

# **City of Walker, Louisiana Unified Development Code**



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## **City of Walker, Louisiana - Unified Development Code**

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by order of the City Council of Walker, Louisiana.*

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by order of the City Council of Walker, Louisiana.*

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by order of the City Council of Walker, Louisiana.*

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by order of the City Council of Walker, Louisiana.*

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by order of the City Council of Walker, Louisiana*

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by order of the City Council of Walker, Louisiana*

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by order of the City Council of Walker, Louisiana*

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## **CHAPTER 1**

### **GOALS AND OBJECTIVES OF THE UNIFIED DEVELOPMENT CODE**

## **CHAPTER 1: GOALS AND OBJECTIVES OF THE UNIFIED DEVELOPMENT CODE**

### **SECTION 1.1 AUTHORITY**

- A. The City of Walker Unified Development Code, or UDC, is a comprehensive set of development standards that helps the City and the community guide and regulate the use and development of land within the corporate limits of Walker. Authority for administering such a code comes from the Police Power granted to the State of Louisiana and its political subdivisions. The Police Power is given to local governments in order to promote and provide for the health, safety, and welfare of its people, as outlined in Title 33 of the Louisiana Revised Statutes (for zoning authority in particular). As part of this authority, the City of Walker has therefore chosen to adopt this UDC and to appoint a zoning commission and a planning commission as a group of volunteer citizens to help the City manage the Code. The City has also authorized the Building Department to help the City administer with the details of this Code and to provide inspection and enforcement services.

### **SECTION 1.2 GOAL AND OBJECTIVES**

- A. The overall goal in preparing, adopting, and implementing a Unified Development Code for Walker is to provide for the orderly and efficient development and redevelopment of the City of Walker through the use of a comprehensive development code that is fairly and effectively administered by the City of Walker.
- B. The primary Objectives of the UDC are to:
1. Ensure efficient and sustainable design and development that enhances the existing community character and that follows the goals established in the Walker Master Plan and Community Vision.
  2. Improve and facilitate the adequate provision of transportation, water, sewerage, roads, schools, public safety facilities, parks, drainage, and other public requirements.
  3. Secure public health and safety with respect to fire and other dangers, while providing for adequate light and air.
  4. Establish the boundaries and types of various zoning districts and the standards for the development of new subdivisions.
  5. Encourage the variety of affordable and diverse housing choices.
  6. Improve the quality and preservation of Walker's natural resources, by protecting wetlands, native habitat, natural drainage ways, and air and water quality.
  7. Assist in the management of community growth, regional cooperation, promotion of economic development, and a positive image of the City.
  8. Encourage a high-quality mix of neighborhoods, neighborhood forms, and building types.
  9. To preserve unique and historic areas and sites.

**SECTION 1.3 WHAT IS INCLUDED IN THE UDC:**

- A. The development topics generally included in this UDC are zoning and rezoning of properties, subdivisions, floodplain management, signage, landscaping, lighting, parking, drainage and storm-water, site plan/plat review, environmental protection, definitions, administrative procedures, annexation, streets, utilities, non-conforming uses, and enforcement. The Code is developed to help with the coordination of these many issues within a single document that is available to the public.

**SECTION 1.4 WHAT IS NOT INCLUDED IN THE UDC**

- A. This UDC (and unified codes in general) does not include City and State standard building Codes that are used to regulate the construction of a building, acceptable materials, and the permitting of individual buildings. This includes codes such as the International Building Codes, State plumbing or electrical codes, fire safety codes, wind load standards, and/or energy codes. Such codes will be included in the State of Louisiana adopted International Building Codes and its various components, in addition to specialty building codes adopted by the State.
- B. This UDC also does not serve as a Master Plan or Comprehensive Plan for the community but is to be used in conjunction with the community Master Plan and to help the community achieve such as Plan. The UDC does, however, communicate the City of Walker's intention as to the seriousness of land-use regulations within the City of Walker.

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## **CHAPTER 2**

### **GENERAL PROVISIONS**

## **CHAPTER 2: GENERAL PROVISIONS FOR DEVELOPMENT**

### **SECTION 2.1 POLICY**

- A. It is hereby declared to be the policy of the municipality to consider the development zoning, and subdivision of land and the subsequent development of the subdivided plat as subject to the control of the municipality pursuant to the official master plan of the municipality for the orderly, planned, safe, and efficient development of the municipality.
- B. Land to be developed or subdivided shall be of such character that it can be used safely for building purposes without danger to health or human peril from fire, flood, or other menace, and land shall not be subdivided until available public facilities and improvements exist and proper provision has been planned and/or made for drainage, water, sewerage, and capital improvements, such as schools, parks, recreation facilities, and transportation facilities.
- C. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Master Plan, Zoning Plan, Official Map, and the capital budget and program of the municipality, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the building and housing codes, zoning ordinance, Master Plan, Official Map, land use plan, and capital budget program of the municipality.

### **SECTION 2.2 AUTHORITY**

- A. By authority of Louisiana Revised Statutes 33:101-120, as amended, and other applicable laws, statutes, ordinances, and regulations of the State of Louisiana, the City of Walker and the Walker Planning and Zoning Commission do hereby exercise the police power and authority so vested in it to review, approve, and disapprove plats for subdivision of land within the corporate limits of the municipality, and to review, recommend, and approve changes to zoning classifications and related land development regulations within the City of Walker.
- B. By the same authority, the City of Walker does hereby exercise the power and authority to pass and approve or disapprove development of plated subdivisions of land already recorded in the office of the Parish Clerk of Court, if such plats are entirely or partially undeveloped.
- C. The plat shall be considered to be entirely or partially undeveloped if:
  1. said plat has been recorded with the Parish Clerk of Court's office without a prior approval by the City of Walker City Council (for plat submissions before April 8, 2019), the Building Official (for minor plat submissions after April 8, 2019), the City Planning and Zoning Commission (for major plat submissions after April 8, 2019), or
  2. said plat has been approved by the City of Walker City Council, Building Official or Planning and Zoning Commission (based on plat approval date in conjunction with April 8, 2019) for which the approval has been granted more than three (3) years prior

to granting a building permit, on the partially or entirely undeveloped land, and the zoning regulations for the district in which the subdivision is located, have been changed subsequent to the original final subdivision approval.

### **SECTION 2.3 JURISDICTION**

- A. These regulations shall apply to all subdivision and development of land as defined herein, located within the corporate limits of the municipality of the City of Walker.
- B. No land shall be developed or subdivided within the corporate limits of the municipality until
  - 1. The developer or subdivider or his/her agent submits property plats, plans and specifications to the Building Official (minor subdivides) and/or Walker Planning and Zoning Commission (major subdivides), along with other required documents, and
  - 2. the signed and approved plat is filed with the Parish Clerk of Court.
- C. No building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these UDC and the City zoning and subdivision regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced, except in conformity with the regulations.

### **SECTION 2.4 AMENDMENTS**

- A. For the purpose of providing the public health, safety, and the general welfare, the Planning Commission and Zoning Commission may recommend, and the City Council may approve from time to time, amendments to the provisions imposed by these zoning regulations. Public hearings on all proposed amendments shall be held by the Planning Commission and Zoning Commission in the manner prescribed by State and local law. The City Council must approve all such amendments before they become effective.

### **SECTION 2.5 CONDITIONS**

- A. Regulation of the development, subdivision, and zoning of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State of Louisiana. The developer has the duty of compliance with reasonable conditions laid down by the City Planning and Zoning Commission for the design, dedication, improvement, and restrictive use of the land, so as to conform to the physical and reasonable development of the City of Walker and to the safety and general welfare of the future plot owners in the subdivision, and of the community of Walker at large.

**SECTION 2.6 VACATION OF SUBDIVISION PLATS**

- A. Any plat or any part of any plat may be vacated by the owner of the property, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.
- B. Such an instrument shall be approved or disapproved by the City Planning Commission in like manner as plans of subdivisions. The Planning Commission may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys. If completion bond has been secured by the Planning Commission, such bond will be released to the developer after acceptance of the vacated plat.
- C. Such an instrument shall be executed, acknowledged or approved, and recorded or filed, in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat and plan. This instrument shall be reviewed and approved by the City of Walker attorney before a vacated plat will be accepted by the City of Walker Planning Commission.
- D. When lots have been sold, the plat may be vacated in the manner herein, provided by signature, all of the owners of lots in such plat joining in the execution of such writing, if approved by the City of Walker Planning Commission after proper review by the City attorney.

**SECTION 2.7 INITIAL INTERPRETATION OF UDC AND ZONING REGULATIONS & BOUNDARIES**

- A. The Building Official of the City of Walker, as the City UDC Administrator, shall be the City staff person responsible for interpretation of the UDC, subdivision, and zoning ordinance, in addition to the interpretation of zoning classification boundaries. Applicant appeals of this initial Building Official interpretation shall be submitted in writing to the Building office and then forwarded by the Building Official's office to the Walker Board of Zoning Adjustments, or to the City Attorney, or to the appropriate appeal body as outlined in this ordinance.

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## **CHAPTER 3**

### **DEFINITIONS**

## CHAPTER 3: DEFINITIONS

*For the purpose of this Unified Code Document all rules and regulations regarding property development standards, certain words or terms used herein shall be defined as follows:*

AASHTO – American Association of State Highway and Transportation Officials

Abutting – Property which directly touches another piece of property (shared boundary).

