

# 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.
- 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
<b>Agriculture</b>			
Agriculture and Forestry	RR	Rural and Estate	<b>Generally.</b> This district is a use-based district intended to permit rural residential, 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.
			<b>Character.</b> This district is rural in character
			<b>Uses.</b> Rural single-family residential, agriculture and forestry are the primary use of the land. Other uses are limited to those that are supportive of or similar to the primary residential, agricultural or forestry use.
			<b>Infrastructure.</b> Water and sewer may be provided on-site or by public systems.
<b>Residential</b>			
Estate	RE	Estate	<b>Generally.</b> 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.
			<b>Character.</b> 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.
			<b>Uses.</b> 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.
			<b>Infrastructure.</b> Public water is required; sewer treatment may be provided on-site

Table 1.201A Zoning Districts			
District Name	District Code	Comprehensive Plan Designation	District Purpose and Description
Suburban	RS	Suburban	<p><b>Generally.</b> 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><b>Character.</b> 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><b>Uses.</b> 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><b>Infrastructure.</b> Public water and sewer are required.</p>
Urban	RU	Urban	<p><b>Generally.</b> 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><b>Character.</b> 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><b>Uses.</b> 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><b>Infrastructure.</b> Public water and sewer are required.</p>

District Name	District Code	District Purpose and Description
Neighborhood Commercial	CN	<p><b>Generally.</b> 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><b>Character.</b> The character of this district is generally residential. Standards are designed so that commercial uses are compatible with 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 residential in character. The scale of buildings is restricted to permit only neighborhood- serving uses.</p>
		<p><b>Uses.</b> 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>
Corridor Commercial	CC	<p><b>Generally.</b> This district is intended to provide for commercial uses and activities that provide services to residents of the City of Zachary. This district can accommodate a large range of commercial, office, and service uses.</p>
		<p><b>Character.</b> The character of this district is commercial uses located on corridors that provide access to the residential neighborhoods of Zachary. Standards are designed to provide for a range of uses including service/retail, commercial clusters and mixed-use corridors. The character of this district balances the pedestrian-oriented environment with reasonable parking requirements.</p>
		<p><b>Uses.</b> This district is intended to provide a range of commercial uses that serve the residents of Zachary, including but not limited to retail, office, restaurant and service.</p>
General Commercial	CG	<p><b>Generally.</b> This district is the primary commercial district. It accommodates highway service uses and community or regional commercial, office, and service uses.</p>
		<p><b>Character.</b> This district has an auto-urban character. 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><b>Uses.</b> 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>

Table 1.201A Zoning Districts			
District Name	District Code	Comprehensive Plan Designation	District Purpose and Description
Urban Center	UC	Urban	<b>Generally.</b> 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.
			<b>Character.</b> 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.
			<b>Uses.</b> 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.
			<b>Infrastructure.</b> Public water and sewer are required.
<b>Industry and Business</b>			
Business Park	BP	Auto-urban	<b>Generally.</b> 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.
			<b>Character.</b> 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.
			<b>Uses.</b> 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.
			<b>Infrastructure.</b> Public water and sewer are required.
Industry	I	Auto-urban	<b>Generally.</b> 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.
			<b>Character.</b> 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.
			<b>Uses.</b> 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.
			<b>Infrastructure.</b> Public water and sewer are required.

## B. Reserved

### 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.
  - 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 RR 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	RR
B1; NO; NC; NC-AB; C1; LC1	CN, CC
LC2; LC3; C-AB-1; C-AB-2	CG
GOL; GOH; C2	BP
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 RR.

