

ARTICLE 6 SUBDIVISION DESIGN AND LAND DEVELOPMENT

Division 6.100 Purpose and Application of Article

Sec. 6.101 Purpose

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

10. Assure that facilities to be accepted and maintained by the local government are properly located and constructed.

Sec. 6.102 Application of Article

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

Division 6.200 Subdivision and Street Names

Sec. 6.201 Subdivision or Development Name

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

Sec. 6.202 Street Names

- A. **Verification.**
 1. Proposed street names shall be checked to ensure that names of existing or planned streets within East Baton Rouge Parish are not duplicated. A list of street names approved for use within the Parish is maintained by the Parish Planning Commission.
 2. No street names shall be approved which will duplicate or be confused with the names of existing streets in the City or Parish unless the new street is an extension of, or in alignment with, an existing street.
- B. **Naming Conventions.** Street shall be named according to the following conventions:
 1. Streets that extend existing streets shall be assigned the same name as the existing street.

2. Streets that are on materially the same alignment as an existing street shall be given the same name as the existing street.
 3. No street shall use the same name as an existing street, modified by the term street, avenue, road, court, etc. Only where a single cul-de-sac or loop street comes off a street may the words place, lane, court, or terrace, be used.
- C. **Approval of Street Names.** The Planning and Zoning Commission approves street names concurrently with the approval of the subdivision.

Division 6.300 Covenants, Conditions, and Restrictions

Sec. 6.301 Property Owners' Association Required

- A. **Generally.** If common space, recreational areas, open space, communal facilities and/or other improvements within the proposed subdivision are to be privately owned and not offered for dedication to the City, the Applicant shall submit agreement(s), covenant(s), or other legal instruments stating the ownership and setting forth the manner and means for permanent care and maintenance of the stated common spaces, etc., for review and approval by the City of Zachary. If approved, the document(s) shall be recorded. Reference to recorded covenants or any agreements shall be indicated on the Final Subdivision Plan prior to its recordation.
- B. **Self-Imposed Restrictions.** If the owner places restrictions on any of the land contained in the subdivision greater than those required by the UDC, such restrictions or reference to those restrictions shall be indicated on the subdivision plan and Restrictive Covenant specifying the restrictions recorded. **It will not be a duty of the City to enforce the self-imposed restrictive covenants.**

Sec. 6.301 Required Covenants, Conditions, and Restrictions

- A. **Generally.** Conditions and requirements of development approval that require ongoing efforts of tenants or successors in title shall be included in a declaration of covenants, conditions, and restrictions for the property that shall be recorded in the public records in the chain of title for the property at the applicant's expense. Additionally, if common space, recreational areas, open space, communal facilities and/or other improvements within the proposed subdivision are to be privately owned and not offered for dedication to the City, the Applicant shall submit agreement(s), covenant(s), or other legal instruments stating the ownership and setting forth the manner and means for permanent care and maintenance of the stated common spaces, etc.
- B. **Self-Imposed Restrictions.** If the owner places restrictions on any of the land contained in the subdivision greater than those required by the UDC, such restrictions or reference to those restrictions shall be indicated on the subdivision plan and Restrictive Covenant specifying the restrictions recorded. **It will not be a duty of the City to enforce the self-imposed restrictive covenants.**
- C. The applicant shall provide proposed covenants, conditions, and restrictions to the City:
1. Upon filing the application for final plat approval; or
 2. If no plat approval is sought, before the issuance of any permit that directly authorizes development (development approvals that require covenants, conditions, or restrictions shall be contingent upon approval of the covenants, conditions, and restrictions document).
- D. **Plat Annotations.** Requirements regarding maintenance of common areas or operation and maintenance of drainage facilities shall be summarized on the plat and set forth in full in the

declaration of covenants, conditions, and restrictions, which shall be referenced on the plat.

