

2011

2011-07 §1.404 – Alcoholic Beverages - CUPs

2011-11 §2.502 (A) – Fence Height Allowances - Residential

2011-12 §2.702 (A) – Fence Height & Garden Wall Allowances - Residential

2011-13 §14.203 – Public Hearings - P & Z and Council

2011-14 §14.606 – Required Notices P & Z

2011-31 §1.302-1.305, 1.403-1.405 & 11.309 TNDs

2011-32 §1.302 – TNDs

2012

2012-01 §1.404 – Alcoholic Beverages – CUPs

2013

2013-03 §18 & 11.202 – Manufactured Housing

2013-14 §5.303 (B)(1) – Front & Side Street Setbacks

2014

2014-04 §2.503 (A) & (G) – Accessory Buildings

2014-06 §5.301 (B) – Wall Signs & Fascia Signs

CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

**ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE
UNIFORM DEVELOPMENT CODE §1.404, RELATING TO THE ISSUANCE OF
CONDITIONAL USE PERMITS FOR THE SALE OF ALCOHOLIC BEVERAGES AND
TO CORRECT CODE CITATION REFERENCES**

WHEREAS, the City has determined that the required method and manner of issuance and application of conditional use permits for the sale and consumption of alcoholic beverages may impose an undesirable time and financial hardship on individuals and businesses applying for the appropriate zoning, and

WHEREAS, the City desires to accordingly amend the method and manner of issuance and application of conditional use permits for the sale and consumption of alcoholic beverages within the City for individuals and businesses applying for the appropriate zoning,

WHEREAS, the City has determined that the citation to § 6-33 of the Zachary Code of Ordinances pertaining to the sale of alcoholic beverages should properly be to § 6-32 of the Zachary Code of Ordinances,

BE IT ORDAINED by the City Council for the City of Zachary that:

The City of Zachary Uniform Development Code Table §1.404, is hereby amended in the following respects:

The "Use" column is amended to add the following language "Conditional Use Permit Required" within each of the RS, RU, CS, CG, & UC Districts,

Further, the "Operations" column is amended to add the following language "Conditional Use Permit once obtained shall be transferable only upon the consent and approval of the Zachary City Council" within each of the RS, RU, CS, CG, & UC Districts,

Further, the "Operations" column is amended to correct the reference to § 6-33 of the Zachary Code of Ordinances to read § 6-32 within each of the RS, RU, CS, CG, & UC Districts.

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 12th day of April, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ____ day of May, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

**ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE
UNIFORM DEVELOPMENT CODE TABLE §2.502(A), RELATING TO FENCE
HEIGHT ALLOWANCES IN RESIDENTIAL DISTRICTS IN FURTHERANCE OF
THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR
THE CITY OF ZACHARY FOR SUCH CHANGE**

WHEREAS, the Planning and Zoning Commission for the City of Zachary has determined that a requested amendment to Uniform Development Code Table §2.502(A) is recommended to allow for fences in the front of all yards in all residential districts but that such fences should be limited to a the maximum height of three and one-half feet, and

WHEREAS, the City Council for the City of Zachary has determined that the requested and recommended amendment is in the best interest of the City,

BE IT ORDAINED by the City Council for the City of Zachary that:

The City of Zachary Uniform Development Code Table §2.502(A), is hereby amended in the following respects:

The "Front Yard" column is amended so as to delete the wording "Not allowed" and to add the following language "3.5 feet" within the "All residential districts" row ,

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 24th day of May, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis

Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ____ day of June, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

**ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE
UNIFORM DEVELOPMENT CODE TABLE §2.702(A), RELATING TO FENCE AND
GARDEN WALL ALLOWANCES IN CERTAIN DISTRICTS IN FURTHERANCE OF
THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR
THE CITY OF ZACHARY FOR SUCH CHANGE**

WHEREAS, the Planning and Zoning Commission for the City of Zachary has determined that a requested amendment to Uniform Development Code Table §2.702(A) is recommended to allow for fences and garden walls in the front of yards in other districts with such fences and garden walls limited to a the maximum height of three and one-half feet, and

WHEREAS, the City Council for the City of Zachary has determined that the requested and recommended amendment is in the best interest of the City, and

WHEREAS, the City Council for the City of Zachary has determined that with the aforementioned recommended amendment, that further amendment to the Uniform Development Code Table §2.702(A) is required so as to delete any limitation to hedges within all other districts is also in the best interest of the City,

BE IT ORDAINED by the City Council for the City of Zachary that:

The City of Zachary Uniform Development Code Table §2.702(A), is hereby amended in the following respects:

The "Front Yard" column is amended so as to delete the wording "Fences and garden walls are not allowed in front yards unless they are required by Section 2.502, Fences, Garden Walls, and Hedges" and to further delete the following "Hedges shall not exceed 2.5 feet unless a greater height is required by Section 2.502, Fences, Garden Walls, and Hedges" and further to add the following language "Fences and garden walls 3.5 feet" all within the "All Other districts" row,

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 24th day of May, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of June, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

**ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE
UNIFORM DEVELOPMENT CODE TABLE §14.203, RELATING TO PUBLIC
HEARING PERMITS IN FURTHERANCE OF THE RECOMMENDATION OF THE
PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH
CHANGE**

WHEREAS, the Planning and Zoning Commission for the City of Zachary has determined that a requested amendment to Uniform Development Code Table §14.203 is recommended to standardize the procedure regarding the issuance of public hearing permits, and

WHEREAS, the City Council for the City of Zachary has determined that the requested and recommended amendment to the Uniform Development Code Table §14.203 is in the best interest of the City,

BE IT ORDAINED by the City Council for the City of Zachary that:

The City of Zachary Uniform Development Code Table §14.203, is hereby amended in the following respects:

The "Issued By" column is amended so as to delete the wording "City Council" and to add the following language "Planning and Zoning Commission (ratified by City Council)" in the "Rezoning" permit row,

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 24th day of May, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of June, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

**ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE
UNIFORM DEVELOPMENT CODE TABLE §14.606, RELATING TO REQUIRED
NOTICES IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING
AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGE**

WHEREAS, the Planning and Zoning Commission for the City of Zachary has determined that a requested amendment to Uniform Development Code Table §14.606 is recommended to standardize the procedure regarding the requirement of certain public notice, and to correct certain nomenclature,

WHEREAS, the City Council for the City of Zachary has determined that the requested and recommended amendments to the Uniform Development Code Table §14.606 is in the best interest of the City,

BE IT ORDAINED by the City Council for the City of Zachary that:

The City of Zachary Uniform Development Code Table §14.606, is hereby amended in the following respects:

The "Type of Public Hearing Permit" column is amended so as to delete the wording "Variance" and to add the following language "Subdivision" between the "Final Plat Approval" and "Rezoning" rows,

The "Publication Notice" column is amended so as to delete the wording "N/A" and to add the following language "Published not less than 10 days before the Planning and Zoning Commission hearing" in the "Subdivision" row, and

The "Publication Notice" column is further amended so as to delete the wording "Published not less than 15 days before City Council hearing at which the application will be decided" and to add the following language in the "Rezoning" row,

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 24th day of May, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of June, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

ORDINANCE 2011-31

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE UNIFIED DEVELOPMENT CODE TABLES §1.302, §1.303, §1.304, §1.305, §1.403, §1.404, AND §1.405 TOGETHER WITH §11.309 RELATING TO PERMITTED USES AND STANDARDS WITHIN TRADITIONAL NEIGHBORHOOD DEVELOPMENTS IN CERTAIN ZONING DISTRICTS ALL IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGE

WHEREAS, the Planning and Zoning Commission for the City of Zachary has determined that requested amendments and additions to the Unified Development Code (the “UDC”) Tables §1.302, §1.303, §1.304, §1.305, §1.403, §1.404, and §1.405 together with §11.309 relating to permitted uses and standards within traditional neighborhood developments in certain zoning districts are in the best interest of the City, and

WHEREAS, the City Council for the City of Zachary has determined that the requested and recommended amendments and additions are in the best interest of the City,

BE IT ORDAINED by the City Council of the City of Zachary that:

Section 1. Table 1.302 of the UDC is hereby amended, to permit in addition to the other uses permitted in Table 1.302, a limited use that is restricted to Traditional Neighborhood Developments in the RS and UC zoning districts as follows:

Table 1.302 Residential, Home and Institutional Uses		
Land Use	Zoning Districts	
	RS	UC
Single Family Detached	L(T)	L(T)
Single Family Attached	L(T)	L(T)
Single-Family Detached Cluster		L(T)
Bed and Breakfast		L(T) 1
Places of Public Assembly	L(T)	
1 Limited to a “Center” subdistrict		

Section 2. Table 1.303 of the UDC is hereby amended, to permit in addition to the other uses permitted in Table 1.303, a limited use that is restricted to Traditional Neighborhood Developments in the RS and UC zoning districts and only in the “Center” subdistrict as follows:

Table 1.303 Commercial, Recreation and Amusement Uses		
Land Use	Zoning Districts	
	RS	UC
Commercial Lodging	L(T) 1	L(T) 1
Drive-in / Drive Through Facility	L(T) 1	L(T) 1
Kennel	L(T) 1	L(T) 1
Shopping Center	L(T) 1	L(T) 1
Commercial Amusement, Outdoor	L(T) 1	L(T) 1
1 Limited to a “Center” subdistrict		

Section 3. Table 1.304 of the UDC is hereby amended, to permit in addition to the other uses permitted in Table 1.304, a limited use that is restricted to Traditional Neighborhood Developments in the RS and UC zoning districts as follows:

Table 1.304 Industrial, Agricultural, and Special Uses		
Land Use	Zoning Districts	
	RS	UC
Nursery or Greenhouse	L(T) 1	L(T) 1
1 Only in connection with a community garden and only as an accessory building.		

Section 4. Table 1.305 of the UDC is hereby amended, to permit in addition to the other uses permitted in Table 1.305, a limited use that is restricted to Traditional Neighborhood Developments in the RS and UC zoning districts and only in the “Center” subdistrict as follows:

Table 1.305 Industrial, Agricultural, and Special Uses		
Land Use	Zoning Districts	
	RS	UC
Commercial Outdoor Sales Event	L(T) 1	L(T) 1
1 Limited to a “Center” subdistrict		

Section 5. Table 1.403 of the UDC is hereby amended, in addition to the other uses permitted in Table 1.403, to

- a. Add Places of Public Assembly in UC and RS – Center and General subdistrict TND
- b. Add Private Club in UC and RS – Center and General subdistrict TND
- c. Add Public Service in UC and RS – Center and General subdistrict TND
- d. Add Residential Eldercare Facilities in UC and RS – Center and General subdistrict TND

as follows:

Table 1.403 Institutional Limited and Conditional Use Standards						
Use	District	Street Frontage	Use and Scale Limitation	Spacing from Same Use	Spacing from Other Uses	Buffering
Place of Public Assembly	UC and RS “Center” and “General” subdistrict of a TND	-	This zoning designation permits municipal offices, fire stations; libraries; museums; community meeting facilities; post offices; places of worship; philanthropic institutions;	-	-	-

			cultural and civic facilities; movie theater, dinner theater, educational facilities child care; and recreational facilities such as a YMCA			
Private Club	UC and RS “Center” subdistrict and/or “General” subdistrict of a TND	-	-	-	-	-
Public Service	UC and RS “Center” subdistrict and/or “General” subdistrict of a TND	-	-	-	-	-
Residential Eldercare Facilities	UC and RS “Center” subdistrict and/or “General” subdistrict of a TND	-	Building located in “General” subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-	-

