb.
3. Cul-de-sacs shall not be used to provide multiple access to individual buildings (e.g., two-family or attached single-family units), where private driveways would conflict or involve expanses of driveway pavement that are wider than 24 feet.
4. Cul-de-sacs that terminate residential streets shall have a landscaped island at the center, with no fewer than two canopy trees installed.

Sec. 8.206 Alleys

- A. **Generally.** Alleys may be provided for primary or secondary vehicular access to lots and uses. Alleys may not provide any access to property outside of the parcel proposed for development in which the alleys are dedicated.
- B. **Ownership and Maintenance of Alleys.** Alleys shall be owned and maintained by a property owners' association. Covenants, conditions, and restrictions ("CCRs") shall be recorded with the approved final plat for all subdivisions that include alleys. The CCRs shall include the following, which shall be in a form acceptable to the City Attorney, and which shall be enforceable by the City:
1. A mandatory property owners' association with lien rights to collect dues from lot or unit owners;
 2. A perpetual obligation of the property owners' association to maintain the private streets and drainage systems;
 3. Ownership of the alleys by a single entity, such as a Property Owners' Association, rather than under lot owners (or other owners);
 4. Cross-access easements for all lot owners;
 5. Easements for access by:
 - a. Emergency vehicles; and
 - b. Garbage and trash collection (if designed for garbage and trash collection); and
 6. Easements for public utilities.
- C. **Minimum Widths.** The following minimum widths shall apply to alleys:
1. Minimum Right-of-Way Width: 20 feet
 2. Minimum Cartway Width: 10 feet
- D. **Alley Length.** Alleys shall be the same length as the blocks that provide frontage to the lots that the alleys serve, with minor variation permitted to account for curvature of intersecting streets.



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E. Alley Intersections and Curves.

1. Alleys should intersect streets at right angles. The intersection of a street and an alley should be constructed as a standard approach.
2. A minimum curb radius of 30 feet to the inside edge of the alley paving shall be provided at intersections between alleys, and the additional area shall be platted as part of the alley.

F. Alley Turnouts. Alley turnouts shall meet the following minimum standards:

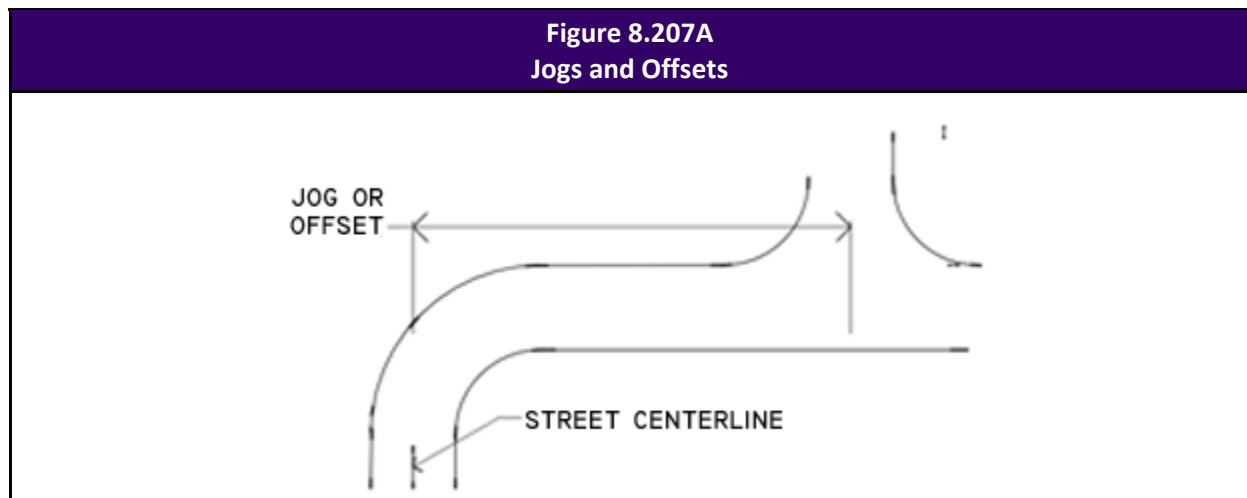
1. Minimum width of pavement at intersection: 18 feet
2. Turnouts shall be paved to the property line.
3. No gate, building, or garage opening shall be located closer than 20 feet to an alley turnout, measured from the closest edges of pavement along the alley and along the intersecting street right-of-way.

G. Dead-Ends Prohibited. Dead-end or cul-de-sac alleys shall be avoided unless:

1. Natural resources, such as floodplains, wetlands, or open water prevent their connection to a local street and there is no alternative design that would serve all of the lots with alley access; or
2. In a TND, the dead-end or cul-de-sac is necessary to improve the street layout.

Sec. 8.207 Jogs, Offsets, and Reverse Curves

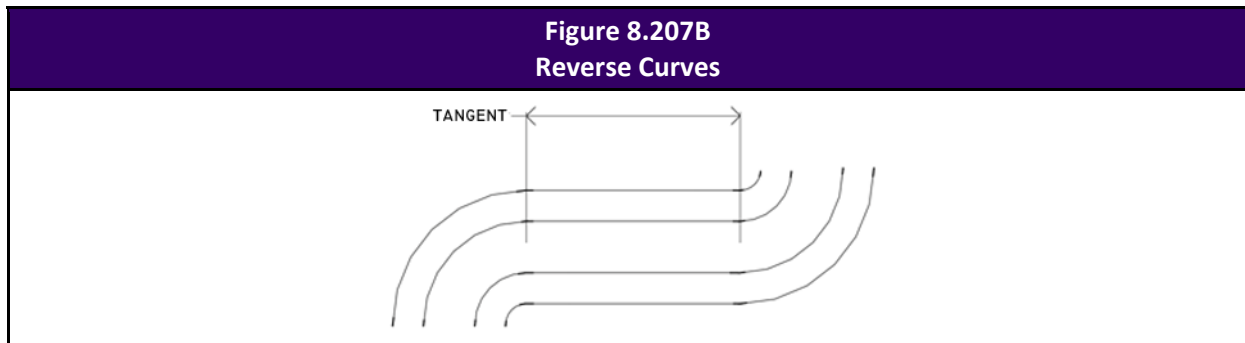
- A. **Jogs and Offsets.** Street jogs with centerline offsets of less than 125 feet shall be avoided. See Figure 8.207A, *Jogs and Offsets*.



- B. **Reverse Curves.** A tangent of at least 100 feet in length shall separate reverse curves. See Figure 8.207B, *Reverse Curves*.



**Figure 8.207B
Reverse Curves**



Sec. 8.208 Medians and Entrance Ways

A. Use and Beautification of Medians.

1. Medians that are part of a dedicated public right-of-way may not be utilized for any purpose other than by the City or a public utility. However, a subdivider or other entity may beautify a median with landscaping with the approval of the City Engineer or Planning and Zoning Commission, provided that:
 - a. It does not interfere with existing or proposed public utilities;
 - b. It conforms to the sight distance requirements of Section 8.212, *Sight Distance Requirements*; and
 - c. The applicant has submitted documentation with regard to the entity that will have permanent responsibility for maintenance of and liability for such improvements.
2. The City Engineer or Planning and Zoning Commission may refer the application to the City Council.

B. Subdivision Access. Streets that provide ingress and egress to a subdivision shall:

1. Be connected to existing public streets at locations that will not:
 - a. Create sight distance problems on the existing streets; or
 - b. Interfere with the safe operation of existing intersections.
2. When connected to Collector or Arterial streets, have the connecting intersections designed so as to minimize interruption of the flow of traffic on those Collector or Arterial streets. At a minimum:
 - a. The dimensions of the street at the point of connection shall be a minimum of 80 feet in width by 140 feet in depth.
 - b. Deceleration lanes and other traffic control improvements shall be provided on the Collector or Arterial streets if warranted to ensure safe traffic operations due to the impact of the proposed development on the street.
 - c. If the subdivision includes more than 60 lots, a minimum of two exit lanes shall be installed on the connecting subdivision street to minimize the delay of vehicles entering the Collector or Arterial street.



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3. Gatehouses or architectural features that highlight the entrance are permitted in the median of a subdivision entranceway that meets the specifications of this Section.

Sec. 8.209 Sidewalks

- A. **Generally.** Sidewalks are required along all public and private streets. They shall be constructed of concrete.
- B. **Width.** Generally, sidewalks shall be four feet wide along local streets, and five feet wide along arterials and collectors. In TNDs, sidewalk width shall be as provided in Table 8.202.B., *TND Street Configurations*
- C. **Location of Sidewalks.**
 1. Sidewalks shall be provided between the right-of-way line and the edge of pavement, as shown in the *Engineering Standards Manual*. Generally, the outer edge of the sidewalk shall abut private property lines.
 2. Sidewalks may meander into the parkway to protect the root systems of mature trees, provided that no sidewalk is located closer than three feet to the back of curb (or edge of pavement if no curb is present). This arrangement shall not reduce the right-of-way width requirement.
 3. Walks shall also be installed in pedestrian easements.
- D. **Modification of Sidewalk Requirements.** Sidewalk requirements may be altered or waived if a sidewalk plan that provides equal or greater pedestrian circulation is submitted to and approved by the Planning and Zoning Commission at the time of platting. These trade-offs may be permitted:
 1. The parcel proposed for development is located in an Estate Residential (RE) zoning district;
 2. Better pedestrian and bicycle access and connectivity is provided through the use of off-street trails or multi-use pathways that connect to sidewalks or other off-street trails or multi-use pathways on the perimeter of the parcel proposed for development; and
 3. Lot frontages are greater than 150 feet.
- E. **Completion of Sidewalk Networks.** Adequate provisions shall be made to ensure the timely completion of the sidewalk/path network associated with development. For subdivisions, the surety shall not be released until the sidewalk/path network is completed.

Sec. 8.210 Curbs

The City Engineer shall promulgate standards for curb radii and curb construction and include them in the *Engineering Standards Manual*.

Sec. 8.211 Bicycle Routes, Lanes, Paths, and Trails

- A. **Bicycle Routes.** Bicycle routes as designated on the City's major street plan shall be designated on all site plans and primary plats, and shall be posted upon completion of the proposed development.



- B. **Bicycle Lanes.** Bicycle lanes are required along local nonresidential, local multifamily, collector, and arterial streets, except in locations where a bicycle path provides comparable access and mobility for bicycles.
1. Minimum Width (excluding curbs and gutters):
 - a. Street with no on-street parking: four feet; or
 - b. Street with on-street parking: five feet (located between travel lane and parking).
 2. All bicycle lanes shall be designed, posted, marked, and striped according to the requirements of the *Engineering Standards Manual*.
- C. **Bicycle Paths.** Bicycle paths are required where designated on adopted trail plans.
1. All bicycle paths shall be at least eight feet wide, and designed posted, and marked according to the requirements of the *Engineering Standards Manual*.
 2. Where a bicycle path crosses an intersection, the bicycle path shall be marked as a bicycle crossing. Right turns at intersections shall be on the shoulder of the intersecting street if the bicycle path or bicycle lane does not continue along the intersecting street.
- D. **Trails.**
1. Off-street bicycling and jogging trails shall be developed in accordance with any adopted trail plans, to link major attractions and destinations throughout the City, including neighborhoods, parks, schools, places of worship, libraries, employment centers, and shopping areas.
 2. Development that abuts a linear corridor that is identified in an adopted trails plan shall provide an easement for the construction of a trail in accordance with the master plan.
 3. All trails, private or public, shall be marked as such, and maintenance responsibilities shall be established at the time of a primary plat.
- E. **Incentive.**
1. Parcels proposed for development of more than 20 dwelling units shall be granted a density bonus of five percent (applicable to both gross density and net density), or one additional unit, whichever provides more development rights, for the construction and dedication of the bicycle lanes, paths, and trails described in this Section.
 2. Incentive units that are approved pursuant to this subsection may be used on-site or transferred off-site to any parcel that is:
 - a. Zoned RU, or UC; and
 - b. At least five acres in size.

Sec. 8.212 Sight Distance Requirements

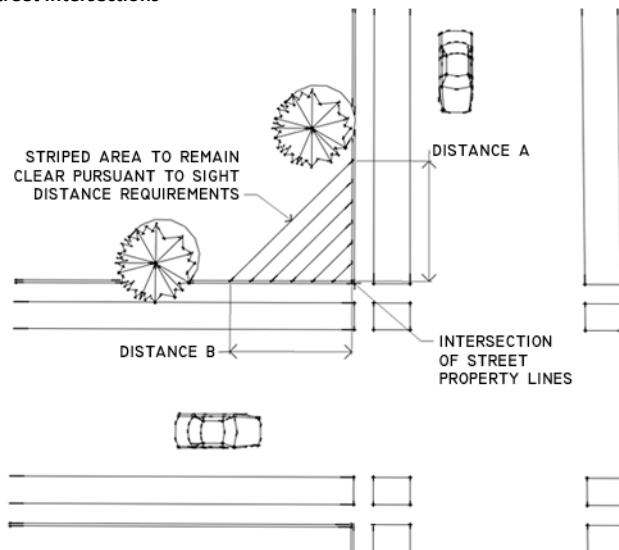
- A. **Street Intersections.** No fence, wall, hedge, or shrub planting which obstructs sight lines shall be placed or permitted to remain on any corner lot in the areas specified by this subsection.



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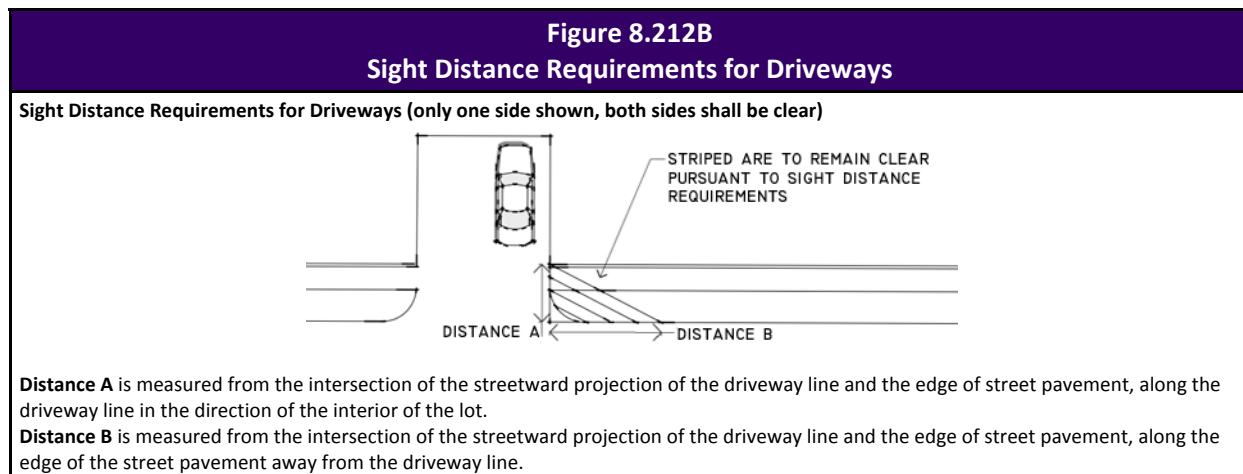
**Figure 8.215.A.:
Sight Distance Requirements for Street Intersections**

Sight Distance Requirements for Street Intersections



Distance A and **Distance B** are measured from the point of intersection of the street lot lines (if private lots are squared off) or the extension of the street lot lines (if private lots are rounded off), away from the intersection along the street lot lines.

1. At the intersection of a collector street and local street, Distance A and Distance B (refer to Figure 8.212A, *Sight Distance Requirements for Street Intersections*) shall each be at least 25 feet.
 2. At the intersection of two local streets or the intersection of a street and an alley, Distance A and Distance B (refer to Figure 8.212A, *Sight Distance Requirements for Street Intersections*) shall each be at least 15 feet.
- C. **Driveway Intersections.** At the intersection of a local street and a driveway, between the elevations of 2.5 and six feet above the driveway grade, Distance A shall not be less than 10 feet, and Distance B shall not be less than 20 feet (refer to Figure 8.212B, *Sight Distance Requirements for Driveways*). Mature plantings with foliage between 2.5 and six feet above the finished lot grade shall extend no closer than 12 feet to the street right-of-way line.



C. Exceptions.

1. Shade trees are permitted to overhang the specified triangles, provided that all branches are not less than eight feet above the street level.
2. No portion of a fence or wall exceeding 2.5 feet in height above the finished lot grade shall exceed 25 percent opacity when located in a required yard that either:
 - a. Has vehicular access to a street; or
 - b. Abuts such access.

- D. Trees or Utility Poles Within the Right-of-Way.** Neither trees nor utility poles (except street lights and traffic signal supports) shall be placed within the public right-of-way within 50 feet of the intersecting centerlines at street intersections. Trees which existed in such locations as of the effective date of this UDC shall be pruned to clear the area between two feet and six feet above the ground level if such pruning can be accomplished without compromising the health or structural integrity of the tree.

Sec. 8.213 Street Lighting Standards

- A. **Public Streets.** In any development with public streets, the developer shall provide adequate electrical service to proposed street light locations as determined by the City Engineer. General standards for public street lighting may be included in the *Engineering Standards Manual*.
- B. **Private Streets.** In any development with private streets, the City Engineer shall review the lighting plan for adequacy regarding safety and ease of pedestrian and vehicular access. General standards for private street lighting may be included in the *Engineering Standards Manual*.

Sec. 8.214 Street Identification, Safety Signage, and Traffic Control Devices

- A. **Installation of Street Signs.** Two suitable street name signs as approved by the City Engineer and the Planning and Zoning Commission shall be placed by the developer (at the developer's expense) at all street intersections, at locations to be designated by the City Engineer.



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- B. **Traffic Safety Signage.** Traffic safety signage within subdivisions and parcels proposed for development shall be installed by the developer at the developer's expense. Signage shall conform to the most current version of the [Manual on Uniform Traffic Control Devices](#) ("MUTCD"), published by the Federal Highway Administration.
- C. **Traffic Signals.** If a subdivision or other proposed development will generate traffic at levels that warrant the installation of traffic signals or other traffic control devices (e.g., signal cameras to improve the function of the intersection) within 1,320 feet of the development, the developer shall contribute its proportional fair share toward the cost of the signal or other traffic control device.

Sec. 8.215 Right-of-Way Maintenance

Owners of property that abuts a public right-of-way shall maintain the property between the edge of pavement or the inside of the curb and the owner's property line, including providing for continuing compliance with Section [8.212](#), *Sight Distance Requirements*.

Division 8.300 Utilities

Sec. 8.301 Location of Utilities

- A. **Electrical Power, Telephone, Cable, and Comparable Utilities.** Electrical distribution lines and telecommunications lines shall be installed underground. All underground conduits for electrical power, telephone and other similar purposes shall be located in the servitude at the rear lot line, with adequate servitude for installing such utilities underground, unless certified by the utility companies concerned that the rear lot line location is impractical, or unless the Planning and Zoning Commission finds this placement is not feasible.
- B. **Gas, Water, and Sewer.** All gas, water and sewer lines, and utilities for such purposes, shall be located in the street servitude or rights-of-way, with adequate additional servitude for the location of pumping or lift stations or the like, unless it is certified by the developers and/or property owners concerned that such location is impractical, and the Planning and Zoning Commission and City Council find that the placement is not feasible.
- C. **Gas and Water Mains.** Main lines for gas and water service must be run along both sides of each street in the subdivision, such that service lines can be connected to each individual lot after construction; or main lines for gas and water service are to be run along one side of a street in the subdivision and service lines must be run from the main line to each lot on both sides of the street.

Sec. 8.302 Servitudes

- A. **Generally.** Where alleys are not provided, a servitude shall be provided on each side of all front and rear lot lines where necessary for the installation and maintenance of underground electrical and communications utilities, gas lines, potable water lines, re-use water lines (if available), subsurface drainage, or drainage ditches, and storm and sanitary sewers. Where both water and sewer lines are located in the same servitude and where the contour of the land requires a drainage ditch, a width of servitude shall be required sufficient to serve all of the necessary services and to provide and maintain the necessary drainage. Wherever it is necessary to install sanitary or storm sewers or subsurface drainage alongside lot lines or across lots, a sufficient servitude shall be required to



contain the necessary services as determined by the City Engineer then referred to the Planning and Zoning Commission by the City Engineer.

B. Minimum Dimensions.

1. Rear yard servitudes shall be not less than 7 1/2 feet in width on each side of the rear lot line.
2. Front yard servitudes shall be not less than five feet in width, unless the utilities are located within the right-of-way.

Sec. 8.303 Water, Sewer and Gas Utilities

- A. **Generally.** The installation of all sewer connections, subdivision sewer systems, sewerage disposal systems and devices shall be constructed under the supervision of and approved by the parish health unit and the City Engineer and such connections, systems, and devices shall meet the requirements of the Board of Health of the State.
- B. **Sanitary Sewer.** The subdivision developer shall be responsible for providing sewers for the subdivision from the nearest public sewer collection line available, at the subdivider's expense; minimum sewer collection line size in the subdivision itself, shall be eight inches in diameter, and the minimum size line from the subdivision to the public collection line shall be eight inches in diameter, but if the City Engineer requires larger diameter pipe, then the subdivision developer shall be responsible for the additional expenses incurred for the larger diameter pipe. The type of sewer pipe to be used by the subdivider shall be ASTMD3034SDR35 pipe or its equivalent. Further, the subdivision developer must provide written approval of the subdivision development from the Department of Public Works of the Parish or the then existing sewer district, the approval being based on a capacity analysis of the then existing sewer systems.
- C. **Water and Gas Supply.** The subdivision developer shall be responsible for providing water and gas for the subdivision from the nearest public water and gas systems available, at the subdivider's expense; the minimum water line size shall be eight inches in diameter, and the minimum gas line size shall be two inches in diameter, but if the City Engineer requires larger diameter pipe, then the subdivision developer shall be responsible for the additional expenses incurred for the larger diameter pipe. The type of pipe to be used for water lines shall be PVC and shall be C900 or class 160 or the equivalent. The type of pipe to be used for gas lines shall be polyethylene and shall be ASTM2513 or the equivalent. All gas service lines shall be at least 12 inches below the surface at the meter and 18 inches below the surface at the property line to conform with the Department of Transportation rules and regulations. All water service lines shall be at least 18 inches below the surface at the property lines. All rises from the gas service line to the meter shall be a minimum of one inch in diameter. Gas service lines from the main to the meter shall be at least five-eighths inch in diameter. Water service lines from the water main to the meter shall be at least one inch in diameter. The right to upgrade these requirements is reserved to the City Department of Public Works.

Sec. 8.304 Fire Protection

- A. **Water Supply.** All development must be served by adequate water supply and pressure to provide fire protection according to standards promulgated by the Department of Public Works in consultation with the Fire Department.



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- B. **Hydrant Spacing.** Spacing between hydrants shall be established by the Department of Public Works in consultation with the Fire Department.

Division 8.400 Standards Manual

Sec. 8.401 Engineering Standards Manual

The City Engineer shall promulgate and maintain a manual of engineering standards, however titled, for construction of infrastructure. For the purposes of this UDC, this document or collection of documents shall be known as the *Engineering Standards Manual*.



ARTICLE 9 PARKING, LOADING, ACCESS, AND LIGHTING

Division 9.100 Purpose and Applicability

Sec. 9.101 Purpose

The purpose of this Article is to ensure that:

1. Adequate off-street parking (including parking for the disabled) is provided for uses that are permitted by this UDC.
2. Sufficient parking is provided in nonresidential areas that are near residential neighborhoods, so that the character and quality of life in the residential neighborhoods are protected from overflow parking;
3. Adequate loading areas are provided that do not interfere with the function of other vehicular use areas;
4. Adequate stacking areas are provided to ensure safe and efficient circulation within sites that contain drive-through uses;
5. Access to sites is managed to maintain the desired function of the adjacent street; and
6. Vehicular use areas are designed and lighted to promote public safety without creating undue light pollution and glare.

Sec. 9.102 Applicability

A. Applicability.

1. All new development shall provide all of the parking spaces required by Section 9.202, *Required Parking and Loading*, and shall comply with all other provisions of this Article.
2. Expansions to existing development and changes in use of existing buildings that require additional parking shall provide parking to the extent of the new demand created by the expansion or change in use.
3. Changes in use of existing buildings that result in a fewer required parking spaces shall not be required to provide additional parking spaces.

- B. **Timing of Compliance.** No certificate of occupancy shall issue unless and until off-street vehicular parking is provided in accordance with this Article.

Division 9.200 Parking and Loading Calculations

Sec. 9.201 Calculation of Required Parking Spaces

- A. **Generally.** The standards of this Section are used to calculate how many parking spaces are required to serve a proposed development.



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- B. **Calculations.** The number of parking spaces that are required for a development relates to one or more independent variables, such as floor area, seating capacity, projected full time equivalent employees, number and type of dwelling units, and so forth.
1. *Measurements.* The independent variables shall be measured as follows:
 - a. **Floor Area:** Where the number of parking spaces in Section 9.202, *Required Parking and Loading*, is calculated based on the floor area of the use, or floor area put to a specified aspect of the use, the measurement of floor area shall not include restrooms, utility rooms (electrical and phone rooms, trash rooms, and custodial closets), elevator cores, and areas of commercial and institutional uses that are designed and used exclusively for incidental storage.
 - b. **Seats:** One seat is equal to:
 - i. One fixed seat;
 - ii. 30 inches of bench seating; or
 - iii. 20 square feet of floor area used for temporary seating.
 - c. **Capacity:**
 - i. For indoor uses, capacity shall be measured pursuant to the requirements of the applicable fire code.
 - ii. For outdoor uses, capacity shall be measured by the estimated number of persons present during periods of peak use.
 - iii. Number of beds shall be measured by the design capacity of an institutional residential, protective care, or residential eldercare use.
 2. *Calculations.* The number of required parking spaces is calculated according to the formulae set out in Section 9.202, *Required Parking and Loading*, and then adjusted as follows:
 - a. First, according to the standards of Section 9.203, *Parking Credits*, if applicable; and
 - b. Second, according to the standards of Section 9.204, *Mixed Uses and Shared Parking*, if applicable.
 3. *Rounding.* If the final calculation of the number of required parking spaces includes a fractional space, the number of required parking spaces is rounded up to the nearest whole number, regardless of the fraction.
- C. **Multiple Nonresidential Uses.** If several nonresidential uses occupy a single parcel or building, the off-street parking and loading requirements shall be the cumulative total for all uses, unless:
1. The uses are of different categories, such that the standards of Section 9.204, *Mixed Uses and Shared Parking*, apply; or
 2. The uses are in a center with multiple retail, service, or restaurant tenants, which shall be classified cumulatively as "shopping center" for the purposes of parking requirements. See Section 9.202, *Required Parking and Loading*, subsection D.



Sec. 9.202 Required Parking and Loading

- A. **Generally.** The number of parking and loading spaces that are required for each land use are set out in the Tables in this Section. The tables include two sets of two columns. The first provide standards for development throughout the City ("Standard Development"). The second provide standards for parking within Traditional Neighborhood Developments ("Traditional Neighborhood Development"). Opportunities for reduction of parking requirements are set out in other sections in this Division.
- B. **Exemption from Loading Space Requirements.** Buildings that are less than 5,000 square feet in area are exempt from loading space requirements.
- C. **Residential Uses.** The parking requirements for residential uses are set out in Table 9.202A, *Required Parking and Loading for Residential Uses*.

Table 9.202A Required Parking and Loading for Residential Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Residential Uses				
Single-Family Detached	2 spaces / dwelling unit	NA	Same as Standard Development	NA
Single-Family Attached	2 spaces / dwelling unit	NA	Same as Standard Development	NA
Multiplex and Multifamily	1.5 spaces per studio or 1 bedroom dwelling unit +2 spaces per 2+ bedroom dwelling unit + 1 guest space per 4 dwelling units	1 space per 20 dwelling units in a vertically mixed-use building; not required in other configurations	1.5 spaces per studio or 1 bedroom unit + 2 spaces per 2+ bedroom unit	Same as Standard Development
Manufactured Home (outside manufactured home park or subdivision)	2 spaces per dwelling unit	NA		
Manufactured Home (inside manufactured home park or subdivision)	2 spaces per dwelling unit + 1 guest space per 4 dwelling units	NA		
Community Homes	As required for housing type	NA	Same as Standard Development	Same as Standard Development
Live-Work Units	3 spaces per dwelling unit	NA	Same as Standard Development	Same as Standard Development

- D. **Institutional Uses.** The parking requirements for institutional uses are set out in Table 9.202B, *Required Parking and Loading for Institutional Uses*.



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Table 9.202B Required Parking and Loading for Institutional Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Cemetery	Greater of: Sum of 1 space per 100 sf. of indoor assembly space + 3 spaces per 1,000 sf. of office floor area; or 20 spaces per acre of grave sites	1 space		
College / University / Vo Tech	1 space per 200 sf. of floor area (except auditoriums, theaters, gymnasiums, and stadiums) + 1/3 space per person times the capacity (persons) of auditoriums, theaters, gymnasiums, and stadiums	1 space per building with a floor area of 50,000 sf. or greater	1 space per 2 students	1 space per 40,000 sf.
Hospitals	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Institutional Residential	1 space per 3 beds	1 space per 30 beds	Same as Standard Development	Same as Standard Development
Place of Public Assembly: Adult Day Care	1 space per 300 sf.	NA	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Day Care / Preschool	1 space per 100 sf.	NA	1 space per 500 sf.	NA
Places of Public Assembly: Elementary School	3 spaces per classroom	1 space per 40,000 sf.	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Middle School	4 spaces per classroom	1 space per 40,000 sf.	Same as Standard Development	Same as Standard Development
Places of Public Assembly: High School	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Library or Museum	1/3 space per person times building capacity (in persons)	1 space per 75,000 sf. of floor area	1 space per 400 sf. + 1 space per 32 sf. of floor area used for assembly (e.g., meeting rooms)	1 space per 75,000 sf. of floor area
Places of Public Assembly: Other	Greater of: 1 space per 6 seats in auditorium; or 1 space per 250 sf. of floor area	NA	Same as Standard Development	Same as Standard Development
Private Club: No Food Service	1 space per 250 sf. of floor area used for assembly	1 space	Same as Standard Development	Over-the-curb loading allowed during off-peak hours, otherwise 1 space
Private Club: With Food Service	1 space per 100 sf. of floor area used for assembly	1 space per 25,000 sf.	Same as Standard Development	1 space
Protective Care: Jail or Prison	1 per 5 cells	1 per 30 cells		
Protective Care: Other	1 space per 4 beds	1 space per 20 sleeping rooms		

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Table 9.202B Required Parking and Loading for Institutional Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Public Service: Fire Station	4 spaces per emergency vehicle bay	NA	Same as Standard Development	Same as Standard Development
Public Service: Police Station	1 space per 250 sf.	1 space per 60,000 sf. if the building is larger than 40,000 sf.	Same as Standard Development	Same as Standard Development
Public Service: Post Office	1 space per 200 sf. + 1 space per postal vehicle stored on-site	1 space per 10,000 sf.	Same as Standard Development	Same as Standard Development
Public Service: Other	1 space per 300 sf.	NA	Same as Standard Development	Same as Standard Development
Residential Eldercare Facilities: Assisted Living	1 space per dwelling unit + 1 space per 3 beds in shared living facilities	1 space	Same as Standard Development	Same as Standard Development
Residential Eldercare Facilities: Congregate Care	1 space per dwelling unit	NA	Same as Standard Development	Same as Standard Development
Residential Eldercare Facilities: Nursing Home	1 space per 3 beds	1 space per 20 sleeping rooms	Same as Standard Development	Same as Standard Development

E. **Commercial Uses.** The parking requirements for commercial uses are set out in Table 9.202C, *Required Parking and Loading for Commercial Uses.*

Table 9.202C Required Parking and Loading for Commercial Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Agricultural Support / Other Rural Services: Equipment Dealers and Feed Stores	1 space per 300 sf. of office + 1 space per 750 sf. of other floor area	1 space per 75,000 sf.		
Agricultural Support / Other Rural Services: Crop Storage / Packing	1 space per 500 sf. of floor area	1 space per 15,000 sf.		
Alcoholic Beverage Sales: Package	1 space per 200 sf.	1 space per 15,000 sf.	3.5 spaces per 1,000 sf.	Same as Standard Development
Alcoholic Beverage Sales: Other	1 space per 25 sf.	1 space	Same as Standard Development	Over-the-curb loading allowed during off-peak hours, otherwise 1 space
Boarding or Rooming House	1 space per 12 beds	NA	Same as Standard Development	Same as Standard Development
Car Wash	3 spaces + 2 spaces per bay or stall	NA		



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**Table 9.202C
Required Parking and Loading for Commercial Uses**

Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Commercial Lodging: Full Service Hotel	1 space per guest room + 2 spaces per 10 guest rooms + 1 space per 100 sf. of meeting space + 1/2 of required parking for accessory retail, restaurant, and alcoholic beverage sales uses	1 space + 1 space per 50,000 sf. meeting rooms, restaurants, and shops	1 space per guest room + 2 spaces per 10 guest rooms + 1 space per 100 sf. of meeting space	Same as Standard Development
Commercial Lodging: Other	1 space per guest room + 2 spaces per 10 guest rooms	1 space per 75 rooms	1 space per guest room + 1 space per 10 guest rooms	1 space
Commercial Retail: Grocery ¹	1 spaces per 200 sf.	1 space per 25,000 sf.	3.5 spaces per 1,000 sf.	Same as Standard Development
Commercial Retail: Other ¹	1 space per 250 sf.	1 space per 25,000 sf.	3.5 spaces per 1,000 sf.	Same as Standard Development
Heavy Retail: Home Center	1 space per 300 sf. of floor area	1 space per 50,000 sf.		
Heavy Retail: Lumberyard	1 space per 200 sf. of office + 1 space per 1,000 sf. yard space	1 space per 50,000 sf. of area put to the heavy retail use		
Heavy Retail: Other	1 space per 300 sf. of office and sales area + 1 space per 1,000 sf. of warehouse area	1 space per 50,000 sf.		
Kennel	1 space per 250 sf.	1 space if the use is larger than 10,000 sf.	Same as Standard Development	Same as Standard Development
Light Automobile Service	4 spaces + 1 space per service bay (pump stations are not counted)	1 space	Same as Standard Development	Same as Standard Development
Mixed Use	<i>See Sec. 9.204, Mixed Uses and Shared Parking</i>	1 space per 25,000 sf. of nonresidential uses	Same as Standard Development	1 space per 25,000 sf. of nonresidential uses; uses that are less than 10,000 square feet in floor area may use over-the-curb loading from local streets outside of peak hours
Office: Financial Institutions	1 space per 250 sf.	1 space per 33,000 sf.	3 spaces per 1,000 sf.	Same as Standard Development
Office: Medical	3 spaces per office used by doctor, dentist, chiropractor, or medical professional + 1 space per exam room	1 space per 33,000 sf.	1 space per 250 sf.	1 space per 33,000 sf.
Office: Call Center	7 spaces per 1,000 sf.	1 space per 33,000 sf.	Same as Standard Development	Same as Standard Development
Office: Other	3 spaces per 1,000 sf.	1 space per 33,000 sf.	1 space per 500 sf.	Same as Standard Development

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Table 9.202C Required Parking and Loading for Commercial Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Restaurant: Drive-In or Drive-Through	1 space per 60 sf.	1 space	Same as Standard Development	Same as Standard Development
Restaurant: Other	1 space per 3 seats	1 space	1 space per 75 sf. of restaurant area; see alcoholic beverage sales, other, above, for bar or lounge areas	Over-the-curb loading allowed during off-peak hours, otherwise 1 space. No additional spaces required for bar or lounge areas.
Services: Beauty or Nail Salon, Barber Shop, Spa	4 spaces per 1,000 sf.	NA	3 spaces / 1,000 sf.	NA
Services: Dry Cleaner	3 spaces per 1,000 sf.	1 space if dry cleaning is done off-site	2.5 spaces / 1,000 sf.	Same as Standard Development
Services: Other	3 spaces per 1,000 sf. + 1 space per stored company vehicle	1 space per 75,000 sf.	Same as Standard Development	Same as Standard Development
Shopping Center	1 space per 250 sf.	1 space per 75,000 sf.		
Vehicle Sales, Rental, and Service	1 space per 300 sf. of office + 1 space per 600 sf. of showroom + 1 space per 500 sf. of service area	1 space + 1 space per 25,000 sf. of service area		
Veterinarian	1 space per 250 sf.	NA	Same as Standard Development	Same as Standard Development

TABLE NOTES:
¹ Grocery areas of supercenter stores (combinations of general retail and grocery in one store) are not counted separately if the floor area used for groceries is less than 40 percent of the total floor area.

F. **Recreation and Amusement Uses.** The parking requirements for recreation and amusement uses are set out in Table 9.202D, *Required Parking and Loading for Recreation and Amusement Uses*.

Table 9.202D Required Parking and Loading for Recreation and Amusement Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Adult Uses	Greater of: 4 spaces per 5 seats; or 1 space per 150 sf. of floor area	1 space		
Campgrounds	1 space per camp site + 1 space per 20 camp sites	NA		
Indoor Commercial Amusement: Bowling Alley	5 spaces per lane	1 space	3 spaces per lane	1 space
Indoor Commercial Amusement: Movie Theaters	1 space per 3 seats + 3 spaces per screen	1 space	1 space per 4 seats	1 space



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Table 9.202D Required Parking and Loading for Recreation and Amusement Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Indoor Commercial Amusement: Skating Rinks	1 space per 100 sf. of rink surface	1 space	Same as Standard Development	Same as Standard Development
Indoor Commercial Amusement: Other	6 spaces per 1,000 sf.	1 space	1 space per 200 sf.	NA
Outdoor Commercial Amusement: Outdoor Arenas	1 space per 3 seats	1 space per 500 seats	1 space per 6 people capacity if capacity exceeds 500; otherwise no spaces required	1 space per 500 seats
Outdoor Commercial Amusement: Other	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Indoor Recreation: Swimming Pool	1 space per 2 persons capacity	1 space	1 space per 200 sf. of pool	1 space
Indoor Recreation: Tennis, Racquetball; Handball	2 spaces + 1 space per court + 1 space per 5 courts	1 space	2 spaces + 1 space per court	1 space
Indoor Recreation: Community Recreation Center	1 space per 400 sf.	1 space per 50,000 sf.	1 space per 500 sf.	1 space
Indoor Recreation: Other	1 space per 400 sf.	1 space	Same as Standard Development	Same as Standard Development
Outdoor Recreation: Athletic Fields	Greater of: 1 space per 4 seats (spectator); or 30 spaces per athletic field	NA	15 spaces per field	NA
Outdoor Recreation: Day Camp	1 space per 4 campers	NA	Same as Standard Development	Same as Standard Development
Outdoor Recreation: Driving Range	3 spaces per 4 stations	NA	Same as Standard Development	Same as Standard Development
Outdoor Recreation: Mini Golf	4 spaces per hole	NA	3 spaces per hole	Same as Standard Development
Outdoor Recreation: Golf Course	4 spaces per hole	NA	1.5 spaces per hole	Same as Standard Development
Outdoor Recreation: Playgrounds	12 spaces per acre	NA	1 space per 6,000 sf. of play area	Same as Standard Development
Outdoor Recreation: Swimming Pool	1 space per 250 sf. of pool	NA	1 space per 500 sf. of pool	Same as Standard Development
Outdoor Recreation: Tennis Courts	2 spaces per court + 1 space per 250 sf. of clubhouse or pro shop	NA	1 space per court + 1 space per 250 sf. of clubhouse or pro shop	Same as Standard Development
Outdoor Recreation: Other Active Recreation	12 spaces per acre	NA	1 space per 10,000 sf. of active recreation area	Same as Standard Development

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Table 9.202D Required Parking and Loading for Recreation and Amusement Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Outdoor Recreation: Passive Recreation	2 spaces per acre	NA	1 space per 2 acres up to 50 acres + 1 space per 6 acres over 50 acres	Same as Standard Development

G. **Industrial Uses.** The parking requirements for industrial uses are set out in Table 9.202E, *Required Parking and Loading for Industrial Uses*.

Table 9.202E Required Parking and Loading for Industrial Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Disposal	5 spaces per 4 disposal vehicles	1 space per disposal vehicle		
Extraction	Special Study	Special Study		
Heavy Industry	Special Study	Special Study		
Light Industry: Manufacturing, Processing, Assembly	1 space per 750 sf.	1 space per 20,000 sf.		
Light Industry: Laboratories, Research and Development, Testing	1 space per 300 sf.	1 space per 20,000 sf.	Same as Standard Development	Same as Standard Development
Light Industry: Other	1 space per 500 sf.	1 space per 20,000 sf.		
Recycling / Salvage	Special Study	Special Study		
Utilities, Community	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Utilities, Neighborhood	1 space (may be grass)	NA	Same as Standard Development	Same as Standard Development
Warehousing and Transportation	1 space per 300 sf. of office + 1 space per 1,000 sf. of warehouse + 1 space per loading dock	Greater of: 1 space per 20,000 sf.; or 1 space per loading bay		

H. **Agricultural Uses.** The parking requirements for agricultural uses are set out in Table 9.202F, *Required Parking and Loading for Agricultural Uses*.

Table 9.202F Required Parking and Loading for Agricultural Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Agriculture or Forestry	2 spaces per dwelling unit used as a farm residence	NA		



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Use	Standard Development		Traditional Neighborhood Development	
	Required Spaces	Parking	Required Spaces	Loading
Commercial Stables	1 space per 6 stalls		1 space per 24 stalls	
Nursery or Greenhouse: Wholesale	3 spaces per 1,000 sf. of office or sales floor area + 10 spaces per acre of outdoor nursery area		2 spaces per 5 acres	
Nursery or Greenhouse: Retail	1 space per 250 sf. of enclosed floor area + 15 spaces per acre of outdoor nursery area		3 spaces per 5 acres	

- I. **Special Uses.** The parking requirements for special uses are set out in Table 9.202G, *Required Parking and Loading for Special Uses*.

Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Airports	Special Study	Special Study		
Parking and Transit Facilities: Stand Alone Parking Lot	NA	NA	Same as Standard Development	Same as Standard Development
Parking and Transit Facilities: Transit Facility	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Self-Storage Facilities	1 space per 20 storage units + 1 space per on-site caretaker residence	NA		
Wireless Telecommunications Facilities	1 per freestanding facility(may be grass)	NA	Same as Standard Development	Same as Standard Development

- J. **Uses Not Listed.** The responsible official shall determine the parking requirements for uses that are not listed based on:
1. The uses in this Section that are most similar to the proposed uses; or
 2. Parking studies of similar uses that are provided by the applicant and certified by a qualified professional engineer.

Sec. 9.203 Parking Credits

- A. **Generally.** This section sets out credits and permissible reductions in the number of off-street parking spaces that must be provided. Based on the provision of alternative parking or transportation demand management programs that tend to reduce the demand for parking spaces.



- B. **On-Street and Public Lot Parking.** In the UC district, and in approved traditional neighborhood developments ("TNDs"), on-street parking and parking in public lots may be credited to particular uses in accordance with the formula: $\text{Parking Credit} = (S_a \times P)$, where S_a = the area of the applicant's parcel divided by the area of the contiguous zoning district or TND, and P = the total parking that is available on-street and in public lots in the district or TND.
- C. **Reduction of Parking Requirements by Provision of Transportation Demand Management.** Transportation demand management is an approach to reduce the number of work-related car trips (and parking requirements) by incentivizing the use of bicycles, carpools, or shuttles. The Responsible Official may authorize up to a five percent reduction in the number of required off-street parking spaces for development that provides transportation demand management programs. Examples of accommodations that would qualify for the credit include:
1. Enclosed bicycle lockers, employee shower facilities, lockers, and dressing areas; or
 2. Meaningful financial incentives for employees to carpool or bicycle to work, provided that the effectiveness of the program is reported annually to the Responsible Official; or
 3. Shuttle service for employees.

Sec. 9.204 Mixed Uses and Shared Parking

- A. **Generally.** The City Council recognizes that uses may have different hours of operation and peak parking demand hours. The City desires to encourage the sharing of parking for its potential to reduce paved areas and / or enhance the efficiency of land use. Where a mix of uses creates synergy with respect to the use of parking spaces due to differences in when the spaces are most likely to be used, the City may reduce the required number of spaces according to the provisions of this Section.
- B. **Shared Parking Table.** Shared parking allows a reduction in the total number of required parking spaces when a parcel is occupied by two or more uses which typically do not experience peak use of parking areas at the same time. When any land or building is used for two or more uses that are listed below, the minimum total number of required parking spaces may be determined by the following procedures:
1. Multiply the minimum required parking for each individual use, excluding spaces reserved for use by specified individuals or classes of individuals (e.g., spaces that are either posted "reserved," or secured behind a gate), by the appropriate percentage listed in Table 9.204, *Shared Parking Table*, for each of the designated time periods.
 2. Calculate a sum for all uses for each of the five time periods (columns). The minimum parking requirement is the highest of these sums. Figure 9.204, *Illustrative Shared Parking Credit Calculation*, provides an example of how to use Table 9.204, *Shared Parking Table* to calculate required parking.



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**Table 9.204
Shared Parking Table**

Use	Weekday			Weekend	
	Night (12 AM to 6 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)
Residential	100%	60%	90%	80%	90%
Office	5%	100%	10%	10%	5%
Retail / Commercial	5%	70%	90%	100%	70%
Commercial Lodging	80%	80%	100%	50%	100%
Restaurant	10%	50%	100%	50%	100%
Entertainment	10%	40%	100%	80%	100%
All Others	100%	100%	100%	100%	100%

**Figure 9.204
Illustrative Shared Parking Credit Calculation**

EXAMPLE: A mixed-use building in a standard development (not in a TND) has 50 2-bedroom residences, 50,000 square feet of general office space, and 50,000 square feet of retail space. Separately, these uses would require 450 parking spaces ((50 sp. x 2 sp. / unit) + (50,000 sf. x (3 sp. / 1,000 sf.)) + (50,000 sf. x (1 sp. / 250 sf.)) = 450). However, combined, they could share 350 parking spaces.

Use	Weekday			Weekend	
	Night (12 AM to 6 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)
Residential 100 spaces	100% x 100 = 100	60% x 100 = 60	90% x 100 = 90	80% x 100 = 80	90% x 100 = 90
Office 150 spaces	5% x 150 = 8	100% x 150 = 150	10% x 150 = 15	10% x 150 = 15	5% x 150 = 8
Retail / Commercial 200 spaces	5% x 200 = 10	70% x 200 = 140	90% x 200 = 180	100% x 200 = 200	70% x 200 = 140
Commercial Lodging	80% x 0 = 0	80% x 0 = 0	100% x 0 = 0	50% x 0 = 0	100% x 0 = 0
Restaurant	10% x 0 = 0	50% x 0 = 0	100% x 0 = 0	50% x 0 = 0	100% x 0 = 0
Entertainment	10% x 0 = 0	40% x 0 = 0	100% x 0 = 0	80% x 0 = 0	100% x 0 = 0
All Others	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0
COLUMN TOTALS	118	350	285	295	238
		The largest number, 350, is the number of parking spaces that are required. This example is a 22% reduction compared to individual calculations.			

3. In general, the maximum reduction allowed by Table 9.204, *Shared Parking Table*, shall be 25 percent. However, a greater reduction is permitted, provided that:
 - a. Sufficient land is set aside for each parking space in excess of the 25 percent reduction that is not constructed, so that the spaces may be constructed at a later date should the City Council determine that they are necessary; and



- b. The property owner executes and records a document that guarantees that the spaces will be constructed upon written order of the Mayor.

D. Special Shared Parking Study.

3. In the alternative to the methodology in Table 9.204, *Shared Parking Table*, an applicant may submit a special study to demonstrate that the parking required to serve mixed uses is less than the total of the parking requirements for each individual use. The special study shall be undertaken by a qualified traffic engineer, and shall:
 - a. Review peak parking demand periods for the proposed uses during a 24-hour weekday and each weekend day, and shall propose a required number of parking spaces based on the combined peak hour demand for parking.
 - b. Provide data on the following:
 - i. The sensitivity of the proposed uses to change. For example, a center with no restaurant could have significant changes in parking if a restaurant was added.
 - ii. Similar mixes of uses in other areas of the community.
 - iii. Degree of variability of parking for individual uses (average, range, and standard deviation).
4. The City may require a reserved open area if it believes that the risk of parking needs changing over time so warrants. Once the project is occupied and well established, if there is a surplus of parking, the applicant may petition for additional development capacity and parking using the reserved area.

Shared Parking Among Lots Under Different Ownership. When a shared parking reduction is to be applied to uses on several lots under different ownership, the following shall be provided:

0. A plan that provides for interconnected lots;
1. Recorded easements that provide, at a minimum, for:
 - a. Cross-access among the parking areas and connections to permit parking by the different uses anywhere in the connected properties;
 - b. Allocation of maintenance responsibilities;
 - c. A pedestrian circulation system that connects uses and parking areas, making it easy and convenient to move between uses; and
 - d. A right of enforcement by the City.

Sec. 9.205 Bicycle Parking

- A. **Applicability.** Bicycle parking shall be required pursuant to this Section for all parcels proposed for development that have parking lots with 20 or more parking spaces.
- B. **Number of Bicycle Parking Spaces.**
 1. Surface parking lots: One bicycle parking space per 10 parking spaces, to a maximum of ten bicycle parking spaces



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2. Structured parking lots:
 - a. Minimum number of bicycle parking spaces: six
 - b. Structures with more than 120 parking spaces shall provide one bicycle parking space per 20 parking spaces,
 - c. Maximum requirement (additional spaces are optional): 10
- C. **Bicycle Parking Design Standards.** Bicycle parking shall be designed so that:
1. The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped lock if both wheels are left on the bicycle. *See Figure 9.205, Permitted Bicycle Parking Examples.*
 2. A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components.
 3. Racks must be securely anchored.
 4. Areas devoted to bicycle parking shall be hard surfaced.
 5. Bicycle parking designs that only allow one locking point at the wheel are prohibited.
 6. Bicycle racks are not required for bicycle parking associated with residential uses. Required bicycle parking for residential uses may be provided in garages, storage rooms and other resident accessible, secure areas.

Figure 9.205
Permitted Bicycle Parking Examples



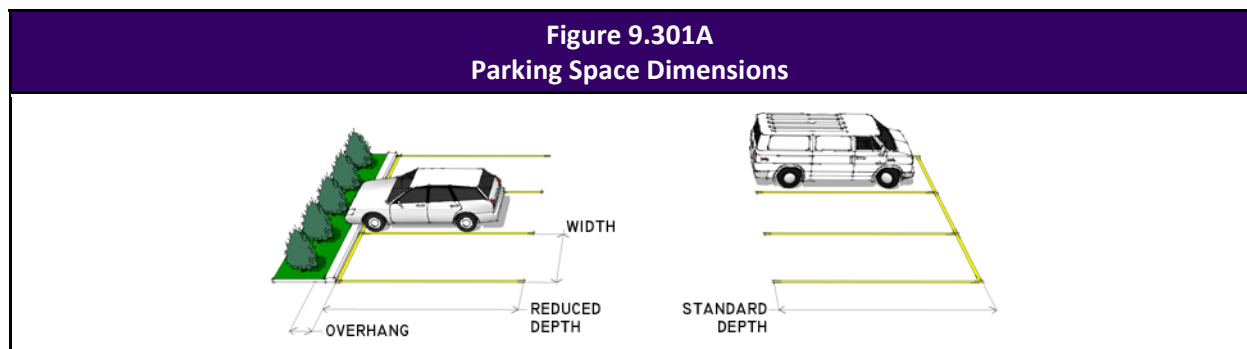
- D. **Bicycle Parking Location Standards.**
1. Short-term bicycle parking must be located within 50 feet of the principal building entrance, at the same grade as the sidewalk or accessible route.
 2. An aisle at least five feet wide shall be provided behind all required bicycle parking to allow room for bicycle maneuvering.
 3. If required bicycle parking is not visible from the street or principal building entrance, a sign shall be posted at the principal building entrance indicating the location of the bicycle parking.
- E. **Administrative Adjustments.** The responsible official is authorized to approve an administrative adjustment reducing the number of bicycle spaces if it is demonstrated that:
1. The use will not generate any bicycle traffic; or
 2. It is impossible to provide bicycle parking at the subject location.



Division 9.300 Parking and Loading Design and Use

Sec. 9.301 Parking Space and Module Standards

- A. **Dimensions of Standard Parking Spaces.** Parking spaces shall have the following dimensions.
1. Generally: 9 ft. width x 20 ft. standard depth
 2. 90-degree parking spaces that abut curb or edge of pavement (allowing for overhang): 9 ft. width x 18 ft. reduced depth. *See Figure 9.301A, Parking Space Dimensions.*
 3. Parallel (0 degree) parking spaces: 8 ft. width x 20 ft. depth



- B. **Dimensions of Disabled Parking Spaces.** Disabled parking spaces shall be dimensioned as required by the Americans with Disabilities Act Accessibility Guidelines.
- C. **Number of Disabled Parking Spaces.** Disabled parking spaces shall be provided as required by the Americans with Disabilities Act Accessibility Guidelines, as amended. The requirements as of the Effective Date are set out in Table 9.301A, *Disabled Parking Requirements*; however, in the event of amendment to ADAAG, ADAAG standards shall control. Disabled parking is included in the total number of required parking spaces.

Number of Required Parking Spaces	Number of Disabled Spaces	Number of Disabled Spaces that Must be Van Accessible ¹
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1000	2 percent of total	1 out of 8 disabled parking spaces, rounded up

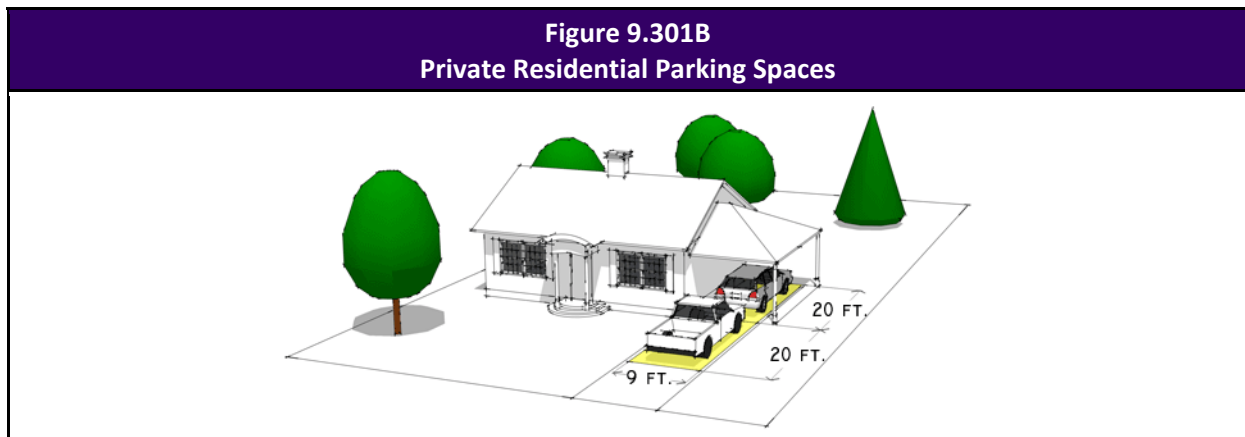


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Table 9.301A Disabled Parking Requirements		
Number of Required Parking Spaces	Number of Disabled Spaces	Number of Disabled Spaces that Must be Van Accessible ¹
1001 and over	20 plus 1 for each 100 over 1,000	1 out of 8 disabled parking spaces, rounded up
TABLE NOTE: ¹ Van accessible spaces are counted as disabled parking spaces and are not an additional requirement. ADAAG requirements also provide for "universal spaces" which eliminate the need for designated van accessible spaces.		

D. Parking Space Markings.

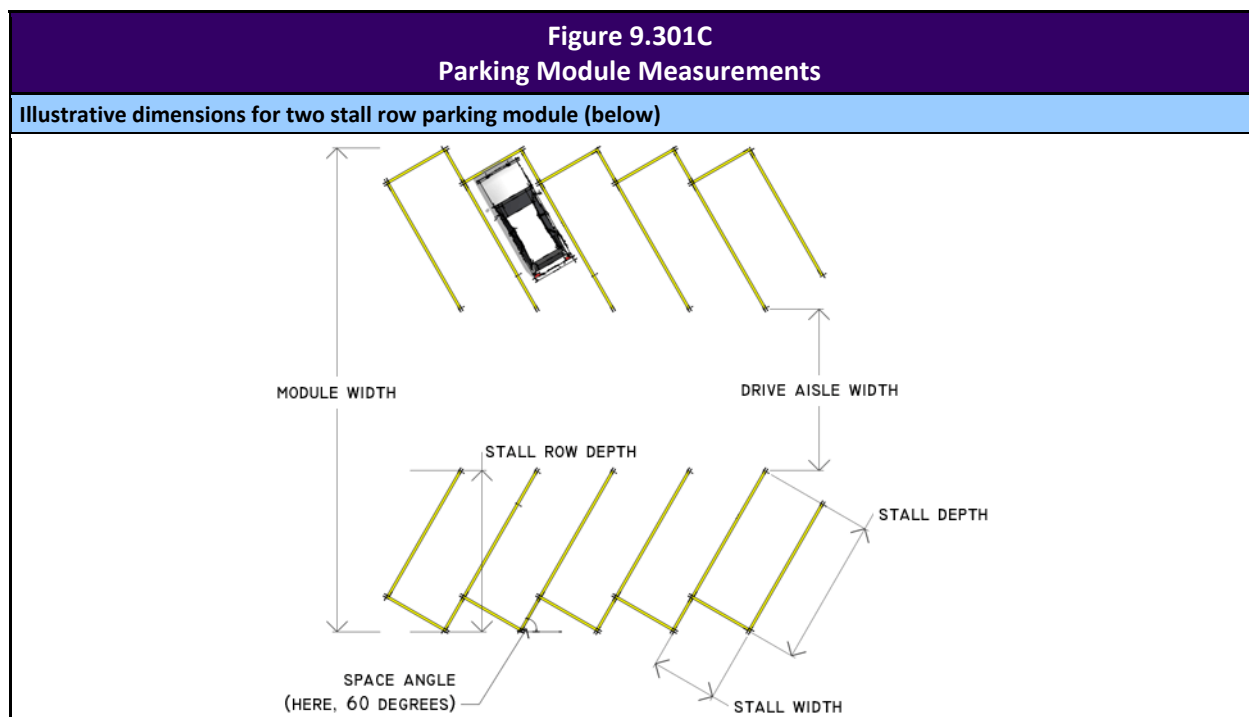
1. All standard and disabled parking spaces that are located in parking lots or provided on-street on a street provided by the developer shall be clearly marked.
2. Parking spaces for residential uses that are located in private garages, carports, or individual driveways do not have to be marked. An area on a private residential lot is considered a parking space if:
 - a. The area is at least 9 feet by 18 feet in dimension;
 - b. The area does not encroach upon a public sidewalk;
 - c. The area is hard-surfaced; and
 - d. The area is accessible from the street. See Figure 9.301B, *Private Residential Parking Spaces*.



- E. **Vertical Clearance.** A vertical clearance of not less than eight feet shall be provided over all parking spaces. Additional clearance shall be provided for larger vans, sports utility vehicles, and light trucks that require such clearance if parking demand from such vehicles is anticipated. All parking garage entrances shall include an overhead bar to alert oversized vehicles regarding clearance.
- F. **Parking Module Dimensions.** Parking modules shall be dimensioned as shown in Table 9.301B, *Minimum Horizontal Parking Dimensions for Standard Automobiles*. The dimensions that are set out in the table are illustrated in Figure 9.301C, *Parking Module Standards*.

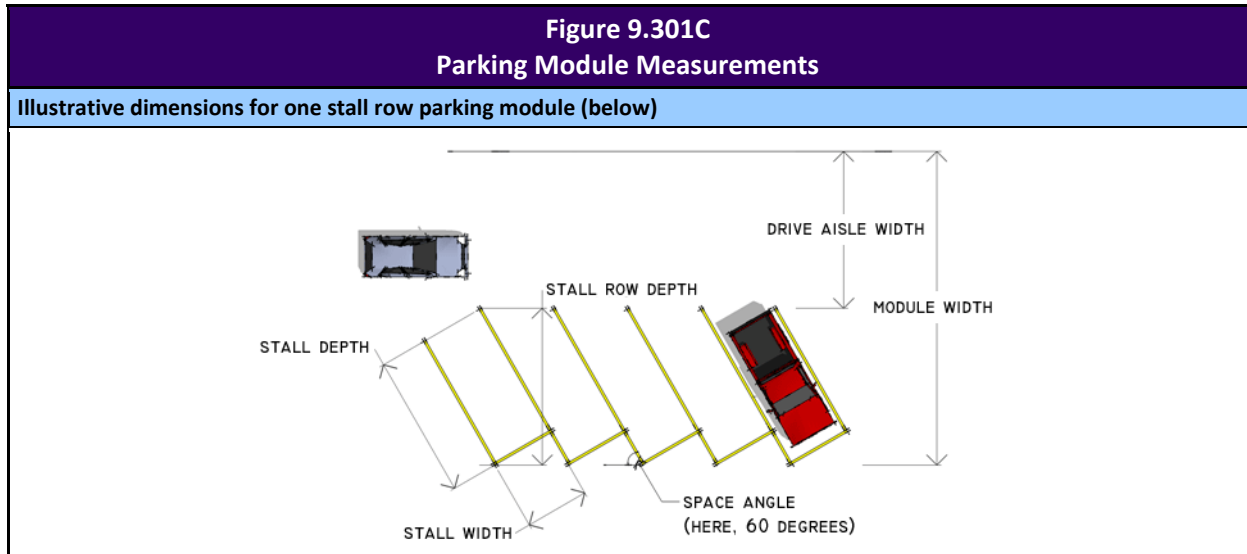


Table 9.301B Parking Module Dimensions				
Measurement	Parking Space Angle (Degrees)			
	0 / Parallel Parking	45	60	90
One Stall Row, One-Way Aisle				
Stall Row Depth	8 ft.	20 ft. 7 in.	21 ft. 11 in.	20 ft.
Drive Aisle Width	13 ft. 2 in.	13 ft. 10 in.	15 ft. 6 in.	25 ft.
Minimum Module Width (row & aisle)	21 ft. 2 in.	34 ft. 5 in.	34 ft. 5 in.	45 ft.
Two Stall Rows, One-Way Aisle				
Stall Row Depth	16 ft.	41 ft. 1 in.	43 ft. 8 in.	40 ft.
Drive Aisle Width	13 ft. 2 in.	13 ft. 10 in.	15 ft. 6 in.	25 ft.
Minimum Module Width (row & aisle)	29 ft. 2 in.	54 ft. 11 in.	59 ft. 2 in.	65 ft.
One Stall Row, Two-Way Aisle				
Stall Row Depth	8 ft.	20 ft. 7 in.	21 ft. 11 in.	20 ft.
Drive Aisle Width	23 ft. 3 in.	20 ft.	22 ft.	25 ft.
Minimum Module Width (row & aisle)	31 ft. 3 in.	40 ft. 7 in.	43 ft. 11 in.	45 ft.
Two Stall Rows, Two-Way Aisle				
Stall Row Depth	16 ft.	41 ft. 1 in.	43 ft. 8 in.	40 ft.
Drive Aisle Width	23 ft. 3 in.	20 ft.	22 ft.	25 ft.
Minimum Module Width (row & aisle)	39 ft. 3 in.	61 ft. 1 in.	65 ft. 8 in.	65 ft.



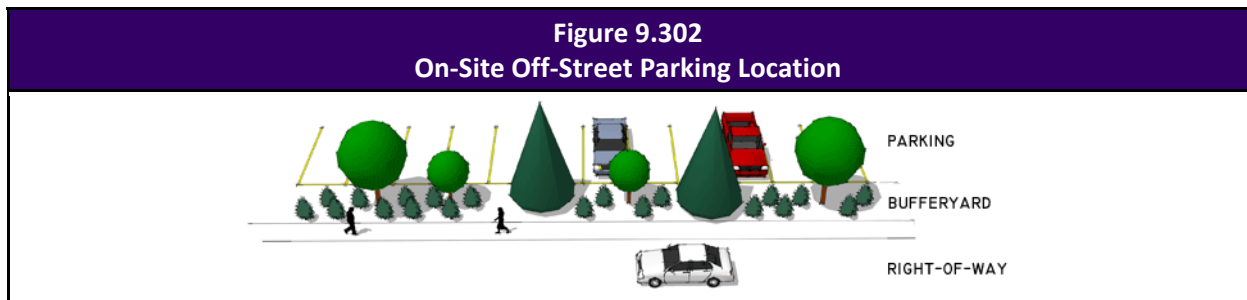


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Sec. 9.302 Location of Off-Street Parking

A. **On-Site Off-Street Parking.** On-site off-street parking shall be set back behind any required bufferyard (see [Division 10.300, Bufferyards](#)). Parking spaces, aisles, and turning areas shall not encroach upon or overhang any street, driveway, or public right-of-way. See Figure 9.302, *On-Site Off-Street Parking Location*.



B. **Off-Site Off-Street Parking.** Parking or overflow parking is generally not allowed in off-site locations. However, in Traditional Neighborhood Developments or in the UC District, it is allowed as provided in [Table 9.302, Distance to Required Parking](#).

**Table 9.302
Distance to Required Parking**

Use	Location of Required Parking	Location of Overflow or Valet Parking Spaces
Traditional Neighborhood Development: Single-Family Attached and Multifamily Uses	Boundary of parking lot within 150 feet of principal building being served	NA
Traditional Neighborhood Development or UC District: All Nonresidential Uses	Boundary of parking lot within 200 feet of principal building being served	Within 300 feet of principal building being served



- C. **Guest Parking.** In residential districts, guest parking in excess of the minimum parking requirements may be permitted in platted guest parking islands within enlarged cul-de-sacs. However, in no case shall required parking be located within guest parking islands.

Sec. 9.303 Off-Street Loading

- A. **Generally.** All uses shall provide off-street loading as required by Section 9.202, *Required Parking and Loading*. Loading spaces shall be designed as follows:
- B. **Dimensions.** The dimensions of required loading spaces shall depend upon whether the use will be served by semi-trailers. Commercial retail, heavy retail, and industrial uses that are larger than 40,000 square feet shall be presumed to require semi-trailer loading unless the applicant demonstrates otherwise.
1. Minimum width of loading bay (side to side): 12 feet.
 2. Minimum length of loading bay (front to back):
 - a. For semi-trailers: 60 feet.
 - b. All other loading spaces: 35 feet.
 3. Minimum vertical clearance: 14 feet.
- C. **Use of Right-of-Way.** Where off-street loading areas are required, at no time shall any part of a truck or van be allowed to extend into a public right-of-way while the truck or van is being loaded or unloaded.
- D. **Maneuvering Space.** Adequate off-street truck maneuvering space shall be provided on lot (and not within any public street right-of-way or other public property), so that trucks can maneuver to the docking area.
- E. **Location.** All loading areas shall be located on the same lot as the building or lot served by the loading area. Semi-trailer loading spaces and loading docks shall be located behind buildings and screened from view from adjacent properties and public rights-of-way as provided in Section 2.705, *Loading, Truck Access, and Solid Waste Collection*. Loading areas shall be located such that no part of a truck extends into right-of-way or interferes with parking access while it is loading or unloading.
- F. **Fire Exit or Emergency Access.** Off-street loading facilities shall be designed so as not to interfere with any fire exits or emergency access facilities to either a building or site.