Division 6.400 Subdivision and Development Design

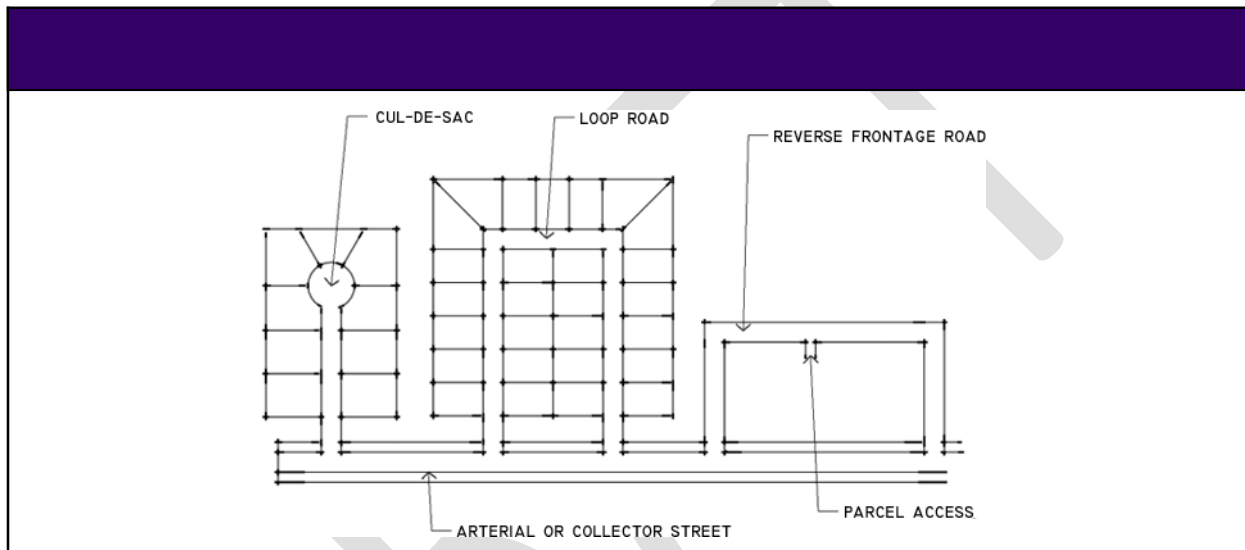
Sec. 6.401 Development Design Review Principles

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

Sec. 6.402 Streets

- A. **Alignment of Subdivision Streets with Existing Streets.**

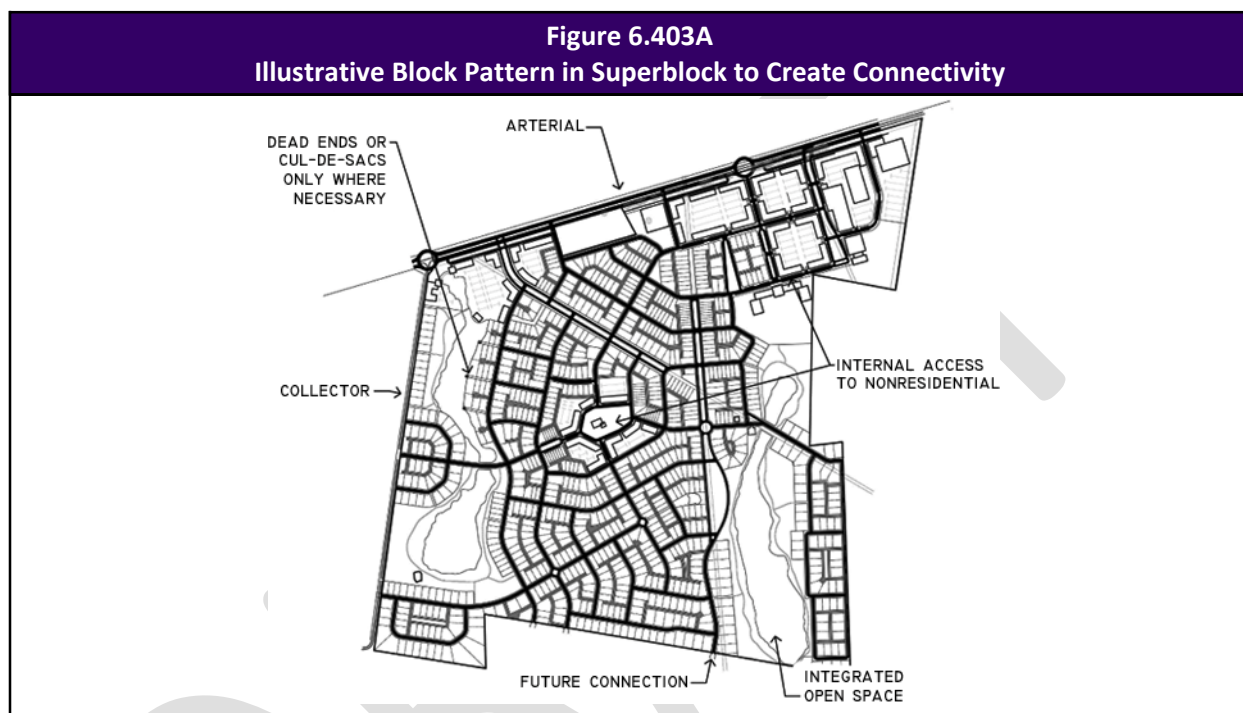
1. Streets shall be configured as required by Section 8.202, *Street Standards*.
 2. Streets shall, to the extent practicable, align with existing streets, and be given the name of the streets with which they align, or shall be offset the minimum distance specified in the *Engineering Standards Manual*. See Division 8.400, *Engineering Standards Manual*.
- B. **Alignment of Local Streets with Arterials and Collectors.** Generally, local roads or streets shall be either:
1. Perpendicular to arterials or collectors; or
 2. Loop streets, reverse frontage roads, or cul-de-sacs (which are limited by Section 8.205, *Cul-de-Sacs*. See Figure 6.402, *Local Street Orientation*).