## **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<sub>MH</sub> 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.
  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		RR	CN	CC	CG	UC	BP	I	
<b>Residential Uses</b>												
<b>Housing Types</b>												
Single-Family Detached	P	P	P		P	P	C	C	P	-	-	Sec. 1.301B.2.c.
Single-Family Attached	-	-	P		-	-	-	-	-	-	-	Sec. 1.301B.2.c.
Multifamily	-		P		-	C	C	C	P	-	-	Sec. 1.301B.2.c. Sec. 1.401
Manufactured Home	C	C	C		C	-	-	-	-	-	-	Sec. 1.301B.2.c.
Single-Family Detached Cluster		P	P			-	-	-	-	-	-	N/A
Manufactured Home Park or Subdivision	-	C	C		C	-	-	-	-	-	-	Sec. 1.301B.2.b. Sec. 1.401
<b>Special Housing Types</b>												
Community Homes	-		P		C	P	C	C	C	-	-	Sec. 1.301B.2.c.Sec. 1.401
Live/Work Units	-		P	-	-	P	P	P	P	C	-	Sec. 1.401
<b>Home Uses</b>												
Home Office	P	P	P		P	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	-	-	Sec. 1.402
Home Occupation	C	C	C		P	P	P	P	P	-	-	Sec. 1.402
Home Business	C	C	C		P	C	C <sup>2</sup>	C <sup>2</sup>	C <sup>2</sup>	-	-	Sec. 1.402
Family Child Day Care Home	C	C	C		C	C	C	C	C	C	-	Sec. 1.402
Bed and Breakfast	C	C	C		C	C <sup>2</sup>	C <sup>2</sup>	C <sup>2</sup>	C <sup>2</sup>	-	-	Sec. 1.402
<b>Institutional Uses</b>												
Cemetery	C	C	-	C	P	-	-	-	-	-	-	Sec. 1.403
College / University / Vo-Tech	-	-	-		C	-	-	P	P	P	C	Sec. 1.403
Hospitals	-	-	-		-	-	-	P	P	P	-	Sec. 1.403
Institutional Residential	-	C	C		C	-	-	C	-	-	-	Sec. 1.403
Parks and Playgrounds	P	P	P		P	P	P	P	C	C		Sec. 1.403
Places of Public Assembly	C	C	C	C	C	P	P	P	P	P	-	Sec. 1.403
Private Residential Recreation Facilities	P	P	P		-	P					-	Sec. 1.403
Protective Care	-	-	-		C	-	-	-	-	-	-	Sec. 1.403
Public Service	C	C	C		-	P	P	P	P	P	P	Sec. 1.403
Residential Eldercare Facilities	C	C	P		C	P	P	P	C	-	-	Sec. 1.403

**TABLE NOTES:**  
<sup>1</sup> Allowed only in existing dwelling units (any type).  
<sup>2</sup> Allowed only in existing single-family detached dwelling units.  
<sup>3</sup> Limited to a Center Sub-District

### 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, conditional, and prohibited in each zoning district.

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		RR	CN	CC	CG	UC	BP	I	
<b>Commercial Uses</b>												
Agricultural Support / Other Rural Services	-	-	-	-	P	-		-	-	C	P	N/A
Alcoholic Beverage Sales	-			-	-	C	C	C	C	C	-	Sec. 1.404
Art Gallery/Studio						P	P	P	P	P		Sec. 1.404
Bar								C	C	C		Sec. 1.404
Brewery								C	C	C		Sec. 1.404
Campgrounds	C	-	-	-	P	C		-	-	-	-	Sec. 1.405
Car Wash	-	-	-	-	-	C	C	P	C	P	C	Sec. 1.404
Commercial Amusement/Recreation Indoor	-		C	-	-	C	P	P	P	P	-	Sec. 1.404
Commercial Amusement/Recreation, Outdoor	-		C	-	P	C	C	C	C	P	-	Sec. 1.404
Commercial Retail	-		C	-	-	P	P	P	P	P	C	Sec. 1.404
Distillery								C	C	C		Sec. 1.404
Drive-in / Drive Through Facility	-		-	-	-	C	C	P	C	P	C	Sec. 1.404
Financial Institution			C			P	P	P	P	P		Sec. 1.404
Gas Station							C	P	C	P	P	Sec. 1.404
Heavy Commercial	-	-	-	-	-	-		P	C	P	C	Sec. 1.404
Hotel							C	P	P	P		Sec. 1.404
Kennel (add Pet Day Care)	-		C	-	P	C	P	P	C	P	-	Sec. 1.404
Light Automobile Service	-			-	-	C	P	P	C	P	P	Sec. 1.404
Mini-Warehouse/Self-Storage			C			C	C	P	C	P	P	Sec. 1.404
Mixed Use	-			-	-		C	P	P	-	-	Sec. 1.404
Nursery or Greenhouse			-	-	P	C	P	P	C	P	-	Sec. 1.404
Office	-		C	-	-	P	P	P	P	P	P	Sec. 1.404
Pawn Shop							C	P		P		Sec. 1.404
Private Club			C		C	C	C	P	P	C	-	Sec. 1.404
Reception Facility			C		C	C	C	P	P	C		Sec. 1.404
Restaurant, Café						P	P	P	P	P	C	Sec. 1.404
Restaurant, Fast Food						C	C	P	P	P		Sec. 1.404
Restaurant, Full-Service	-			-	-	C	P	P	P	P	C	Sec. 1.404
Services (Personal)	-			-	-	P		P	P	P	-	Sec. 1.404
Shopping Center	-		-	-	-	C	P	P	P	P	-	Sec. 1.404
Tattoo Parlor							C	P	C	C		Sec. 1.404
Truck Stop								C		C	P	Sec. 1.404
Vehicle Sales, Rental, and Service	-	-	-	-	-	-	C	P	-	P	C	Sec. 1.404
Veterinarian	-		C	-		P	P	P	P	P	-	Sec. 1.404