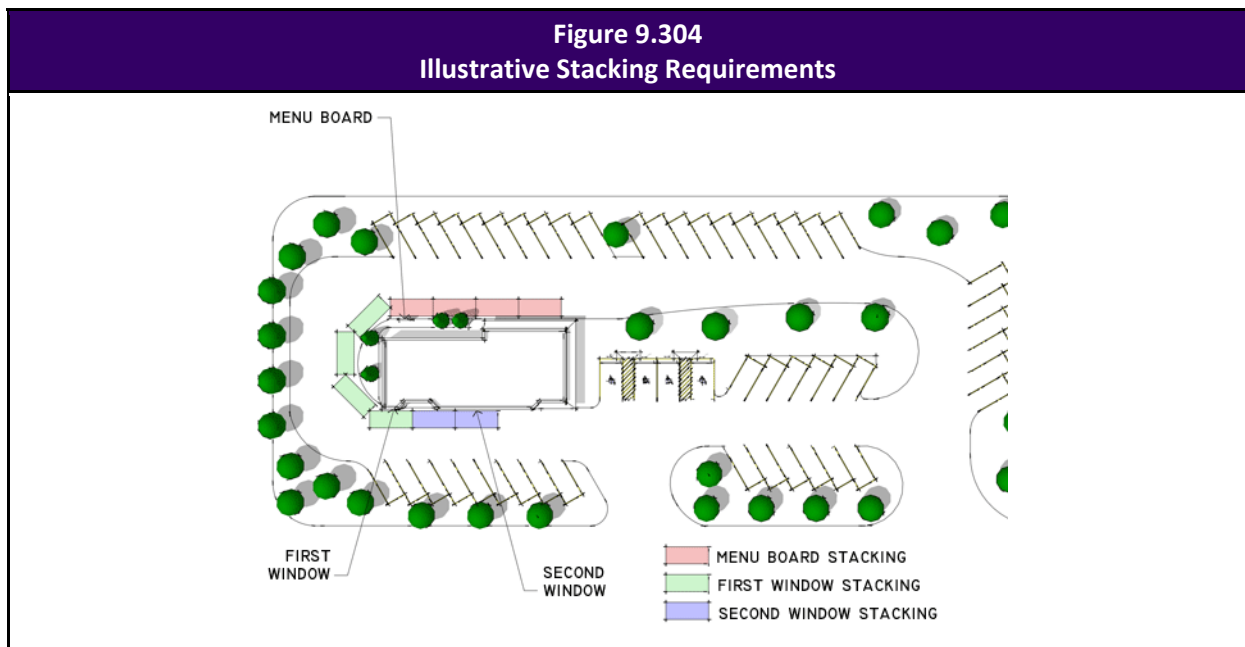
Sec. 9.304 Vehicle Stacking Requirements

- A. **Generally.** Stacking spaces are used to measure the capacity of a drive-through lane to hold cars while transactions are taking place at drive-through stations. Stacking spaces measure eight feet wide by 20 feet long and provide direct access to a service window. The position in front of a drive-through station (*i.e.*, a service window, ATM, or station at a drive-through bank) is counted as a stacking space.
- B. **Requirements.** Uses that include drive-through service shall not less than the following numbers of stacking spaces:



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1. Financial institutions, convenience stores, or pharmacies: Four stacking spaces per drive-through station.
2. Drive through restaurants:
 - a. If two service windows are provided (one for payments and one for pick-up):
 - i. Four stacking spaces to each menu board;
 - ii. Four stacking spaces between the menu board and the first window (including the position at the first window); and
 - iii. Two spaces between the first window and the second window (including the position at the second window). See Figure 9.304, *Illustrative Stacking Requirements*.



- b. If one service window is provided (for both payments and pick up):
 - i. Six stacking spaces to each menu board; and
 - ii. Five stacking spaces between the menu board and the service window.
 4. Drive-through only uses in buildings with less than 300 square feet of floor area and no separate menu board (e.g., coffee stands, photo processing): Three stacking spaces per service window.
 5. Dry cleaners: Two stacking spaces, including the position at the window.
- D. Design.**
3. Stacking lanes shall be clearly marked, and shall not interfere with on-site or off-site traffic circulation.



4. Stacking areas shall not be located between the facade of a building and the public street upon which the building fronts.
5. Stacking lanes shall be designed with an abutting eight-foot wide bypass lane.

Sec. 9.305 Use of Parking and Loading Areas

A. Storage Prohibited.

1. Required off-street parking spaces shall be available for operable passenger automobiles of the residents, customers, patrons, and employees of the use to which they relate.
2. Storing materials, boats, campers, recreational vehicles, or inoperable vehicles, or parking trucks or trailers is prohibited in parking areas, unless:
 - a. The outdoor storage use is permitted in the applicable zoning district and approved for the subject property;
 - b. The areas that are set aside for such parking are not counted towards the parking requirements for the use; and
 - c. The areas that are set aside for such parking comply with the requirements for outdoor storage (e.g., buffering or screening of outdoor storage areas).
3. The long-term storage of trailers in loading spaces is prohibited. Such spaces shall be available for routine use by delivery vehicles.
4. Trash enclosures, dumpsters, and transformers shall not be located in parking areas in locations that interfere with circulation or use of parking spaces.

B. **Vehicle Work Prohibited.** No major vehicle work of any kind or nature is permitted within off-street parking lots or parking garages.

C. Blocking Access Prohibited.

1. Blocking loading spaces or parking spaces is prohibited.
2. Loading spaces or parking spaces shall not be designed or located in a manner that blocks access to other loading spaces, parking spaces, driving aisles, fire lanes, ingress or egress points, or building entrances. However, tandem parking spaces may be used in valet lots.
3. Parking, loading, and access areas shall be kept free of permanent or moveable structures which block access, of any type (e.g., trash receptacles or compactors).
4. Parking within a driveway approach or across public sidewalks is prohibited.

D. **Sales.** The sale of goods in a parking lot is prohibited, except when the applicable requirements for temporary sales, as set out in [Division 1.500, Temporary Uses](#), are met.

Sec. 9.306 Surfacing and Maintenance of Off-Street Parking Areas

A. **Surfacing.** Off-street parking areas shall be surfaced as follows:



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1. In general, off-street parking areas that are required to have more than three parking spaces shall be graded and surfaced with a material approved by the City Engineer that will protect against potholes, erosion, and dust.
 2. The City Engineer may permit less durable surfaces (such as grass pavers, crushed stone, or gravel) for off-street parking facilities that serve low-turnover uses or overflow parking needs, provided that:
 - a. The perimeter of such parking areas is defined by bricks, stones, railroad ties, or other similar devices;
 - b. Surfaces with loose materials are set back at least 25 feet from a public street; and
 - c. The material does not generate inordinate amounts of dust.
- B. **Maintenance.** Off-street parking surfaces shall be kept in good condition and parking space lines or markings on hard-surfaced lots shall be kept clearly visible and distinct.

Division 9.400 Access Management and Circulation

Sec. 9.401 Access to Single Family and Duplex Lots

- A. **Existing Lots.** Existing access to single family detached and duplex lots from arterial or collector streets is permitted. However, the existing access shall be moved from the arterial or collector to a local street if:
1. The lot has access a local street; and
 2. The principal building is redeveloped (or a new principal building is constructed)
- B. **New Lots.** New single family detached and duplex lots shall not take access to arterial or collector streets unless they have more than 200 feet of frontage and the driveway is designed to prevent vehicles from backing out onto the arterial or collector.

Sec. 9.402 Minimum Arterial Frontage

- A. **General.** In general, the minimum arterial frontage that is required of lots that take direct access from an arterial shall not be less that that shown in Table 9.402, *Minimum Arterial Lot Frontage*. No new lots shall be created that have less frontage than set out in Table 9.402, *Minimum Arterial Lot Frontage*, unless the subdivider provides for common access and cross-access easements as set out in Subsection C.

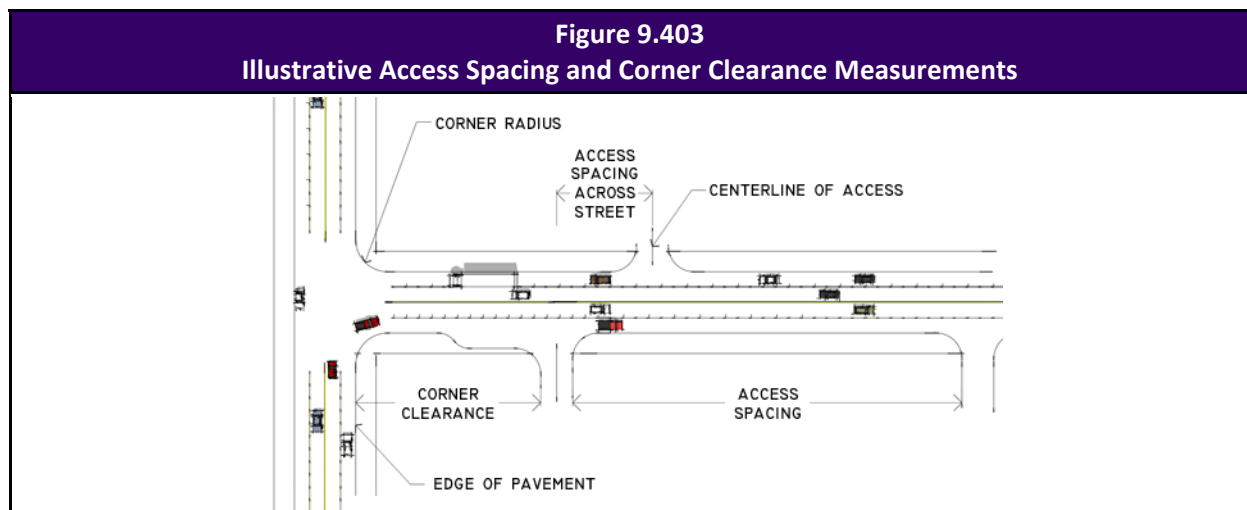
Posted Speed Limit (mph)	Minimum Connection Spacing (ft.)
≤ 30	225
35	275
40	330
45	385
≥ 50	450



- B. **Increased Frontage Requirement.** The City may require a greater lot frontage for:
1. Development with driveways that are greater than 25 feet in width (not including curb returns); or
 2. Development that requires more than one access connection to the arterial.
- C. **Decreased Frontage Requirement.** The City may allow a decreased lot frontage for individual lots with common access easements and shared access driveways, provided that:
1. The parcel proposed for development, before subdivision, complies with this Section;
 2. The standards of Section 9.403, *Access Spacing and Corner Clearance*, are met; and
 3. Legal instruments are recorded as provided in Section 9.405, *Common Access and Internal Cross Access*.

Sec. 9.403 Access Spacing and Corner Clearance

- A. **Generally.** Access points include streets, alleys, driveways, and service roads. Spacing of access points shall be provided as set out in this Section.
- B. **Measurements.** Generally, the requirements of this Section are measured along the edge of the travel way, from the closest edge of pavement of the first access connection to the closest edge of pavement of the second access connection, including curb returns. However, access spacing on opposite sides of the street is measured at the centerlines of the access points. The measurements are illustrated in Figure 9.403, *Illustrative Access Spacing and Corner Clearance Measurements*.



- C. **Local Streets and Collectors.** There shall be a minimum spacing between the near edges of adjacent access points to local streets and collectors as set out in Table 9.403A, *Access Spacing, Local Streets and Collectors*.



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Table 9.403A Access Spacing, Local Streets and Collectors	
Street Classification of Abutting Lot Frontage	Minimum Connection Spacing
Residential Driveways	
Local Street	30 ft.
Collector Street	30 ft.
Commercial, Recreation, and Institutional Driveways	
Local Street	30 ft.
Collector Street	75 ft.
Industrial Driveways	
Local Street	40 ft.
Collector Street	75 ft.

- D. **Arterials.** There shall be a minimum spacing between the near edges of adjacent access points to arterial streets, as set out in Table 9.403B, *Access Spacing, Arterials*. If the City adopts an access management plan for an arterial that includes either specific locations for access or different spacing requirements, then the provisions of the Table shall be superseded by the access management plan.

Table 9.403B Access Spacing, Arterials	
Posted Speed Limit	Minimum Connection Spacing
≤ 30 mph	200 ft.
35 mph	250 ft.
40 mph	305 ft.
45 mph	360 ft.
≥ 50 mph	425 ft.

- E. **Access Spacing, Opposite Sides of Street.** In order to prevent conflicting left-turn movements, connections on opposite sides of the street shall be directly opposite each other or offset by a distance of at least 100 feet from centerline to centerline of the access points, unless a median prevents the potential conflicts.
- F. **Corner Clearance.**
1. For all uses located on corner lots, there shall be a minimum clearance between the near edge of the nearest access point and the property corner at street intersections. No access point shall interfere with fire hydrants, storm inlets, or other curb frontage improvements. The minimum clearances are set out in Table 9.403.C., *Minimum Corner Clearance*.



Table 9.403C Minimum Corner Clearance			
Street Classification	Intersecting Street Classification	Minimum Corner Clearance	
		Street	Intersecting Street
Residential Driveways			
Local	Local	20 feet	20 feet
Local	Collector	30 feet	30 feet ¹
Collector	Collector	30 feet ¹	30 feet ¹
Arterial	Local	Restricted	75 feet
Arterial	Collector	Restricted	75 feet ¹
Arterial	Arterial	Restricted	Restricted
Commercial and Industrial Driveways			
Local	Local	30 feet	30 feet
Local	Collector	30 feet	30 feet
Collector	Collector	75 feet	75 feet
Arterial	Local	125 feet ²	75 feet
Arterial	Collector	125 feet ²	75 feet
Arterial	Arterial	125 feet ²	125 feet ²
TABLE		NOTES:	
¹ Applies to multifamily driveways only. See Section 9.401, <i>Access to Single-Family and Duplex Lots</i> for other housing types.			
² A variance is required for corner lots with arterial street frontage where the required corner clearance cannot be met as a result of its lot width or depth.			

2. If the dimensions of an existing lot and the absence of a reasonable opportunity for shared access make compliance with Subsection F.1. impractical, then right-in, right-out access may be permitted at the farthest available point away from the intersection. For example, a light automobile service use (e.g., a gas station) that cannot establish shared access with neighboring properties may be permitted to have two right-in, right-out access points (one on each frontage), provided that they are located as far away from the intersection as possible.
3. Where ownership allows, and the geometry of the street intersection warrants, the minimum corner clearance shall be greater than shown in Table 9.403C, *Minimum Corner Clearance*.

Sec. 9.404 Access Dimensions

- A. **General.** The dimensions of access points are based on the peak hour trip generation volume of the uses to which access is to be provided. Peak hour trips may be allocated to one or more proposed access points. A qualified engineer shall provide the calculations for peak hour trip generation and assignment to proposed access points. However, the low impact uses described in subsections B. and C. are not required to provide calculations by an engineer with respect to trip generation and assignment.
- B. **Single-Family, Twin Home, and Duplex Lots.** Each lot that contains a single-family, twin home, or duplex shall have no more than two driveway connections along any street frontage. Driveway width shall not exceed the width set out in Table 9.404A, *Maximum Width of Access*.



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Use Classification	Standard	Maximum Access Width (ft.)
Single-Family Residential	One-car garage (max. width)	12
	Two-car garage (max. width)	22
	Three-car garage (max. width)	25
Twin Home and Duplex	Two, one-car garages (max. width)	24
	Two, two-car garages (max. width)	27

C. **Low Volume Presumption.** The following uses are presumed to required only a single low volume access point, as described in Table 9.404B, *Access Standards, General*, or, if located within the Urban Center district, Table 9.404C, *Access Standards, Urban Center*. Uses that are presumed to be of low impact pursuant to this subsection shall not require additional analysis for so long as the conditions of this subsection are met:

1. All residential development of less than 30 units which is not of a type that is subject to subsection B.
2. All nonresidential development, except light automobile service / gasoline station, in which less than 5,000 square feet of floor area is served by the access point.

D. **Standard Dimensional Requirements.**

1. In all districts except Urban Center, the access standards of Table 9.404B, *Access Standards, General* apply.

Access Type	Maximum Peak Hour Volume	Access Lanes and Lane Widths	Reservoir	Radius Return by Street Functional Classification		
				Arterial	Collector	Minor
Low Volume	50 trips	12 ft. ingress; 12 ft. egress	25 ft.	25 ft.	20 ft.	15 ft.
Mid-Volume	200 trips	14 ft. ingress; 4 ft. median; 2 12 ft. egress ¹	50 ft.	30 ft.	20 ft.	15 ft.
High Volume	500 trips	14 ft. ingress; 4 ft. median; 2 12 ft. egress ¹	100 ft.	35 ft.	30 ft.	20 ft.

TABLE NOTE:
¹ Only 1 egress shall be required if the access point is configured as a right-in, right-out access.

2. In the Urban Center district, the access standards of Table 9.404C, *Access Standards, Urban Center District* apply.



Access Type	Maximum Peak Hour Volume	Access Lanes and Lane Widths	Reservoir	Radius Return by Street Functional Classification		
				Arterial	Collector	Minor
Low Volume	150 trips	12 ft. ingress; 12 ft. egress	25 ft.	25 ft.	20 ft.	15 ft.
Mid-Volume	300 trips	12 ft. ingress; 2 11 ft. egress ¹	25 ft.	25 ft.	20 ft.	15 ft.
High Volume	500 trips	14 ft. ingress; 4 ft. median; 2 11 ft. egress ¹	50 ft.	30 ft.	25 ft.	20 ft.

TABLE NOTE:
¹ Only 1 egress shall be required if the access point is configured as a right-in, right-out access.

- E. **Measurement of Reservoir.** Generally, the reservoir indicated in Tables 9.404B, *Access Standards, General*; and 9.404C, *Access Standards, Urban Center District*, is measured from the property line to the edge of the first parking space or aisle. However, the reservoir may be measured from the edge of pavement of the adjacent street if it is demonstrated that:
1. Measurement from the edge of pavement allows for an improved site design; and
 2. It is not anticipated that the adjacent street will be widened for at least 25 years.
- F. **Peak Hour Volume in Excess of 500 Trips.** If the peak hour volume of an individual access point exceeds 500 trips, the access point shall be designed as a street intersection. Further access to lots or parking areas shall be evaluated according to the standards of this Division (e.g., the corner clearance standard will apply to the distance from the intersection to the first internal access connection, and the reservoir standard will apply to the distance between the connection and the first parking space).
- G. **Alternative Design.** The City Engineer may require that access points be configured as right turn in, right turn out when the provision of left turn access would result in significant disruption of traffic flow on the public street.

Sec. 9.405 Common Access and Internal Cross Access

- A. **Separate Ownership; No Common Plan of Development.** Where adjacent properties are separately owned and not part of a common plan of development, the City may require common access or internal cross access as the parcels are developed, substantially improved, or redeveloped. As such, an applicant may be granted temporary individual access if:
1. The applicant demonstrates that a reasonable offer with regard to cross-access was refused by the adjacent landowner; and
 2. The applicant records a covenant acceptable to the City to ensure that the connection will be provided and access will be consolidated upon the earlier of:
 - a. Approval for development, substantial improvement, or redevelopment, of the adjacent property, if providing such connection is a requirement of the approval for the adjacent property; or



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- b. The applicant's parcel and the adjacent parcel coming under common ownership; and
 3. The applicant demonstrates that the proposed temporary access will not materially affect the safe and efficient flow of traffic.
- B. **Common Ownership or Common Plan of Development.** Phased development, development sites under the same ownership, or development sites that are consolidated for the purposes of development and comprised of more than one building are considered unified parcels. Unified parcels shall provide access as follows:
 1. The number of connections permitted shall be the minimum number necessary to provide reasonable access to the overall site and not the maximum available for the site's frontage; and
 2. Access to outparcels shall be internalized using the shared circulation system and designed to avoid excessive movement across parking aisles or queuing across surrounding parking and driving aisles.
- C. **Terms.** The City may require that common and cross access easements include one or more of the following:
 1. Sufficient width to accommodate a two-way access between properties, designed to accommodate automobiles and service and loading vehicles.
 2. Stub-outs and other design features to allow abutting properties to be tied in to provide future cross access.
 3. Linkage to other cross access drives in the area.
- D. **Location of Cross-Access.** The location of the connections shall be set by the City in accordance with the following:
 1. Shallow sites (less than 200 feet deep) with buildings positioned at or near the front setback line shall provide access along the rear property lines.
 2. Shallow sites (less than 200 feet deep) with buildings positioned at or near the rear setback line shall provide connections aligned with their edges along the sidewalk in front of the buildings.
 3. Deep sites (200 or more feet deep) with outparcels shall provide cross-access points as follows:
 - a. To all outparcels, in order to connect them to the parking and circulation areas of the principal parcel;
 - b. On side lot or parcel lines of the principal lot or parcel, behind any outparcels that are located within 60 feet of said side lot or parcel lines, in order to permit movement through the area; and
 - c. On side lot or parcel lines of the principal lot or parcel, aligned with edges along the sidewalk in front of the buildings.
- E. **Dimensions of Cross-Access.** Cross access easements shall include at least 24-feet of pavement width.



F. Approval and Recording of Easements.

1. Access that is shared by adjacent properties, whether under single or separate ownership, requires that an appropriate legal instrument to ensure continued shared access be approved by the City and recorded in the official public record at the applicant's expense. The recorded book and page number shall be referenced on any subsequent subdivision plats of the property.
2. If there is an existing shared access for which there is no recorded legal documentation, such documentation shall be executed and recorded as provided in subsection D.1.

Sec. 9.406 Number of Access Points

A. General.

1. Generally, the maximum number of access points allowed will be the smallest number of access points that are necessary to accommodate the peak hour demands of the site. For example, if a use in the Commercial, General (CG) district generates 300 peak hour trips, then it would be served by one high volume access point, not six low volume access points
2. The maximum number of access points may be increased if:
 - a. The lot fronts on an arterial and one or more side streets of lesser functional classification;
 - b. Access to the site will be provided from the streets of lesser functional classification; and
 - c. The total number of access points along the arterial frontage is reduced.

- B. **Limitation.** Nothing in this Section supersedes the other access management requirements of this Division.

Sec. 9.407 Timing and Degree of Compliance

- A. **Generally.** Access to streets shall be provided in accordance with this Section.

B. Compliance with this Division.

1. The City Council recognizes that many properties along arterials may not be in compliance with the requirements of this Division as of the effective date of this UDC, and there are many different contexts in which compliance with the standards of this Division are more or less feasible. Table 9.407, *Compliance with Access Management Regulations*, sets out five generalized situations, the access management objective with respect to the particular situation, and the alternative methods available to the applicant for complying with the requirements of this Division.
2. Even if the requirements of Table 9.407, *Compliance with Access Management Regulations*, does not achieve strict compliance with Section 9.403, *Access Spacing and Corner Clearance*, the requirements shall be utilized if they result in wider spacing between access points than would be provided in the absence of the requirements.



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Situation	Objective	Method of Compliance
Existing lot proposed for development does not meet arterial frontage requirements of Section 9.402, <i>Minimum Arterial Frontage</i> , but has access to a local side street.	Shift access to side streets	Lots that abut intersections of arterial streets and local streets shall take access from the local street if the access meets the corner clearance requirements of Section 9.403, <i>Access Management and Corner Clearance</i> .
Existing lot proposed for development abuts lots that are built, have individual access connections, and do not comply with spacing requirements.	Allow reasonable access for existing lots, but consolidate access at first available opportunity.	Existing access may be maintained, but if thresholds of Subsection C. are met, then compliance with Section 9.405A is required. If there is no existing access, then temporary access may be created upon demonstration of compliance with Section 9.405A.
Existing lot proposed for development does not conform to Section 9.402, <i>Minimum Arterial Frontage</i> and at least one abutting lot under separate ownership is not developed.	Allow reasonable access for existing lot, and ensure that future development will have shared or cross access as necessary to ensure compliance with this Division.	Provide access in compliance with the access spacing and corner clearance standards of Section 9.403, <i>Access Spacing and Corner Clearance</i> and provide for future common access as will ensure implementation of such standards as provided in Section 9.405, <i>Common Access and Internal Cross Access</i> .
Existing lot proposed for development abuts another lot that is under common ownership with the lot proposed for development.	Ensure that development of commonly owned property does not frustrate City's access management objectives.	Lots shall be consolidated, if necessary, to meet the minimum frontage required by Section 9.402, <i>Minimum Arterial Frontage</i> and meet the access spacing and corner clearance standards of Section 9.403, <i>Access Spacing and Corner Clearance</i> ; or applicant provides for common access (Section 9.405) and the common access meets the requirements of Section 9.403, <i>Access Spacing and Corner Clearance</i> to the maximum extent possible.
Lot proposed for development abuts another lot which has recorded a covenant pursuant to Section 9.405, <i>Common Access and Internal Cross Access</i> .	Ensure that recorded common access and cross access covenants are carried out.	Common access or internal cross access is provided as set out in the recorded document. If the common access point would prevent an adjacent undeveloped lot from complying with this Division, then a covenant to provide common or cross access shall be provided as set out in Section 9.405, <i>Common Access and Internal Cross Access</i> .

C. Timing of Compliance with this Division.

1. New development and subdivision shall demonstrate compliance with this Division for each required development approval.
2. Properties with access connections that do not meet the requirements of this Division shall be brought into compliance to the greatest extent possible when modifications to the roadway are made or when a change in use results in one or more of the following conditions:
 - a. A connection permit is required.
 - b. Site review or platting is required.
 - c. The site experiences an increase of 20 percent or greater in peak hour trips or 100 vehicles per hour in the peak hour, whichever is less, as determined by one of the following methods:
 - i. An estimation based on the Institute of Traffic Engineers ("ITE") Trip Generation manual (latest edition) methodology for typical land uses, or
 - ii. Traffic counts made at similar traffic generators located in the City, or



- iii. Actual traffic monitoring conducted during the peak hour of the adjacent roadway traffic for the property.
3. If the principal activity on a parcel with access connections that do not meet the regulations of this Division is discontinued for a period of one year or more, then upon establishment of any use, the parcel must comply with all applicable access requirements of this Division to the greatest extent possible.

Sec. 9.408 Modification of Access Management Requirements

- A. **Reduction of Spacing Requirements.** The spacing requirements of Section 9.403, *Access Spacing and Corner Clearance*, may be reduced in any of the following circumstances:
1. Spacing may be based on an assessment of the individual safety and operational considerations of the proposed connection if:
 - a. Current average daily trip ("ADT") volume on the segment of the arterial upon which the proposed development fronts is below 2,000; and
 - b. It is demonstrated that there is little, if any, potential for development within 25 years that would raise the ADT to more than 2,000.
 2. Where adequate access connection spacing cannot be achieved (for example, if the depth of an existing block is less than the distance required between intersections), the City may permit lesser spacing when shared access is established with an abutting property. A shared access agreement shall be executed and recorded as provided in Section 9.405, *Common Access and Internal Cross Access*.
 3. Where no other alternatives exist, construction of an access connection may be allowed along the property line farthest from the intersection or closest access. To provide reasonable access under these conditions, but also provide the safest operation, consideration should be given to designing the driveway connection to allow only the right-in turning movement or only the right-in/right out turning movements if feasible. In such a case, the applicant shall demonstrate that:
 - a. The inability to meet the access spacing requirements was not due to the owner subdividing the property after the effective date of this UDC without providing internal access;
 - b. A reasonable offer with regard to cross-access was refused by the adjacent landowner; and
 - c. A covenant acceptable to the City to ensure that the connection will be provided and access will be consolidated upon the earlier of:
 - i. Approval for development, substantial improvement, or redevelopment, of the adjacent property, if providing such connection is a requirement of the approval; or
 - ii. The applicant's parcel and the adjacent parcel coming under common ownership; and
 - d. Failure to comply with the access spacing requirements will not materially affect the safe and efficient flow of traffic.
 4. If natural resource (e.g., wetland or floodway) protection requires an alternative access.



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- B. **Increase of Spacing Requirements.** The City may require greater access spacing if the use will generate significant truck traffic.
- C. **Waiver of Street Intersection Spacing.** The spacing of street intersections may be reduced if:
1. There is no alternative that would bring one or more roads to connection points opposite a local road on the opposite side of the street and avoid the staggered intersection;
 2. The City Engineer determines that the location is not a safety hazard; and
 3. The applicant makes intersection improvements, including bi-pass lanes or deceleration lanes (as recommended by the City Engineer), which would not otherwise be required if the intersection was spaced according to this Division.

Division 9.500 Exterior Lighting Standards

Sec. 9.501 Nonresidential Lighting Standards

- A. **Generally.** The maximum permitted illumination and the maximum permitted luminaire height shall conform with this Section.
- B. **Free-Standing Fixtures.** Free-standing light fixtures shall comply with the requirements of Table 9.501A, Free-Standing Fixture Requirements.

Table 9.501A Free-Standing Fixture Requirements				
Fixture Type	Athletic Field Lighting	Parking Lot Lighting	Pedestrian Lighting	Uplights
Description	Pole-mounted lighting for recreational uses such as ball diamonds, playing fields, driving ranges, and tennis courts	Luminaires mounted on poles	Luminaires mounted on poles, or bollards with incorporated light fixtures	Ground-mounted flood lights or lights recessed into sidewalks
Maximum Height (ground to highest point on fixture or support structure)	80 ft. for fields, ranges, and diamonds; 30 ft. for courts	25 ft.	15 ft.	2 ft.
Luminaire Design (cut-off or no-cut-off)	Cut-off luminaires only	Cut-off luminaires only	Generally, cut-off luminaires are required. No-cut-off luminaires are allowed for ornamental post lighting fixtures in the UC district and the center subdistrict of traditional neighborhood developments	Cut-off luminaires only
Other Requirements	If the lighting is within 300 feet of a residential district, lights shall be turned off by 10:00 PM	NA	NA	Generally, allowed for illumination of signs and flags only. May also be used to illuminate tree canopies or sidewalks in the UC district and the center subdistrict of traditional neighborhood developments.

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- C. **Wall-Mounted Lighting.** Wall-mounted lighting fixtures shall comply with the requirements of Table 9.501, *Wall-Mounted Fixture Requirements*.

Table 9.501B Attached Fixture Requirements				
Fixture Type	Awning or Signs	Decorative Sconce	Canopy	Security
Description	Lights over awnings (e.g., gooseneck lamps)	Sconces on building walls	Lights under service canopies (e.g., at light automobile service stations)	Building-mounted floodlights that face away from the building
Where Allowed	CS CG UC	Any district	CS CG UC	Any district
Luminaire Design (cut-off or no-cut-off)	Cut-off luminaires only	No-cut-off luminaires are allowed if installed not more than 15 feet above ground level. Fixtures that are installed more than 15 feet above ground level shall be cut-off luminaires.	Cut-off luminaires only (see below for special requirements)	Generally, cut-off luminaires are required. No-cut off luminaires (e.g., motion-sensor floodlights) are allowed on residential buildings, provided that they are set back at least 20 feet from lot lines and angled so that they do not shine into windows of buildings on abutting lots.
Other Requirements	Internal lighting of awnings is not allowed	NA	All luminaires shall be recessed into the underside of the canopy so that no point source of light can be viewed from off-site from a height of four feet (to protect automobile drivers from glare).	Security lighting shall not be used as a substitute for parking lot lighting. In the CS, CG, UC, BP, and I districts, the need for building mounted security lighting shall be demonstrated.

- D. **Maximum Illumination.** All exterior lighting fixtures (free-standing or attached) shall comply with the following requirements.

1. Outdoor lighting shall be deflected, shaded and focused away from adjacent properties and shall not be a nuisance to such adjacent properties. Where no-cut-off fixtures are allowed, areas where such fixtures are not allowed shall be protected in one or more of the following ways:
 - a. The no-cut-off fixtures shall be set back a distance of two times the height of the fixture from the areas where such fixtures are not allowed; or
 - b. Intervening buildings or landscaping shall buffer the view to the no-cut-off fixture from the areas where such fixtures are not allowed.
2. Outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties shall not exceed three-tenths foot-candle, measured vertically, and three-tenths foot-candle, measured horizontally, on adjacent properties.
3. The ground-level luminance ratio (the ratio between the luminance of the brightest point on the property and the darkest point on the property) shall not exceed 12 to one.



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Sec. 9.502 Public Safety and Public Nuisance

- A. **Generally.** The City may require the modification or removal or limited operation of existing or new lighting fixtures found to be a public hazard or public nuisance according to the criteria of this Section.
- B. **Hazards.** Criteria for finding illumination to be a public hazard are as follows:
1. Light trespass or glare which is sufficiently intense or contrasts excessively with surrounding illumination, regardless of the intensity of the surrounding illumination, in a manner to cause impairment of visual performance or to distract from or impair the safe operation of a vehicle.
 2. Light trespass or glare that impairs a person's visual performance or ability to avoid obstacles in their path.
- C. **Nuisance.** Criteria for finding illumination to be a public nuisance are as follows:
1. Light trespass or glare that deprives an owner or occupant of usual and reasonable use and enjoyment of their property.
 2. A high frequency and/or duration of periods when light trespass or glare is sufficient to interrupt or interfere with usual and reasonable use and enjoyment of a property.
 3. Light trespass or glare that causes visual discomfort or impairment of visual performance in a manner that deprives any person from the usual and reasonable enjoyment of the public streets and properties of the City.



ARTICLE 10 LANDSCAPING

Division 10.100 Purpose and Application of Article

Sec. 10.101 Purpose of Article

The purpose of this Article is to provide the detailed landscaping standards for all development, including landscaping for street trees, buildings, residential lots, open spaces, parking lots, and bufferyards. It also contains standards for installing and maintaining landscaping materials. The standards are intended to protect and preserve the appearance and character of the community, to promote the health and quality of life of the residents of the City through the protection of specified trees located on property within the City. In particular, landscaping and tree protection protects the area's natural heritage, conserves water, moderates the heat island effect, and reduces runoff. In bufferyards, landscaping mitigates conflicts between uses and minimizes the effects on the surrounding environment due to noise, dust, debris, artificial light intrusions, and other impacts of an adjoining or nearby use.

Sec. 10.102 Application of Article

- A. **Generally.** This Article requires two general types of landscaping: development landscaping, which is the subject of [Division 10.200, *Development Landscaping*](#); and bufferyards, which are the subject of [Division 10.300, *Bufferyards*](#), as follows:
1. *Development Landscaping.* Development landscaping is the landscaping that is required regardless of the location of the proposed development with respect to other development. There are four types of development landscaping: lot and building landscaping; open space landscaping; parking lot landscaping; and street trees. No area of development landscaping shall be used to calculate more than one type of landscaping requirement (e.g., a parking lot corner is an area of parking lot landscaping, is not counted for the purposes of open space or lot and building landscaping).
 2. *Bufferyard Landscaping.* Bufferyards are contextual. That is, they are required based on the zoning, development type, or right-of-way type that abuts proposed development. Bufferyards may be required along district boundaries, along street and railroad rights-of-way, and along the boundaries of parking lots. Generally, bufferyards must be provided as required by [Division 10.300, *Bufferyards*](#). However, other sections of this UDC may require additional buffering (e.g., limited or conditional use standards in [Division 1.400, *Limited and Conditional Use Standards*](#)).
- B. **Applicability of Standards.** Except as provided in subsection C., the standards of this Article apply to all new development, redevelopment, or [substantial improvements](#) to existing sites or buildings.
- C. **Exceptions.** The following are exceptions to the standards of this Article:
1. Individual lots of record that are used for existing single-family or two-family dwellings unless a specific requirement is set out in this UDC (e.g., in [Section 2.402, *Alternative Setback Standards for Neighborhood Conservation District*](#)).
 2. Modifications to nonresidential buildings where the redevelopment does not expand the use by more than ten percent or 3,000 square feet, whichever is less.



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3. Development that was approved in East Baton Rouge Parish prior to the effective date of this UDC shall comply with the terms of the development approval (and not this Article) to the extent that alternative landscaping requirements are already specified. Such approved development shall not be required to install bufferyards if there is insufficient land area identified on the approved plans to accommodate them.
- D. **Landscaping Requirements.** Landscaping may be required in any of the following areas pursuant to this Article:
1. Around the perimeter of the parcel proposed for development (bufferyards);
 2. Along streets within and surrounding the parcel proposed for development (street trees);
 3. In the yards of individually-owned lots within a parcel proposed for development (*e.g.*, single family lots);
 4. In nonresidential development, around the foundation of nonresidential buildings (*e.g.*, shopping centers or individual commercial buildings);
 5. In commonly owned or dedicated open spaces; and
 6. In and around parking lots.
- E. **Calculations.** No area of a parcel proposed for development shall be counted more than once for the purposes of applying landscaping requirements.

Division 10.200 Development Landscaping

Sec. 10.201 Lot and Building Landscaping

A. **General.**

1. Lot landscaping (subsection B) is required on lots within new residential subdivisions. This Section does not apply to existing single-family lots.
2. Building landscaping or hardscaping (subsection C) is required around nonresidential, mixed-use, and multifamily buildings, except:
 - a. In the UC district; and
 - b. In the center subdistrict of traditional neighborhood developments.
3. Required bufferyards, parking lots, designated open space tracts, and parkways used for street tree planting are not counted as areas where lot or building landscaping is required.

B. **Lot Landscaping.**

1. *Generally.* Lot landscaping is required as described in Table 10.201A, *Lot Planting Requirements*.
2. *Substitution of Understory Trees for Canopy Trees.* Understory trees may be substituted for canopy trees if the dimensions of the lot are such that the canopy trees would not have room to grow to a full canopy without conflicting with buildings or each other. For the purposes of this substitution, one canopy tree equals two understory trees.

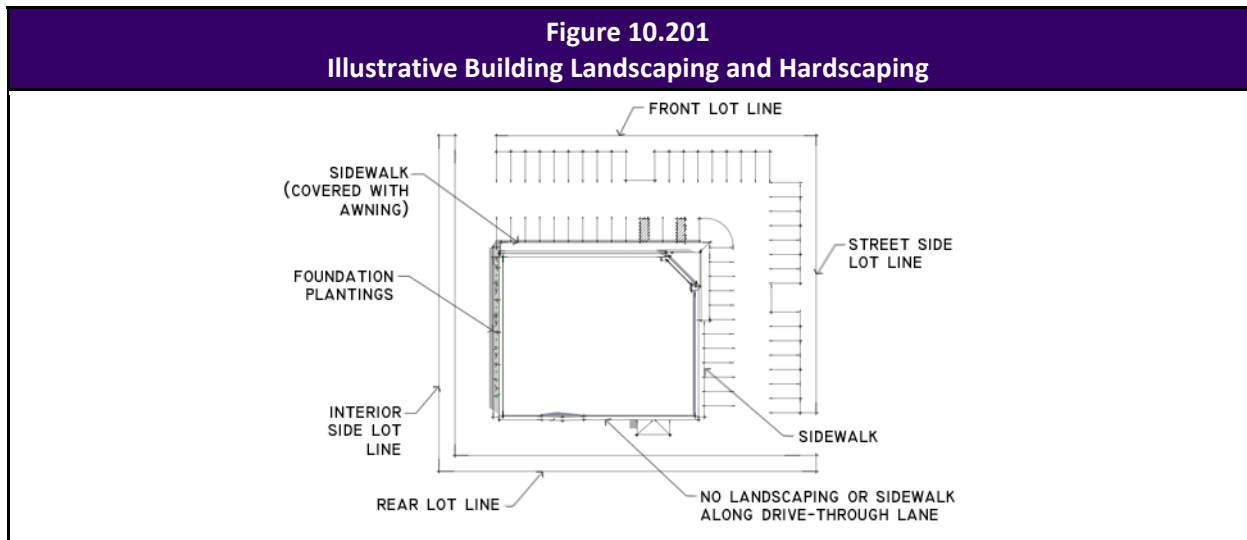


Table 10.201A Lot Planting Requirements		
Lot Width		
50 feet or less	More than 50 feet, Less than 80 feet	More than 80 feet
1 canopy tree per 2 lots	2 canopy trees	2 canopy trees, at least one must be in front yard

3. *Ground Covers and Sod.* Areas of residential lots that are not covered by buildings, driveways, swimming pools, or other hard surfaces shall be sodded or planted with permitted ground covers as set out in Appendix B, *Plant Lists*. unless they are covered by woodlands, crops, or feedstock.

D. Building Landscaping or Hardscaping.

- 3. *Generally.* Multifamily and nonresidential buildings shall be surrounded by planting areas and / or sidewalks with a minimum width as set out in Table 10.201B, *Building Landscaping Requirements*. Planting areas count towards the landscape surface ratio. Sidewalks do not.
- 4. *Awnings and Roof Overhangs.* Awnings and roof overhangs may extend into building landscaping or hardscaping areas.
- 5. *Location.* The planting areas and / or sidewalks are not required in areas that are designed for direct vehicular access to the building, such as loading bays, service bays, and drive-through lanes on the side of the building with the service window, but shall be installed between parking spaces and the building. See Figure 10.201, *Illustrative Building Landscaping and Hardscaping*.



4. Required Planting.

- a. Planting areas around buildings shall be landscaped with shrubs, planted at intervals of not more than five feet. In the alternative, such plantings may be clustered, if equal or greater numbers of plants are used.



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- b. Trees may be substituted for shrubs, perennials, or ornamental grasses in areas where there is sufficient room for the healthy growth and stability of the tree. Substitution of trees for shrubs, perennials, or ornamental grasses shall be at a rate of one understory or evergreen tree equals four shrubs, perennials, or ornamental grasses.
- c. Ground surfaces shall be mulched, sodded, or planted with a permitted ground cover.

Table 10.201B Building Planting Requirements							
District					Minimum Radius Around Building		
					Facade (Front or Side)	Interior Side	Rear
CG	BP	I	AF		6 ft. (may be any combination of sidewalk or planting area)	5 ft. (may be sidewalk or planting areas)	3 ft. (may be concrete or planting areas)
RE	RS	RU	NC	CS	At least 5 ft. wide planting area between building and parking lot (a sidewalk may be located on either side of the planting area) ¹	At least 5 ft. wide planting area from building foundation ¹	
TABLE NOTE: ¹ Where planting areas are required, they may be crossed with sidewalks to provide access to the building.							

Sec. 10.202 Open Space Landscaping

- A. **Generally.** Open space landscaping is that landscaping which is installed on designated open space tracts (*i.e.*, areas that are set aside pursuant to the required open space ratio, or otherwise designated as commonly owned open space even if not required by this UDC).
- B. **Exceptions.**
 - 1. *General Exceptions.* The area to which open space landscaping requirements applies does not include any open spaces that are in the following categories:
 - a. Areas that are not dedicated as open space tracts or under common ownership by a property owners' association.
 - b. Areas within required bufferyards, even if commonly owned (bufferyards are regulated by [Division 10.300, Bufferyard Requirements](#)).
 - c. Areas within and within 15 feet of ball fields, playing courts, and similar play areas (including bleachers or seating areas for spectators), which are designed to be free of trees and landscaping. However, where the perimeter of such an active recreation area is within 30 feet of one or more residential lots, the perimeter shall be planted with a Type C Bufferyard. See [Division 10.300, Bufferyard Requirements](#).
 - d. Parking areas for recreation facilities in the open space (parking lot landscaping is regulated by [Section 10.203, Parking Lot Landscaping](#)).
 - e. Waterbodies and wet detention basins.
 - f. Wooded areas that are designated as open space tracts. For the purposes of identification, the boundaries of the wooded areas follows the canopy line.



2. *Limited Exceptions.* The area within wetlands that are dedicated as open space does not have to be landscaped. However, invasive exotic species (if present) shall be removed and replaced with native wetland species unless the City finds that the cost of removal and replacement is unreasonably excessive in relation to the cost of the proposed development. Landscaping installed near wetlands shall be composed of species that are tolerant of a high water table.

C. Planting Requirements.

1. *Generally.* Open space landscaping is required as described in Table 10.202, *Open Space Landscaping Standards.*
2. *Substitution of Canopy Trees for Evergreens and Understory Trees.* Canopy trees may be substituted for understory trees or evergreen trees if the dimensions of the open space tract are such that the canopy trees would not have room to grow to a full canopy without conflicting with buildings or each other. For the purposes of this substitution, one canopy tree equals two understory trees or 1.5 evergreen trees.

Table 10.202 Open Space Planting Requirements					
District					Minimum Number of Canopy Trees Per Acre
CG	UC	AF	BP	I	4
CS	RE	RS	RU	NC	5

3. *Ground Cover.* Open space areas shall be planted with ground covers to prevent erosion and windblown dust. Mulch may be used in areas under the canopy of trees and in beds in which shrubs are planted.
- E. Distribution.** Open space landscaping should be distributed around the area of open space to serve the following priorities, in order:
3. To give trees adequate room for healthy growth and stability.
 4. To enhance the landscaping's contribution to the ecological or buffering function of the open space tract (e.g., to prevent erosion, to buffer streams, or to buffer land uses from each other).
 5. To contribute to the aesthetics of the parcel proposed for development and adjacent streets.

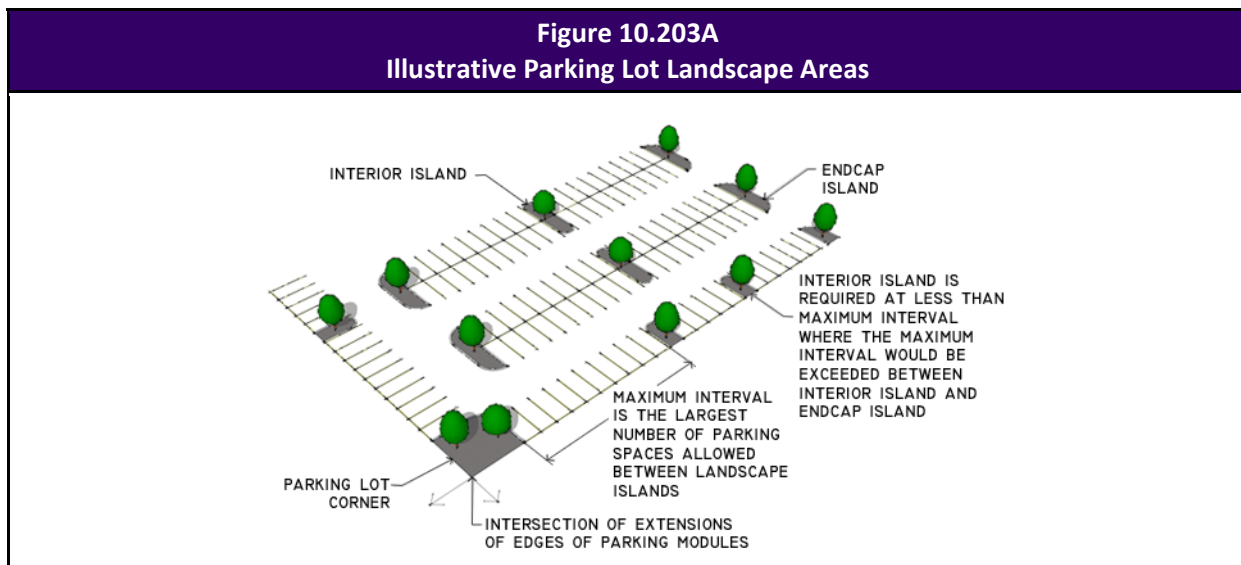
Sec. 10.203 Parking Lot Landscaping

- A. **Generally.** Parking lot landscaping is required within and around parking lots that contain more than five parking spaces.
- B. **Exemptions.** Farmsteads, single-family dwellings, and two-family dwellings are not required to provide parking lot landscaping.
- C. **Parking Lot Landscape Areas.** Landscaping is required in all of the following areas:
 1. At the ends of parking aisles, planted in endcap islands that are not less than 10 feet wide and 40 feet long, with 10 foot curb radii on the side that faces outward from the parking aisle.



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2. In the middle of parking rows, planted in interior islands that are not less than 10 feet wide and 40 feet long, with 5 foot curb radii at both ends, at intervals required by subsection C., below.
3. At the corners of parking lots, planted in corner islands, which are the area defined by the extension of the edges of intersecting parking modules. See Figure 10.203A, *Illustrative Parking Lot Landscape Areas*.



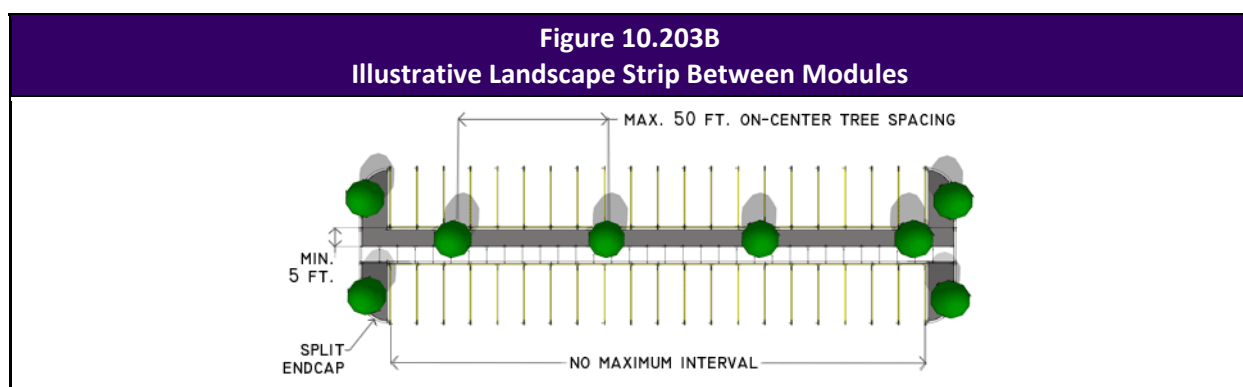
D. **Required Landscaping.** Parking lot landscape islands shall be provided at the maximum intervals described in Table 10.203, *Maximum Interval Between Landscape Islands* (see Figure 10.203A, *Illustrative Parking Lot Landscape Areas*, for illustration of maximum interval), and planted as follows:

1. Each interior and endcap island shall be planted with a minimum of:
 - a. One canopy tree or two understory trees; and
 - b. Ground cover, which may be either:
 - i. Sod; or
 - ii. Shrubs, ornamental grasses, or perennials that are planted at intervals of not less than 3 feet in a bed of mulch.
2. Each parking lot corner shall be planted with two canopy trees or three understory trees, unless such plantings would interfere with sight distances that are required for safe ingress to and egress from the parking lot.

Table 10.203 Maximum Interval Between Landscape Islands					
District					Maximum Interval Between Landscape Islands
CG	UC	AF	BP	I	10 spaces
CS	RE	RS	RU	NC	8 spaces



- E. **Alternative Maximum Interval.** The maximum interval may be modified as follows:
1. The maximum interval may be increased up to 75 percent to accommodate landscape islands that preserve existing trees in place, provided that:
 - a. The trees are healthy, non-invasive, and at least five years old; and
 - b. The landscape island is large enough to maintain the health of the tree.
 2. The maximum interval may be waived where parking modules are separated by a landscape strip, provided that at least five feet of the width of the strip is landscaped (other areas may be curb or sidewalk) with trees that are appropriate for street tree use, planted at intervals of not less than 50 feet on center. Endcap islands that are divided by landscape strips shall be planted with two canopy trees or four understory trees. See Figure 10.203B, *Illustrative Landscape Strip Between Modules*.



- F. **Use of Islands for Stormwater Treatment.** Wherever possible, landscape islands shall be designed to incorporate storm water runoff best management practices ("BMPs"), by incorporating vegetated swales, bio-infiltration, and other types of water quality measures. These areas may have to exceed the minimum areas required by subsection C., above, in order to meet engineering requirements.

Sec. 10.204 Street Trees

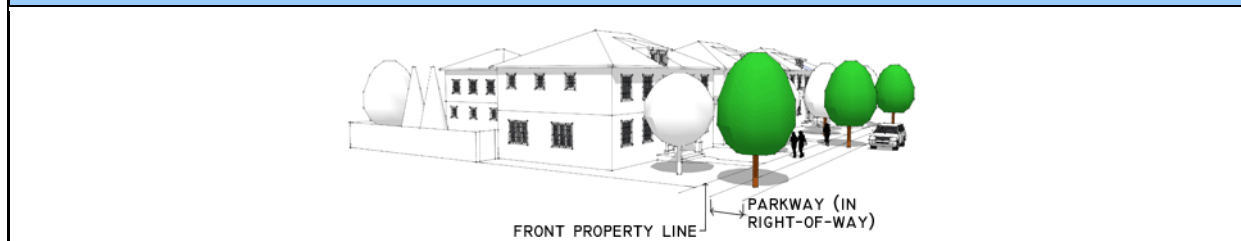
- A. **Generally.** Street trees are trees that are planted within the street right-of-way, either in parkways, tree grates in sidewalks, or medians. Street trees are required:
1. In the UC district, along new rights-of-way (if created), and along existing rights-of-way in front of redeveloped properties where there is at least 5 feet of parkway or sidewalk width within which street trees could be planted, while still providing for at least five feet of clear sidewalk (however, street trees are not required along State highways if the state does not permit them);
 2. Along both sides of all new streets in the center and general subdistricts of traditional neighborhood developments; and
 3. Along both sides of new streets in Urban Residential, Business Park and Industrial districts.



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**Figure 10.204
Street Trees**

Street trees are shown in color



- B. Types and Species of Street Trees.** To maintain a consistent appearance along individual street segments:
1. All street trees shall be canopy trees that are suitable for installation in the space within the parkway or within a tree grate, as applicable, unless the understory trees are approved for specific effect in limited area pursuant to subsection B.2., below.
 2. Understory trees may be approved in parkways, provided that:
 - a. 1.6 understory trees are provided for each canopy tree that would otherwise required, and spacing between trees is proportionately reduced; and
 - b. The understory trees are used in areas where buildings are close to the parkway, such that the installation of canopy trees would create a likely conflict between the street trees and the nearby buildings.
 3. The trees planted in a landscaped median shall be of a different species from those planted in the parkways. If the parkways are planted with canopy trees, then medians may be planted with understory trees instead of canopy trees.
- C. Location.** No street trees other than understory trees are planted under or within five lateral feet of any underground water line, sewer line, transmission line or other utility. The City may further limit the species of understory trees that are allowed in these locations to minimize interference with utilities.
- D. Spacing.**
1. *Minimum Spacing.* No trees may be planted closer than 25 feet together, except that special plantings may be clustered if the cluster does not negatively affect the continuing health of the clustered trees, and the cluster is approved in the landscape plan of the plat or land development.
 2. *Maximum Spacing.* Street trees shall be spaced not more than 60 feet on center for trees with large canopies (e.g., live oaks), or 40 feet on center for trees with smaller canopies. If the parkway or median is more than 16 feet in width and does not contain open ditch drainage, then canopy trees shall be installed in two rows, with trees staggered, each row spaced not more than 60 feet on-center.
- E. Maintenance.** Street Trees required by this UDC shall be maintained by a developer, lot owner, tenant, property owners' association or other entity having a legal interest in the ownership of the



subdivision or lots in the subdivision. The entity that is in charge of the maintenance shall be indicated on the landscape plan, and documentation (*e.g.*, covenants, conditions, and restrictions) shall be provided to the City that shows the legal obligation of the entity to perform the maintenance.

- F. **Replacement.** If the City or a utility provider must remove trees to access utilities for repair or maintenance, then the developer or property owners' association shall pay the cost of removal and shall replace the trees within 30 days of the completion of the work unless the City Engineer determines that replacement would put utilities at material risk.

Division 10.300 Bufferyards

Sec. 10.301 Bufferyard Classifications and Bufferyard Model

- A. **Generally.** Bufferyards are classified from less opaque ("Class A") to more opaque ("Class E"). The width and composition of bufferyards shall be as set out in Table 10.301, *Bufferyard Classifications*.

Table 10.301 Bufferyard Classifications							
Type	% Opacity	Width	Required Plantings per 100 Linear Feet				Berm or Opaque Wall or Fence
			Canopy Trees	Evergreen Trees	Understory Trees	Shrubs	
Type A	10%	5 ft.	1	1	1	10	-
Type B	23%	10 ft.	2	2	2	20	-
Type C	52%	25 ft.	3	3	3	30	3 foot high berm, wall, or fence
Type D	74%	40 ft.	3	3	3	30	6 foot high berm, wall, or fence
Type E	99%	50 ft.	4	4	4	40	6 foot high berm, wall, or fence

- B. **Bufferyard Model.** A bufferyard model is provided to provide flexibility with respect to bufferyard width and planting requirements. The bufferyard model is on-line at <http://www.zoningplus.com/regs/zachary>, by pressing the "BufferBuilder" button on the left-hand side of the screen. The applicant may use the bufferyard model to reduce the width of required bufferyards by specifying one or more bufferyards with the same or higher opacity than required by this Division or other applicable standard of this UDC (opacities for bufferyard types are shown in the second column of Table 10.301, *Bufferyard Classifications*), when the application of the standards of this Article would consume a disproportionate share of the land area of the parcel proposed for development in one or both of the following ways:
1. If the open space ratio or landscape surface ratio specified for the proposed development in [Article 2, District Intensity and Development Standards](#), would be exceeded by more than 50 percent by the application of the standards of this Division. For example, if the requirement in [Article 2](#) is 20 percent open space, then, since $50\% \times 20\% = 10\%$, if the application of this Article results in more than 30 percent open space (20% required + 10% additional), then the bufferyard model may be used.
 2. If the requirements of this Division would result in an area of bufferyards that occupies more than 20 percent of the parcel proposed for development.



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- C. **Minimum Width.** No part of a required bufferyard shall be reduced to a width of less than three feet.

Sec. 10.302 District Bufferyard Standards

- A. **Generally.** Table 10.302, *District Boundary Bufferyard Standards*, sets out the classification of bufferyard that is required between zoning districts that are not separated by a public street. The table is a matrix in which all districts are shown. Rows show the zoning of the parcel proposed for development, and columns show the zoning of the adjoining land. Two letters are shown for each condition (for example, A and C). The bufferyard required for the proposed use is listed first. The letter listed second is the buffer that is required on the adjoining property. A “-” means that no bufferyard is required.

Zoning of Proposed Development	Adjoining District									
	AF	RE	RS	RU	NC	CS	CG	UC	BP	I
AF	-/-	-/B	-/B	-/C	A/-	-/B	-/-	-/-	-/-	-/B
RE	B/-	-/-	/B	A/B	A/-	-/C	A/C	A/D	A/C	A/E
RS	B/-	A/A	-/-	A/B	A/-	A/A	A/C	A/C	A/C	A/D
RU	C/-	B/A	B/A	-/-	B/-	A/A	A/B	A/A	A/B	A/C
NC	-/A	-/A	-/A	-/B	-/-	-/C	-/C	-/C	-/B	-/E
CS	B/-	B/A	B/A	B/A	C/-	-/-	-/-	-/A	A/A	A/C
CG	-/-	C/A	C/A	B/A	C/-	C/-	-/-	-/-	A/A	-/B
UC	-/-	D/A	C/A	A/A	C/-	C/-	-/-	-/-	-/A	-/B
BP	-/-	E/A	D/A	C/A	E/-	A/A	B/A	A/-	-/-	A/B
I	B/-	E/A	D/A	C/A	E/-	C/A	B/-	B/-	B/A	A/A

- B. **Existing Adjacent Development without Bufferyards.** Where the adjoining property is already developed and does not have the required bufferyard, the proposed development shall provide a bufferyard of the next most opaque classification than the more opaque of the two bufferyards required (*e.g.*, if the requirement is C / A, and the adjoining property is already developed and does not have a bufferyard, then the developer must install a Type D bufferyard).
- C. **Relationship to Other Bufferyard Requirements.** Some Limited or Conditional Uses may have different requirements for bufferyards, as specified in [Division 1.400, Limited and Conditional Use Standards](#). If bufferyards are required by another section of this UDC along property boundaries that are also district boundaries, then the more opaque bufferyard requirement shall supersede the less opaque one (only one bufferyard is required).



- D. **Buffering Existing Residential Development.** The City may require an increase in the level of opacity of a bufferyard (e.g., from Type A to Type B) between new residential development and existing residential development, if:
1. The lot widths of the new development are less than 80 percent of the lot widths of the nearest lots of the existing development;
 2. The building height of the new development is more than eight feet taller than the building height of the existing development; or
 3. The housing types that are located on the lots that abut existing development are different from the housing types of the existing development (e.g., new townhome lots abutting existing single family detached lots).

Sec. 10.303 Existing Trees, Fences, and Walls on Developed Property

- A. **Generally.** Existing trees, fences, and walls may be counted towards bufferyard requirements, provided that the trees are in good health and are not invasive exotic species, and the fences or walls are in good repair.
- B. **Existing Landscaping Credit.** Credit shall be given for existing trees according to the standards of Section 10.401, *Tree Preservation Credit*.
- C. **Existing Fences and Walls.** If a fence or wall is required and there is already a fence or wall on the property line, then the City may temporarily waive the fence or wall requirement, provided:
1. The responsible official verifies that the existing fence or wall is sturdy and in good condition;
 2. The height, opacity, and extent of the fence or wall meets the intent of this Article with regard to buffering;
 3. The applicant records an agreement with the City that includes appropriate assurances that if the fence or wall deteriorates, or is damaged, destroyed, or removed, the applicant will cause it to be repaired or replaced with a fence or wall that meets the standards of this Article;
 4. The applicant's final plat or, if no plat is required, development approval, includes an annotation regarding the applicant's responsibilities under the agreement required by subsection C.3., above.

Sec. 10.304 Street and Railroad Bufferyard Standards

- A. **Generally.** The bufferyard standards in Table 10.304, *Bufferyard Requirements for Roads and Railroads*, address the type of bufferyard that is required along arterial, collector, and local streets or railroads (for classifications, see Table 10.301, *Bufferyard Classifications*).

Table 10.304 Bufferyard Requirements for Roads and Railroads				
Zoning of Proposed Development	Adjoining Road or Railroad			
	Arterial	Collector	Minor	Railroad
AF	-1	-1	-1	-1



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Table 10.304
Bufferyard Requirements for Roads and Railroads

Zoning of Proposed Development	Adjoining Road or Railroad			
	Arterial	Collector	Minor	Railroad
RE	C ²	B ²	-	D
RS	C	B ³	-	D
RU	B	-	-	C
CS	A	A	-	B
CG	-	-	-	A
UC	-	-	-	A
BP	B	A	A	A
I	B	B	A	- ³

TABLE NOTES:
¹ For agricultural or forestry use only, no buffer is required. However, residential subdivisions shall follow the requirements for the Estate Residential district.
² Single-family cluster, conservation subdivisions, and preservation subdivisions shall provide a Type D buffer along arterials and a Type C buffer along collectors.
³ Not required along collectors within traditional neighborhood developments.
⁴ Generally, no buffer is required. However, where there is unbuffered residential on the other side of the railroad right-of-way, a Type B buffer is required.

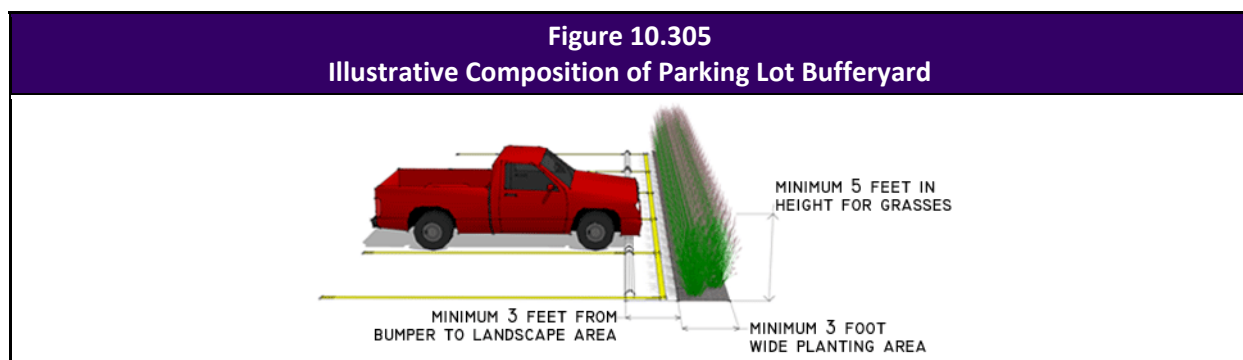
- B. **Credit for Street Trees.** Street trees provided according to Section 10.204, *Street Trees*, shall be counted towards the buffering requirements of this Section.
- C. **Limited and Conditional Uses.** Some limited or conditional uses may have additional bufferyard requirements, as specified in Division 1.400, *Limited and Conditional Use Standards*.

Sec. 10.305 Parking Lot Bufferyards

- A. **Generally.** Parking lot bufferyards are located along the perimeter of parking lots. Their purpose is to mitigate the impact of headlights on streets and abutting residential property, and to reduce the aesthetic impact of parked cars on the character of the street.
- B. **Where Required.** Parking lot bufferyards are required:
1. Between parking lots and abutting residential lots, unless:
 - a. The area between the parking lot and the abutting lot is occupied by a building; or
 - b. Another type of bufferyard is required (*e.g.*, a district boundary bufferyard or a bufferyard required for a conditional or limited use) and the other bufferyard provides screening between a height of zero and three feet above grade.
 2. Between parking lots and streets, except in areas where:
 - a. The edge of the parking lot is at least 25 feet away from the edge of pavement; or
 - b. The elevation of the parking lot is at least three feet below the crown of the street; or



- c. The area between the parking lot and the street is occupied by a building or access point to the parcel proposed for development; or
 - d. Another type of bufferyard is provided along the street that includes buffering between a height of zero and three feet above grade.
- C. **Composition.** Parking lot bufferyards shall be composed of any of the following, set in a bufferyard area that is at least three feet wide:
- 1. A three-foot high masonry wall, measured from the surface of the parking lot in the area that is closest to the wall; and / or
 - 2. Shrubs planted to form a continuous buffer that is at least three feet in height if the plants form a hedge with comparable opacity from the ground to three feet in height, or five feet in height if ornamental grasses are used that do not provide opacity that is comparable to a hedge at three feet in height. If shrubs or ornamental grasses are used, the landscape area shall be set back from parking spaces:
 - a. Three feet from the edge of pavement if there are no curbs or wheel stops; or
 - b. Three feet from the face of the curb or parking bumper that faces the parking space. See Figure 10.305, *Illustrative Composition of Parking Lot Bufferyard*.



Division 10.400 Tree Preservation Credit and Tree Protection

Sec. 10.401 Tree Preservation Credit

- A. **Generally.** Credit may be given for the preservation of existing trees and shrubs, as provided in this Section.
- B. **Condition of Existing Landscaping.** Existing landscaping is eligible for credit only if:
 - 1. It is healthy and in good structural condition;
 - 2. It is not on the prohibited plants list; and
 - 3. Except with respect to street trees (which have no limitation on location except pursuant to subsection C.2.b., below), it is located:
 - a. Within the area where the credit will be applied (e.g., trees preserved in a parking lot are counted as parking lot landscaping); or



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- b. Within 15 feet of such area and situated such that it will contribute to the purpose of the landscape area to which it is credited (*e.g.*, a tree located within 15 feet of a bufferyard may be credited to the bufferyard if it is located between the property line and the building or use).

C. Location of Existing Landscaping.

1. *Generally.* Generally, credit is only available for plants that are located on the parcel proposed for development.
2. *Street Trees.*
 - a. Existing street trees may be credited against street tree requirements.
 - b. The City may also approve the preservation of existing canopy that extends over the street as an alternative to the street tree requirement.

- D. **Calculation of Canopy Tree Preservation Credit.** For the purposes of the planting requirements of this Article, credit shall be given for preserved canopy trees as set out in Table 10.401, *Canopy Tree Preservation Credit*.

Diameter at Breast Height of Preserved Canopy Tree		Credit Per Preserved Tree
More Than	Up to and Including	
32 inches	Any	5 canopy trees
24 inches	32 inches	4 canopy trees
16 inches	24 inches	3 canopy trees
8 inches	16 inches	2 canopy trees
4 inches	8 inches	1.5 canopy trees
2.5 inches	4 inches	1 canopy tree

- E. **Calculation of Other Landscaping Credit.** Existing healthy landscaping that is not on the prohibited plant list shall be credited against planting requirements on a one to one basis in the same category of plant material. For example, the preservation of one existing shrub reduces the planting requirement for the area where the shrub is located by one shrub.

Sec. 10.402 Tree Removal and Planting on Public Property

No person shall remove a tree from public property, nor plant a tree on public property, except with the consent of the City Council, or as provided in an approved landscape plan that includes street tree planting requirements.

Sec. 10.403 Tree Installation, Removal, and Replacement

- A. **Generally.** The purpose of this Section is to ensure the continued implementation of approved landscape plans and the removal and disposal of dead, diseased, or severely damaged trees on all parcels within the City, except those used for agricultural, forestry, or natural open space purposes.