- C. **Width of Public Ways.** The minimum width of public street rights-of-way in subdivisions shall be established according to the functional classification of each street, pursuant to Section 8.202, *Street Standards*.
- D. **Grades and Curves of Public Ways.** The City Engineer shall promulgate the requirements for grades and curves of public ways in the *Engineering Standards Manual*. See Division 8.400, *Engineering Standards Manual*.

Sec. 6.403 Blocks

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



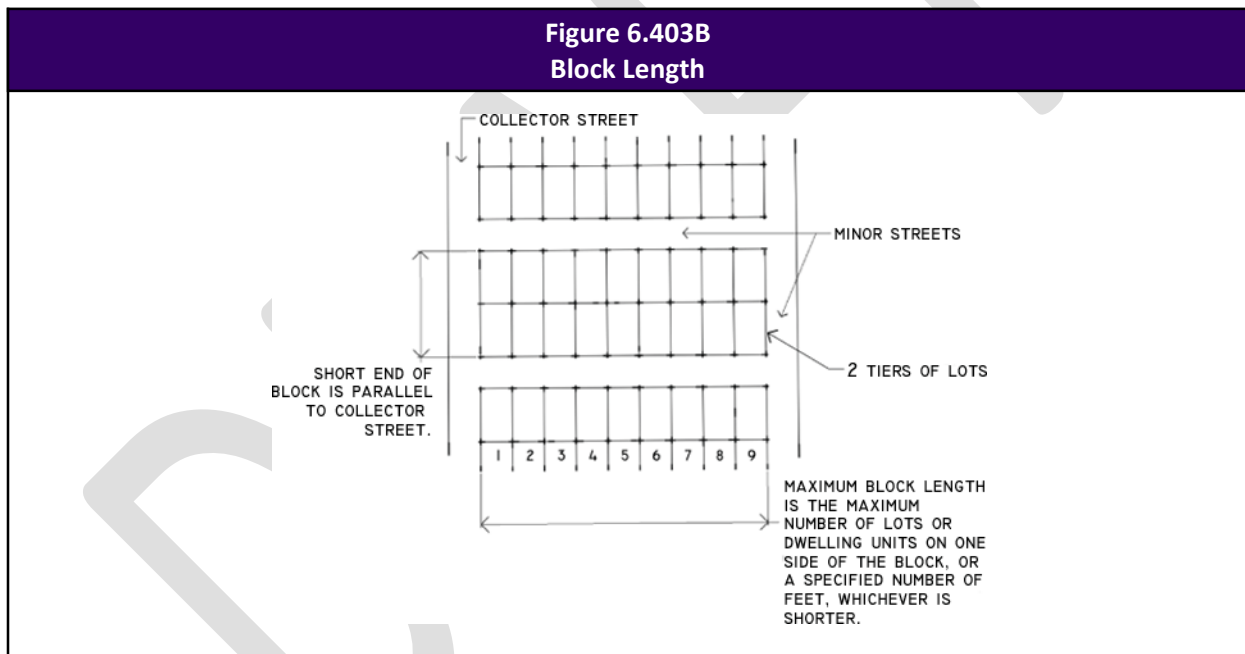
- B. **Block Orientation.** Where possible, blocks shall be laid out to have their short length abutting arterials, collectors, or the development's major internal street. The length, width, and shape of blocks should be determined with due regard to the provision of adequate sites for buildings of the type proposed, zoning requirements, fire access, emergency service, and police protection. See Figure 6.403B, *Block Length*.