### 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, 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		RR	CN	CC	CG	UC	BP	I	
<b>Industrial Uses</b>												
Disposal	-	-	-		-	-		-	-	-	C	Sec. 1.406
Extraction	-	-	-		C	-		-	-	-	C	Sec. 1.406
Heavy Industry	-	-	-		-	-		-	-	-	P	Sec. 1.406
Light Industry	-	-	-		-	-		-	-	P	P	Sec. 1.406
Recycling / Salvage	-	-	-		-	-		C	-	C	P	Sec. 1.406
Utilities, Community	C	C	C		C	C	C	C	C	P	P	Sec. 1.406
Utilities, Neighborhood	P	P	P		P	C	C	C	C	P	P	Sec. 1.406
Warehousing and Transportation	-	-	-		-	-		C	-	P	P	Sec. 1.406
<b>Agricultural Uses</b>												
Agriculture or Forestry	C	C		-	P	-		-	-	-	-	Sec. 1.407
Commercial Stables	C	C	-	-	P	-		-	-	-	-	Sec. 1.407
<b>Special Uses</b>												
Adult Uses											C	Sec. 1.408
Airports	-	-	-	-	C	-		-	-	C	C	Sec. 1.408
Parking (stand alone lot) and Transit Facilities	-	-	-	-	-	-		P	C	P	P	Sec. 1.409
Wireless Telecommunications Facilities	C	C	C		C	C	C	C	C	C	C	Sec. 1.410
<b>TABLE NOTES:</b> <sup>1</sup> Only in connection with a community garden and only as an accessory building												

### 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		RR	CN	CC	CG	UC	BP	I	
<b>Construction and Storage</b>												
Temporary Manufactured Buildings	L	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	L	Sec. 1.502
<b>Community and Neighborhood Events</b>												
Public Interest or Special Events	C	C	C	C	C	C	C	C	C	C	-	Sec. 1.501 and Sec. 1.503
Garage Sales	L	L	L	L	L	L	L	-	-	-	-	Sec. 1.504
<b>Commercial Events</b>												
Commercial Outdoor Sales Event	-	L(T) <sup>1</sup>	-	-	-	L	L	L	L(T) <sup>1</sup>	-	-	Sec. 1.501 and Sec. 1.505
Sidewalk Sales; Truckload Sales; and Farmers' Markets	-	L(T)	L(T)	-	L	L	L	L	L	-	-	Sec. 1.501 and Sec. 1.506
Farm Stands	-	-	-	-	P	-		-	-	-	-	Sec. 1.501
<b>TABLE NOTES:</b>												
<sup>1</sup> Limited to a Center Sub-District												

### 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 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.
  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 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.

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	CN 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 <sup>1</sup>	AF RS RU	-	Collector	1,000 feet
Community Home	RS	Allowed in mixed housing neighborhoods and TNDs	-	1,000 feet <sup>2</sup>
Community Home	CN CG	Permitted only on upper floors of mixed-use buildings.	-	1,000 feet <sup>2</sup>
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 <sup>2</sup>
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.	-

**TABLE NOTES:**

<sup>1</sup> Manufactured home parks and subdivisions are subject to design standards. See *Division 11.200, Manufactured Home Design Standards.*

<sup>2</sup> This spacing is a requirement of RS 28:478, *Promotion of Community Based Homes* 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.