- B. Installation Locations.** Trees shall be installed in the locations indicated on an approved landscape plan. Other trees may also be installed at the discretion of the property owner, provided that:
1. Trees that are likely to grow to a height of more than 25 feet shall not be planted within 20 feet of overhead utility lines.
 2. Trees that are likely to grow to a height of more than 40 feet shall not be planted within 50 feet of overhead utility lines.
- C. Mandatory Tree Removal.** Trees shall be removed pursuant to an order of the Public Works Director that is issued as provided in this subsection.
1. The Public Works Director may order trees to be removed from any parcel within the City, except those used for agricultural, forestry, or natural open space purposes, if any of the following conditions exist:
 - a. The trees are dead; or
 - b. The trees are damaged or diseased and cannot reasonably be saved; or
 - c. The trees are interfering with utilities and removal of the trees is the only practical option; or
 - d. The trees present a safety hazard to pedestrians or motorists;
 - e. The trees present a safety hazard to a building; or
 - f. The trees are an invasive exotic species.
 2. The Public Works Director may order trees to be removed from any agricultural, forestry, or natural open space parcel, if any of the following conditions exist:
 - a. The trees are afflicted with a communicable disease that could spread to other trees in the City; or
 - b. The trees are interfering with utilities and the Public Works Director orders their removal; or
 - c. The trees present a safety hazard to pedestrians or motorists; or
 - d. The trees present a safety hazard to a building; or
 - e. The trees are an invasive exotic species; or
 - f. An approved landscape maintenance plan requires the removal of the trees.
- D. Other Tree Removal.**
1. Trees that are required or protected by a development approval shall not be removed unless the property owner demonstrates that:
 - a. They are dead; or
 - b. They are damaged or diseased and cannot reasonably be saved; or
 - c. A new landscape plan is approved that allows for the removal of the trees.

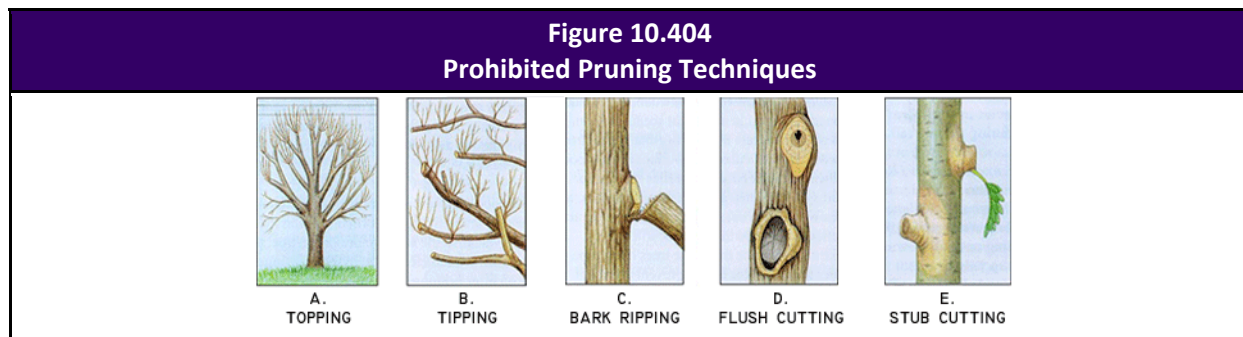


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2. Lot landscaping shall be installed on single-family and duplex lots pursuant to Section 10.201, *Lot and Building Landscaping*, but may be removed by a subsequent owner without approval by the City.
- E. **Tree Replacement.** Any tree that is required by a development approval shall be replaced with a tree that has a comparable canopy at maturity, except that replacement is optional if:
1. A new landscape plan is approved that does not require their replacement; or
 2. The tree was installed on a single-family detached or duplex lot pursuant to the lot landscaping requirements of Section 10.201, *Lot and Building Landscaping*, and then removed by a subsequent owner.

Sec. 10.404 Tree Protection and Maintenance

- A. **Generally.** Proper pruning of trees is essential to maintaining the trees in good condition. Trees that are installed pursuant to this Article (except trees on individually owned single family and duplex lots), are considered "protected trees," and must be maintained pursuant to this Section. Violations of this section shall be corrected, if possible, or the damaged tree shall be replaced.
- B. **Restrictions Within Drip-line or Critical Root Zone.**
1. No cutting or filling, nor storage of building materials or debris, nor disposal of wastes, shall take place within the larger of the drip-line or critical root zone of any protected tree.
 2. No impervious paving shall be placed within the critical root zone of any protected tree.
- C. **Prohibited Pruning Techniques.**
1. *Generally.* The following types of pruning are prohibited because they damage the tree and may reduce its lifespan and undermine its structural integrity:
 - a. Topping (cutting large vertical branches of the tree to reduce its height). See Figure 10.404.A.
 - b. Tipping (cutting branches between nodes). See Figure 10.404.B.
 - c. Bark ripping (cutting branches so that the bark rips when the branch falls). See Figure 10.404.C.
 - d. Flush cuts (cutting the branch too close to the collar, the area where the branch connects to the tree). See Figure 10.404.D.
 - e. Stub cuts (cutting branches too far away from the collar, the area where the branch connects to the tree). See Figure 10.404.E.



2. *Exceptions.* Trees that are damaged by storms or other causes, or trees under utility wires or other obstructions where other pruning practices are impractical may be exempt from this Section at the discretion of the Public Works Director or designee.
- E. **Tree Protection During Construction.** All trees that are not in areas to be cleared for construction shall be protected during construction as follows:
2. The larger of the drip-line or critical root zone of all protected trees shall be barricaded during construction to prevent damage to the trees and their roots by construction equipment.
 3. All trees near any excavation or construction of any building, structure, or street work, whether on the parcel proposed for development, or on public property, shall be guarded with a good substantial fence, frame, or box. The construction tree guard shall be not less than four feet high and eight feet square, or at a distance in feet from the tree trunk equal to the diameter of the trunk at breast height ("D.B.H.") in inches, whichever is greater. All building material, dirt, or other debris shall be kept outside the construction tree guard.
 4. No person shall change natural drainage, excavate any ditches, tunnels, trenches, or lay any drive within a radius of 10 feet from any protected tree without first obtaining written permission from the Public Works Director.

Division 10.500 Landscape Plan, Installation, and Maintenance

Sec. 10.501 Landscape Plan Approval

A. General.

1. Compliance with the standards of this Article shall be demonstrated by a schematic landscape plan and a landscape installation and maintenance plan. Collectively, these documents shall be referred to as the "landscape plan."
2. Landscape plans for nonresidential, mixed-use, and multifamily development shall be prepared by a registered landscape architect who is licensed to practice in the State of Louisiana.

B. Contents of Schematic Landscape Plan. The schematic landscape plan shall provide:

1. Tabular information that shows, for each landscape area required by this Article:
 - a. The surface area available for planting;



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- b. The number of canopy trees, evergreen trees, understory trees, and shrubs, perennials, or ornamental grasses that are required in each area; and
 - c. The number of, and species of, canopy trees, evergreen trees, understory trees, and shrubs, perennials, or ornamental grasses that are provided in each area (if any conversions from one classification of plant to another are applied, the conversions shall also be shown); and
 - d. Any credits that are requested for preserving existing trees or shrubs pursuant to Section 10.401, *Tree Preservation Credit*.
2. A plan view, drawn to scale, that shows:
- a. The location and species of each plant, showing the anticipated canopy or spread of the plant five years after installation;
 - b. The general layout of irrigation systems;
 - c. The location of existing landscaping for which credit is requested, including the diameter at breast height measurements of canopy trees; and
 - d. The location of property lines; building footprints, utility easements, and power lines.
- C. **Landscape Installation and Maintenance Plan.** A landscape installation and maintenance plan shall identify the proposed planting techniques, the [short-term landscape maintenance program](#), and [long-term landscape maintenance program](#) for all landscaped areas except landscaping of private lots (unless a property owners' association is to maintain the landscaping on private lots). The maintenance plans shall provide a detailed explanation of the work to be done, the reason it is needed, the frequency of the work, and the estimated annual cost of the work. This is intended to be a guide to the property owners' association on the needed maintenance, and an aid to budgeting and contracting. It also informs the developer of work that needs to be accomplished prior to turning the project over to the property owners' association, and ensures continuing compliance with the City's landscape and open space standards.
- D. **Approval and Timing of Approval.**
1. Plans meeting minimum standards of this Section shall be approved. However, in reviewing the plans, adjustments in the location of plants may be required where the City finds such alterations would better serve the purposes for which they are intended.
 2. Landscape plans containing street trees and open spaces shall be submitted for approval at the primary plat application stage.
 3. Landscape plans containing site features, bufferyards and required landscaping shall be submitted for approval at the building permit stage.

Sec. 10.502 Species and Diversity

- A. **Generally.** Large monocultures of plant material pose the risk of large-scale losses of landscaping in the event of species-specific disease or blight. Therefore, diversity of landscape materials is required pursuant to this Section.



B. Approved and Prohibited Plant Lists.

1. *Approved Plant List.* A list of plants that are approved by the City for meeting the requirements of this Article is provided in Appendix B, *Plant Lists*. The list may be amended by resolution of the Planning Commission. Plants that are neither approved nor prohibited may be planted, but do not count towards landscaping requirements unless they are added to the approved plant list by the Planning Commission.
2. *Prohibited Plant List.* A list of plants that are not allowed anywhere in the City is provided in Appendix B, *Plant Lists*. Prohibited plants must be removed from parcels proposed for development prior to the issuance of a certificate of occupancy.

C. Development Landscaping and Bufferyard Landscaping Diversity. In order to avoid large monocultures of trees and shrubs:

1. For projects that require fewer than 25 canopy trees:
 - a. No more than 30 percent of each category of required landscaping (canopy trees, understory trees, evergreen trees, and shrubs) on a parcel proposed for development shall be of any one species; and
 - b. No more than 40 percent of each category shall be of any one genera.
2. For projects that require 25 canopy trees or more:
 - a. No more than 10 percent of each category of required landscaping on a parcel proposed for development shall be of any one species; and
 - b. No more than 40 percent of each category shall be of any one genera.

D. Street Tree Diversity. Street trees are counted in the calculations of subsection B., above. Trees shall be distributed such that each street block contains at least two genera of street trees.

Sec. 10.503 Size and Quality of New Landscape Material

A. Generally. The size and quality of landscape material that is installed in accordance with the requirements of this Article shall meet the standards of this Section.

B. Size and Quality Requirements.

1. All plant materials shall be of good quality, container grown or balled and burlapped in accordance with the most current edition of the *American Standard for Nursery Stock*.
2. Canopy trees shall be at least 2.5 inches caliper.
3. Street trees that are planted in parkways shall be at least 2 inches caliper.
4. Understory trees shall be at least 1.5 inches caliper.
5. Evergreens shall be six feet tall at the time of planting.
6. Shrubs shall be of sufficient container size to reach the heights required by this Article in the period of time established by this Article.

C. Additional Standards for Street Trees. Street trees planted in parkways shall have single-stemmed trunks and shall be branched no lower than six feet above the ground (for visibility purposes).



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Sec. 10.504 Timing of Installation; Inspections

A. Completion of Landscape Improvements.

1. Bufferyard and street tree landscaping must be completed prior to a subdivision plat being recorded, or, if no plat is required, a certificate of occupancy being issued. If this requirement would result in the installation of landscaping during an inappropriate season, then the City may:
 - a. Allow the plat to be recorded upon condition that security is provided for the installation of the required landscaping during planting season; or
 - b. Issue a temporary certificate of occupancy, on the condition that a permanent certificate of occupancy will not be issued unless the required landscaping is installed.
2. All other landscaping must be installed before issuance of a permanent certificate of occupancy. A temporary certificate of occupancy may be issued if necessary to allow for the planting of landscaping improvements during an appropriate season or weather condition.

- B. **Periodic Inspections.** The City may inspect each site periodically after approval of a subdivision plat or issuance of the certificate of occupancy to ensure compliance with the Article.

Sec. 10.505 Surety

- A. **Surety Required.** The applicant shall submit the bid for the landscape plan for review by the City. A bond, landscape contractor guarantee, or other acceptable surety equal to 120 percent of the cost of implementing the landscape plan shall be provided to ensure proper installation and maintenance of the landscaping for a period of two years from the date of installation.
- B. **Replacement Required.** The applicant shall warrant all landscaping materials for a period of two years after installation. All plant materials that die within two years from the date of installation shall be replaced by the applicant. If the applicant fails to replace the plant materials, the City may use the performance guarantee to replace dead materials. For all required landscaping on individual residential lots, the developer shall convey a two-year warranty to the purchaser at the time of closing.
- C. **Return or Release of Surety.** The City shall return or release the surety after the two year period is expired upon request of the applicant and demonstration that the landscaping that is protected by the guarantee is established and in good condition.



ARTICLE 11 DESIGN STANDARDS

Division 11.100 Purpose and Applicability

Sec. 11.101 Purpose of Article

This Article is intended to address the quality of design in the City. It addresses urban or traditional neighborhood design standards, residential design standards, and non-residential design standards. It seeks to provide interesting and attractive streets and neighborhoods, avoiding monotonous or chaotic streetscapes.

Sec. 11.102 Application of Article

- A. **Generally.** The design standards of this Article apply to the types of development specified at the beginning of each Division.
- B. **Manufactured Homes.** Manufactured home parks and subdivisions, whether allowed as a permitted, limited, or conditional use, are subject to the design standards of Section 11.201, *Manufactured Home Parks and Subdivisions*. Individual manufactured homes are subject to the standards of Section 11.202, *Manufactured Homes*.
- C. **Traditional Neighborhood Developments.** Design standards for traditional neighborhood developments are provided in Division 11.300, *Traditional Neighborhood Development*. These standards are in addition to, or in the alternative to other standards of this UDC, as provided in each individual section of Division 11.300.
- D. **Multifamily Design Standards.** Multifamily development, whether allowed as a permitted, limited, or conditional use, is subject to the design standards of Division 11.400, *Multifamily Design Standards*, in addition to the other applicable standards of this UDC.
- E. **Nonresidential and Mixed-Use Design Standards.** Nonresidential and mixed-use design standards apply to all nonresidential and vertically mixed-use development that is located on lots or parcels with any boundary line within 200 feet of Highway 19, Highway 64, and Highway 964, and to all parcels in the UC zoning district. These standards are set out in Division 11.500, *Nonresidential and Mixed-Use Design Standards*.
- F. **UC District Design Standards.** The UC district design standards of Division 11.600, *UC District Design Standards*, apply within the UC zoning district. The standards are applied in addition to the standards set out in Division 11.500, *Nonresidential and Mixed-Use Design Standards*.

Division 11.200 Manufactured Home Design Standards

Sec. 11.201 Manufactured Home Parks and Subdivisions

- A. **Generally.** All manufactured home parks shall be built in accordance with the minimum standards of this Section.



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- B. **Configuration of Internal Streets.** Where only one internal street is to be provided, an adequate cul-de-sac turnaround shall be provided with a minimum radius of 60 feet for garbage trucks and other vehicles.
- C. **Lots.** Lots shall be dimensioned as required by Section 2.309, *Manufactured Homes*.
- D. **Building Separation.** A minimum distance of 20 feet shall separate manufactured homes.
- E. **Lot Improvements.** Each lot shall have two concrete runners that are at least two feet wide, six inches thick, extending for the length of the manufactured home, along with a concrete parking pad that is four inches thick, measuring a minimum of ten feet wide by 26 feet deep, or 20 feet wide by 20 feet deep.
- F. **Solid Waste Facilities.** If common refuse containers are provided, then one shall be provided for each ten lots, according to the design standards of Section 2.509, *Outdoor Storage and Refuse Containers*. The location of the refuse containers shall be indicated upon the plat or site plan.
- G. **Water and Sewer.** The developer shall connect each lot to the municipal water supply and sewage system, as required by and in compliance with all applicable sanitary codes and the Zachary Code of Ordinances, unless otherwise provided by law. Furthermore, the developer shall provide fire hydrants in numbers and locations as ordered by the fire chief or his designee.
- H. **Office for On-Site Management.** One manufactured home or other permanent building may be installed upon a lot that is specifically noted on the plat or site plan for use as a permanent office and / or residence for the property manager.
- I. **Buffering.** A solid fence or wall at least eight feet high shall be installed along all side and rear property lines of the parcel proposed for development, and the developer or owner shall maintain the fence or wall in good repair. The wall is counted as an element of the required bufferyard.
- J. **Spacing.** Manufactured home parks and subdivisions shall be set back not less than 50 feet from abutting parcels in single-family residential zoning districts and existing single-family subdivisions in any district.
- K. **Recreation Areas.** Where manufactured home parks are established, recreational areas shall be provided which shall be a minimum of ten percent of the overall parcel proposed for development, exclusive of streets and parking areas.
- L. **Restrictions, Rules and Regulations.** Proposed private deed restrictions or lease agreements regarding the maintenance of the manufactured home park and upkeep of any parks, streets, fencing, common open spaces, and other conditions of residence shall be provided to the City.
- M. **Transit and School Bus Access.** Bus shelters and adequate maneuvering areas for the safe transportation of school children and mass transit passengers may be required.
- N. **Lighting.** Security lighting shall be designed so that no glare onto adjoining properties is created. Street lighting shall be similar to that which is required in single-family residential subdivisions.
- O. **Parking.** Two paved parking spaces shall be provided for each lot. At least one of the spaces shall be provided on the lot. The other space may be provided within 150 feet of the lot.



- P. **Pedestrian Circulation.** A pedestrian circulation plan shall be submitted to indicate how the proposed arrangement of sidewalks, trails, and/or pedestrian ways will connect to features of the manufactured home park, and to existing sidewalks or pedestrian ways.
- Q. **Utilities.** All units shall be served with sanitary sewer, water, and electrical power, which shall be placed underground. The City may approve a subdivision of one acre lots on septic and well as a conditional use.
- R. **Site Design.** Manufactured home parks shall meet the following standards:
1. Where a manufactured home park contains more than 20 units, at least two public accesses shall be provided.
 2. Laundry, office, and maintenance buildings are permitted as an accessory use.
- S. **Accommodation of Recreational Vehicles.**
1. *Generally.* There may be established a separate or optional area for recreational vehicles. This optional area shall not exceed ten percent of the size of the manufactured home park. Occupancy per overnight camper shall not exceed 30 consecutive days. Streets within this optional area shall be designed and constructed to the standards required for public streets.
 2. *Design of RV Spaces.* In addition, the following additional minimum design standards shall be met:
 - a. The minimum area designated for each RV space shall be 3,500 square feet, with a minimum width and frontage of 35 feet.
 - b. The minimum depth of each RV space shall be 100 feet.
 3. *RV Specifications.* All RVs parked in the optional area shall be in good repair, and motorized camper vehicles shall have a valid motor vehicle inspection sticker with proof of insurance. Nothing in this section shall be construed as prohibiting the parking or storage of an unoccupied travel trailer, overnight camper, or motorized camper on a manufactured home owner's property, regardless of the zoning classification of such property.

Sec. 11.202 Manufactured Homes

- A. **Generally.** Manufactured homes, in any location where they are permitted, are subject to the requirements of this Section.
- B. **Unit Specifications.** All manufactured homes shall meet the following specifications:
1. The average elevation of a manufactured home frame above ground elevation, measured at 90 degrees to the frame, shall not exceed four feet from the top of the foundation pad.
 2. The wheels, axles, tongue, towing apparatus, and transporting lights shall be removed prior to final installation of the unit.
- C. **Skirting.** The space between the finished grade of the property on which a manufactured home is located and the exterior edges of the finished floor of the unit must be skirted with rock, brick, vinyl, or concrete masonry construction installed on a concrete footing so there is not a visible gap between the finished floor and the ground. All skirting materials shall be compatible in appearance



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with the home and shall allow for adequate ventilation and drainage. The skirting must be a continuous, complete, opaque, and rigid surface that lends permanency to the appearance of the unit and totally screens the crawlspace under the unit.

- D. **Compatibility.** Outside of manufactured home parks and subdivisions, manufactured homes shall be compatible in appearance with site-constructed residences. Manufactured homes in these areas shall:
1. Have more than 1,200 square feet of inhabitable floor area in a double-wide or larger unit. Each unit having a second floor shall have a minimum first floor floor area of 950 square feet;
 2. Have siding material of a type customarily used on site-constructed residences.
 3. Have roofing material of a type customarily used on site-constructed residences.

Division 11.300 Traditional Neighborhood Development

Sec. 11.301 Purpose of Division; Application of TND Subdistricts

- A. **Generally.** A traditional neighborhood development ("TND") is a mixed-use community within the City that offers a variety of housing types at a variety of price points; prominently sited civic or community buildings and public open spaces; and stores, offices, services, and (in larger developments) schools, providing a balanced mix of activities in close proximity to each other. TNDs have a recognizable center and clearly defined edges, and streets, sidewalks, and pathways are designed so that in most locations the pedestrian and bicyclist are given at least equal status as the automobile.
- B. **Mix of Uses.** TNDs are mixed-use developments that are allowed to include a wider variety of uses than are otherwise allowed in the zoning district. Nonresidential uses that are allowed in TNDs but not in the zoning district generally are indicated in the tables of [Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses](#).
- C. **Pattern Books.** Pattern books are required for TNDs. See Section [14.504, Pattern Book Requirements](#).
- D. **Establishment of Subdistricts.** Plans submitted for approval pursuant to this division shall indicate three sub-districts:
1. Center ("C"), which is the location for the most intense development, including vertically mixed-use (at the applicant's option), and formal public gathering spaces.
 2. General ("G"), which is the location for most of the housing in the development.
 3. Edge ("E"), which is the location for the least intense development, in the form of relatively large-lot single-family detached residences.

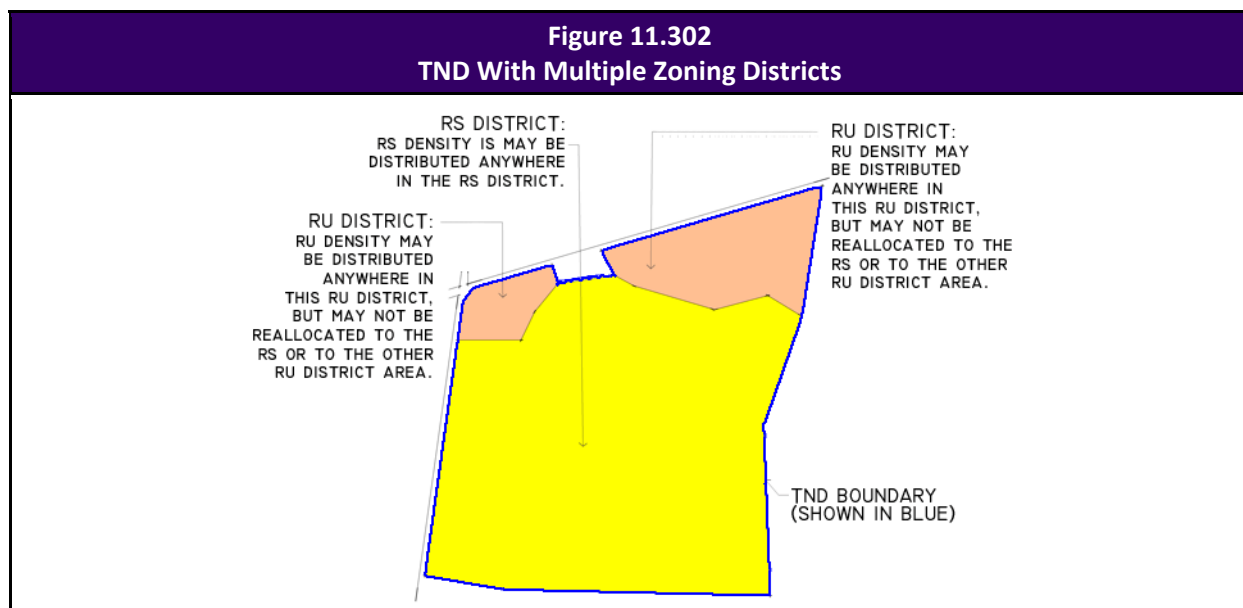
Sec. 11.302 Traditional Neighborhood Developments in Multiple Zoning Districts

- A. **Generally.** Development density for TNDs is established by Section [2.201, Residential Density, Open Space, and Parcel Standards](#). The permitted density does not have to be evenly distributed throughout the parcel proposed for development.



B. Multiple Zoning Districts.

1. *Generally.* If a TND spans multiple zoning districts, density may not be allocated from one contiguous zoning district area to any another. However, it may be unevenly distributed within each contiguous zoning district. See Figure 11.302, *TND With Multiple Zoning Districts*.



2. *Relationship to TND Subdistricts.* Subdistricts are applied across the entire TND, regardless of the underlying zoning district. Nothing in this Section shall be interpreted to require that each zoning district contain all three TND subdistricts.

Sec. 11.303 Layout of Traditional Neighborhood Development

- Generally.** An efficient multimodal circulation system that includes streets, alleys, sidewalks, and trails shall be provided throughout the proposed development. Generally, the density and intensity of development shall be concentrated in the center subdistricts, and lessen as distance to the center subdistricts increases.
- Subdistricts.** The applicant shall designate the boundaries of the subdistricts on the plan for the TND.
- Access to Residential Lots.** Residential lots shall be accessed as provided in Table 11.303A, *Residential Access by Subdistrict*.



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Table 11.303A Residential Access by Subdistrict			
Access	Subdistrict		
	Center	General	Edge
Driveway Connects to Street	Not Allowed	Allowed only for single-family detached homes on lots that are wider than 60 feet	Allowed
Driveway Connects to Alley	Allowed	Allowed	Allowed

- D. **Access to Nonresidential and Mixed-Use Development.** Nonresidential and vertically mixed-use development shall be accessed as provided in Table 11.303B, *Nonresidential and Mixed-Use Access by Subdistrict*.

Table 11.303B Nonresidential and Mixed-Use Access by Subdistrict			
Access	Subdistrict		
	Center	General	Edge
Parking Lot Access Connects to Street	Allowed only along streets that define the border of the Center subdistrict	Not Allowed	Allowed
Parking Lot Access Connects to Alley	Allowed	Allowed	Not Allowed
On-Street Parking	Allowed	Allowed	Allowed
Mid-Block Access to Parking Structures or Parking Courts Located Behind Buildings	Allowed	Allowed	Allowed

- E. **Blocks.** The standards of this subsection supersede standards in [Article 8, Streets, Sidewalks, Trails, and Utilities](#) in the event of a direct conflict.
1. **Arrangement.** Although a strict grid is not required, blocks shall be arranged in grid-like fashion to ensure connectivity and alternate travel routes within the development.
 2. **Block Length.**
 - a. Street segments in the Center Subdistrict shall not be longer than 500 feet, unless buildings provide pedestrian access from the front sidewalk to rear parking areas or structures at intervals of not more than 300 feet.
 - b. Street segments in the General and Edge Subdistricts, shall not be longer than 650 feet, and should generally be shorter than 650 feet. This requirement does not apply where:
 - i. The street segment traverses open spaces that are wider than 650 feet; or
 - ii. The view along the segment is interrupted by a significant curve, jog, or offset in the street, provided that the curve, jog, or offset is situated not more than 650 feet from the intersections that define the street segment.
 3. **Cul-de-sacs.** Cul-de-sacs may be used only in the “E” sub-district, but only where necessary due to site constraints. Cul-de-sacs may not be longer than 350 feet.

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- F. **Streets.** Streets shall be designed according to the applicable standards of [Article 8, Streets, Sidewalks, Trails, and Utilities](#), and as provided therein, may have different right-of-way width and utilization than other streets in the City. Streets shall be laid out to provide connectivity within the development, and connections to adjacent neighborhoods.
- G. **Alleys.** Alleys shall be installed to provide service and parking access within the Center and General subdistricts, and shall conform to the requirements of [Article 8, Streets, Sidewalks, Trails, and Utilities](#). In areas where alleys will be used to provide services (*e.g.*, trash collection or utilities) in addition to access), the City may require greater dimensions, and the Public Works Director or designee shall approve all connections and curb radii after consultation with the Fire Department and solid waste service provider.
- H. **Sidewalks.** Sidewalks shall be installed on both sides of all streets, except along a side which is a park or designated open space, and shall be designed with the dimensions set out in [Table 8.202B, TND Street Configurations](#), and the Americans with Disabilities Act Accessibility Guidelines.
- I. **Trails.** Off-street trails and multi-use paths shall be installed to enhance access to and through open space and recreational areas that are used as amenities for the TND development, and to connect to existing or planned trail systems in the City. Trails, where used, shall be eight feet wide and paved with concrete, compacted crushed limestone, or compacted cinder.
- J. **Off-Street Parking.** Off-street parking shall be located behind the building it serves, or in parking garages that are designed according to the same standards that apply in the UC zoning district, which are set out in [Section 11.604, Parking Lots and Parking Garages](#).
- K. **Open Space and Recreation Areas.**
1. *Open Space.*
 - a. Generally, open spaces should be integrated into the development design to bring significant open space to the maximum number of properties, as well as visibility from public rights-of-way within the proposed development. Small, odd, left-over open space areas should be avoided. Extra landscaping may be required to enhance the value of such spaces where they cannot be avoided.
 - b. Open space shall be designed to provide greenways along drainage corridors and streams. The landscaping along corridors or streams shall be designed to enhance the filtering of surface and subsurface water flows. Trails shall provide access along the greenway for the residents of the proposed development.
 - c. Formal open spaces shall be designed to provide areas of focus within the development. Landscaping and furniture for pedestrians should be installed to enhance this effect.
 - d. Open spaces shall be protected by appropriate easements and plat notations.
 2. *Accessibility of Recreation Areas.* Outdoor recreation areas shall be provided throughout the development, such that 90 percent of the residential units in the development (and 100 percent of the units in the "C" sub-district) are located within a one-quarter mile walk of an outdoor recreation area. For the purpose of this section, a plaza with features that provide recreational opportunities (*e.g.*, interactive fountain or sculpture, tot lot, etc.) shall be considered an outdoor recreation area.



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- L. **Relation to Abutting Parcels.** Development that is approved pursuant to this Division shall be designed to be compatible with abutting parcels, in at least one of the following ways:
1. *Lot Width and Design.* The lot width and design of development at the perimeter of a TND shall be comparable with the lot width and design of abutting subdivisions. This requirement does not apply if the abutting parcel is not subdivided.
 2. *Bufferyard.* In the alternative to subsection A., bufferyards may be installed according to the classifications set out in Section 10.301, *Bufferyard Classifications and Bufferyard Model*, as follows:
 - a. Between the center subdistrict and abutting:
 - i. Residential development: Class D bufferyard; or
 - ii. Industrial development: Class E bufferyard;
 - b. Between the general sub-district and abutting:
 - i. Residential or commercial development: Class B bufferyard; or
 - ii. Industrial development: Class E bufferyard;
 - c. Between the edge sub-district and abutting:
 - i. Residential development: Class A bufferyard;
 - ii. Commercial development: Class C bufferyard; or
 - iii. Industrial development: Class E bufferyard.

Sec. 11.304 Modification of Lot and Yard Standards

- A. **Generally.** The general standards for each housing type are out in [Article 2, District Intensity and Development Standards](#), which contains lot standards, minimum lot areas and dimensions, setbacks, building heights, and maximum building coverage for each type of building. These standards ensure that each building type will have adequate light and air, living area, and yard areas to provide a quality experience. However, to achieve the design objectives of a TND, it may be desirable to modify the requirements of [Article 2, District Intensity and Development Standards](#), may be modified upon approval of a Pattern Book that meets the requirements of Section 14.504, *Pattern Book Requirements*, and demonstrates compliance with the standards of this Section.
- B. **Minimum Number of Housing Types.** Housing types shall be mixed as required by Section 2.202, *Mix of Housing Types in TNDs and Mixed Housing Neighborhoods*.
- C. **Subdistricts.** The applicant shall designate the boundaries of the subdistricts on a map that is included in the Pattern Book. Patterns shall be provided for each subdistrict.
- D. **Modification of Setbacks.**
1. *Range of Modification.* Setbacks may be modified, or replaced with "build-to" lines, as provided in Table 11.304, *Reduced Setbacks for TNDs*. Setbacks or build-to lines may be established for subdistricts or for individual street segments, and shall be described in the Pattern Book.



Subdistrict	Setback or Build-To Range			
	Front	Interior Side	Street Side	Rear
Center	0 to 8 feet	As allowed by building code	3 feet or more	Any
General	0 to 15 feet	As allowed by building code	5 feet or more	Any
Edge	10 feet or more	5 feet or more	5 feet or more	20 feet or more

2. *Criteria for Modification.*

- a. Where front setbacks will be less than eight feet, the applicant shall provide drawings in the Pattern Book that show:
 - i. How steps giving entry to the homes will be designed;
 - ii. How a combination of street trees, yard landscaping, and open space configuration and landscaping provide for a streetscape that compensates for the loss of front yard landscape area;
 - iii. That the reduction in the front yard will be offset by an equivalent increase in the rear yard of the principal building, or the creation of a courtyard or patio on the side of the building that makes up for the loss of the front and rear yard;
 - iv. That the lot takes access from an alley; and
 - v. That the modified front setback will not impact neighboring properties. If the development has lots that front on an existing street with residential development on the other side, then the standards of [Article 2, District Intensity and Development Standards](#) shall apply to those lots.
- b. Where side setbacks (interior or street) will be modified, the applicant shall demonstrate that:
 - i. The buildings will comply with applicable building codes;
 - ii. There is sufficient spacing to provide for building maintenance and access;
 - iii. The configuration will not interfere with sight distance requirements; and
 - iv. With respect to street side yards only, a combination of street trees, yard landscaping, and open space configuration and landscaping will provide for a streetscape that compensates for the loss of front yard landscape area.
- c. Where rear setbacks will be modified, the applicant shall demonstrate that:
 - i. The design provides for comparable useable outdoor living space on the lot (*e.g.*, through a larger front yard or a courtyard or patio on the side of the house);
 - ii. The design will not create an unsafe condition for the passage of vehicles and pedestrians in an abutting alley (if present); and
 - iii. The design will not interfere with the use and enjoyment of rear or side yards on abutting lots.

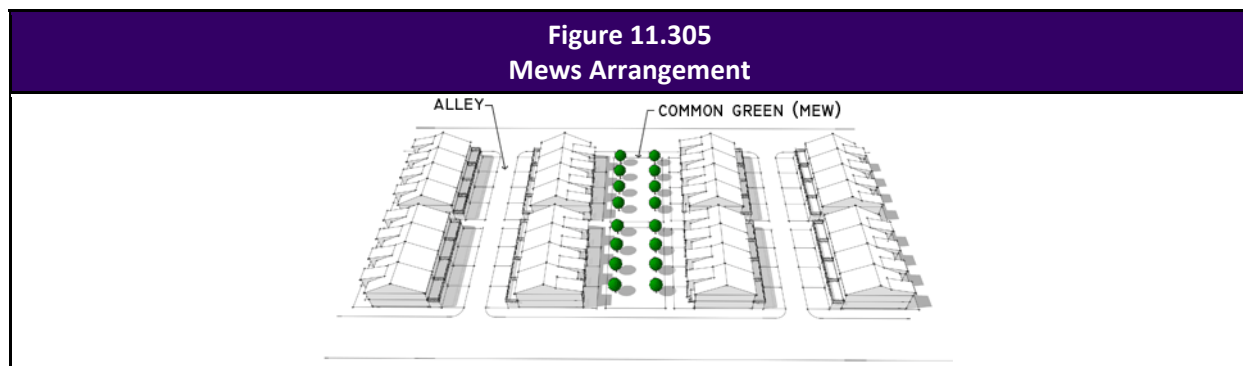


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- E. **Modification of Lot Dimensions.** Lot dimensions may be modified if it is demonstrated that:
1. The proposed lot sizes will ensure a diversity of development that is consistent with the intent of the standards of [Article 2, District Intensity and Development Standards](#);
 2. The proposed lot sizes are sufficient to provide light and air to all of the dwelling units in the development;
 3. The proposed lot sizes are appropriate to the types of housing that are proposed on the lots;
 4. The proposed lot sizes, combined with the permitted building coverage, provide enough room for useable outdoor living space for all single family detached housing types; and
 5. The proposed lot sizes provide enough room for utilities and drainage.
- F. **Modification of Building Coverage.** Building coverage may be modified if lot sizes are reduced, as follows:
1. For all housing types except townhomes (of any type):
 - a. The permitted building coverage shall not allow for the complete development of the area bounded by the setback lines on the lot in order to ensure that buildings are not monolithic in appearance (compliance with this standard requires a meaningful articulation of the building); or
 - b. The permitted building coverage allows for the complete development of the area bounded by the setback lines on the lot, but another bulk control is used to ensure that the second floor is articulated to avoid the appearance of a monolithic building.
 2. For townhomes, the building coverage may be increased to allow for the complete development of the area bounded by the setback lines.

Sec. 11.305 Mews Arrangement

- A. **Generally.** The mews arrangement is a site layout in which homes front on a common green, and vehicular access is by way of alleys so that lots have no street frontage. The mews arrangement is allowed in TNDs subject to the standards of this Section.
- B. **Standards.** Lots may take alley access and front on mews (common greens) if the alleys are not longer than 300 feet and do not serve more than 16 dwelling units. See Figure 11.305, *Mews Arrangement*.





Sec. 11.306 Accessory Buildings and Detached Garages

- A. **Generally.** Not more than two buildings (in addition to the principal building) shall be permitted on a lot pursuant to this Section. In some cases, only an accessory building may be allowed.
- B. **Accessory Buildings.**
1. Accessory buildings that are not detached garages are permitted on all residential lots except through lots, and shall be subject to the standards of Section 2.503, *Accessory Buildings and Structures*.
 2. Accessory buildings shall have the same architecture and building materials as principal buildings.
- C. **Detached Garages.** Detached garages are permitted as provided in this subsection. These standards supersede any standards of Section 2.503, *Accessory Buildings and Structures* that are in direct conflict. Where there is no conflict, the standards of Section 2.503, *Accessory Buildings and Structures* also apply.
1. *Maximum Ground Floor Area.*
 - a. Center ("C") subdistrict and General ("G") subdistrict: 600 square feet.
 - b. Edge ("E") subdistrict: 800 square feet.
 2. *Maximum Height.*
 - a. 15 feet if used only as a garage;
 - b. 35 feet if ancillary dwelling unit is constructed above the garage.
 3. *Location.* Detached garages shall be located behind the principal building or to the side of the principal building. Such garages shall be set back of at least 25 feet more from the front lot line than the facade of the principal building.
 4. *Architecture.* Detached garages shall be designed to be architecturally comparable to the principal building.

Sec. 11.307 Accessory Dwelling Units

- A. **Generally.** Accessory dwelling units ("ADUs") provide a type of housing that can accommodate small households, which increases the choice of housing opportunities for young adults and the elderly. They also provide a way for homeowners to invest in their properties in a way that can produce continuing economic returns by way of rent payments; and a way for elderly or infirm homeowners to provide housing for on-site caregivers with a higher degree of independence than other live-in arrangements.
- B. **Relationship to Density.** ADUs are not counted in the calculation of density.
- C. **New Subdivisions.** ADUs may be built in new traditional neighborhood developments that are approved after the Effective Date of this UDC, provided that compliance with the following standards is demonstrated:



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1. Any or all single-family lots that are larger than 6,000 square feet may developed with ADUs, provided that the site plan or plat specifically designate the lots upon which such development may occur, or provides a general statement that ADUs are allowed on all single-family lots in the subdivision.
2. In the required pattern book (*see Section 14.504, Pattern Book Requirements*), the applicant shall submit plans showing how the homes will be designed to provide for accessory units. The units may be within the structure, a separate structure, or above a detached garage. Specific design standards shall be provided for each one of the arrangements that are to be permitted.
3. The City may place conditions on the designation of lots that abut existing development in order to ensure compatibility. These conditions may include:
 - a. A limitation on the lots that abut existing development that may be developed with ADUs to those which will have the least impact due to the configuration of lots and natural resources;
 - b. The designation and installation of a Type B Bufferyard (*see Division 10.300, Bufferyards*) along the property lines that divide the parcel proposed for development from existing development; or
 - c. A limitation on the types and designs of ADUs that may be constructed on lots that abut existing development.

D. Limitations.

1. Not more than one ADU shall be constructed on a single-family lot.
2. No ADU shall have a floor area that exceeds the lesser of:
 - a. 800 square feet; or
 - b. 30 percent of the floor area of the principal building.
3. ADUs shall not have more than one bedroom, nor more than one bathroom.
4. ADUs are not exempt from the calculation of building coverage.

E. Design Requirements. ADUs may be designed in any of the following ways:

1. *Attached to or Integrated into the Principal Building.* ADUs may be attached to or integrated into the principal building if it is demonstrated that:
 - a. The ADU does not have a separate exterior entrance that faces the street.
 - b. Modifications to the outside of the principal building that are necessary to accommodate the ADU appear as integrated elements of the principal building in terms of materials, architecture, roof pitch, window styles, and color.
2. *In a Separate Building or Above a Detached Garage.* ADUs may be located in a separate building or above a detached garage, provided that:
 - a. The building or detached garage meets the setback requirements that are applicable to the principal building; and



- b. On lots that are less than two acres in area, the ADU is located behind the principal building.

Sec. 11.308 Building Materials

- A. **Generally.** The standards of this Section apply to all buildings within a TND. Applicants may choose to specify and limit building materials in a Pattern Book as one way to demonstrate compliance with the requirements for approval of the Pattern Book.
- B. **Principal Materials.** The principal materials used for building exteriors shall be proven, high-quality, durable materials, including:
 1. Brick
 2. Stone
 3. Synthetic stone
 4. Textured colored aggregate concrete masonry units
 5. Portland cement stucco
 6. Fiber cement siding
 7. Polymer siding
 8. Wood (weather resistant species)
 9. Shakes
 10. Polished concrete
- C. **Roofing Materials.**
 1. Metal (shingles);
 2. Architectural asphalt shingles;
 3. Concrete tile;
 4. Slate;
 5. Green roof systems;
 6. Wood shingles;
 7. Synthetic materials; and
 8. Building integrated photovoltaics (e.g., solar panels that double as roofing material).
- D. **Limited Materials.**
 1. Exterior Insulation and Finish Systems ("EIFS") may be used in the following ways:
 - a. To finish building accents (e.g., columns or window trims); or
 - b. To finish building walls that are located on the side or rear of the building, provided that the EIFS material is installed at least 12 feet above adjacent grade.



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2. Glass curtains may be used for building window areas, subject to maximum window area requirements of these regulations.
- E. **Other Materials.** Other building materials may be used as predominant materials if it is demonstrated that:
1. They have comparable durability, impact resistance, and quality as the materials permitted by this Section; and
 2. They are part of a building that is designed to achieve a Leadership in Energy and Environmental Design (“LEED”) certification, and the materials qualify for LEED points under both the “energy and atmosphere criteria” and the “materials and resources criteria” of the LEED checklists.
- F. **Prohibited Materials.** The use of the following for walls, siding, or cladding is prohibited:
1. Prefabricated metal wall panels
 2. Smooth-faced concrete block (except as permitted in subsection B., above)
 3. Vinyl, composite (except as permitted in subsection B., above), or metal siding

Sec. 11.309 Commercial and Mixed-Use Building Design Standards

- A. **Generally.** Commercial and mixed-use buildings shall conform to the design standards of this Section.
- B. **Building Height.** Building height is limited to 5 stories in the center subdistrict; 3 stories in the general subdistrict; and 2 stories in the edge subdistrict. These height standards supersede any other standards of this UDC that may be in direct conflict.
- C. **360-Degree Architecture.** The architectural features, materials, and articulation of the front façade shall be continued on all sides that are visible from a public thoroughfare.
- D. **Transparency.**
1. Not less than 50 percent of the ground level front façade between a height of 30 inches and nine feet above adjacent grade shall be transparent, including window or door openings that allow views into and out of the interior of the building.
 2. Not less than 15 percent nor more than 50 percent of the façade of upper stories shall be transparent.
- E. **Massing.**
1. Buildings shall be designed to appear as a group of attached buildings with horizontal elements in regular increments of not more than 30 feet.
 2. Fifth stories, where allowed, shall be stepped back not less than eight feet along not less than 85 percent of all facades.
- F. **Blank Walls.** All exterior building elevations that face public streets, customer parking areas, or areas of residential use shall be designed so that there are no areas of blank wall that are more than 16 feet in horizontal or vertical direction. This requirement can be met by window openings,



articulation of the building, porches or balconies, material and color variations, decorative cornices, murals, score lines, and graphics.

- G. **Corporate Architecture.** Logo buildings and logo building elements are prohibited.
- H. **Mechanical Equipment.** Rooftop mechanical equipment (*e.g.*, HVAC systems) mounted on a flat roof shall be screened with materials and colors that surround the equipment, and that are consistent with the design of the building. In addition, mechanical equipment shall be screened from all ground level views from adjacent property and rights-of-way by:
1. Parapet walls, which shall include three-dimensional cornice treatments of not less than 12 inches in height, with no less than three reliefs; or
 2. Hedges installed on a green roof system, provided that the mechanical equipment is set back at least 25 feet from all exterior building walls; or
 3. Sloped roof systems or other architectural elements that conceal the flat roof area where the equipment is mounted.

Sec. 11.310 Center Subdistrict Design Standards

- A. **Generally.** A commercial component is required in the Pattern Book that demonstrates compliance with this Section.
- B. **Overall Architectural Theme.** An architectural theme shall be developed for the center subdistrict, and conceptual elevations that demonstrate the theme's key elements shall be included in the Pattern Book. A general palette of colors and materials to implement the theme shall also be included.
- C. **Attractive and Interesting.** Facades shall provide an interesting and attractive theme using the concepts of this section.
1. Buildings or groups of attached buildings, that are more than 200 feet wide shall include:
 - a. Varying heights.
 - b. Varying setbacks (or build-to lines) that provide interest using one or more of the following:
 - i. Areas for seating or outdoor eating on the sidewalk or a small plaza.
 - ii. Differing setbacks for portions of the building that are detailed to make them visually interesting.
 - iii. Upper level setbacks to provide corner window opportunities.
 2. Standard architectural details of windows, doors, and decoration, with their use specified on the pattern book elevations.
 3. Shading features such as awnings, porticos, or arcades.
- D. **Streetscape.** A pedestrian precinct shall be created with the following elements:
1. Offsets or building shapes that create space for pedestrians, dining, or other spaces;
 2. Patterned pavements;



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3. Landscaping in tree grates or planters;
4. Pedestrian-scale lighting;
5. Seating areas and seating benches, walls, or other seating types; and
6. Public art or water features.

Sec. 11.311 Architectural Review Committee

- A. **Generally.** The pattern books approved pursuant to this Division shall control subsequent approvals within the development according to their terms. No building permits shall be issued for development in a TND except upon a finding that the proposed construction is consistent with the applicable approved pattern book or, in the case of signs, a comprehensive sign program or the standards of [Article 5, Signs](#).
- B. **Architectural Review Committee.** The finding required by subsection A., above, may be certified by an architectural review committee that is formed by the applicant as part of a property owners' association with jurisdiction over the property subject to the certification. If the applicant opts for this type of certification, the Planning and Zoning Commission may periodically review the certifications to ensure that the architectural review committee is making such certifications in good faith. If the Planning and Zoning Commission does not make a finding of good faith compliance, then the Planning and Zoning Commission shall review all subsequent applications for building permits (for new buildings) for compliance with the applicable pattern book.

Division 11.400 Multifamily Design Standards

Sec. 11.401 Multifamily Design Standards

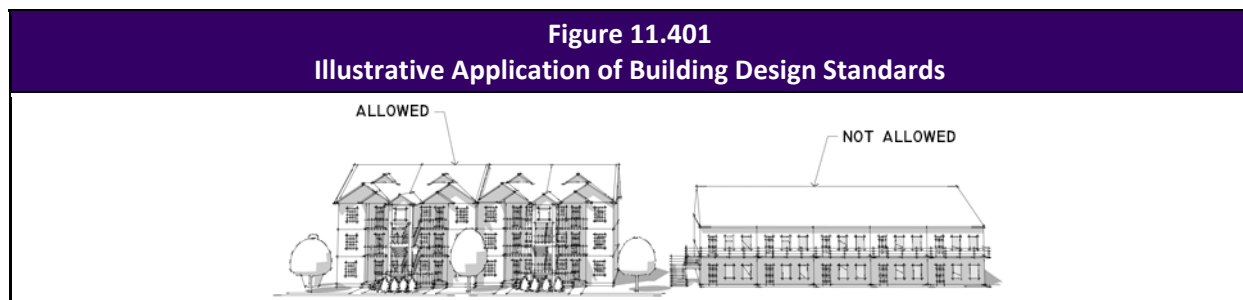
- A. **Generally.** All multifamily developments shall meet the standards of this Section unless they are located in vertically mixed-use buildings that are subject to the design standards of [Division 11.300, Traditional Neighborhood Development](#); [Division 11.500, Nonresidential and Mixed-Use Design Standards](#); and / or [Division 11.600, UC District Design Standards](#).
- B. **360 Degree Architecture.** No particular architectural style is mandated. However, the architectural style of the front façade shall be expressed on all sides of the building.
- C. **Materials and Trim.** The elevations of the building should be treated so that they have similar character when viewed from any direction, street, side, or rear in terms of materials and trim.
 1. Materials shall be masonry, except as follows:
 - a. Balcony and railing materials may be different than the materials used on exterior walls.
 - b. Different materials may be accepted for the second floor, where the architectural treatment is intended to have different second level architecture (including window, trim, and belt course or horizontal trim elements).
 - c. Floor plan projections that reflect a room that projects from the rest of the facade may use different materials if the projection is at least two feet.



2. Door and window trim shall be obvious, and shall be similar on all facades, except that sliding glass doors may have different trim.

D. Building Design.

1. A multifamily building containing more than eight units shall be designed to break up a rectangular floor plan and avoid a box or monolithic appearance. See Figure 11.401, *Illustrative Application of Building Design Standards*.



2. Any of the following techniques, or any technique that would produce a comparable effect, may be used to avoid the appearance of a boxy or monolithic building.
 - a. Varying roof lines;
 - b. Changes in wall planes of at least three feet at intervals of not more than 60 feet;
 - c. The use of dormers, bay windows, or other windows that create dimension that breaks up the facade;
 - d. Balconies that are used irregularly, some projecting, some recessed;
 - e. End or corner treatments that alter the plane of the facade;
 - f. Primary entrance treatments that are recessed or project from the main facade; and
 - g. Changes in floor plans that create rooms with corner windows.
- F. **Utilities.** Utility meters shall not be located on front or side elevations unless screened by vegetation or other approved screening.
- G. **Stairs.** Stairs that provide primary access to units on upper floors shall be covered.

Division 11.500 Nonresidential and Mixed-Use Design Standards

Sec. 11.501 Purpose and Applicability

- A. **Purpose.** The purpose of the nonresidential design standards is to ensure that nonresidential and vertically mixed-use development in the City of Zachary that is located in highly visible corridors is located in high-quality, well-designed buildings that contribute to the level of quality and character that is envisioned by the City's Comprehensive Plan.



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B. Applicability.

1. *Area of Applicability.* These standards apply to all nonresidential and vertically mixed-use development that is located on lots or parcels with any boundary line within 200 feet of Highway 19, Highway 64, and Highway 964, and to all parcels in the UC zoning district.
2. *Relationship to Other Standards.* The standards of this Division are applied in addition to the other standards of this UDC, unless the other standards specifically supersede them.
3. *Relationship to Underlying Zoning Districts.* These standards do not affect the list of permitted uses in the underlying zoning districts.

Sec. 11.502 Building Form and Design

- A. **360 Degree Architecture.** No particular architectural style is mandated. However, the architectural style of the front façade shall be expressed on all sides of the building.
- B. **Building Walls.** All exterior building elevations that face public streets, customer parking areas, or areas of residential use shall be designed so that there are no areas of blank wall that are more than 30 feet in horizontal direction or 16 feet in vertical direction. This requirement can be met through the use of:
 1. Windows
 2. Doors
 3. Awnings
 4. Changes in both finish materials and colors (a change in color alone is insufficient to meet this requirement).
 5. Decorative cornices
 6. Murals or graphics
 7. Sconce lighting
 8. Towers
 9. Pilasters or columns
 10. Arcades
 11. At least 3 feet of horizontal or vertical offset in the building wall
 12. Comparable elements or design techniques that create an obvious and significant pattern of light and shadow on the building wall
- C. **Building Form.**
 1. Buildings that cover more than 16,000 square feet, but less than 30,000 square feet in floor area shall have moderate changes in height or roof line, which can be accomplished by one or more of the following techniques:
 - a. Dormers with ridge lines that are 3 or more feet below the ridge line of the roof.



- b. A compound roof shape, in which the highest ridge line and the lowest ridge line have a height difference of 2 to 5 feet.
 - c. Parapet walls that vary in height by 2 to 4 feet.
 - d. Towers that have a height that is 4 to 6 feet above the highest peak or ridge of the roof or highest point of the parapet.
 2. Buildings that cover 30,000 square feet or more, but less than 60,000 square feet shall have major changes in height or roof line, which can be accomplished by one or more of the following techniques:
 - a. A compound roof shape, in which the highest ridge line and the lowest ridge line have a height difference of 5 or more feet.
 - b. Parapet walls that vary in height by more than 4 feet.
 - c. Towers that have a height that is more than 6 feet above the highest peak or ridge of the roof or highest point of the parapet. The mass of such towers shall be proportional to the building, so that the towers appear as substantial, but not overwhelming, architectural elements.
 3. Buildings that cover more than 60,000 square feet shall have major changes in height or roof line, which shall, in addition to the requirements for buildings that cover 30,000 square feet or more, include:
 - a. Significant architectural features to identify principal entrances; and
 - b. Elements such as towers or significant projections from the building to break up the building mass.
- D. **Roof Styles.** Flat roof and pitched roof systems are allowed, subject to the following standards:
 1. Mansard roofs are not allowed.
 2. Flat roof systems shall be hidden by parapet walls that are at least 30 inches in height.
- E. **Awnings.** Awnings, if installed, shall be constructed of canvas. Back lighting is not allowed.
- F. **Multi-Story Buildings.** Buildings with more than two stories shall be designed with a clearly differentiated base, middle, and top.

Sec. 11.503 Primary Building Entrances

Each primary building on a site, regardless of size, shall have clearly-defined, highly-visible customer entrances that include at least three of the following architectural features:

1. Canopies, porticos, arcades, or overhangs;
2. Recesses or projections;
3. Raised corniced parapets over the door or peaked roof forms;
4. Arches;
5. Outdoor patios or plazas;



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6. Display windows;
7. Obviously differentiating architectural details such as moldings that are integrated into the building structure and design;
8. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Sec. 11.504 Exterior Wall Finish Materials

- A. **Principal Exterior Finish Materials.** The principal materials used for building exterior finishes shall be proven, high-quality, durable materials, including:
1. Brick
 2. Thin Brick
 3. Stone
 4. Cast stone
 5. Architectural masonry units in the following styles:
 - a. Split face
 - b. Weathered face
 - c. Sandblasted face
 - d. Ground face
 6. Glass fiber reinforced concrete
 7. Portland cement stucco
 8. Fiber cement siding
- B. **Limited Materials.**
1. Exterior Insulation and Finish Systems ("EIFS") may be used in the following ways:
 - a. To finish building accents (*e.g.*, columns or window trims); or
 - b. To finish building walls that are located on the side or rear of the building, provided that the EIFS material is installed at least 12 feet above adjacent grade.
 2. Glass curtains may be used for building window areas, but shall not occupy more than 60 percent of the ground floor facade, nor more than 40 percent of upper floor facades.
- C. **Prohibited Materials.**
1. The use of the following for exterior walls, siding, or cladding is prohibited in all districts except the I district, provided that in the I district, the building that incorporates these materials is located at least 150 feet from arterial streets, or if the building is closer than 150 feet to the street, the elevation upon which the material is applied is not visible from abutting arterial or collector streets:
 - a. Prefabricated metal wall panels



- b. Corrugated metal
 - c. Smooth-faced, unfinished concrete blocks
 - d. Vinyl, composite, or metal siding
 2. The use of the following for exterior walls, siding, or cladding is prohibited in all districts:
 - a. Plywood
 - b. Plastic
- D. **Approval of Other Materials.** Other building materials may be used as predominant materials if it is demonstrated that they have comparable durability, impact resistance, and aesthetic quality as the materials permitted by this Section; and either:
1. They are part of a building that is designed to achieve a Leadership in Energy and Environmental Design ("LEED") certification, and the materials qualify for LEED points under both the "energy and atmosphere criteria" and the "materials and resources criteria" of the LEED checklists; or
 2. They are part of a building that is EPA certified as Designed to Earn the ENERGY STAR, and the materials substantially improve the energy efficiency of the building compared to materials that are permitted by Subsections A or B.

Sec. 11.505 Roofing Materials

- A. **Flat Roof Systems.** Any material that is permitted by building code is allowed on flat roof systems. Green roof systems are encouraged.
- B. **Roofing Materials for Pitched Roof Systems.** Roofing materials used on pitched roof systems shall be proven, high-quality, durable materials, including:
 1. Architectural shingles
 2. Concrete tile
 3. Slate
 4. Architectural standing seam metal
 5. Building integrated photovoltaics (solar panels that double as roofing material)
 6. Green roof systems
- C. **Prohibited Roofing Materials.** Corrugated metal and other roofing materials that are not listed in subsection B., above, are not allowed.

Sec. 11.506 Mechanical Equipment and Meters

- A. **Generally.** Mechanical equipment associated with building operations (*e.g.*, HVAC systems) shall be screened as provided in this Section.
- B. **Ground-level Equipment.** Mechanical equipment and meters shall be screened from view from principal parking areas, public rights-of-way, and residential uses by landscaping, bufferyards, or



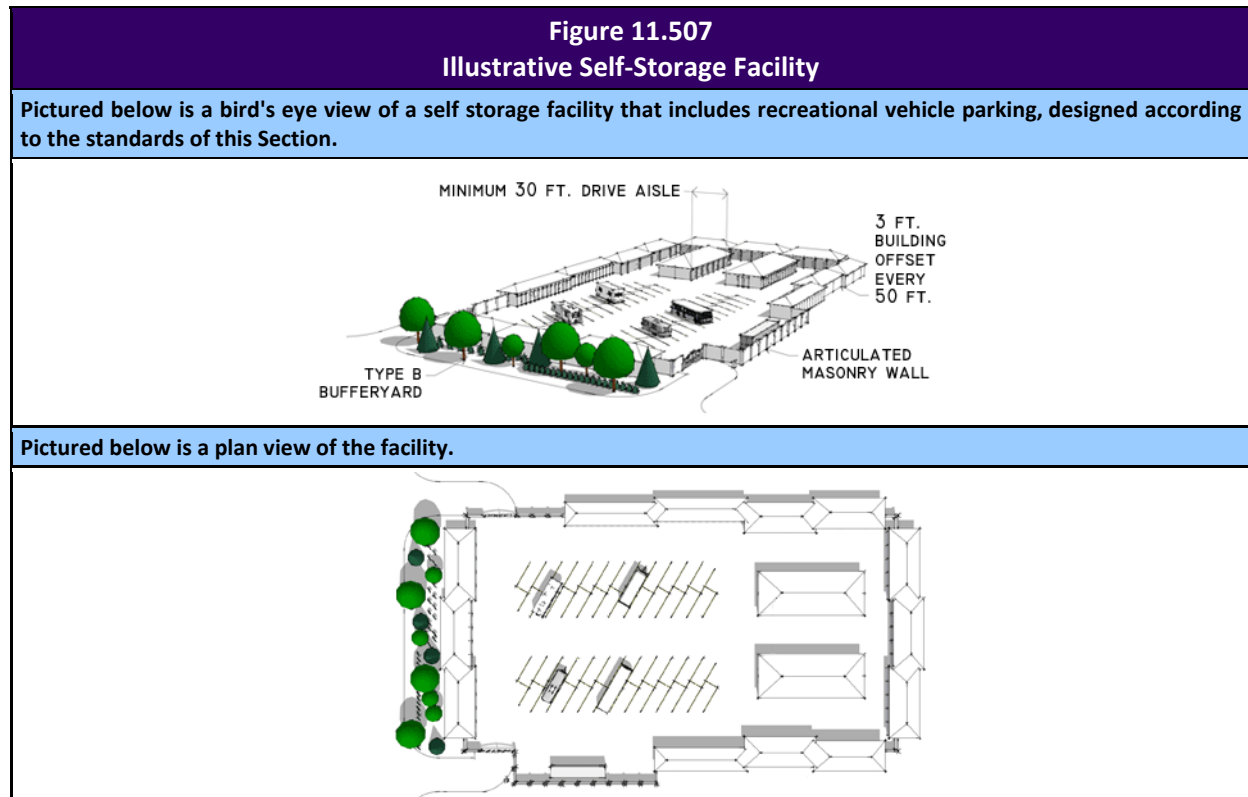
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building walls. Hedges and screen walls that are used to hide mechanical systems shall be maintained at a height that is at least one foot higher than the equipment.

- C. **Roof-mounted Equipment.** Mechanical equipment shall be screened from all ground level views from adjacent property and rights-of-way by:
1. Parapet walls, which shall include cornice treatments that are of adequate height to screen the equipment (a slope of 1 foot rise per 25 feet of run shall be used to determine if the wall is of adequate height); or
 2. Screening walls of adequate height to hide the equipment, which use materials and colors that are consistent with the design of the building; or
 3. Sloped roof systems or other architectural elements of adequate height to hide the equipment.

Sec. 11.507 Design Standards for Self-Storage Facilities

- A. **Generally.** All self-storage facilities shall comply with the standards of this Division, and, further, shall be designed as provided in this Section. The requirements of this Section are illustrated in Figure 11.507, *Illustrative Self-Storage Facility*.



- B. **Setbacks.** Buildings and parking areas shall be set back 30 feet from public rights of way or the distance required by the underlying zoning district, whichever is greater.

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- C. **Enclosure.** The facility, including surface parking and outside storage areas (*e.g.*, for parking recreational vehicles), shall be completely enclosed with a masonry wall that is not less than eight feet in height. The masonry wall may be a building wall or a garden wall. Garden walls shall:
1. Be set back 20 feet from public rights-of-way;
 2. Include columns that are differentiated from the wall in terms of dimension and height, and spaced at distances of not more than 10 feet in order to break up the mass of the wall;
 3. Be constructed of materials that are consistent with the requirements for building walls, as set out in Section 11.504, *Exterior Wall Finish Materials*.
- D. **Visibility of Units.** No individual self-storage unit, loading area, or other service area shall be visible from any public right of way, except through entry and exit gates.
- E. **Restrooms.** Restroom facilities shall be provided on-site.
- F. **Fencing and Gates.** Fencing and gates shall be constructed of decorative metal. Barbed wire and chain link fencing are not allowed.
- G. **Buffering.** A Type B bufferyard shall be provided along all street frontages, and a Type C bufferyard shall be provided along the boundaries of the parcel proposed for development that abut property that is zoned or used for residential purposes. However, the requirements of subsection C., above, with respect to enclosure, shall be interpreted to satisfy the requirement for the wall within the bufferyard.
- H. **Internal Circulation.** The circulation system within the facility shall provide for continuous traffic flow that avoids conflicts between vehicles. Where cul-de-sacs are necessary, they shall have a radius of at least 50 feet.
- I. **Building Design.** In addition to the other standards of this Division, buildings shall be designed as follows:
1. Flat roofs are not allowed.
 2. Building elements shall not function as signage.
 3. Subsections B. and C. of Section 11.502, *Building Form and Design*, do not apply to one-story buildings in self-storage facilities. Instead, no one-story building elevation that is visible from a property line shall be more than 50 feet in width unless there is an offset in the wall plane of at least three feet.
- J. **Drive Aisles Between Buildings.** Drive aisles between buildings shall be at least 30 feet wide.

Sec. 11.508 Design Standards for Light Automobile Service

- A. **Generally.** In addition to any limited or conditional use standards which may apply pursuant to Division 1.400, *Limited and Conditional Use Standards*, the other requirements of this UDC, light automobile service shall be designed according to the standards of this Section.
- B. **Design Standards.**
1. Service bays shall not face abutting streets.



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2. Service bays and car washes shall be set back 50 feet from residential uses. Car washes shall be enclosed with overhead doors that open on demand.
3. A 15 foot bufferyard shall be provided along all lot lines that are shared with residential uses. The bufferyard shall include a six-foot tall masonry wall, and shall be planted with 5 plant units per 200 linear feet.
4. Buildings shall be designed as follows:
 - a. Flat roofs are not allowed.
 - b. Building elements shall not function as signage.
5. Canopies shall be designed as follows:
 - a. Materials shall be comparable to the principal building;
 - b. The roof shall be of comparable design and pitch to the principal building; and
 - c. The canopy shall not function as signage (*e.g.*, through the use of logo colors, logo design elements, or back-lit plastic panels), although a sign may be installed on the canopy.
6. Light automobile service facilities shall be accessed by arterial or collector streets.
7. Due to the high volume and turnover of these facilities, the Planning and Zoning Commission may require access from a collector street if access from an arterial street would create unsafe conditions due to conditions of the arterial street, including its geometry, level of service, and the configuration of existing intersections.

Sec.11.509 Logo Buildings and Logo Building Elements

New logo buildings and logo building elements are not allowed within the boundaries of, or within a radius extending 1,320 feet from, the boundaries of any approved traditional neighborhood development.

Division 11.600 UC District Design Standards

Sec. 11.601 Purpose and Applicability

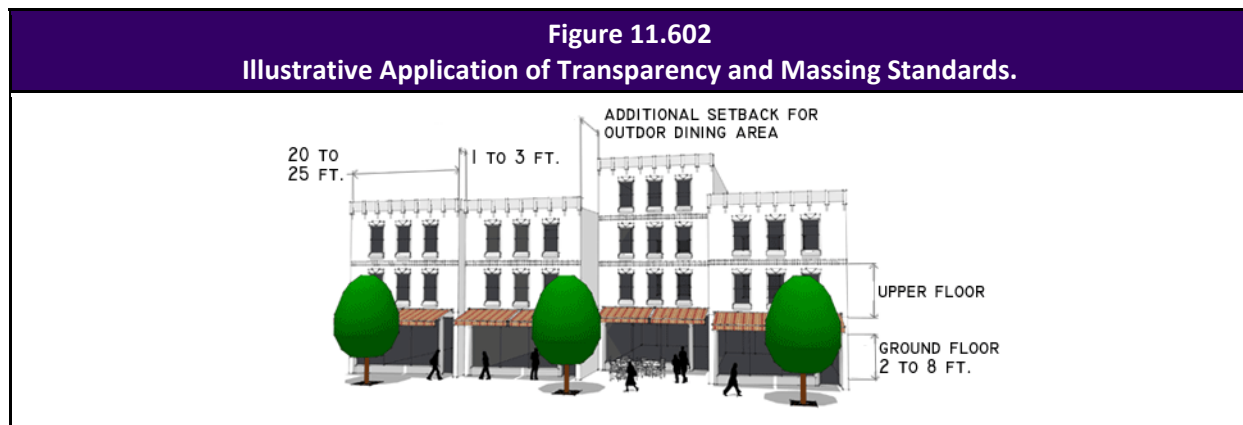
- A. **Purpose.** The purpose of the UC District Design Standards is to ensure that redevelopment in UC zoning district is creates a high-quality, pedestrian-friendly environment within the City's traditional downtown area, including well-designed buildings that contribute to the quality and character of the City that is envisioned by the City's Comprehensive Plan.
- B. **Applicability.** These standards apply to all development and redevelopment within the UC zoning district. The design standards of [Division 11.500, Nonresidential Design Standards](#), also apply within the UC District.

Sec. 11.602 Additional Building Design Requirements

- A. **Generally.** In addition to the requirements of [Division 11.500, Nonresidential Design Standards](#), the requirements of this Section apply to nonresidential and vertically mixed-use buildings in the UC



zoning district. The standards of this Section are illustrated in Figure 11.602, *Illustrative Application of Transparency and Massing Standards*.



B. Transparency.

1. Not less than 50 percent of the ground floor of the front façade, between a height of two and eight feet above grade, shall be transparent. Transparency includes window or door openings that allow views into and out of the interior of the building.
2. Not less than 30 percent nor more than 50 percent of the façade of each upper floor shall be transparent. *See Figure 11.602, Illustrative Application of Transparency and Massing Standards.*
3. Windows shall include obvious sills, heads, and other forms of framing.

C. Massing. Buildings with a front facade greater than 80 feet in length shall be designed to appear as a group of attached buildings or otherwise given interest while maintaining a harmonious facade, as follows:

1. The facade shall have a rhythm created by vertical elements with a 20 to 25 foot on center spacing. The vertical elements shall be differentiated by building offsets of one to three feet. Additional offset is allowed to accommodate plazas for outdoor dining or public assembly.
2. The floors of buildings shall be aligned within one foot unless the slope conditions on the site require greater differences. The buildings shall articulate the floor levels with horizontal bands of different materials, offsets and shadow lines, changes in window treatments, or changes in material and color, or the inclusion of balconies or railings.
3. Articulation may also include a change in the number of floors and variations in roof or parapet height or design.