Accessory uses:

- Structures and uses (such as private garages and sheds) customarily incidental to and on the same lot with a permitted use.
- Customary Home Occupations (an accessory use actively carried on only by a resident member of the family occupying the dwelling from which the activity is carried out. Home occupations should not generate nuisance or traffic. No bus or truck other than a pick-up or van will be kept on the premises of the dwelling being used for business; includes such businesses as dressmaking or tailoring, or office of a physician or other professional person, etc.) incidental to a permitted use; provided, such occupations are carried on only by a resident member of a family meeting the following conditions:
  - Only one non-illuminated sign no larger than one square foot in area shall be used;
  - Nothing shall be done to make the building appear in any way as anything but a dwelling;
  - No business such as a shop or store (retail sales) shall be conducted upon the premises;
  - No one shall be employed full-time from the outside of the resident family;
  - Mechanical equipment used shall be only that normally used in, or found in, a single-family dwelling.
- A garage or parking space for not more than three (3) automobiles plus two (2) automobiles for each family in excess of three (3); provided that, except on a farm, storage of only one commercial automobile shall be permitted.
- The sale of produce raised only on the premises.
- The taking of lodgers and tourists.
- Advertising signs pertaining only to the lease, sale, or use of a lot or building on which such signs are placed and not exceeding a total area of twelve (12) square feet; provided that, on a lot occupied by a dwelling, there may be for each family housed no more than two (2) signs with a total area of not more than two (2) square feet pertaining to the use of such building or bearing a name and the designation of any authorized occupations. All other signs are prohibited.
- Farming and operations customarily performed on a farm, providing these are performed on acreage tracts where there is sufficient land and where no houses or pens for fowls or animals are located nearer than twenty-five (25) feet to any property line.

Adjacent – Shall mean “next to” and shall mean “directly across the street”

Adjoining lot or parcel – A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land.

Adult Material – As used in these land use regulations, adult or pornographic material shall consist of: (1) movies, films, motion pictures, video tapes, video discs, slides, photographs, or other medium of visual representation or live performances, exhibitions or presentations; or (2) books, papers, pamphlets, magazines, periodicals or publications, which are characterized by an emphasis upon the depiction or description of any of the conduct or activities set forth and described in the provisions of Louisiana Revised Statutes Title 14, Chapter 1, Part VI, Sub-Part C, and in that portion thereof designated as sub-paragraphs (2)(b) and (3) of paragraph A of Section 106 [La. R. S. 14:106 A(2)(b), (3)], or as such provisions may hereafter be amended, re-enacted or re-designated from time to time, and shall also consist of any instruments, devices or paraphernalia described in La. R. S. 26:90(F).

Adult Uses/Pornographic Uses – Establishments in which the gross receipts from providing entertainment, goods, and/or services defined as Adult Material/Pornographic Materials herein or in combination therewith including, but not limited to, those from sales, rental fees, admission fees, tips, gratuities, and/or other revenues collected constitutes at least twenty (20) percent of total gross revenues. Adult Uses/Pornographic Uses may only be approved as an expanded conditional use and may only be granted within the C-2 Commercial Retail District. Failure of an applicant for, or grantee of, the conditional use Adult Uses/Pornographic Uses, to conclusively establish the percentage of gross revenues herein from said activities shall be grounds to deny or revoke the adult use/pornographic use.

Alcoholic Beverage Control (ABC) – A liquor license is required for any business or function which allows customers, members, guests, visitors or any other persons to purchase, possess or consume liquor on the premises of the place of business or for consumption off premises. The City of Walker Alcoholic Beverage Control Board grants and regulates various types of alcohol license for restaurants; grocery, convenience and package stores; hotels and other establishments that sell alcohol for consumption on premises.

Alley – A thoroughfare in the middle of a block giving access to the rear of lots or buildings.

Alluvial Fan Flooding – Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flow; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Amendment – an amendment refers to a change in this Zoning Ordinance. Rezonings are amendments, since they change the Official Zoning Map which is a part of this Ordinance.

Apartment Houses – Multiple family dwellings that have been converted from single family houses. Must contain at least two rental units under common roof.

Apartment Unit – One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit of at least 500 sq. ft. in a building containing more than one dwelling unit for rent.

Apex – A point on an alluvial fan or similar landform below which the flow of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appeal, Flood Plain – A request for a review of the Flood Plain Administrator's interpretation or any provision of this ordinance or a request for a variance.

Applicant – The developer, subdivider, owner and/or its legal authorized representative.

Appurtenant Structure – a structure which is on the same parcel of property as the principal structure to be insured, and the use of which is incidental to the use of the principal structure.

Area of future flood hazard conditions – the land area that would be inundated by the one-percent (1%) annual chance (100 year) flood, based upon future conditions hydrology.

Area of Shallow Flooding – A designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity of flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard – is the land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. The area designated as Zones A, AE, AII, AO, AI-99, VO, VI-30, VE or V on the Flood Insurance Rate Map (FIRM).

ASTM – American Society of Testing and Materials

Bar – A structure or part of a structure used primarily for the consumption, sale or dispensing of liquor or alcoholic beverages by the drink. Must meet separation distance rules called for in City and State Alcohol Ordinances.

Base Flood – The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Base Flood Elevation – the elevation shown on the Flood Insurance Rate Map (FIRM) that indicates the water surface elevation resulting from the flood that has a one percent (1%) chance of equaling or exceeding that level in any given year; also called the base flood.

Basement – any area of the building having its flood subgrade (below ground level) on all sides.

Bed & Breakfast Inn (Lodging-Transient) – A dwelling unit having no more than one culinary facility where no more than six guest rooms for short-term lodging and at least one meal per day are provided for compensation and where the operator of the inn is a resident on the premises.

Bed & Breakfast Residence (Lodging-Transient) – An owner-occupied dwelling unit having no more than one culinary facility and no more than two guest rooms where short-term lodging with continental breakfast only is provided for compensation by the owner/operator of the residence.

Board – The City of Walker Board of Adjustments.

**Boarding Home** – A for-profit or nonprofit boarding home, rest home, or other home for the sheltered care of adult persons which, in addition to providing food and shelter to 4 or more persons unrelated to the proprietor, may also provide any personal care or service beyond food, shelter, and laundry.

**Breakaway Wall** – a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**Build** – To erect, convert, enlarge, reconstruct or structurally alter a building or structure.

**Building** – Any temporary or permanent structure built for habitation by or use of persons, or animals, and for the storage or use of material.

**Building Line** – The line which is the required minimum distance from the lot line at the street right of way line or an any other lot line that establishes the buildable area within which the principal structure must be erected or placed.

**Building Official** – The officer or other designated authority charged with the administration and enforcement of the building codes and the UDC.

**Building Sewer** – The extension of sewer lines from the building drain to the public sewer or other place of disposal.

**Carport** – A canopy or shed open on three (3) sides and attached to the main building for the purpose of providing shelter for one or more motor vehicles.

**Certificate** – Document (Certificate of Occupancy or Occupancy Permit) showing that a structure, its use, and all permits and occupancy guidelines have been complied with according to City regulations and the Zoning Ordinance. Will be used for residential and commercial occupancy.

**Church** – A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith. Accessory uses such as schools, child day care, meeting and event facilities, and parking must be approved by the Zoning Commission.

**City** – The City of Walker.

**Collectors** – Commercial and Industrial - A street which moves local traffic to major arterial streets.

**College or University Facilities** – The use of land for an educational facility which offers a course of study associated with the issuance of a degree and typically including classroom and lab facilities, research services, housing facilities, parking facilities and recreational amenities.

Commission – The Walker Planning and/or Zoning Commission.

Conditional Use – A land use that alternately restricts or expands the permissible usages then available under the current zoning classification. A conditional use which restricts permissible usages may either initiate with the Zoning Commission or City Council. A conditional use which expands permissible usages must originate with the Zoning Commission and must comply with all procedural requirements and limitations for a rezoning. Nothing herein shall be construed to prohibit the Council from referring a conditional use to the Zoning Board for consideration. More stringent and/or particular requirements may be applied to particular conditional uses herein. A Conditional Use is a personal right and expires upon the change in ownership of the property from the person originally granted the conditional use. The procedure for approval of Conditional Uses shall be the same as for a rezoning.

Condominium – A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

*Comment: By definition, a condominium has common areas and facilities and there is an association of owners organized for the purpose of maintaining, administering and operating the common areas and facilities. It is a legal form of ownership of real estate and not a specific building style. The purchaser has title to his or her interior space in the building and an undivided interest in parts of the interior, the exterior, and other common elements. The property is identified in a master deed and recorded on a plat with the local jurisdiction. The common elements usually include the land underneath and surrounding the building, certain improvements on the land, and such items as plumbing, wiring, and major utility systems, the interior areas between walls, the public interior spaces, exterior walls, streets and recreational facilities.*

Condominium, Residential – The use of a site for a building or group of buildings forming a series of attached dwelling units constructed with common or abutting walls and located on a commonly owned site, where the units are owned individually, and the land, structure(s), common areas and facilities are owned directly or indirectly by all the unit owners on a proportional, undivided basis.

Construction Plans – The maps or drawings showing the detailed information as required by these regulations as a condition of the approval of the subdivision.

Contiguous – Shall mean "touching" or "in contact".

Council – The City of Walker City Council.

Critical Feature – An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Cross Walk – A specially paved or marked path for pedestrians crossing a street or road.

Cul-de-sac – A short street having one end open to traffic and being terminated at the other end by a vehicular turn around.

Day Care Centers – Private for-profit or non-profit businesses, whether licensed by the State or not, to provide daytime care of children or adults, excluding overnight care and public or private primary and/or secondary educational facilities. Typical uses include child care centers.

Detention Pond – Also referred to as a Retention Pond. A planned outdoor storage facility built for the temporary detention of surface drainage water and as a flood control method.

Development – Any man-made change in improved and/or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Developer – The owner of land proposed to be subdivided or his representative. Written consent shall be required from the legal owner of the premises.

District – Refers to one of the zoning classification districts established in this Ordinance.

Dormitory – Dormitory means a dwelling consisting of a living unit occupied by more than twenty persons and having central kitchen facilities, and common bathrooms and is occupied by guests who may lease rather than by family members.

Dwelling – A building used for residential purposes such as for living and/or sleeping. A single-family dwelling is a building that contains only one living unit; a two-family dwelling (du-plex) is a building that contains only two (2) living units; a multiple dwelling is a building that contains more than two (2) living units. For the purpose of this Ordinance, a house trailer which is used as a residence and/or for living and/or sleeping purposes shall be considered a building.

Dwelling, Attached – A one-family dwelling attached to 2 or more one-family dwellings by common vertical walls.