C. **Block Length and Width.**

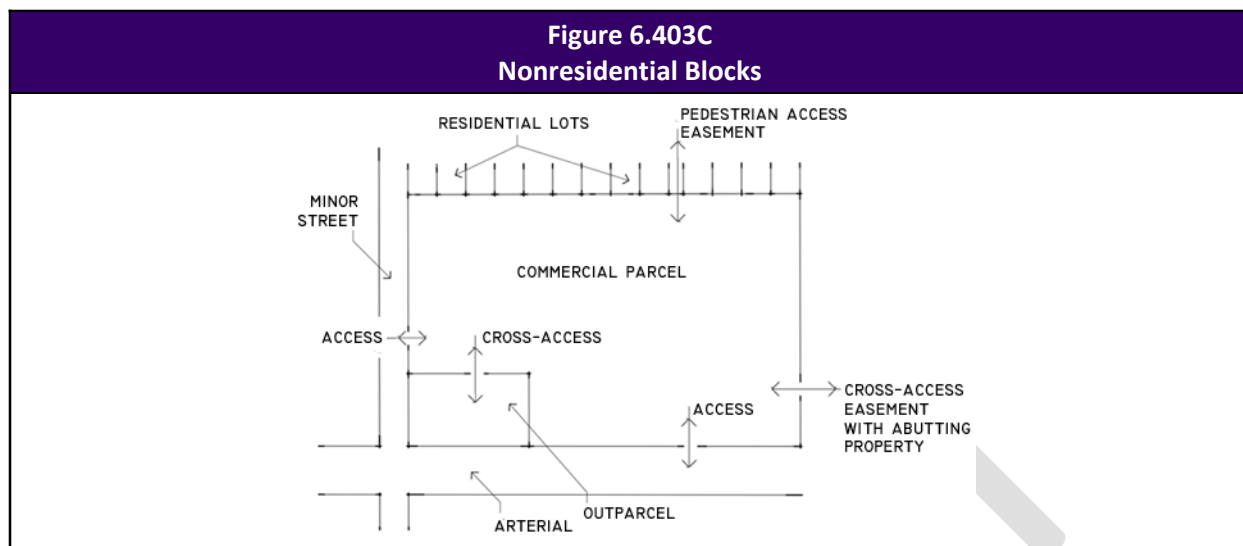
1. Blocks should not, in most instances, exceed the lengths specified in Table 6.403A, *Block Length*. Blocks may exceed the lengths in Table 6.403A, *Block Length*, provided that the blocks are the minimum additional length necessary to achieve a stated design objective, and either:
 - a. The block traverses a span of open space that is wider than the distance specified in the table; or
 - b. Mid-block access is provided that allows pedestrian circulation from the block to another block (or, in TND "Center" subdistricts, to parking areas behind buildings). Such access shall be provided at intervals of not less than 300 feet, including street intersections.
2. Blocks should be such width as will provide two tiers of lots, except:
 - a. Where reverse frontage lots are located along an arterial or collector street;

- b. Where such an arrangement is prevented by the size or other inherent site conditions of the property; or
- c. Where lots are arranged in a cluster format that promotes visual access to common open space by reducing back-to-back residential lots.