D. Corporate Architecture. Logo buildings and logo building elements are prohibited.

Sec. 11.603 Sidewalks, Plazas, and Pedestrian Amenities

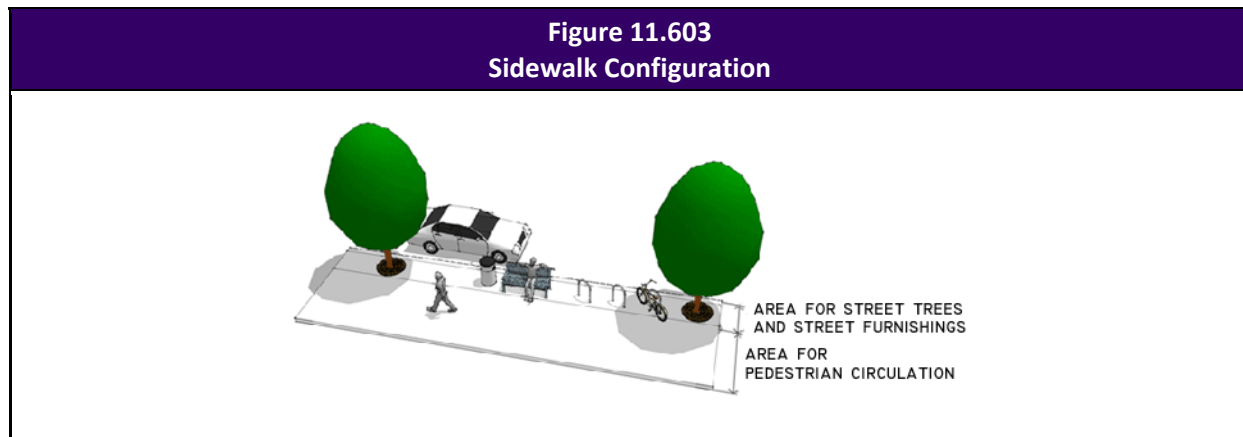
- A. Generally.** The planning objective for the UC zoning district is for development and redevelopment to create a pedestrian-friendly, mixed-use environment in the City's traditional downtown area and in other areas where the UC zoning district may be applied. Sidewalks, plazas, and pedestrian amenities are important contributors to this objective.



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B. Sidewalks.

1. Sidewalks that are located along Main Street, Church Street, and streets that are lined with uses that are oriented to pedestrians, shall be at least 15 feet in width, with the five feet of width (measured from the outside of the curb) used for planting street trees in tree grates and the installation of street furniture and bicycle parking, and the remaining 10 feet for pedestrian circulation. See Figure 11.603, *Sidewalk Configuration*.



2. Where the existing sidewalk does not meet this requirement, the additional sidewalk shall be provided, along with an easement for public use of the sidewalk, when a parcel is developed or redeveloped.
- D. **Public Outdoor Spaces.** 10 percent of the UC district shall be used for public outdoor spaces such as plazas and squares. At least one plaza in the UC district shall be 8,000 square feet or more in area.
- E. **Pedestrian Amenities.** Plazas and squares shall include amenities that provide an active and passive family-friendly urban leisure and recreational experience, such as patio seating areas, benches, covered or shaded playground areas, water features, clock towers or similar focal features or amenities that are scaled for pedestrians. Such amenities shall have direct access to the sidewalk network, and shall be situated in a visible location that is convenient for use as a gathering area.

Sec. 11.604 Parking Lots and Parking Garages

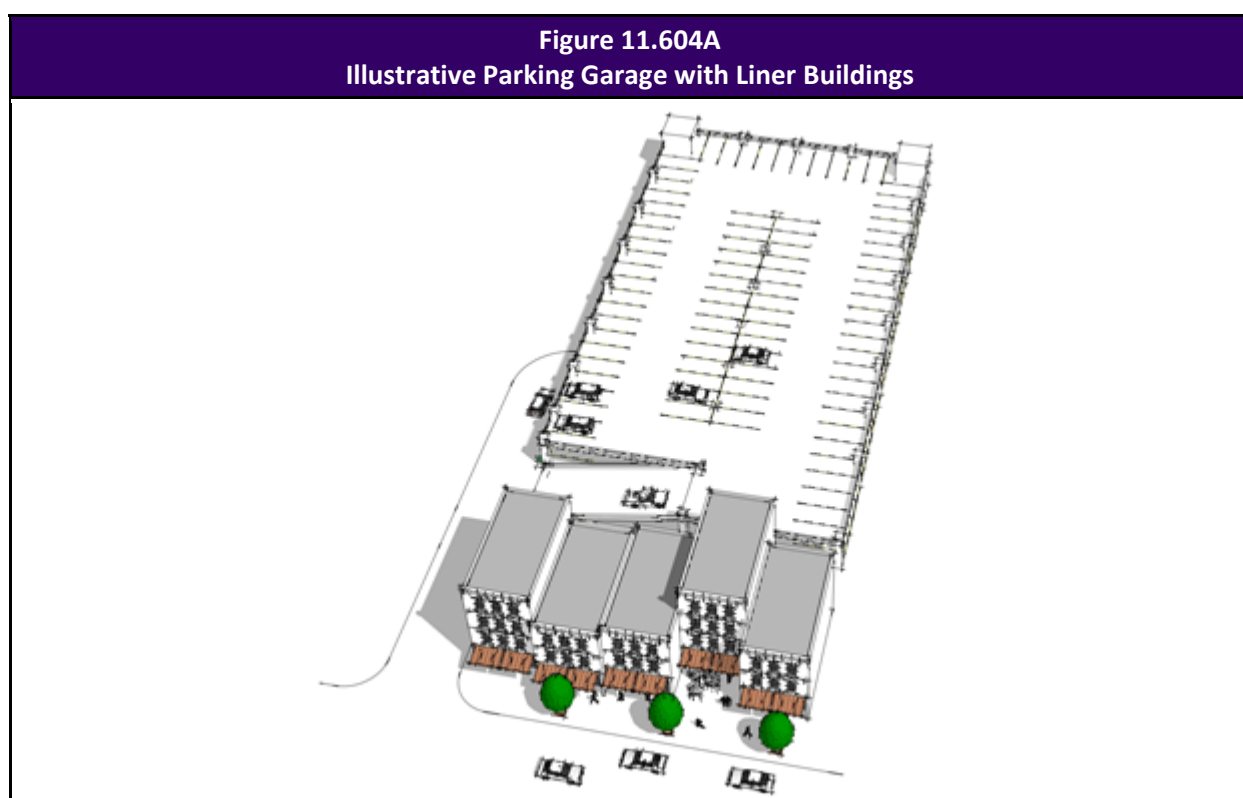
- A. **Generally.** In the UC zoning district, parking lots and parking garages shall be designed and located according to the standards of this Section. These standards are applied in addition to the standards that are set out in [Article 9, Parking, Loading, Access, and Lighting](#).
- B. **Parking Lots.** Surface parking lots shall be located:
1. Behind buildings; or
 2. Behind a parking lot buffer that complies with [Section 10.305, Parking Lot Bufferyards](#), which incorporates:
 - a. A landscaped three-foot tall masonry wall; and



- b. Street furniture (or benches incorporated into the wall), spaced at intervals of not more than 80 feet.

C. Parking Garages.

1. The perception of the bulk (or mass) of a parking garage as seen from the street shall be minimized by orienting the garage so that its short dimension along the street edge of the street with the highest functional classification upon which the lot fronts.
2. Generally, the parking garage shall include active uses such as retail or other appropriate uses at the ground level and/or along the street frontage, or shall be located behind the principal building (see Figure 11.604A, *Illustrative Parking Garage with Liner Buildings*).

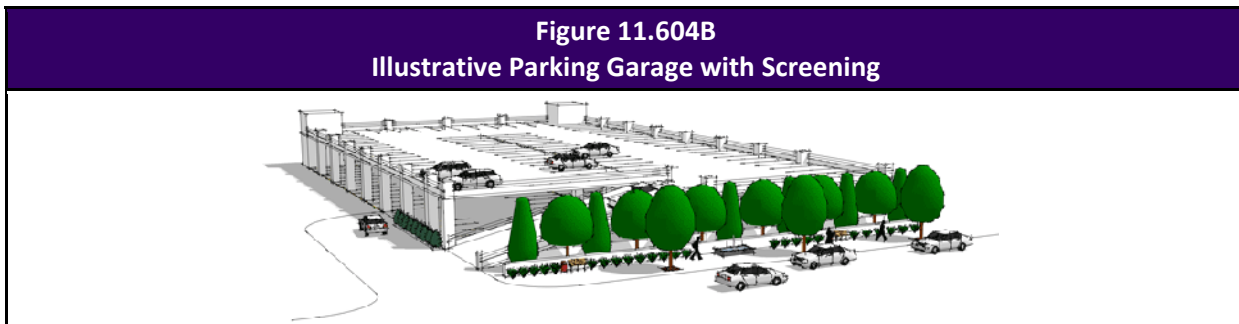


3. Where the dimensions of the parcel proposed for development do not accommodate the active use of the street frontage, parking structures and vehicle entrances shall be designed to minimize views into the garage interior from surrounding streets and sidewalks. Methods to help minimize such views may include, but are not limited to landscaping, planters masonry walls up to 3.5 feet in height, and decorative grilles and screens. The frontage along the garage shall include street furniture at intervals of not more than 80 feet (see Figure 11.604B, *Illustrative Parking Garage with Screening*)



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Figure 11.604B
Illustrative Parking Garage with Screening



4. Parking structures shall be architecturally consistent with exterior architectural elements of the primary structure or adjacent traditional buildings, including rooflines, façade design, articulation, modulation and finish materials.
5. Parking structure facades shall have brick cladding or a combination of brick and other masonry and have regularly spaced square or rectangular openings.
6. Security grilles for parking structures shall be architecturally consistent with and integrated with the overall design. Chain link fencing is not permitted for parking structure fencing.



ARTICLE 12 NONCONFORMITIES

Division 12.100 Purpose and Application of Article

Sec. 12.101 Purpose of Article

- A. **Generally.** Applying new regulations to existing development is likely to create situations where existing lot dimensions, development density or intensity, land uses, buildings, structures, landscaping, parking areas, or signs do not strictly comply with the new requirements. The NC district is intended to minimize these "nonconformities" in established neighborhoods by making existing buildings and lots that were lawfully constructed or created "conforming." For existing lots or development (including uses, buildings, structures, and signs) that are "legally nonconforming," this Article sets out fair rules for whether, when, and how the regulations of this UDC apply.
- B. **Expansion of Nonconformities.** Generally, nonconforming uses, buildings, structures, and signs are not allowed to be enlarged, expanded, increased, nor be used as grounds for adding other structures or uses that are now prohibited in the same zoning district. This Article provides standards by which minor nonconforming uses can be made "conforming" through a public hearing process.
- C. **Reduction of Nonconformities.** It is the policy of the City to encourage reinvestments in property that increase its value and utility and improve its quality and character. Since bringing a developed parcel into full compliance with this UDC may involve substantial cost (which could discourage reinvestment), this Article provides a set of thresholds for determining when new construction or modifications to development trigger a requirement for meeting the various standards of this UDC.
- D. **Unlawful Uses, Buildings, Structures, or Signs.** This Article does not authorize or legitimize uses, buildings, structures, or signs that were not legally established or constructed. Such uses, buildings, structures, or signs are not "legally nonconforming," but instead remain "unlawful," and are subject to all of the provisions of this UDC (including enforcement provisions) and any other applicable law. Likewise, this Article does not legitimize unlawful subdivisions of property that may have occurred before the effective date of this UDC.

Sec. 12.102 Application of Article

- A. **Generally.** This Article applies to uses, buildings, structures, landscaping, signs, parking, and lots that were lawfully constructed or established, but do not conform to the requirements of this UDC. It does not apply to lots of record in the NC zoning district, regardless of their size (such lots are "conforming").
- B. **Types of Nonconformities.** There are seven general types of nonconformities: uses, buildings, structures, landscaping, signs, parking, and lots. As to uses, nonconformities may be "major" or "minor." These types are set out in Section 12.102, *Types and Classes of Nonconformities*. The application of the standards of this Article is based on the type of nonconformity that is being addressed.
- C. **General Regulations.** Division 12.300, *General Regulations*, sets out the standards for when nonconforming situations must be made conforming (or more conforming) or, alternatively,



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terminated or removed. It also sets out the circumstances in which a nonconforming situation may be restored or resumed after damage, destruction, or temporary cessation.

- D. **Compliance Thresholds.** *Division 12.400, Compliance Thresholds*, sets out the standards for determining when new construction or modifications to development trigger a requirement for conformity with the various requirements of this UDC.
- E. **Conversion of Nonconformities.** *Division 12.500, Conversion of Nonconformities*, sets out how to convert a nonconforming use to a conforming use using a conditional use process. Nonconforming buildings and structures may be made conforming with a variance. See Section 14.507, *Variance Requirements*.
- F. **Effect of Article.**
 1. *Effect on Existing Development Entitlements.* Nothing in this UDC shall be interpreted to require a change in plans, construction, or designated use of any building in which a building permit was lawfully issued prior to the effective date of adoption or amendment of this UDC, provided construction was commenced within 60 days after obtaining said building permit and diligently completed.
 2. *Effect on Existing Unlawful Uses, Buildings, Signs, and Structures.* Any use, building, structure and/or parcel of land which was used, erected or maintained in violation of any previous Zoning Regulations shall not be considered as a legal, nonconforming use, building structure and/or parcel, and shall be required to comply with all provisions of this UDC.

Division 12.200 Types and Classes of Nonconformities

Sec. 12.201 Nonconforming Uses

- A. **Generally.** A nonconforming use is a use of land that was lawfully established (*i.e.*, it was allowed and issued a permit, if a permit was required at the time the use was established) on a parcel or lot before the effective date of this UDC, that is no longer allowed after the effective date of this UDC. Amendments to this UDC may also make uses nonconforming. The following uses are legally nonconforming uses:
 1. Uses that were lawfully established but are not currently listed as Permitted, Limited, or Conditional Uses in the district in *Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses*.
 2. Uses that are listed as Limited Uses in the district in *Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses*, but were lawfully established without a limited use permit and do not comply with the applicable standards of *Division 1.400, Limited and Conditional Use Standards*.
 3. Uses that are listed as Conditional Uses in the district in *Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses*, but were lawfully established without a conditional use permit. For these uses, the nonconforming use status may be removed by obtaining a conditional use permit.



4. Uses that were lawfully established within a floodplain or floodway, but are no longer permitted in the floodplain or floodway.
- B. **Classifications of Nonconforming Uses.** There are two types of nonconforming uses: major nonconforming uses and minor nonconforming uses. The classification of the nonconforming use affects whether it can be converted to a conforming use.
1. *Major Nonconforming Uses.* Major nonconforming uses are those uses for which the nonconformity generates a nuisance *per se* or represents such incompatibility with adjacent uses and/or the Comprehensive Plan that public policy favors their elimination from the district if they are discontinued, abandoned, or destroyed. Major nonconforming uses are:
 - a. **Mobile homes**
 2. *Minor Nonconforming Uses.* All nonconforming uses that are not classified as major nonconforming uses are minor nonconforming uses. Such uses may be converted to conforming uses as provided in [Division 12.500, Conversion of Nonconformities](#).

Sec. 12.202 Nonconforming Buildings

A nonconforming building is a building that was lawfully constructed prior to the effective date of this UDC (or amendment hereto) that does not conform to the height, yard, building coverage, density, intensity, building scale, or design standards that are applicable to the same type of building in the district in which the building is located.

Sec. 12.203 Nonconforming Structures

A nonconforming structure is a structure other than a building that was lawfully constructed prior to the effective date of this UDC (or amendment hereto) that does not conform to the standards that are applicable to the same type of structure in the district in which the structure is located. The following are illustrative examples of nonconforming structures:

1. Fences or garden walls that do not comply with the height, setback, or materials standards of this UDC; and
2. Structures that are located in floodplains, floodways, or open space areas that do not comply with the applicable regulations of this UDC.

Sec. 12.204 Nonconforming Landscaping

- A. **Generally.** Nonconforming landscaping is landscaping (or lack thereof) that does not conform to the landscape area or planting requirements of [Article 10, Landscaping](#) or other provisions of this UDC that require the designation of open space or landscape surface areas or the buffering of uses (see, e.g., [Division 1.400, Limited and Conditional Use Standards](#), and [Article 2, District Intensity and Development Standards](#)). Nonresidential, mixed-use, and multifamily residential parcels that were lawfully developed but do not include the required landscape surface ratio or open space ratio that is required after the effective date of this UDC or amendment hereto are also nonconforming with respect to landscaping.



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- B. **Exception.** Residential development of housing types other than multifamily is conforming with respect to landscaping if it was platted prior to the effective date of this UDC.

Sec. 12.205 Nonconforming Signs

- A. **Permanent Signs.** Any permanent sign located within the City limits on the effective date of this UDC that does not conform to the provisions of [Article 5, Signs](#), or, if applicable, [Division 1.400, Limited and Conditional Use Standards](#), is a "legal nonconforming" sign, provided it also meets the following requirements:
1. The sign was approved by a sign permit on the effective date of this UDC, or amendment hereto, if a permit was required under applicable law; or
 2. If no sign permit was required under applicable law for the sign in question, the sign:
 - a. Was in all respects in conformity with the applicable law (or there was no applicable law) immediately prior to the effective date; or
 - b. Had legal nonconforming status at such time.
- B. **Temporary Signs.** Temporary signs that are not in compliance with this UDC shall be removed as required by [Article 5, Signs](#).

Sec. 12.206 Nonconforming Parking

Nonconforming parking refers to parking spaces, drive aisles, and loading areas that do not conform to the requirements of this code that are set out in [Article 9, Parking, Loading, Access, and Lighting](#), in terms of their number or dimensions.

Sec. 12.207 Nonconforming Lots

- A. **Generally.** Nonconforming lots are lots that were lawfully created before the effective date of this UDC or amendments hereto, but which no longer comply with the lot width, frontage, area, or access requirements of this UDC.
- B. **Exception.** All lots within NC districts that were lawfully created before the effective date of this UDC are conforming, regardless of their dimensions.

Division 12.300 General Regulations

Sec. 12.301 Termination, Restoration, and Removal

- A. **Generally.** This Section sets out the standards for when a nonconformity must be terminated or removed, and when it is allowed to be restored after temporary cessation, damage or destruction.
- B. **Nonconforming Uses.**
1. If a major nonconforming use is discontinued for a period of six months, for any reason, it shall not be resumed.
 2. If a minor nonconforming use is discontinued for a period of six months, for any reason, it shall not be resumed. However, if an application for conversion of the use is filed pursuant to



[Division 12.500, Conversion of Nonconformities](#), before the end of the six month period, the use may be resumed as a conforming use after the period expires if the application is granted.

C. Nonconforming Buildings, Structures, and Elements of Buildings or Structures.

1. If a nonconforming building or structure or nonconforming element thereof is damaged or destroyed by any means, or be declared unsafe by the Building Inspector to an extent that repairs would exceed more than 50 percent of the replacement cost of the building or damaged nonconforming element, the building shall be reconstructed in conformity with the provisions of this UDC.
2. If the reconstruction cost and/or area of reconstruction (whichever is less) is less than or equal to 50 percent of the cost of replacement or area of the building, respectively, then the structure may be strengthened or restored to a safe condition provided that:
 - a. The original nonconformity is not enlarged, increased, or extended;
 - b. Building permits are obtained for repairs within 12 months of the date the building was damaged or, if no date can be reasonably established for the damage, the date that the building inspector determines that the building is unsafe; and
 - c. The construction is commenced within 12 months after obtaining the required building permits.

D. Nonconforming Landscaping. Nonconforming landscaping shall be made conforming as provided in [Division 12.400, Compliance Thresholds](#).

E. Nonconforming Signs or Sign Elements.

1. A nonconforming sign which has been damaged by fire, wind or other cause in excess of 50 percent of its replacement cost shall not be restored except in conformance with this UDC.
2. If a nonconforming sign structure is does not display any message for a period of three months, it shall be removed or brought into conformance with this UDC.
3. If a nonconforming sign structure is removed for any reason other than routine repair and maintenance, it shall not be replaced unless the replacement sign conforms to this UDC.
4. Nonconforming signs that are a danger to the public safety due to damage or wear shall be removed and shall not be replaced unless the replacement sign conforms to this UDC.

Sec. 12.302 Changes of Use

A. Generally. A nonconforming use shall not be changed to another nonconforming use.

B. Effect of Change of Use.

1. If a nonconforming use is changed to a conforming use, the nonconforming use shall not be resumed.
2. If the use of only a portion of a building or property is changed from a nonconforming use to a conforming use, then the use of that portion of the building or property shall not be changed back to the nonconforming use.



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Sec. 12.303 Repairs and Modifications

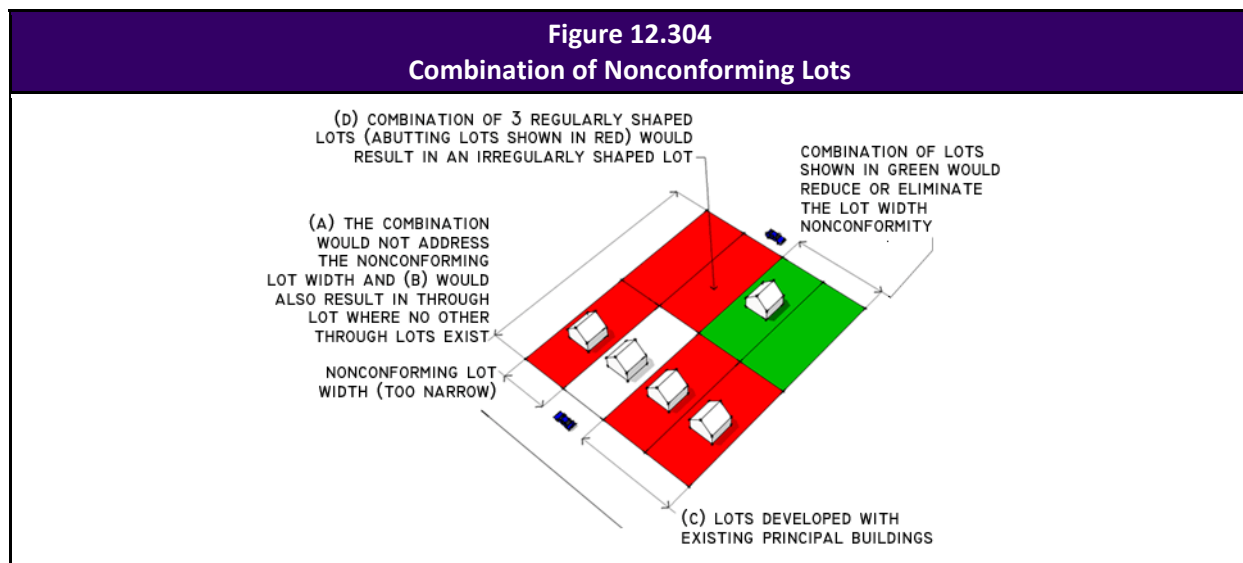
- A. **Generally.** Repairs and modifications to nonconforming buildings, structures and signs is permitted as provided in this Section, except that nonconforming buildings and structures that are located in floodplains are subject to the restrictions of Section 12.305, *Nonconforming Buildings and Structures in Floodplains*, and not this Section.
- B. **Repairs and Alterations.**
1. *Buildings and Structures.* Routine maintenance of nonconforming buildings and structures is permitted, including necessary non-structural repairs, paint, and incidental alterations which do not extend or intensify the nonconforming buildings or structures or materially extend their life. This standard also applies to buildings or structures that are used by nonconforming uses if they are designed in a way that is not suitable for re-use as a conforming use (if the building is conforming and could be re-used for a conforming use, there is no limitation on its maintenance).
 2. *Buildings Containing Major Nonconforming Uses.* No building or structure that contains a major nonconforming use shall be enlarged unless the major nonconforming use is permanently discontinued.
 3. *Signs.* Routine maintenance of nonconforming signs is permitted, including non-structural repairs and paint (even if such repairs would materially extend the life of the sign), changes to the sign face or messages, and incidental alterations that do not increase the nonconformity or sign area. Structural repairs or changes are not allowed. If the sign requires structural repairs because it has been damaged, destroyed, or worn, it shall be removed or altered in accordance with subsection B.4., below.
 4. *Structural Alterations.* Structural alterations to nonconforming buildings, structures, and signs are permitted only if it is demonstrated that the alteration will eliminate the nonconformity or reduce it in accordance with the standards of [Division 12.400, Compliance Thresholds](#).
- C. **Expansion of Nonconforming Uses.**
1. *Major Nonconforming Uses.* Major nonconforming uses shall not be expanded, enlarged, extended, increased, or moved to occupy an area of land or building that was not occupied on the effective date of this UDC or any amendment that made the use a major nonconforming use.
 2. *Minor Nonconforming Uses.* No minor nonconforming use shall be expanded or extended in such a way as to:
 - a. Occupy any open space or landscaped area that is required by this UDC;
 - b. Exceed building coverage, intensity, or height limitations of the zoning district in which the use is located;
 - c. Occupy any land beyond the boundaries of the property or lot as it existed on the effective date of this UDC; or
 - d. Displace any conforming use in the same building or on the same parcel.



Sec. 12.304 Nonconforming Lots; Combination and Construction

A. Combination of Lots to Increase Conformity.

1. Where a landowner owns several abutting lots that do not conform to the dimensional requirements of the district in which they are located, they shall combined to create fully conforming lots or, if full conformity is not possible, they shall be combined if the combination will increase the degree of conformity. *See Figure 12.304, Combination of Nonconforming Lots.*
2. The City will not require the combination of lots pursuant to paragraph A.1., above, if:
 - a. The combination of lots would not address the nonconformity (*see Figure 12.304, Combination of Nonconforming Lots*);
 - b. The combination of lots would materially disrupt the lotting pattern of the street, for example, by creating a through lot mid-block on a street segment that does not include any other through lots (*see Figure 12.304, Combination of Nonconforming Lots*);
 - c. Two or more of the lots are developed with principal buildings, and the combination of lots would require that one or more of the buildings be torn down in order to comply with this UDC (*see Figure 12.304, Combination of Nonconforming Lots*);
 - d. The combination of lots would result in regularly shaped lots being combined into a single lot with an irregular shape (*see Figure 12.304, Combination of Nonconforming Lots*); or
 - e. The lots are located in the NC district (in which case they are not nonconforming).



B. Construction on Legal Lots That Do Not Conform to Dimensional Requirements. A legal lot that does not meet district requirements with respect to lot area or lot width may be built upon if:

1. The lot is a lot of record; and
2. The use is permitted in the district in which the lot is located;



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3. The lot has sufficient frontage on a public street to provide access that is appropriate for the proposed use; and
4. All yards or height standards are complied with, except that the responsible official may authorize a reduction of required yards of up to 10 percent, provided that the the responsible official finds that the reduction does not allow a building that would be larger than a building that would be permitted on the minimum conforming lot in the district.

Sec. 12.305 Nonconforming Buildings and Structures in Floodplains

It is the intent of the City of Zachary that no permanent structures be located or substantially improved in the floodplain, except according to the standards in [Chapter 46, Flood Damage Prevention](#), of the *City of Zachary Code of Ordinances*, and that existing legal nonconforming buildings, structures, and signs shall be removed upon abandonment, destruction, or substantial damage.

Sec. 12.306 Nonconforming Parking

- A. **Generally.** Nonconforming parking and loading areas are subject to the regulations of this Section.
- B. **Number of Parking Spaces.**
 1. *Building Expansions.* If an existing building or use is expanded, additional parking shall be required only in proportion to the new area of the building or use.
 2. *Change of Use.* If the use of a building changes, resulting in additional demand for parking, additional parking shall be provided in an amount equal to the difference between the requirements of the former use (not the actual parking provided on-site) and the requirements for the new use, as set out in [Division 9.200, Parking and Loading Calculations](#). However, a permit for the new use may be denied if the available parking is less than 75 percent of the required parking.
 3. *Redevelopment.* If an existing building is redeveloped, parking shall be provided as required by [Article 9, Parking, Loading, Access, and Lighting](#).
- C. **Size of Parking Spaces and Drive Aisles.** Parking spaces and drive aisles shall be sized according to the requirements of [Article 9, Parking, Loading, Access, and Lighting](#), when so required by [Division 12.400, Compliance Thresholds](#).

Sec. 12.307 Nonconformity Created by Public Action

Any nonconforming structure or land expressly created or caused by a conveyance of privately owned land to a federal, state or local government to serve a public purpose is conforming for the purposes of this UDC, and is not subject to the limitations of this Article. This exemption applies only in cases where private land is obtained by a governmental entity for a public purpose, through condemnation, threat of condemnation or otherwise, which creates a nonconformity in the remainder parcel in terms of setback, lot size, or other standards of this UDC. This exemption does not apply to right-of-way dedication or other public conveyances of land required by the City in the course of subdivision or other routine development plan approvals.



Division 12.400 Compliance Thresholds

Sec. 12.401 Purpose and Intent

The purpose and intent of this Division is to encourage reinvestment in existing buildings and properties by mitigating the costs of retrofitting existing buildings and sites to achieve full compliance with this UDC. This Division does not relate to building code compliance or compliance with applicable engineering standards.

Sec. 12.402 Sliding Scale Compliance Requirements

Table 12.402, *Sliding Scale Compliance Requirements*, sets out the levels of reinvestment in property that trigger compliance with the regulations set out in this UDC.

Table 12.402 Sliding Scale Compliance Requirements		
Type of Improvement	Definition of Improvement	Level of Compliance that is Required
New development or redevelopment	Expansion of a building by more than 70 percent of its floor area; tear-down and reconstruction of a building (except re-establishment of nonconforming use or building pursuant to Division 12.300, <i>General Regulations</i>); development of vacant sites.	Full compliance with all provisions of this UDC is required. Compliance with Section 12.304, <i>Nonconforming Lots; Combination and Construction</i> , is sufficient with respect to lot dimensions.
Major expansions	Expansion of a building by 30 percent to 70 percent of its floor area, or increase in parking requirements of more than 20 percent.	<ol style="list-style-type: none"> 1. Parking spaces and drive aisles shall be dimensioned, and loading shall be provided, as required by Article 9, <i>Parking, Loading, Access, and Lighting</i>. Parking spaces shall be provided according to the applicable regulations of Section 12.306, <i>Nonconforming Parking</i>. 2. Bufferyards shall be provided as required by Division 10.300, <i>Bufferyards</i>. 3. Improvements that are needed to ensure public safety and safe circulation are required. 4. Buildings affected by the construction shall be designed according to the standards of Article 11, <i>Design Standards</i>, if applicable. 5. Major nonconforming uses shall be discontinued.
Minor expansions	Expansion of a building by less than 30 percent or increase in parking requirements of 20 percent or less	<ol style="list-style-type: none"> 1. New parking spaces and drive aisles shall be dimensioned as required by Article 9, <i>Parking, Loading, Access, and Lighting</i>, if the new dimensions would not be detrimental to safe circulation when combined with the existing lot. 2. Major nonconforming uses shall be discontinued. 3. If height is increased by more than 20 percent within 50 feet of a district boundary line, district boundary bufferyards shall be brought into compliance with Section 10.302, <i>District Boundary Bufferyards</i>.



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Table 12.402 Sliding Scale Compliance Requirements		
Type of Improvement	Definition of Improvement	Level of Compliance that is Required
Facade and site improvements	Building or architecture changes or site improvements that do not involve expansion of the building or parking, but will change the physical character of the building or site beyond simple repair and maintenance.	<ol style="list-style-type: none"> 1. Building improvements shall comply with code requirements that directly relate to the improvements. 2. Landscaping improvements must further the objectives of Article 10, Landscaping (e.g., if the only improvement is planting trees, full compliance with the landscaping requirements is not required, but trees that are planted must comply with code requirements). 3. Safety improvements must be made in a manner that is proportionate to the level of investment.
Parking lot improvements	Drainage, expansion, or reconstruction improvements, but not restriping alone unless the restriping according to the standards of Article 9, Parking, Loading, Access, and Lighting results in reduction of the area of the existing parking spaces by more than 10 percent.	<ol style="list-style-type: none"> 1. Parking spaces and drive aisles shall be dimensioned, and loading shall be provided, as required by Article 9, Parking, Loading, Access, and Lighting. 2. Parking lot landscaping shall be provided as required by Section 10.203, Parking Lot Landscaping, even if it results in a reduction in the number of parking spaces, but only to the extent that the reduction does not result in a parking lot that contains less than 95 percent of the required parking spaces.

Division 12.500 Conversion of Nonconformities

Sec. 12.501 Purpose

Many minor nonconforming uses have existed for a period of time, and some may have only recently become nonconforming. In many instances, minor nonconforming uses are integral parts of the City's fabric, that is, its character and function, so their continuing existence promotes the City's policy objective of protecting its neighborhoods. In these instances, the classification "nonconformity" and resulting restriction on investment may not be what the community desires. As such, the use may be made conforming pursuant to this Division in order to remove the potential stigma that may be associated with the "nonconforming" designation.

Sec. 12.502 Procedure

- Generally.** An owner of a minor nonconforming use may apply for a conditional use permit which has the effect of making the nonconforming use conforming. The criteria for conditional use approval are set out in
- Exclusions.** This procedure does not apply to nonconforming lots, which may be buildable in accordance with the standards of [Section 12.304, Nonconforming Lots; Combination and Construction](#).

Sec. 12.503 Criteria for Approval

- Generally.** A conditional use approval may be granted to make a nonconforming building, structure, use, or sign conforming, if, in addition to the criteria for approval of a conditional use set forth in [Section 14.501, Conditional Use Requirements](#), all of the criteria of this Section are satisfied.



- B. **Approval Criteria.** The use, as conducted and managed, has minimal nonconformities and has been integrated into the neighborhood's (or district's if it is not in or adjacent to a residential neighborhood) function, as evidenced by the following demonstrations:
1. The neighborhood residents regularly patronize or are employed at said use (for nonresidential uses in or abutting residential neighborhoods).
 2. Management practices eliminate nuisances such as noise, light, waste materials, unreasonably congested on-street parking, or similar conflicts.
 3. There is no material history of complaints about the use (a history of complaints is justification for denying the conditional use permit, unless the conditions of the permit will eliminate the sources of the complaints).
 4. The use has been maintained in good condition and its classification as a nonconformity would be a disincentive for such maintenance.
- C. **Conditions.** Conditions may be imposed relative to the expansion of bufferyards, landscaping, or other site design provisions, or other limitations necessary to ensure that, as a conforming use, the use will not become a nuisance. Such conditions may relate to the lot, buildings, structures, or operation of the use.

Sec. 12.504 Effect and Annotation

- A. **Generally.** Uses that comply with the terms of a conditional use permit issued in accordance with this Division are converted from "legally nonconforming uses" to "conforming uses" by virtue of the issuance of the permit.
- B. **Written Approval.** Conditional use approvals shall be provided to the applicant in writing and may be recorded by the applicant at the applicant's expense.
- C. **Annotation of Official Zoning Map.** Upon granting a conditional use permit and the applicant's demonstration of compliance with any conditions placed upon it, the Director shall place an annotation on the Zoning Map that states that the property has a conditional use permit, as well as the permit number and date of approval.



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ARTICLE 13 ADMINISTRATIVE BODIES

Division 13.100 Purpose and Application of Article

Sec. 13.101 Purpose

The purpose of this Article is to establish the bodies that are responsible for the administration of this UDC. This Article describes the roles and responsibilities of the City Council, Planning and Zoning Commission, Board of Adjustment, and City Staff with respect to the administration of this UDC. It also establishes the composition of appointed Boards, and general rules of procedure.

Sec. 13.102 Application of Article

- A. **Generally.** This Article sets out the roles and responsibilities of the City Council, Planning and Zoning Commission, Board of Adjustment, and City Staff with respect to the processing and administering applications under this UDC. It lays the foundation for the procedures in [Article 14](#), Permits and Procedures; and the enforcement proceedings in [Article 16](#), Enforcement, Interpretation, Disclaimer, and Repealer.
- B. **Application of Powers of the City Council.** The provisions of [Division 13.200](#), City Council, are intended to establish the City Council's role with respect to decisions about individual properties pursuant to this UDC. The Division does not restrict any other powers that are granted to the City Council by Federal law, State statute, or the City's Home Rule Charter.

Division 13.200 City Council

Sec. 13.201 General Powers

- A. **Generally.** The City Council has all powers conferred upon it by the City of Zachary Home Rule Charter and the constitution and laws of the State of Louisiana. With respect to decision-making pursuant to this UDC, the City Council will exercise the powers set out in this Division.
- B. **Approvals.** The City Council shall hear and decide the following applications:
 1. After a public hearing is held and after reports and recommendations are provided by the responsible official and Planning and Zoning Commission:
 - a. Text amendments to this UDC;
 - b. Amendments to the Official Zoning Map;
 - c. Pattern book approval; and
 2. After decision by the Planning and Zoning Commission, by ratification on the consent agenda:
 - a. Conditional use approval;
 - b. Site plan approval;
 - c. Preliminary plat approval if no pattern book is required; and
 - d. Final plat approval.



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- C. **Appeals.** The City Council shall hear and decide appeals from decisions of the Planning and Zoning Commission after public hearing.

Sec. 13.202 Composition; Terms; Vacancies

The composition of the City Council, the terms of its elected officials, and the filling of vacancies shall be as provided in the City of Zachary Home Rule Charter.

Sec. 13.203 Rules; Meetings; Administration of Oaths; Witnesses; Records

The procedural rules, conduct of meetings, meeting schedules, and the powers and duties of the City Council with respect to the administration of oaths, summoning of witnesses, and keeping of records are as set out or provided for in the City of Zachary Home Rule Charter and State law.

Division 13.300 Planning and Zoning Commission

Sec. 13.301 General Powers

- A. **Generally.** A Planning and Zoning Commission is established, which shall have the powers and duties described in this Division, the City of Zachary Home Rule Charter, and State law.
- B. **Applications.** The Planning and Zoning Commission shall hear and approve, approve with conditions, or deny the following types of applications, subject to ratification by the City Council on the consent agenda:
1. Conditional use approval;
 2. Site plan approval;
 3. Preliminary plat approval if no pattern book is required; and
 4. Final plat approval.
- C. **Studies and Policy Recommendations to the City Council.** The Planning and Zoning Commission is empowered to conduct appropriate studies, draft proposed regulations and amendments, and make policy recommendations to the City Council regarding the Comprehensive Plan and Unified Development Code. In this respect, the Planning and Zoning Commission shall, subject to appropriation of resources by the City Council:
1. Periodically make studies of the City's resources, development trends, environmental and aesthetic condition, and other issues and needs related to the use and development of land, and report its findings to the City Council.
 2. Initiate, prepare, or cause to be prepared amendments (both text and map) to the Comprehensive Plan as appropriate.
 3. Initiate, prepare, or cause to be prepared amendments (both text and map) to the Unified Development Code as appropriate.
- D. **Recommendations to City Council Regarding Applications.** The Planning and Zoning Commission shall hear all applications governed by this UDC that are to be decided by the City Council (except



appeals from decisions of the Planning and Zoning Commission) at public hearing and provide a report and recommendation to the City Council.

Sec. 13.302 Composition; Terms; Vacancies

- A. **Composition.** The membership of the Planning and Zoning Commission shall consist of not less than five nor more than 10 members appointed by the City Council.
- B. **Terms.**
1. The term of office for members appointed to serve on the Planning and Zoning Commission shall be not more than five years and until their successors have been appointed and qualified.
 2. Terms that were underway on the Effective Date of this UDC shall continue for their original duration.
- C. **Vacancies.** Vacancies on the Planning and Zoning Commission occurring by expiration of the term of a member shall be filled by the City Council at its first meeting in January of each year; however, when a vacancy occurs before the first meeting in January of the year, such vacancy shall be filled at the next regular meeting of the Mayor and City Council, for the balance of the unexpired term.

Sec. 13.303 Rules; Meetings; Administration of Oaths; Witnesses; Records

- A. **Rules of Procedure.**
1. A majority of the Planning and Zoning Commission members shall constitute a quorum of the Planning and Zoning Commission necessary to take action and transact business.
 2. All official actions shall require a simple majority of the quorum present.
 3. All recommendations or decisions shall be by roll-call votes of all members present. A tie vote or failure to take action shall constitute:
 - a. A denial of decision; or
 - b. An adverse recommendation.
 4. All recommendations and decisions shall be accompanied by a written summary of the decision and recommendations and the results of the roll-call vote.
 5. The Planning and Zoning Commission may establish such other rules of procedure as it deems necessary for the fair and efficient conduct of its meetings.
 6. In the absence of alternative written rules of procedure, the most current edition of Roberts Rules of Order shall control.
 7. Minor technical violations of procedural rules that do not involve quorum and voting shall not invalidate actions of the Planning and Zoning Commission if due process standards are met.
 8. A member of the Planning and Zoning Commission shall recuse himself or herself from participating in a matter in which the member may have a conflict of interest or an appearance of a conflict of interest. Such conflict of interest must be disclosed on the record of the proceedings.



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B. Meetings.

1. All meetings and public hearings of the Planning and Zoning Commission shall be open to the public.
2. The Planning and Zoning Commission shall hold meetings at the call of the Chairperson, and at other times determined by the Planning and Zoning Commission, but there shall be no less than one regular meeting each month.
3. The Planning and Zoning Commission shall hold an annual business meeting and shall elect a Chair and Vice Chair from among its members for a term of one year, with eligibility for re-election, and may fill such other of its offices as it may create in a manner prescribed by the rules of such Planning and Zoning Commission.

C. Witnesses and Administration of Oaths.

The Chair of the Planning and Zoning Commission may compel the attendance of witnesses and administer oaths.

D. Records.

1. The Planning and Zoning Commission shall have a clerk who shall act as secretary of the Planning and Zoning Commission, but shall not be a member.
2. The Planning and Zoning Commission shall keep records and minutes of its proceedings, which must indicate the vote of each member on each question, or the fact that a member is absent or fails to vote. The records and minutes shall be filed with the Clerk of the City Council.
3. If video or audio recordings are made of the proceedings, such recordings shall also be filed with the Clerk of the City Council.
4. All records, minutes, and recordings of Planning and Zoning Commission proceedings are public records.
5. If a recording or a verbatim transcript is not prepared in a normal course of the Commission's proceedings, the party who requests a copy of the recording or its transcript shall pay the cost of preparing the recording or transcript.

Division 13.400 Board of Adjustment

Sec. 13.401 General Powers

- A. **Generally.** A Board of Adjustment is established, which shall have the powers and duties described in this Division.
- B. **Applications.** The Board of Adjustment shall hear and approve, approve with conditions, or deny applications for variances from the terms of this Code after public hearing.
- C. **Appeals.** The Board of Adjustment shall hear appeals of alleged errors in any order, requirement, decision, or determination made by the Public Works Director as to the administration, interpretation, or enforcement of this UDC, and shall either grant or deny the appeal.



Sec. 13.402 Composition; Terms; Vacancies

The Board of Adjustment shall consist of the members of the City Council, serving in the capacity of the Board of Adjustment.

Division 13.500 City Staff

Sec. 13.501 Public Works Director

The Public Works Director shall have the authority, powers, and duties set out in Section 4-08, *Public Works Department*, of the *City of Zachary Home Rule Charter*.

Sec. 13.502 Responsible Official

- A. **Generally.** The responsible official is member of the City Staff who is ultimately responsible for processing an application to decision (in the case of administrative approvals) or recommendation to an approving body (in the case of discretionary approvals). The responsible official shall manage applications through the review process and shall be a point of contact for the applicant, but may delegate review responsibilities to other members of the City Staff with relevant technical training or expertise, or, as appropriate, to consultants that are authorized by the City Council.
- B. **Appointment of Responsible Official.**
1. The mayor of the City of Zachary shall appoint one or more responsible officials for each type of application that is required by this UDC. In the absence of a specific appointment, the Public Works Director shall be the responsible official.
 2. Pursuant to the City Charter, the Public Works Director shall be the responsible official with respect to maintenance of the zoning map.
 3. Pursuant to Section 18.1102, Floodplain Administrator, the City Building Inspector / Floodplain Coordinator is the responsible official with respect to the City's floodplain management regulations.
- C. **Duties and Responsibilities.** The responsible official shall:
1. Receive and log applications for development approval pursuant to this UDC.
 2. Keep records of development applications, including materials and outcomes.
 3. Review application materials and verify that applications are complete.
 4. Communicate with applicants to inform them that their applications are complete or not complete; and if the applications are not complete, what items are required.
 5. Review all applications (or cause the applications to be reviewed) and either decide the applications or make a recommendation regarding how the application should be decided.
 6. Set applications on agendas of the Planning and Zoning Commission or City Council, as appropriate.
 7. Provide public notice as required by this UDC.



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8. Promptly issue written permits, resolutions, or orders that reflect the substance of approvals granted pursuant to this UDC.
9. Maintain the [Zoning Map](#), including:
 - a. Updates to reflect rezonings;
 - b. Resolution numbers to indicate conditional use approvals; and
 - c. Appropriate annotations to indicate limited use approvals.
10. Track the term of approvals, and keep records of approvals that have expired.
11. Enforce this UDC as provided in [Article 16](#), Enforcement, Interpretation, Disclaimer, and Repealer.

Sec. 13.503 Site Plan / Technical Review Committee

- A. **Generally.** The Site Plan / Technical Advisory Committee is created to provide technical review of site plans to verify that they comply with this UDC and with principles of good project design, and to make a recommendation to the Planning and Zoning Commission and City Council with regard to same.
- B. **Composition.** The Site Plan / Technical Review Committee is composed of
 1. The Public Works Director or the director's designated representative;
 2. The City Building Inspector or the Building Inspector's designated representative;
 3. The Fire Chief or the Fire Chief's designated representative;
 4. The Police Chief or the Police Chief's designated representative;
 5. A member of the Zachary Planning and Zoning Commission; and
 6. A member of the Zachary City Council.
- C. **Organization.** The Public Works Director or the director's designated representative shall serve as the Chair of the Site Plan / Technical Review Committee.
- D. **Quorum.** The presence of four out of six members shall constitute a quorum.
- E. **Recommendations.** The Public Works Director shall make a recommendation based on a consensus of the majority of the Site Plan / Technical Review Committee.
- F. **Meetings.** The Site Plan / Technical Review Committee shall meet the third Monday of every month, commencing at 2:00 PM, or at other such time as approved by the Mayor and Public Works Director.



ARTICLE 14 PERMITS AND PROCEDURES

Division 14.100 Purpose and Application of Article

Sec. 14.101 Purpose

The purpose of this Article is to set out all of the City's development approval procedures in one place, and to standardize them to the maximum practicable degree.

Sec. 14.102 Application of Article

- A. **Generally.** All procedures for obtaining approvals pursuant to this UDC, and for appealing decisions of the City Staff or Planning and Zoning Commission, are set out in this Article.
- B. **Required Permits and Approvals.** Articles 1 through 13 establish requirements for land development in the City of Zachary. [Division 14.200](#), *Required Permits and Approvals*, sets out how land development is permitted, and which bodies are responsible for issuing the required permits.
- C. **Classification of Subdivisions.** [Division 14.300](#), *Classification of Subdivisions*, sets out which types of subdivision approvals require approval, and which do not. With respect to subdivisions that require approval, the Division also establishes the required application materials, any special standards that may apply, and the body that is responsible for granting the approval.
- D. **Standards for Administrative Permits.** [Division 14.400](#), *Standards for Administrative Permits*, establishes the criteria for issuance of administrative permits.
- E. **Standards for Public Hearing Permits.** [Division 14.500](#), *Standards for Public Hearing Permits*, establishes the criteria for issuance of public hearing permits.
- F. **Standardized Development Approval Procedures.** [Division 14.600](#), *Standardized Development Approval Procedures*, sets out a standard procedural framework for considering and deciding applications for development approval.
- G. **Interpretations; Administrative Appeals; and Protests.** [Division 14.700](#), *Interpretations; Administrative Appeals; and Protests*, establishes the standards and procedures for administrative interpretations of sections of this UDC, appeals of decisions of responsible officials or the Planning and Zoning Commission, and protests of pending applications for rezoning.
- H. **Text Amendments.** [Division 14.800](#), *Text Amendments*, sets out the procedures for amending the text of this UDC.
- I. **Development Agreements and Annexation Agreements.** [Division 14.900](#), *Development and Annexation Agreements*, sets out the procedure for negotiating and executing development agreements. Development agreements are used for developments that will be phased over long periods of time, or developments where infrastructure will be installed through public-private partnerships. Annexation agreements are used to ensure that property will become a part of a municipality at some future date.
- J. **Fees.** [Division 14.1000](#), *Fees*, sets out a fee schedule for applications and appeals.



City of Zachary Unified Development Code

Division 14.200 Required Permits and Approvals

Sec. 14.201 Permit Requirement

Permits are required for development in the City of Zachary. The required permits are set out in this Division.

Sec. 14.202 Administrative Permits

- A. **Generally.** Administrative permits are permits that are issued by City Staff without a requirement for public hearing.
- B. **Administrative Permits Established.** The administrative permits required by this UDC are set out in Table 14.202, Administrative Permits. Other development permits may also be required by State or Federal law, or the building code. Permits for activities in public rights-of-way are required by the City's Code of Ordinances.

Table 14.202 Administrative Permits					
Permit	Required For	Timing	Exceptions	Issued By	Standards ¹
Zoning Clearance Permit	New uses and changes in use	Prior to establishment of permitted use	N/A	Public Works Director	Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses, lists the use as permitted
Zoning Clearance Permit - Limited Use	New limited uses and changes in use to a limited use	Prior to establishment of limited use	N/A	Public Works Director	Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses, lists the use as limited and the limited use standards of Division 1.400, Limited and Special Use Standards, are met.
Site Permit	Clearing; grading; excavation; fill, land disturbing activities, or construction of any site improvements	After site plan or preliminary plat approval, if required. Prior to commencement of activity for which permit is required	The construction of a single-family home on a single-family lot in an improved subdivision; agriculture; and forestry.	Public Works Director	See Sec. 14.401, Site Permit Requirements
Floodplain Development Permit	Construction and development within an area of special flood hazard or flood-related erosion hazard	Prior to commencement of construction.	N/A	Floodplain Administrator	See Sec. 14.401+], Floodplain Development Permit Requirements
Sign Permit	Installation of a new or replacement sign	Prior to installation of sign or sign mount	Exempt signs (see Sec. 5.102, Application of Article)	Building Inspector	See Article 5, Signs
Temporary Use Certificate	Establishment of a temporary use that is listed as "P" or "L" in Table 1.305, Temporary Uses	Prior to installation of temporary structures or establishment of temporary use, whichever comes first	N/A	Building Inspector	See Division 1.500, Temporary Uses

City of Zachary Unified Development Code



Table 14.202 Administrative Permits					
Permit	Required For	Timing	Exceptions	Issued By	Standards ¹
Occupancy Permit	Occupancy of a building or structure	Upon completion of construction or before change in occupancy	N/A	Building Inspector	Compliance with all applicable standards of this UDC; conditions of approval; and applicable building code requirements
TABLE NOTE: ¹ Standards are provided for cross-reference purposes only, and do not exempt the application from all applicable standards of this UDC..					

Sec. 14.203 Public Hearing Permits

- A. **Generally.** Public hearing permits are permits that are issued by the City after compliance with the requirements of this UDC is determined at a public hearing.
- B. **Public Hearing Permits Established.** The public hearing permits required by this UDC are set out in Table 14.203, Public Hearing Permits. Other development permits may also be required by State or Federal law, or the building code. Permits for activities in public rights-of-way are required by the City's Code of Ordinances.

Table 14.203 Public Hearing Permits					
Permit	Required For	Timing	Exceptions	Issued By	Standards ¹
Conditional Use Approval	New conditional uses; changes in use to a conditional use; material changes to or expansion of a conditional use	Prior to establishment or modification of the conditional use	N/A	Planning and Zoning Commission (ratified by City Council)	See Division 1.400, <i>Limited and Conditional Use Standards</i> and Sec. 14.501, <i>Conditional Use Requirements</i>
Temporary Use Certificate for Temporary Conditional Uses	Establishment of a temporary use that is listed as "C" in Table 1.305, <i>Temporary Uses</i>	Prior to installation of temporary structures or establishment of temporary use, whichever comes first	N/A	Planning and Zoning Commission (ratified by City Council)	See Division 1.500, <i>Temporary Uses</i> and Sec. 14.501, <i>Conditional Use Requirements</i>
Site Plan Approval	All new development; all redevelopment that involves the destruction of existing buildings; all expansion of more than 20 percent of the floor area on a lot that already contains 20,000 square feet or more of floor area.	Prior to building permit or site permit	Single-family dwellings on individual lots	Planning and Zoning Commission (ratified by City Council)	See Sec. 14.502, <i>Site Plan Requirements</i>
Pattern Book Approval	All Traditional Neighborhood Developments; multi-housing neighborhoods for which variations in lot dimensions or setbacks are requested.	Concurrently with approval of preliminary plat	N/A	City Council	See Sec. 14.504, <i>Pattern Book Requirements</i>



City of Zachary Unified Development Code

Table 14.203
Public Hearing Permits

Permit	Required For	Timing	Exceptions	Issued By	Standards ¹
Preliminary Plat Approval	Major modifications of plats, change of subdivision name (see Sec. 14.305, <i>Major Modification of Plats; Change of Subdivision Name</i>); Standard Subdivision (see Sec. 14.306, <i>Standard Subdivisions</i>)	Prior to Final Plat Approval	See Division 14.300, <i>Classification of Subdivisions</i>	Planning and Zoning Commission (ratified by City Council); City Council if Pattern Book is provided for proposed development	See Sec. 14.505, <i>Preliminary Plat Requirements</i>
Final Plat Approval	Major modifications of plats, change of subdivision name (see Sec. 14.305, <i>Major Modification of Plats; Change of Subdivision Name</i>); Standard Subdivision (see Sec. 14.306, <i>Standard Subdivisions</i>)		N/A	Planning and Zoning Commission (ratified by City Council)	See Sec. 14.506, <i>Final Plat Requirements</i>
Variance	Deviation from the strict interpretation of this UDC.	Prior to building permit for improvements for which a variance is required; concurrently with other applications for development approval that include variances	N/A	Board of Adjustment (City Council)	See Sec. 14.507, <i>Variance Requirements</i>
DWPCA Special Permit	Establishment of certain listed uses in the Drinking Water Protection Critical Areas (DWPCAs)	Prior to establishment or expansion of listed uses in DWPCA.	N/A	City Council	See Sec. 3.205, <i>Use Limitations in Drinking Water Protection Critical Areas</i>
Rezoning	Changing the zoning district of a parcel from one district to another.	Prior to or concurrently with the submittal of site plan or plat applications that apply the standards of a zone to which rezoning is sought	N/A	City Council	See Sec. 14.508, <i>Rezoning Requirements</i>

TABLE NOTE:
¹ Standards are provided for cross-reference purposes only, and do not exempt the application from all applicable standards of this UDC..

Division 14.300 Classification of Subdivisions

Sec. 14.301 Purpose of Subdivision Classifications; Subdivision Requirement

- A. **Generally.** The purpose of the subdivision classification system set out in this Division is to provide for different procedures depending upon the scale and impacts of the proposed subdivision.
- B. **Subdivision Requirement.** No development shall commence, nor shall any building permit, utility connection permit, electrical connection permit or similar permit be issued, for any development or land division that is required to be processed pursuant to Section 14.303, *Minor Modification of Plats or Parcel Lines*, through Section 14.306, *Standard Subdivisions*, inclusive, until a plat has been approved and submitted to the City for recording with the East Baton Rouge Parish Clerk of Court.



Sec. 14.302 Combinations

- A. **Generally.** Combinations (except single-owner combinations, described in subsection D., below) are real estate transactions where property is split from one parcel and combined to an adjacent parcel. Combinations are a way for neighboring landowners to sell property to each other without extensive review.
- B. **Required Approval.** Approval of the City Council is required.
- C. **Application Materials.** Applications shall require, at a minimum, the following information:
1. A copy of the proposed deed.
 2. A sketch of the property that is the subject of the transaction.
 3. A sketch of the parent tract with the property that is the subject of the transaction removed.
 4. An executed covenant, to be recorded with the deed, that requires the property that is the subject of the deed to be combined with the purchaser's property under unity of title. The original lots or parcels of land that are combined pursuant to this Section are not considered to be "lots of record," and may not be separately conveyed to third parties except pursuant to this UDC.
- D. **Approval Standards.** The Public Works Director shall approve combinations if it is demonstrated that:
1. The combination does not increase the lot area of a lot in a Neighborhood Conservation district to more than two times the minimum lot area of the subdistrict, as set out in Table 1.201B, *Neighborhood Conservation Subdistricts*.
 2. The property that will be retained by the seller will meet the applicable requirements of this UDC with regard to:
 - a. Lot area;
 - b. Lot width;
 - c. Frontage;
 - d. Drainage; and
 - e. Access; and
 3. The transaction does not convey individual water or sewerage facilities that are needed to serve the property that will be retained by the seller; and
 4. The combined parcels will have a relatively regular shape.
- E. **Single-Owner Combinations.** Where "lots of record" (*i.e.*, lots created by formal subdivision prior to the effective date of these regulations) are held in common as of the effective date, said lots shall be combined to create a lot that conforms to these regulations, or if the holdings are insufficient to create a conforming lot, a combined lot that is more compliant with these regulations than the two separate lots.



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Sec. 14.303 Minor Modification of Plats or Parcel Lines

- A. **Generally.** Minor modifications of existing plats or parcels of land are those that involve:
1. The realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers, provided that the application meets the following requirements:
 - a. It does not involve the creation of any new street or other public improvement, except as otherwise provided in this subsection C.;
 - b. It does not involve more than the greater of:
 - i. Two acres of land; or
 - ii. Ten lots of record;
 - c. It does not reduce a lot size below the minimum applicable dimensional requirements for the type of development proposed; and
 - d. The resulting subdivision meets all applicable requirements of this UDC; or
 2. Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the City of Zachary or East Baton Rouge Parish, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines; or
 3. The dedication, acceptance, relocation, or deletion of public utility servitudes, other than public roads or streets, or the deletion of gas, electric, or telephone utility servitudes acquired by private act or pursuant to the provisions of RS 19:1 *et seq.* on the property being resubdivided.
- B. **Required Approval.** Approval of the Planning and Zoning Commission, with ratification by the City Council on its consent agenda is required.
- C. **Application Materials.** Applications shall require, at a minimum, the following information:
1. A copy of the existing recorded plat (for modifications of plats); or a survey of the area of a parcel to be modified, with enough detail to show the expropriated or dedicated parcel, its context with respect to the original parcel, and compliance with this UDC.
 2. A proposed plat containing the proposed parcel or lot lines, which demonstrates compliance with this UDC.
 3. For parcel modifications, a copy of the legal instrument (e.g., deed or court order) which, if applicable:
 - a. Subdivided the parcel that is the subject of the application; or
 - b. Deleted an existing easement.
- D. **Public Improvements.**
1. Subdivisions that are approved pursuant to this Section may involve:
 - a. The dedication, acceptance, relocation, or deletion of public utility servitudes, other than streets; or



- b. The deletion of gas, electric, or telephone utility servitudes acquired by private act or pursuant to the provisions of RS 19:1, *et seq.* on the property being resubdivided.
2. No subdivision may be approved under this Section if it does not connect to a public sewer system.
- E. **Certifications.** All plats approved or certified pursuant to this Section shall designate such fact on the plat and the plats shall be recorded in the conveyance records of East Baton Rouge Parish. Any plat so approved shall have the same force and effect and legal status of a standard subdivision plat.

Sec. 14.304 Minor Subdivisions

- A. **Generally.** The minor subdivision provides a streamlined method for the creation of a small number of lots for family members or to provide income for farmers or foresters without a requirement for investment in significant infrastructure. This Section permits a portion of a farm, wood lot, or tract of rural land to be developed as a minor subdivision, and does not preclude later subdivision of the balance of the property. This process is not intended to supplant simpler procedures, in that minor subdivisions that also qualify as combinations pursuant to Section 14.302, *Combinations*, shall be processed pursuant to Section 14.302.
- B. **Required Approval.** Approval of the City Council is required.
- C. **Application Materials.** Applications shall require, at a minimum, the following information:
 1. A survey of that part of the parcel proposed for subdivision that is subject to the application for minor subdivision, including enough detail to show the proposed new lots, existing wells and individual sewerage treatment systems, and the context of lots with respect to the original parcel and abutting property within 300 feet of any lot line, and compliance with this UDC.
 2. A proposed plat containing the proposed parcel or lot lines, which demonstrates compliance with this UDC.
- D. **Number of Lots Permitted.** The number of lots permitted in a minor subdivision is the lesser of:
 1. Eight new lots (*i.e.*, the "residual parcel," which is remainder of the parent tract, plus eight lots); or
 2. 20 percent of the maximum number of lots that could be platted on the parent tract pursuant to these subdivision regulations.
- E. **Access.** No new lot shall take direct access to an existing street. Lots created by minor subdivision shall take access from an easement that is not less than 60 feet wide, platted as part of the residual parcel, which shall be paved to a width of at least 18 feet. However, no access shall be subsequently accepted by the City as a public street unless the right-of-way and paving meets City standards for width and pavement.
- F. **Residual Parcel.** The remainder of the property after new lots are created pursuant to this Section is called the residual parcel. Further minor subdivision of residual parcels is not allowed. However, the residual parcel may be further subdivided by standard subdivision at a later date.



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- G. **Restrictions on Residual Parcel.** Covenants, conditions, and restrictions shall be recorded in the chain of title of the residual parcel pursuant to this subsection. Such covenants, conditions, and restrictions shall run with the land, and shall include all of the following:
1. The total number of lots that are permitted on the residual parcel pursuant to these regulations. This number is equal to the permitted density of the parcel proposed for subdivision times the area of the parcel proposed for subdivision, minus the number of new lots created pursuant to this Section.
 2. The development type upon which the permitted density in subsection G.1. is based.
 3. The total amount of open space that must be protected on the residual parcel based on its eventual anticipated development type. Alternatively, some or all of such open space may be protected on the minor subdivision plat.
 4. An easement of access to the subdivided lots and the residual parcel. The easement shall require, at the developer's expense, the installation of roads, drainage, and utilities that meet City standards when the residual parcel is developed.
 5. A covenant that any subsequent development will include all street improvements in the access easement at no expense to the owners of lots served by the initial access easement. Street improvements in the initial access easement shall be the first work to be completed in any subsequent development of the residual parcel.
- H. **Existing Buildings.** An existing home may be located on a subdivided lot or the residual parcel. It counts as one of the total dwelling units that are permitted on the site, but if located on the residual parcel, it shall not be counted against the lot total for the rural subdivision.

Sec. 14.305 Major Modifications of Plats; Change of Subdivision Name

- A. **Generally.** Major modifications of plats are any modifications that are not considered minor modifications under Section 14.303, *Minor Modifications of Plats or Parcel Lines*.
- B. **Approval Required.** Planning and Zoning Commission approval, and ratification by the City Council on its consent agenda, is required.
- C. **Application Materials for Major Modifications.** Applications for a major modification shall require, at a minimum, the following information:
1. A copy of the plat proposed to be modified;
 2. A sketch drawing that includes enough detail to show the context of the subdivision with respect to abutting property within 300 feet of any lot line;
 3. A proposed plat containing the proposed parcel or lot lines, which demonstrates compliance with this UDC;
 4. If site drainage is affected by the modification, a drainage plan.
- D. **Application Materials for Change of Subdivision Name.** Applications for a change of subdivision name (without other modifications) shall require, at a minimum, the following information:
1. A petition by all owners of lots in the subdivision;



2. A copy of the revised plat, which shall be the same as the existing plat, but with the following additional text appearing on its face:
 - a. "This is an existing approved subdivision that is filing for a name change only. Approved by the Planning and Zoning Commission on ____ (date) ____"; and
 - b. A signature line for the mayor.

Sec. 14.306 Standard Subdivision

- A. **Generally.** Standard subdivisions are those subdivisions that do not qualify as another type of subdivision pursuant to the other sections of this Division.
- B. **Approval Required.** Planning and Zoning Commission approval is required.
- C. **Preliminary Plat Application Requirements.** Applications for preliminary plat approval shall include, at a minimum, the following information:
 1. Vicinity map.
 2. North arrow.
 3. Revision date.
 4. Scale, which shall be an engineering scale of one inch equals 200 feet or less.
 5. Tabulations that include:
 - a. The number of lots in the subdivision;
 - b. The size of the parcel;
 - c. The number of dwelling units proposed;
 - d. The number of square feet of nonresidential floor area proposed, by generalized use; and
 - e. Water available for fire protection (if rural fire protection standards are used).
 6. Use and ownership of abutting parcels or lots.
 7. Location and dimensions of streets, lots, open spaces, and buffers.
 8. Proposed generalized use of lots (*e.g.*, mixed-use, single-family detached, single-family attached, multifamily, manufactured home, industrial, commercial or office, or institutional).
 9. Proposed location and size of proposed potable water lines.
 10. Drainage plan;
 11. Approvals, as required, from the Louisiana Department of Health and Hospitals.
 12. Proof of application to:
 - a. The Louisiana Department of Environmental Quality for a TMDL permit.
 - b. The U.S. Army Corps of Engineers for wetlands jurisdictional determination.
 13. Proposed location and size of sanitary sewer lines and sewerage facilities, except individual treatment systems.



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14. Proposed location of utility easements.
 15. Proposed location of fire hydrants.
 16. For subdivisions that will not be served by curbside solid waste pickup, the location of dumpsters, which shall not be closer than 50 feet to any public right-of-way line.
 17. A map showing the area and extent of natural resources on the site.
 18. Legal description of the parcel proposed for subdivision.
 19. If the proposed subdivision is to be constructed in several stages, a staging plan that shows how the subdivision improvements will be staged and the anticipated time lines for construction of the improvements.
 20. If the proposed subdivision is one of several contemplated phases, conceptual plans for the other phases.
- D. **Waiver of Application Requirements.** The Public Works Director may waive any of the above requirements if it is obvious that they do not relate to the processing of the application for which the waiver is requested.

Division 14.400 Standards for Administrative Permits

Sec. 14.401 Site Permit Requirements

- A. **Generally.** A site permit is required as set out in Section 14.202, *Administrative Permits*. By way of example and not limitation, development activities that require a site permit include, but are not limited to:
1. Tree removal in excess of:
 - a. Three non-exempt trees within a one calendar year period; or
 - b. If the parcel or lot contains more than one acre of tree canopy, three non-exempt trees per acre within the tree canopy within a one calendar year period.
 2. Any excavation, fill, or earthmoving involving an earthwork quantity greater than 10 cubic yards.
 3. Construction, paving, or re-paving of any driveway, private street, parking lot, sidewalk or path.
 4. Construction of any paved surface larger than 100 square feet in area.
 5. Construction or installation of any sewer, pipe, swale, or ditch for drainage purposes, except footing tiles or roof drainage interior to a structure.
 6. Installation of any exterior lighting for any site or use except single-family, duplex, twin home, or three-plex units.
- B. **Application.** Applications for approval of a site permit shall be on a form approved by the Public Works Director.
- C. **Decision Criteria.** A site permit shall be issued if the Public Works Director finds that:



1. All applicable requirements of this UDC have been met, and
 2. If any State or Federal approvals are required, said approvals have been granted.
- D. **Permit Conditions.** All site permits are issued upon the following conditions:
1. The applicant shall notify the Public Works Department at least 24 hours before beginning any land disturbing activity.
 2. The applicant shall obtain the permission of the Public Works Director before modifying the erosion control plan.
 3. The applicant shall install and maintain all erosion control measures as identified in the erosion control plan.
 4. The applicant shall maintain all road drainage systems, storm water drainage systems and other facilities as identified in the erosion control plan.
 5. The applicant shall remove sediment resulting from land disturbing activities from adjacent surfaces and/or drainage courses.
 6. The applicant shall allow the Public Works Director or designee to enter the site to verify compliance with the erosion control plan or to perform any work necessary to bring the site into compliance with the erosion control plan.
 7. The applicant shall submit a revised plan for approval if the nature of the project changes from that proposed under the permit.

Sec. 14.402 Sign Permit Requirements

- A. **Generally.** Sign permits are required as set out in Section [14.202](#), *Administrative Permits*.
- B. **Application.** Applications for approval of a sign permit shall be on a form approved by the Building Inspector.
- C. **Decision Criteria.** The Building Inspector shall decide whether to approve or deny a sign permit based on whether it complies with the requirements of [Article 5](#), *Signs*, and any other applicable provisions of this UDC.