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.

### 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 "RR," 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
College / University / Vo-Tech	RR	-	Agricultural or forestry research and teaching facilities	-	-	-
College / University / Vo-Tech	I	Arterial or Collector	Laboratory facilities and vocational schools only	-	-	-
Institutional Residential	RR 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	RS UC "Center" and "General" subdistrict of 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 recreation facilities such as a YMCA			
Place of Public Assembly	RU	Collector	All parking shall be provided on-site	600 ft.	-	Type A along lot lines

Place of Public Assembly	<b>RR</b>	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 Residential Recreation Facilities	All Districts Where Permitted		<p>Private residential recreation facilities developed as common open space for a residential subdivision are subject to the following standards. Private residential recreation facilities within a multi-family dwelling that are developed as part of the structure and not open to the public, such as indoor gym facilities, private balconies, or rooftop terraces, are not subject to the requirements of this section.</p> <ol style="list-style-type: none"> <li>1. Private recreation facilities are permitted only for residential developments that are a minimum of three (3) acres in size.</li> <li>2. Private recreation facilities shall be limited to the exclusive use of residents of a residential development and their guests.</li> <li>3. Private recreation facilities shall be located at least twenty-five (25) feet from any adjoining property line.</li> </ol>			

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	RR	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
Public Service	RS UC "Center" and "General" subdistrict of TND					
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 "Center" and "General" subdistrict of TND	Collector or Arterial Street	Building location in "General" subdistrict shall be residential in character; see Division 11.300, Traditional Neighborhood Development-	-	-	Type A along street; Type B along other lot lines
Residential Eldercare Facilities	UC "Center" and "General" subdistrict of TND	Any	Facilities for ambulatory residents only  Building location in "General" subdistrict shall be residential in character; see Division 11.300, Traditional Neighborhood Development	-	-	-

### **Sec. 1.404 Commercial Use Standards**

- A. **Generally.** The standards of Table 1.404, *Commercial Use Standards*, apply to commercial uses that are specified in Table 1.302, *Commercial, Recreation, and Amusement Uses*.
- B. **How to Use Table 1.404, *Commercial 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.* Lists the residential use to which the standards specified in the same row apply.
    - b. *District.* Lists the district in which the standards specified apply.
    - c. *Use and Design Standards.* Specifies any limitations on the operation of the use and specifies any limitations on the scale and design of the building or site.

DRAFT

<b>Table 1.404 Commercial Use Standards</b>		
Use	District	Use and Design Standards
<b>Alcoholic Beverage Sales – Secondary Use</b>	<b>ALL</b>	<ol style="list-style-type: none"> <li>1. Alcoholic Beverages Sales – Secondary Use is considered a separate principal use. Alcoholic Beverages Sales–Secondary Use may only be established when allowed within a permitted zoning district and only in conjunction with the following principal uses: Restaurant, Café; Restaurant, Standard, Commercial Retail, Commercial Amusement/Recreation, Indoor, Commercial Amusement/Recreational, Outdoor, Gas Station, Hotel, Private Club, Reception Facility, Truck Stop.</li> <li>2. According to the 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. 6-32 Zachary Code of Ordinances.</li> <li>3. Not less than 200 ft. from playground; school; or place of public assembly, unless sales occur in an overnight accommodations use.</li> </ol>
<b>Bar</b>	<b>ALL</b>	<ol style="list-style-type: none"> <li>1. A bar shall submit a security and operation plan to the City of Zachary for approval, which includes the provision of exterior security cameras. If the bar contains a brewing or distilling facility on-site, a floor plan indicating the area reserved for brewing or distilling and a description of the facility and capacity shall be included in the security and operation plan.</li> <li>2. A bar shall submit a noise abatement plan to the City of Zachary for approval.</li> <li>3. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited.</li> <li>4. If the bar use plans an increase in intensity, such as an expansion of floor area or increase in permitted occupancy, the security and operation plan shall be updated and resubmitted for approval. A revised security and operation plan shall be approved prior to the issuance of any permits.</li> <li>5. Security and operation plans may be revised by the property owner or licensed operator. New plans shall be resubmitted for approval.</li> <li>6. On-site micro-brewing and micro-distillery facilities are allowed.</li> <li>7. Complies with Sec. 6-32 Zachary Code of Ordinances</li> <li>8. Not less than 300 ft. from playground; school; or place of public assembly.</li> </ol>
<b>Brewery</b>	<b>ALL</b>	<ol style="list-style-type: none"> <li>1. Complies with Sec. 6-32 Zachary Code of Ordinances.</li> </ol>
<b>Campgrounds</b>	<b>ALL</b>	<ol style="list-style-type: none"> <li>1. Residential Use Prohibited. No recreational vehicle or tent shall be used as a permanent place of residence.</li> <li>2. Density. The overall density shall not exceed five campsites or RV sites per acre for the entire site.</li> <li>3. 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.</li> <li>4. Sites. Campsites and RV spaces must be between 1,600 and 2,400 sf.</li> <li>5. Utilities. All utilities shall be installed underground, and shall be provided to sites as follows:</li> <li>6. All RV spaces shall be served with sanitary sewer, water, and electricity.</li> <li>7. All tent campsites shall be served with water and electricity.</li> <li>8. 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.</li> <li>9. 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.</li> <li>10. Floodplain. No campsites shall be allowed in the 100-year floodplain.</li> <li>11. Site Area. The minimum area of a parcel proposed for development as a campground is 20 acres.</li> <li>12. Commercial Amusement/Recreation Indoor and Outdoor are considered separate primary uses and are subject the use requirements of the zoning district.</li> </ol>