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



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

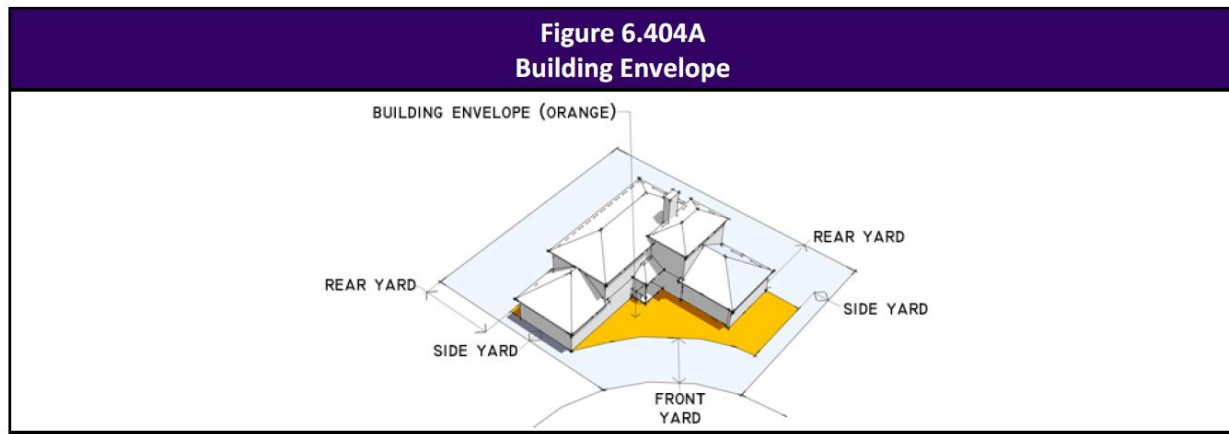


Sec. 6.404 Lots

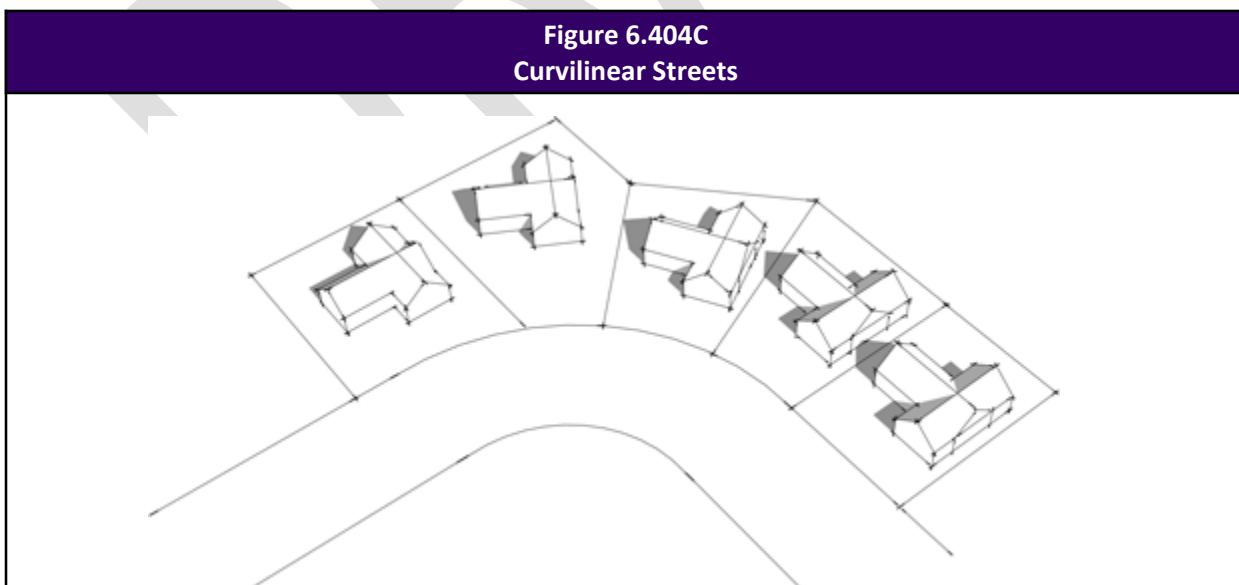
- A. **General Requirements. Minimum Width.** The minimum width of lots in a subdivision shall be as set out in:
1. All lots shall meet the requirements in Article 2, *District Intensity and Development Standards*, for the applicable zoning district and development type; or
 2. A pattern book for a TND that is approved according to the standards of Section 14.504, *Pattern Book Requirements*.
- B. **Required Frontage.** All lots that are not subject to a conservation easement or used as common elements or recreational areas shall front upon an improved public street, unless 1) it is demonstrated that a private street subdivision is approved that complies with Section 8.204, *Private Streets*, or 2) unless otherwise permitted by this UDC.
- C. **Lot Shape, Generally.**
1. Generally, lots shall be rectangular or "pie-shaped." All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.
 2. Corner lots shall have extra width to permit the establishment of front building setback line on both the front and the side of the lots adjoining the streets irrespective of whether the rear lot lines of said corner lots abut lots fronting on the side streets.
- D. **Lot Shape, Alternative.** Alternative lot shapes may be approved in any of the following circumstances:
1. *In General.*
 - a. The alternative shape does not interfere with the efficient development of other