Sec. 14.403 Temporary Use Certificate Requirements

- A. **Generally.** Sign permits are required as set out in Section [14.202](#), *Administrative Permits*.
- B. **Application.** Applications for approval of a sign permit shall be on a form approved by the Building Inspector.
- C. **Decision Criteria.** The Building Inspector shall decide whether to approve or deny a temporary use certificate based on whether it is permitted in the district, or whether, if it is limited, it complies with the applicable requirements of [Division 1.500](#), *Temporary Uses*.



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Sec. 14.404 Occupancy Permit Requirements

A. Generally.

1. No building may be occupied in the city without an occupancy permit as required by this section. After the Effective Date of this UDC no change in the use of occupancy of land, nor any change of use or occupancy in any existing building other than for single-family dwelling purposes, shall be made, nor shall any new building be occupied until a certificate of occupancy has been issued by the building official.
2. No permit for excavation for, or the erection or alteration of, any building shall be issued before the application has been made and approved for a certificate of occupancy.
3. No building or premises shall be occupied until a certificate of occupancy and permit is issued.

B. **Application.** Each application for an occupancy permit shall be accompanied by a plat in duplicate, drawn to scale, showing the name of the person making the application, the actual dimensions of the lot to be built upon, the size, shape, and location of the building to be erected, and such other information as may be necessary to provide for the enforcement of this UDC. A record of applications and plats shall be kept in the office of the building official.

C. **Decision Criteria.** Occupancy permits shall be issued only upon a finding that all requirements of this UDC, conditions of approval, and applicable building code requirements are met.

D. **Records.** A record of all certificates of occupancy shall be kept on file in the office of the building official and copies shall be furnished on request to any interested person.

Division 14.500 Standards for Public Hearing Permits

Sec. 14.501 Conditional Use Requirements

A. **General.** The standards of this Section are applicable to all Conditional Uses. Individual Conditional Uses shall also comply with the applicable standards of [Division 1.400, Limited and Conditional Use Standards](#) or [Division 1.500, Temporary Uses](#).

B. **Application.** Applications for approval of a conditional use permit shall be on a form approved by the Code Compliance Officer.

C. **Standards for All Conditional Uses.** All Conditional Uses shall comply with the following standards:

1. The conditional use will not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment trajectory;
2. There is no practicable alternative location where the use is permitted as-of-right within one-quarter mile of the parcel proposed for development, or, if such a location exists, the proposed location is more favorable in terms of providing a needed community service to a population that has limited mobility;
3. The approval of the conditional use will not create a critical mass of similar conditional uses that is likely to tend to discourage permitted uses by making the vicinity less desirable for them; and



4. The conditional use is conducted in a manner that is not materially more disruptive to adjacent properties than other permitted uses in the district unless the conditional use is temporary and the duration of the use is limited to minimize the impact. Conditions of approval may be attached to the conditional use to ensure that this requirement is satisfied.
- D. **Annotation of Zoning Map.** If the application is approved, the Official Zoning Map shall be annotated to reference the approval by resolution number.

Sec. 14.502 Site Plan Requirements

- A. **Generally.** The standards of this Section are applied to site plans. Site plans are required as provided in Table 14.203, *Public Hearing Permits*.
- B. **Application.** Applications for approval of a site plan shall be on a form approved by the Code Compliance Officer.
- C. **Decision Criteria.**
1. The proposed development or structure meets all of the requirements of this UDC.
 2. The proposed project, building or development does not place an undue burden upon public facilities or infrastructure, including but not limited to:
 - a. Inefficient street networks causing undue congestion of streets and traffic access;
 - b. Building and parking arrangements that would overcrowd land or overburden public facilities and services such as transportation, sewage, drainage, schools, parks, fire or police protection and other public facilities and services; or
 - c. Inadequate pedestrian ways.
- D. **Conditions of Approval.** The Planning and Zoning Commission may impose conditions of approval as may be necessary to ensure compliance with this UDC.

Sec. 14.503 Sign Design Programs

- A. **Generally.** The standards of this Section are applied to sign design programs. Sign design programs are an optional method for applicants to obtain approval of signs that do not strictly comply with the standards of Article 5, *Signs*. See Division 5.500, *Sign Design Program*.
- B. **Application.** Applications for approval of a sign design program shall be on a form approved by the Code Compliance Officer. Applications shall include the materials required by Section 5.501, *Sign Design Program Alternative*.
- C. **Decision Criteria.** Decision criteria for sign design programs are set out in Section 5.501, *Sign Design Program Alternative*.
- D. **Conditions of Approval.** The Planning and Zoning Commission may impose conditions of approval as may be necessary to ensure compliance with this UDC. Conditions of approval shall not relate to the contents of the signs.
- E. **Timing of Approval.** Applications for approval of a sign design program shall be placed on the next available agenda of the Planning and Zoning Commission after the application is submitted. The



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Planning and Zoning Commission shall not continue a hearing on a sign design program without the consent of the applicant.

Sec. 14.504 Pattern Book Requirements

- A. **Generally.** The pattern book is a design guide for a specific development. It is submitted by the applicant to address the design of individual buildings or dwellings. The pattern book ensures that the development will be attractive and harmonious. The pattern book:
1. Provides a palette of development styles and materials (as such, it addresses the design elements not the use or intensity of development);
 2. Provides details of streetscape design and landscaping; and
 3. May provide for specific modifications of the requirements of this UDC in order to ensure that the development is a cohesive whole.
- B. **Application.**
1. An application for Pattern Book approval shall accompany all applications for approval of a Traditional Neighborhood Development, and any application for approval of a mixed-housing neighborhood which also seeks to deviate from minimum lot size, lot averaging, lot width, or setback requirements.
 2. The Pattern Book shall include the following elements:
 - a. A description of each type of housing that is proposed.
 - b. Standards for lot dimensions for each type of housing, expressed either as lot width and lot depth or lot width and lot area. Such standards may be expressed as averages.
 - c. Standards for setbacks or build-to lines for front, street side, interior side, and rear lot lines, which may be different for principal buildings and accessory buildings. Such standards may be presented in tabular or illustrated format.
 - d. Standards for yards or courtyards, if different from areas between required setback lines and lot lines.
 - e. Standards for the design of each type of building (residential, nonresidential, and mixed-use) that is proposed in the development, which shall include:
 - i. Architectural style / typology;
 - ii. Typical architectural elements for each style / typology; and
 - iii. Typical building materials for each style / typology.
 - f. A collection of illustrative elevations for each architectural style / typology, with standards that will ensure diversity of architectural presentation; or a collection of proposed elevations for each architectural style / typology, which demonstrates diversity of architectural presentation.
 - g. Standards for fences and garden walls, if different from those set out in Section 4.05, Fences and Garden Walls.

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- h. Standards for accessory buildings, if different from those set out in [Article 2, District Intensity and Development Standards](#).
- C. **Decision Criteria.** Upon recommendation by the Planning and Zoning Commission, the City Council shall review the pattern book to ensure that it will accomplish the following objectives:
1. *Limitations on Modulation.* Pattern books may modulate residential development standards if the modulations occur in the following ranges:
 - a. Front setbacks (or build-to lines) are in the following ranges:
 - i. Center Subdistrict: 0 ft. to 8 ft.
 - ii. General Subdistrict: 0 ft. to 15 ft.
 - iii. Edge Subdistrict: 10 ft. or more
 - b. Side setbacks shall comply with applicable fire codes.
 2. *Harmony.* The municipality, neighborhood, and development should be harmonious. Harmony is defined as the middle, or balance, of two continuums, both of which have ends that, at their extremes, are unattractive. The balance shall be struck between:
 - a. Monotony and chaos; and
 - b. Unity and interest.
 3. *Quality.* Quality not only refers to the materials and care with which a building or environment is built, but also to its visual richness (e.g., details that are attractive to the resident or visitor). In order to ensure visual interest, the pattern book shall demonstrate the following:
 - a. Single-Family homes (attached or detached) are designed to provide a unit that has a unified appearance from the street with any street façade (front façade and street side façade), having comparable treatment in materials, color, and trim.
 - b. If masonry is used on a front façade, it is also applied to side facades in one or more of the following ways:
 - i. Masonry returns to a break in the side façade, such as a chimney, room projection, or projecting window area;
 - ii. An architectural return is applied to all corners so that the greater of ten percent of the length of the side building wall or three feet is finished with masonry to the same height as the front facade;
 - iii. Quoins are used, if consistent with the architectural typology of the building;
 - iv. An architectural detail with a minimum width of 16 inches is applied, such as a pilaster that caps the masonry and the other material that completes the corner; or
 - v. A wing wall screens the view of the side of the building from the street.
 - c. Detached single-family homes will be articulated and detailed, and shall avoid undue imposition of building mass on the street.



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- d. There should be some detailing or doors, windows and their trim that carries around the buildings sides so that even if the trim is plainer, they show a relationship to the general style and character of the front.
 - e. Front porches will be provided on all detached housing types within 1,320 feet along street centerlines from the Center subdistrict, and may be provided elsewhere and on other housing types.
 - f. Balconies will be provided on all multistory townhomes and multistory multifamily buildings.
 - g. Utility meters shall not be on front or side elevations unless screened by vegetation or other approved screening.
4. *Diversity*. The pattern book shall demonstrate that one or more of the techniques below will be used to achieve harmony (the pattern book is not required to include all of these elements):
- a. *Varied Housing Types at a Fine-Grained Scale*. Multiple housing types are required, yet this requirement could result in areas or “pods” of each type, which has the potential to lead to monotony. Mixing types on a smaller scale, even having differing dwelling unit types in a block face, is a technique to reduce monotony and add interest.
 - b. *Varied Architectural Styles*. Different architectural styles (e.g., Colonial Revival and Neoclassical) can be used to vary the appearance of buildings with comparable floor plans. The variations in architectural styles must be meaningful, but must not create a chaotic appearance. For this technique to be reviewed, a number of elements, including roof type and orientation, roof pitch, eave overhangs, windows, doors, decorative elements shall be specified for each architectural style that will be used in the TND. The reference for architectural style shall be *A Field Guide to American Houses* by Virginia and Lee McAlester, et al. (Knopf 1984).
 - c. *Varied Floor Plans*. If floor plans are meaningfully different, homes will look different. If floor plans are not meaningfully different, homes will often look monotonous. The differences in floor plans must significantly alter the width and shape in order to present a building volume or mass that is different. Such differences include, but are not limited to:
 - i. Minimum of 10 percent difference in front façade width; or
 - ii. Different forms (rectangle, L, or X shapes), if the differences affect the front façade; or
 - iii. Different numbers of stories; or
 - iv. Different symmetry (symmetrical or asymmetrical).
 - d. *Varied Gable Orientation*. In many cases, a front or side gable roof can be constructed over the same floor plan. This change significantly alters the roof profile of the house, its front elevation massing, and may also alter the height of the roof peak.
 - e. *Varied Elements*. The pattern book may demonstrate that architectural elements will be varied in a way that creates meaningful differences in building appearance. Such details may include trims, materials, color, window arrangement (grouping), window fenestration, doors, door lights, window and garage doors, porches, chimneys, bay windows, towers,



and balconies, as necessary to create the required variation. This technique is particularly useful when a single architectural style, or two very closely related styles (e.g., Prairie and Craftsman) are used in the development. The pattern book must include detailed elevations, lists of specific elements to be used, and an explanation of how the elements will be mixed to differentiate nearby buildings.

- f. **Averaged Lot Width.** Meaningful variation of lot width generally causes meaningful variations in building width and floor plan. A pattern book may show that block faces will include lots of varying widths, as follows:
 - i. Three lots size categories for each type of housing are created, using a required average (e.g., 50 percent of the lots would be average, 25 percent small, and the remainder large).
 - ii. The difference in frontage among the lot sizes should be in the range of 10 to 20 percent. For example, an average 10,000 square foot lot that is 80 feet wide is 125 feet deep. The “small” lot could be 70 feet wide, and the “large” lot 90 feet wide. The resulting lots, all 125 feet deep, would have areas of 8,750, 10,000, and 11,250 square feet.
 5. **Light and Air.** The pattern of development, and the open space available on each lot and for the community are such that adequate light and air are provided for residents. Residents of the General Subdistrict and Edge Subdistrict shall have a private outdoor space that is at least 100 square feet in dimension, and which may be a rear lawn, courtyard, patio, deck, or useable rooftop area.
 6. **Pedestrian-Orientation.** The pattern book shall demonstrate that the residential areas of the development are designed for the comfort and convenience of the pedestrian, with continuous sidewalks; tree-lined, traffic-calmed streets; and architecture that provides street-level interest and accessibility.
- D. **Conditions of Approval.** The City Council may place conditions of approval on the Pattern Book as necessary to ensure compliance with the decision criteria of subsection C., above.
- E. **Prohibited Issues.** The City Council will not impose conditions on the Pattern Book that:
1. Limit density, intensity, amount of open space, or land use in a manner that is different from the requirements of this UDC.
 2. Address the design of the development, in ways that are covered in the preliminary plat or site plan review. The pattern book approval shall defer any overall plan layout issues to be addressed in the plat approval.

Sec. 14.505 Preliminary Plat Requirements

A. Generally.

1. All plans for the subdivision of land shall conform with preliminary plan, the requirements of the laws of the state (specifically R.S. 35:5051 et seq.), governing surveying, platting and subdivision of land and to the subdivision regulation as contained here and all other applicable ordinances of the City and all amendments thereto.



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2. The purpose of the preliminary plat is to show graphically all facts needed to enable the Planning and Zoning Commission, the City Engineer and other City agencies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of public interest and will meet the requirements of this UDC. Changes may be necessary in the preliminary plan before it can be tentatively approved. Application.
- B. **Application.** Applications for preliminary plat approval shall be on a form approved by the Public Works Director, and shall include, at a minimum, the following information:
1. *Scale.* The preliminary plat shall be drawn to a scale of one-inch equals 100 feet or less. If the subdivision contains more than 160 acres, the preliminary plat may be drawn to a scale of one inch equals 200 feet.
 2. *Title.* The title under which the proposed subdivision is to be recorded; the location of the property to be subdivided; the name of the owner or owners and/or the subdivider; and the name of the engineer, surveyor or landscape architect, if any, who is platting the tract.
 3. *Boundary Lines and Existing Improvements.* Boundaries of the subdivision location; width and names of streets adjoining the subdivision; section and township lines; indication of incorporated areas, sewer districts, zoning districts, school districts and other legally established districts; all watercourses, drainage ditches, wooded areas and other features within the area to be subdivided as well as the same facts regarding adjacent property.
 4. *Adjoining Property.* The names of all adjoining subdivisions, and the names and record owners of adjoining tracts of unsubdivided land.
 5. *Features of Proposed Subdivision.* The proposed location, names and width of streets; layout, and approximate dimensions of lots; any other necessary descriptions of lots, servitudes and easements; and location and dimensions of existing buildings, if any; and subdivider's front building lines with setbacks. The lots shall not encroach on major drainage servitude or rights-of-way and all such servitude or rights-of-way shall be excluded from lot area.
 6. *Sewers, Waterlines, and Drainage Ditches.* Existing drainage ditches, sanitary and storm sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent; statement of proposed plans for drainage and sewage disposal, including location of proposed culverts and bridges and a contour map where terrain might affect location of sewers and ditches.
 7. *Open Space.* The areas of protected open space, as required by the applicable open space ratio or landscape surface ratio.
 8. *Public Utilities.* The location of all existing and proposed public utilities including storm and sanitary sewers, water, gas and power lines.
 9. *Resource Protection Areas.* Areas set aside for resource protection, as required by [Article 3, Open Space and Environmental Quality](#).
 10. *Streets.* Statement of proposed street improvements, including contour map where terrain might affect location of streets.
 11. *Special Use Areas.* Location and size of proposed parks, playgrounds, church or school sites or other special uses of land to be considered for dedication to public use.



12. *North Point, Scale and Date.* North point, scale, and date.
 13. *Vicinity Map.* A key or vicinity map, showing the area to be subdivided in relation to the nearest major street or road.
- C. **Decision Criteria.** Approval of a preliminary plan is a tentative approval only and does not constitute the approval of a record plat. The application shall be evaluated based upon:
1. Its compliance with the applicable requirements of this UDC.
 2. A finding that the proposed development does not place an undue burden upon public facilities or infrastructure, including but not limited to:
 - a. Inefficient street networks causing undue congestion of streets and traffic access;
 - b. Building and parking arrangements that would overcrowd land or overburden public facilities and services such as transportation, sewage, drainage, schools, parks, fire or police protection and other public facilities and services; or
 - c. Inadequate pedestrian ways.
- D. **Conditions of Approval.** The Planning and Zoning Commission may place conditions upon approval of the preliminary plat, in order to ensure that the final plat complies with the requirements of this UDC and that it reflects principles of good design. Approval of preliminary plats that are accompanied by pattern books are contingent upon approval of the Pattern Book by the City Council.

Sec. 14.506 Final Plat Requirements

- A. **Generally.** The final plat is the final recorded document which provides the layout of the subdivision, including lots, infrastructure, and protected open space and natural resources.
- B. **Application.**
1. *Scale and Materials.* The final plat shall be drawn in ink to scale of one inch equals 100 feet on tracing cloth or polyester base film, in one or more sheets whose maximum dimensions are 24 inches x 36 inches. Where the subdivided area is of unusual size or shape, the commission may permit a variation in the scale or size of the final plat. If more than two sheets are required an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet.
 2. *Contents of Plat.* The final plat shall include the following:
 - a. Descriptive text and graphics, including:
 - i. Name of subdivision;
 - ii. Name and address of the subdivider;
 - iii. North point, scale and date;
 - iv. Legal description of the tract being subdivided
 - b. Parcel and lot lines and other mapped features, along with text descriptions, which shall include the following:



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- i. The outer boundary lines with accurate distances, angles, or true bearings if available, the exact location width of all recorded streets and ways intersecting the boundaries of the tract being divided;
 - ii. Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat; municipal range, township, parish and section lines accurately tied to the lines of the subdivision by distances and angles, or true bearings, if available
 - iii. Alleys, ways, private servitudes of access and streets, together with their widths and names;
 - iv. All curve data, the lengths of all arcs, radii, internal angles, points of curvature, lengths and bearings of tangents;
 - v. All dimensions, both linear and angular, necessary for determining the exact boundary of all lots in the subdivision; all angles must either be given directly or indicated by the bearings shown; where any lot line is curved, the significant elements of the curve, such as the arc length and the subtending central angle, bearing and dimensions of side lot lines and where a curve is involved an indication if it is a radial line and any and all mathematical information and data necessary to locate all interior and exterior boundary lines of any lot;
 - vi. All block indications, if any; lot numbers; all individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "Reserved";
 - vii. The accurate location, material, type and description of all permanent control monuments. All monuments are to meet the specifications as set forth in [Division 6.600, Mapping and Monuments](#); location, description and elevation of bench marks based on mean sea level datum as determined by USGS; where no established bench mark exists, a permanent bench mark shall be established on the property based on mean sea level datum and shown on the plat;
 - viii. Delineation and area of special use areas, including the location and size of proposed parks, playgrounds, protected resources and open spaces, sites for places of public assembly (including schools) or other special uses of land to be considered for dedication to public use, and of all property that may be granted by deed and covenants for the common use of the property owners in the subdivision, along with a statement for responsibility for maintenance;
- c. Certifications, notes, and references, including:
- i. Every plat shall show a note giving reference to the basis of the bearing, i.e., "Bearings shown refer to true North" or "Bearings shown refer to Grid North as established for the Louisiana Plane Coordinate System by the U.S.C.&G.S." or "Bearings shown refer to assumed North based on a bearing of S10°030'10"W used for the centerline of State Highway 100", or "Bearings shown refer to the map (or deed) call N30'E for the easterly line of the Smith Tract," etc. In all cases the bearings used shall be referenced to some well established line.

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- ii. Statement of dedication, which shall, in addition to the dedication statement, include the following language: "No trees, shrubs or other plants may be planted, nor shall any building, fence, structure or improvements be constructed or installed within or over any drainage or utility servitude or right-of-way without written approval from the public works department and the city inspector. Any reproduction of the final plat or any resubdivision plat, prepared for purposes of sale or advertising, or any other purpose, shall likewise include that statement pertaining to obstructions of servitude."
 - iii. Statement regarding sewage disposal, which shall be signed by the owner and subdivider, and which shall provide that no person shall provide or install a method of sewage disposal, except connection to an approved sanitary sewer system, until the method of sewage treatment and disposal has been approved by the Division of Health and Hospitals.
 - iv. Private restrictions, restrictive covenants or trusteeships and their periods of existence to apply to lots in the subdivision shall be signed by the owner or his agent and recorded in the office of the clerk and recorder of the parish, and references to such instruments shall be made on the plat and a copy shall be furnished to the secretary of the Planning and Zoning Commission and Clerk of the City Council.
 - v. When the area subdivided lies at such elevation that without additional drainage facilities not then available it will become inundated or overflowed by rain or stormwater, a statement shall be lettered on the subdivision plat, setting forth these facts, and portions that have been overflowed shall be indicated on the plat.
 - vi. The project engineer's certification and seal. This certification shall be a statement by a registered professional engineer and/or land surveyor licensed to practice either of these professions in the state. It shall provide that the plan is based upon an actual survey made by him and that the distances, courses, and angles and all other required survey information are shown correctly, that the monuments have been set and the lot and block corners staked correctly on the ground and that he has fully complied with the provisions of the R.S. 33:5051 et seq., and regulations governing platting. The engineer's or land surveyor's seal shall also be shown.
 - vii. Recommendation for approval by the City Engineer.
 - viii. Approval of the Planning and Zoning Commission.
- C. **Decision Criteria.** The final plat shall be approved if it implements the preliminary plat and all conditions of preliminary plat approval and includes all of the information required by this Section.
- D. **Conditions of Approval.** No conditions of approval shall be placed upon the final plat.

Sec. 14.507 Variance Requirements

- A. **Generally.** Variances are variations from the strict application of this UDC. Variances shall be granted only in the exceptional circumstances that are set out in Subsection C. An applicant for a variance is not required to have an application denied before seeking the variance.



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- B. **Application.** Applications for variances to the terms of this UDC shall be submitted on a form approved by the Public Works Director. The application form shall include, at a minimum, the following substantive information:
1. The name of the applicant and contact information, including mailing address and telephone number;
 2. The address of the property for which the variance is sought;
 3. The legal description of the property for which the variance is sought;
 4. The nature and purpose of the requested variance (including specific reference to the Code sections from which variance is sought), and the grounds on which the variance is requested; and
 5. A statement regarding how the proposed variance meets the standards set out in Subsection C.
- C. **Decision Criteria.** The Board of Adjustment may authorize a variance in height, lot area, and/or yard regulations only in cases where strict compliance with the terms of this UDC would result in unreasonable hardship and only in a manner so as to grant relief without substantial injury to the public health, safety, and general welfare. The Board of Adjustment shall not grant a variance unless and until the following conditions are satisfied:
1. There are extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography that are not applicable to other lands or structures in the same district;
 2. The need for a variance or the extraordinary and exceptional conditions do not result from the actions of the applicant;
 3. Granting the variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district;
 4. A literal interpretation of the provisions of this UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located;
 5. Granting of the variance will be in harmony with the general purpose and intent of this UDC and will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
 6. The variance requested is the minimum variance that will make possible a permitted use of the land, building, or structure;
 7. The variance will not permit a use of land, building, or structure that is not otherwise permitted in the applicable district;
 8. The variance will not permit an intensity of use of land that is not permitted in the applicable district;
 9. The variance is consistent with the City's Comprehensive Plan; and
 10. No other relief is available through the application of alternative development standards or an alternative development configuration that is allowed by this UDC.



- D. **Conditions of Approval.** The Board of Adjustment may condition approval of the variance as necessary to protect the public health, safety, and welfare.
- E. **Annotation of Zoning Map.** If the application is approved or approved with conditions, the Official Zoning Map shall be annotated to reference the approval by resolution number.

Sec. 14.508 Rezoning Requirements

- A. **Generally.** Rezoning is the change of the zoning classification that applies to a lot or parcel proposed for development.
- B. **Application.** Applications for approval of a rezoning shall be on a form approved by the Public Works Director.
- C. **Decision Criteria.** The City Council may approve an application for rezoning after recommendation by the Planning and Zoning Commission if:
 - 1. The request is consistent with the policies in the Comprehensive Plan;
 - 2. The request is consistent with the Future Land Use Map of the Comprehensive Plan;
 - 3. Public facilities are in place or committed that will provide an acceptable and appropriate level of service for development under the requested zoning classification;
 - 4. The rezoning does not result in a constrained parcel with respect to resource protection (see Section 18.504, *Constrained Parcels*) or bufferyards (see Division 10.300, *Bufferyard Requirements*);
 - 5. The rezoning would not cause untimely urban sprawl; and
 - 6. The rezoning would not cause material degradation of the quality of life of residential neighborhoods; including but not limited to such factors as:
 - a. The creation of material new demand for heavy truck traffic through the neighborhoods;
 - b. The functional failure (degradation to Level of Service F) of any intersections within 1,320 feet of the entrances to the parcel for which rezoning is requested; or
 - c. The introduction of uses that are prone to be nuisances when located near residential areas if insufficient spacing or room for buffering is available.
- D. **Conditions of Approval.** A request for a rezoning may be conditioned upon adherence to a site plan submitted by the applicant, which may limit the uses that are permitted on the site. The site plan may be processed concurrently with the rezoning request.

Division 14.600 Standardized Development Approval Procedures

Sec. 14.601 Application of Standardized Development Approval Procedures

- A. **Generally.** The standardized approval procedures of this Division apply to all applications for development approval that are set out in Section 14.202, *Administrative Permits* and Section 14.203, *Public Hearing Permits*.



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- B. **Development Approval Process.** In general, the approval procedures set out in this Division are intended to be undertaken in sequence until the application is considered and decided by the decision-maker identified in Section 14.202, *Administrative Permits* or Section 14.203, *Public Hearing Permits*.

Sec. 14.602 Pre-Application Conference

A. **Generally.**

1. A pre-application conference is recommended for all applications for development approval except applications for building permits for single-family detached dwellings or two-family dwellings, residential accessory buildings or structures, and signs. At the pre-application conference, the responsible official and other members of City Staff, as appropriate, will meet with the applicant to review preliminary materials, identify issues, and advise the applicant regarding which applications and approvals will be required from the City and what information will have to be provided.
2. Informal meetings may be scheduled prior to a pre-application conference, at the discretion of the applicant and the City Staff. Such meetings are recommended prior to the development of site plans and preliminary plats.

B. **Conference Logistics.**

1. The Public Works Director is authorized to establish a regular schedule for pre-application conferences, provided that:
 - a. The schedule is posted at City Hall; and
 - b. The schedule provides for pre-application conferences to take place at least one day per week.
2. Pre-application conferences may be conducted in person or by telephone by agreement among the applicant and the City Staff who will attend the conference.

C. **Meeting Materials.**

1. The applicant shall bring to (or submit prior to) the pre-application conference sufficient supporting materials to explain:
 - a. The location of the project;
 - b. The proposed uses (in general terms);
 - c. The proposed arrangement of buildings, parking, access points, open spaces, and drainage facilities;
 - d. The relationship to existing development;
 - e. Generally, the presence of natural resources, open water, floodplains, and floodways on the parcel proposed for development;
 - f. Any other conditions or items that the applicant believes are relevant to the processing of the application.



2. The responsible official may request that the applicant bring completed application forms (in draft form) for the types of permits being sought.

Sec. 14.603 Filing of Application

- A. **Generally.** Every application for development approval required by this UDC shall be submitted on a form approved by the responsible official, along with the corresponding application fee.
- B. **Forms.**
 1. The responsible official shall promulgate and periodically revise forms for each type of application required by this UDC.
 2. Application forms shall include the specific information that is required to process each type of application. The specific information requirements shall be established and periodically revised by the responsible official, and have the purpose of facilitating:
 - a. The evaluation of applications for compliance with the standards of this UDC; and
 - b. The administration of this UDC.
- C. **Schedule.** The responsible official is authorized, but not required, to establish regular intake days for any or all classifications of applications for development approval, provided that:
 1. The schedule is posted at City Hall and on the City's worldwide web site; and
 2. The schedule provides for applications to be submitted:
 - a. At least once per week for applications listed in Section 14.202, *Administrative Permits*, except site permits and building permits, which shall not be limited to certain days.
 - b. At least twice per month for applications listed in Section 14.203, *Public Hearing Permits*.
 3. The schedule does not restrict the timing of notices of appeal.

Sec. 14.604 Application Completeness Review

- A. **General.** Within five business days after an application is submitted, the responsible official (or designee) shall review the application to verify that it is complete.
- B. **Incomplete Applications.**
 1. Incomplete applications shall be returned to the applicant with a written explanation that describes in general terms the materials that must be submitted in order to complete the application.
 2. No application that does not include the applicable processing fee shall be considered complete.
- C. **Complete Applications.** Complete applications shall be processed according to the applicable procedures of this Article.



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Sec. 14.605 Administrative Review

- A. **Administrative Review.** When the responsible official determines that an application is complete, then the responsible official shall cause the application to be reviewed for technical compliance with all applicable requirements of this UDC.
- B. **Administrative Recommendation or Decision.**
1. If the application is for an administrative permit the responsible official shall approve, approve with conditions, or deny the application, as appropriate; or
 2. If the application is for a public hearing permit, the responsible official shall make a recommendation regarding the application and forward the recommendation to the next body that will consider it for further recommendation or approval.
 - a. If the application is for a site plan approval, the responsible official shall make the recommendation based on the input from the Site Plan / Technical Review Committee, which shall be convened to review the application
 - b. If the application is for a preliminary or final plat, the responsible official shall also keep record of the date that preliminary and final plats are submitted to the Planning and Zoning Commission for its review.
- C. **Meeting Logistics.**
1. If the application is for a public hearing permit, the responsible official shall set the application on the next available agenda of the next body that will consider the application, consistent with the legal requirements for public notice.
 2. The responsible official shall coordinate with recommending and decision-making bodies to fix reasonable times for hearings.

Sec. 14.606 Public Notice

- A. **Generally.** Public notice of public hearings required by this UDC shall be provided as required by Table 14.606, *Required Notice*.

Table 14.606 Required Notice		
Type of Public Hearing Permit	Posted Notice	Publication Notice
Site Plan Approval	Post signs on the property to be subdivided or resubdivided at least ten days prior to the hearing date.	Published not less than 10 days before the Planning and Zoning Commission hearing
Preliminary Plat Approval / Pattern Book Approval	Post signs on the property to be subdivided or resubdivided at least five days prior to the hearing date.	Published not less than five days before the Planning and Zoning Commission hearing
Final Plat Approval	Post signs on the property to be subdivided or resubdivided at least five days prior to the hearing date.	Published not less than five days before the Planning and Zoning Commission hearing
Variance	Post signs on the property to be subdivided or resubdivided at least five days prior to the hearing date.	N/A



Table 14.606 Required Notice		
Type of Public Hearing Permit	Posted Notice	Publication Notice
Rezoning	Post signs on the property to be rezoned at least ten days prior to the hearing date	Published not less than 10 days before the Planning and Zoning Commission hearing regarding its recommendation to the City Council; published not less than 15 days before City Council hearing at which the application will be decided.

B. **Technical Requirements for Notice.** All notices shall describe the action proposed to be taken and the date, time, and place of the public hearing. In addition, the following requirements apply based on the type of required notice:

1. *Posted Notice.*
 - a. Signs shall be of a size and design as to be readily visible to passersby.
 - b. Signs shall be placed at intervals of not less than one sign every 300 feet along public thoroughfares bordering the property to be rezoned.
2. *Publication Notice.* Where publication is required, notice shall be published for three consecutive days in the official journal of the City. Time requirements are based on the first day of publication.

Sec. 14.607 Planning and Zoning Commission Hearing

- A. **Generally.** All public hearing approvals require a public hearing before the Planning and Zoning Commission, as may be required by Section 14.203, *Public Hearing Permits*.
- B. **Hearing Procedures.** The Planning and Zoning Commission shall adopt rules of procedure for the conduct of public hearings. The following general procedures shall be reflected in the adopted rules of procedure.
 1. Any person may appear at a public hearing, submit evidence, and be heard.
 2. If a speaker represents an organization, the body conducting the hearing may request written evidence of that person's authority to speak on behalf of the group in regard to the matter under consideration.
 3. Persons appearing at a public hearing shall identify themselves and state their address and similar information about any organization they represent.
 4. Citizens, applicants, and the City shall have the right to present expert witnesses.
 5. No action may be taken on items that are not on the Planning and Zoning Commission agenda.
- C. **Decision or Recommendation.** The Planning and Zoning Commission shall, as required by Section 14.203, *Public Hearing Permits*:
 1. Approve the application;
 2. Approve the application with conditions;



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3. Deny the application;
4. Continue the application; or
5. Make a corresponding recommendation to the City Council on the application.

Sec. 14.608 City Council Public Hearing

- A. **Generally.** Public hearing approvals that require a decision by the City Council according to Section 14.203, *Public Hearing Permits* shall be heard at public hearing by the City Council pursuant to this Section.
- B. **Hearing Procedures.** The City Council shall adopt rules of procedure that are consistent with the following objectives:
 1. Any person may appear at a public hearing, submit evidence, and be heard.
 2. If a speaker represents an organization, the City Council may request written evidence of that person's authority to speak on behalf of the group in regard to the matter under consideration.
 3. Persons appearing at a public hearing shall identify themselves and state their address and similar information about any organization they represent.
 4. Citizens, applicants, and the City shall have the right to present expert witnesses.
- C. **Decision.**
 1. After public hearing on the application, the City Council shall:
 - a. Approve the application;
 - b. Approve the application with conditions;
 - c. Deny the application;
 - d. Continue the hearing on the application; or
 - e. Refer the application back to the Planning and Zoning Commission for further review and recommendation (notice of the Planning and Zoning Commission meeting shall be provided in the manner required by Section 14.606, *Notice*).
 2. Continuances and referrals back to the Planning and Zoning Commission will not be used for subdivision or pattern book approvals without the applicant's consent, which shall be recorded in the minutes of the meeting.

Sec. 14.609 Continuances and Withdrawal of Applications

- A. **Continuances.** Requests for continuance of any proceeding called for herein may be granted at the discretion of the body holding the public hearing. If granted, the applicant shall pay all additional costs associated with the rescheduling of the proceeding.
- B. **Withdrawal.** Any application may be withdrawn, either in writing or on the record during the proceeding before the recommendation or decision is made.



Sec. 14.610 Approval; Effect of Approval

- A. **Generally.** Approval of an application authorizes only the particular use, plan, or other specific activity for which the approval was granted. Supplemental materials that are provided in support of an approval become part of the approval (*e.g.*, elevations, lists of building materials, etc.) unless otherwise noted in the approval itself.
- B. **Continuity of Approvals.** Approvals run with the land that is the subject of the approval. Text amendments and use interpretations generally impact more than one parcel of land, and therefore are effective City-wide until repealed or modified in due course.
- C. **Writing and Findings Required.** Approvals shall be reduced to writing and shall include findings that support the decision. For administrative approvals, the approval and findings shall be signed by the responsible official. For discretionary approvals and appeals, the approval and findings shall be signed by the person who presided over the meeting in which the decision was made.
- D. **Expiration of Approvals.**
1. Permitted time frames for an approval do not change with changes in ownership and shall expire as indicated in Table 14.610, *Time Limitations and Extensions*, if either of the following occur:
 - a. A building permit or site permit has not been issued to establish the use authorized in the approval; or
 - b. The use does not require a building permit and is not established, ongoing, and in operation.
 2. Although a permit may expire, nothing in subsection D.1., above, abrogates the right to a seek a new permit. However, the new permit application will be decided based on its compliance with the standards that are in place at the time it is filed.
 3. Any approval not listed in Table 14.610, *Time Limitations and Extensions*, shall not expire. Such approvals shall continue in force until superseded by an amendment to this UDC, a subsequent, inconsistent application, or other similar specific action that would alter the approval.
- E. **Extensions.**
1. Upon written request and good cause shown, one extension may be granted by the decision-making body for a period not to exceed the original approval period. No request for an extension shall be considered unless a written application requesting the extension is submitted to the responsible official no later than one month prior to the expiration of the approval. Failure to submit an application for an extension within the time limits established by this Section shall result in the approval's expiration as provided above.
 2. This subsection does not apply to building permits if evidence of good-faith effort toward completion is provided to the responsible official.
- F. **Effect of Appeals and Litigation.** If there is an appeal or litigation during the time period that limits the applicant's ability to proceed, the appeal or litigation shall suspend the expiration date, and the date shall be recalculated when the appeal or litigation, including appeals, is complete. The new expiration date shall be established by adding the number of days that the approval remained valid



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before the appeal or litigation commenced to the date the appeal or litigation was completed by a final, nonappealable order. This Subsection does not apply if the litigation is related to enforcement of a violation of this UDC.

Application Type	Time Limitation
Zoning Clearance Permit; Zoning Clearance Permit - Limited Use	12 months
Site Permit	6 months to commencement of construction, and 3 years to completion
Sign Permit	180 days
Temporary Use Certificate	As provided on the face of the certificate; 14 days if no limitation is provided on the certificate
Conditional Use Approval	24 months ¹
Site Plan Approval	24 months
Preliminary Plat Approval	18 months
Variance	None, except if a condition of approval
Building Permit	180 days unless otherwise approved by Building Inspector; or expires due to 30 days of dormancy or abandonment.
TABLE NOTE: ¹ Unless specified otherwise in the approval. The approval may also specify periodic review, at which time the approval could be terminated.	

Sec. 14.611 Successive Applications

- A. **Generally.** It is the policy of the City of Zachary not to hear successive applications for the same approval after an application is denied. The limitations of this Section prevent the consideration of successive applications.
- B. **Time Required Between Substantially Similar Applications.** The City shall not accept any application that is substantially similar to an application that was denied within the period set out below:
1. *Generally.* 6 months shall elapse between the date an application is denied and the date a substantially similar application is filed.
 2. *Rezoning.* Rezoning follows the general rule of subsection B.1., above, except that if substantially similar rezoning applications are denied twice, two years shall elapse from the last date of denial before a new substantially similar application is accepted for processing.
- C. **Appeal and Waiver of Restrictions.**
1. The responsible official's determination that an application is substantially similar to a denied application is subject to administrative appeal.
 2. In the alternative to an appeal, the applicant may seek a waiver of the successive application rules from the City Council, which may grant the waiver for good cause shown.



Division 14.700 Interpretations; Administrative Appeals; Protests

Sec. 14.701 Interpretations

- A. **Generally.** Any person may request an administrative interpretation of the terms, provisions, or requirements of this UDC if the application of the terms, provisions, or requirements are not obvious.
- B. **Application.** Applications shall be submitted on a form approved by the Public Works Director. The applicant shall cite the code provision for which interpretation is sought, a description of the situation or scenario to which the application of this UDC is in question, and a statement of the nature of the interpretation sought.
- C. **Procedure.** Within a reasonable period after the application for an interpretation is filed, the responsible official shall make a good faith effort to interpret the provision that is the subject of the application based on the materials or scenario posed by the applicant, shall respond to the applicant in writing, and shall keep a copy of the response in a record of interpretations. The responsible official may consult with other City Staff in drafting the interpretation.
- D. **Interpretation Guidelines.** The responsible official shall refer to the following to provide the policy framework for interpretations:
1. The *Purpose and Application of Article* division at the beginning of the Article that includes the section for which interpretation is sought, and any purpose statements within the division or section that may be relevant to the determination;
 2. The purpose of the zoning district, as set out in Section 1.201, *Zoning Districts*.
 3. [Article 16](#), *Enforcement, Interpretation, Disclaimer, and Repealer*; and
 4. The adopted Comprehensive Plan for the City of Zachary.
- E. **No Legal Advice.** Legal interpretations by the City Attorney shall not be provided to private parties without the consent of the City Council. No interpretation provided by other City staff pursuant to this Section shall be construed as legal advice.
- F. **No Binding Effect.** It is the policy of the City to evaluate applications for development approval comprehensively on their individual merits. Therefore, the interpretation of the responsible official is persuasive to decision-making bodies, but shall not be binding upon the City.

Sec. 14.702 Administrative Appeals

- A. **Generally.**
1. The purpose of administrative appeals is to provide an opportunity for affected parties to seek appellate review of a decision of a responsible official or the Planning and Zoning Commission in a timely and inexpensive way.
 2. Administrative appeals are decided by an appellate body as follows:
 - a. Decision by a responsible official are reviewed by the Board of Adjustment
 - b. Decision by the Planning and Zoning Commission are reviewed by the City Council



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3. Decisions of the Board of Adjustment are not subject to administrative appeal.
- B. Standards to be Reviewed.** The appellate body shall decide appeals according to the same standards that the decision-maker was to apply to the application.
- C. Scope of Review.** The appellate body shall review the application in the same manner as the decision-maker. However:
1. No evidence shall be presented to the appellate body that was not considered by the decision-maker; and
 2. No issues shall be reviewed by the appellate body that were not described or obviously implied by the petition for appeal.
- D. Parties to Appeal.**
1. Only parties shall have standing to bring an appeal. No appeal by a person who is not a party shall be heard.
 2. The parties to an appeal are the Petitioner and the Respondent. The City is always a Respondent. Other interested parties may also join as respondents pursuant to subsection G., below.
 3. A person or entity is a party if it demonstrates:
 - a. That final action of the City caused it injury;
 - b. The injury is different in kind or degree from injury to members of the general public; and
 - c. The injury can be remedied if the appeal is granted.
 4. The Applicant is always a party, and shall not be required to demonstrate injury if:
 - a. The Applicant is appealing an adverse decision or an adverse condition of approval, in which case the Applicant is a Petitioner; or
 - b. The Applicant's application is the subject of an appeal by another party, in which case the Applicant is a Respondent.
 5. Any person or entity that owns property within 300 feet of any parcel line of the parcel that is the subject of the appeal shall not be required to demonstrate injury.
- E. Appeal Petition.** An administrative appeal is initiated by filing a petition, along with the required fee, with the clerk of the appellate body. The notice of appeal shall include the following information:
1. The name, address, and telephone number of the Petitioner;
 2. A short statement indicating the nature of the application, the application number, the date of hearing, and the decision;
 3. A short statement indicating how the Petitioner qualifies as a party, pursuant to either subsections D.3., D.4., or D.5. above; and
 4. A short but specific statement regarding how the decision appealed violates this UDC. The statement shall refer to the particular section numbers upon which the Petitioner relies.

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- F. **Timing of Appeal.** Appeal petitions shall be filed within 14 days of the date of the decision by the responsible official or Planning and Zoning Commission. Failure to file within 14 days shall cut off the right of appeal.
- G. **Notice.** Notice of an appeal shall be mailed to all property owners within 300 feet of the boundaries of the parcel that is the subject of the appeal, and shall be published in a newspaper of general circulation in the City not less than 15 days before the hearing on the appeal.
- H. **Intervention.** Any person or entity may enter an appearance as a party to an appeal on the side of the Petitioner or Respondent, provided that the written Notice of Appearance is entered more than four days before the hearing. Notices of Appearance shall be filed with the Clerk of the appellate body, as follows:
1. *Contents of Notice.* The notice of appearance shall include:
 - a. The name, address, and telephone number of the person or entity entering the Notice of Appearance;
 - b. A reference to the appeal number and date of decision;
 - c. A short statement indicating how the person or entity entering the Notice of Appearance qualifies as a party.
 - d. A statement as to whether the person or entity entering the Notice of Appearance is seeking to become a Petitioner or Respondent in the appeal.
 2. *Materials to be Provided to Adverse Party.* The City shall require the Petitioner to furnish each adverse party with a copy of the petition and the application for development approval for the property that is the subject of the appeal.
- I. **Public Hearing and Decision.** The appellate body shall hold a public hearing on the appeal according to the following procedures:
1. *Order of Presentation.* The appeal hearing shall be ordered as follows:
 - a. Members of the appellate body shall disclose:
 - i. Potential conflicts of interest; and
 - ii. *Ex parte* communications.
 - b. The Petitioner shall present the appeal.
 - c. The Respondent shall present a response.
 - d. Intervenors shall be heard, first on behalf of the Petitioner, and then on behalf of the Respondent.
 - e. Members of the public may be heard.
 - f. The Petitioner may cross-examine the Respondent or Intervenors.
 - g. The Respondent may cross-examine the Petitioner or Intervenors.
 - h. The Petitioner may make a closing argument.
 - i. The Respondent may make a closing argument.



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- j. Members of the appellate body may ask questions of the Petitioner, Respondent, or Parish Staff.
 - k. The appellate body shall decide the appeal by majority vote of a quorum present.
2. *Form of Decision.* Decisions regarding appeals shall be reduced to writing, executed by the Mayor or the Chair of the Board of Adjustment, as appropriate. Such written decisions shall include the factual basis for the decision and a record of the vote on the decision by the appellate body.

Sec. 14.703 Protests

- A. **Generally.** Protests are a way for nearby landowners to officially object to the rezoning of a parcel proposed for development.
- B. **Effect of Protest.** If a protest is filed according to the requirements of this Section, a rezoning shall not be granted for the parcel that is the subject of the protest without a favorable vote of three-fifths of all of the City Council members.
- C. **Requirements for Protests.** Protests are initiated by way of a petition, which shall include:
 - 1. The signatures of the owners of
 - a. 20 percent of the land within such area proposed to be altered; or
 - b. 20 percent or more of the area of the lots immediately abutting either side of the territory included in such proposed change, or separated therefrom only by an alley or street.
 - 2. A list, map, or index of the lot and square number, subdivision name or description of each signer's property, along with the street address.
- D. **Timing of Protest.** Protest petitions shall be filed with the Clerk of the City Council not less than one week before the City Council's public hearing on the requested rezoning.

Division 14.800 Text Amendments

Sec. 14.801 City Initiated Amendments

- A. **Generally.** The mayor or any member of the City Council or Planning and Zoning Commission may initiate an amendment to the text of this UDC. Text amendments to this UDC will be processed as Ordinances pursuant to the City Charter, Sections 2-10, *Action Requiring and Ordinance* and Section 2-11, *Ordinances in General*.
- B. **Required Additional Procedures.** No amendment to this UDC shall be effective unless:
 - 1. The City Council has received a final report from the Planning and Zoning Commission on the merits of the amendment; and
 - 2. The City Council has held a public hearing upon the proposed amendment at which parties in interest and citizens have had an opportunity to be heard, at least 15 days' notice of which hearing has been published in the official journal of the city.



Sec. 14.802 Privately Initiated Text Amendments

- A. **Petition for Text Amendment.** Any citizen may petition for any change or amendment to this UDC. The City will process said petition if:
1. It is sponsored by the Mayor, a member of the City Council, or a member of the Planning and Zoning Commission; or
 2. It is submitted as an initiative pursuant to Section 6-01 of the Home Rule Charter of the City of Zachary.
- B. **Application.** The proponent of a privately initiated text amendment shall submit the proposed amendment, along with narrative that explains the need or desirability for the amendment.
- C. **Required Additional Procedures.** No amendment to this UDC shall be effective unless:
1. The City Council has received a final report from the Planning and Zoning Commission on the merits of the amendment; and
 2. The City Council has held a public hearing upon the proposed amendment at which parties in interest and citizens have had an opportunity to be heard, at least 15 days' notice of which hearing has been published in the official journal of the city.

Division 14.900 Development and Annexation Agreements

Sec. 14.901 Development and Annexation Agreements Authorized

- A. **Generally.** Development agreements are the preferred method for providing stability and establishing public and private expectations for large, multi-phased projects with long-term buildouts. Development agreements may also be used, at the City Council's discretion, for any other development, and may be combined with annexation agreements. Annexation agreements set the terms by which property will be brought into the incorporated boundaries of the City of Zachary.
- B. **Authorization.** The City Council may authorize the Mayor to negotiate and execute a development agreement pursuant to RS 33:4780.21 (Subpart G, Development Agreements), *et seq.*, and the home rule authority provided by the Home Rule Charter of the City of Zachary. Proposed development agreements and annexation agreements shall be reviewed by the City Attorney and shall be approved by the City Council before execution.

Sec. 14.902 Contents of Development and Annexation Agreements

- A. **Required Development Agreement Provisions.** A development agreement shall include at least the following provisions:
1. The duration of the agreement;
 2. The permitted uses of the property;
 3. The density or intensity of use;
 4. The maximum height and size of proposed buildings;



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5. Provisions for reservation or dedication of land for public purposes or natural resource protection; and
 6. Terms and conditions relating to financing of necessary public facilities by the applicant; and, if such improvements serve more than the applicant's subdivision, subsequent reimbursement of the applicant over time.
- B. Annexation Agreements.** An annexation agreement shall include at least the following provisions:
1. An irrevocable consent of the owner of the property that is the subject of the annexation agreement to consent to annexation into the City of Zachary pursuant to the agreement;
 2. The timing or conditions upon which the annexation will take place; and
 3. The timing or phasing of extension of utilities and services to the annexed property, including how the costs of the extension will be allocated between the City and the property owner.
- C. Optional Provisions.** Development agreements and annexation agreements may include:
1. Conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement;
 2. A requirement that construction shall be commenced within a specified time and/or that the project or any phase thereof be completed within a specified time; and
 3. Any other lawful provision that is mutually agreed to between the property owner and the City.

Sec. 14.903 Review; Modification; and Termination of Development Agreements

- A. Generally.** Development agreements shall be reviewed every 12 months, at which time the applicant or his successor in interest thereto shall be required to demonstrate good faith compliance with the terms of the agreement.
- B. Termination or Modification of Agreement.** If, as a result of such periodic review, the City Council finds and determines, on the basis of substantial evidence, that the applicant or successor in interest thereto has not complied in good faith with terms or conditions of the agreement, the City Council may terminate or modify the agreement.

Division 14.1000 Fees

Sec. 14.1001 Establishment of Fee Schedule

- A. Generally.** Pursuant to Section 2-10, Action Requiring an Ordinance, of the City of Zachary Home Rule Charter, the fees set out in this Section are established for the Administration of this UDC.
- B. Fee Schedule.** Table 14.1001, Fee Schedule, establishes the fees that shall be paid for the processing of applications and appeals pursuant to this UDC. All applications shall be accompanied by the required fee.

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Table 14.1001 Fee Schedule	
Application Type	Fee
Zoning Clearance Permit	\$
Zoning Clearance Permit - Limited Use	\$
Site Permit	\$
Floodplain Development Permit	\$
Sign Permit	\$
Temporary Use Certificate	\$
Occupancy Permit	\$
Conditional Use Permit	\$
Site Plan	\$
Pattern Book	\$
Preliminary Plat	\$
Final Plat	\$
Variance	\$50
Floodplain Variance	\$
Rezoning	\$150
Annexation Petition	\$150

Sec. 14.1002 Periodic Review of Fee Schedule

It is the intent of the City Council to periodically review and update the fee schedule. The Planning and Zoning Commission shall make a report and recommendations to the City Council with regard to the fee schedule at intervals of not more than two years. The City Council shall consider the report and initiate an Ordinance to amend Section 14.1001, *Establishment of Fee Schedule* as it considers appropriate.



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ARTICLE 15 TITLE; AUTHORITY; JURISDICTION; REFERENCES; AND PURPOSES

Division 15.100 Title; Reference; Authority; and Jurisdiction

Sec. 15.101 Title; Reference

- A. **Title.** This Code shall be known as "The City of Zachary, Louisiana, Unified Development Code."
- B. **Reference.** This Code is referred to herein as "UDC."

Sec. 15.102 Authority

- A. **Constitutional Authority.** The constitutional authority for this UDC is established by:
 - 1. Article 6, Section 5(E), Louisiana Constitution, *Home Rule Charter - Structure and Organization; Powers; Functions.*
 - 2. Article 6, Section 17, Louisiana Constitution, *Land Use; Zoning; Historic Preservation*
- B. **Charter Authority.** The home rule charter authority for this UDC is established by:
 - 1. Section 1-05, City of Zachary Home Rule Charter, *General Powers.*
 - 2. Section 1-06, City of Zachary Home Rule Charter, *Special Powers.*

Sec. 15.103 Jurisdiction

This UDC applies to all property that is located within the corporate limits of the City of Zachary, Louisiana, as may be expanded, contracted, or modified from time to time.

Division 15.200 Applicability; Private Restrictions; and Vested Rights

Sec. 15.201 Applicability

- A. **Generally.** No land shall be used or developed except in accordance with this UDC. All the following are subject to the applicable requirements of this UDC, and may require one or more development permits:
 - 1. The use of any building, structure, land, or water, including new uses, existing uses (which may be subject to [Article 12, Nonconformities](#)), or expanded uses.
 - 2. The construction of buildings, structures, and infrastructure.
 - 3. Landscaping, but not including routine landscape maintenance, landscaping of individually owned residential lots, and agricultural and forestry operations.
 - 4. Outdoor lighting.
 - 5. Land clearing in anticipation of development for non-agricultural or non-forestry purposes.



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6. The posting of signs.
 7. Any other disturbance of land, soil, vegetation, or waterways, including alteration of land for development or other purposes.
 8. Any division of land or land development, for sale or lease, whether by metes and bounds, subdivision, or land development.
- B. **Specific Exceptions.** Specific exceptions to the requirements of this UDC may be set out in individual Articles, Division, or Sections.
- C. **Prohibited Uses.** No use that is prohibited within a zoning district shall be established after the Effective Date of this UDC in said zoning district under any circumstances. Existing uses that are prohibited after the Effective Date are subject to [Article 12, Nonconformities](#).

Sec. 15.202 Exceptions and Exemptions

- A. **Exceptions.** Any development granted final approval prior to the adoption of this UDC shall be controlled by the development standards in place at the time of approval, provided that if construction permits have not been obtained within 12 months of that approval, the UDC provisions shall be met.
- B. **Exemptions.** The following are exempt from the provisions of this UDC:
1. Railroad tracks and rail sidings on railroad property.
 2. Construction of state or federal highways.
 3. The temporary use of any property as a voting place in connection with a public election.
 4. Agricultural operations that were established outside the City limits and subsequently annexed into the City. However, the City may prohibit or regulate agricultural operations that are negligently operated or that are not operated in accordance with generally accepted agricultural practices. (See RS 3:3607, the Louisiana Right to Farm law, subsection B.4.).

Sec. 15.203 Private Restrictions

- A. **Existing Private Restrictions.** The City will not interpret, search for, or enforce private restrictions to which it is not a party or to which it has no explicit right of enforcement.
- B. **New Private Restrictions.** The City will review private restrictions on new developments during the development approval process. The City may require a right of enforcement or party status to private restrictions that relate to conditions of approval, and reserves the right to enforce such restrictions as an additional means of enforcement of this Code.

Sec. 15.204 Vested Rights

- A. **Generally.** Vested rights are rights that have been legally established and cannot be revoked by subsequent conditions or changes in law without due process of law. The City recognizes vested rights as provided in this Section.
- B. **Pending Applications for Development Approval.** Complete applications for development approval that are filed before the effective date of this UDC or any amendments hereto shall be processed



according to the zoning and subdivision regulations that were in effect at the time the application was filed unless the applicant consents to the application of this UDC instead. If approved, the resulting development order shall expire according to the standards of Section 14.610, *Approval; Effect of Approval*.

C. Annexed Property.

1. Pursuant to RS 4725.1, *Zoning of Annexed Property*, if the City annexes property that is subject to the East Baton Rouge Parish zoning ordinance at the time of annexation, and the annexation causes a change in the zoning classification, the parish zoning classification shall remain in effect until the first of the following occurs:
 - a. The owner of the property has applied to the City for rezoning; or
 - b. A period of six months elapses after the annexation.
2. The City shall notify the owner of the property of the change in zoning classification by certified mail within thirty days of the date of the annexation.
3. The owner of property subject to this subsection may waive its requirements with respect to his property. Any such waiver shall be in writing and shall be filed in the East Baton Rouge Parish conveyance records. The City may prescribe the form for any such waiver or may authorize a municipal officer, agency, or employee to prescribe such form for the filing of such waivers.

- D. Vested Development Rights.** Development rights may be vested for periods longer than those set out in Section 14.610, *Approval; Effect of Approval* by way of a development agreement approved by the City Council and executed by the Mayor.

Division 15.300 Purposes

Sec. 15.301 General Purposes

- A. General Purposes.** The general purposes of this UDC are to promote the public health, safety, comfort, morals, convenience, and general welfare by:
1. Protecting the quality of life of City residents;
 2. Ensuring that highway systems are carefully planned to:
 - a. Lessen or avoid congestion in public ways;
 - b. Enhance opportunities for multimodal and non-vehicular travel; and
 - c. Reduce unnecessary vehicle miles traveled;
 3. Ensuring that the community grows with adequate public ways and utilities, and health, educational, and recreational facilities by:
 - a. Promoting the orderly growth, development, improvement, and redevelopment of the community; and
 - b. Protecting natural resources and the environment, including potable water supplies;



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4. Ensuring that the needs of business and industry are recognized by:
 - a. Providing for sufficient commercial and industrial property to allow for economic development within the City;
 - b. Providing for a fair, orderly, and efficient development review process; and
 - c. Protecting the value of property and buildings;
 5. Ensuring that residential areas provide healthful surroundings for family life;
 6. Protecting the fiscal and functional integrity of the City by:
 - a. Ensuring that the growth of the City is commensurate with and promotive of the efficient and economical use of public funds; and
 - b. Encouraging development in areas where transportation, water, sewers, schools, parks, and other public requirements exist; and limit development where such facilities do not exist; and
 7. Preserving, enhancing, and protecting the unique and special character of the City, by:
 - a. Implementing the City's Comprehensive Plan;
 - b. Securing adequate light, air, convenience of access, and safety from fire, flood, and other danger;
 - c. Fostering a balanced community;
 - d. Promoting the preservation, enhancement, development, and redevelopment of a variety of housing types at a variety of price points, in order to provide decent housing opportunities to a broad market;
 - e. Preventing the overcrowding of land and the undue concentration of population;
 - f. Promoting nodes of activity with compact urban forms;
 - g. Minimizing and mitigating conflicts among adjacent land uses; and
 - h. Preserving and protecting places and areas of historical, cultural, scenic, or architectural importance and significance.
- B. **Specific Purposes.** Specific purposes of this UDC may also be set out in individual Articles, Divisions, or Sections.

Sec. 15.302 Incentives and Flexibility

- A. **Incentives.** The City Council recognizes that setting aside open space on a parcel proposed for development reduces the buildable area of the parcel. Therefore, this UDC provides incentives for providing open space. Development options including single-family detached cluster, conservation subdivision, preservation subdivision, mixed housing neighborhoods, and traditional neighborhood development are permitted as a matter of right. Within any given district where these development types are allowed, the general rule is that the more open space that is provided, the greater the permitted residential density. See Section 2.201, *Residential Density, Open Space, and Parcel Standards*.

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- B. **Flexibility.** The ability to cluster means that the developer can work with the site and plan around its natural resources. Being freed from a rigid minimum lot size and width standard for single-family development facilitates open space and resource protection, as smaller lots or different housing types can be used to provide the open space.



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ARTICLE 16 ENFORCEMENT, INTERPRETATION, AND LEGAL STATUS

Division 16.100 Purpose and Application of Article

Sec. 16.101 Purpose of Article

The purpose of this Article is to set out the procedures for enforcing this UDC, and the remedies available to the City for violations of this UDC.

Sec. 16.102 Application of Article

- A. **Generally.** This Article provides the method of enforcement for this UDC. However, it does not preclude the City from taking any legal action available to it to enforce this UDC and protect the health, safety, and welfare of its residents, business owners, and visitors.
- B. **Enforcement Procedures and Remedies.** [Division 16.200, *Enforcement*](#), provides the procedures by which this UDC will generally be enforced, which typically involves notice to violators and an opportunity for them to cure the violation before penalties are imposed. However, the City may take immediate action or alternative actions, in the City's discretion, as provided herein.
- C. **Interpretation.** Generally, this UDC shall be interpreted based on its plain language. However, in the event of an ambiguity, [Division 16.300, *Interpretation*](#), provides the methodology for interpreting this UDC. Section [16.302, *Private Covenants*](#), establishes how this UDC relates to existing private covenants.
- D. **Legal Status.** [Division 16.400, *Legal Status*](#), sets out how provisions of this UDC shall be severed in the event that a portion of the UDC is invalidated by a court of competent jurisdiction. It also sets out which sections of the City of Zachary Code of Ordinances are repealed by the adoption of this UDC, and how to interpret conflicting provisions within this UDC and between this UDC and State or Federal law.

Division 16.200 Enforcement

Sec. 16.201 Violations

No land in the City of Zachary shall be used, nor any building or structure erected, constructed, enlarged, altered, maintained, moved or used in violation of this UDC as amended from time to time. Any such violation of this UDC shall be considered unlawful and may be found to be a public nuisance.

Sec. 16.202 Enforcement Procedures

- A. **Generally.** The procedures of this Section are available to the City to enforce this UDC and the terms of any development order issued hereunder or under prior zoning regulations. Nothing in this Section shall be interpreted to prevent the City from taking any other legal action it deems necessary or appropriate for preventing or abating a violation of this UDC, including the immediate



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pursuit of extraordinary remedies in a court of competent jurisdiction according to Section 16.205, *Remedies*.

B. Notice of Violation.

1. *Generally.* Prior to the commencement of any criminal prosecution of any person, natural or juridical, the appropriate City official shall order in writing the remedying of any condition found to exist in violation of any zoning ordinance. This written order shall be mailed, certified, return receipt requested, to the municipal address designated for the immovable property where the zoning violation has occurred.
 2. *Contents of Order.* The order, or notice of violation, shall contain:
 - a. The name and address of the owner or applicant;
 - b. The address when available or a description of the building, structure or land upon which the violation is occurring;
 - c. A statement specifying the nature of the violation;
 - d. A description of the remedial measures necessary to bring the development activity into compliance with this UDC and a time schedule for the completion of such remedial action;
 - e. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and
 - f. A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 10 days of service of notice of violation.
 3. *Effectiveness of Order.* Notice to remedy a violation shall be deemed effective upon evidence that written demand was mailed to the municipal address designated for the immovable property upon which the zoning violation has occurred.
- C. **Stop Work Orders.** If development is ongoing, persons receiving a notice of violation will be required to halt all construction activities. This "stop work order" will be in effect until the Public Works Director or designee confirms that the development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a notice of violation in a timely manner can result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this UDC (see Section 16.205, *Remedies*) and the *City of Zachary Code of Ordinances*.
- D. **Inspections.** Upon the expiration of 15 days which shall commence to run the day after mailing notice as required above, the City Building Inspector shall cause the property where the zoning violation has occurred to be inspected. If the property, or the use thereof, continues to be in violation of the requirements of this UDC or a development order issued hereunder, the City Building Inspector shall submit a copy of the demand letter along with an affidavit to the City Prosecutor.
- E. **Affidavit of Inspection.** The affidavit submitted pursuant to subsection D., above, shall set forth the following information:
1. Names and addresses of those persons who are in violation of the UDC;



2. The current zoning classification for the subject property;
 3. The acts or omissions which have resulted in a zoning violation;
 4. The date the notice to remedy the violation was mailed to the violator;
 5. The date the building inspector caused the property to be inspected subsequent to the date of mailing;
 6. The findings of the building inspector when the inspection was made after mailing notice; and
 7. The number of days the property has been in violation of zoning ordinances since the date of mailing notice to the accused.
- F. **Bill of Information and Summons.** Upon receipt of a copy of the letter and affidavit issued pursuant to subsection E., above,, the City Prosecutor shall file a bill of information and request that a summons be served on the violator to appear in City Court for arraignment of the charge of violating the UDC. The bill of information shall specifically set forth the number of days that the property, or the use thereof, has been in violation of this UDC.
- G. **Court Proceedings.** Court proceedings shall be according to the rules of the Court. Remedies are set out in Section [16.205](#), *Remedies*.

Sec. 16.203 Enforcement of [Article 5](#), Signs

- A. **Generally.** Article 5, Signs, may be enforced as provided in Section [16.202](#), *Enforcement Procedures*, or pursuant to this Section, as appropriate to the type of violation.
- B. **Remedy for Failure to Maintain Signs.** Failure to comply with the maintenance requirements of Section [5.208](#), *Sign Maintenance*, may result in action by the City Building Inspector to rescind the permit, and compel the subsequent removal of the entire structure by judicial proceedings in City Court. If the City Building Inspector prevails in such a proceeding, the person against whom the injunction is granted shall be responsible for all court costs and attorneys fees incurred by the City in connection with the judicial proceeding.
- C. **Revocation of Permits for Electronic Message Centers.** A permit for an electronic message center shall be revoked upon a repeat violation of the operational restrictions set out in Section [5.204](#), *Message Centers*. Upon revocation of the permit, the electronic message center shall be removed.
- D. **Immediate Removal of Temporary Signs.** The City may cause any temporary sign that is installed in violation of [Article 5](#), *Signs*, to be immediately removed. The City official who removes the sign shall document the location of the sign at the time of removal, and shall store the sign for a period of 14 days. If the sign is not claimed within 14 days after removal, it may be destroyed. The City shall have no liability to the owner of the sign for such destruction.

Sec. 16.205 Remedies

- A. **Generally.** The City may pursue any appropriate remedy to redress a violation of this UDC, including the general penalties set out in [Section 1-12](#), *General Penalty*, *City of Zachary Code of Ordinances*. If the City prevails in court proceedings to enforce this UDC, it may seek reimbursement of its litigation expenses, costs, and fees from the violator.



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- B. **Penalties.** Any person or corporation who shall violate any of the provisions of this UDC or fail to comply therewith or with any of their requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this UDC shall be placed or shall exist, and any architect, builder, contractor, individual person, or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be deemed guilty of a separate offense and upon conviction shall be fined as herein provided. The City Council may establish a schedule of fines for violations of this UDC by resolution. Such fines shall not exceed \$1,000 per violation.
- C. **Community Service Alternative.** In lieu of imprisonment as set forth above, the City Judge may order that the defendant perform community service hours for the city, not to exceed 60 hours.
- D. **Extraordinary Remedies.** In addition to the general penalties available under the *City of Zachary Code of Ordinances*, the City may pursue declaratory or injunctive relief in a court of competent jurisdiction to prevent or abate a violation.
- E. **Restitution and Restoration.**
1. Restitution may be sought if violations are not corrected within the time period stated in the notice of violation, or if the violation results in irreparable harm to the City.
 2. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the City may take necessary corrective action, the cost of which shall become a lien upon the property until paid.
- F. **Holds on Further Permits.** No further permits (including certificates of occupancy) will be issued for development on property that is the subject of an enforcement proceeding, except as necessary to correct the violation, until the case is resolved, including payment of any assessed fines, restoration of land, or restitution to the City for funds expended to abate the violation.
- G. **Permit Suspension and Rescission.**
1. *Suspension.*
 - a. If the Public Works Director finds that a use or condition presents an immediate threat to the public health of safety, he or she may suspend a permit (*e.g.*, a limited or conditional use approval, or a zoning clearance) for a period of up to 30 days, if the suspension of the use will abate the threat.
 - b. Upon suspension of a permit, the case shall be referred to the City Council for a hearing on permanent revocation of the permit. The hearing shall be held within 30 days of the referral, and the City Council may establish a time frame for compliance and conditions which must be satisfied for restoration of the permit. The hearing shall be cancelled if the Public Works Director or designee finds that the violation is cured before the hearing.



- c. The Public Works Director or designee shall enforce the decision of the City Council by lifting the suspension if the violation is cured according to the Council's order, or revoking the permit if it is not.
 2. *Revocation.* The City may permanently revoke a permit if:
 - a. The operator of a use does not remedy a threat to the public health or safety that was the basis for a permit suspension.
 - b. The applicant made a material misrepresentation on the application for development approval or on the record of the decision on the application.
 - c. The applicant violates conditions of approval and does not cure the violations within the time periods established by the City pursuant to this Article.
- H. **Revocation of Surety.** In the event that other enforcement remedies listed herein do not cause the correction of the violation(s), the City Council, acting on the recommendation of the City Building Inspector or Public Works Director, may initiate a claim upon any bond or surety posted with the application. The City may seek recovery of any costs associated with the correction of the violation(s), along with any fines levied and not paid.