<b>Table 1.404 Commercial Use Standards</b>		
Use	District	Use and Design Standards
Car Wash	ALL	1. 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 Amusement / Recreation, Outdoor	ALL	1. An amphitheater is permitted in this zoning district. 2. The premises shall be closed between 9:30 p.m. and 7:00 a.m.; or 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.
Distillery	ALL	1. Complies with Sec. 6-32 Zachary Code of Ordinances.
Drive-in / Drive-Through Facility	ALL	1. No drive-in or drive-through sales of alcoholic beverages. 2. 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.
Drive-in / Drive- Through Facility	CN	1. No drive-in or drive-through sales of alcoholic beverages. 2. 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 3. Hours of operation limited to 7 AM to 7 PM; no drive-in or drive-through sales of alcoholic beverages. 4. 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.
Financial Institution	CN	No drive thru permitted.
Gas Station	ALL	1. Gas station canopies shall be designed with lighting recessed under the canopy to minimize light pollution. 2. All gas station driveways shall be located and designed to ensure that they will not adversely affect the safety and efficiency of traffic circulation on adjoining streets. Gas stations are limited to two (2) curb cuts. For a corner lot, curb cuts are restricted to one (1) curb cut on each street. 3. Gas stations may offer convenience items for sale. Alcoholic Beverage Sales is a separate principal use and is only permitted when allowed in the zoning district. 4. All structures shall comply with the building design standards of the zoning district. Public entrances shall face the street. Attendant structures shall include windows to allow visibility to all parts of the site. 5. In addition, gas stations may be included accessory to a "Light Automotive Service" establishment. However, "Light Automotive Service" areas are subject to the provisions of this Section. 6. A minimum five (5) foot front landscape yard shall be provided along a public right-of-way. The site shall meet all applicable landscaping and open space requirements of this ordinance. 7. Gas stations shall be effectively screened from view at the edges of sites adjacent to residential properties in order to minimize the impact of exterior site lighting and headlight glare. Such screening shall consist of a masonry wall, a solid fence, or dense evergreen hedge at least six (6) feet in height. Plant materials shall be installed along the fence or wall to provide a softening effect. 8. The volume on any audio component shall be maintained at a level so as not to be audible in adjoining residential districts. The volume on any audio component shall comply with all local noise regulations. 9. All underground storage tanks and fuel delivery systems shall meet or exceed minimum requirements, as regulated by EPA and DOT, for leak detection and preventative measures.