Dwelling, Patio Home – A one-family dwelling on a small separate lot with open space, setbacks or yards on 3 sides only. (not attached to another dwelling).

Easement – Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property. Property owner retains title to property.

Engineer (City Engineer) – The Louisiana Registered Professional Civil Engineer designated by the City to furnish engineering services in the administration of these regulations. May also be the Review Engineer for the City of Walker Planning and Zoning Commission.

Elevated Building – A non-basement building (i) built, in the case of a building in Zones AI-30, AE, A, A99, AO, AII, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones VI-20, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones AI-30, AE, A, A99, AO, AII, B, C, X, D, "elevated

"building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones VI-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

Elevation – The height of the ground or structure above mean sea level. Height shall be established with reference to the U.S.C. & G.S. elevations.

Express or Parkway – A street with access limited to major arterial streets to move large volumes of traffic.

Existing Construction – For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the local FIRM map, or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Extension – An increase in the amount of existing floor area within an existing building.

Family – One or more persons occupying a living unit as an individual housekeeping organization and related by blood, marriage or another common bond as distinguished from a group occupying a boarding house, lodging house, hotel, or dormitory. (There may be only one single kitchen included per family.)

Fast Food Restaurant – An establishment where drive-up food service is available without necessarily having to leave the vehicle and where food and/or beverage is sold for consumption on or off of the premises. Food service, rather than beverage service or service of alcohol, is the primary service of the facility.

Fence – An artificially constructed barrier of acceptable material or combination of acceptable material erected to enclose or screen areas of land. Acceptable materials include solid wood, brick or masonry fences. Solid hedges or shrubbery planted so as to form a barrier and serving the same purpose as an erected fence shall also be defined as a fence under these provisions when allowed by this ordinance and by the City Building Official.

Fill – Placement of imported or on-site material to fill low area or raise the existing ground surface elevation.

Final Plat – The final map or plan or record of a subdivision and any accompanying material, as described in these regulations, produced by a registered Professional Land Surveyor licensed in the State of Louisiana.

Fire District – Livingston Parish Fire District or City of Walker Fire Department.

Flood or Flooding – General and temporary condition of partial or complete inundation or normally dry land areas from -

- (1) the overflow of inland or tidal waters;
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) – An official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study – The official report provided by the federal Emergency Management Agency, the report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

Flood Proofing – Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Protection System – Physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain or Flood-Prone Area – Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain Management – The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction and which are included herein as part of the UDC.

Flood Plain, Violation – The failure of a structure or other development to be fully compliant with the community's flood plain management regulation. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

Floodway (Regulatory Floodway) – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Also, the area of inundation where flood waters are carried as defined by and shown on maps provided by the Federal Emergency Management Agency (FEMA), Flood Insurance Administration.

Floor Area – The floor space (expressed in square feet) within the outside line of walls and includes the total of all space on all floors of a building, but does not include garages, carports, porches or space in a basement, attic, or cellar.

Fuel/Gas Station – Buildings, structures for which the premises is used primarily for dispensing of vehicle fuel or oil.

Functionally Dependent Use – A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Garage Apartment or Accessory Apartment – A living unit for not more than one family that is attached and accessory to the main building on the lot. The garage or accessory apartment may be erected above a garage if the garage is a separate and accessory building or may be located in a fully attached garage that is considered accessory to the main building on the lot.

General Terms – The word ‘person’ includes a firm, association, organization, partnership, trust, company, or corporation as well as individual. The present tense includes the future. The singular includes the plural and the plural, the singular. The word ‘shall’ is mandatory, the word ‘may’ is permissive. The words ‘uses’ or ‘occupied’ include the words ‘intend,’ ‘designed.’ or ‘arranged’ to be used or occupied.

Grade – The average level of the finished surface of the ground for buildings more than five (5) feet from a street line. For buildings closer than five (5) feet to a street, the grade is the sidewalk elevation at the center of the building. If there is no sidewalk, the Building Official shall establish the sidewalk grade. (The slope of a road, street, or other public way specified in percentage (%) of rise or fall of the surface.)

Gravity Drainage District – Any Livingston Parish Gravity Drainage District operating within the City limits.

Ground Cover – Material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.

Group Care Facilities – The use of a site to provide living accommodations in facilities authorized, certified, or licensed by the State to provide room, board and personal care in a facility with one (1) communal kitchen/dining facility for more than six (6) individuals not defined as a family who are unable to care for themselves due to physical disability, mental disorder or for dependent or neglected children. Typical uses include nursing homes, alcohol and drug rehabilitation facilities and intermediate care facilities. A “group home” will be similar to this definition but will include 6 or less individuals living as a single housekeeping organization. Both type of facilities must have full-time supervisory residents or staff.

**Guest House** – An accessory building containing a lodging unit without kitchen facilities for the visitor and used to house occasional visitors or non-paying guests of the occupants of a dwelling unit on the same site. Shall include “Bed and Breakfast” facilities.

**Heavy Manufacturing** – Manufacturing or processing of materials that generally must be processed creating nuisances such as objectionable odors, vibration or noise, fumes, dirt, etc.

**Height of a Building** – The vertical distance from average level of the finished surface of the ground to either: the highest point on a flat roof; the deck line of a mansard roof; or the highest roof height for gable, hip or gambrel roofs.

**Highest Adjacent Grade** – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic Structure** – Any structure that is: listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered Historic District or a district preliminarily determined by the Secretary to qualify as a registered Historic District; individually listed on a State Inventory of Historic Places in states with historic preservation programs which have been approved by the Secretary of the Interior; or individually listed on a Local Inventory of Historic Places in communities with historic preservation programs that have been certified either: by an approved state program as determined by the Secretary of the Interior; or directly by the Secretary of the Interior in states without approved programs.

**Impervious Surfaces** – Any material that substantially reduces or prevents the infiltration of storm water into the ground. New parking must be built with an impervious surface for it to be acceptable in the City.

**Institution** – A non-profit establishment for public use or public benefit.

**Junk Yard** – Refers to outdoor premises that are used to collect and store used, broken, or salvageable items of various sorts.

**Landscape Area** – An unconstructed area of land in which landscape material are placed, planted or maintained, exclusive of servitude.

**Landscape Design** – The preparation of graphic and written criteria, specifications, and detailed landscape design plans to arrange and modify the effects of natural features such as planting, ground and water forms, circulation, walks and other landscape features to comply with the provisions of this article.

**Levee** – A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water, so as to provide protection from temporary flooding.

Levee System – A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lift Station – A mechanical means of lifting sewage from one (1) gravity sewer system to another gravity sewer system of higher elevation.

Light Manufacturing – Manufacturing or processing of materials in such a manner that nuisances are not permitted or not substantial in nature.

Living Unit – The dwelling or rooms occupied by a family, but not including hotels and motels, fraternity or sorority houses. The living unit must include individual unit kitchen facilities.

Loading Space – Space within the main building or on the same lot having a minimum dimension of fourteen (14) feet wide by sixty (60) feet deep, with a vertical clearance of fourteen (14) feet and providing for the loading or unloading of materials from trucks.

Lodging House – A dwelling consisting of not more than one living unit occupied by not more than ten (10) persons not related by blood, marriage, or adoption. This term includes rooming house, boardinghouse, tourist home and nursing home.

Lodge, Fraternal Order or Club – A hall or meeting place of a local branch or the members composing such a branch of a fraternal order or society, such as the Lions, Masons, Knights of Columbus, Moose, American Legion, or other similar organization. Serving food is permitted, and the sale of alcoholic beverages on a temporary basis is subject to approval by the City of Walker Alcoholic Beverage Control Board (ABC) and to all applicable federal, state and City regulations.

Lodge (Transient) - Hotel/Motel – A facility offering transient lodging accommodations, with separate bedrooms with bathroom units for temporary use, on a daily rate to the general public with or without providing additional services, such as restaurants, meeting rooms, and recreational facilities available to guests of the facility or the general public. Typical uses include hotels, motels, and transient boarding houses. This does not include living units or single-family units.

Lot – A parcel of land occupied by, or which may hereafter be occupied by, a building and its accessory buildings, together with such open spaces and parking spaces, as required by Ordinance, and having its principal frontage on an officially approved street or place; A portion of a subdivision or other parcel of land, intended as a single building or unit of ownership or for development, including the development of one (1) ownership with two (2) or more buildings for separate ownership.

Lot, Corner – A lot abutting upon two or more streets at their intersection.

Lot, Interior – A lot which is not a corner lot.

**Lot Depth** – The distance between front and rear lot lines. If opposite sides of said lot are not parallel, the depth shall be deemed to be the mean distance between the front and rear lines.

**Lot Double Frontage (or "Through" Lots)** – A lot which fronts on two (2) parallel streets, or which fronts upon two (2) streets that do not intersect along the boundaries of the lot. Must contain front yards on both sides.

**Lot Improvements** – Any building, structure, paving, grading, connection to utilities or other development of the land constituting physical or economic betterment of real property.

**Lot Line, Front** – The lot line separating a lot from a street right-of-way.

**Lot Line, Rear** – The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

**Lot Line, Side** – Any lot line other than a front or rear lot line.

**Lot of Record** – A lot which is part of a subdivision, the map of which has been recorded in the Livingston Parish Clerk of Court's office; or a parcel of land which became legally established and defined by deed or act of sale on or before June 3, 1975. A lot which is either a part of a subdivision, the map of which has been recorded, or a parcel of land which is legally established and defined by Deed or Act of Sale. Each new lot of record shall be approved by the City's Planning Commission and recorded in the Livingston Parish Clerk of Court's office.

**Lot Width** – The horizontal distance between the side lines of a lot measured at right angles to the depth along a straight line parallel to the front lot line at the minimum required front setback line.

**Lowest Floor** – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

**Main Building** – A building in which is conducted the main or principal use of the lot on which such building is located.

**Major Arterial Streets** – A street which provides for large volumes of through traffic and which does not provide only local access to a building property.

**Maneuvering Space** – The unobstructed area needed for a truck to back, in a single movement, directly from the street into a loading space, the depth of which is measured perpendicular to and from the front of the loading space to the curb side of the most remote lane in the access street.