Section 6. Table 1.404 of the UDC is hereby amended, in addition to the other uses permitted in Table 1.404, to:

- a. Amend Alcoholic Beverage Sales (Must obtain Conditional Use Permit) in RS
- b. Amend Alcoholic Beverage Sales (Must obtain Conditional Use Permit) in UC
- c. Amend Commercial Lodging in RU
- d. Amend Commercial Retail in RS and RU
- e. Add Drive-in / Drive through Facility in RS and UC
- f. Add Farmer’s Market in RS and UC
- g. Amend Kennel in RS and RU
- h. Amend Mixed Use in RS and RU
- i. Amend Office in RS and RU
- j. Amend Restaurant in RS and RU
- k. Amend Services in RS and RU
- l. Add Shopping Center in UC
- m. Amended Veterinarian in RS and RU

as follows:

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 (Must obtain Conditional Use Permit)	RS	“Center” subdistrict of TND	According to beverage license; hours of operation restricted by Sec. 6-32 Zachary Code of Ordinances	See Division 11.300 Traditional Neighborhood Development	Not less than 300 ft from playground; school; unless sales occur in an overnight accommodations use.	-
Alcoholic Beverage Sales (Must obtain Conditional Use Permit)	UC	“Center” subdistrict of TND	According to beverage license; hours of operation restricted by Sec. 6-32 Zachary Code of Ordinances	See Division 11.300 Traditional Neighborhood Development	Not less than 300 ft from playground; school; unless sales occur in an overnight accommodations use.	-
Commercial Lodging	RU RS UC	“Center” subdistrict of TND	Including accommodations, bed and breakfast	See Division 11.300. <i>Traditional</i>	-	-

			establishments, hotels, motels and inns and which may include conferencing, banquet	<i>Neighborhood Development</i>		
Commercial Retail	RU RS UC	“Center” subdistrict and/or “General” subdistrict of TND	This zoning designation permits drive through and outdoor and “side walk sales” without limitation on duration.	Building located in “General” subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-
Drive-in / Drive – Through Facilities	RS UC	“Center” subdistrict of TND	No drive-in or drive-through sales of alcoholic beverages. Available, without limitation, for the following non-exclusive uses: retail, financial restaurants, delis, cafes, ice cream shop, Laundromats, dry cleaning, coffee shop, grocery store and/or drug store	Exterior drive through facilities that are located within 30 feet of a single family residential lot line shall be screened with a 5-6 foot masonry wall;	-	-
Farmers’ Market	UC RS	“Center” subdistrict of TND	In addition to the provisions of Section 1.506 Sidewalk Sales and Farmers’ Markets, a Farmers’ Market may be a permanent use in the UC and RS Center subdistrict	-	-	-

			of TND without additional application.			
Kennel	UC RS RU	“Center” subdistrict of TND	Without or without veterinary services; Dog runs may be used only from 8 AM to 7 PM	All dog runs are screened by the building or a masonry wall 8 feet in height; building must be soundproofed;	-	-
Mixed Use	RU RS UC	“Center” subdistrict of TND	This zoning designation allows for no more than one stand alone cellular tower location with the TND.	See Division 11.300. <i>Traditional Neighborhood Development</i>	-	-
Office	RU RS UC	“Center” subdistrict and/or “General” subdistrict of TND	-	Building located in “General” subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-
Restaurants	RU RS UC	“Center” subdistrict and/or “General” subdistrict of TND However, the location of	This zoning designation includes drive through and outdoor dining.	Building located in “General” subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood</i>	-	-

		a restaurant within a General Subdistrict must be within two (2) blocks of the Center subdistrict		<i>Development</i>		
Services	RU RS UC	<p>“Center” subdistrict and/or “General” subdistrict of TND</p> <p>However, the location of Services within a General Subdistrict must be within two (2) blocks of the Center subdistrict</p>	This zoning designation includes, without limitation elder care and day care.	Building located in “General” subdistrict shall be residential in character; See Division 11.300, <i>Traditional Neighborhood Development</i>	-	-
Shopping Center	UC	“Center” subdistrict of TND	This zoning designation is a “Center” subdistrict is intended to provide for a grocery store with adjacent suites that are compatible with the design standards for the TND.	See Division 11.300. <i>Traditional Neighborhood Development</i>		
Veterinarian	RU	“Center”	No on-site services	Soundproofing	-	-

	RS UC	subdistrict of TND	for livestock or large animals; all veterinarian services provided within enclosed building;	required; Kennels may be included as an accessory use, subject to limited use standards for kennels;		
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Section 7. Section 1.405 E. through G, entitled Commercial Amusement, Outdoor of the UDC is amended as follows:

E. **Commercial amusement, Outdoor.** Outdoor commercial amusement is permitted in the RU, AF, UC and/or RS, provided that compliance with the following standards is demonstrated:

1. Standards for the RU, UC and RS districts.
 - 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, BP and UC districts. 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.

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, community garden which may include a non-commercial greenhouse, small playgrounds, interactive fountains, amphitheatre and comparable facilities.
- b. Large-scale outdoor recreation, such as driving ranges, ball fields, and playing courts, are not allowed.