Division 16.300 Interpretation

Sec. 16.301 Interpretation, Generally

- A. **Generally.** Interpretations of land uses shall be in accordance with the definitions set out in [Article 18, Definitions](#), and the standards for interpretation set out in [Section 1.307, Unlisted or Functionally Similar Uses](#). Other interpretations of this UDC shall follow the analytical steps set out in this section.
- B. **Provision's Purpose.** The purpose of the rule to be interpreted must be determined so that the protection that it is intended to provide to the public is enforced. The official making the interpretation should look to the first division of each Article to determine the purpose of the Article and how the Article is to be applied.
- C. **Quantifiable or Numeric Standards.** If the section to be interpreted has a quantifiable standard, no interpretation can result in a reduction of the standard. If the number is a maximum, then a higher numeric value cannot be made. If it is a minimum, then higher numbers may be used. For example if the maximum density is 3.20 units per acre, then it cannot be interpreted to allow 3.25 units per acre as-of-right.
- D. **Qualitative Standards.** Non-numeric standards shall be construed in favor of the element being protected unless there is sufficient evidence to indicate that the alternative language will protect the public as well as provide the landowner other options.
- E. **Illustrations.** Illustrations are generally provided for explanatory purposes, and do not necessarily set out all options or alternatives for each standard in this UDC. Where an illustration appears to set out different substantive requirements than the text of this UDC, the text of this UDC shall control.



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Sec. 16.302 Easements, Covenants, and Deed Restrictions

This UDC is not intended to repeal, abrogate, or impair any lawful existing easements, covenants, or deed restrictions.

Division 16.400 Legal Status

Sec. 16.401 Severability

- A. **Generally.** If any division, section, paragraph, clause, provision, or portion of this UDC is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this UDC shall not be affected. If any application of this UDC to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction "as-applied," such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.
- B. **Signs.** With respect to [Article 5, Signs](#), the following severability provisions shall apply:
1. *Interpretation; Substitution of Noncommercial Speech for Commercial Speech.* Notwithstanding anything contained in this UDC to the contrary, any sign erected pursuant to the provisions of this UDC or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message in lieu of a commercial message. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one noncommercial message to another, as frequently as desired by the owner of the sign, provided that:
 - a. The sign is not a prohibited sign or sign-type,
 - b. Messages displayed on electronic message center signs comply with the timing and operational requirements of [Section 5.204, Message Centers](#); and
 - c. The size, height, setback and other dimensional criteria contained in this UDC have been satisfied.
 2. *Severability Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of [Article 5, Signs](#), or any other provision of this UDC related to signage, is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of [Article 5, Signs](#), or this UDC.
 3. *Severability of Electronic Message Center Provisions.* It is the intent of the City Council to limit the use of electronic message centers as provided in [Section 5.204, Message Centers](#). Therefore, if any part of [Section 5.204, Message Centers](#), is declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality or invalidity shall operate to sever all provisions related to electronic message centers, and such signs shall thereafter be prohibited throughout the City.
 4. *Severability Where Less Speech Results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection B.2., above, or elsewhere in this Section, this UDC, or any adopting ordinance, if any part, section, subsection, paragraph,



subparagraph, sentence, phrase, clause, term, or word of [Article 5, Signs](#), or any other provision of this UDC related to signage, is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of said Article or provision, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

5. *Severability of Provisions Pertaining to Prohibited Signs and Sign Elements.* Without diminishing or limiting in any way the declaration of severability set forth above, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of [Article 5, Signs](#), or any other provision of this UDC related to signage, is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of [Article 5, Signs](#), that pertains to prohibited signs or sign elements. It is the intent of the City Council to ensure that as many prohibited sign types and sign elements as may be constitutionally prohibited continue to be prohibited.
6. *Severability of Provisions if Adjudicated Stricken Due to a Content-Basis.* It is the intent of the City Council to regulate signage in a manner that implements the purposes of this [Article 5, Signs](#), as expressed therein. The City finds that the purposes stated in [Article 5, Signs](#), are legitimate, substantial, and compelling public interests, that the regulation of signage provided by [Article 5, Signs](#), is unrelated to the suppression of free expression, and that the incidental restrictions on expression that may occur as a result of these regulations is no more than is essential to the furtherance of the public interests. However, if a court of competent jurisdiction finds any regulation therein to be based upon content and, further, declares such regulation unconstitutional, then it is the intent of the City Council that only that portion of the provision that is found to relate to content be severed from this UDC, and if it is not possible for the court to strike only the portion of the provision that is found to relate to content, then it is the intent of the City Council that all signs that would be subject to the stricken provision will instead be subject to the next surviving provision for a sign of like geometry and character that is more restrictive than the stricken provision in terms of sign area.

Sec. 16.402 Repealer

The following Chapters and Sections of the *City of Zachary Code of Ordinances* that existed on the Effective Date prior to the adoption of this UDC are repealed:

1. Chapter 54, *Manufactured Housing, Trailers, Campers and Motor Homes, Division I, Standards for Construction and Development of New Mobile Home Parks*
2. Chapter 73, *Site Plan Review*
3. Chapter 74, *Subdivisions*
4. Chapter 90, *Zoning*, except Article III, *Airport Location and Vicinity Compatible Land Use Zoning Ordinance*, and Article IV, *Noise Impact Zones and Restrictions*



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5. Section 86-92, *Imposition of Utilities Infrastructure Fee*
6. Section 86-93, *Computation of the Utilities Infrastructure Fee*
7. Section 86-94, *Payment of Utility Infrastructure Fee for New Subdivision Developments*
8. Section 74-45, *Schools, Parks, Playgrounds, Other Public Areas*
9. Section 74-41, *Street Names*

Sec. 16.403 Conflicting Provisions

- A. **Generally.** In the event that the provisions of this UDC conflict with each other or with other Sections of the City of Zachary Code of Ordinances:
 1. The more restrictive provision shall control, if the provisions were adopted at the same time; or
 2. The more recent provision shall control if the provisions were adopted at different times.
- B. **State and Federal Law.** No part of this UDC relieves any applicant from compliance with applicable provisions of State or Federal law. If a use, structure, operational characteristic, construction technique, environmental impact, or other matter is prohibited by State or Federal law, it is also prohibited in the City. Likewise, if a matter is regulated by State or Federal law, then compliance with State or Federal law does not relieve the applicant from compliance with this UDC, unless the application of this UDC is legally preempted.



ARTICLE 17 CALCULATIONS

Division 17.100 Purpose and Application of Article

Sec. 17.101 Purpose of Article

The purpose of this Article is to establish the methodologies for the calculations and measurements that are required by this UDC.

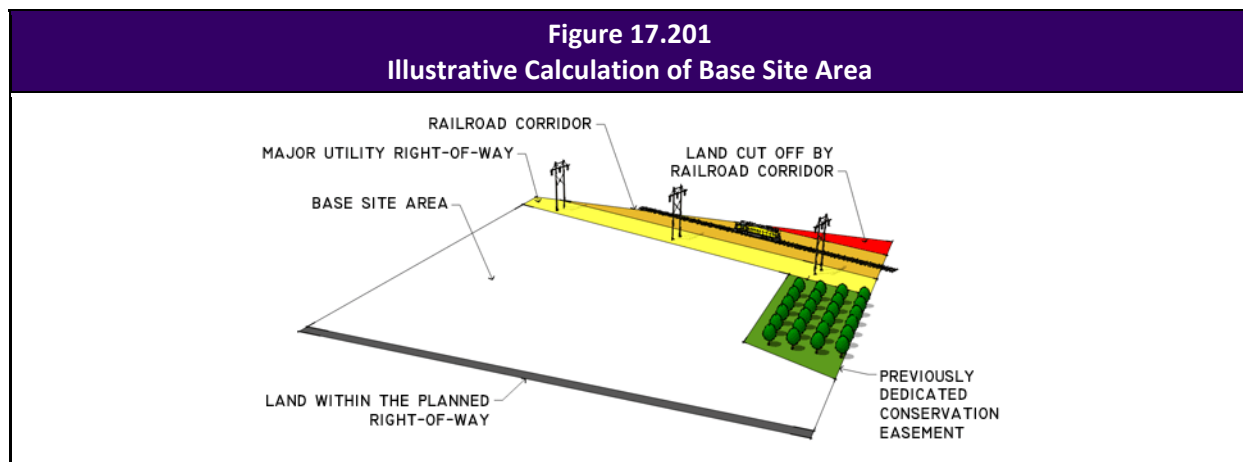
Sec. 17.102 Application of Article

The calculations and measurements of this Article shall be used wherever they are called for in this UDC.

Division 17.200 Calculations

Sec. 17.201 Base Site Area

- A. **Generally.** Base Site Area is used to calculate gross density. *See Sec. 17.205, Density.*
- B. **Calculation.** Base Site Area equals the total area of the parcel proposed for development (gross site area), minus the sum of the areas of the following:
1. Land within the planned right-of-way of existing streets or streets that are on the adopted thoroughfare plan of the City of Zachary.
 2. Land that is within major utility rights-of-way that are wider than 50 feet.
 3. Land that is cut off from development by railroads, limited access highways, waterbodies, or wetlands.
 4. Land that has previously been set aside as protected open space (*e.g.*, subject to a conservation easement, plat restriction, or condition of development approval.). *See Figure 17.201, Illustrative Calculation of Base Site Area.*

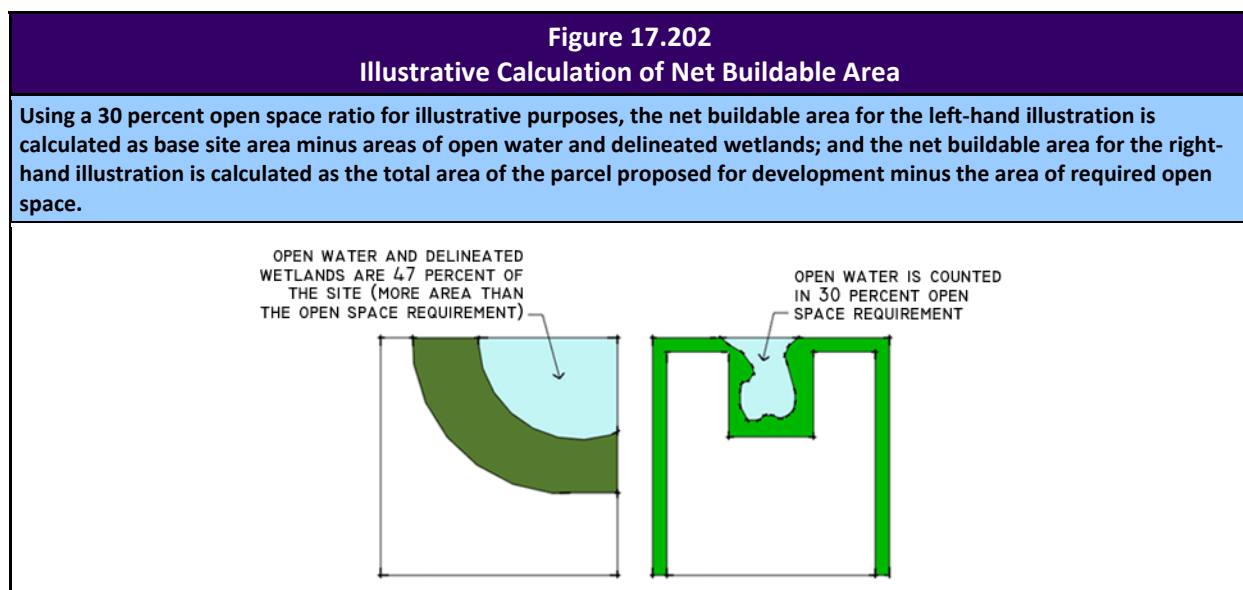




City of Zachary Unified Development Code

Sec. 17.202 Net Buildable Area

- A. **Generally.** Net Buildable Area is used to calculate net density. See Sec. 17.205, *Density*.
- B. **Calculation.** Net buildable area is equal to the lesser of:
1. Base site area (calculated as provided in Section 17.201, *Base Site Area*) minus areas of open water (streams are measured to the ordinary mean high water mark) and delineated wetlands that were not already subtracted from the area of the parcel proposed for development to calculate the base site area (e.g., wetlands or open water areas that are within previously dedicated conservation easements, or cut off from development by a limited access highway, are not subtracted more than once); or
 2. The total area of the parcel proposed for development minus the area of open space required for the development type in Section 2.201, *Residential Density, Open Space, and Parcel Standards*.



Sec. 17.203 Open Space Ratio

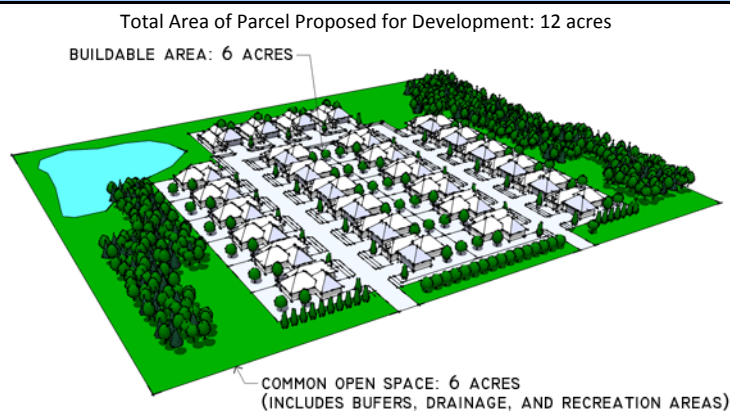
- A. **Generally.** Open space ratio ("OSR") and Landscape Surface Ratio ("LSR") (see Section 17.204, *Landscape Surface Ratio*) are related concepts. OSR applies to residential development, and refers to commonly owned open space (open space that is not located on private lots). The open space ratio is not necessarily a measure of "green" open space on a parcel proposed for development, as it may also refer to areas of open water.
- B. **Calculation of Requirement.** This subsection sets out how to calculate how much commonly-owned open space is required in a residential development.
1. The amount of commonly-owned open space that is required in a residential development is calculated as the required OSR (see Table 2.201, *Residential Parcel Standards*) times the total area of the parcel proposed for development.



2. The required OSR is a minimum requirement. An increased OSR may result if the sum of the areas required for compliance with bufferyard requirements, natural resource protection requirements, stormwater management requirements, parking lot landscaping requirements, recreation requirements, and State or Federal environmental laws is greater than the open space that would be required by application of the minimum OSR.
- C. **Calculation of Compliance.** This subsection sets out how to calculate the OSR of a proposed development, in order to determine whether it complies with the requirements of this UDC.
1. The OSR of a parcel proposed for development is calculated by dividing the total amount of commonly-owned open space on the parcel by the total area of the parcel. See Figure 17.203, *Illustrative Measurement of Open Space Ratio*.
 2. Open spaces that qualify for the calculation of OSR include all areas of commonly-owned open space that are larger than 320 contiguous square feet in area, including but not limited to:
 - a. Bufferyards (whether required by this Code or not);
 - b. Areas of protected natural resources;
 - c. Stormwater management systems (except enclosed systems);
 - d. Passive recreation areas; and
 - e. Parking lot landscaping.
 3. Open spaces that do not qualify for the calculation of OSR include any areas on private, buildable lots and any commonly-owned open space that is less than 320 contiguous square feet.

Figure 17.203
Illustrative Measurement of Open Space Ratio

EXAMPLE
6 acres of Common Open Space
DIVIDED BY
12 acre Area of Parcel Proposed for Development
EQUALS
50% OSR

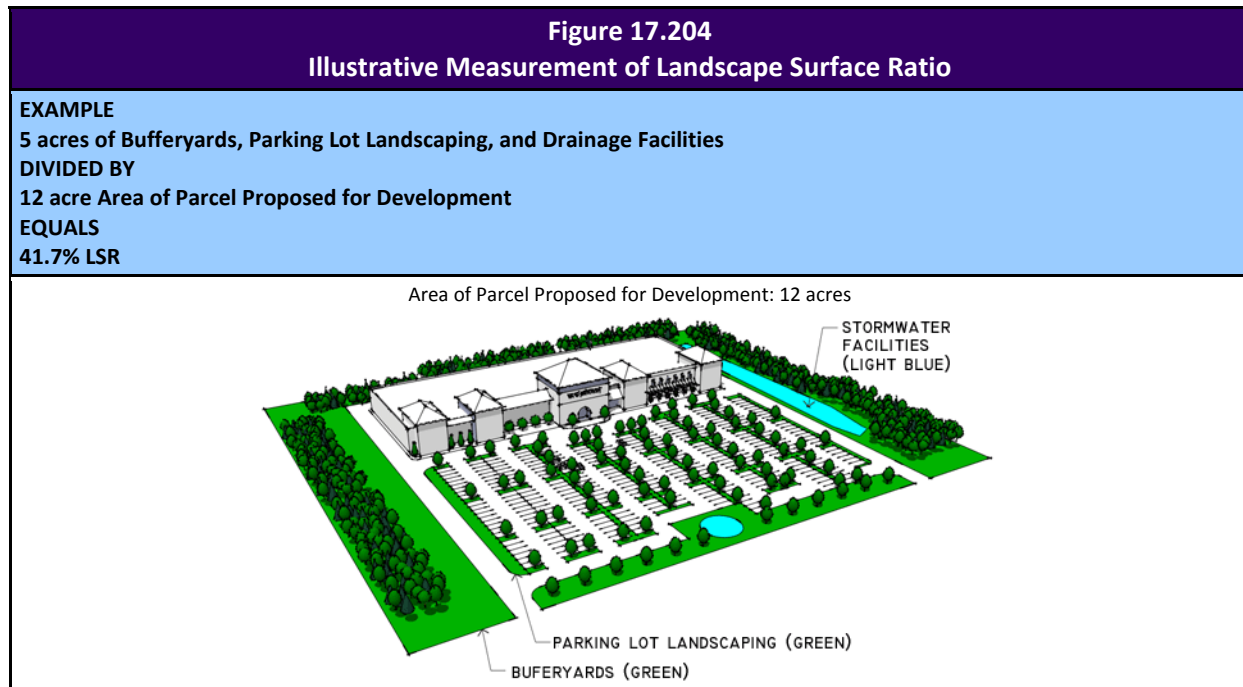




City of Zachary Unified Development Code

Sec. 17.204 Landscape Surface Ratio

- A. **Generally.** Landscape Surface Ratio ("LSR") and Open Space Ratio ("OSR") (see Section 17.203, *Open Space Ratio*) are related concepts. LSR applies to nonresidential development. It refers to landscaped areas and open spaces that are not to be used for development.
- B. **Calculation of Requirement.** This subsection sets out how to calculate how much landscaped open space is required in a nonresidential development.
1. The amount of landscaped open space that is required in a nonresidential development is calculated as the required LSR (see Table 2.204, *Nonresidential and Mixed Use Parcel Standards*) times the total area of the parcel proposed for development.
 2. The required LSR is a minimum requirement. An increased LSR may result if the sum of the areas required for compliance with bufferyard requirements, natural resource protection requirements, stormwater management requirements, parking lot landscaping requirements, and State or Federal environmental laws is greater than the open space that would be required by application of the minimum LSR.
- C. **Calculation of Compliance.** This subsection sets out how to calculate the LSR of a proposed development, in order to determine whether it complies with the requirements of this UDC.
1. The LSR of a parcel proposed for development is calculated by dividing the total amount of designated landscaped and open space area on the parcel by the total area of the parcel. See Figure 17.204, *Illustrative Measurement of Landscape Surface Ratio*.
 2. Open spaces that qualify for the calculation of LSR include all areas of designated landscaped areas and open space that are larger than 320 contiguous square feet in area, including but not limited to:
 - a. Bufferyards (whether required by this Code or not);
 - b. Areas of protected natural resources;
 - c. Stormwater management systems (except enclosed systems);
 - d. Passive recreation areas; and
 - e. Parking lot landscaping.
 3. Landscaped areas that are less than 320 contiguous square feet in area do not count and landscaped open space for the purposes of calculating LSR.



Sec. 17.205 Density

A. Generally.

1. Density is measured in two ways: gross density and net density. The maximum number of units that are allowed in a residential development shall not exceed the lesser of the results of the gross density and net density calculations for the parcel proposed for development. Where density is measured in rooms per acre (e.g., residential eldercare facilities), only sleeping rooms are counted.
2. The Site Capacity Calculator provided in Appendix A of the electronic version of this UDC allows a user to input data about a parcel proposed for development and automatically calculate the number of dwelling units that may be built on the parcel.

B. **Gross Density.** Gross density is the number of dwelling units (or rooms, where so specified) per acre of base site area (see Section 17.201, *Base Site Area*). An example calculation is provided in Figure 17.205, *Illustrative Density Calculations*.

C. **Net Density.** Net density is calculated by dividing the number of dwelling units (or rooms, where so specified) by the net buildable area of the parcel proposed for development. An example calculation is provided in Figure 17.205, *Illustrative Density Calculations*.



City of Zachary Unified Development Code

Figure 17.205A
Illustrative Density Calculations

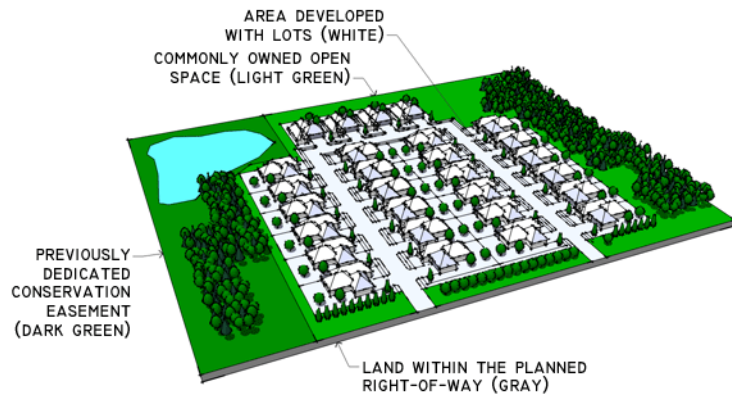
EXAMPLE: 28 Homes are planned for an 11 acre parcel.

GROSS DENSITY

The parcel proposed for development is 11 acres. 2.5 acres (including forest and open water) were previously dedicated as a conservation easement, and 0.2 acres within planned right-of-way of abutting street. There are no areas within major utility corridors or cut off from development. Therefore, the Base Site Area is $11 - 2.5 - 0.2$, or 8.3 acres. 28 homes divided by 8.3 acres equals a gross density of approximately 3.38 units per acre.

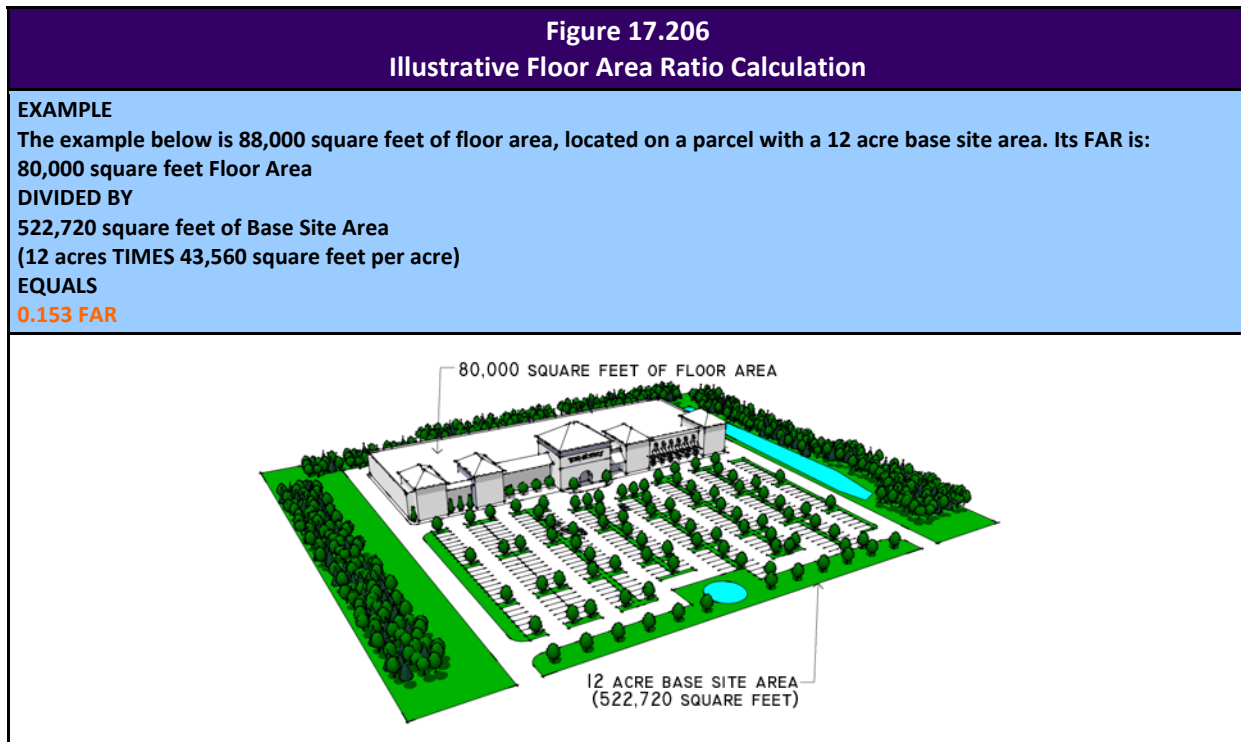
NET DENSITY

The required Open Space Ratio in this example is 50 percent. Therefore, the Net Buildable Area is the lesser of 50 percent times 11 acres (5.5 acres) or the Base Site Area minus open water and wetlands. Since the open water area was counted in the Base Site Area calculation (because it is subject to a conservation easement), it is not subtracted again. Accordingly, the Net Buildable Area is 5.5 acres (because 5.5 acres is less than 8.3 acres). The net density is 28 homes divided by 5.5 acres, or 5.10 units per acre.



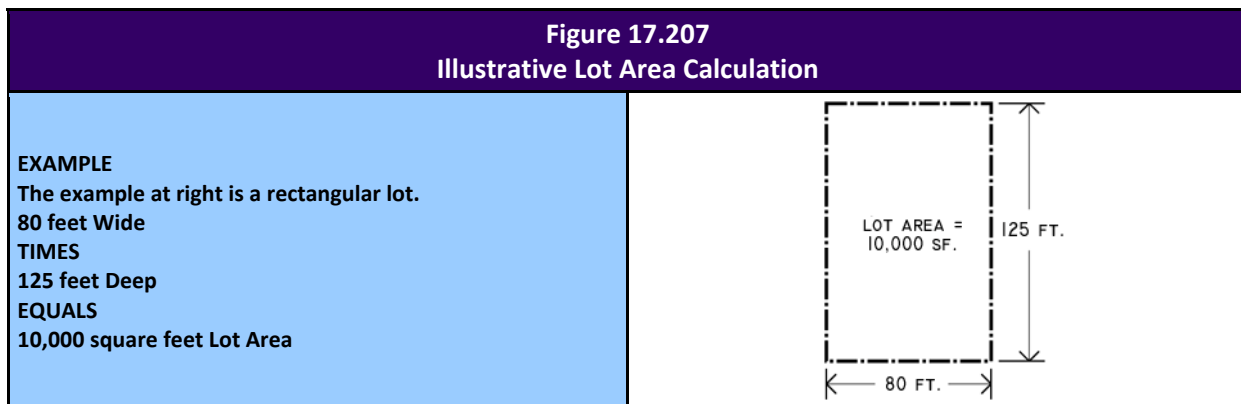
Sec. 17.206 Floor Area Ratio

- A. **Generally.** The unit of measurement for intensity is called Floor Area Ratio (FAR).
- B. **Calculation.**
 1. For individual lots, FAR is calculated by dividing the total floor area on the lot by the lot area.
 2. For parcels proposed for development, gross FAR is calculated by dividing the total floor area on the parcel proposed for development by the base site area. See Figure 17.206, *Illustrative Floor Area Ratio Calculation*.
- C. **Structured Parking Exception.** The floor area of structured parking facilities is not included in the calculation of FAR.



Sec. 17.207 Lot Area

Lot area is the area within the lot lines. See Figure 17.207, *Illustrative Lot Area Calculation*.



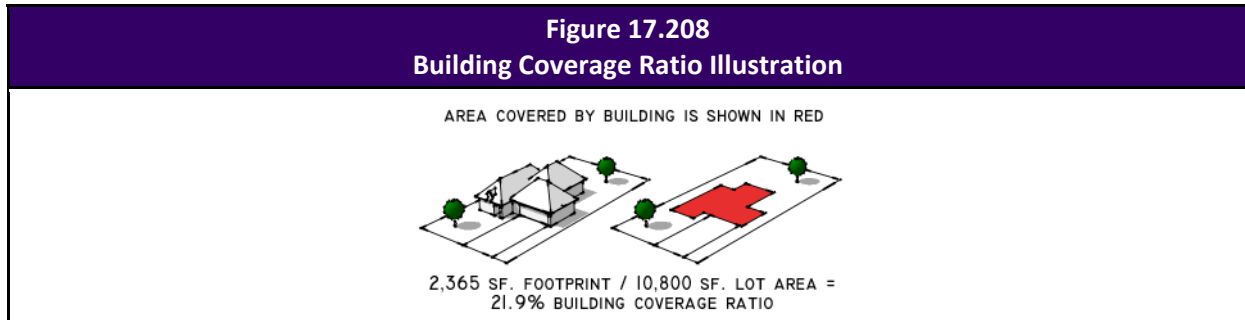
Sec. 17.208 Building Coverage

- A. **Building Coverage.** Building coverage is the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps. All dimensions are measured between the exterior faces of walls.
- B. **Building Coverage Ratio.** Building coverage ratio is building coverage divided by lot area. See Figure 17.208, *Building Coverage Ratio Illustration*.



City of Zachary Unified Development Code

Figure 17.208
Building Coverage Ratio Illustration



Division 17.300 Measurements

Sec. 17.301 Open Space

The following qualify as open space for the purposes of this UDC:

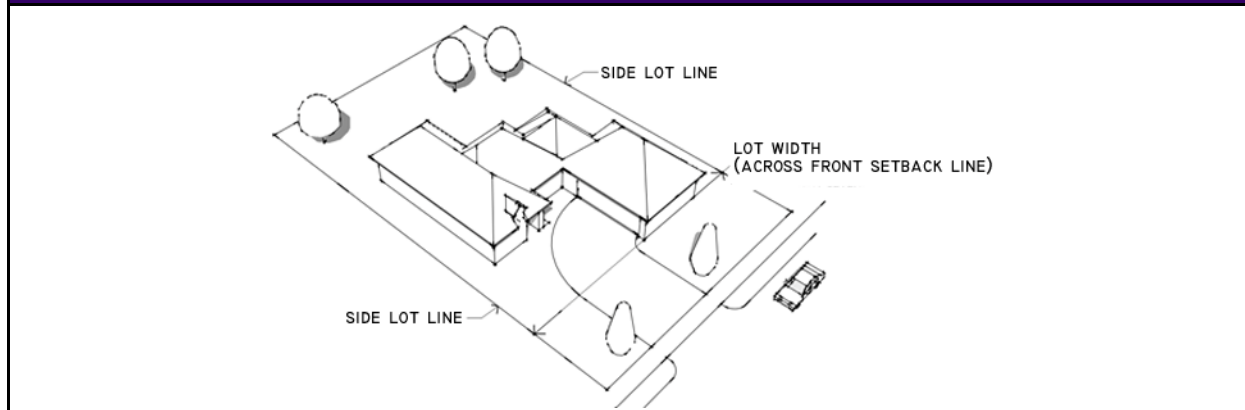
1. *Outdoor Recreation Areas.* All forms of outdoor recreation areas will count toward the required open space, from passive areas and nature reserves to ball fields, tennis courts, swimming pools, and golf courses. There are limitations on the development of some of these.
2. *Stormwater Facilities.* Open air stormwater facilities count as open space. It is desirable that stormwater be treated and routed into natural drainage areas rather than piped in storm sewers for significant distances. These facilities may be permitted in floodplains even though they are protected from being part of the developed portion of the site.
3. *Bufferyards.* The required bufferyards are counted as open space.
4. *Required Landscape Areas.* Required landscape areas, such as parking lot landscaping areas, are counted as open space. However, landscaping of private lots in residential subdivisions is not counted as open space.
5. *Agriculture.* Agriculture counts as an open space in cluster, planned, or conservation cluster development options when it is part of the development plan.
6. *Resource Protection Areas.* All areas that are protected for natural resource value are counted as open space.

Sec. 17.302 Lot Width

- A. **Generally.** Lot width is the distance from one side lot line to the opposite side lot line at the front setback line. See Figure 17.302A, *Calculation of Lot Width; Standard Lots.*

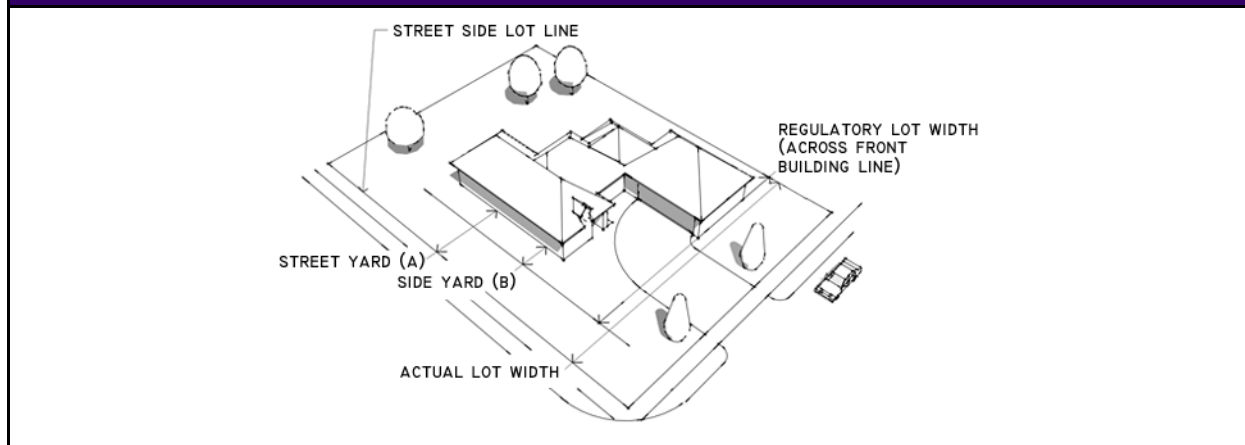


Figure 17.302A
Measurement of Lot Width; Standard Lots



- B. **Corner Lots.** Lot width (for regulatory purposes) is the distance from the interior side lot line to the side street lot line, measured at the front building line, minus the difference between the street yard setback and the side yard setback. See Figure 17.302B, *Calculation of Lot Width; Corner Lots*.

Figure 17.302B
Measurement of Lot Width; Corner Lots

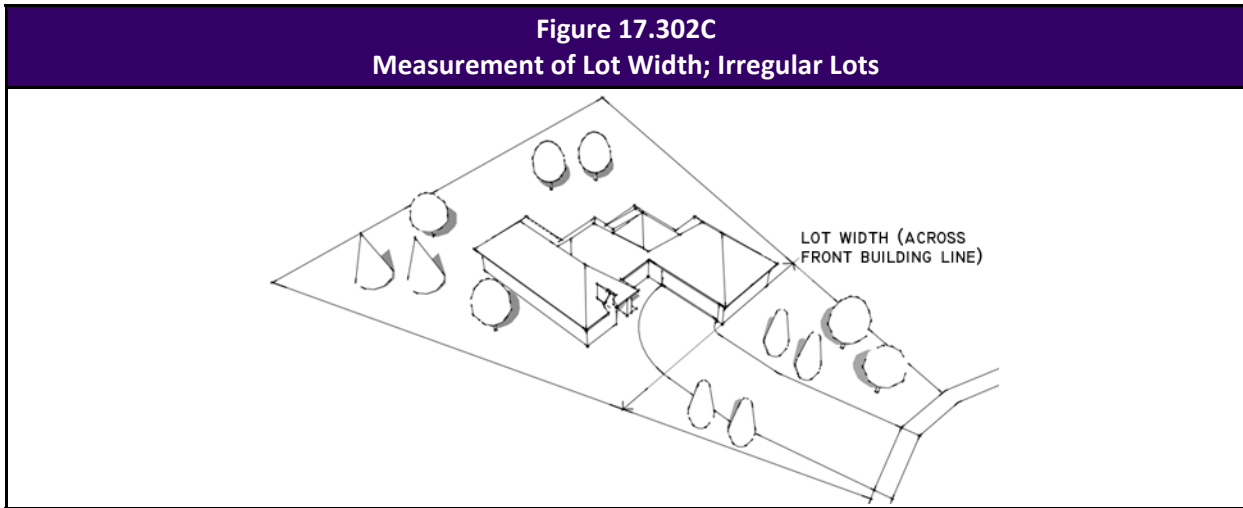


- B. **Irregular Lots.** Lot width is the distance from one side lot line to the opposite side lot line at the front building line. See Figure 17.302C, *Calculation of Lot Width; Irregular Lots*. Generally, the front building line is the front setback line. However, an alternative front building line may be established on the plat of a subdivision that is more distant than the front setback line from the front lot line. Lot width must be maintained to a depth that is sufficient to accommodate a reasonable building in the context of adjacent and nearby lots.



City of Zachary Unified Development Code

Figure 17.302C
Measurement of Lot Width; Irregular Lots



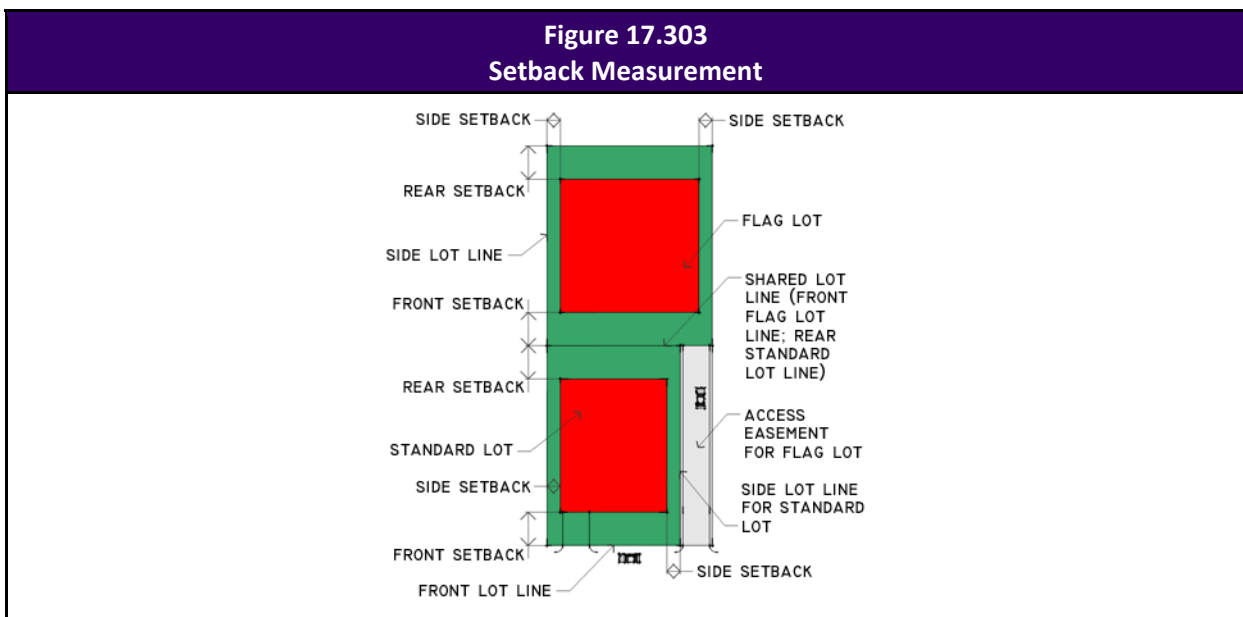
Sec. 17.303 Setbacks

A. **Generally.** Setbacks are measured from lot lines towards the center of the lot, as follows:

1. Front setbacks are measured from the front lot line. The front lot line is the lot line that abuts the right-of-way from which the lot takes its address.
2. Rear setbacks are measured from the rear lot line. The rear lot line is the lot line that is opposite from the front lot line.
3. Side setbacks are measured from side lot lines. Side lot lines are lot lines that intersect with front lot lines.

B. **Flag Lots.** On flag lots, setbacks are measured as provided in subsection A., above, except that the front setback line is measured from the "shared lot line." See Figure 17.303, *Setback Measurement*.

Figure 17.303
Setback Measurement





Sec. 17.304 Height

- A. **Buildings.** Building height is calculated by measuring the vertical distance from the average finished grade along the front building line to:
1. The highest peak or ridge line of the roof for pitched roof styles; or
 2. The top of the parapet for flat roof styles
- B. **Other Structures.** Structure height is calculated by measuring the vertical distance from the average finished grade around the base of the structure to the highest point on the structure. This measurement applies to:
1. Structures without roofs (*e.g.*, fences); and
 2. Amateur radio antennae, whether mounted on a roof, the ground, or another structure.
- C. **Specialized Structures and Building Appurtenances.**
1. Specialized structures and building appurtenances are not counted in the calculation of building height, provided that:
 - a. They project not more than:
 - i. 15 feet above the highest point on the building for buildings that are two stories in height or higher; or
 - ii. Seven feet above the highest point on the building for buildings that are less than two stories in height.
 - b. They occupy not more than ten percent of the total roof area of the building; and
 - c. They are not used for human habitation, commercial, or industrial purposes, except as incidental to the operation of the building.
 2. For the purposes of this subsection, "specialized structures and building appurtenances" means:
 - a. Roof structures for the housing of elevators, stairways, tanks, or similar equipment required to operate and maintain the building;
 - b. Architectural towers, steeples, flagpoles, ventilating fans, chimneys, smokestacks (except as provided in subsection D., below);
 - c. Skylights, photovoltaic (solar-electric) panels, and solar water heaters; and
 - d. Satellite dishes and antennae that are regulated by Section 2.506, *Antennae and Satellite Dishes*.
- D. **Smokestacks.** Smokestacks shall be permitted to a height of 90 feet in the I district. In other districts, they are subject to subsection C., above.



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Sec. 17.305 Floor Area

Floor area is measured as the horizontal area of all habitable building floors in square feet, measured from the outside face of all exterior walls. No deduction shall apply for horizontal areas void of actual floor space (for example, elevator shafts and stairwells).



ARTICLE 18 DEFINITIONS

Division 18.100 Word Usage; Abbreviations; and Acronyms

Sec. 18.101 World Wide Web Links

Some of the definitions of this Article include links to world wide web sites that provide supporting information ("external links"). The external links were current as of the Effective Date. However, the materials provided in the external links are not part of this UDC.

Sec. 18.102 Acronyms and Abbreviations

Table 18.102, *Meaning of Acronyms and Abbreviations* sets out the meaning of the acronyms and abbreviations used in this UDC.

Abbreviation or Acronym	Meaning
ac.	Acres
ADT	Average Daily Trips
ANSI	American National Standards Institute
BMP	Best Management Practice
C.F.R.	Code of Federal Regulations
dbA	A-weighted decibels
D.B.H. or DBH	Diameter at Breast Height
du	Dwelling Unit
EIFS	Exterior Insulation and Finish Systems
EPA	United States Environmental Protection Agency
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
ft.	Feet
in.	Inches
ITE	Institute of Traffic Engineers
LDEQ	Louisiana Department of Environmental Quality
LEED	Leadership in Energy and Environmental Design
LOMA	Letter of Map Amendment
LSR	Landscape Surface Ratio
Max.	Maximum
Min.	Minimum
na.	Not Applicable
NAICS	North American Industrial Classification System
OSR	Open Space Ratio
Sec.	Section
sf.	Square Feet



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Table 18.102
Meaning of Acronyms and Abbreviations

Abbreviation or Acronym	Meaning
TND	Traditional Neighborhood Development
u/a	Units Per Acre
UDC	City of Zachary, Louisiana Unified Development Code
USACE	United States Army Corps of Engineers

Sec. 18.103 Word Usage

- A. **Generally.** The rules of this Section shall be observed and applied when interpreting this UDC, except when the context clearly requires otherwise.
- B. **Word Usage.** Words shall be interpreted as follows:
1. Unless the context clearly indicates otherwise, words used or defined in one tense or form shall include other tenses or forms.
 2. Unless the context clearly indicates otherwise, words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
 3. The masculine gender shall include the feminine. The feminine gender shall include the masculine.
 4. The words "shall" and "will" are mandatory.
 5. The words "may" and "should" are permissive.
 6. The word "person" includes individuals, partnerships, firms, corporations, associations, trusts, and any other similar entities or combination of individuals.
- C. **Statutory and United States Code References.**
1. References to the Louisiana Revised Statutes or United States Code shall be interpreted to mean the most current version of the referenced section at the time the reference is applied. If a referenced section is repealed and replaced by another section of the Louisiana Revised Statutes or United States Code with comparable subject matter, the replacement section shall control. If a referenced section is repealed and not replaced, the repealed section shall control if it is within the home rule powers of the City to effectuate such result, or the application shall be held for up to 12 weeks for the City to revise this UDC to resolve the reference and establish an appropriate policy.
 2. Where referenced sections authorize the promulgation of administrative rules, references to the Louisiana Revised Statutes or United States Code shall be interpreted to include the phrases "and rules promulgated thereunder."



Division 18.200 Use Definitions

Sec. 18.201 Residential Uses

- C. **Single-Family Detached** means dwelling units that are:
1. Located in individual buildings that are constructed on:
 - a. Individual lots; or
 - b. Land that is designated as a limited common element in a declaration of condominium;
 2. Separated from each other by outside walls; and
 3. Intended for the use of a single housekeeping unit.
- D. **Single-Family Attached** means:
1. Two or more dwelling units that are designed so that individual units have individual ground-floor access and are separated from each other by unpierced common walls from foundation to roof (e.g., side-by-side duplexes and all types of townhomes); or
 2. Two dwelling units that are designed so that individual units:
 - a. May or may not have individual exterior doors, but provide no direct access between the first floor and second floor unit (access may be through a common interior foyer that provides access to both units or through separate exterior doors); and
 - b. Are separated from each other by a floor (e.g., over-under duplexes).
- E. **Multifamily** means buildings that contain three or more dwelling units that are accessed by from interior elevators or hallways, or from individual exterior entrances; and are separated by interior walls and/or floors. Multifamily does not include boarding houses, dormitories, fraternities, sororities, bed and breakfast establishments, single-family attached, or hotels and motels.
- F. **Manufactured Home** means a building, transportable in one or more sections, which has all of the following characteristics:
1. It is manufactured in a location other than the parcel proposed for development and includes plumbing, heating, air-conditioning, and electrical systems;
 2. It is built on a permanent chassis;
 3. It is designed to be used as a dwelling unit when connected to the required utilities;
 4. It does not have motor power and is not licensed as a recreational vehicle; and
 5. It is built in compliance with the standards established under 42 U.S.C. § 5403, *Construction and Safety Standards*.
- G. **Single-Family Detached Cluster** means a development of single-family detached dwelling units that are arranged to provide common open spaces, sized according to minimum open space ratios that are established by this UDC.
- H. **Conservation or Preservation Subdivision** mean forms of single-family detached cluster development with greater open space requirements.



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- I. **Mixed Housing Neighborhood** means a residential neighborhood that contains a mix of housing types.
- J. **Traditional Neighborhood Development (TND)** means development that consists of a variety of residential lot sizes and more than one housing type, along with neighborhood supportive nonresidential development, designed so that its internal streets tend to give equal or greater dignity to the pedestrian compared to the automobile.
- K. **Manufactured Home Park or Subdivision** means a parcel of land that is divided into two or more lots for long-term lease or sale, with infrastructure designed for the installation of manufactured homes.
- L. **Community Homes** means a living option, certified, licensed, or monitored by the Department of Health and Hospitals, where six or fewer people with developmental disabilities reside.
- M. **Live-Work Units** means a dwelling unit that provides space that is designed for one or more commercial uses that are permitted in the zoning district. Access between the dwelling unit and the commercial space is provided within the unit.

Sec. 18.202 Home Uses

- A. **Home Office** is an accessory (incidental) use of a residential dwelling unit for office / administrative activities that do not involve visits to the home by clients or customers. Web page design, writing, data processing, and accounting are illustrative examples of the types of office / administrative activities contemplated by this definition (when they do not involve visits to the home by clients). Home offices are further defined by the requirements set out in Table 1.402, *Home Use Standards*.
- B. **Home Occupation** is an accessory use of a residential dwelling unit for any service, professional, or art occupation that is conducted in the residence, but does not change the essential character of the residential use. Home occupations may involve visits by customers and clients on a "by appointment only" basis. Examples of home occupations include, but are not limited to: small appliance or computer repair, and professional services or counseling provided to more than one person at a time within the home, Home occupations are further defined by the requirements set out in Table 1.402, *Home Use Standards*.
- C. **Home Business** means any business, occupation or activity conducted for financial gain from within a dwelling unit where such use is incidental and accessory to the use of the building as a residence by the person engaged in the home business. Examples of home businesses include landscaping services that involve storage of equipment on-site, assembly of products from premanufactured components where deliveries are by parcel service, and construction contractors and subcontractors with operations that are in accordance with the applicable standards of this UDC. The phrase "home business" does not include the phrases "family child day care home" or "bed and breakfast." Home businesses are further defined by the requirements set out in Table 1.402, *Home Use Standards*.
- D. **Family Child Day Care Home** means any place, facility, or home operated by an institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision, and/or guidance of six or fewer children.



- E. **Bed and Breakfast** means any place of lodging that provides five or fewer rooms for rent, is the owner's personal residence, and is occupied by the owner at the time of rental.

Sec. 18.203 Institutional Uses

- A. **Cemetery** means any place, including a mausoleum, niche, or crypt, in which there is provided space either below or above the surface of the ground for the interment of the remains of human bodies.
- B. **College / University / Vo-Tech** means a community college, college, university, vocational / technical school, trade school, language school, business school, training center, beauty school, culinary school, and comparable advanced or continuing education facilities. The phrase does not include music schools, fitness centers, sports instruction, swimming instruction, or martial arts instruction (see Sec. 18.204, *Commercial Uses*, subsection M., *Services*).
- C. **Hospitals** means hospitals, walk-in clinics, birthing centers, and medical laboratories, including general medical and surgical hospitals and specialty hospitals. The term "hospitals" does not mean alcoholism or drug rehabilitation facilities, nor does it mean medical offices where patients are generally seen by appointment.
- D. **Institutional Residential** means institutional housing combined with common food service, nursing, counseling, health care, or comparable services, but does not include assisted living facilities, congregate care, nursing homes, or continuing care neighborhoods. The phrase "institutional residential" includes:
1. Facilities, other than community homes, in which residents live in an institutional environment and are, generally, under the care or control of staff;
 2. In-patient drug and alcoholism hospitals and rehabilitation centers, in which residents have institutional care, or are treated by staff in an institutional setting, rather than living independently; and
 3. Any sheltered care, group care, community home, or residential substance abuse facility with more than six total occupants.
- E. **Place of Public Assembly** means a place where the people assemble for civic, educational, cultural, or day care purposes. This use includes the following:
1. Places of worship; theaters; conference centers;
 2. Cultural or arts centers; museums; and aquariums;
 3. Libraries;
 4. Pre-schools;
 5. Elementary, middle, and high schools;
 6. Adult day care; and
 7. Child care centers.
- F. **Private Club** means organizations or associations of persons for some common purpose, such as a fraternal, social, educational or recreational purpose, but not including clubs organized primarily



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for-profit or to render a service which is customarily carried on as a business. Examples of private clubs include (but are not limited to) 4-H Clubs, veterans organizations, Boy Scout and Girl Scout facilities, Elks Lodges, YMCA, YWCA, private community clubhouses, golf clubhouses, and fraternities and sororities that do not include residential facilities. The phrase "private club" does not include organizations with a principal purpose of serving alcoholic beverages to its members or others.

- G. **Protective Care** means housing where the residents are assigned to the facility and are under the protective care of the county, state, or federal government. This use includes: jails or prisons; work release; psychiatric hospitals; and comparable facilities.
- H. **Public Service** uses include emergency service, buildings, or garages (e.g. ambulance, fire, police, rescue), and conservation agencies. (NAICS 62191, 92212, 92216). (Office uses are under Section 17.205.)
- I. **Residential Eldercare Facilities** means any one or combination of the following units types: assisted living, congregate care, continuing care, and/or nursing home facilities. Units are on the same parcel proposed for development, designed to provide progressively increasing levels of care to residents as their needs for such care increase.

Sec. 18.204 Commercial Uses

- A. **Agricultural Support and Other Rural Services** means uses that support agricultural uses, including:
 1. Farm supply services and feed stores;
 2. Farm equipment dealers; and
 3. Crop storage and packing.
- B. **Alcoholic Beverage Sales** means the retail sale of beer, wine, or other alcoholic beverages for on- or off-premises consumption, which:
 1. Requires one of the following types of licenses: retail liquor store license; brew pub license; or tavern license; or
 2. Requires a beer and wine license or vinter restaurant license, and more than 40 percent of the business's gross receipts are from the sale of beer and wine.
- C. **Car Wash** means any area or business using, self-service, in-bay automatic, or conveyor equipment for cleaning and washing motor vehicles, whether as a part of another business operation (e.g., as an accessory use to light automobile service / gas station or vehicle sales, rental, and service), or as a standalone operation, of any type, on a commercial basis. The definition includes fleet and municipal in-bay automatic and conveyor vehicle wash facilities.
- D. **Commercial Lodging** means places that offer overnight accommodations for short-term rental, including hotels and motels. The phrase "commercial lodging" also includes hotels that offer convention facilities or meeting rooms.
- E. **Commercial Retail** means commercial and retail uses that do not include regular outside storage or sales. The phrase "commercial retail" includes uses that are comparable to the following:
 1. Furniture and home furnishings stores;



2. Electronics and appliance stores;
 3. Paint and wallpaper stores;
 4. Hardware stores;
 5. Food and beverage stores;
 6. Health and personal care stores;
 7. Clothing and clothing accessory stores;
 8. Sporting goods, hobby, book, and music stores;
 9. General merchandise stores; and
 10. Miscellaneous store retailers.
- F. **Drive-in / Drive Through Facility** means a facility used by an approved commercial retail or service use to provide service to customers in vehicles who either:
1. Drive up to a window or station; or
 2. Drive through the building for purchases.
- G. **Heavy Retail** means retail and/or service activities that have regular outside service or outside storage areas, exceptionally large floor areas, or partially enclosed structures, as listed below:
1. Permanent retail operations that are located outside of enclosed buildings, except nurseries;
 2. Home centers;
 3. Lumber and other building materials;
 4. Lawn, garden equipment, and related supplies stores;
 5. Warehouse clubs and super stores;
 6. Recreational equipment rental where the equipment is stored outside;
 7. Heavy truck or recreational vehicle leasing or sales;
 8. Manufactured home sales; and
 9. Industrial or construction equipment leasing or sales.
- H. **Kennel** means any premises where any combination of dogs, cats or other household pets, totaling four (4) or more animals, six (6) months of age or older, are kept, boarded or bred for the intention of profit.
- I. **Light Automobile Service** means:
1. The sale of motor fuel to passenger vehicles (a gasoline service station with, or without, a convenience store);
 2. Quick service oil, tune-up, brake, and muffler shops in which:
 - a. Repairs are made in fully enclosed bays;



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- b. Repairs are of a type that is typically completed in less than two hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and
 - c. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors; or
 - 3. Any combination of 1. or 2., above.
- J. **Mixed Use** means development in which a combination of residential and commercial uses (e.g., residential-over-retail), or several classifications of commercial uses (e.g., office and retail), are located on the same parcel proposed for development.
- K. **Office** means uses in which professional, outpatient medical, or financial services are provided. The term includes:
 - 1. Accounting, auditing and bookkeeping;
 - 2. Advertising and graphic design;
 - 3. Architectural, engineering, and surveying services;
 - 4. Attorneys and court reporters;
 - 5. Banks, mortgage companies; and financial services;
 - 6. Call centers;
 - 7. Computer programming;
 - 8. Corporate headquarters;
 - 9. Counseling services;
 - 10. Data processing and word processing services;
 - 11. Detective agencies;
 - 12. Government offices;
 - 13. Insurance;
 - 14. Interior design;
 - 15. Medical, dental, and chiropractic offices;
 - 16. Real estate sales;
 - 17. Research and development that does not include on-site manufacturing;
 - 18. Retail catalog, internet, and telephone order processing, but not warehousing; and
 - 19. Virtual office services.
- L. **Restaurant** means an establishment that serves prepared meals to customers for consumption on-site or off-site.
- M. **Services** means commercial and personal services, such as:



1. Copy centers;
 2. Social services, except those defined elsewhere in this UDC;
 3. Repair services and shops, except automobile, truck, large appliance, and heavy equipment repair;
 4. Health clubs, exercise studios, sports instruction, swimming instruction, martial arts schools, yoga studios, or dance instruction studios;
 5. Parcel service drop-off locations and mailbox services;
 6. Nail salons, beauty and barber shops, skin care, tanning salons, and day spas; and
 7. Laundry and dry-cleaning services, except dry cleaner processing plants that use petrochemical solvents.
- N. **Shopping Center** means a group of retail, personal, or professional service establishments planned, developed, owned, or managed as a unit, with off-street parking provided on the property.
- O. **Vehicle Sales, Rental, and Service** means uses that sell, rent and perform service on automobiles, light trucks, boats, and motorcycles. The phrase does not include auto body (e.g., collision repair), paint or upholstery services.
- P. **Veterinarian (Dogs, Cats, Exotic Pets)** means veterinary clinics and hospitals that provide care for small domestic animals. The term does not include large animal and livestock veterinarians, which are classified as agricultural support and other rural services.

Sec. 18.205 Recreation and Amusement Uses

- A. **Commercial Amusement, Indoor** means uses that provide commercial amusement indoors (except adult uses), including but not limited to:
1. Bowling alleys and pool rooms;
 2. Indoor sports arenas;
 3. Movie theaters and live theaters;
 4. Indoor skating rinks (ice or roller);
 5. Video arcades; and
 6. Shooting arcades.
- B. **Commercial Amusement, Outdoor** means uses that provide commercial amusement outdoors (except sexually oriented businesses), including but not limited to:
1. Outdoor arenas or stadiums (including but not limited to amphitheaters, sports stadiums, concert facilities, rodeos, and racing facilities);
 2. Amusement parks or theme parks;
 3. Fairgrounds;
 4. Miniature golf establishments;



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5. Golf driving ranges;
 6. Water slides;
 7. Batting cages; and
 8. Shooting ranges.
- C. **Recreation, Indoor** means uses that provide recreation opportunities indoors for the public (open to the community) or residents of a subdivision or development, which are not commercial in nature. Specifically excluded from the definition are health and exercise clubs and commercial amusement uses. The phrase "recreation, indoor" includes:
1. Community recreation centers;
 2. Gymnasiums;
 3. Indoor swimming pools; or
 4. Tennis, racquetball, or handball courts.
- D. **Recreation, Outdoor** means uses that provide recreation opportunities outdoors for the public (open to the community) or residents of a subdivision or development, which are not commercial in nature (except for golf courses, which may be commercial in nature). The phrase "recreation, outdoor" includes public areas for active or passive recreational activities including, but not limited to:
1. Jogging, cycling, tot-lots, playing fields, playgrounds, outdoor swimming pools, and tennis courts;
 2. Golf courses (regardless of ownership or membership);
 3. Arboretums, wildlife sanctuaries, forests, and other natural areas which may be used for walking or hiking; or
 4. Other passive recreation-oriented parks, including picnic areas, and garden plots.
- E. **Adult Uses** means:
1. Any use of property available to the public, whether for profit or not, that:
 - a. Involves nude or topless dancing;
 - b. Predominantly advertises and offers material and/or items that depict and/or are generally used in sexual activity; or,
 - c. Allows other similar activities that depict, describe, simulate, or relate to sexual activities.
 2. Not limiting the preceding, the phrase "adult use" shall also include any:
 - a. Bookstore/shop in which the primary type of material offered is of a sexual nature;
 - b. Motion picture arcade/motion picture theater in which the predominant type of material shown depicts sexual acts;
 - c. Cabaret/lounge/night club in which the predominant attraction is nude or topless dancing;
 - d. Health spa/sauna in which services of a sexual nature are offered to the public;



3. Not limiting the preceding, and with respect to specific business types, the phrase "adult use" also includes, but is not limited to, any:
 - a. Adult arcade;
 - b. Adult bookstore or supply store;
 - c. Adult cabaret, lounge, or night club;
 - d. Adult health spa or sauna;
 - e. Adult hotel or motel;
 - f. Adult model studio;
 - g. Adult motion picture theater;
 - h. Adult novelty business;
 - i. Adult outdoor motion picture theater;
 - j. Escort agency;
 - k. Lingerie Modeling Studio;
 - l. Massage parlor;
 - m. Sexual encounter center; or
 - n. Any other business that offers its patrons services or entertainment that provide nude dancing or other live recording performances that depict, describe, or relate to "specified anatomical areas" or "specified sexual activities."
- F. **Campgrounds** means a form of commercial lodging where guests bring tents, travel trailers, recreational vehicles (RVs), campers, or other similar forms of shelter. The campground rents pads to the guests. The term "campgrounds" also includes the phrase "RV Parks."

Sec. 18.206 Industrial Uses

- A. **Disposal** means facilities for the disposal of non-nuclear waste or fill, or the composting of organic wastes. The term includes landfill and composting facility.
- B. **Extraction** means uses that involve extraction of minerals and fossil fuels from the ground, including surface and subsurface mining and quarrying facility.
- C. **Heavy Industry** means:
 1. Primary processing or manufacturing or repair operations not specifically defined elsewhere in this Section, which involve:
 - a. An outside storage area that is larger than the area of the first floor of buildings on the same lot;
 - b. A material risk of environmental contamination, explosion, or fire;
 - c. Perceptible ground vibration;
 - d. Excessive noise or dust;



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- e. Emission of objectionable odors; or
- f. More than 12 trips by semi trailer trucks per day; or
2. Petroleum storage.
3. Truck fueling and repair
4. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, or fossil fuels; or
5. Industries that are required to undergo New Source Review under the Federal Clean Air Act, or are subject to construction or operation permits pursuant to the Louisiana Stationary Sources Program or Title V of the Federal Clean Air Act.
6. For illustrative purposes, heavy industrial uses include, but are not limited to:
 - a. Coal cleaning plants with thermal dryers; coke oven batteries; carbon black plants (furnace process); petroleum refineries; petroleum storage and transfer units (except retail gasoline stations); and bulk fuel dealers;
 - b. Facilities used in the primary or secondary production of metals (e.g., primary zinc, copper, or lead smelters; primary aluminum ore reduction plants; iron and steel mills; sintering plants; secondary metal production plants; and blacksmith shops);
 - c. Portland cement plants;
 - d. Sawmills and pulp mills;
 - e. Incinerators with the capacity to charge more than 250 tons of refuse per day;
 - f. Lime plants; phosphate rock processing plants; sulfur recovery plants; and hydrofluoric, sulfuric, or nitric acid plants;
 - g. Fossil fuel combustion (boilers or electricity generation) totaling more than 250 million BTUs per hour of heat input;
 - h. Fabrication of building materials such as countertops, drywall, and cut stone;
 - i. Fabrication of vehicles, manufacturing equipment, durable goods, or pre-fabricated homes or home components;
 - j. Auto or marine body, paint, or upholstery shops;
 - k. Drycleaner processing plants that use PERC or comparable petrochemical solvents;
 - l. Meat or seafood processing plants;
 - m. Manufacture of glass products (e.g., window panes, bottles and jars), except hand-blown products;
 - n. Manufacture of plastic products (except assembly of parts that are manufactured elsewhere);
 - o. Plasma arc welding, cutting, gouging, surfacing, or spraying; gas welding (but not brazing); arc welding with equipment that is rated at more than 200 amps; TIG welding; and other



- heavy welding procedures (e.g., for structural steel, automotive body, or heavy equipment manufacture or repair);
- p. Hot mix asphalt plants;
 - q. Regional wastewater utilities;
 - r. Fossil fuel power plants, waste-to-energy plants, and biomass plants that produce more than 100 megawatts of electricity;
 - s. Fossil fuel peaker power plants.
- D. **Light Industry** means uses that involve research and development, assembly, compounding, packaging, testing, or treatment of products from previously prepared materials, with limited outside storage and limited external impacts or risks; or wholesale uses; or rental or sale of large items that are stored outside. For illustrative purposes, light industry and wholesale uses include:
- 1. Assembly, testing, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures from pre-manufactured components;
 - 2. Offices of general contractors, specialty subcontractors, or tradesmen which include:
 - a. Bay door access to indoor storage of tools, parts, and materials;
 - b. Parking of commercial vehicles; or
 - c. Outdoor storage areas that are smaller than the area of the first floor of the building that are used for storage of materials or vehicles that are less than 12 feet in height.
 - 3. Communications facilities, except wireless telecommunications facilities;
 - 4. Data centers, server farms, telephone exchange buildings, and telecom hotels;
 - 5. Food production and packaging other than meat and seafood processing and restaurants;
 - 6. Furniture making or refinishing;
 - 7. Manufacture of textiles or apparel;
 - 8. Screen printing of apparel;
 - 9. Printing and publishing, except copy centers (which are commercial and personal services), and except printing presses that require a Stationary Source permit or Title V permit for air emissions (which are heavy industry);
 - 10. Wholesale trade, durable and non-durable, except:
 - a. Farm products;
 - b. Combustible or hazardous materials, and
 - c. Wholesale clubs that are open to the public for membership;
 - 11. Research and development, scientific testing, and product testing;
 - 12. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products; and



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13. Packaging of products.
- E. **Recycling and Salvage** means any land or structure used for collection, sorting, aggregation, and re-sale (or transfer) of recyclable materials or for the aggregate storage of inoperable man-made equipment, machinery, scrap, or other used or discarded materials having a total cubic volume of at least 700 cubic feet, for the purposes of recycling, re-using, or re-selling components. The phrase does not include "waste transfer stations," (even if they include a separate space for collection of recyclable materials), and does not include facilities where the materials are actually recycled into raw materials (such uses are typically heavy industry), but does include:
1. **Recycling centers;**
 2. Composting facilities;
 3. Vehicle recycling or scrap metal processing; and
 4. Collection, dismantlement, storage, and salvage of inoperable vehicles, boats, trucks, farm vehicles or equipment, or other types of heavy machinery.
- F. **Utilities, Community** means a water, wastewater, or stormwater treatment facility that is designed to provide services to more than one square mile of land area; and the generation of not more than 500kW of electricity using wind energy conversion systems or ground-mounted photovoltaic arrays. The phrase "utilities, community" does not include the production of electricity using fossil, biomass, waste, or nuclear fuels, nor the storage of natural gas.
- G. **Utilities, Neighborhood** means water, wastewater, or stormwater treatment facility that serves an area of one square mile or less; utility substations or lift stations; local utility distribution or collection facilities, including electric, gas, telephone, water, sewer, and stormwater; and the generation of not more than 250kW of electricity using wind energy conversion systems or ground-mounted photovoltaic arrays. The phrase "utilities, neighborhood" does not include the production of electricity using fossil, biomass, waste, or nuclear fuels, nor the storage of natural gas.
- H. **Warehousing and Transportation** means warehousing and logistics facilities, except:
1. Mini- or self-storage warehouses;
 2. Warehousing that is accessory to a manufacturing facility, occupying less than 25 percent of the total floor area of the facility; and
 3. Parcel service drop-off locations that are not accessory to a parcel service processing facility.

Sec. 18.207 Agricultural Uses

- A. **Agriculture** means land (with and without farm residences) used for field crops for food, fiber, or energy; orchards; viniculture; horticulture; dairying; pasturage; aquaculture, and truck farming. The term "agriculture" also includes the raising or breeding of livestock, cattle, horses, poultry, and bees where there is no more than one animal equivalent unit or bee colony per acre. The term includes the necessary accessory uses for storing the products and inputs needed to produce them. The term also includes incidental retail sales by the producer of products raised on the premises. The term does not include intensive agriculture.



- B. **Commercial Stables** means the stabling, training, feeding of horses, or the provision of riding facilities for the use of anyone other than the resident of the property. Equestrian trails that are constructed as part of the common open space of a subdivision and intended for the exclusive use of residents of the subdivision are not commercial stables.
- C. **Nursery or Greenhouse (Wholesale or Retail)** means an enterprise that conducts the retail and/or wholesale sale of plants grown on the premises. The terms also include, as an accessory use, the sale of a limited selection of items (e.g., soil, planters, pruners, mulch, lawn or patio furniture, garden accessories, etc., but not power equipment) that are directly related to the care and maintenance of landscapes.