Manufactured Home – (Also referred to as House Trailer or Mobile Home/Building) A movable or portable building which is constructed on a permanent chassis, and/or which is designed to be towed over Louisiana roads and highways under special permit, designed for year-round occupancy, and designed primarily to be used without a permanent foundation, but which may sit on a permanent foundation, and designed to be connected to utilities. It may consist of one or more sections that can be telescoped when transported and expanded later for additional capacity, or of two or more sections, separately transportable, but designed to be joined together into one integral unit. Building onto or around a mobile home or building will not change its identification as a mobile home or mobile building. The following shall not be included in this definition:

- (1) Travel trailers, pickup coaches, motor homes, camping trailers or other recreational vehicles.
- (2) Manufactured modular buildings, meeting the requirements of the City of Walker adopted building codes.

CLASS A MOBILE HOME - mobile home will include new mobile homes certified as meeting the most recent standards of HUD's *Mobile Home Construction and Safety Standards* codes.

CLASS C MOBILE HOME - mobile home built within 10 years of application year and shall include new or used mobile homes certified as meeting the most recent or prior HUD standard construction and safety codes and found, upon City inspection, to be in good condition, meeting minimum City housing codes, and safe and fit for residential occupancy.

For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Manufactured Home Park or Mobile Home Subdivision – A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale. Manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). Considered Existing if completed before the effective date of the floodplain management regulations adopted by a community. The preparation of additional sites within an existing manufactured home park or mobile home subdivision (and which is not permitted within a designated flood zone in the City limits) is referred to as and Expansion.

Manufactured Modular Building – A structure transportable in one or more sections, which is designed for use only with a permanent foundation and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems which comply with the City's adopted building codes.

Master Plan or Comprehensive Plan – A comprehensive long-range plan or combination of plans intended to guide the growth and development of a community or region and one that

includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.

**Mean Sea Level** – For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**Minor Subdivision** – Any subdivision or realignment of lot boundary lines or redesignation of lot numbers, involving two (2) acres or less and/or not more than seven (7) lots fronting on an existing street and not involving the creation of any new street or the extension of municipal facilities, or the creation of any public improvements, and which otherwise meets all the requirements of the subdivision regulations, the Master Plan, UDC and zoning ordinances.

**Model Home** – A dwelling unit used initially for display and office purposes, which typifies the type of units that will be constructed in the subdivision, and which is not used for full-time residential occupancy.

**Multi-Family Dwelling or Multiple Dwelling** – Refers to a dwelling in which there is more than two living units and more than two family. A **Multi-Family house** or apartment house is a house that has been subdivided into more than two living units and a **multi-family apartment** is an apartment building with more than two living units. An apartment hotel therefore, is a multi-family apartment complex but not a multi-family house.

**Natural Drain or Outlet** – Any surface water outlet which flows into a natural watercourse, pond, ditch, lake, or other body of surface water.

**New Construction** – For flood plain management purposes, structures for which the "start of construction" commenced on or after the effective date of a flood plain management regulation adopted by a community and includes any subsequent improvements to such structures.

**Non-conforming Use or Building** – A use of a structure or the structure itself that is lawfully occupied or situated at the time this Ordinance became law but does not conform to the regulations of the district in which it is situated.

**Nuisance** – Causing harm, injury, danger or annoyance.

**Occupancy Permit** – An approved Building Certificate of Occupancy.

**Office** – A room or group of rooms used for conducting the day-to-day affairs of a business, profession, service, industry or government.

**Office Building** – A building designed for or used as the offices of professional, commercial, industrial, religious, public or semi-public persons or organizations.

**Parking Lot** – A paved and/or approved designated area which is used for the temporary parking of motor vehicles but is not a required off-street parking facility.

Parking Space – One automobile parking space shall be an area of not less than nine (9) feet by twenty (20) feet, and the access to the parking space from a public street or alley shall be provided in addition to the space necessary for the parking. An area on a lot sufficient in size to place one automobile and used for that purpose. Must be an impervious, hard surfaced area of not less than 180 square feet (9' x 20'), unless specified otherwise herein.

Parking Space, Off Street – A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

Permitted Use – Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Person – A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof, as defined by the Louisiana Civil Code.

Philanthropic Use – A non-profit establishment for the benefit of humanity and for public use.

Planned District or PUD – A Planned District is a form of development usually characterized by a unified site designated by a mixing of different types of dwellings and uses. It permits the planning of a project and the calculation of densities over the entire development rather than on a lot by lot basis. PUDs are not illegal in this ordinance but will be reviewed on a case by case basis by the Planning and Zoning Commission and will contain not less than 10 acres. They are not meant to circumvent City development codes but rather to provide mixed uses and common open space arrangements. Generally, cluster development or zero lot line housing will be a part of the PUD plan as approved by the City.

Planning Commission or “Commission” – The Planning Commission of the City of Walker, which also acts as the Zoning Commission and the Board of Adjustments. Also referred to as Planning and Zoning Commission.

Plat or Subdivision Plat – (1) A map representing a tract of land, showing the boundaries and location of individual properties and streets; (2) A map of a subdivision.

Major Subdivision Plat – A subdivision plat, involving modifications, other than minor modifications, to an existing parcel of land that shall be reviewed by the Planning Commission.

Minor Subdivision Plat – A subdivision plat, involving only a minor modification of an existing parcel of land, that can be approved administratively by the Building Official without a public hearing.

Minor Modification – The realignment or shifts of a lot boundary, including removal, addition, alignment or shifting of interior lot boundary lines, or the redesignation of lot numbers provided the application for subdivision meets the following requirements:

- a) the plat does not create a new street or other public improvement;
- b) the plat does not involve more than 2 acres of land or more than 7 lots of record;

- c) the plat does not reduce a lot size below the minimum area or frontage requirements established by City ordinance; and
- d) the plat otherwise meets all the requirements of the subdivision regulations and zoning ordinances.

Pornographic Material – (See Definition “Adult Material.”)

Pornographic Uses – (See Definition “Adult Uses.”)

Portable Building – A transportable accessory building other than a mobile building with or without a permanent foundation. Must be inspected by the City before moved or placed in operation and not used for occupancy.

Preliminary Plat – A dimensioned sketch, to scale, of the general location and layout of the proposed development, prepared by a registered Professional Land Surveyor.

Premises – Land together with any buildings or structures occupying it.

Private Sewerage Disposal – A privately owned sewerage disposal system such as septic tanks and cesspools or mechanical treatment systems which shall not discharge its effluent into the public sewer and/or drainage system.

Public Sewer – A sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

Recreational Vehicle – A vehicle which is: built on a single chassis; 600 square feet or less when measured at the largest horizontal projections; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Often referred to as a “motor home”.

Residential Collector Street – A street which moves neighborhood traffic to other neighborhoods and to major arterial streets.

Registered Professional Civil Engineer – A civil engineer legally licensed to provide engineering services in the State of Louisiana.

Registered Professional Land Surveyor – A land surveyor legally licensed to provide land surveying services in the State of Louisiana.

Residential Minor Street – A street which is limited to cul-de-sacs and short loop streets serving fewer than thirty residents.

Restaurant – For the purposes of the Zoning Ordinance, the term "Restaurant" or any term which uses the word "Restaurant" shall be defined as an establishment:

- a. Which operates a place of business purposes primarily to prepared food and food items for consumption and to serve meals and meal items to the general public.

- b. Must serve food on all days of operation.
- c. Must file a copy of the applicant's menu together with the application, both new and renewal.
- d. Must furnish an affidavit from the local health department showing compliance with all applicable health and sanitary requirements with new application.
- e. Must gross sixty (60%) percent of their monthly revenue from the sale of food, food items and non-alcoholic beverages.
- f. Must maintain separate sales figures for alcoholic beverages.
- g. Must operate a bona fide restaurant by having a fully equipped kitchen facility and dining room manned and operated at all times that alcoholic beverages are sold.
- h. Must maintain a written record of the name, address and telephone number of all vendors and suppliers of food, food items and non-alcoholic beverages and alcoholic beverages, and maintains, for a minimum period of twelve (12) consecutive months previous to application for renewals, all records of purchase and delivery of food, food items and non-alcoholic beverages and alcoholic beverages to the permittee's place of business, including, without limitation, all billings, invoices, statements of accounts, delivery tickets and receipts of food, food items and non-alcoholic beverages.
- i. City approval of restaurants will not automatically include approval of separate bar/lounge areas within those restaurants. The Building Department will determine where bars and lounges are allowed in accordance with the applicable zoning classification.
- j. For new businesses without prior business experience on which to base a determination of percentage of food, food item and non-alcoholic beverage sales where a temporary alcoholic beverage permit has been issued by the tax collector for sixty (60) days after which time evidence of all purchases and sales, as may be deemed necessary by the tax collector, can be required to make the alcoholic beverage permit permanent.

Residential Principal Street – A street which moves traffic within a subdivision.

Retail trade – Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Review Engineer – The Louisiana Registered Professional Civil Engineer designated by the City to review technical documents, such as drainage studies and drainage plans for subdivision work and advise the Planning and Zoning Commission.

Right-of-Way – A strip of land occupied or intended to be occupied by a street railroad, electric line, water main, sanitary sewer or any other special use. Right-of-ways are dedicated for particular uses by property owners, who then lose their title to the dedicated property.

Riverine – relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Rooming House or Guest House – Any building or portion thereof which contains guest rooms which are designed or intended to be let or hired out for occupancy and which contains living units rather than only bedrooms, as in hotels and motels.

Sanitary Sewer – All sewers which carry sanitary sewerage and to which storm, surface, and ground waters are not intentionally admitted.

Sanitary Sewer Force Main – A pipe or conduit for carrying sewerage under pressure and/or vacuum.

Sanitary Sewer Gravity Main – A pipe or conduit for carrying sewerage under normal atmospheric pressure.

Sewerage – Combination of the water-carried wastes from residences, commercial buildings, institutions, and industrial establishments.