property; and

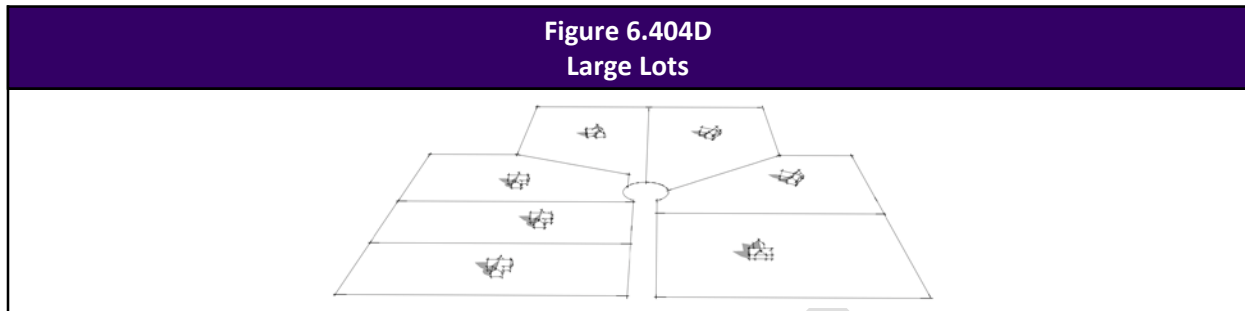
- b. The lots allow for a building envelope that is adequate for conventional building design. The building pad used meets minimum lot width where the home is to be located. The City shall require a building pad designation on the plat. See Figure 6.404A, *Building Envelope*.
2. *Irregularly Shaped Parcel Proposed for Development*. The shape of the parcel required irregular lots in order to subdivide.
3. *Preservation of Open Space with Trapezoidal Lots*. Trapezoidal lots are encouraged in cluster development because they better enable the land planner to adjust to curvilinear roads or cul-de-sacs by increasing the total open space area of the site. Figure 6.404B, *Preservation of Open Space*, compares the use of trapezoidal lots to the use of conservation easements on private lots.