Table 1.404 Commercial Use Standards		
Use	District	Use and Design Standards
Heavy Commercial	ALL	1. Type C buffer around outside storage
Kennel/Pet Day Care	ALL	1. Dogs runs may be used only from 8 AM to 7 PM 2. 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
Private Club	ALL	1. No more than fifty percent (50%) of the gross floor area may be used as office space for the private club or lodge. 2. Social clubs and lodges are permitted to serve meals and alcoholic beverages on the premises for members only. 3. Sleeping facilities are prohibited. 4. Social clubs and lodges leased or used as a reception facility shall comply with the requirements for reception halls of this Article. 5. Type B buffer required along all lot lines adjacent to a residential use or district.
Reception Facility	ALL	1. A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship or educational facilities. 2. All events shall be held within a completely enclosed building. Live entertainment and music of any kind is prohibited outside the building, unless approved through the conditional use process. 3. Outdoor lighting shall be directed away from adjacent residentially zoned property. 4. Hours of operation are restricted to 10:00 a.m. and 11:00 pm Sunday through Thursday. Hours of operation are restricted to 10:00 a.m. and 1:00 a.m. Friday through Saturday. 5. A Type A buffer is required on all property lines not adjacent a street. If located within one-hundred (100) feet of a residential district a Type B buffer is required on all property lines not adjacent to a street.. 6. Alcoholic beverage sales – secondary use is considered a separate principal use and require separate approval.

<b>Table 1.404 Commercial Use Standards</b>		
Use	District	Use and Design Standards
Restaurant, Cafe	ALL	<ol style="list-style-type: none"> <li>1. There shall be no cover charge to enter a restaurant.</li> <li>2. Hours of operation shall be posted on or near the restaurant entrance visible to the public.</li> <li>3. For restaurants with an outdoor component, the restaurant shall submit a security and operations plan the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.</li> <li>4. Drive-through facilities and alcoholic beverage sales – secondary use are considered separate principal uses and require separate approval.</li> </ol>
Restaurant, Cafe	CN	<ol style="list-style-type: none"> <li>1. There shall be no cover charge to enter a restaurant.</li> <li>2. Hours of operation limited to 6am – 6 pm; other hours may be approved through the conditional use process.</li> <li>3. Hours of operation shall be posted on or near the restaurant entrance visible to the public.</li> <li>4. For restaurants with an outdoor component, the restaurant shall submit a security and operations plan the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.</li> <li>5. Drive-through facilities and alcoholic beverage sales – secondary use are considered separate principal uses and require separate approval.</li> </ol>
Restaurant, Fast Food	ALL	<ol style="list-style-type: none"> <li>1. There shall be no cover charge to enter a restaurant.</li> <li>2. Hours of operation shall be posted on or near the restaurant entrance visible to the public.</li> <li>3. For restaurants with an outdoor component, the restaurant shall submit a security and operations plan the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.</li> <li>4. Drive-through facilities are considered separate principal uses and require separate approval.</li> </ol>
Restaurant, Full Service	ALL	<ol style="list-style-type: none"> <li>1. There shall be no cover charge to enter a restaurant.</li> <li>2. Hours of operation shall be posted on or near the restaurant entrance visible to the public.</li> <li>3. For restaurants with an outdoor component, the restaurant shall submit a security and operations plan the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.</li> <li>4. Drive-through facilities and alcoholic beverage sales – secondary use are considered separate principal uses and require separate approval.</li> <li>5. If a restaurant contains a brewing or distilling facility on-site, a floor plan must be submitted indicating the area reserved for brewing or distilling and a description of the facility and capacity. On-site micro-brewing and micro-distillery facilities are only allowed in full service restaurants.</li> <li>6. Average monthly revenue from food and nonalcoholic beverages shall exceed sixty percent of the total average monthly revenue from the sale of food, nonalcoholic beverages and alcoholic beverages.</li> </ol>