Sec. 18.208 Special Uses

- A. **Airports** means aircraft take-off and landing fields and flight training schools; or airstrips for personal aircraft for the private use of an individual. The term "airport" also includes the term "heliport," which is any area used for the take-off and landing of helicopters that also includes passenger and cargo facilities, fueling, and emergency service facilities.
- B. **Parking (Stand-Alone Lot) and Transit Facilities** means:
 - 1. Parking that is not accessory to a specific use, where a fee is typically charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Parking Facility. This includes small structures intended to shield attendants from the weather.
 - 2. Terminals used for the ticketing, loading, and unloading of bus or train passengers. Food and beverage sales conducted during normal terminal operations are included as accessory uses.
- C. **Self-Storage Facilities** means a structure containing separate storage spaces, which may be of various sizes, leased or rented on an individual basis.
- D. **Wireless Telecommunications Facilities** means radio or television broadcasting towers, telecommunications towers, and antenna arrays (free-standing or tower mounted). The phrase does not include residential satellite dishes, TV or HDTV antennae, or amateur radio antennae.

Sec. 18.209 Temporary Uses

- A. **Temporary Manufactured Buildings** means a manufactured home that is used temporarily as a classroom, dwelling unit, construction office, or storage unit. The phrase includes shipping containers that are 20 feet or more in length, when they are used to store construction materials. The phrase does not include portable on-demand storage units.
- B. **Model Homes and On-Site Real Estate Sales Offices** means a dwelling unit that is used as a model to display the layout and finishes of other dwelling units that are or will be available for sale within a subdivision or condominium development. Sales Office means: a dwelling unit within a subdivision that is used as a sales office; a dwelling unit within a condominium that is used as a sales office; or a modular unit used as a sales office for a subdivision or condominium.



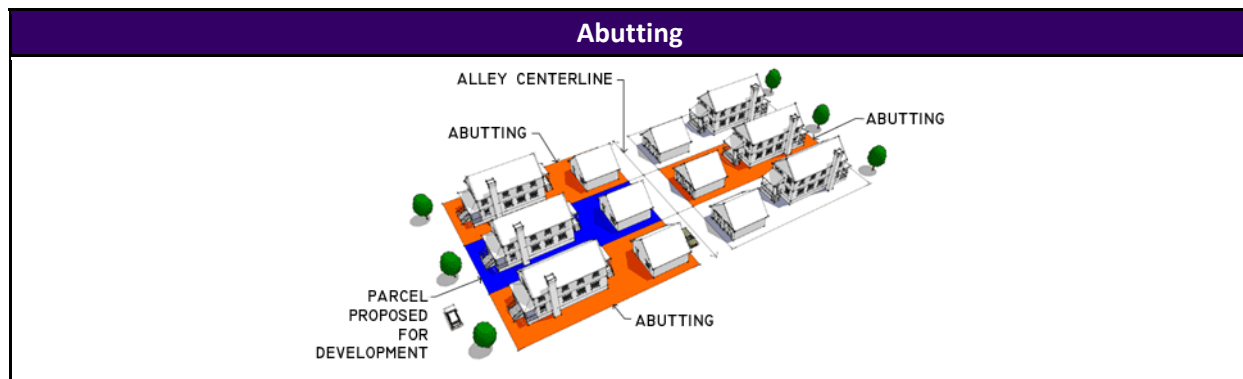
City of Zachary Unified Development Code

- C. **Portable Storage Units** are enclosed storage containers that are less than 20 feet in length, which are left at a location for temporary storage on-site, or for filling and moving to another site (which may include an off-site storage facility).
- D. **Public Interest or Special Event** means outdoor gatherings, auctions, art sales, block parties, and bake sales for the benefit of the community at-large, or community service or non-profit organizations (both faith-based and secular). These events may also include, but are not limited to, outdoor concerts, auctions, carnivals, circuses, outdoor meetings, and special entertainment at commercial properties. Such uses are often characterized by frequent travel to various communities and high noise levels, regardless of their purpose.
- E. **Garage Sale** means the temporary use of a dwelling unit or residential property to display tangible personal property for sale to the public, where the property that is offered for sale was obtained for the personal use of a resident of the premises. Garage sales are also commonly known as estate sales, yard sales, attic sales, and rummage sales.
- F. **Commercial Outdoor Sales Event** means periodic outdoor sales of goods by occupants of a commercial parcel.
- G. **Sidewalk Sales and Farmers' Markets** means sales that are conducted by either the store owner or occupant, outside their store, or by one or more commercial farms, on:
 - 1. A public sidewalk;
 - 2. A private sidewalk; or
 - 3. Pedestrian areas adjacent to a sidewalk, such as pedestrian plazas.
- H. **Truckload Sale** means the sale of various goods outdoors by persons who are not employed by the owners or managers of the parcel on which the sale occurs, or tenants of buildings on the parcel on which the sale occurs.
- I. **Farm Stand** means a temporary or permanent structure or vehicle used for the sale of agricultural produce in-season, at least 50 percent of which is grown by the seller or farmers within 25 miles of the City limits.

Division 18.300 General Definitions

A

Abutting, when referring to lots, parcels or property, means next to and having some portion of a boundary that is coterminous with the parcel proposed for development. Lots or parcels that are separated only by an alley are abutting if their property lines would be shared if they extended to the centerline of the alley. See Figure "Abutting."



Abandonment means that a use, structure, or sign is no longer being used, occupied, or otherwise operated either because the owner or operator affirmatively intends to discontinue use, occupancy, or operation, or because the use, occupancy, or operation is discontinued for a period of time specified in this UDC, after which it is not allowed to be resumed.

Access means a vehicular connection to a public or private street or alley from a lot or parcel.

Access Easement means a private easement for vehicular access across one lot or parcel to another (*e.g.*, a driveway across a lot to access another lot). Cross-access easements are reciprocal arrangements that provide for the free flow of vehicles across the property line of abutting lots (*e.g.*, a driveway connection between abutting shopping centers).

Accessory Building means a **building** that is detached from a principal building, but located on the same lot, and which is incidental and subordinate to the principal use or building.

Accessory Dwelling Unit means a building or group of rooms with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is a detached or attached extension to an principal single-family building. Accessory dwelling units are subordinate in size and scale to principal dwelling units, and may be subject to limitations on their configuration and floor area.

Accessory Structure means a structure which is on the same parcel of property as a principal use or building, the use of which is incidental to the use of the principal use or building (such as gazebos and carports).

Accessory Use means a use of land or a building, or portion thereof, that is incidental and subordinate to the principal use and located on the same lot with such principal use. For example, a single-bay car wash is a typical accessory use to a light automobile service / gasoline station.

Active Recreation means recreational uses, areas, and activities oriented toward potential competition and involving special equipment. Playgrounds, sports fields and courts, swimming pools, and golf courses are examples of active recreation uses.

Addition means any construction that adds or enlarges the size of an existing building. Additions also include any extension or increase in floor area or height of a building or structure. Examples of a additions are adding a porch, a carport, or a new room.

Alley means a narrow right-of-way that is designed to provide rear (generally secondary) access to property.



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Animal Equivalent Unit means a unit of measurement to compare various animal types based upon equivalent forage needs or waste generation.

Animal Equivalent Units	
Animal	Animal Units
Adult Cow with Unweaned Calf	1.00
Mature Dairy Cattle	1.40
Slaughter or Feeder Cow	1.00
Sheep	0.20
Goat	0.20
Llama	0.60
Horse	1.25
Mule	1.25
Donkey	1.25
Burro	1.25
Swine (>55 pounds)	0.40
Swine (<55 pounds)	0.07
Laying Hens	0.03
Broiler Chickens	0.01
Turkeys	0.02
Other Animals	Average Animal Weight (in pounds) / 1,000 pounds

Antenna means any exterior transmitting or receiving device mounted on a tower, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, or other communication signals. Different types of antennae may be subject to different requirements pursuant to this UDC.

Appeal means review of a final decision, determination, order, or act pursuant to this UDC which is made by the responsible official or a decision-making body.

Applicant means a person, firm, or agency that executes the necessary forms to obtain a development order for any zoning, subdivision, site plan, building, land disturbance, or other activity regulated by this UDC.

Approval means a final action granting a development order, which is taken by the responsible official or decision-making body.

Architectural Details means any projection, relief, cornice, column, change of building material, window, or door opening on any building. The phrase does not include wall textures, such as brick, ribbed concrete, split face concrete block, or siding, nor does it include color changes.

Awning or Canopy means a structure partially attached or entirely supported by a wall, and which is covered by canvas, cloth, or other similar material used as a protective cover for a door, entrance, window, walkway, or service area.



B

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation means the elevation of the base flood.

Best Management Practices means that combination of conservation measures, structures, vegetation, or other management practices that reduces or avoids adverse impacts of development on an adjoining site's land, water, or waterways and water bodies.

Block means an area of land, normally (but not necessarily) divided into lots, that is surrounded on all sides by any of the following:

1. streets or other transportation rights-of-way (except alleys); or
2. physical barriers such as water bodies or public open spaces.

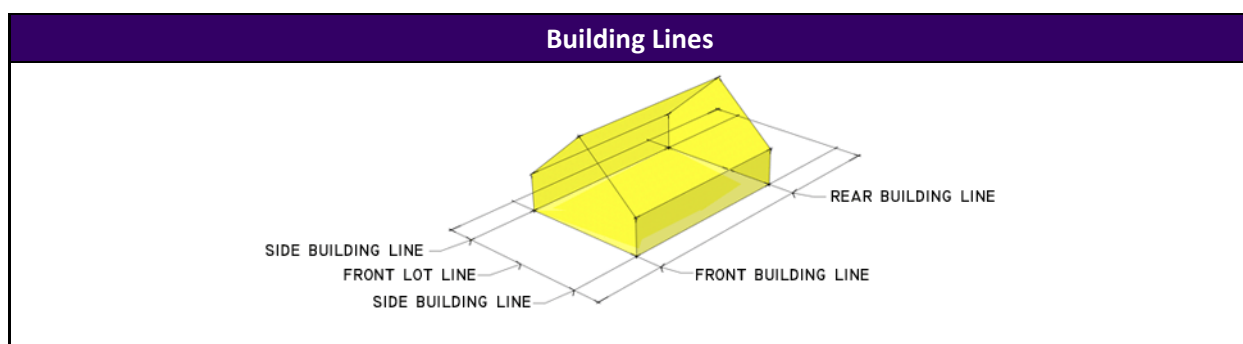
Buffer means open spaces, landscaped areas, fences, walls, berms, or any combination thereof, which are used to physically and visually separate one use or property from another in order to mitigate the impacts of noise, light, or other nuisance.

Bufferyard means a designated strip of land upon which a buffer is installed. Bufferyards may be required between land uses, along district boundaries, along parking lot boundaries, and along street and railroad rights-of-way.

Buildable Area means the area of a lot or parcel proposed for development that is available for development after setbacks, bufferyards, required open spaces and landscaped areas, stormwater detention and treatment areas, and right-of-way dedications are provided.

Building means a roofed structure, enclosed by walls, which is intended to shelter people, animals, property, or business activity. The word "building" shall be construed as if followed by the words "or part or parts thereof and all equipment therein."

Building Line means a line that runs along the wall plane of a building, extending from lot line to lot line. The building line is not necessarily the same as the setback line. *See Figure "Building Lines."*



Business Park means a development that contains a number of separate businesses, offices, light manufacturing facilities, accessory and supporting uses, and common open space designed, planned, and constructed on an integrated and coordinated basis. Commercial retail and restaurant uses are not dominant components of business parks.



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C

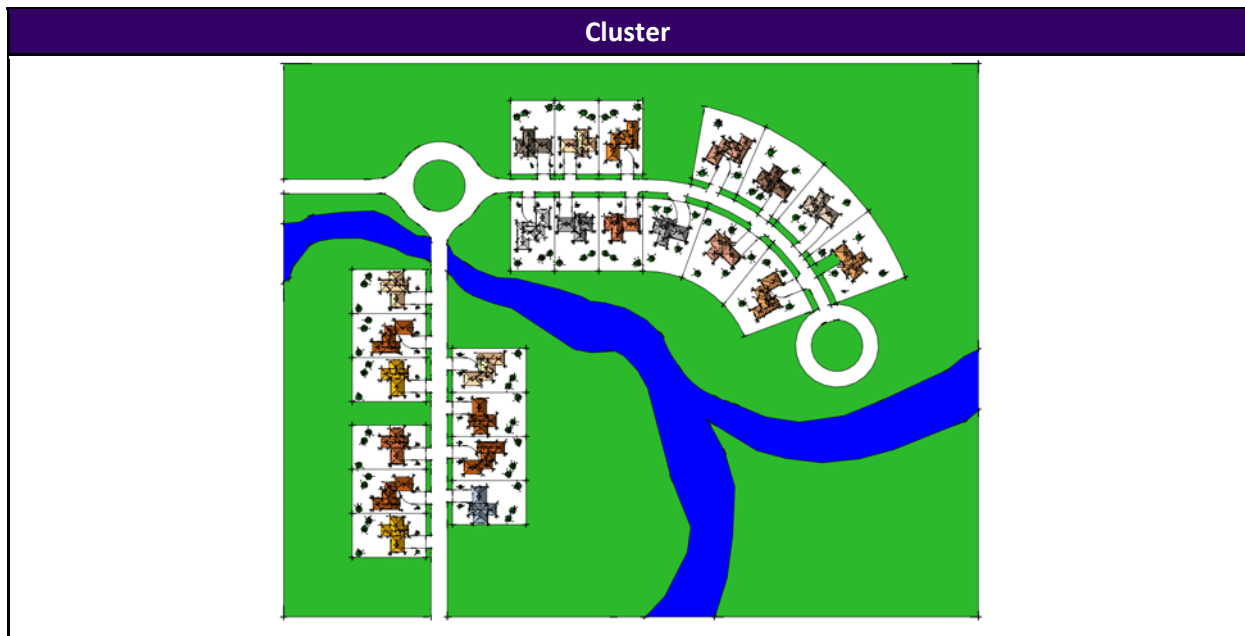
Caliper means the diameter of new landscape plantings, measured:

1. Six inches above ground for caliper sizes up to 4 inches; and
2. 12 inches above ground for larger sizes.

Certificate of Occupancy means a statement signed by the Building Inspector that sets forth that a building, structure, or use legally complies with this UDC and the applicable Building Codes, and that the building, structure, or use may be used for the purposes stated therein.

Changeable Copy means an element of a sign which allows for sign messages to be routinely changed, either manually (using removable inserts with characters or graphics) or electronically (using display panels).

Cluster means a development pattern or design technique in which lots are grouped together, rather than spread evenly throughout a parcel as in conventional subdivision development. Cluster development allows the remaining land to be used for recreation, open space, and the preservation of natural resources.



Commencement of Construction means that a building permit or other written permit required to be issued by the Building Inspector has been issued and work has commenced under such permit. This is recognizable upon an inspection of the property and which work is of a nature and character that reflects a good faith intention to continue the work until completion, such as the clearing of rights-of-ways, rough-grading of the roadway, the installation of a drainage system or stormwater management facilities, and the placement and active maintenance of erosion and sediment control measures.

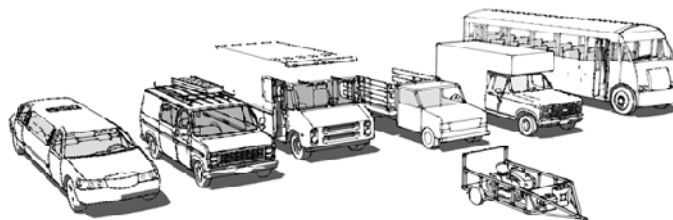
Commercial Vehicle means:

1. Any motor vehicle, trailer, or semi-trailer that:



- a. Is designed or used to carry freight, other vehicles, equipment, passengers for a fee, or merchandise in the furtherance of any business enterprise; and
 - b. Has a gross weight of more than 10,000 pounds;
2. Any step van or truck that is designed for commercial moving or parcel delivery services;
 3. Any truck that is used for retail sales (e.g., ice cream, lunches);
 4. Any vehicle with more than four wheels that is used for business purposes;
 5. Any trailer that is used to haul machinery, supplies, or equipment for business purposes (horse trailers, boat trailers, motorcycle trailers, RV trailers, and car trailers put to personal use are not included in the definition);
 6. Any trailer that is used for commercial hauling (e.g., waste, junk, or lawn clippings), or commercial moving services;
 7. Any tracked vehicle used for construction or excavation; and
 8. Any vehicle which has permanently mounted outside brackets or holders for ladders, tools, pipes, or other similar equipment.

Illustrative Commercial Vehicles



Comprehensive Plan means the Comprehensive Plan for the City of Zachary, Louisiana, as adopted and amended from time to time.

Conditional Use means a use, which because of its potential impacts, may be permitted in a given zoning district (as specified in [Division 1.300, Permitted, Limited, Conditional, and Prohibited Uses](#)), only after public hearing review and issuance of a conditional use permit. Conditional uses are subject to general standards (see [Section 14.501, Conditional Use Requirements](#)) and specific standards (see [Division 1.400, Limited and Conditional Use Standards](#)).

Conservation Easement means a recorded legal document that restricts the use of land to uses that are compatible with environmental conservation, historic preservation, open space preservation, or agricultural preservation. Conservation easements sever development rights from property and extinguish them, but do not involve transfer of fee simple title to the property to be conserved.

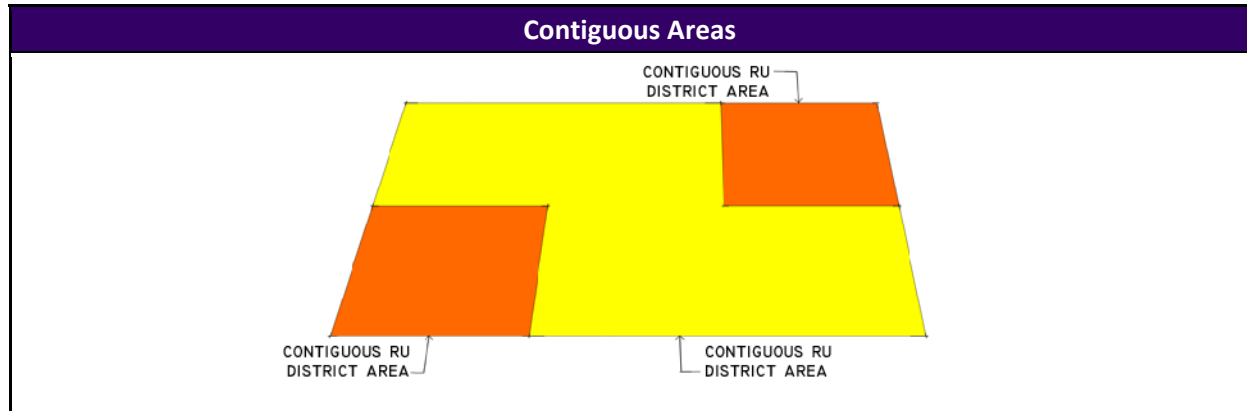
Constructed Wetland means a low-lying area, artificially created by dredging, damming, or berming of earth for the retention of water and the establishment of a hydrophytic vegetative community.

Construction means the erection of a new building or structure, or the installation of infrastructure, on a parcel proposed for development.



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Contiguous means connecting without a break. For example, "contiguous zoning district area" means all of the area enclosed within a single zoning district boundary. See Figure "Contiguous Areas."



Conversion, when referring to a use, means a change of the original use of a building, lot or parcel to a different use, or the conversion of a nonconforming use to a conforming one (either by a change of the use or by application of [Division 12.500, Conversion of Nonconformities](#)).

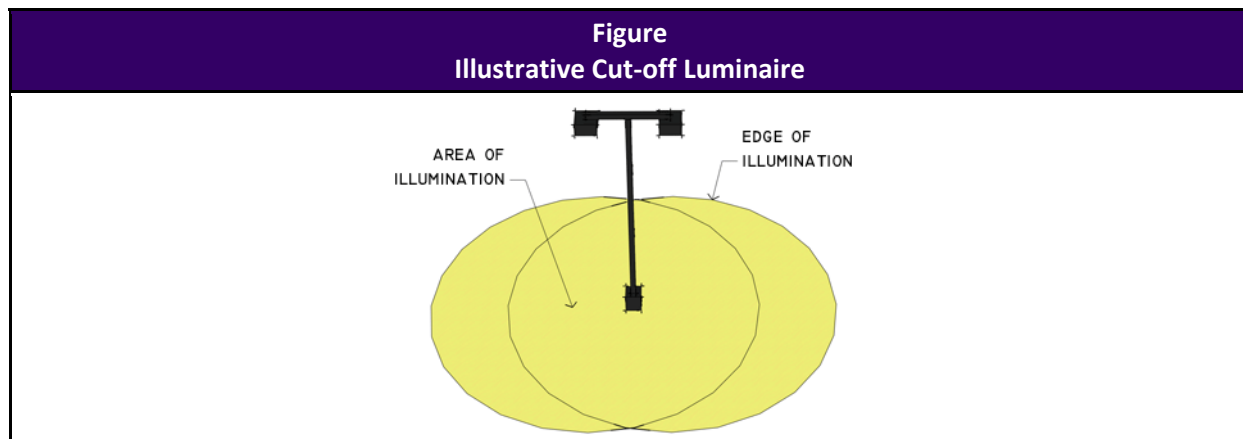
Covenant (or "Restrictive Covenant") means a restriction on the use or development of land, or which requires affirmative actions to be performed (*e.g.*, the payment of dues to a homeowners' association), that is set forth in a recorded agreement, and that runs with the land (*i.e.*, it is binding upon subsequent owners of the property).

Critical Root Zone means a circular area measured outward from a tree trunk representing the essential area of the roots that must be maintained or protected for the tree's survival. Critical root zone is one foot of radial distance for every inch DBH, for Live Oaks 1.5 feet for every inch DBH, with a minimum of eight feet.

Cut-off means a point at which all light rays emitted by a lamp, light source, or luminaire are intercepted or redirected by a shield, preventing their continuation. For signs, the term "cut-off" simply refers to the use of shields to direct the light so light rays shine exclusively on the sign.

Cut-off Angle means the angle, formed by a line drawn from the edge of the light beam of a luminaire to the ground and a line perpendicular to the ground from the light source, above which no light is emitted.

Cut-off Luminaire means an outdoor lighting fixture, or luminaire, with shields, reflectors, or refractor panels which direct and cut off the light at an angle that is less than 90 degrees, in order to ensure that the light from the fixture illuminates an area of ground or wall plane without spilling over onto adjacent property or exposing a light source to view from adjacent property or rights-of-way. See Figure , *Illustrative Cut-off Luminaire*.

**D**

Day-Night Level (DNL) means a sound measurement scale that measures noise exposure over a 24-hour period. The scale accounts for nighttime noise levels by imposing a 10 a-weighted decibel (dBA) penalty against sounds that occur between 10:00 PM and 7:00 AM during the 24-hour period (this means that one nighttime event is considered equal to 10 daytime events at the same level). The scale also accounts for various weather patterns that may affect noise levels. Generally speaking, this measurement scale converts the a-weighted decibels of various noise events into sound exposure level (SEL), which measures the noise level of each individual event in a one-second period. These individual events are then computed over the 24 hour period to reflect a DNL.

Dedication means the transfer of private property to public or common ownership for a public purpose. The transfer may be a fee-simple interest (*e.g.*, a deed or title) or less than fee simple interest (*e.g.*, an easement). Dedication requires the acceptance of the property or property interest in order to be complete.

Deed Restriction means a restriction on the use of a lot or parcel of land that is set forth in the deed and recorded with the county register of deeds. It is binding on subsequent owners and is sometimes also known as a restrictive covenant.

Density means the number of dwelling units allowed per unit of land area of a parcel proposed for development. Density is measured as gross density and net density, which are measured as provided in Section 17.205, *Density*.

Design Storm Frequency means the time interval in years at which a storm occurrence has a chance to exceed or equal the storm of specific duration and intensity used in design of drainage facilities.

Detention/Retention Basin means a natural or man-made basin or structure that is designed as a temporary holding area for water. Water may be detained to minimize flooding downstream or retained to increase aquifer recharge.

Developer means a person seeking to build or develop as defined in this UDC.

Development means any building, construction, renovation, mining, extraction, dredging, filling, excavation, or comparable activity or operation; any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; any change in the intensity of use of land



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(such as an increase in the number of dwelling units in a structure); any change from one use to another use; and any activity that alters a bayou, river, stream, lake, pond, canal, marsh, woodland, wetland, endangered species habitat, aquifer or other natural resource area. Development does not include agriculture and forestry operations.

Development Order means any permit or decision that is processed as an administrative permit or a public hearing permit, as set out in Section 14.202, *Administrative Permits*, or Section 14.203, *Public Hearing Permits*.

Diameter at Breast Height (DBH) means a measurement of the size of a tree that is equal to the diameter of its trunk measured four and one-half feet above the adjacent natural grade.

Dimensional Letters or Symbols means letters, numbers, or symbols that are manufactured individually, are permanently affixed to a permanent sign, and that project at least one-half inch from the sign face upon which they are mounted, or are engraved at least one-half inch into the sign face. Examples of dimensional letters or symbols include formed plastic sign letters, metal face sign letters, flat-cut acrylic letters, channel sign letters, reverse channel sign letters, and engraved or embossed letters.

Disposal Field means a system of open jointed or perforated pipes laid in the upper strata of the soil to distribute sewage effluent into the soil for absorption and vaporization.

Domestic Animals. means animals that are commonly kept as pets or livestock. Wild animals, wild birds, wild or poisonous reptiles, insects, and arachnids are not included in this definition.

Drainage means the process and path by which surface water (usually from rainfall) moves across the land surface to a body of water.

Drainage Areas mean the delineated areas that currently contribute, or are proposed to contribute, runoff to a specific location or point.

Drainage Facility means any system of artificially constructed drains, including open channels and stormwater sewers, used to convey stormwater, surface water, or groundwater, either continuously or intermittently, to natural water courses.

Drinking Water Protection Area means the area around a drinking water source, such as a well or surface water intake, as delineated by the Louisiana Department of Environmental Quality as part of the Source Water Assessment Program. This area is shown on Source Water Assessment Program maps and contains the Drinking Water Protection Critical Area.

Drinking Water Protection Critical Area means a 1,000 foot radial boundary from any water well that serves an active public water system.

Drip-line means a generally circular line, the circumference of which is determined by the outer reaches of a tree's widest branching points.

Driveway means a private accessway, primarily for vehicles, leading from a street to a dwelling unit, parking lot, parking garage, or loading area.

Duplex means a building designed as a single structure, containing two separate living units, each of which is designed to be occupied as a separate permanent residence for one family, and each of which has its own primary outside entrance. Duplexes may be configured side-by-side or over-and-under.



Duplex Townhouse means a townhouse containing two separate living units, each of which is designed to be occupied as a separate permanent residence for one family, and each of which has its own primary outside entrance. The units in a duplex townhouse are separated by a floor. Duplex townhouses are attached to each other with common side walls that run from foundation to roof, which are not penetrated between townhouse units.

Dwelling Unit means one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family, with separate facilities for all of the following: sanitation, living, sleeping, cooking, and eating.

E

Earthen Berm means a man-made mound of earth used to shield or buffer properties, buildings, or structures from adjoining property or rights-of-way, or to control the direction of surface water flow.

Easement means any portion of a parcel that is subject to an agreement between the property owner and another party or the public which grants the other party or the public the right to make limited use of that portion of the property for a specified purpose.

Electronic Message Center means a variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays that use incandescent lamps, LEDs, LCDs or a flipper matrix, to display the variable messages, and which may enable changes to be made to messages from locations other than at the sign itself.

End Use Plan means a plan for the use of a quarry or landfill or similar use for its use after the primary use is closed.

Erosion means the wearing away of soil or rock fragments by water, rain, wind, or gravity.

F

Facade means an elevation of a building that faces a street or that includes a principal public entrance.

Family means:

1. An individual;
2. Two or more persons related by genetics, marriage, legal adoption, foster care or guardianship, or other comparable relationship established by law; or
3. Five or fewer persons who constitute a relatively permanent functioning group, living together as a single housekeeping unit (*i.e.*, with common living areas and shared cooking and housekeeping responsibilities).

Farm means any land or buildings or structures on or in which agriculture and farming operations are carried on, including the residence or residences of owners, occupants, or employees who live on the property.

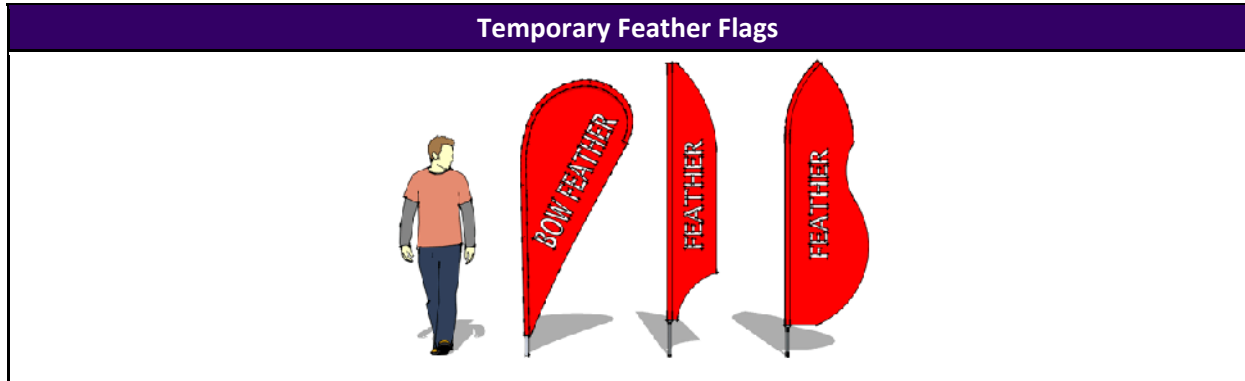
Farmstead means a residence on a farm that is used by the owner or operator of the farm.



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Fascia means a band that is located at the top edge of a **building**, but below the actual roofline, and above the building wall. Fascia material is often of a different type than either the roof or the building wall.

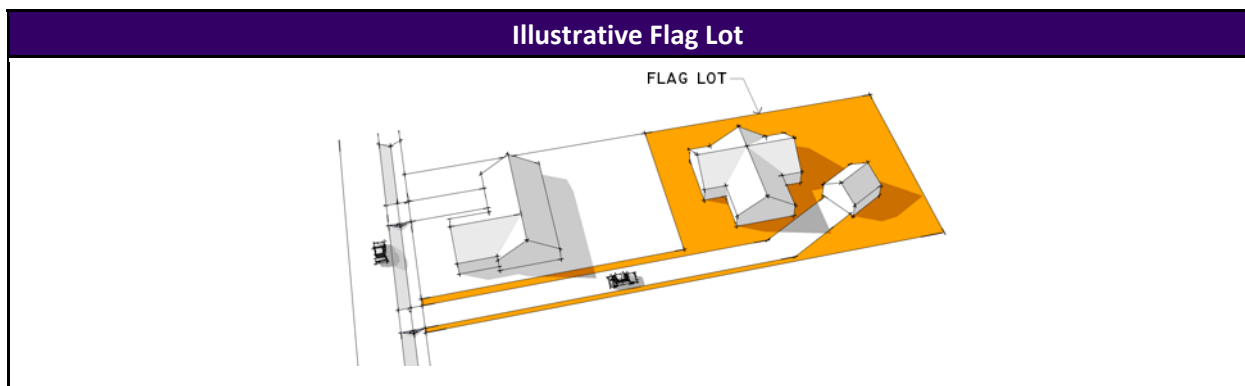
Feather Flag means a flag that is mounted on a temporary flagpole, which may be vertical, bowed poles, or flexible poles. Feather flags do not include flags of comparable form that are flown from permanent, vertical flagpoles.



Filling means the depositing on land, whether submerged or not, of sand, gravel, earth, or other materials that tend to build up the elevation of the land.

Flag means a flexible piece of fabric, that is attached along one edge to a pole or rope, and which is designed to move when the wind blows. Flags are typically (but not necessarily) rectangular in shape, and typically include printed or embroidered insignia that symbolizes a nation, state, or organization, or that display a graphic or message.

Flag Lot means a tract of land having insufficient lot width along a road or at the minimum setback line to meet the requirements of [Article 2, District Intensity and Development Standards](#), but with sufficient area to meet all lot requirements further back on the lot. Flag lots are normally accessed by an easement through the lot that abuts the street, or by a small strip of land that is owned by the owner of the flag lot.



Flood (or "Flooding") means a general and temporary condition of partial or complete inundation of normally dry land areas from:



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

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

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

Floodplain means a relatively flat or low-lying land area adjoining a river, stream, or watercourse which is subject to periodic partial or complete inundation. For the purposes of this UDC, floodplains are those areas that are designated "areas of special flood hazard" by [Chapter 46, Flood Damage Prevention, City of Zachary Code of Ordinances](#).

Floodplain Management Regulations means [Chapter 46, Flood Damage Prevention, City of Zachary Code of Ordinances](#).

Floodway means the portion of the floodplain where water velocities are high and the majority of the discharge the waters of the base flood occurs. Floodways may be indicated on maps created by the Federal Emergency Management Agency.

Floor Area Ratio ("FAR") means a measure of the intensity of development of a lot or parcel, which is calculated as provided in [Section 17.206, Floor Area Ratio](#).

Footcandle means a unit of measurement of the amount of illumination cast on a surface. One footcandle is the amount of illumination falling on all points which are one foot from a uniform point source of one standardized candle.

Forester means a person who is engaged in the forestry industry or who owns land used for forestry purposes.

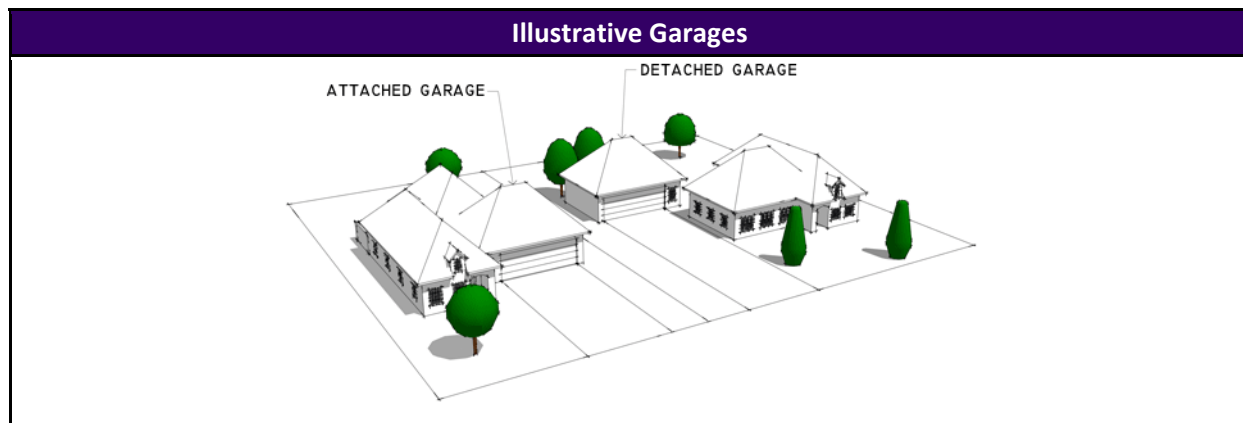
Frontage means the total length of the line or curve of a lot boundary that is coterminous with a street right-of-way line. For corner lots, frontage may be calculated for each street.

G

Garage means an enclosed space for parking vehicles. Garages may be either attached to the principal building or detached accessory structures. The word "garage," alone, does not include the phrase "parking garage."



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Grade means the natural level of the ground, or the elevation of the surface of an improvement, as the context requires.

Grading means the excavating, filling (including hydraulic fill), or stockpiling of earth materials, or any combination thereof, generally for the purposes of preparing land for development.

Ground Floor means the floor of a building that is closest to grade, provided that the elevation difference between the floor and grade is not more than four feet.

Ground Cover means low growing plants that are planted in such a manner as to form a continuous cover over the ground, such as turf, lirioppe, ground cover jasmine, or like plants that can be maintained at or below two feet in height. The phrase "ground cover" includes grasses, ornamental grasses, vines, and other herbaceous material.

Groundwater means a portion of the subsurface water that occurs beneath the water table in soils and geologic formations that are fully saturated. Groundwater is often used as a source of water for drinking, household use, and irrigation.

Guyed Tower means any [telecommunications tower](#) using wire guys connecting above-grade portions of the tower diagonally with the ground to provide support for the tower, antennae, and connecting appurtenances.

H

Hazardous Materials means those materials designated by the Secretary of the U.S. Department of Transportation as posing an unreasonable threat to the public and the environment. The phrase "Hazardous Materials" includes all of the following:

1. Radioactive materials (Class 7 material, as defined in 49 CFR §173.403).
2. Explosives;
3. Hazardous Substances;
4. Hazardous Wastes;
5. Marine Pollutants;
6. Elevated Temperature Material



7. Materials identified in 49 CFR §172.101, and
8. Materials meeting the definitions contained in 49 CFR §173.

Holiday Decorations are decorations that are clearly customary and commonly associated with federal, state, local, or religious holidays, which contain no commercial message, and which, if lit, are lit with bulbs or light emitting diodes ("LEDs") that are comparable to or dimmer than seven watt incandescent light bulbs (e.g., C9 format holiday lighting).

Homeowner means a person to whom a residential lot and / or dwelling units is conveyed at any time after it is developed.

Hydrophytic Vegetation means plants that are adapted to grow in saturated soil conditions.

I

Impervious Surfaces means an area that do not allow significant amounts of water to infiltrate into the ground. Examples of impervious surfaces are blacktop and concrete.

Improved means that land has been altered with:

1. Any man-made, immovable item which becomes part of, is placed upon, or is affixed to land; or
2. Has been altered to better suit a particular purpose.

Infiltration means the passage or movement of water or other liquids down through the soil profile.

Interceptor means the sewer line that carries the waste discharged from one or more collector sewers to the ultimate point of disposal or treatment plant. Occasionally, service laterals discharge directly into the interceptor sewer where conditions do not permit a collector sewer or a collector sewer would be redundant. Interceptor sewers are generally larger than 10 inches in diameter.

Intermittent Stream means a channel with banks and a bed within which concentrated water flows some of the time.

Intensity means the amount of development per unit of land area, a measure of the degree to which land is used, or allowed to be used, for development.

Intensive Agriculture means:

1. Concentrated animal feeding operations ("CAFOs") of any size, as defined by 40 C.F.R. § 122.23, *Concentrated Animal Feeding Operations*.
2. Concentrated aquatic animal production facilities, as defined by 40 C.F.R. § 122.24, *Concentrated Aquatic Animal Production Facilities*.
3. Any use where animals are tightly confined in buildings or outdoor pens or pastures with more than one animal equivalent unit per acre, including feedlots, hog farms, and poultry operations; or
4. Any other agricultural use that is required to obtain a discharge permit under the Federal Clean Water Act because of animal or poultry wastes.



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L

Landscape Architect means an individual registered by the State of Louisiana to practice the profession of landscape architecture.

Landscape Maintenance Program, Long-Term means a program setting out the type and frequency of care of landscaped and natural areas, including mowing, watering, applying fertilizer, and periodic work to remove invasive exotic species and promote the health of the vegetation in the natural areas.

Landscape Maintenance Program, Short-Term means a program for maintenance that is needed for the first two years after planting of landscape material, to ensure that trees get sufficient water and other care, and that areas of groundcover are kept free of weeds or other material that prevent it from stabilizing. In natural areas, the program may require intensive initial care to keep out invasive species.

Landscape Surface Area means the surface area of land not covered by any buildings, storage areas, or impervious surfaces. These areas shall be maintained as lawn, formally or informally landscaped areas, or natural areas, and may be left undisturbed.

Landscape Surface Ratio ("LSR") means the ratio of landscaped surface to a unit of land area, measured as provided in Section 17.204, *Landscape Surface Ratio*.

Landscaped Area means any area that is landscaped, including modifications of the existing landscape for an aesthetic or functional purpose, such as drainage enhancements or the preservation and maintenance of existing vegetation, together with minor structures and appurtenances such as outdoor furniture, retaining walls, and water features, public art, and fountains.

Landscaping means plant material such as lawns, groundcover, trees, bushes, and the like, in formal, informal, or natural arrangements.

Lattice Tower means a structure which consists of vertical and horizontal supports and metal crossed strips or bars to support antennae and connecting appurtenances. Lattice towers may be freestanding or supported by wire guys.

LEED for Homes means a rating system established by the United States Green Building Council that promotes the design and construction of high-performance "green" homes. The LEED for Homes rating system measures the overall performance of a home in eight categories:

1. *Innovation and Design Process (ID)*. Special design methods, unique regional credits, measures not currently addressed in the rating system, and exemplary performance levels.
2. *Location and Linkages (LL)*. The placement of homes in socially and environmentally responsible ways in relation to the larger community.
3. *Sustainable Sites (SS)*. The use of the entire property so as to minimize the project's impact on the site.
4. *Water Efficiency (WE)*. Water-efficient practices, both indoor and outdoor.
5. *Energy and Atmosphere (EA)*. Energy efficiency, particularly in the building envelope and heating and cooling design.
6. *Materials and Resources (MR)*. Efficient utilization of materials, selection of environmentally preferable materials, and minimization of waste during construction.



7. *Indoor Environmental Quality (EQ)*. Improvement of indoor air quality by reducing the creation of and exposure to pollutants.
8. *Awareness and Education (AE)*. The education of homeowners, tenant, and / or building manager about the operation and maintenance of the green features of a LEED home.

Level of Service ("LOS") means a measure of the amount of capacity of infrastructure that is used by existing and proposed development. With respect to streets, LOS means traffic on a roadway segment or intersection being during peak hours, as determined by the most current version of Report 209, the Highway Capacity Manual, prepared by the National Research Council's Transportation Research Board. Level of service is expressed on a scale of "A" to "F" with "A" indicating the level of service with the least service interruption due to traffic and "F" indicating a street that has exceeded its rated capacity to move traffic. The definitions of levels of service "A" through "F" shall be those contained in the references cited in this definition.

Limited Use means a use that is allowed in a zoning district, subject to standards that mitigate its impact on other uses in the district or that prevent a concentration of the use in a particular area.

Limited Use Permit means a permit issued by the responsible official that approves the establishment of a limited use.

Loading Space means a durably paved, off-street space used for loading and unloading from vehicles, except passenger vehicles, in connection with the use of the property on which such space is located.

Local Street means a street that provides access to individual lots or land uses.

Lot means a parcel of land with boundaries established by a legal instrument such as a recorded deed, court order, or a recorded plat, which is recognized as a separate legal entity for purposes of transfer of title. This definition shall not be construed to make lots that were not lawfully created conforming with this UDC.

Lot Area means the area of a lot within the lot lines, calculated according to the methodology in Section 17.207, *Lot Area*.

Lot Depth. The average depth measured in the mean direction of the side lot lines from the front street line to the rear lot line. The rear line shall be deemed to be not farther back than a line drawn parallel with the front **street line**, entirely on the lot, and not less than 10 feet long.

Lot Line means the boundary line of a lot. There are five types of lot lines, as follows:

1. *Front Lot Line* means the lot line that is coterminous with the right-of-way boundary for the street from which the lot takes its address, or, in the case of a flag lot, the lot line that is closest to and approximately parallel to the street from which the lot takes access. Front lot lines are not necessarily straight lines.
2. *Rear lot line* means the lot line or lines that are opposite the front lot line. However:
 - a. There is no rear lot line if the lot is triangular or pie-shaped, and the side lot lines intersect at a point; and
 - b. There may be more than one rear lot line if the side lot lines do not meet and are not connected by a single line.



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3. *Rear Street Lot Line* means a lot line that is opposite the front lot line that runs coterminously with a street right-of-way line.
4. *Interior Side Lot Line* means the lot line that connects the front lot line to the rear lot line, running generally perpendicular, radial, or at angles to the street.
5. *Side Street Lot Line* means a side lot line that runs coterminously with a street right-of-way line.

Lot-Line House means a housing type that consists of a single family detached building located on an individual lot with one wall constructed along the side lot line, and a side yard on the other side of the building that separates it from other buildings. Lot-line house development often requires the recording of covenants, conditions, and restrictions that allow for the maintenance of building walls from, and the overhang of eaves over, abutting property.

Lot Width means the width of a lot, measured as provided in Section 17.302, *Lot Width*.

Luminaire means a complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts ready to be mounted on a pole or other location.

M

Manufactured Home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. Manufactured homes are built to standards promulgated by the United States Department of Housing and Urban Development ("HUD"). Homes that are designed to be transportable, but do not meet HUD standards, nor the standards of the building code, are not manufactured homes (they are "mobile homes").

Manufactured Home Park or Subdivision means a parcel of land that is divided into two or more lots that are made available for lease or sale, and are developed and intended for the installation of manufactured homes.

Map Amendment means an amendment to the Official Zoning Map that involves a change of one or more district boundaries, generally with the intent of changing the zoning classification of specific property that is owned or controlled by the applicant for the map amendment.

Mean Sea Level means the National Geodetic Vertical Datum (NGVD) of 1929, or other datum to which base flood elevations shown on a community's flood Insurance Rate Map are referenced.

Mean Surface Water Elevation means the observed limit of the dry weather flow elevation in a watercourse.

Mitigation means any action taken to lessen the specified undesirable impacts of a proposed land use or land disturbance activity, including those which would adversely affect the health or longevity of a natural feature, pose a visual intrusion or conflict, or otherwise be deemed incompatible with surrounding properties or environmental planning objectives.

Mobile Home means a transportable, one-family dwelling larger than 320 square feet that is designed to be used as a year-round residence, but does not meet the standards for manufactured homes that are promulgated by the United States Department of Housing and Urban Development, nor the standards of the building code. The phrase "mobile home" does not include travel trailer, recreational vehicle, or manufactured home.



Monopole Tower means a single, freestanding pole structure that supports antennae and connecting appurtenances.

Monument means a relatively permanent object that is used to identify the location of a lot corner, point of tangency, or point of curvature. An artificial monument retains a stable and distinctive location and is of sufficient size and composition to resist the deteriorating forces of nature. The placement of monuments according to a subdivision plat is known as "monumentation."

Multifamily means a building that contains three or more dwelling units, with either direct access to the outside or through a common hallway. Multifamily also includes "multiplex," which is a building designed to appear as a single, large single family detached building, but which contains three or more dwelling units inside.

Multiplex means a multifamily building type that is designed to appear as a large single-family home. Units may be accessed by a shared foyer or separate outside entrances at ground level. Units may be separated in any manner permitted by the applicable building code. The term multiplex also describes existing single-family detached homes that are reconfigured into three or more dwelling units.

N

Natural Area means an area of one or more private lots, or a parcel designated as common open space, or public land, which is set aside, restored, or preserved with locally indigenous plant species and maintained through the encouragement of locally indigenous plant species and elimination of noxious weeds.

No-cut-off Luminaire means an exterior lighting fixture that is not shielded in a manner that would qualify the fixture a cut-off luminaire. See Figure "Illustrative No-cut-off Luminaires."



O

Opacity means the measurement of the screening effectiveness of a bufferyard or fence, expressed as the percent of view across the bufferyard or fence that may be blocked to a height of 35 feet, based on the expected volume of landscape material at a variety of heights that is likely to result from a given planting program.

Open Space means land areas that are left undeveloped from ground to sky, except as provided in Section 3.201, *Use and Function of Open Space*, in order to meet the open space ratio or other



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landscaping requirements (*e.g.*, bufferyards, parking lot landscaping, etc.) of this UDC. Section 17.203, *Open Space Ratio*, enumerates those areas which are counted as open space.

Open Space Ratio ("OSR") means the proportion of a development required to be set aside and preserved as open space. Minimum OSRs for residential development are set out in Article 2, *District Intensity and Development Standards*. OSR is calculated as provided in Section 17.203, *Open Space Ratio*.

Outdoor Storage means storage of items for a period of more than 24 consecutive hours outside of an enclosed building (T-structures, lean-to type structures, or roofed-over, fenced-in areas are not enclosed buildings). The intent of the definition is to include items that are comparable to any of the following:

1. Personal or business property or supplies, except passenger vehicles and light trucks stored in driveways, carports, or parking lots that are intended for overnight parking.
2. Business inventory for sale or lease, except nursery plants.
3. Raw materials or industrial inputs for processing.
4. Appliances, machinery, vehicles, or other items to be repaired.
5. Fuel stored in above-ground tanks.
6. Construction materials and construction equipment.
7. Landscape maintenance equipment.
8. Recyclable materials.

The phrase "outdoor storage" is not intended to encompass the term "disposal," or uses that involve the long-term storage or transfer of solid waste.

Outparcel means a lot that is created within a nonresidential parcel proposed for development, which shares street access and may share parking areas with the principal parcel. Outparcels are typically, but not necessarily, associated with shopping centers, and are usually developed with single-use buildings that are set closer to the street than the other shopping center buildings.

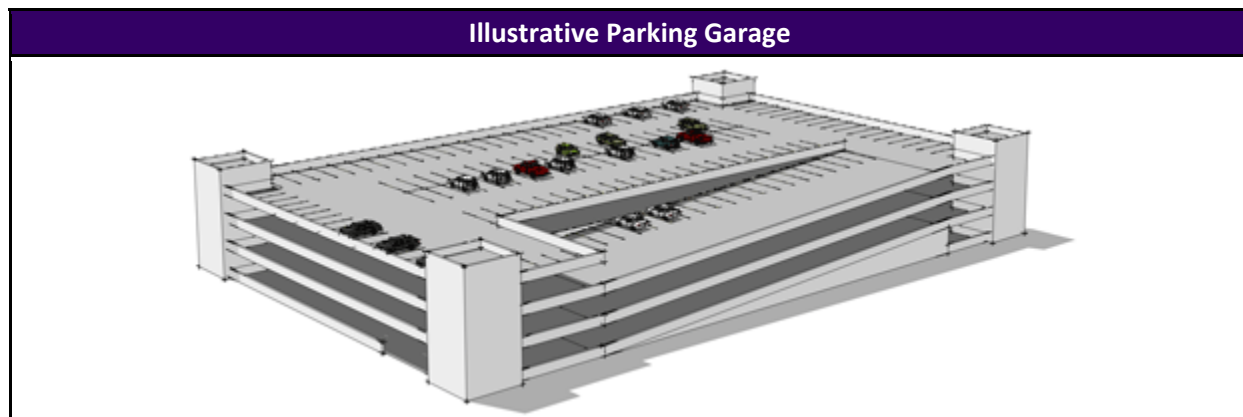
P

Parcel Proposed for Development means any legally described parcel of land which is designated by the owner or developer as land to be used or developed as a single unit, or which has been developed as a unit as determined by the responsible official or decision-maker. Parcels proposed for development are often, but not necessarily, subdivided into individual lots.

Park means an area open to the general public and reserved for recreational, educational, or scenic purposes.

Parking Lot means an area designated for off-street parking.

Parking Garage means a structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. The phrase includes free-standing parking structures, deck parking, and parking pedestals under buildings. See Figure "Illustrative Parking Garage."



Parking Space means an area that is used for parking of motor vehicles that:

1. Is accessible from a street, aisle, or alley and meets the applicable dimensional requirements of Section 9.301, *Parking Space and Module Standards*; or
2. Is accessible from a street or alley, is located in a residential driveway, garage, or carport, and meets the dimensional requirements for a standard parking space set out in Section 9.301, *Parking Space and Module Standards*.

Passive Recreation means recreational uses, areas, or activities oriented to noncompetitive activities that either require no special equipment or are natural areas. Bicycle riding, hiking, and bird watching are examples of passive recreation activities.

Patio House means a housing type that is a detached or attached dwelling unit for a single family, with one dwelling unit from ground to roof. Each dwelling unit's lot is fully enclosed by a wall located at the lot line, which creates a private yard (referred to as a "patio"), between the house and the wall. All living spaces, such as living rooms, dens, and bedrooms, face into the yard or patio.

Peak Hours or Peak Periods means, with respect to street traffic in general, those periods from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM on weekdays, with peak hours being a 60-minute period within a peak period. Different peak hours may be established by traffic study approved by the City, based on the type of development proposed or the traffic counts on an impacted street.

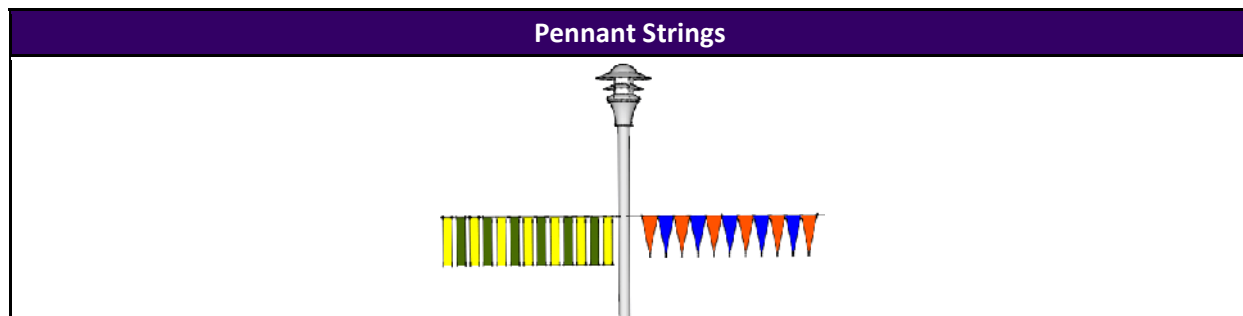
Pedestrian Precinct means a paved or largely paved area set aside for pedestrian circulation that provides a full range of pedestrian amenities, such as seating areas, street furniture, pedestrian-scale lighting, landscaping, fountains or water features, public art, or other appropriate amenities.

Pedestrian Way means a publicly or privately owned right-of-way or easement for pedestrian or bicycle use, including paths, sidewalks, and trails.

Pennant String means multiple shapes made of cloth, fabric, vinyl, flexible plastic, or other lightweight material that are fastened to a stringer, which is secured or tethered so as to allow movement of the pennants in the wind. Pennant strings are signs. See Figure "Pennant String."



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Perennial Stream means a channel with banks and a bed within which water flows all of the time.

Permitted Use means a use of land that is allowed in a given zoning district. Permitted uses may be subject to design standards.

Pervious means a surface that allows rainfall to infiltrate into the ground.

Planning and Zoning Commission means the City of Zachary, Louisiana Planning and Zoning Commission. See [Division 13.300, Planning and Zoning Commission](#).

Plat means a document, prepared by a registered land surveyor or engineer, which delineates property lines, easements, dedications, and open space parcels, and shows the location of monuments and other landmarks for the purpose of identifying property.

Primary Access means the manner in which a property takes access to the public street system, ordinarily by a drive that intersects the street. Where there are several possible accesses, the one located or configured to have the most traffic is the primary access.

Principal Building means a building in which the principal use of a lot or parcel is conducted.

Principal Structure means, if there is no principal building, the structure in which the principal use of a parcel is located, or the largest structure on a parcel. Fences and garden walls are not principal structures.

Principal Use means the main use to which a parcel, lot, or premise (*e.g.*, a leased space in a shopping center) is put.

Property Line means any boundary line of legally described property. In context, the phrase "property line" may refer to the parcel proposed for development, abutting properties, or to distant properties (*e.g.*, for the purposes of separating land uses).

Public Improvement means any improvement, facility or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs such as: streets, alleys, pedestrian walks or paths, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, and public utility and energy services.

Public Sewer means a sewer system that is owned by a public entity.

Public Utilities means utility services that are provided to the general public, such as potable water, sewer, telephone, solid waste collection, on-site recycling collection, cable communications, natural gas, and electricity). The phrase "public utilities" does not refer to the type of entity that owns or controls the utility.



Public Water Supply means a water supply that provides water through constructed conveyances to the public for at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily for at least sixty days per year.

R

Recreational Vehicle means a vehicle designed or used as living quarters for recreational, camping, vacation, or travel use, such as house trailers, **travel trailers**, trucks, trailers, pickup trucks, and vans.

Recreational Vehicle Park means a use that provides for the parking and use of recreational vehicles on a temporary basis, which provides hookups for water, sewer, and electricity.

Reforestation means the planting or replanting of forest plant materials. The term also includes planting in areas that were not recently forested for the purpose of mitigating an environmental impact.

Responsible Official means a member of the City Staff who is ultimately responsible for processing an application to decision (in the case of administrative approvals) or recommendation to an approving body (in the case of discretionary approvals).

Retaining Wall means a structure that holds an earthen embankment in place.

Reverse Frontage Lot means a lot that extends between and has frontage on both of two generally parallel streets.

Reverse Vending Machine means a device that accepts used (empty) beverage containers or other recyclable materials and returns money to the user (the reverse of the typical vending cycle).

Rezoning means an amendment to the Official Zoning Map. See Map Amendment.

Right-of-Way means a strip of land acquired by reservation, dedication, prescription, or condemnation that is intended to be occupied by a street, trail, water line, sanitary sewer, and/or other public utilities or facilities. Rights-of-way are not easements.

Roadway means the portion of a street that includes the cartway and shoulders within the right-of-way.

Roof Deck Townhouse means a townhouse that provides at least 500 square feet of outdoor living space on the rooftop.

Runoff means rainwater that does not evaporate or infiltrate, but instead flows along the land surface to a waterbody.

S

Sanitary Sewer Line means a pipe that carries sewage to a central treatment and disposal plant.

Sanitary Sewer System means a central treatment and disposal plant and related systems and pipes including, but not limited to, sanitary sewer lines. Sanitary sewer system, in context, may also mean a portion of the overall system, such as the collection pipes that are installed within a subdivision.

Satellite Dish means a dish-shaped type of antenna that is designed to receive communications via satellite relay.

Sediment means soils or other surface materials that are transported and / or deposited by the action of wind, water, or gravity as a product of erosion.



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Septic System, Individual means a system in which sanitary sewage and wastewater is collected from a single use or dwelling unit, by a system of pipes, and carried to either a septic tank and tile disposal field or a mechanical aeration and clarification system that are located within the boundaries of the lot from which the effluent was produced.

Setback means a distance from a lot line to the nearest point on a building on the lot. Minimum setbacks are those setbacks that are required by this UDC for each yard. Actual setbacks are the setbacks that are provided.

Shopping Center means a group of retail, service, or restaurant establishments that are planned, developed, owned, or managed as a unit, with off-street parking that serves all of the uses in the center located on the parcel proposed for development.

Shrub means any of the following:

1. A woody plant of less size than an understory tree, and usually with several stems from the same root;
2. Perennial plants that reach at least three feet in height; and
3. Ornamental grasses that reach at least three feet in height.

Sidewalk means a pedestrian way that extends along, parallel to, and within the right-of-way of a public or private street or an abutting easement.

Sight Distance Triangle means the triangular area formed by a diagonal line connecting two points located on intersecting street right-of-way lines, or a right-of-way line and the curb or edge of a driveway. See Section 8.212, *Sight Distance Requirements*.

Sign means any writing (including letter, word, or numeral), pictorial presentation (including illustration or decoration), emblem (including device, symbol, or trademark), flag (including banner or pennant), or any other figure of similar character, that:

1. Is a structure or any part thereof; or is attached to, painted on, or in any other manner represented on a building or other structure; or is displayed in a building window in a manner that is discernible from public rights-of-way or abutting property; and
2. Is used to display noncommercial information; or announce; or direct attention; or advertise.

Sign, Abandoned means:

1. A sign pertaining to or associated with an event, business, or purpose which is no longer ongoing on the premises, and which has been inactive or out of business for a period of 90 consecutive days or longer; or
2. A sign structure which does not display a sign for a period of 90 consecutive days or longer.

Abandoned signs include wayfinding signs to events that are no longer ongoing, but do not include other signs that display noncommercial messages.

Sign Area is defined in Section 5.201, *Measurements*.

Sign, Awning means a sign that is located or printed on a canopy or awning.



Sign, Banner means a temporary sign composed of a flexible piece of fabric, plastic, vinyl, or paper, which is typically mounted with rope to a building, fence, wall, or stakes.



Sign, Freestanding means a sign that is not attached to a building.

Sign, Pylon means any sign that is affixed to one or more pylons or poles, designed configured in one of the following ways:

1. The combined width of the poles or pylons is less than 60 percent of the width of the sign face; or
2. Two poles support the sign face, one on each end, and the clearance under the sign is more than 30 inches.

Sign Height means the height of a sign, calculated as provided in Section 5.201, *Maintenance*.

Sign, Inflatable means a sign or component of a sign that is supported by one or more air chambers that may be sealed or kept inflated by blowers. The phrase includes, but is not limited to balloons, tubes in motion, and inflatable sign structures.

Sign, Marquee means a sign affixed to a hood, awning, or permanent roof-type construction that projects from the wall of a building above an entrance (*e.g.*, as traditionally found on movie theaters, live theaters, and comparable uses).

Sign, Nameplate means a small sign that is attached to a principal building near the primary entrance, which contains copy that is scaled for pedestrian use.

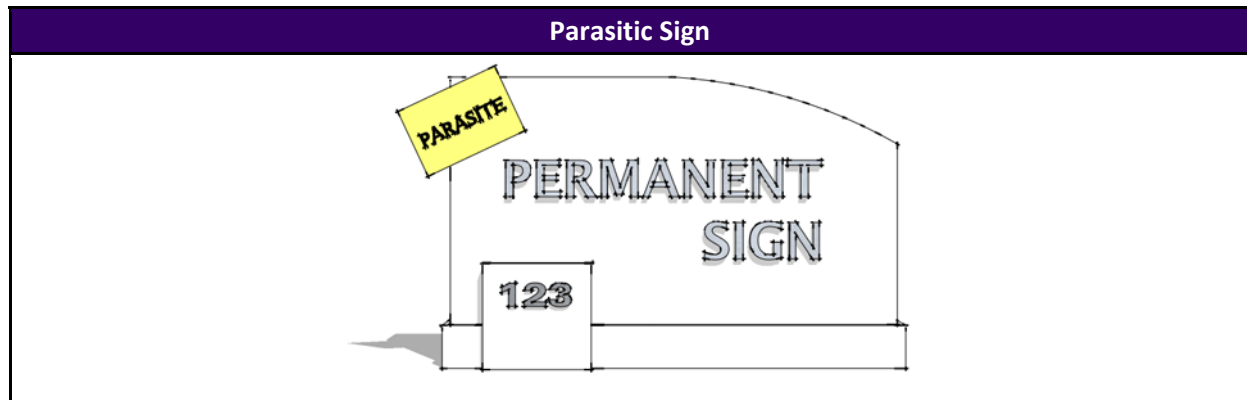
Sign, Nonconforming means a sign that does not comply with the requirements of Article 5, *Signs*, and other applicable provisions of this UDC. See Article 12, *Nonconformities*.

Sign, Off-premises means a sign that directs the attention of the public to any goods, merchandise, property, business, service, entertainment, or amusement conducted or produced that is bought or sold, furnished, offered, or transferred elsewhere than on the premises where such sign is located or to which it is affixed. Signs that display only noncommercial messages are not included in this definition.

Sign, Parasitic means a temporary sign that is affixed to a permanent sign or sign structure, which is not part of the original design of the permanent sign or sign structure.



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Sign, Portable Changeable Copy means a sign that:

1. Includes a changeable copy element; and
2. Is not permanently affixed to a building, structure, or the ground.

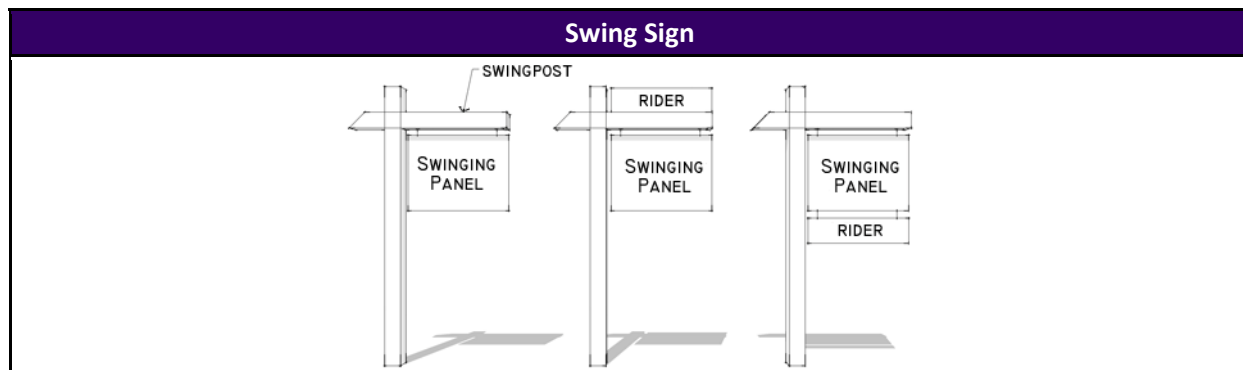
Sign, Roof means a sign that is totally supported by or affixed to the roof of a building.

Sign, Sidewalk means any type of temporary, self-supporting, freestanding sign that is designed to be placed on a hard surface, without the need for installing posts, anchors, or other supports into the ground. Sidewalk signs include A-frame signs, signs suspended from A-frames, signs suspended from U-frames or H-frames that are installed into a portable base, and other comparable types of signs.



Sign Structure means any device or material that supports, has supported, or is capable of supporting a sign in a stationary position, including decorative covers or sign roofs.

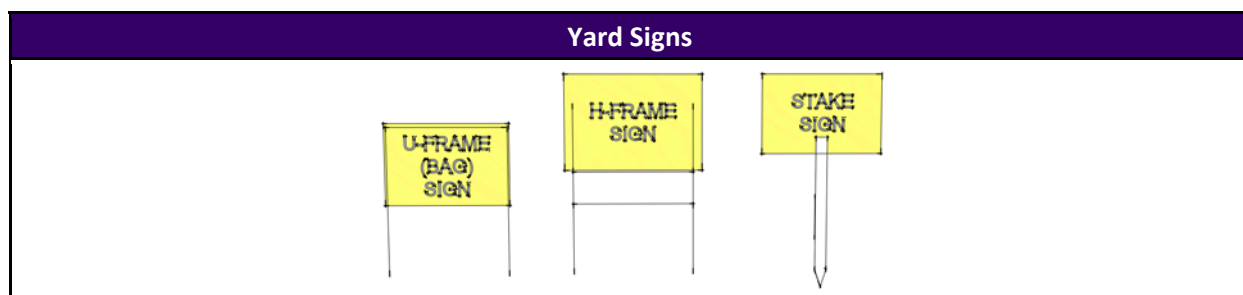
Sign, Swing means a temporary sign that is suspended from a swingpost (a post with a horizontal arm for suspending signs). The definition of swing sign includes a single rider sign that is either attached to the top of the swingpost or suspended from the bottom of the swinging panel.



Sign, Temporary means a sign or advertising display that is intended for short-term display, which is constructed of cloth, canvas, fabric, paper, plywood, corrugated plastic, metal, or other light material. Temporary signs are not permanently affixed to sign structures, structures, or buildings.

Sign, Wall means a sign that is fastened to or painted on a wall of a building or structure in such a manner that the wall serves as the supporting structure or forms the background surface. Wall signs do not project more than 12 inches from the building to which they are attached.

Sign, Yard means a form of temporary free-standing sign that is commonly placed in residential yards. It refers to U-frame signs (including bag signs), small H-frame signs, and stake signs, See Figure "Yard Signs."



Single Family Attached means housing types with two or more dwelling units that are located in a single structure or attached structures:

1. Which are separated from each other by an unpenetrated dividing side wall (e.g., side-by-side duplexes and all types of townhomes); and / or
2. Which are separated by a floor (i.e., over-under duplexes and duplex townhomes), but have ground floor entrances for each unit.

Single Family Detached means a dwelling unit, designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit.

Sketch Plan means an informal plan indicating the salient existing features of a parcel proposed for development and its surroundings, including the general layout of a proposed development.

Slope means a measurement of the change in the vertical measurement divided by the change in the horizontal measurement (i.e., rise / run). The figure is generally expressed as a ratio or a percentage.



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Stormwater Management means the mitigation of the hydrologic impacts of lost natural runoff storage by the use of constructed storage facilities.

1. For water quantity control, a system of vegetative, structural, and other measures that may control the volume and rate of stormwater runoff which may be caused by land disturbing activities or activities upon the land; and
2. For water quality control, a system of vegetative, structural, and other measures that control adverse effects on water quality that may be caused by land disturbing activities or activities upon the land.

Stormwater Management Plan means a plan for the control of soil erosion, sedimentation, stormwater quantity, and water quality impacts resulting from any land disturbing activity.