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



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



E. Access to Lots.

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

Sec. 6.405 Easements

- A. **Generally.** During development approval, the City may require the granting of a variety of easements on private property or lots. These easements may be for any of the following, or other approved, purposes:
1. Drainage;
 2. Utilities;
 3. Access to public utilities or drainage areas;
 4. Fire protection;
 5. Police protection and other emergency services;
 6. Solid waste removal;
 7. Pedestrian access; and
 8. Natural resource or open space conservation.
- B. **Utility Easement Width and Location.** Where required, all lots shall provide utility easements (U.E.) for sewer, water, gas, drainage, electricity, cable, fiber-to-the-home, or other public utilities that are necessary or desirable to serve the subdivision. Their width and location shall be such that access and maintenance, repair or reconstruction can be accomplished without undue hardship to the utility. Easement standards may be included in the *Engineering Standards Manual*.
- C. **Drainage Easements.** To the extent possible, existing surface drainage patterns serving any off-site properties or two or more proposed lots or properties shall be protected by easements or open space. In addition, drainage easements shall be placed on lots to convey surface water to storm sewers located on the street or to surface drainage channels located in easements or open spaces as topography and grading dictate.

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

Sec. 6.406 Open Spaces

- A. **Generally.** This Section is designed to achieve the open space requirements of bufferyards, resource protection, recreation, stormwater management, and preservation of community character.
- B. **Open Space Required.** The amount of required open space for residential subdivisions is based on the zoning district and development type.

Table 6.401 Open Space Residential Density Standards	
Average Lot Size Density	Minimum Open Space Required
RU Single Family Cluster	40%
RU Single Family Detached	35%
RS Single Family Cluster	30%
RS Single Family Detached	20%
RE Single Family Detached	5%
RR Single Family Detached	0%

- C. **Permitted Uses and Functions of Open Space.** Uses of open space may include the following:
1. Conservation areas for natural, archeological or historical resources;
 2. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas, provided the total surface area does not exceed 30 percent of the required open space;
 3. Pedestrian or multipurpose trails;
 4. Passive recreation areas;
 5. Active recreation areas, provided that impervious area is limited to no more than 25 percent of the total open space (active recreation areas in excess of this impervious area limit must be located outside of the protected open space);
 6. Golf courses (excluding clubhouse areas and maintenance facilities), provided the area does not exceed 50 percent of the required open space, and further provided that impervious area is limited to no more than ten percent of the total open space;
 7. Above-ground utility rights-of-way, provided the area does not exceed 30 percent of the required open space;
 8. Water bodies, such as lakes and ponds, and floodways provided the total surface area does not exceed 50 percent of the required open space;
 9. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts;
 10. Landscaped stormwater management facilities;
 11. Easements for drainage, access and underground utility lines; and
 12. Other conservation-oriented uses compatible with the purposes of this development code.
- D. **Design.** Generally, open spaces shall be integrated into the development design to bring significant open space to the maximum number of properties, as well as visibility from public

rights-of-way within the proposed development.

1. Open space shall be designed to provide greenways along drainage corridors and streams. The landscaping along corridors or streams shall be designed to enhance the filtering of surface and subsurface water flows. Trails shall provide access along the greenway for the residents of the proposed development.
 2. The minimum width for any required open space is 25 feet. Exceptions may be granted for items such as trail easements, mid-block crossings, and linear parks, when their purpose meets the intent of this section.
 3. At least 60 percent of the required open space must be in a contiguous lot or site or series of lots and sites. For the purposes of this section, contiguous includes any open space bisected by a collector or local street, provided that:
 - a. A pedestrian crosswalk provides access to the open space on both sides of the street; and
 - b. The right-of-way area is not included in the calculation of minimum open space required.
 4. Where feasible, the open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
 5. The required open space must be directly accessible to the largest practicable number of lots within the development. Non-adjointing lots must be provided with safe, convenient access to the open space (i.e. mid-block connections in logical locations).
 6. Access to the open space must be provided either by an abutting street or easement. Such easement can not be less than 20 feet wide.
- E. **Prohibited Uses of Open Space.** Required open space cannot be used for the following:
1. Wastewater disposal systems
 2. Streets (except for street crossings as expressly provided above) and impervious parking areas.