Section 8. The UDC is amended to add Table 1.405 as follows:

Table 1.405 Recreation and Amusement Limited and Conditional Uses						
Use	District	Location or Street Frontage	Operation	Design and Signage	Spacing from Other Uses	Buffering
Commercial Amusement, Indoor	UC	“Center” subdistrict of TND	This zoning designation includes without limitation, a bowling alley and family entertainment center.	See Division 11.300. <i>Traditional Neighborhood Development</i>		
Commercial Amusement, Outdoor	RS UC	“Center” subdistrict of TND	An amphitheater is permitted in this zoning district.	See Division 11.300. <i>Traditional Neighborhood Development</i>		
Recreation, Indoor	RU RS UC	“Center” subdistrict of TND	-	See Division 11.300. <i>Traditional Neighborhood Development</i>		
Recreation, Outdoor	RU RS UC	“Center” subdistrict and General” subdistrict of TND of TND	This zoning designation may include a community garden with non-commercial green house.			

Section 9. Section 11.309 Subsection B of the UDC is hereby amended in its entirety as follows:

- B. **Building Height.** Building height is limited to 7 stories in the center subdistrict; 5 stories in the general subdistrict and 2 1/2 stories in the edge subdistrict. These height standards supersede any other standards of this UDC that may be in direct conflict.

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a special meeting of the said Council held on the 5th day of December, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of January, 2012.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE UNIFIED DEVELOPMENT TABLE 1.302 RELATING TO THE PERMITTED USES OF MANUFACTURED HOMES WITHIN THE AF ZONING DISTRICT ALL IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGE

WHEREAS, in conjunction with the meetings and workshops, the Planning and Zoning Commission (“Commission”) for the City of Zachary (“City”) has determined that the City’s Unified Development Code (the “UDC”) does not clearly reflect the necessary flexibility of permitted uses of manufactured homes within the AF Zoning District,

WHEREAS, the City has determined that the present notation "L(E)"within the AF Zoning District is such that manufactured home use is limited to existing lots and buildings that contained such use as of the effective date of the UDC or as those uses or buildings were improved, expanded, or reconstructed was insufficient to allow for planning flexibility, a requested amendment to the UDC Table §1.302 to the notation "P" expands the use as permitted and as approved by the issuance of use permits pursuant to Article 14, Permits and Procedures is in the best interest of the City,

BE IT ORDAINED by the City Council of the City of Zachary that: Table 1.302 is hereby amended within the AF Zoning District under Manufactured Home as follows:

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	RM	RC	AF	CS	CG	UC	BP	I	
Residential Uses											
Housing Types											
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)	P	-	-	-	-	-	Sec. 1.301B.2.c.
Neighborhood Types											
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
Special Housing Types											
Community Homes	-	L(T)	P	L(E)	-	L	L	L	-	-	Sec. 1.301B.2.c.Sec. 1.401

**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	RM	AF	CS	CG	UC	BP	I	
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
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.											

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 13th day of December, 2011.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of January, 2012.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE UNIFIED DEVELOPMENT CODE §1.404 RELATING TO CONDUCTIONAL USE PERMITS, USES AND STANDARDS WITHIN TRADITIONAL NEIGHBORHOOD DEVELOPMENTS ALL IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGE

WHEREAS, in conjunction with the meetings and workshops, the Planning and Zoning Commission (“Commission”) for the City of Zachary (“City”) has determined that the City’s Unified Development Code (the “UDC”) does not clearly reflect the appropriate flexibility necessary for the issuance, transfer or assignment of a Conditional Use Permit (“CPU”) for the sale of alcoholic beverages within a traditional neighborhood development (“TND”) zoning subdistricts within the City; and

WHEREAS, the Commission for the City has determined that a requested amendment to the UDC §1.404 of the UDC Table §1.404 relating to the transfer and assignment of a CPU within a TND zoning subdistricts for the sale of alcoholic beverages is in the best interest of the City,

BE IT ORDAINED by the City Council of the City of Zachary that: Section 1.404 Commercial Limited and Conditional Uses is hereby amended to add subsection C as follows:

“C. Conditional Use Permits in TND Subdistricts.
Notwithstanding anything in the UDC to the contrary,

1. Except as provided in Subsection 4 below, any conditional use permit issued by the City for the sale of alcoholic beverage in a TND subdistrict shall be transferable and assignable by the owner and/or lessor of property within the TND subdistrict to a successor and/or assign without the requirement of obtaining a new conditional use permit in the name of such successor and/or assign.

2. Without limiting the generality of any of the foregoing, the City authorizes that the conditional use permits for the sale of alcoholic beverages within a TND subdistrict are fully transferable and/or assignable to any one or more subsequent owners and/or lessees related to all or any portion of property within a TND subdistrict for the following uses if approved by the City in connection with a TND master plan:

- a. Grocery Store selling alcohol for on-premises or off-premises consumption;
- b. Restaurants selling alcohol for on-premises or off-premises consumption;
- c. Taverns, bars or pubs selling alcohol for on-premises consumption;
- d. Accommodation and Commercial Lodges selling alcohol for on-premises consumption;

- e. Drug Stores selling alcohol for off-premises consumption;
- f. Retail selling alcohol for on-premises or off premises consumption;
- g. Conference and Banquet selling alcohol for on-premises consumption;
- h. Private clubs and meeting rooms selling alcohol for on-premises consumption;
- i. Places of Public Assembly selling alcohol for on premises consumption;
- j. Theater selling alcohol for on-premises consumption; and
- k. Commercial Amusement Indoor selling alcohol for on-premises consumption.

3. Once a conditional use permit for the sale of alcoholic beverage is issued within a TND subdistrict, except for the requirements of subsection 4 below, the conditional use requirements of Section 14.501 are not applicable to the transferability and/or assignability of a conditional use permit for the sale of alcoholic beverages. Subject to the provisions of Section 4 below, a conditional use permit for the sale of alcoholic beverages issued in connection with property within a TND subdistrict shall be fully transferable and/or assignable as to all or any portion of property with the TND which is subject to one or more conditional use permits.