Sewer Treatment Plant – Any arrangements of devices and structures used for treating sewage intended to discharge its treated sewage into a watercourse.

Sewer Line – A pipe or conduit for carrying sewage.

Sewerage Works – All facilities or combination of facilities for collecting, pumping, treating and disposing of sanitary sewage.

School, General Education – Any school licensed by the State and which meets the State requirements for elementary education and/or secondary education, whether such school is public or private. Not including trade schools and hobby schools.

Service Station – A building or structure and accessories used for dispensing of fuel and oil for vehicles and in connection with is performed general automotive servicing as distinguished from automobile repairs.

Setback – The minimum distance away from a property line that a building may be placed or constructed (see building line definition).

Shopping Center – A group of establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access.

Shrub – A woody perennial plant differing from a perennial herb by its persistent and wood stems, and from a tree by its low stature (generally obtaining a height less than eight (8) feet and its habit of branching from the base).

Sign – Any surface, fabric, device, or display which bears lettered, pictorial, or sculptured matter, including forms shaped to resemble any human, animal, or product, designed to convey information visually and which is exposed to public view. For the purposes of this Ordinance, the term “sign” shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship components, each such component shall be considered to be a single sign. Any outdoor advertising or notification of information that is a structure in itself or that

is attached to or painted upon a building or that is leaned against a structure or displaced on a premise. Also see additional sign definitions, as listed below:

Abandoned Sign – A sign which is dilapidated beyond repair or one in which the business or event identified by the sign is no longer operating and is not being maintained.

Banner Sign – Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution shall not be considered banners for the purpose of this Chapter 3: Definitions.

Bench Signs – A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Billboards – Any structure or portion thereof upon which are outdoor advertising signs which advertise, promote, or disseminate information not related to the goods, products or services compromising a primary use on the premises on which the sign is located, being either of the following: (Sign may or may not be illuminated.)

- (a) Poster panels or bulletins normally mounted on a building wall or free-standing structure with advertising copy in the form of pasted paper; or
- (b) Multi-prism signs – same as above, and alternately advertising messages on one display area; or
- (c) Printed or painted bulletins, where the advertiser's message is painted directly on the background of a mounted or free-standing display area.

Construction Sign – Any sign giving the name or names of principal contractors, architects, owners, and/or lending institutions responsible for construction on the site where the sign is placed together with other information included thereon.

Directory Sign – A sign on which the names and locations of occupants or the use of building is given. This shall include office buildings and church directories.

Directional Signs – Small signs not exceeding three (3) square feet in size which indicate to the public an entrance or exit location.

Erect (a sign) – To build, construct, attach, hang, place, suspend, install, or affix and shall also include painting of wall signs.

Illuminated Sign – Any sign illuminated in any manner by an artificial light source.

Marquee Sign – Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Mobile or Portable Sign – A sign, such as an A-frame which is moveable by a person without aid of a motor vehicle or other mechanical equipment. May include temporary wood signs placed outdoors and moved on a lot and may include a vehicle mounted sign.

Monument Sign – A freestanding sign, (a) the sign area of which is constructed or connected directly on or to a sign support consisting of a concrete slab base or foundation of similar type construction; or (b) which is of a monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground. Provided, however, that no sign base, foundation or support of which consists in whole or in part of above-grounds poles, piers, piling or similar types of supports exceeding 18" in height measured above the ground shall constitute a monument sign.

Multiple-Use Identification Sign – A sign stating the name of the group or development and the major team elements.

Non-conforming Sign – Any sign which does not conform to the regulations of this Ordinance.

Off-Premise Outdoor Advertising – Any outdoor sign, display, figure, painting, drawing, message, plaque, poster, billboard, or any other thing which is designed, intended, or used to advertise or inform, any part of which advertising or information content is visible from any place on the main travel way of the interstate system or any thoroughfare in the City. The term “off-premise outdoor advertising,” however, does not include signs advertising or identifying on-premise activities, and such on-premise advertising or identifying structures shall not be considered “outdoor advertising” structures for any purpose of this Ordinance. May include bench signs and vehicle signs.

On-Premise Sign – Any sign that disseminates information that directly relates to the use of the property on which it is located and is not a separate and distinct use.

Pole Sign – Any sign which is supported by structure(s) in or upon the ground and independence of support from any building, guy wire, fence, vehicle, or object. (Also referred to as “*free-standing*” or “*pylon*” sign.)

Political Sign – Signs used to promote a particular candidate, political position or activity to the general public.

Projecting Sign – Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

Real Estate Sign – Any sign which is used to offer for sale, lease, or rent the property upon which the sign is placed.

Roof Sign – The juncture of the roof and the perimeter wall of the structure.

Sign Face – The part of a sign, including any border and trim, facing traffic moving in one direction, and built on one structure. For the purpose of this Ordinance, a sign face may include not more than one (1) panel to a face.

Sign Height – The height of a sign shall be defined as the vertical distance from the adjacent street grade or upper surface of the street curb to the highest point of either the sign or sign structure. Elevated roadways shall not be used to measure height.

Sign Owner – The person receiving the benefit from the sign and/or the property owner.

Skid-Mounted Sign – (Also same as portable sign, trailer sign.) A skid mounted (or trailer mounted sign, with or without wheels, for use with or without changeable lettering. Includes A-frame signs.

Snipe Signs – A sign, other than a real estate sign, garage sale sign or political sign displayed in conformity with the provisions of this Ordinance, which is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or to any other like object.

Street Banner – Any banner sign which is stretched across and hung over a public right-of-way.

Temporary Sign – A sign which disseminates information but is approved by the Building Official for a 14-day period only, after which the sign must be removed.

Trailer/Vehicle Sign – Any sign mounted on a vehicle or a trailer and used as advertising or for promotional purposes. This sign is portable and may be approved for temporary use only.

Wall Sign – Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall or building and which displays only one advertising surface.

Window Sign – Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

Snowball Stand – A building or establishment that serves crushed or shaved ice flavored with a syrup. Snowball stands established as accessory uses in residential areas shall have no customer seating and shall be no more than two hundred (200) square feet in area. City occupational license and building permit must be obtained. Commercial areas must meet all health and zoning rules. Must receive Parish Health Department approval.

Spot Zoning – Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect or furthering the comprehensive zoning plan. Spot zoning is discouraged in Walker.

Start of Construction for Floodplain Section of UDC – (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes

substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Street – A street is a right-of-way designed for vehicular and pedestrian traffic regardless of its designation by name, such as street, thoroughfare, avenue, boulevard, lane, place or the like. Classifications of streets include alley, express or parkway, major arterial street, collectors - commercial and industrial, residential collector streets, residential principal streets, residential minor streets, and cul-de-sac. Property dedicated for and accepted for primary public access to lots. Includes the roadway and its right-of-way.

Structure – A walled and roofed (full or part) building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Structural Alteration – Any change in the supporting members of a building, such as bearing walls or bearing partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls.

Subdivision – a subdivision of land is (1) the division of land into two or more tracts, sites or parcels of three acres or less in area, or (2) resubdivision of land previously divided or platted into lots, sites, or parcels. All subdivisions not classified as minor subdivision, including but not limited to subdivisions of 8 or more lots, more than 2 acres, or any size subdivision requiring any new street, or extension of the local governmental facilities, or the creation of any public improvements, shall be considered a major subdivision.

Major Subdivision – Any subdivision or realignment of lot boundary lines or redesignation of lot numbers, involving eight or more lots fronting on an existing street, the creation of any number of lots where new public or private streets are created, a private drive or private street provides access to more than three lots, water or wastewater lines are extended, drainage improvements through one or more lots must be installed, or a waiver of any Development Code standard is desired, and which meets all the requirements of the subdivision regulations, UDC and zoning ordinances

Minor Subdivision – Any subdivision or realignment of lot boundary lines or redesignation of lot numbers, involving not more than two (2) acres or seven (7) lots fronting on an existing street and not involving the creation of any new street or the extension of municipal facilities, or the creation of any public improvements, and which otherwise meets all the requirements of the subdivision regulations, UDC and zoning ordinances.

**Substantial Damage** – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

**Substantial Improvement** – Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before “start of construction” of the improvement. This term included structures which have incurred “substantial damage,” regardless of the actual repair work performed. For the purpose of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

**Sweet Shop** – A building or establishment in which prepared and *pre-packaged* snacks are sold to customers for consumption off the premises. No food or drinks may be prepared for sale on the premises. Sweet shops established as accessory uses in residential areas shall have no customers eating and shall be no more than two hundred (200) square feet in area. City occupational license and building permit must be obtained.

**Temporary Structure** – A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. Temporary buildings are not allowed in Walker, except where approved as a variance, residential mobile home, storage shed, or construction site building.

**Temporary Use** – A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**Townhouse** – A single-family attached dwelling forming part of a series of at least 3 such units in which each unit has its own property lines, its own front and rear access, no unit is located over another unit, and each unit is separated from any other unit by the required fire walls.

**Townhouse Condominium** – Single family attached dwellings for sale by individual units, providing common open spaces in lieu of individual family yards.

**Trailer** – Any vehicle, covered or uncovered, used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirting or which is, has been, or reasonably may be equipped with wheels or other devices for transporting the vehicle from place to place, whether by motor power or other means. A vehicle equipped for use as a temporary dwelling or office and designed to be hauled along a highway. Trailers less than 65 feet in length and recreational vehicles, as distinguished from mobile homes or house trailers, are not allowed for occupancy in the City of Walker.

Trees, Class "A" – Any self-supporting woody plant of a species which normally grows to an overall height of at least fifty (50) feet, with either one main stem or trunk and many branches, or several stems or trunk.

Trees, Class "B" – Any self-supporting woody plant of a species which normally grows to an overall height of at least twenty-five (25) feet, with either one main stem or trunk and many branches, or several stems or trunk.

Variance – A device which grants a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape or condition of the property, compliance would result in an undue hardship upon the owner, as distinguished from a mere inconvenience or a desire to earn more money. A variance shall not be used to specifically grant, or limit uses of property. Permission to depart from the literal requirements of a zoning ordinance.