Sec. 6.407 Utilities

A. Generally.

1. All developments shall make provision for water, sewer, stormwater, electric, telephone, and cable service, and may make provision for fiber-to-the-home and other public and/or private utilities available to City residents. Where on-site water and sewer are allowed by [Division 2.200, Standards for Parcels Proposed for Development](#), on-site systems will satisfy this requirement.
 2. All drainage and utilities shall be efficiently and unobtrusively integrated into the design and shall avoid off-site impacts.
- B. **Capacity.** Where a parcel proposed for development is part of a larger tract of land, the City shall require the capacity of facilities to be adequate to serve the entire tract to the extent that the capacity is matched to that of the lines that are extended to the parcel proposed for development. Where the parcel proposed for development is part of a larger utility service area, the City may require the capacity of the appropriate facilities to be adequate to serve the remainder of the service area.

- C. **Potable Water Line Loops.** Potable water lines shall be looped and shall have a secondary feed to the potable water supply.
- D. **Interceptors.** Where an interceptor is to be extended through the area being developed, the landowner shall provide the necessary easements.
- E. **Common Use Easements.** Wherever possible, the City shall require compatible utilities to share easements. See Section 6.405, *Easements*.

Sec. 6.408 Required Improvements; Upgrade Agreements

A. Design and Installation of Improvements.

1. All improvements required by this UDC and related City regulations shall be designed and installed in accordance with the *Engineering Standards Manual*.
2. All improvements shall be furnished, installed, and constructed by the applicant at no cost to the City, except as specifically provided in this UDC. Escrows or sureties may be required for off-site improvements that are required by this UDC.

- B. **Utility Upgrade Agreement.** The City may require that the applicant upgrade the capacity of municipal utility lines in order to provide adequate facilities to future development in the area of the proposed development. To this end, the City Council may authorize the Mayor to enter into a participation agreement or development agreement that sets out the City's share of additional costs of standard line sizes, and the method and timing of repayment to the applicant. The written agreement shall fairly apportion the cost of providing the upgraded capacity, and shall be executed between the applicant and the City prior to the final approval of plans and specifications.

Sec. 6.409 Development Phasing

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

Division 6.500 Dedication of Land and Improvements; Fees

Sec. 6.501 Utilities Infrastructure Fee

A. Applicability.

1. After April 27, 2004, a utility infrastructure fee shall be paid as provided by this Section by any

person who:

- a. Has subdivision improvements which are to be connected to the utility system, including but not limited to, the gas, water, storm drainage, or sewer system operated and maintained by the City, which are to be accepted for maintenance by the city; or
 - b. Connects to the utilities infrastructure of the city, or changes, modifies or expands the use of an existing connection to the utilities system.
2. This article is to apply to all subdivisions which have not received final approval and acceptance of a final plat as of April 27, 2004.
 3. This fee shall be in addition to any fees assessed or charged by any other governmental entity, including, but not limited to, the City of Baton Rouge/Parish of East Baton Rouge, the East Baton Rouge Sewerage Commission, or any of their related entities.

B. Computation of Utilities Infrastructure Fee.

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

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

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

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

\$1,000,000.01--\$2,500,000.00	\$150.00 + \$1.50 per \$1,000.00
\$2,500,000.01--\$5,000,000.00	\$200.00 + \$1.00 per \$1,000.00
\$5,000,000.01 and greater	\$250.00 + \$0.50 per \$1,000.00

C. Payment of Utility Infrastructure Fee for New Development.

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

Sec. 6.502 Recreation

Consideration shall be given by the developer to the dedication or reservation of suitable sites for parks, playgrounds, and other areas for public use so as to conform to the recommendations of the Planning and Zoning Commission in its adopted master plan or portion thereof of the city. Areas to be dedicated or reserved for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be dedicated to, or acquired by the appropriate taxing agency.

Division 6.600 Mapping and Monuments

Sec. 6.601 Protected Resources

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

2. Boundaries that are dependent on elevation shall be based upon on-site elevations and shall not be interpolated.
- D. **Topography.** Topographic lines shall be at one-foot contour intervals unless such intervals are impractical due to essentially flat topography.

Sec. 6.602 Monumentation

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

Sec. 6.603 As-Built Drawings

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