4. Notwithstanding the provision of subsection 2 above, with respect to holder of any conditional use permit for the sale of alcoholic beverage within a TND subdistrict and/or the successors and/or assigns of such person, the following requirements must be satisfied:

- a. Each owner or tenant of property within the TND subdistrict that wishes to sell alcoholic beverages must receive an alcohol license from the State of Louisiana and an alcohol license from the City of Zachary in order to sell alcohol on property within the TND subdistrict;
- b. Any portion of the property upon which a restaurant has been constructed and operated within a TND subdistrict which is to be converted to a tavern, bar or pub selling alcohol for the consumption on-premises must receive a separate conditional use permit in the name of the owner/operator of such property; and
- c. Hours of operation are restricted by Section 6-32 Zachary code of Ordinances.

**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 (Must obtain Conditional Use Permit)	RS	"Center" subdistrict of TND	Alcoholic Beverage Sales (Must obtain Conditional Use Permit) RS "Center" subdistrict of TND Subject to transferability and assignability as set forth in Section 1.404 within a TND subdistrict According to beverage license; hours of operation restricted by Sec. 6-32 Zachary Code of Ordinances	See Division 11.300 Traditional Neighborhood Development	Not less than 300 ft from playground; school; unless sales occur in an overnight accommodations use.	-
Alcoholic Beverage Sales (Must obtain Conditional Use Permit)	UC	"Center" subdistrict of TND	Alcoholic Beverage Sales (Must obtain Conditional Use Permit) UC "Center" subdistrict of TND Subject to transferability and assignability as set forth in	See Division 11.300 Traditional Neighborhood Development	Not less than 300 ft from playground; school; unless sales occur in an overnight accommodations use.	-

			Section 1.404 within a TND subdistrict According to beverage license; hours of operation restricted by Sec. 6-32 Zachary Code of Ordinances			
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The foregoing amendment and addition to the UDC is intended to apply fully to any and all existing TND subdistricts within the City as if enacted prior to such adoption as well as any future TND subdistricts which may be established in the future. Notwithstanding the foregoing, this amendment to the UDC will not adversely affect any waivers of any components of the UDC related to a TND subdistrict which have been issued prior to the effective date of this amendment.

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a special meeting of the said Council held on the ___ day of January, 2012.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of ~~February~~January, 2012.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Dan Wallis
Mayor Pro Tempore

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO SUPPLEMENT, CHANGE AND AMEND THE UNIFIED DEVELOPMENT CODE AND ITS RELEVANT PARTS RELATING TO AFFORDABLE PREFABRICATED AND MANUFACTURED HOUSING ALL IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGES

WHEREAS, in conjunction with the meetings and workshops, the Planning and Zoning Commission (“Commission”) for the City of Zachary (“City”) through an appointed select committee (“ Select Prefabricated Housing Committee”) composed of several of the members of the Commission and of the City Council for the City (“ City Council”) has determined that the City’s Unified Development Code (the “UDC”) does not clearly reflect the appropriate flexibility necessary to adequately regulate prefabricated housing within the City; and,

WHEREAS, the Select Prefabricated Housing Committee for the City determined that amendments to the UDC regulating prefabricated housing addressing:

- a. The availability of affordable housing,
- b. The lack of permanency of prefabricated homes,
- c. The character of existing neighborhoods by addition of prefabricated homes,
- d. The upgrade to more permanent housing types in neighborhoods by allowing new prefabricated homes into neighborhoods where they are already present,
- e. The ability of landowners to use property as they see fit,
- f. The esthetics of prefabricated homes in areas containing site constructed homes,
- g. The perceived loss of property values of surrounding properties,
- h. The inability to locate site constructed housing on very small tracts of property, and,
- i. The use of properties of lower market value where property owners may not be able to afford site constructed housing immediately or in the future,

all being in the best interest of the City,

BE IT ORDAINED by the City Council that the Unified Development Code for the City is hereby amended to in all instances in which the following terms (in bold italics) shall presently be defined including but not limited to Article 18 Definitions within the UDC, those definitions are deleted and are replaced with those that follow below:

Manufactured Home/ Housing: A Prefabricated dwelling transportable in one or more sections, which is built on its own permanent chassis or multiple chassis, constructed primarily at a plant or facility on a production line basis and delivered to the site as an assembled unit designed for use with or without a permanent foundation when connected to the required utilities. Manufactured housing specifically refers to housing built under the Manufactured Home Construction and Safety Standards set by the U.S. Department of Housing and Urban Development (HUD).

Mobile Home: A prefabricated trailer-type dwelling, larger than 320 square feet, built before June 15, 1976 that is semi-permanently attached to land, either the owner's fee land or leasehold such as a mobile-home park. A mobile home does not meet the standards established under the Manufactured Home Construction and Safety Standards set by the U.S. Department of Housing and Urban Development (HUD). The phrase "mobile home" does not include travel trailer, recreational vehicle, or manufactured home.

Manufactured Home Community/ Manufactured Home Park: A unified development of two (2) or more manufactured home sites, usually under single ownership, arranged on a large tract, meeting the area and yard requirements of the Unified Development Code, and designed to accommodate manufactured homes for a more or less permanent duration for lease or sale. Manufactured or mobile home parks or communities are held under a single owner, partnership or corporation for the purpose of leasing space for the placement of manufactured homes. The park must have an internal road system, street lighting, waste collection with dumpsters, and proper utilities. Fire extinguishing equipment, including hydrants, is required.