Major Variance – A variance for a major subdivision, as previously defined. To be handled by the Board of Adjustments (Zoning Commission).

Minor Variance – A variance for a minor subdivision, as previously defined. To be handled by the Building Official.

Variance, Flood Plain – A grant of relief to a person from the requirements of this ordinance when specific enforcement would result in unnecessary hardship a variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Water Surface Elevation – The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods or various magnitudes and frequencies in the flood plains of coastal or riverine areas.

Watercourse – A channel in which a flow of surface water occurs, either continuously or intermittently.

Wetland – An area that is inundated or saturated by surface or groundwater at a frequency and during sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Yard – an open space at existing ground level between a building and the adjoining lot lines. A required open space unoccupied and unobstructed by any structure or portion of a structure from 6" and above the general ground level of the graded lot upward, provided, however, that fences and walls may be permitted in any yard subject to the height limitations as indicated herein. (See also *Front, Rear and Side Yard* definitions.)

Yard, Front – An open space extending across the front of the lot between the side lot lines and being the required minimum horizontal distance between the street's edge and the nearest part of the principle building, including covered or uncovered porches, but not steps and

cornices. In the case of a double frontage lot or through lot, the front yard shall be on both streets. Addressing based upon front of building.

Yard, Rear – A required open space extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the nearest part of the principle building, including covered porches or raised decks exceeding three (3) feet in height from grade, but excluding any area located within the street side yard of a corner lot. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side – A yard between the building and the side line of the lot and being the minimum distance between a side lot line and the side of the building or any projections other than steps and cornices. Required yard extending the depth of a lot from the front yard to the rear yard between the side lot line and a building. On both corner lots and interior lots, the side yards shall in all cases be at the opposite ends from one another.

Year – The word “year” shall mean a calendar year.

Zero lot line – The location of a building on a lot in such a manner that one or more of the building’s sides rest directly on a lot line. May include common walls.

Zone – A specifically delineated area or district in a municipality within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

Zoning Map – The official map or maps, which are part of the City zoning ordinance, and delineate the boundaries of zoning districts.

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## **CHAPTER 4**

**ADMINISTRATIVE PROCEDURES,  
PERMITTING COORDINATION,  
CREATION OF THE ZONING AND PLANNING COMMISSIONS,  
BOARD OF ADJUSTMENTS,  
SITE PLAN/PLAT REVIEW COMMITTEE**

## **CHAPTER 4: ADMINISTRATIVE PROCEDURES, PERMITTING COORDINATION; CREATION OF THE ZONING AND PLANNING COMMISSIONS, THE BOARD OF ADJUSTMENTS, AND THE SITE PLAN/PLAT REVIEW COMMITTEE**

### **SECTION 4.1 ROLE OF THE BUILDING OFFICIAL**

The Building Official of the City of Walker shall be the chief City official responsible for the administration and enforcement of this ordinance. This includes verifying that appropriate Fire Marshall approvals take place, wetland and floodplain regulations are being followed, and appropriate UDC and other regulations of the City are followed before the Building Official allows a project to continue or a building to be occupied. When additional assistance is needed, he/she will request the assistance of the appropriate City official or the Walker Police Department. The Building Official shall be responsible for assuring that all zoning, subdivision, signage, flood zone, and parking regulations are complied with and interpreting the location of any structure or property in relation to its zoning district. If the Building Official finds that any provision of this ordinance is being violated he/she shall notify in writing (by certified mail), or personal delivery, the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it, and stating any fines applicable. In addition, the issuance of further building permits of any type, or of new water or sewer services, may be withheld from the person in violation until corrective action is made. (See herein *Chapter 13: Enforcement, Penalties, Disclaimer, Separation Clause.*)

### **SECTION 4.2 CREATION OF THE BOARD OF ADJUSTMENTS**

The City of Walker Board of Adjustments has been established by the Mayor. The Zoning Commission, including their elected officers, shall serve as the Board of Adjustment until such time as this Ordinance is changed by the City Council. The role of the Board of Adjustments shall be to hear appeals and variances on matters of interpretation of the UDC ordinance that have first been presented to the Building Official. Any business or citizen may appeal a decision by the Building Official to the Board of Adjustments. The Building Official may also request interpretation and/or clarification of any regulation or district boundary in this UDC by presenting the issue to the Board of Adjustments. Any decision on a variance by the Board of Adjustments shall be considered a final City decision. Appeals from the Board of Adjustments decision will rest with the City Council as a resolution (not an ordinance). Appeals from the City Council decision would go to the local courts as provided by law.

The membership of the Board of Adjustments (the Board), the terms of office, and the rights and duties of the Board shall be as provided in Title 33, Section 4727 of the Revised Statutes of Louisiana. The Board shall consist of 7 members who shall be recommended by the Mayor and approved by the Walker City Council and who shall be legal residents, owners of real property, and qualified voters in the City of Walker. The membership of the Board shall serve respectively, one for one year, one for two years, two for three years, two for four years, and one for five years. Thereafter members shall be appointed for terms of five years each. All members are subject to removal for just cause (including consistent lack of attending meetings) by the Mayor. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. No Board of Adjustments member is to be paid. The Board

shall elect its own chairman and vice-chairman who shall serve for one year at a time and may be re-elected by the Board to an additional one-year term. The term of the chairperson shall begin January 1<sup>st</sup> of each year.

A Vice-Chairman will also be elected by the Board to serve in the absence of the Chairman. The Zoning Commission shall be responsible for the duties and functions of the Board of Adjustments until such time as a separate Board is appointment by the Mayor.

### **SECTION 4.3 FUNCTIONS OF THE BOARD OF ADJUSTMENT**

- A. A Board of Adjustment is hereby established. The membership of the Board of Adjustment (the “Board”), the terms of office, and the rights and duties of the Board shall be as provided in Title 33, Section 4727 of the Louisiana Revised Statutes. Pending appointment of different Board of Adjustment members (if desired by the City), the Walker Zoning Commission shall serve as the Board of Adjustment.
- B. The Board shall adopt rules in accordance with the provisions of this chapter. Meetings of the Board of Adjustment shall be held, at the call of the Chairperson, and at such other times as the Board may determine. Such Chairman, or, in his/her absence, the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question.
- C. Appeals to the Board of Adjustment may be requested by any person aggrieved, or by any representative of the City affected by any decision of the Building Official. Such appeal shall be taken as provided in Title 33, Section 4727 of the Louisiana Revised Statutes. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice, thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent or by attorney. Appeals from the Board may be made to the City Council of Walker.

### **SECTION 4.4 POWERS OF THE BOARD OF ADJUSTMENT**

The powers of the Board of Adjustment shall include:

- A. To interpret requests for variances from the UDC standards and regulations:
  1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Building Official or in the enforcement of this Ordinance.
  2. To permit the extension of a zoning district where the boundary line of a district divides a lot or separate tract with an area of less than one acre, held in single ownership as of June 3, 1975.
  3. To interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts accompanying and made a part of this chapter where the street layout on the ground

varies from the street layout as shown as the Official Zoning District Map. This may include temporary or seasonal uses of property (i.e., Christmas tree sales, firework sales) for which variances would be required.

B. To permit the following two (2) variances, where applicable:

1. Vary the yard regulations where there is an exceptional or unusual physical condition of a lot, which condition is not generally prevalent in the neighborhood and which condition, when related to the yard regulations of this chapter, would prevent a reasonable or sensible arrangement of buildings on the lot.
  2. Extensions and enlargements to existing buildings being utilized for nonconforming uses.
- C. The Board shall not be authorized to grant variances in the use of land or to take any other action, the result of which would constitute a change in the zoning district boundaries, or to avoid the need for a rezoning. The Board shall always act with due consideration to promoting the public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property value, shall permit no building or use detrimental to a neighborhood, and may prescribe appropriate conditions and safeguards in each case. Such appropriate conditions and safeguards may include, among other things, provisions for the screening of parking areas or nuisances by walls, fences and landscaping, subdivision variances, sign variances, etc.

#### **SECTION 4.5 RULES OF PROCEDURE**

- A. The Board shall adopt its own rules of procedure not in conflict with any State Act or City Ordinance. Meetings of the Board shall be held at the call of the Board Chairman and shall be publicly announced and open to the public. Each meeting agenda shall be sent to an official journal for publication at least 24 hours before such meeting takes place and shall be posted in clear public view at City Hall. Minutes of the meeting shall be kept. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, or decision of the Building Official. A majority of the members present may decide upon other matters upon which it is required to decide, or to approve any variance of such ordinance. A simple majority of the Board must be present to constitute a quorum.

#### **SECTION 4.6 APPEALS TO THE BOARD**

- A. Appeals or variances to the Board of Adjustments shall be stated in writing on a form designated by the Building Official and submitted at least seven (7) days prior to the Board meeting. The appeal shall include the name(s) and address(es) of the affected parties, proof of property ownership or lease, and the nature of the appeal. The Building Official shall be notified of any appeal and shall attend the Board meeting at which the appeal is scheduled. The appeal may be decided by the Board at that same meeting or within a 30-day time period following the meeting. There shall be only one appeal on the same matter to the Board.

## **SECTION 4.7 ADDITIONAL CONSIDERATIONS FOR REVIEWING VARIANCES**

The Board of Adjustments may review variances to this ordinance when it is found that:

- Strict application of the Unified Development Code (UDC) or zoning district regulations would cause an unreasonable hardship to the property owner/owner, unless the hardship was actually created by the applicant.
- There are special circumstances or conditions (which can be proven) applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the district, and that strict application of the provisions of this ordinance under these conditions would deprive the applicant of any reasonable use of such land or building.
- Note that Variances may not be used as a substitute to rezone property in which a legal rezoning would be more appropriate.

## **SECTION 4.8 FEES**

A non-refundable fee of fifty dollars (\$50.00) shall be paid to the City of Walker for each appeal or variance filed before the Board of Adjustments, unless such fee is amended by a vote of the Walker City Council.