Table 1.404 Commercial Use Standards		
Use	District	Use and Design Standards
Truck Stop	ALL	<ol style="list-style-type: none"> <li>1. All truck stops shall submit a development plan for review by the City of Zachary.</li> <li>2. A minimum front yard of twenty (20) feet shall be provided. Parking is prohibited in the setback. The setback shall be landscaped with evergreen trees at a rate of one (1) for every twenty-five (25) feet of linear frontage, supplemented with shrubs and groundcover.</li> <li>3. A solid fence a minimum height of seven (7) feet in height is required for any outside storage areas adjacent to a public right-of-way, residential, or commercial district.</li> <li>4. All vehicular use areas adjacent to public right-of-ways shall be screened by a berm, masonry wall, hedge, or a combination thereof a minimum of thirty (30) inches in height and within a perimeter yard a minimum of four (4) feet in width.</li> <li>5. Parking lots of thirty (30) or more parking spaces shall provide landscaped interior parking islands at a rate of one (1) for every twenty (15) parking spaces. The parking islands shall be at least five (5) feet in width.</li> <li>6. Loading operations shall be screened and designed so that no vehicle blocks the passage of other vehicles on any public right-of-way.</li> <li>7. All truck stops with video draw poker facilities are regulated by the Louisiana Gaming Control Board and are subject to the Louisiana Administrative Code regulations.</li> </ol>
Vehicle Sales, Rental and Service	ALL	<ol style="list-style-type: none"> <li>1. Service bays shall not face abutting streets or residential uses; service bays and car wash areas are set back 50 feet from residential uses</li> <li>2. All driveways shall be located and designed to ensure that they will not adversely affect the safety and efficiency of traffic circulation on adjoining streets.</li> <li>3. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.</li> <li>4. Flags shall not be strung to span between light poles; temporary signs that are legible from the street shall not be placed on cars</li> <li>5. Type B buffer along street; may include 3 vehicle stands per 100 feet, provided that the vehicle standards are not higher than 3 feet</li> </ol>
Veterinarian	ALL	<ol style="list-style-type: none"> <li>1. No on-site services for livestock or large animals; all services provided within enclosed building</li> <li>2. Soundproofing required; kennels may be included as an accessory use, subject to use standards for kennels</li> </ol>

**Sec. 1.405 Reserved**

**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 required standards:

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.
    - 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 required standards:
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.
- 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 required standards:

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.
      - 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 required standards:
  1. *Demonstration of Need.* The applicant shall demonstrate that the intended use cannot be located in a district in which it 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 required standards:
  1. *Substations.*
    - 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 required standards:

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 required standards:
  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.
- C. **Commercial Stables.** Commercial stables required standards:
  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 required standards:
  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



- A. **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*.
- B. **Adult Uses.** Adult uses must comply with the following standards:
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
    - 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.

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

- A. **Generally.** Parking and transit facilities are subject to the standards of this Section.
- B. **Parking Facilities.** Parking lots and parking structures required standards:
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 required standards:

1. Buses will not be stored on-site;
2. Associated parking is designed according to the standards of Subsection B.

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

A. **Generally.** Wireless telecommunication facilities are subject to the requirements of this Section.

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.

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.

- 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.
    - 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.

### **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.

DRAFT

<p style="text-align: center;"><b>Table 1.502</b> <b>Temporary Uses in Temporary Structures</b></p>					
Temporary Use	District	Time of Installation	Time of Removal	Setbacks	Landscaping
Temporary Manufactured Buildings	<p>RE</p> <p>RS</p> <p>RU</p> <p>NC</p> <p>AF</p> <p>CS</p> <p>CG</p> <p>UC</p>	<p>Later of: final plat; or development plan approval which indicates location of temporary building; or issuance of curb cut permit for the development</p>	<p>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</p> <p>For other uses (e.g., schools), 3 years, which may be renewed or extended by the City Council for good cause shown.</p>	<p>20 feet from all property lines, unless applicant demonstrates to City that such location interferes with construction staging</p>	<p>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.</p>
Model Homes and On-Site Real Estate Sales Offices	<p>RE</p> <p>RS</p> <p>RU</p>	<p>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</p>	<p>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</p>	<p>Per district requirements for principal buildings</p>	<p>As required for residential uses in the district</p>
On-Site Real Estate Sales Offices	<p>CG</p>	<p>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</p>	<p>Completion of first multi-tenant building</p>	<p>Per district requirements for principal buildings, unless applicant demonstrates to City that such location interferes with construction staging</p>	<p>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</p>
Portable Storage Units	<p>RE</p> <p>RS</p> <p>RU</p> <p>NC</p> <p>AF</p> <p>CS</p> <p>CG</p> <p>BP</p> <p>I</p>	<p>Any time</p>	<p>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.</p>	<p>(See previous column)</p>	<p>-</p>
Portable Storage Units	<p>UC</p>	<p>Any time</p>	<p>15 days</p>	<p>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.</p>	<p>-</p>

### 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.
- 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 shall comply with the following standards.
- 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

### **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.
- 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.

This page intentionally left blank