Modular Home/Housing/Unit: Modular homes are prefabricated dwellings divided into multiple modules or sections, which are manufactured in a remote facility and delivered to their intended site of use. The modules are then assembled on a permanent foundation without a permanent chassis, into a single residential building. Unlike other prefabricated construction, modular homes conform to all state, local, and regional codes (International Building Code Standards) where the construction is located.

Prefabricated housing: Any dwelling with structural or mechanical components manufactured and assembled away from the construction site. Types of Prefabricated homes include but are not limited to: manufactured homes, modular homes, mobile homes and travel trailers.

Travel Trailer: A prefabricated, vehicular, portable dwelling built on a chassis, designed to be towed behind a motorized vehicle and to be used as a temporary dwelling.

BE IT FURTHER ORDAINED by the City Council that the Unified Development Code for the City is hereby amended to delete § 11.202 in its entirety and to replace said §11.202 with the following:

- A. Generally.** Manufactured homes and Prefabricated homes, in any location where they are permitted, are subject to the requirements of this Section.
- B. Prefabricated Homes: Temporary Uses Nonresidential**
 - a. Permitted only on a temporary basis for as office space for construction sites
 - b. Skirting is not required
 - c. Must be removed within 30 days of project completion or discontinuance of construction for any reason
 - d. Manufactured homes shall not be allowed to be used for commercial uses
- C. Existing Prefabricated Homes Not In Compliance With Existing Code.** Prefabricated homes which exist in Zachary city limits at the time of the adoption of the Manufactured Home ordinance which are not in compliance with these regulations (i.e. Not in AF zone or mobile home park) are "grandfathered in" and will be allowed to remain at their current location. At such time that the prefabricated

home needs to be replaced, the lot and Prefabricated home must proceed through the same steps as a new request for a prefabricated home. The presence of a Prefabricated home on a nonconforming lot does not guarantee that a permit will be granted for a replacement Prefabricated home. See section of UDC concerning manufactured and modular homes.

D. MOBILE HOMES (IE. BUILT PRIOR TO 1976, NOT HUD CERTIFIED, ETC). Mobile Homes are not allowed in any zone or park due to safety concerns.

E. TRAVEL TRAILERS. Travel trailers are not allowed as a residence in any zone except limited use in manufactured home parks.

F. PREFABRICATED HOUSING IN ESTABLISHED SUBDIVISIONS. It is recognized that many established subdivisions, new subdivisions, and neighborhoods have building restrictions and/or restrictive covenants in place which restrict prefabricated housing of any type in a more restrictive manner than this proposed ordinance. No attempt to regulate prefabricated housing by regulation created by this ordinance and made a part of the Unified Development Code shall limit the ability of established subdivisions, new subdivisions, or neighborhoods to regulate prefabricated housing in a more restrictive manner. It is the intent of the proposed ordinance to create the benchmark upon which established subdivisions, new subdivisions, and/or neighborhoods may regulate prefabricated housing building restrictions and/or restrictive covenants.

G. REGULATIONS FOR ALL RESIDENTIAL MANUFACTURED AND MODULAR HOMES

Manufactured homes and Modular homes shall be allowed in Manufactured Home Parks

1. GENERAL REGULATIONS FOR ALL MANUFACTURED HOMES

- A. **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.
- B. **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 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.

C. **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.

2. GENERAL REGULATIONS FOR ALL MODULAR HOMES

A. Unlike other prefabricated construction, modular homes conform to all state, local, and regional codes (International Building Code Standards) where the construction is located.

B. Modular Homes shall follow the same restrictions as manufactured homes with the following additions:

1. Must be on permanent masonry slab foundation
2. If dwelling is elevated from slab, the space between the slab and the dwelling must be skirted with masonry such as rock, brick or stucco or decorative concrete block. Exposed regular concrete or cinder block is not allowed. Elevation, ventilation and drainage of said space are to adhere to standards established by manufactured housing ordinance section of this UDC
3. Modular homes shall be compatible in appearance with site constructed residences in the area.
4. Modular homes shall have more than 1200 square feet of inhabitable floor area (i.e. living area). Each unit having a second floor shall have a minimum first floor area of 950 square feet of inhabitable floor area (i.e. living Area) and Have siding material of a type customarily used on site-constructed residences in the area
5. Must adhere to all requirements of site constructed homes in the residential zone and follow all subdivision restrictions and covenants. Note that some subdivision covenants and restrictions may prohibit prefabricated housing including modular homes.

3. MANUFACTURED AND MODULAR HOMES IN AGRICULTURE/FORESTRY ZONE

A. Manufactured and modular homes are allowed in Agricultural/Forestry zone (AF) zone by permit granted by the city with the following additional requirements:

1. Manufactured Home standards (From Louisiana Manufactured Housing Commission)
2. Except in cases of extreme hardship, each lot shall contain no more than one (1) manufactured or modular housing unit, and shall meet the minimum requirements of the underlying zoning district to which a conventional site constructed single-family residential dwelling on the same lot would be subjected.