## **SECTION 4.9 BUILDING PERMITS REQUIRED; CREATION OF A SITE PLAN/PLAT REVIEW COMMITTEE; LANDSCAPE PLAN AND DRAINAGE IMPACT STUDY REQUIRED**

- A. No building or renovation may be undertaken in the City of Walker without first applying for a building permit along with an accompanying site plan which indicates the location of the proposed improvements on the property. Each application for a building permit shall be accompanied by a site plan, in duplicate, drawn to scale, showing the name of the person making the application, the actual dimensions of the lot to be built upon, the size, shape and location of the building to be erected, existing and proposed parking spaces or other vehicular use areas, access aisles, driveways and access ways. Efforts should be made to preserve as many existing trees as possible on a site and to show their location on the plan (see Section 8.4 *Landscape Requirements* for additional information). A record of permit applications, site plans, impact studies and landscape plans will be kept in the Office of the Building Official. Where new businesses move into existing buildings and no site plans are required, occupancy permits will be required before the business opens.
- B. A flood determination must be received before a building permit is issued.
- C. For new commercial (including multi-family) projects, a landscape plan shall be submitted designating the name and location of the plant material to be installed or, if existing, to be used in accordance with the requirements herein (*see Chapter 8 of this Ordinance*). No

permit shall be issued for such building, unless such plan complies with the provisions herein unless determined otherwise by the Building Official or Mayor.

- D. For new commercial and industrial (including multi-family) projects, a drainage impact study (DIS) shall be submitted in accordance with the requirements herein (see Chapter 11 of this ordinance) The DIS shall be submitted for review after the approval of the preliminary site plan/preliminary plat stage has occurred, as outlined in Section 11.13.21
- E. The approved site plan, landscape plan, and/or drainage impact study shall constitute an agreement between the City and the Developer and shall become a legal instrument in enforcing the site and landscaping requirements. Any disputes concerning final construction, site plan requirements and/or installation of landscaping material shall be resolved by referring to the City approved site plan/construction plans.
- F. The Building Official will be responsible for issuing permits and certifying that the plans and intended use of land, buildings, and structures are in conformity with this ordinance, as well as with the building code. No building permits shall be issued until the Building Official, in his/her role as Zoning Compliance officer, has certified compliance with the project's zoning and other requirements in this ordinance.

#### **SECTION 4.10 CERTIFICATE OF ZONING COMPLIANCE AND OCCUPANCY PERMITS**

- A. The certification of zoning compliance issued by the Building Official may be part of the building permit application or may be issued as a separate form. However, the Building Official must insure that all persons seeking building permits for their structures must first receive certification that their structure is in compliance with this Ordinance.

After compliance with the zoning, subdivision, and other sections of this ordinance have been certified, building permits issued, and final inspection approved by the City Building Official, a Certificate of Occupancy (CO) is required before occupancy of a structure. This CO is applied for by the developer, business, or applicant and is reviewed, approved, and issued by the Building Official if appropriate. No land or structure hereafter erected, moved, or altered in its use shall be used or occupied until the Certificate of Occupancy has been issued. Where new businesses move into existing buildings, occupancy permits shall be required. Before mobile homes or temporary structures are placed, inspections and occupancy permits shall first be obtained from the City. A record of all Building Permits and Certificates of Occupancy shall be kept on file in the office of the Building Official.

#### **SECTION 4.11 LAND CLEARING NOTIFICATION REQUIRED\***

*\*(See also: Chapter 8: Landscaping and Land Clearing Standards, Upgrade, Maintenance of this Ordinance.)*

- A. A Land Clearing Notification, which may or may not be a part of the Building Permit application, shall be required of all parties engaged in land clearing when a tract of land is changed from an agriculture, open undeveloped, or forestry use to residential subdivision, commercial, multi-family or an industrial use, or cleared for sale of timber. This does not

include the clearing of a single lot of record for a single-family house or a previously cleared and developed lot of record.

1. Buffers – When clearing property, the following buffer requirements are mandatory in Walker unless the land clearing plan is an approved part of a valid building permit, or site plan, which would show other buffers. All buffers required shall be exclusive of all easements, servitude and/or rights-of-way within the property. No clearing will take place within these buffers, unless approval is received in writing from the Board of Adjustments.
  - *Waterways/Drainageways* - Fifty (50) feet in width along both banks of natural stream beds, riverbanks and drainage canals.
  - *Designated wetlands*- Clearing requirements will be indicated in the Corps of Engineers 404 Permit approval, in addition to the City designated buffer requirement herein, and an approved fill material.
  - *Adjacent residential property or residential zone* - As approved by the Walker Building Official and zoning classification requirements.

It shall be unlawful to place soil or other matter such that trees so maintained in the buffers become diseased, stressed or die as a result. At the preliminary stage of a new subdivision approval, the Planning Commission may suggest or require alterations to the buffers indicated by this requirement.

2. Pre and Post Inspection: The Building Official, or designated other appropriate City official, may inspect the clearing site before, during, and after completion for compliance with the issued clearing permit, City regulations, and to inspect for any damage to public property.
3. Failure to notify the City of Walker of land clearing activities shall constitute a violation of the requirements set forth in this section and doing so may be punishable by law.

#### **SECTION 4.12 CREATION OF THE ZONING AND THE PLANNING COMMISSIONS; APPOINTMENT AND REMOVAL OF COMMISSION MEMBERS (APPOINTEES)**

The Planning and Zoning Commissions shall be composed of 5 to 7 members each appointed by the Mayor, with approval from the City Council, in accordance with Title 33 of the Louisiana Revised Statutes. *In Walker, the Commission members are currently the same for Planning and for Zoning, referred to as The City of Walker Planning and Zoning Commission.* The Planning Commission may be appointed as a separate review body from the Zoning Commission or the membership of each Commission may be the same, as per the needs of the City of Walker. However, the terms and requirements of the members appointed to these Commissions shall be in accordance with the La. State Revised Statutes Section 33 and shall be property owners and registered voters of the City of Walker.

Any member/appointee to the Planning and Zoning Commission shall not participate in discussion, and shall not vote, on agenda items in which they have a *conflict of interest*. Such members of the Commission(s) shall resign from the Commission(s) or be removed by the Mayor or City Council from the Commission(s) if it appears that there will be continued conflict of interest with agenda items. In addition, the City Council or Mayor may request that a member-appointee resign from the Commission(s) if such member has poor attendance at Commission meetings.

All members of the Planning and Zoning Commissions will serve without compensation. A separate set of By-Laws for the Planning and Zoning Commissions have been adopted by the Commissions and are included in the Appendix section of this Ordinance.

#### **SECTION 4.13 APPROVAL OF AN AMENDMENT TO THE UDC OR THE ZONING CODE**

- A. The City Council of Walker may request an amendment to this Ordinance, or any section thereof, upon its own motion or upon recommendation from the Mayor, Board of Adjustments, or Zoning or Planning Commission. Amendments shall not become effective except by the favorable vote of two-thirds of all the members of the Council present in a quorum. Official public notice shall be advertised before any amendment to this Ordinance.
- B. No amendment or supplement to this UDC Ordinance or to the Official Zoning Map shall become effective until:
  1. The City Council has received a final report from the Planning and Zoning Commission on the merits of the amendment. The City Council is the designated local body that may enact amendments to this Ordinance. Note that a rezoning is also considered an amendment to this ordinance.
  2. The Council has held a public hearing(s) upon the proposed amendment at which parties in interest shall have an opportunity to be heard.
- C. Notice of the proposed amendment and of the time and place of the hearing shall have been published once a week in three (3) different weeks in the official journal of the City; at least fifteen (15) days shall elapse between the first publication and the date of the public hearing by the City Council. The public hearing may be held in conjunction with regular City Council meetings. Applicants may appeal a decision of the Planning and Zoning Commission to the City Council only one time.

#### **SECTION 4.14 PROCEDURES FOR AMENDMENTS (INCLUDING REZONING)**

- A. Action by Planning and/or Zoning Commission (*in Walker, the Commission members are the same for Planning and for Zoning, referred to as the Planning and Zoning Commission*)
  1. Any citizen may petition for any change or amendment in this Ordinance, provided that it has been one year or longer since the same, or substantially the

same, amendment was voted upon by the City Council. The Planning and Zoning Commission itself (without citizen's petition) may also recommend changes in the procedures and regulations of this Ordinance, subject to advertising and posting the same as any other application for amendment. The Commission and Council are exempt from payment of application fees when requesting their own amendments to the Ordinance.

2. Notice of application for an amendment to this Ordinance must first be filed with the Planning and Zoning Commission's secretary before the scheduled Planning and Zoning Commission meeting at which the request for amendment shall be reviewed. Request (application) for an amendment involving rezoning for the Zoning Commission must include the following documentation:
  - Proof that the person(s) requesting the rezoning is the legal owner of the property to be rezoned or the property affected by the change, unless the owner authorizes, in writing, some other person to act on their behalf.
  - Legal description of the property to be rezoned, property survey, municipal address and list of the names of adjacent property owners and their addresses.
  - Proof that notice has been posted on the property and in the local newspaper
3. The Planning and Zoning Commission shall schedule the date of public hearing of all requests for amendments to the UDC or the Zoning Code portion of the UDC. A notice of the date, time, and place of the public hearing must be published at least three (3) times in the official journal of the municipality and at least ten (10) days shall elapse between the first publication and the date of the hearing (for the Commission public hearing).
4. Planning and Zoning Commission may take any matter heard in the hearing under advisement or may vote as to their recommendation at the meeting, with a majority vote of a quorum needed for passage of a motion. If taken under advisement, the Commission may call for more public hearings or further study on the amendment before making a recommendation to the City Council. All Planning and Zoning Commission recommendations shall be forwarded to the City Council at which time the City Council will schedule their public hearing and notices thereof before their vote on the amendment, and in accordance with proper advertising requirements.