Streamer means strips (called "fringe streamers") or tightly spaced geometric shapes (called "flag streamers" or "pennant streamers") made of cloth, fabric, vinyl, flexible plastic, or other lightweight material that are fastened to a stringer, which is secured or tethered so as to allow movement of the strips or shapes in the wind. Streamers are signs.

Street means a strip of land, comprising the entire area within a street right-of-way, which is intended for use as a means of vehicular and pedestrian circulation, which provides access to more than one lot.

Street, Arterial means a street that is primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route.

Street, Collector means a street that serves or is designed to serve as the connection from local streets to arterial streets, such as the main entrance street of a residential development. Collector streets may also serve as a secondary connection between arterial streets.

Street, Cul-de-sac means a short, independent, local street having only one point of ingress and egress, terminating in a circular turn-around called a cul-de-sac.

Street, Half (or "Street, Partial") means a street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street, with the intent that the abutting property will provide the other half of the right-of-way when it is developed.

Street, Local means a street which serves or is designed to serve primarily as access to abutting properties.

Street, Private means any street right-of-way that is not dedicated to public use, and which is maintained by a private entity, such as a property owners' association.

Street, Public means any street right-of-way that is publicly owned by deed, right-of-way dedication, prescription, or any other conveyance, and maintained by a federal, state, or local unit of government.

Structural Alterations means any change in the supporting members of a building, such as bearing walls, columns, beams or girders and floor joists, ceiling joists, roof rafters, or stairways; or any change to a structure, including a sign structure, that changes its size or configuration or provides additional or alternative support.

Structure means anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground including but not limited to fences, signs, kiosks, or similar uses.



Subdivision means

1. The division or redivision of a lot, tract, or parcel of land, by any means, including by means of a plan or a description by metes and bounds, into two or more lots, tracts, parcels, or other divisions of land, for the purpose, whether immediate or future, of lease, of the transfer of ownership, or of **building** development, exempting, however, the division of land for agricultural purposes into parcels of more than 10 acres not involving any new streets or easements of access, divisions of property by testamentary or interstate provision, or divisions of property upon court order; or
2. The division or allocation of land for the opening, widening, or extension of any street or streets, or the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders, or as easements for the extension and maintenance of public sewer, water supply, storm drainage, or other public facilities.

A subdivision includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

Substantial Damage means damage sustained by a building or structure (from any cause), whereby the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the start of construction of the improvement. The term does not include any project or improvement of a structure to correct existing violations of state or local health, sanitary, or safety ordinance specifications which have been identified by the City and which are the minimum necessary to ensure safe living conditions.

Superblock means an area that is bounded on all sides by arterial or collector streets, railroads, or waterbodies.

Surety means a form of financial guarantee that improvements will be made. Surety provides the City with the financial resources to install required improvements if the developer fails to do so. Surety may include bonds, cash, letters of credit, or other financial instruments approved by the City as appropriate to the type and scale of improvements for which the surety is required.

Swale means a linear depression in the land's surface in which sheet runoff collects and forms a temporary watercourse.

T

Telecommunications Tower means a structure erected to support *antennae*.

Text Amendment means a change to the text of the UDC, adopted by Ordinance of the City Council, including amendments that supplement, modify, or repeal any of this UDC's present or future provisions. Changes to the Official Zoning Map are not included in the phrase "text amendment," nor are changes to resolutions that implement this UDC, such as fee and fine schedules.



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Top of Bank means a point above the mean water surface of a watercourse which defines the maximum depth of channel flow in the watercourse.

Topography means the existing configuration of the earth's surface including the relative relief, elevations, and position of land features.

Total Floor Area means the sum of the total horizontal areas of every floor of every building on a lot or parcel proposed for development, as appropriate to the context.

Tower means a free-standing structure that is used to mount one or more antennae or small wind energy conversion systems. The word tower includes monopoles, guyed towers, lattice towers, and stealth towers.

Townhouse means a single-family attached dwelling unit, with a private outside entrance, which is part of a larger structure containing other townhouse units that are attached horizontally in a linear arrangement. Townhouses have totally exposed front and rear elevations that are used for access, light, and ventilation.

Travel Trailer means a trailer that is attached to an automobile or light truck and used as a portable dwelling. The phrase "travel trailer" includes trailers that are equipped with furniture, kitchen facilities, and bathrooms, as well as "pop-up" tent trailers with fewer amenities.

Tree, Canopy means a tree with a canopy that, at maturity, would occupy the upper level of a forest in a natural ecological situation. These trees are commonly called shade trees. They typically reach heights of more than 50 feet at maturity.

Tree, Evergreen means a broad leaf evergreen tree or cone-bearing evergreen tree that, at maturity, typically has a height of greater than 35 feet. For the purposes of this UDC, evergreen trees that typically have a height of 12 to 35 feet at maturity are considered understory trees, and evergreens that typically have a height of less than 12 feet at maturity are considered shrubs.

Tree, Understory means a tree with a canopy that would occupy the intermediate level of a forest in a natural ecological situation. They are also found as dominant species in old field succession. These trees are commonly called ornamental trees. Understory trees are deciduous trees that typically reach heights of 12 to 44 feet at maturity, and evergreen trees that typically reach heights of 12 to 35 feet at maturity.

V

Variance means a development order that provides relief from the standards of this UDC. See Section 14.507, *Variance Requirements*.

Village House means a single family detached building on a small lot, with a small front yard and alley access.

W

Water Quality means characteristics of stormwater runoff that relate to the chemical, physical, biological, or radiological integrity of water.

Waterbody means any watercourse, lake, or pond that is defined by a bank or shore, in which water can be found on a year-round basis.



Watercourse means a stream channel (perennial, intermittent, mapped, or unmapped) with banks and a bed within which water regularly flows.

Watershed means a land area, also known as a drainage area, which collects precipitation and contributes runoff to a receiving body of water or point along a watercourse.

Water Table means the level below the surface at which the ground is saturated by water.

Weak-Link Townhouse means a single-family attached dwelling unit, with a single unit from ground to roof and with individual outside access. Each unit has a one-story and a two-story component. Garages are typically, but not necessarily, accessed from the street.

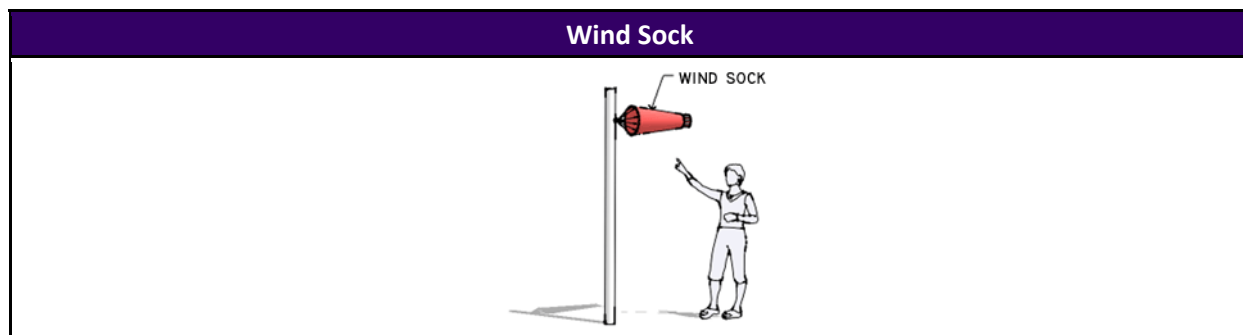
Weed means:

1. The Chinese Tallow Tree (*Triadica sebifera*);
2. Cogon Grass (*Imperata cylindrical*);
3. Kudzu (*Pueraria lobata*);
4. Purple Loosestrife (*Lythrum Salicaria*); or
5. Any variety of grass or groundcover that is not generally used for landscaping purposes (or is not part of an approved landscape plan), which is left to grow uncontrolled in a designated landscaped area, and which would tend to crowd out or obscure other landscape materials.

Wetland means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, bayous, and similar areas.

Wildlife Habitat means a community of plants that provide food, water, cover, nesting, and foraging or feeding conditions necessary to maintain a population of wildlife.

Wind Sock means a type of sign that is made of fabric or other flexible materials that are formed in a conical or tubular shape, designed to extend as the wind flows through it.



Woodland means a naturally occurring forest or stand of trees on a parcel or portion thereof that is not developed; or a stand of trees that was planted for the purposes of forestation or reforestation.



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Y

Yard means an at-grade area of a lot that is not improved with buildings (except as allowed by [Article 2, District Intensity and Development Standards](#)), as follows:

1. Generally, a yard is the area between the lot line and the portion of the principal building that is closest to the lot line; and
2. A required yard is the area between the lot line and the required setback in relation to that lot line.

Yard, Front means an area that extends across the full width of the lot between the front lot line and the required front setback line.

Yard, Side Street means a yard extending from the front setback line to the rear lot line, located between the side street lot line and the side street setback line.

Yard, Rear means a yard extending the full width of the lot between the rear lot line and the rear setback line. For a corner lot, the rear yard does not extend beyond the side street setback line.

Yard, Interior Side means a yard that extends from the front setback line to the rear setback line, between the interior side lot line and the interior side setback line.

Z

Zoning District means a designation shown on the Zoning Map as being in a district enumerated in [Article 1, Zoning Districts, Uses, and Accessory Uses](#). The phrase may refer to the standards of a particular district, or to an area so mapped, or both.

Zoning Map means the Official Zoning Map of the City of Zachary, Louisiana, which incorporated into this UDC by operation of [Section 1.202, Official Zoning Map](#), and which shows the location and boundaries of the zoning districts established by this UDC.

Zoning Permit means a development order issued by the responsible official in hard copy that certifies that the proposed use of the land is a permitted use in the zoning district in which it is located, and the use is compliance any other applicable requirements of this UDC.



APPENDIX A: SITE CAPACITY CALCULATOR

Example Residential Site Capacity Analysis

- A. **Sample Parcel Characteristics.** The example in the table below makes the following assumptions:
1. Area of parcel proposed for development: 100 acres
 2. Land within ultimate rights-of-way: 2.0 acres
 3. No areas of open water, delineated wetlands, major utility easements, existing conservation easements, or cut off from development
 4. Zoning: Suburban Residential (RS)
 5. Proposed Use: Conservation Subdivision
 6. Open Space Ratio: 30 percent (from Table 2.201, *Residential Parcel Standards*)
 7. Gross Density: 2.46 u/a (from Table 2.201, *Residential Parcel Standards*)
 8. Net Density: 3.51 u/a (from Table 2.201, *Residential Parcel Standards*)
- B. **Calculation.** The table below shows the site capacity calculation based on the data set out above:

Example of a Residential Site Capacity Calculation		
Step 1	Enter Gross Site Area of the parcel proposed for development (as determined by actual survey).	100.00 ac.
	Subtract land within existing streets' ultimate rights-of-way.	-2.0 ac.
	Subtract land cut off from use by railroad, highway, or water body.	- ac.
	Subtract land within major utilities' rights-of-way (minimum 50-foot width for entire R.O.W.).	- ac.
	Subtract land previously dedicated as open space (conservation easements).	- ac.
	Equals Base Site Area.	= 98.0 ac.
Step 2	Enter Base Site Area (Step 1).	98.0 ac.
	Multiply by Gross Density for use and district from Table 3.201A.	2.46 u/a
	Equals District Yield (round down to whole number).	241 units
Step 3	Enter Gross Site Area (Step 1).	100 ac.
	Multiply by Open Space Ratio for use and district, Table 3.201A.	30%
	Equals District Open Space.	30 ac.
Step 4	Enter Base Site Area (Step 1).	98.0 ac.
	Subtract the greater of: District Open Space (Step 3); or Areas that were not subtracted from gross site area in Step 1 that are covered by open water and areas covered by delineated wetlands.	30 ac. (District Open Space)
	Equals Net Buildable Area.	70 ac.
	Times Net Density for use and district (Table 3.201A).	3.51 u/a
	Equals Site Specific Yield (round down to whole number).	245 units
Step 5	Select District Yield (Step 5) or Site Specific Yield (Step 7), whichever is less.	241 units



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APPENDIX B: PLANT LISTS

Appendix B-1: Canopy Trees / Large Evergreens

Trees that are listed in Table B-1, *Class A Trees* count towards requirements for canopy trees (and, where indicated in the right-hand column, evergreens) within this UDC. The trees in the table are overstory and open space trees that grow to heights above 40 feet.

Table B-1: Class A Trees		
Scientific Name	Common Name	Evergreen
<i>Acer rubrum</i> 'Drummondii'	Swamp Red Maple (female preferred); Drummond's Maple	-
<i>Cornus kousa</i>	Chinese Dogwood	-
<i>Fraxinus pennsylvanica</i>	Green Ash	-
<i>Ginkgo biloba</i>	Maidenhair Tree	-
<i>Ilex opaca</i>	American Holly	Yes
<i>Juniperus virginiana</i> 'Canaertii'	Eastern Red Cedar	-
<i>Liquidambar styraciflua</i>	American Sweet Gum	-
<i>Magnolia grandiflora</i>	Southern Magnolia	Yes
<i>Nyssa aquatica</i>	Tupelo Gum	-
<i>Nyssa sylvatica</i>	Blackgum	-
<i>Pinus Elliottii</i>	Slash Pine	Yes (conifer)
<i>Pinus glabra</i>	Spruce Pine	Yes (conifer)
<i>Quercus acutissima</i>	Sawtooth Oak	-
<i>Quercus falcata</i> 'Pagodifolia'	Cherrybark Oak	-
<i>Quercus glauca</i>	Blue Japanese Oak	-
<i>Quercus lyrata</i>	Overcup Oak	-
<i>Quercus michauxii</i>	Cow Oak	-
<i>Quercus nuttallii</i>	Nuttall Oak	-
<i>Quercus phellos</i>	Willow Oak	-
<i>Quercus shumardii</i>	Shumard Oak	-
<i>Quercus virginiana</i>	Live Oak	-
<i>Taxodium ascendens</i> 'Nutans'	Pond Cypress	-
<i>Taxodium distichum</i>	Bald Cypress	-
<i>Taxodium mucronatum</i>	Montezuma Cypress	-
<i>Tilia americana</i>	American Linden	-
<i>Ulmus alata</i>	Winged Elm	-
<i>Ulmus americana</i>	American Elm	-
<i>Ulmus crassifolia</i>	Cedar Elm	-
<i>Ulmus parvifolia</i> 'Drake'	Chinese Elm	-
<i>Liriodendron tulipifera</i>	Tuliptree	-

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Appendix B-2: Understory Trees / Small Evergreens

- A. **Class B Trees.** Trees that are listed in Table B-2A, *Class B Trees* are counted towards any requirements for small trees (and, where indicated in the right-hand column, evergreens) within this UDC. The trees in the table are understory trees that generally grow to heights between 20 and 30 feet.

Table B-2A: Class B Trees		
Scientific Name	Common Name	Evergreen
<i>Betula nigra</i>	River Birch	-
<i>Cedrus deodara</i>	Deodar Cedar	Yes
<i>Cercis Canadensis</i>	Eastern Redbud	-
<i>Chionanthus virginicus</i>	Grancy Graybeard	-
<i>Cornus florida</i>	Dogwood	-
<i>Crataegus opaca</i>	Mayhaw	-
<i>Cyrilla racemiflora</i>	Titi	Yes
<i>Halesia diptera</i>	Silver-Bell	-
<i>Ilex x attenuata</i> 'Fosteri'	Foster's Holly	Yes
<i>Ilex cassine</i>	Dahoon Holly	Yes
<i>Ilex x</i> 'Emily Bruner'	Emily Bruner Holly	Yes
<i>Ilex opaca x</i> 'Eagleson'	Eagleson Holly, Topel Holly	Yes
<i>Ilex opaca x</i> 'East Palatka'	East Palatka Holly	Yes
<i>Ilex x attenuata</i> 'Savannah'	Savannah Holly	Yes
<i>Ilex x</i> 'Nellie R. Stevens'	Nellie Stevens Holly	Yes
<i>Ilex deciduas</i>	Deciduous Holly, Possomhaw	-
<i>Ilex decidua</i> 'Finch's Gold'	Deciduous Holly, Possomhaw	-
<i>Ilex decidua</i> 'Warren's Red'	Deciduous Holly, Possomhaw	-
<i>Ilex vomitoria</i>	Yaupon	Yes
<i>Ilex vomitoria</i> 'Pride of Houston'	Yaupon	Yes
<i>Lagerstroemia indica</i>	Crape Myrtle Medium (10 ft. to 20 ft.) varieties: Catawba, Centennial Spirit, Comanche, Griffing's Weeping, Lipan, Near East, Osage, Regal Red, Sioux, Tuskegee, Twilight, Wm Toovey, Yuma Tall (> 20 ft.) varieties: Araphao, Biloxi, Carolina Beauty, Choctaw, Miami, Muskogee, Natchez, Potomac, Sarah's Favorite, Tuscarora	-
<i>Ligustrum lucidum</i>	Tree Ligustrum	
<i>Magnolia loebner</i> 'Merrill'	Merrill Magnolia	
<i>Magnolia x soulangiana</i>	Oriental Magnolia; Chinese Magnolia	-
<i>Magnolia soulangiana</i> 'Alexandrina'	Alexandrina Magnolia	-
<i>Magnolia soulangiana</i> 'Rustica Rubra'	Oriental Magnolia	-
<i>Magnolia virginiana</i>	Sweetbay Magnolia	Yes
<i>Myrica cerifera</i>	Wax Myrtle	Yes
<i>Osmanthus fragrans</i>	Sweet Olive	
<i>Persea Borbonia</i>	Red Bay	Yes
<i>Pinus Thunbergiana</i>	Japanese Black Pine	Yes (conifer)
<i>Pistacia chinensis</i>	Chinese Pistache	
<i>Prunus campanulata</i>	Flowering Cherry	-



Table B-2A: Class B Trees		
Scientific Name	Common Name	Evergreen
<i>Prunus caroliniana</i>	Cherry Laurel	-
<i>Prunus Mexicana</i>	Mexican Plum	-
<i>Pyrus Calleryana</i> 'Bradford'	Bradford Flowering Pear	-
<i>Robinia Pseudoacacia</i>	Black Locust	-
<i>Trachycarpus fortune</i>	Windmill Palm (clustered 3 to 5 specimens)	Yes
<i>Ulmus parvifolia</i>	Chinese Elm	-

B. **Class C Trees.** Class C trees are small-stature woody trees and large evergreen shrubs that are suitable for use in tight urban spaces. Trees that are listed in Table B-2B, *Class C Trees* are counted towards any requirements for small trees (and, where indicated in the right-hand column, evergreens) within this UDC when the development is located within the RU, CG, or UC district or in a permitted constrained bufferyard in another district. The trees in the table are understory trees that generally grow to heights between 10 and 20 feet.

Table B-2B: Class C Trees		
Scientific Name	Common Name	Evergreen
<i>Aesculus pavia</i>	Red Buckeye	-
<i>Camellia japonica</i>	Camellia	
<i>Camellia sasanqua</i>	Sasanqua Camellia	
<i>Crataegus marshallii</i>	Parsley Hawthorn	-
<i>Crataegus opaca</i>	Mayhaw	-
<i>Cliftonia monophylla</i>	Black Titi, Buckwheat Tree	
<i>Cyrilla racemiflora</i>	Leatherwood, Titi	Yes
<i>Feijoa sellowiana</i>	Pineapple Guava	
<i>Fortunella japonica</i>	Kumquat	
<i>Hibiscus syriacus</i>	Althea	
<i>Ilex x hybrids</i>	Red Holly Hybrids (Robin, Little Red, Patriot, Cardinal, Liberty, Dixie Flame, Festive, Oakleaf, Acadiana)	Yes
<i>Ilex x attenuata</i> 'Eagleston'	Eagleston Holly	Yes
<i>Ilex aquifolium</i>	English Holly	Yes
<i>Ilex aquifolium</i> 'Emily Bruner'	Emily Bruner Holly	Yes
<i>Ilex cornuta x latifolia</i> 'Mary Nell'	Mary Nell Holly	Yes
<i>Ilex cornuta</i> 'Burfordii'	Burford Holly	Yes
<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly	Yes
<i>Ilex cassine var. myrtifolia</i>	Myrtleleaf Holly	Yes
<i>Ilex cornuta</i> 'Needlepoint'	Chinese Holly	Yes
<i>Ilex opaca</i> 'East Palatka'	East Palatka Holly	Yes
<i>Ilex</i> 'Nellie R. Stevens'	Nellie Stevens Holly	Yes
<i>Ilex decidua</i>	Deciduous Holly	-
<i>Ilex sp.</i>	Hybrid Holly	
<i>Loropetalum chinense</i> 'Burgundy'	Chinese Fringe-Flower	



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**Table B-2B:
Class C Trees**

Scientific Name	Common Name	Evergreen
<i>Lagerstroemia indica</i>	Crape Myrtle Dwarf (3 ft. to 5 ft.) varieties: Centennial, Hope, Victor Semi-dwarf (5 ft. to 10 ft.) varieties: Acoma, Dynamite, Hopi, Pink Velour, Prairie Lace, Osage, Zuni	-
<i>Ligustrum japonicum</i>	Waxleaf ligustrum	Yes
<i>Magnolia hybrid</i>	Eight Little Girls Magnolia Ann, Betty, Jane, Judy, Randi, Ricki, Pinkie, Susan	
<i>Magnolia stellata</i>	Star Magnolia	-
<i>Magnolia liliflora</i>	Tulip Magnolia	
<i>Malus angustifolia</i>	Southern Crab Apple	
<i>Michelia figo</i>	Banana Shrub	
<i>Myrica cerifera</i>	Wax Myrtle	Yes
<i>Nerium oleander</i>	Oleander	Yes
<i>Osmanthus fragrans</i>	Sweet Olive	
<i>Oxydendrum arboreum</i>	Sourwood	-
<i>Philadelphus coronarius</i>	Mock Orange	-
<i>Photinia x fraseri</i>	Fraser's Photinia	Yes
<i>Photinia serrulata</i>	Chinese Photinia	
<i>Prunus laurocerasus</i>	English Laurel	
<i>Prunus Mexicana</i>	Mexican plum	-
<i>Sabal palmetto</i>	Cabbage Palm	Yes
<i>Ternstroemia gymnanthera</i>	Cleyera	
<i>Viburnum odoratissimum</i>	Sweet Viburnum	
<i>Vitex agnus-castus</i>	Vitex	-

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Appendix B-3: Shrubs

Shrubs that are listed in Table B-3, *Shrubs* are counted towards any requirements for shrubs within this UDC. The heights that are indicated in Table B-3 shall be used to verify compliance with any requirements of this UDC regarding the minimum height of shrubs.

**Table B-3:
Shrubs**

Scientific Name	Common Name
Ground Cover Shrubs (approximately 3 feet in height, or may be maintained at 3 feet in height by effective pruning)	
<i>Buxus microphylla</i>	Littleleaf Boxwood
<i>Fatsia japonica</i>	Fatsia
<i>Hibiscus rosa-sinensis</i>	Chinese Hibiscus
<i>Ilex cornuta</i> 'Burfordi'	Burford Holly
<i>Ilex crenata</i> 'Compacta'	Dwarf Japanese Holly
<i>Ilex vomitoria</i> 'Nana'	Dwarf Yaupon



**Table B-3:
Shrubs**

Scientific Name	Common Name
<i>Juniperus species</i>	Juniper
<i>Pittosporum tobira</i> 'Wheeler's Dwarf'	Dwarf Pittosporum
<i>Sabal Louisiana</i>	Louisiana Palmetto
<i>Sabal palmetto</i>	Cabbage Palm
Screening Shrubs (approximately 4 feet in height, or may be maintained at 4 feet in height by effective pruning)	
<i>Abelia grandiflora</i>	Glossy Abelia
<i>Gardenia jasminoides</i>	Cape Jasmine
<i>Gardenia jasminoides</i> 'Prostrata'	Dwarf Gardenia
<i>Ilex cornuta</i>	Chinese Holly
<i>Ligustrum japonicum</i>	Wax Leaf Ligustrum
<i>Michelia figo</i>	Banana Shrub
<i>Nandina domestica</i>	Heavenly Bamboo
<i>Rhododendron indica</i>	Indian Azalea
<i>Ternstroemia gymnanthera</i>	Cleyera
<i>Trachycarpus fortunei</i>	Windmill Palm
<i>Viburnum suspensum</i>	Viburnum
Buffer Shrubs (approximately 12 feet in height, or may be maintained at 12 feet in height by effective pruning)	
<i>Callistemon rigidus</i>	Bottlebrush
<i>Camellia japonica</i>	Camellia
<i>Camellia sasanqua</i>	Sasanqua Camellia
<i>Feijoa Sellowiana</i>	Pineapple Guava
<i>Ilex attenuata</i> 'Fosteri'	Foster's Holly
<i>Nerium oleander</i>	Oleander
<i>Photinia Fraseri</i>	Fraser's Photinia
<i>Photinia glabra</i>	Redtip Photinia
<i>Pittosporum tobira</i>	Pittosporum
<i>Raphiolepis indica</i>	Indian Hawthorn
<i>Virburnum japonicum</i>	Was Leaf Viburnum
<i>Viburnum odoratissimum</i>	Sweet Viburnum
<i>Viburnum tinus</i>	Laurustinus Viburnum
Herbaceous Shrubs (certain plants in this list are subject to winter die-back)	
<i>Alpinia zerumbet</i>	Shell Ginger
<i>Alpinia zerumbet</i> 'Variegata'	Variegated Shell Ginger
<i>Ensete maurelii</i>	Red Abyssinian Banana
<i>Ensete ventricosum</i> 'Red Stripe'	Abyssinian Banana
<i>Hedychium coronarium</i>	White Butterfly Ginger
<i>Musa acuminata</i> 'Sumatrana'	Bloodleaf Banana
<i>Musa acuminata</i> 'Dwarf Cavendish'	Dwarf Cavendish Banana
<i>Musa acuminata</i> 'Cavendish'	Cavendish Banana
<i>Musa sp.</i> 'Grand Nain'	Banana
<i>Musa ornata</i> 'Lavender'	Dwarf Lavender Banana
<i>Musa ornata</i> 'Milkyway'	Dwarf White Banana
<i>Musa velutina</i>	Dwarf Banana
<i>Philodendron selloum</i>	Split Leaf Philodendron



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**Table B-3:
Shrubs**

Scientific Name	Common Name
Shrub Like Grasses and Irises (certain plants in this list are subject to winter die-back)	
<i>Arundo donax</i>	Giant Reed Grass
<i>Cymbopogon citratus</i>	Lemon Grass
<i>Deschampsia caespitosa</i>	Tufted Hair Grass
<i>Eragrostis spectabilis</i>	Purple Love Grass
<i>Iris fulva</i>	Copper Louisiana Iris
<i>Iris giganticaerulea</i>	Big Blue Louisiana Iris
<i>Iris 'Louisiana'</i>	Hybrid Louisiana Iris
<i>Iris nelsonii</i>	Abbeville Iris
<i>Iris pseudacorus</i>	Yellow Flag or Evergreen Iris
<i>Iris virginica</i>	Blue Flag Iris
<i>Miscanthus sinensis 'Gracillimus'</i>	Maiden Grass
<i>Miscanthus sinensis 'Variegatus'</i>	Varigated Maiden Grass
<i>Miscanthus sinensis 'Zebra'</i>	Zebra Grass
<i>Pennisetum alopecuroides</i>	Fountain Grass
<i>Pennisetum villosum</i>	Feathertop Grass
<i>Vetiveria zizanioides</i>	Vetiver Grass

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Appendix B-4: Wetland Plants for Storm Water Applications

The wetland plants for stormwater applications that are listed in Table B-4, *Wetland Plants for Stormwater Applications* may be used within stormwater management areas. The Louisiana Department of Environmental Quality recommends these plants as Louisiana Storm Water Plants.

**Table B-4:
Wetland Plants for Stormwater Applications**

Scientific Name	Common Name
<i>Acorus gramineus 'Variegatus'</i>	Japanese Sweet Flag
<i>Baccharis halimifolia</i>	Groundsel Bush, Sea Myrtle
<i>Canna x generalis</i>	Canna
<i>Cephalanthus occidentalis</i>	Buttonbush
<i>Colocasia antiquorum</i>	Elephant Ear
<i>Colocasia esculenta</i>	Taro
<i>Crataegus viridis</i>	Green Hawthorn
<i>Crinum americanum</i>	Swamp Lily
<i>Cyperus alternifolius</i>	Umbrella Plant
<i>Eleocharis species</i>	Spikerush
<i>Equisetum hyemale</i>	Horsetail
<i>Gleditsia aquatica</i>	Water Locust
<i>Hymenocallis occidentalis</i>	Spider Lily



**Table B-4:
Wetland Plants for Stormwater Applications**

Scientific Name	Common Name
<i>Ilex glabra</i>	Inkberry
<i>Ilex verticillata</i>	Winterberry
<i>Iris species</i>	Louisiana Iris
<i>Juncus effusus</i>	Soft Rush
<i>Juncus roemerianus</i>	Black Rush
<i>Nuphar luteum</i>	Spadderdock
<i>Nelumbo lutea</i>	American Lotus
<i>Nymphaea odorata</i>	White Water Lilly
<i>Panicum amarum</i>	Bitter Panicum
<i>Paspalum notatum</i>	Bahai Grass
<i>Panicum virgatum</i>	Switch Grass
<i>Paspalum vaginatum</i>	Jointgrass
<i>Phragmites communis</i>	Roseau Cane
<i>Pontederia cordata</i>	Pickerelweed
<i>Polygonum densiflorum</i>	Southern Smartweed
<i>Sagittaria falcata</i>	Bulltongue
<i>Sagittaria latifolia</i>	Duckpotato
<i>Sagittaria platyphylla</i>	Delta Duckpotato
<i>Salix nigra</i>	Black Willow
<i>Saururus cernuus</i>	Lizard's Tail
<i>Scirpus americanus</i>	Three Square Bulrush
<i>Solidago sempervirens</i>	Seaside Goldenrod
<i>Tripsacum dactyloides</i>	Eastern Gama Grass
<i>Tripsacum floridanum</i>	Dwarf Fakahatchee Grass
<i>Zizaniopsis miliaceae</i>	Giant Cutgrass

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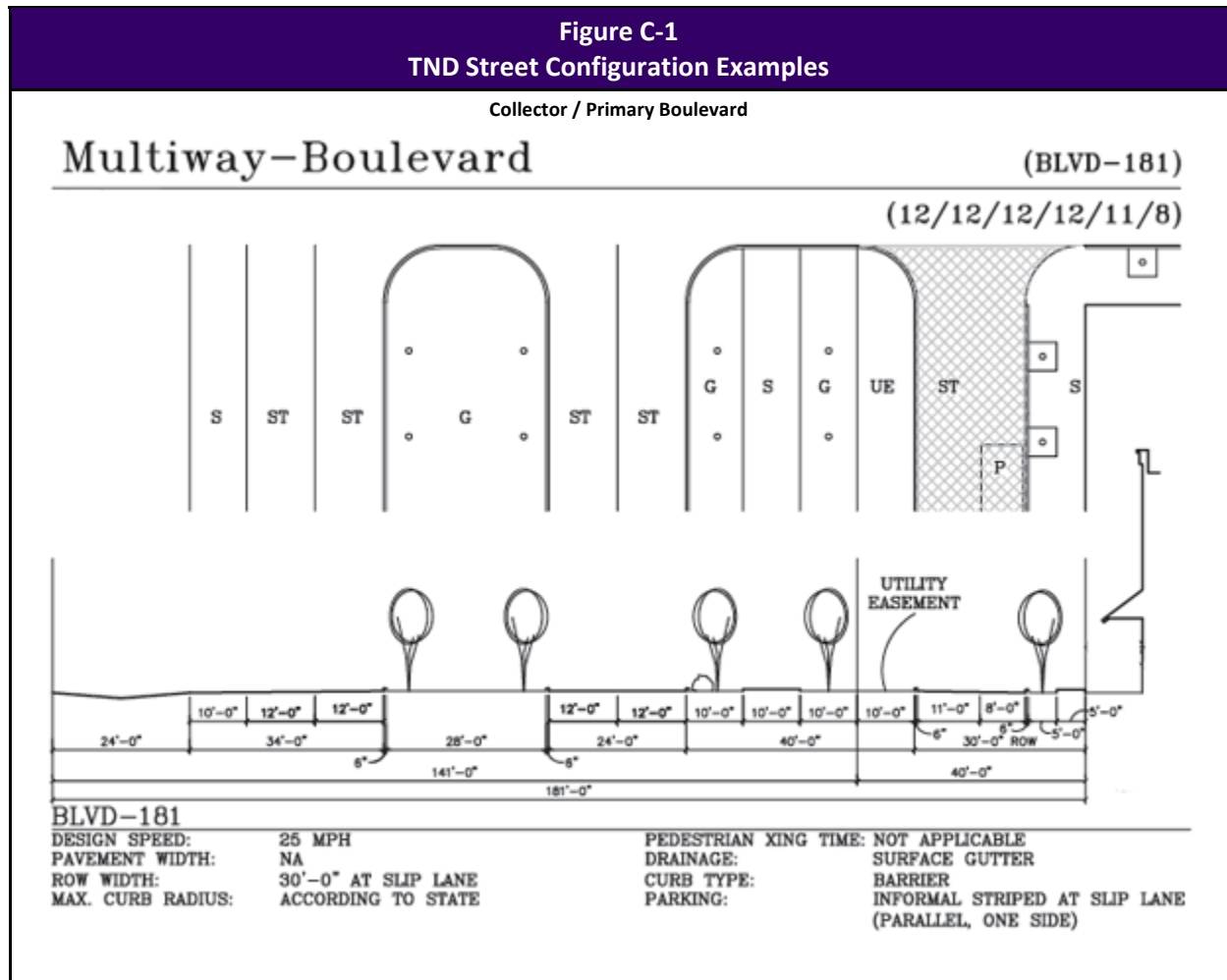
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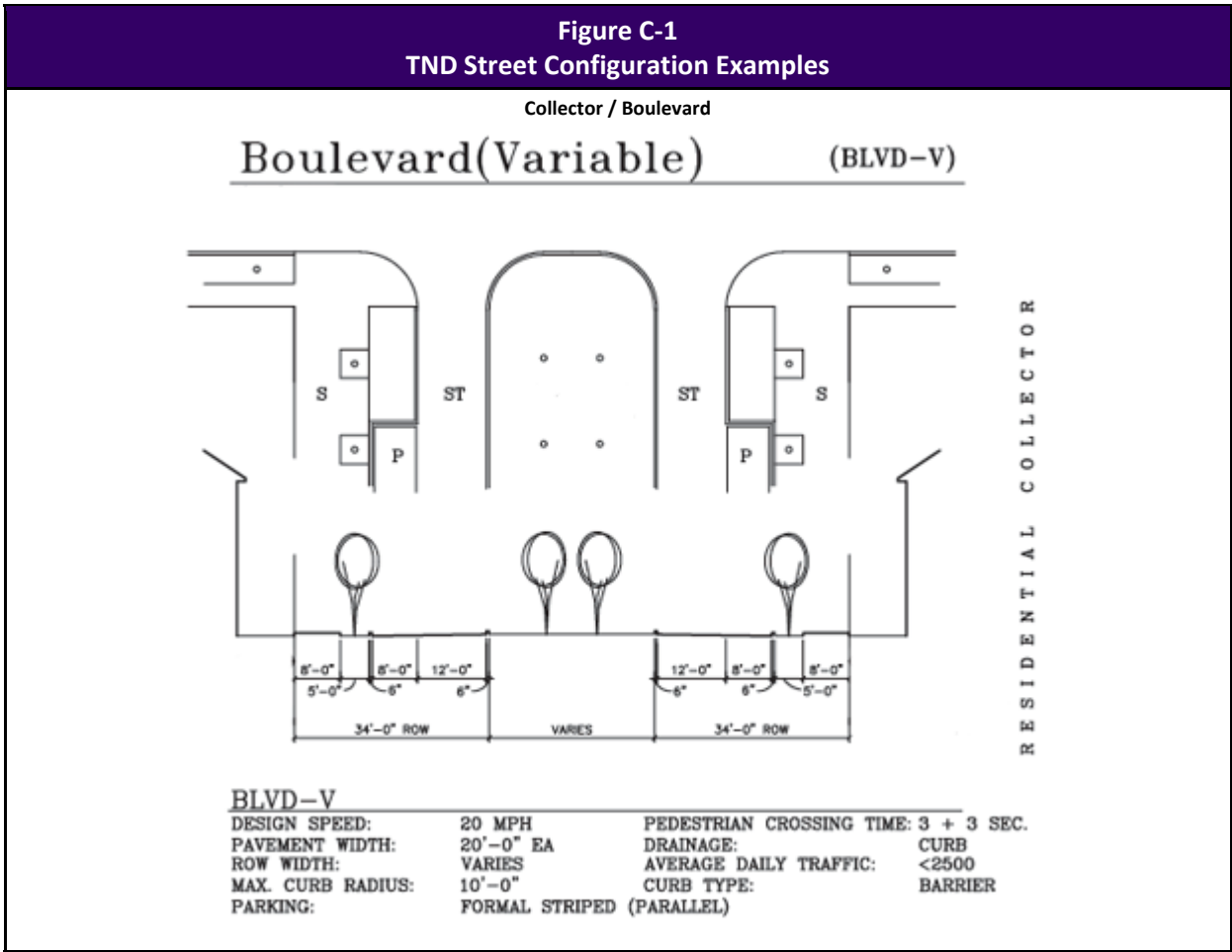
APPENDIX C ILLUSTRATIONS

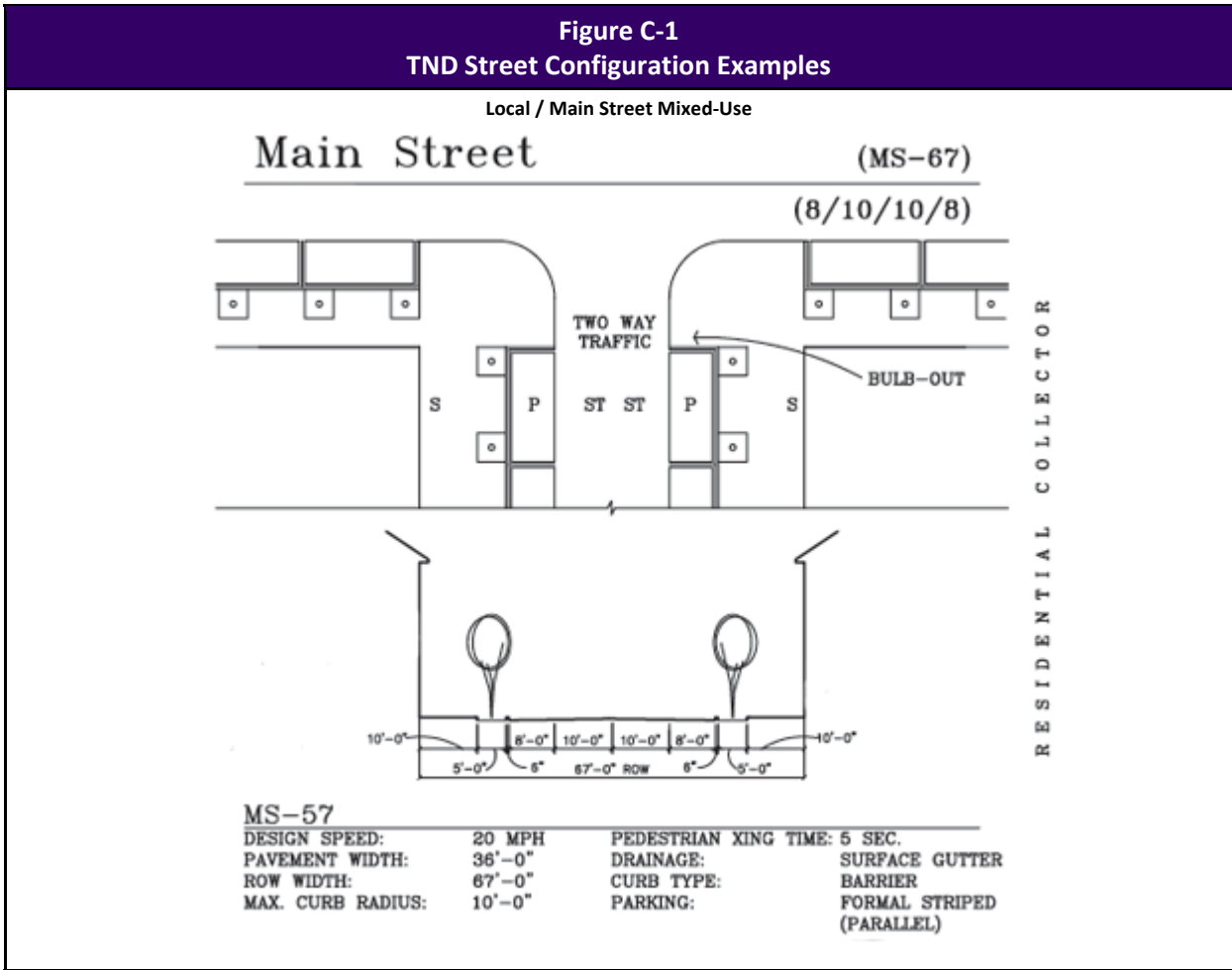
C-1 TND Street Configurations





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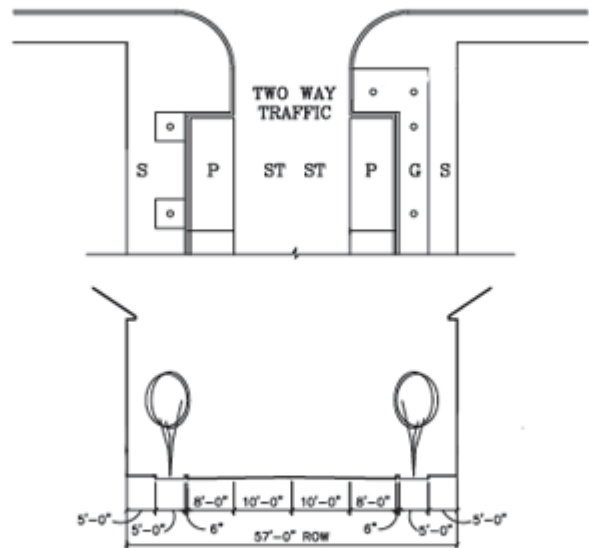




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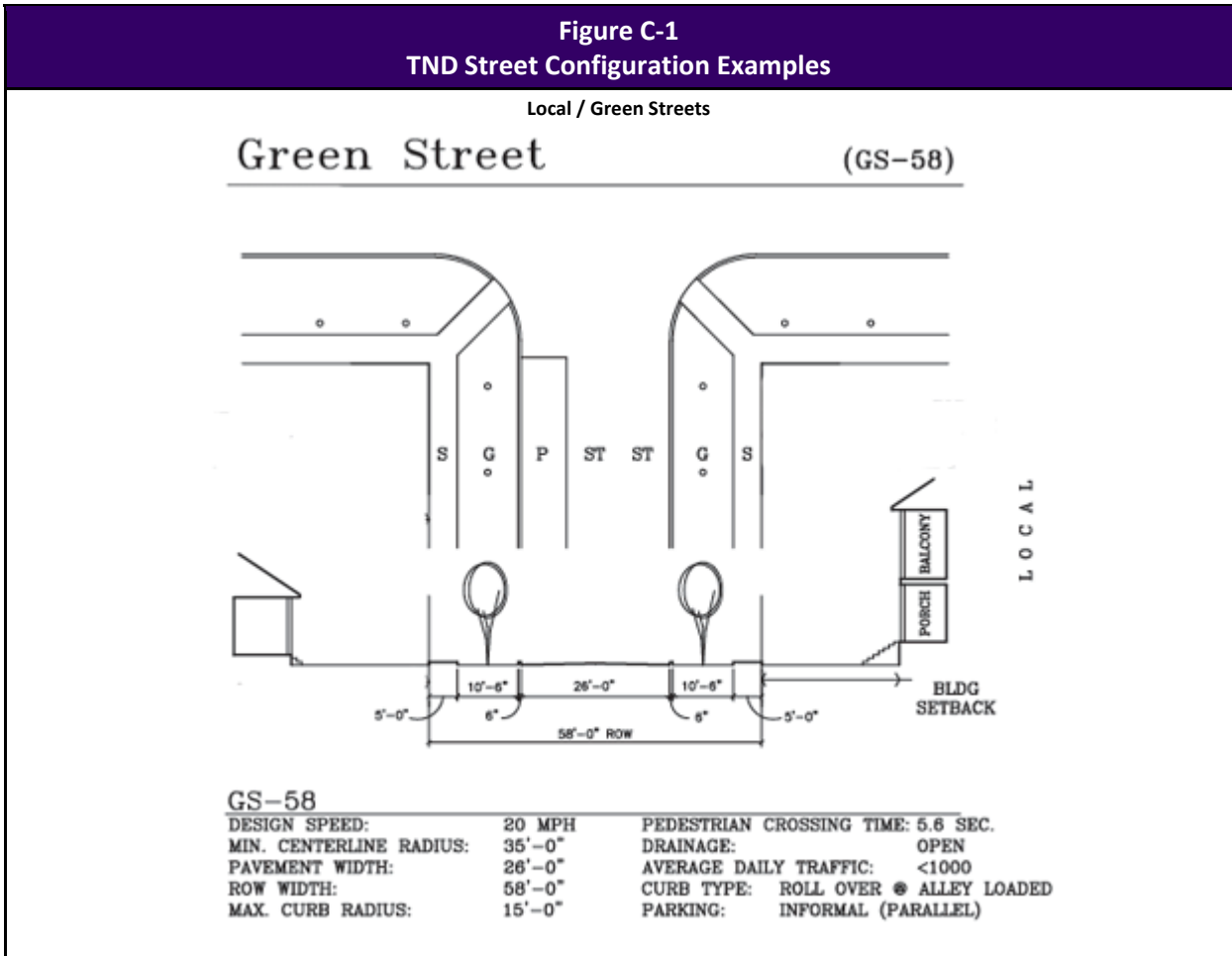
Figure C-1
TND Street Configuration Examples

Local / Main Street Residential
Main Street Residential (MSR-57)
(8/10/10/8)



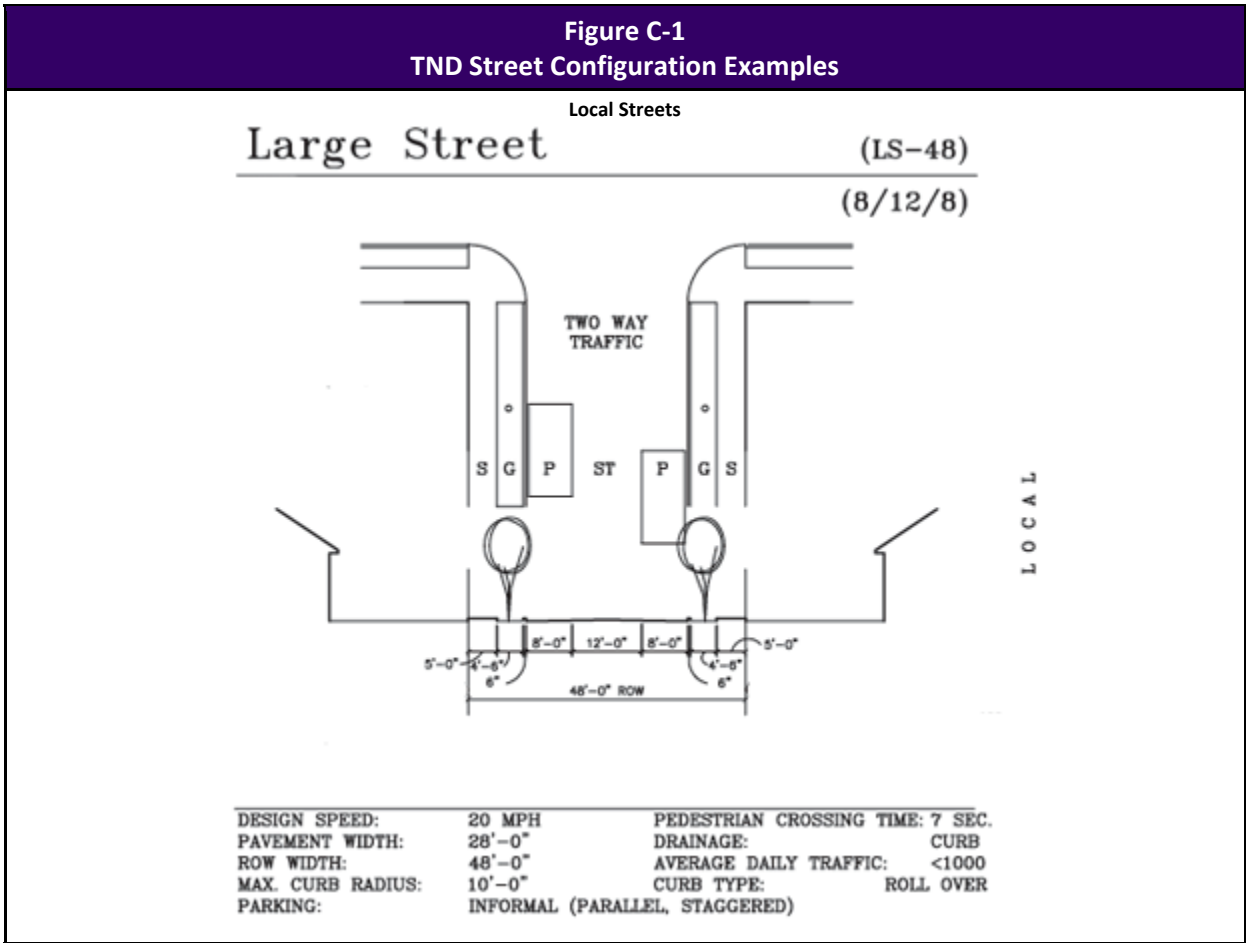
MSR-57

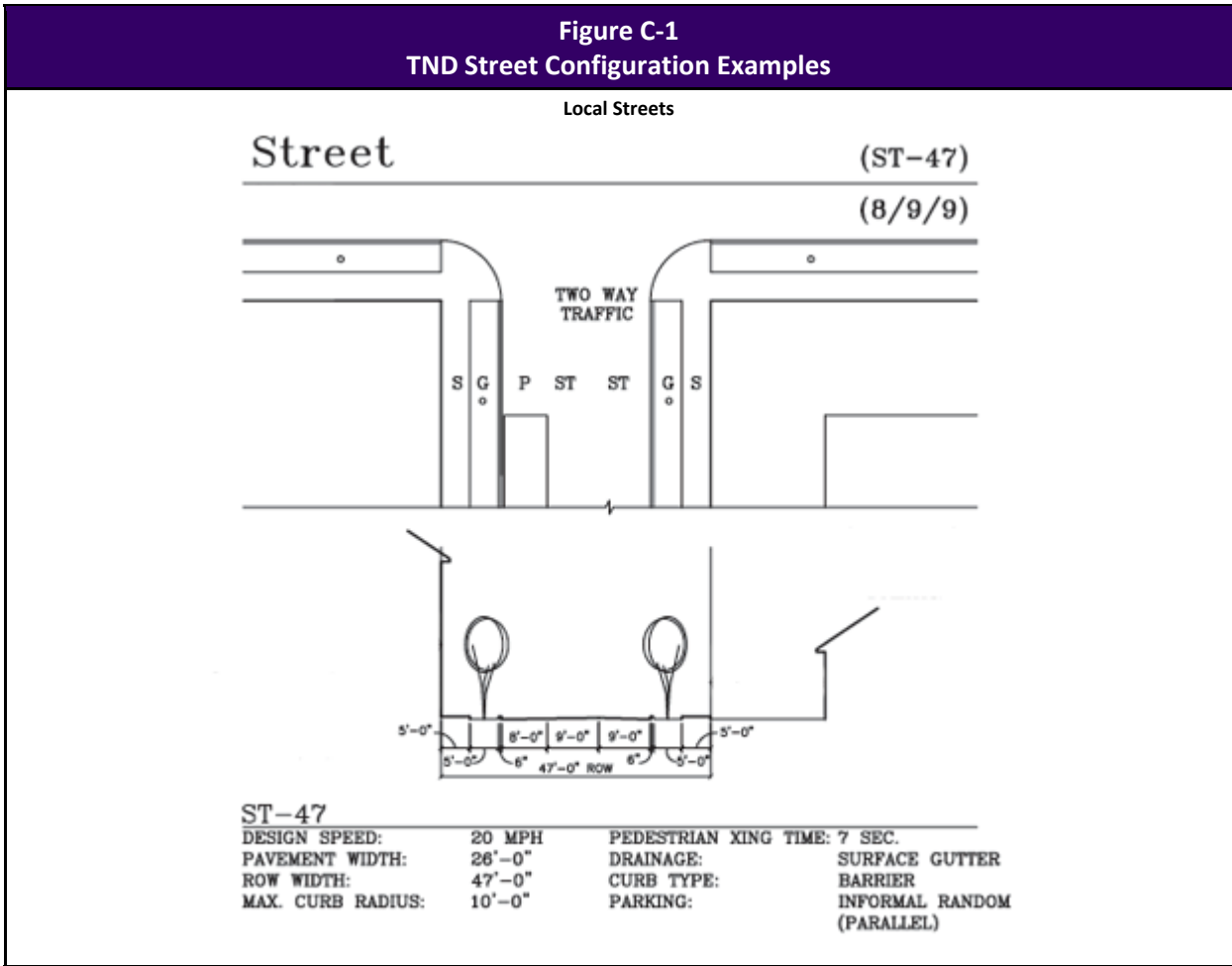
DESIGN SPEED:	20 MPH	PEDESTRIAN CROSSING TIME:	5 SEC.
PAVEMENT WIDTH:	36'-0"	DRAINAGE:	SURFACE
ROW WIDTH:	57'-0"		GUTTER
MAX. CURB RADIUS:	10'-0"	CURB TYPE:	BARRIER
PARKING:	FORMAL (PARALLEL)		





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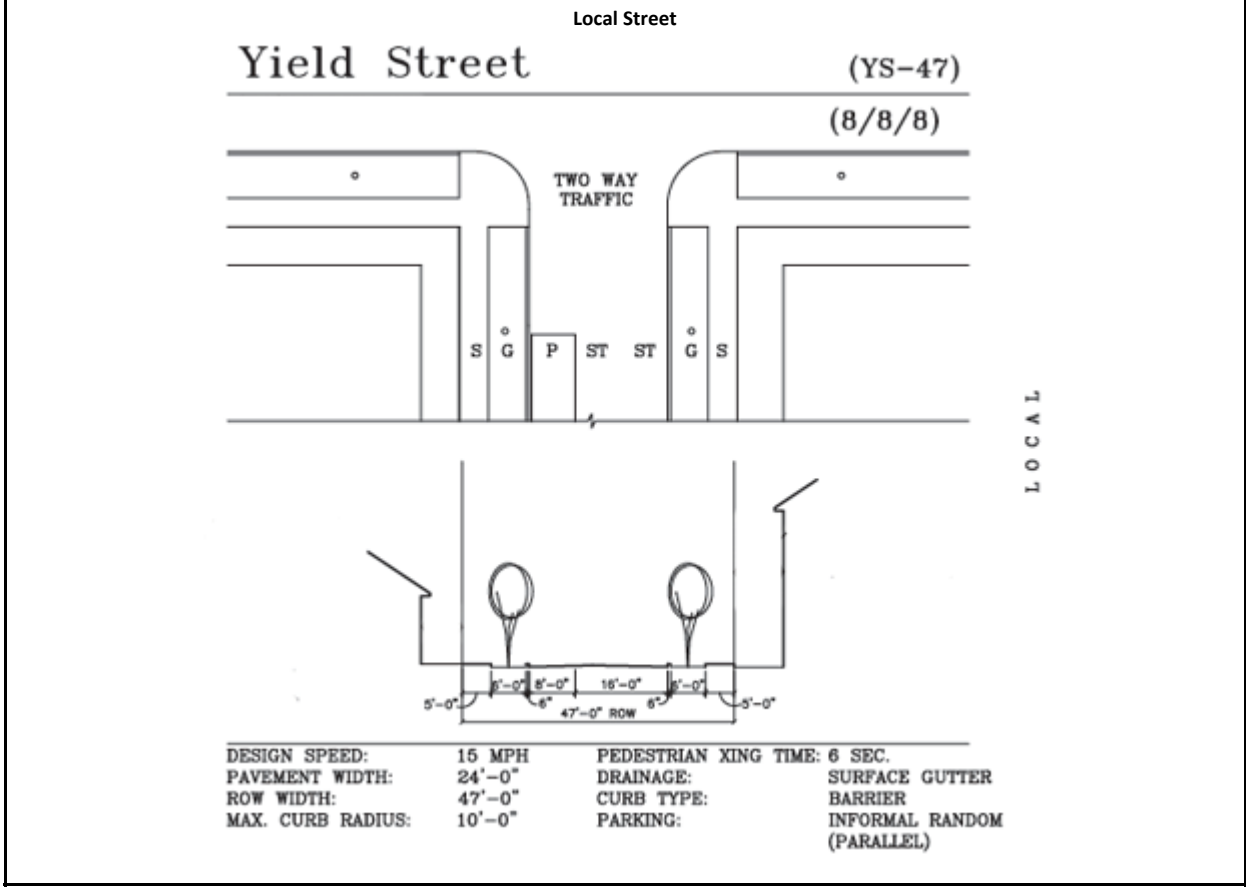


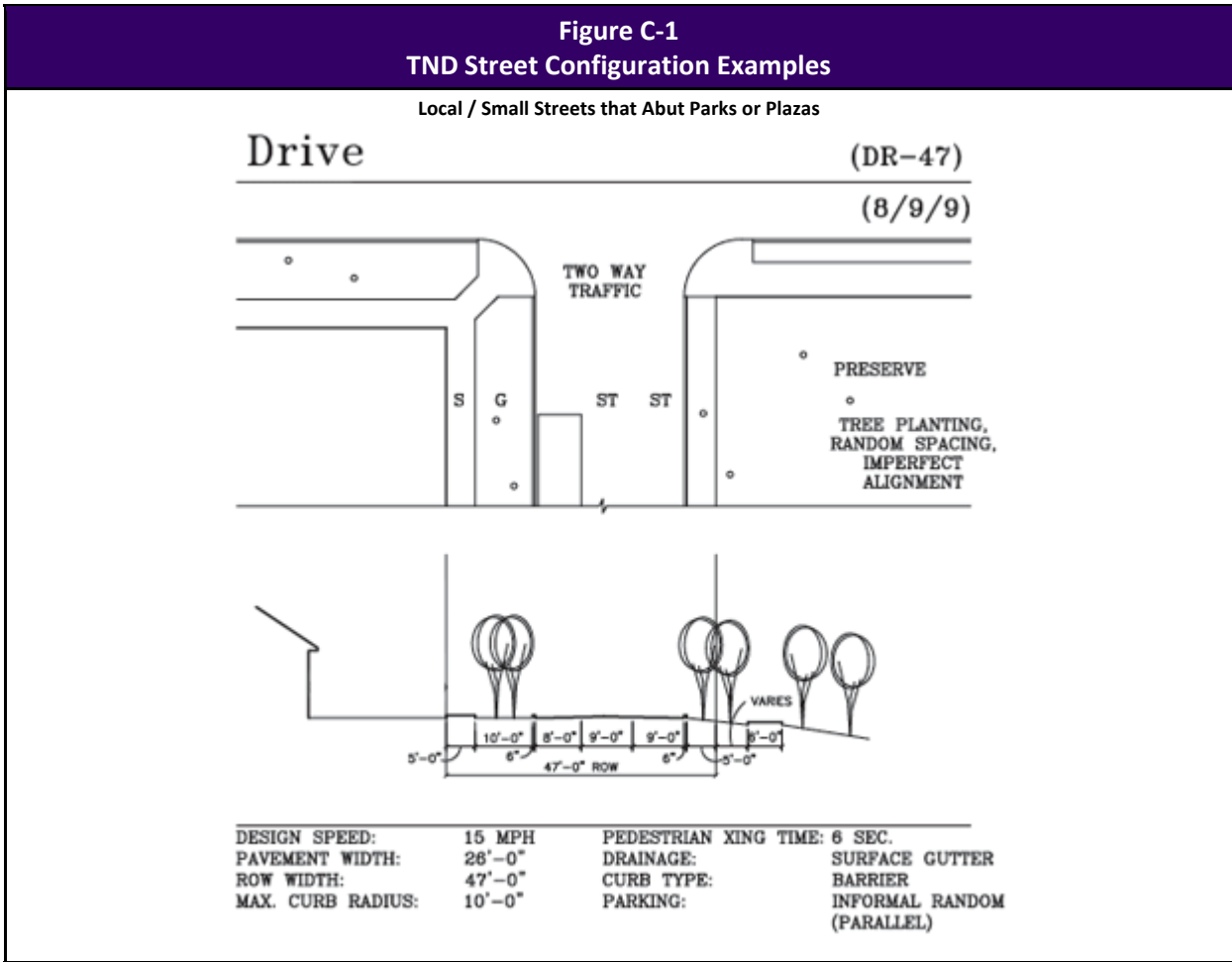




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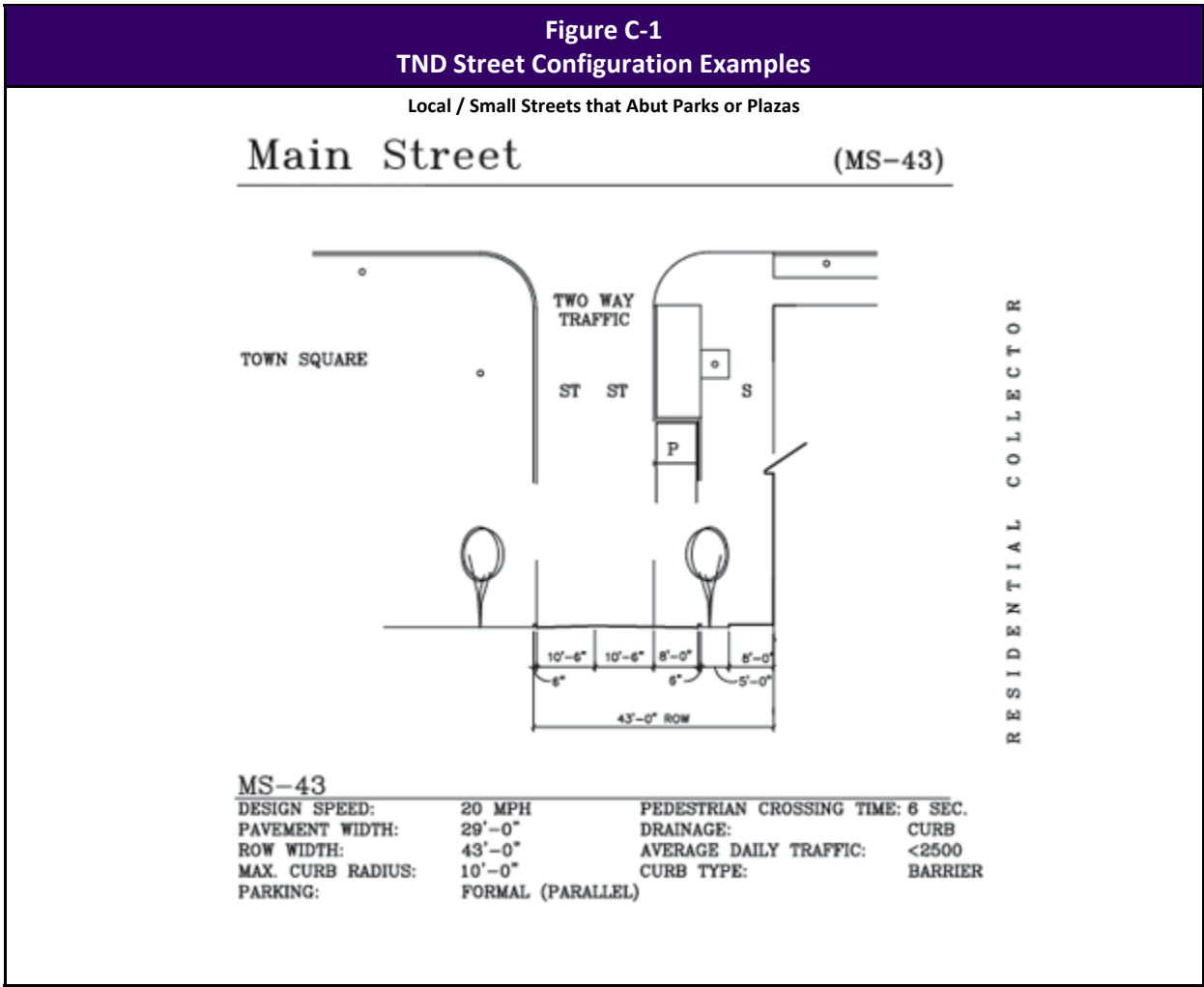
**Figure C-1
TND Street Configuration Examples**

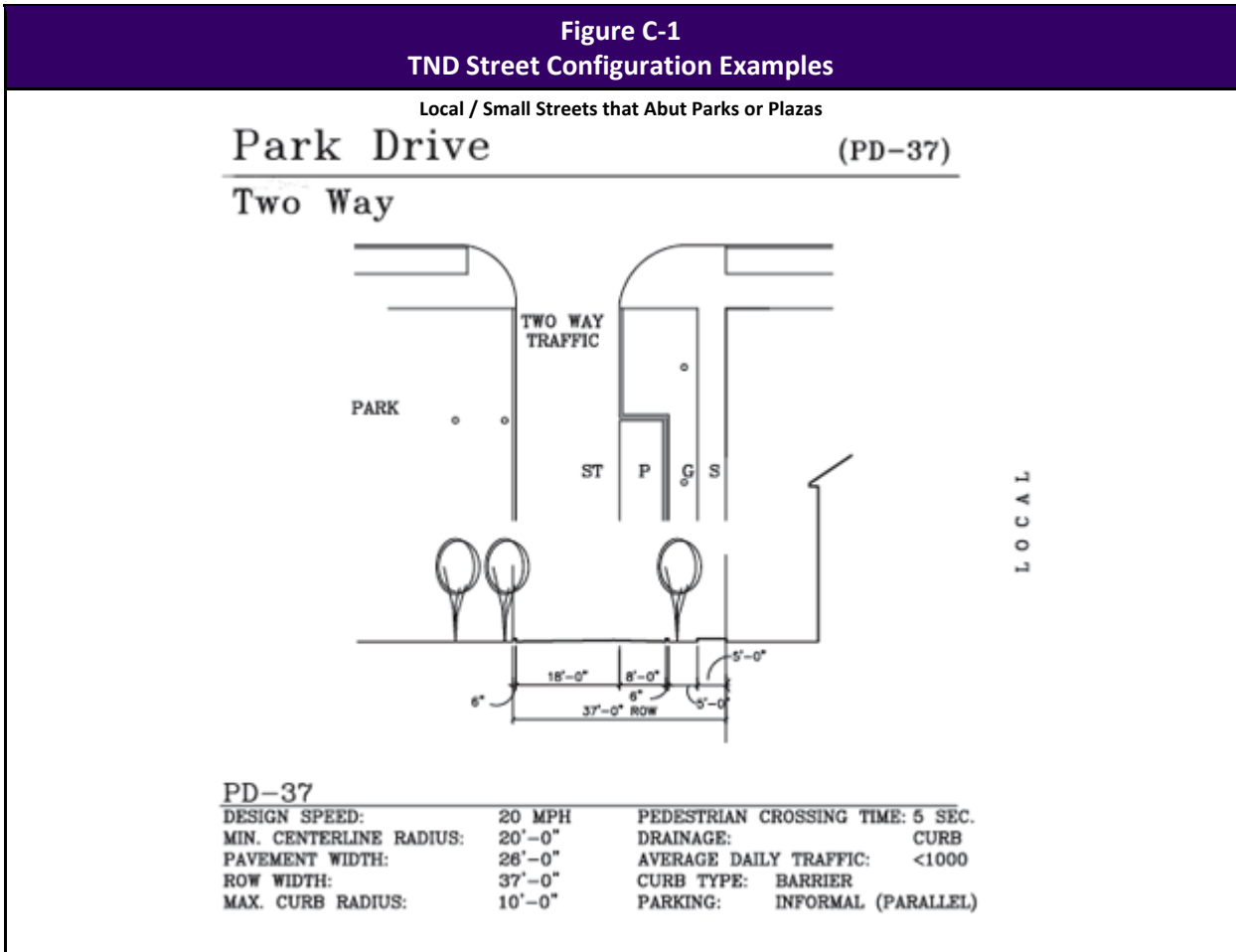






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