3. No manufactured or modular housing unit shall be occupied for dwelling purposes unless it is placed on a lot of record and connected to water, sanitary sewer, electrical and other facilities as may be necessary, prior to Building Official inspection and approval.
 4. A manufactured or modular home shall be used only as a single-family dwelling.
 5. The manufactured or modular home shall enclose a space of not less than one thousand (1000) square feet
 6. The manufactured or modular home shall be placed on an excavated and backfilled permanent foundation and enclosed with skirting at the perimeter to meet the following requirements:
 - a. Individual manufactured or modular housing units shall be skirted around the perimeter of the unit to conceal the underbody from view in a manner compatible with the appearance and construction of the manufactured housing unit
 - b. Skirting shall be vented and be manufactured of a certified fire-resistant material.
 - c. Skirting shall be installed in a manner to resist damage under normal weather conditions and shall be properly maintained.
 - d. All skirting shall be installed before the issuance of a certificate of occupancy.
 - e. In the event that such installation is delayed due to weather, or for other reasons, a temporary certificate of occupancy may be issued for a period not to exceed ninety (90) days.
 - e. The manufactured or modular home shall have a pitched roof, except that no standards shall require a slope greater than a nominal three (3) feet in height for each twelve (12) feet in width.
 - f. The manufactured or modular home shall have exterior siding and roofing which in color , material, and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the Building Official.
 - h. Any manufactured or modular housing placed upon a residential lot shall be of a manufacturing origin date not to exceed 10 years from the date of the permit
 8. Minimum lot size 10 acres.
 9. Setbacks and frontage requirements:
 - a. Any such manufactured or modular home must be located at least one hundred (100) feet from the street and twenty five (25) feet from adjacent property lines.
 - b. Any such property must have at least one hundred (100) feet of frontage on a publicly maintained road OR be located a minimum of two hundred (200) feet from a publicly maintained road having legally recognized dedicated access.
- Landscape requirements
1. Manufactured or modular homes must meet the requirements of table 10.301 of the UDC for buffer-yard requirements, but no less than type B.
 2. If the manufactured or modular home is adjacent to site-constructed homes, a buffer yard of type C is required.
- c. Applicant must either own the property or with the permission of the owner of the property be a party to a purchase agreement calling for the purchase of said property and which may be contingent upon issuance of the requested permit.

- d. Must be on masonry slab foundation and meet the requirements of the Louisiana Manufacturing Housing Commission (see above).
- e. Only one (1) manufactured or modular home per lot or tract will be permitted.
- f. No manufactured or modular home can share the same tract or lot with an existing residence
- g. Manufactured or modular homes shall be compatible in appearance, character, materials and value with site-constructed residences in the area.

4. MANUFACTURED AND MODULAR HOMES IN ANY OTHER ZONE ARE GENERALLY NOT ALLOWED – Conditional Use Permits

Under certain circumstances, a Conditional Use Permit may be issued for a manufactured or modular home that is not in an AF zone or a manufactured home park. These circumstances and limited uses calling for the varied use by the issuance of a Conditional Use Permit are outlined below: (note that following all of the guidelines below does not insure that the applicant will be granted a Conditional Use Permit to place a manufactured or modular home on a non AF lot or within a manufactured home park)

The request for the conditional use must be presented to planning and zoning commission and city council

A favorable recommendation from the planning and zoning commission shall be obtained along with a positive majority vote from the city council or:

Pending a unfavorable vote from the planning and zoning commission, a favorable vote obtained by a positive 2/3 majority vote from the council

The conditional use will be initially granted for a maximum of 2 years with annual review by city council thereafter

No application or request for a Conditional Use Permit shall be considered unless exceptional circumstances exist and further evidence of the validity presented to planning and zoning and council which may include:

Hardship: Convincing evidence of a hardship on the part of the applicant that requires applicant to need the conditional use as a variance. The application shall include:

- a. A description of the nature of the hardship
- b. An exploration of all other options and why they would not work
- c. Indication on length of time the conditional use permit or variance will be utilized
- d. An emergency temporary permit may be granted by the mayor or his appointee in the event of a disaster that results in destruction of a residence. This Emergency Conditional Use Permit shall be reviewed no less than annually.

Future Home Site: Applicant plans to build conventional home in the future. The application shall include:

- a. An indication on length of time the conditional use will be needed
- b. Exploration of all other options and why they would not work

All applications for Conditional Use Permits for manufactured or modular homes shall also include the following:

1. Site plan showing any existing structures, the proposed site of the prefabricated home, proposed access to home, plans for removal of the manufactured or modular home including site cleanup, etc.
2. Photograph or manufacturer brochure showing the true appearance of the dwelling
3. Skirting and landscaping plans consistent with conventional housing in the zone
4. Proof of ownership of property by applicant and statement that applicant plans to reside in the manufactured or modular home themselves, or relationship of the proposed resident to the property owner/applicant
5. An acknowledgment that the minimum lot size : 5 acres
6. An acknowledgment of the minimum set backs
7. An acknowledgment that if conventional housing is present on lot, manufactured or modular home must be behind existing structure
8. Verifiable documentation that appearance, character, and materials are similar to other homes in the immediate area shall be made a part of the application.

All Conditional Use Permit Holders shall adhere to all additional regulations for manufactured and modular homes in an AF zone with the exception of the requirement that of the minimum 10 acre lot size

5. MANUFACTURED HOME COMMUNITY/MANUFACTURED HOME PARK REGULATIONS

Manufactured Home Community/ Manufactured Home Park: A unified development of two (2) or more manufactured home sites , usually under single ownership, arranged on a large tract, meeting the area and yard requirements of the Unified Development Code, and designed to accommodate manufactured homes for a more or less permanent duration. Manufactured or mobile home parks or communities are held under a single owner, partnership or corporation for the purpose of leasing space for the placement of manufactured homes. The park must have an internal road system, street lighting, waste collection with dumpsters, and proper utilities. Fire extinguishing equipment, including hydrants, is required. Manufactured Home Parks may include travel trailer accommodations, provided that no more than ten percent (10%) of the lots are used for such purpose. (OK to add)

a. Permitted Zones: Manufactured Home Parks are conditionally permitted in zones AF and RE as per the requirements in section 14.501 of the UDC.

b. Park Requirements:

1. A minimum site of 5 acres is required. Access to the park and the individual homes is only allowed via the Parks internal road system which shall have a minimum right of way that meets or exceeds standards established by the City of Zachary

2. Park streets shall be clearly named and all lots shall bear a clearly visible number.

3. Access of a safe and convenient nature shall be provided for pedestrian and vehicular traffic as well as emergency and service vehicles at all times.

4. All internal park streets shall comply with the roadway standards of the City of Zachary.

5. The park shall be maintained in a clean sanitary condition at all times. Grasses, weeds, and other vegetation which is not part of the ornamental landscape, shall not exceed a height of 12 inches.

6. Garbage hoppers with a minimum capacity of .5 cubic yards per home site per week must be provided and must be enclosed in a manner compliant with City of Zachary regulations.

7. Recreational areas shall be provided which shall be a minimum of 10 percent of the overall parcel proposed for development, exclusive of streets and parking areas.

8. Servitudes:

a. Servitudes shall be provided for utilities and drainage where necessary. These servitudes shall be no less than 10 feet wide at ground level.

b. No permanent structures will be permitted within any servitude.

9. Lot Requirements (Per home site)

a. Must be on concrete slab foundation and meet the requirements of the Louisiana Manufacturing Housing Commission.

b. At a minimum, adjacent home sites shall include a single Type A buffer yard between homes.

10. Setbacks, and Park Landscaping Requirements:

a. The park shall provide a minimum Type B side and rear buffer yard, and Type C to the side fronting the publicly maintained street or meet the buffering requirements of the Zachary UDC, whichever is more restrictive.

b. The park shall construct an 8 foot (minimum) solid wood or masonry fence along the sides and rear of the property. The fence shall be maintained by the owner and/or operator of the park.

11. No mobile home, manufactured or modular housing shall be parked or placed in a manner as to obstruct any roadway or walkway within the park.

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the ___ Day of May, 2013.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

John Coghlan
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ Day of June, 2013.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

John Coghlan
Mayor Pro Tempore

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO CHANGE AND AMEND § 5.303(B)(1) OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGES

WHEREAS, in conjunction with the meetings the Planning and Zoning Commission, the City Council for the City (“ City Council”) has determined that the City’s Unified Development Code (the “UDC”) does not clearly reflect the appropriate flexibility necessary to adequately regulate setbacks from property lines for freestanding signs within the City;

THEREFOR BE IT ORDAINED by the City Council that the Unified Development Code for the City is hereby amended to delete § 5.303(B)(1) in its entirety and in its place the following:

1. *Front and Side Street Setbacks.* Along street frontages, signs shall be set back from street property lines 10 feet.

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the 10th day of September, 2013.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

John Coghlan
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of September, 2013.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

John Coghlan
Mayor Pro Tempore

DRAFT

ORDINANCE 2014-04

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO CHANGE AND AMEND § 2.503 (A) AND (G) OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGES

WHEREAS, in conjunction with the meetings the Planning and Zoning Commission, the City Council for the City (“ City Council”) has determined that the City’s Unified Development Code (the “UDC”) does not clearly reflect the appropriate flexibility necessary to adequately regulate the construction of residential accessory buildings and structures within the City;

THEREFORE BE IT ORDAINED by the City Council that § 2.503(A) and (G) the Unified Development Code for the City are hereby deleted in their entirety and are prospectively and respectively amended to read as follows:

- A. Generally.** The provisions of this Section apply to all residential development, except in the NC zoning district, which is subject to the standards set out in Section 2.403 *Accessory Buildings and Fences in NC Districts*, nor shall this Section apply in its entirety to residential development in the AF zoning districts.

- G. Small Sheds.** Sheds that are less than nine feet in height to the peak of the roof and less than 350 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 feet within not more than 18 months of planting. Small sheds are not subject to subsection F.3. (architectural compatibility).

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the ___ day of February, 2014.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Tommy Womack
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of February, 2014.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Tommy Womack
Mayor Pro Tempore

ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO CHANGE AND AMEND TABLE § 5.301(B) OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY IN FURTHERANCE OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ZACHARY FOR SUCH CHANGES

WHEREAS, in conjunction with the meetings the Planning and Zoning Commission, the City Council for the City (“City Council”) has determined that the City’s Unified Development Code (the “UDC”) does not clearly reflect the appropriate flexibility necessary to adequately regulate the maximum sign area of Wall Signs, Fascia and/or Parapet Signs in Nonresidential Districts/Mixed –Use Districts within the City;

THEREFORE BE IT ORDAINED by the City Council that upon the recommendation of the Planning and Zoning Commission for the City, Table § 5.301.(B) of the Unified Development Code for the City is hereby prospectively and respectively amended as the first two (2) respective text rows of Table § 5.301.(B) of the Unified Development Code entitled “Number of Signs Allowed” and “Maximum Sign Area” for each of the *Wall Sign* and *Fascia Sign or Parapet Sign* Types are deleted in their entirety and in the place of the two (2) respective text rows of Table § 5.301.(B) of the Unified Development Code entitled “Number of Signs Allowed” and “Maximum Sign Area” for each of the *Wall Sign* and *Fascia Sign or Parapet Sign* Types, the content of the attached Exhibit “A” is substituted in their place.

This Ordinance shall become effective at the expiration of ten (10) calendar days after publication by the City Council for the City of Zachary unless the referenced ordinance shall specify another effective date, all pursuant to § 2-10 (C) of the Home Rule Charter adopted by the electors for the City of Zachary.

INTRODUCED FOR ADOPTION by the City Council of the City of Zachary as a regular meeting of the said Council held on the ___ day of May, 2014.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Tommy Womack
Mayor Pro Tempore

SUBMITTED FOR FINAL APPROVAL AND ADOPTED by the City Council of the City of Zachary as a regular meeting of the said Council after being duly noticed and publicized public hearing held on the ___ day of May, 2014.

David Amrhein, Mayor

ATTEST:

Jean Byers
Clerk of the City Council

Tommy Womack
Mayor Pro Tempore