## **SECTION 4.15 PROTEST PETITIONS**

- A. A protest petition may be presented by the public opposing a proposed rezoning amendment. The protest petition shall be presented to the Zoning Commission's secretary at least one-week (7) days in advance of the Zoning Commission or Council meeting at which time there is to be a public hearing on the proposed amendment. When a public protest against a zoning change (this protest being duly signed and acknowledged by the owners of 20% or more, either of the areas of land exclusive of streets and alleys included

in a proposed change or within an area determined by lines drawn parallel to and 200 feet distant from the boundaries of the district proposed to be changed) is filed with the City, the proposed change can only be approved by a super majority vote of the City Council. (see La. R.S. 33:4725)

#### **SECTION 4.16 FEES FOR ZONING AMENDMENTS**

- A. The City Council of Walker shall set fees for rezoning applications and any appropriate filing fees. Such fees shall be reviewed and updated from time to time as appropriate. However, the application zoning fees shall be paid to the City of Walker by any applicant applying for a zoning change at the time of the application filing. The fee shall be collected per each zoning amendment requested involving two or less lots under single ownership. If the application involves an area (three or more lots) or a block amendment, the fee shall be doubled, paid for by the persons requesting the amendment. These fees are non-refundable, regardless of the decision reached by the Zoning Commission or by the City Council. However, if an application for amendment is withdrawn by the applicant before the first public advertisement, the fee can be refunded to the applicant. (*See attached Appendix A: Building and Planning Fee Schedule.*)

#### **SECTION 4.17 WITHDRAWAL OF APPLICATIONS**

- A. Any application which the applicant wishes to withdraw from either the Planning and/or Zoning agenda or the City Council's agenda, must be requested in writing and submitted to the Secretary of the Planning and Zoning Commission at least three days before the applicable meeting agenda or public hearing. Any reapplication for this same amendment will not be accepted for consideration by the Planning and Zoning Commission or City Council for at least 1 year from the date of withdrawal.

#### **SECTION 4.18 POSTING OF REZONING AND SUBDIVISION SIGNS**

- A. When an application for a rezoning amendment is filed, the City Building Official or designated representative shall post one sign in a conspicuous place on the property to be rezoned. The sign shall be posted at least 48 hours before the date of the public hearing of the Zoning Commission and of the Walker City Council public hearing and shall stay posted until the time and date of that hearing. The sign shall have printed on it, in bold type, the following:

*"A request to rezone this property from [current zoning] to [proposed zoning] has been made. A public hearing has been set for at Walker City Hall on [date] at [time]."*

- B. The sign shall be not less than two (2') feet wide by one and one half (1½') feet in length and shall be made to resist discoloration and bending from wetness or weather. Although the sign is provided by the City, it is the responsibility of the rezoning applicant to ensure that the sign remains posted for the time required as above. The Commission may decline to hear an application upon finding that the sign has been removed or not placed during the required posted time period.

C. When an area or block is being considered for rezoning, two (2) signs will be posted on the right-of-ways (in the proposed areas) of two different streets (if there are two streets) that pass through the proposed area to be rezoned, or on one street if there is only one.

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## **CHAPTER 5**

### **ZONING STANDARDS & DISTRICTS, ACCESSORY USES, OVERLAY DISTRICT**

**CHAPTER 5: ZONING STANDARDS AND DISTRICTS, ACCESSORY USES,  
OVERLAY DISTRICT****SECTION 5.1 SCOPE OF CHAPTER**

- A. No building or land shall hereafter be used, and no building or part thereof shall be erected, moved or altered, unless for a use expressly permitted by and in conformity with the regulations specified in this chapter for the district which it is located, and as set forth in this Section.
- B. Nonconforming uses regulated
  1. Nonconforming uses are those lawful uses of premises that do not conform with the requirements of this chapter on the effective date of the Ordinance from which this chapter is derived or that become nonconforming by reason of any amendment thereto.
  2. Nonconforming uses may be continued or “grandfathered”, if there are no structural alterations, such a use may be changed to a use in the same zoning classification. For the purposes of this paragraph, the “same classification” means: uses permitted in the same district.
  3. If a nonconforming building use or land use is stopped or discontinued for six (6) months or more, it then must conform to the use regulation of that district before being continued.
  4. If a nonconforming individual manufactured home/house trailer/mobile home is removed from the property on which it is located, it may not be replaced by another manufactured home/house trailer/mobile home.
  5. Except as provided in paragraphs 6 and 7 below, of this section, a nonconforming use cannot be enlarged, extended, reconstructed, or structurally altered, unless changed to a permitted use.
  6. Nonconforming residential uses in all districts, nonconforming commercial uses in the R-50 and R-60 districts, nonconforming light industrial and commercial uses in the C districts, and nonconforming industrial uses in the L districts may be rebuilt, reconstructed, structurally altered or enlarged; provided, the owner submits evidence acceptable to the Building Official that such use and/or building existed on June 3, 1975, and the work being done is considered an improvement.
  7. If a building, the use of which is nonconforming, is damaged or destroyed to an extent of more than sixty percent (60%) of its fair market value, by a fire, explosion, or natural disaster, then any restoration shall be for a permitted conforming use.
  8. Passage of the ordinance from which this chapter is derived in no way legalizes any illegal uses existing as of June 3, 1975.

## **SECTION 5.2 ONE PRIMARY BUILDING PERMITTED ON A LOT**

- A. Every building hereafter erected shall be located on a lot of record, and in no case shall there be more than one primary building on one lot; provided that more than one main institutional, public, business, or commercial, or manufacturing building may be located upon a lot or tract in any district where such uses are permitted and approved by the City. Where apartments, garage apartments or duplexes are built, the requirements for lot area per family shall be met. There may be secondary non-occupied buildings on single-family lots (such as storage sheds, carports).

## **SECTION 5.3 OFF-STREET AUTOMOBILE PARKING\***

*\*(See also Chapter 6: Parking and Access in this Unified Development Code Ordinance.)*

- A. Off-street vehicle storage or storage space shall be provided on any lot or parcel of land in which any uses are established: such space shall be provided with vehicular access to street or alley. *(Further parking details are included in Chapter 6: Parking and Access of this Unified Development Code Ordinance.)*
- B. Wherever a parking space for a non-dwelling use abuts on a residential district, it shall be screened from the abutting residential district by walls or by fences or by other screening not less than eight (8) feet in height, in a manner acceptable to the Building Official.

## **SECTION 5.4 ZONING APPLICANT FEES**

- A. All rezoning request applications shall be subject to a fee per application, as approved by the City of Walker.

## **SECTION 5.5 SCHEDULE OF PERMIT AND OTHER FEES (See Appendix A.)**

## **SECTION 5.6 CERTIFICATE OF OCCUPANCY**

- A. A certificate of occupancy and permit shall be applied for on forms to be prescribed and furnished by the Building Official prior to beginning construction of a building and shall be issued after inspection to ascertain that the lawful erection or alteration of a building is completed. A record of all such certificates shall be kept on file in the office of the Building Official.
- B. A certificate of occupancy shall be applied for prior to the location of a manufactured house/mobile home and prior to beginning the construction on any improvements required for the location of such unit and issued as set forth above. *(See Chapter 7: Manufactured Housing/Mobile Homes in this Unified Development Code Ordinance.)* A site plan as described in Chapter 7 shall be required to show the location of manufactured housing/mobile homes and improvements required therefore.

## **SECTION 5.7 JUNKED/ABANDONED AUTOMOBILES**

- A. Storage of abandoned vehicles or vehicles in disrepair and/or inoperative condition is prohibited in all zoning districts, except for the I Industrial District.

## **SECTION 5.8 ENFORCEMENT**

- A. The Building Official shall enforce this chapter; appeals from his/her decision may be taken to the Walker Board of Adjustments.
- B. No building may be undertaken in the City without applying for a building permit and a certificate of occupancy, as required by Paragraph C of this section. Each application for a certificate of occupancy shall be accompanied by a drawing showing the name of the person making the application, the actual dimensions of the lot to be built upon, the size, shape and location of the building to be erected, and such other information as may be necessary to provide for the enforcement of this chapter. A record of applications and site plans/plats shall be kept in the office of the Building Official.
- C. No change in the use or occupancy of land, nor any change of use or occupancy in an existing building other than for single-family dwelling purposes, shall be made, nor shall any new building be occupied until a certificate of occupancy has been issued by the Building Official. Every certificate of occupancy shall state that the new occupancy complies with all provisions of this chapter. No excavation for and no erection nor alteration of any building shall be commenced before the application has been made and accepted for a certificate of occupancy and compliance, and no building or premises shall be occupied until such certificate is issued. A record of all certificates of occupancy shall be kept on file in the office of the Building Official and copies shall be furnished on request to any interested persons.
- D. In interpreting and applying the provision of this chapter, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this chapter to interfere with nor abrogate nor annul any easements, covenants, or other agreement between parties, except that if this chapter imposes a greater restriction, this chapter shall control.

## **SECTION 5.9 AMENDMENTS**

- A. The City Council may amend this chapter upon its own motion or upon petition.
- B. No such amendment shall be effective unless:
  - 1. The Council has received a final report from the Walker Zoning Commission on the merits of the amendment; and
  - 2. The Council has held a public hearing(s) upon the proposed amendment, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the proposed amendment and of the time and place of the hearing shall have been published once a week in three (3) different weeks in the official journal of the City; at least fifteen (15) days shall elapse between the first publication and the date of the public hearing by the City Council.

3. Any citizen may petition for any change or amendment in this chapter affecting any property in which he has a proprietary interest, provided that it has been one (1) year or longer since the first denial of the same or substantially the same petition, and two (2) years or longer since the second and subsequent denials of the same petition, subject to advertising the same as any other application.
4. Before the Planning and Zoning Commission shall consider any proposed amendments, such proposed amendments shall be advertised in accordance with the law in the official journal of the City three (3) times, and not less than ten (10) days shall elapse between the first publication and the date of hearing.
5. Upon receipt of a petition for a change or amendment, the Council shall refer the matter to the Commission, which shall have thirty (30) days to render a preliminary report upon the merits of the amendment. If the Commission reports and the Council concurs that the proposal is without merit, no further action need be taken. If either the Commission or the Council deems the proposal to be of some merit, the proposal shall be placed on the agenda for the hearing. After conclusion of said hearing, the Commission shall be given (30) days to render a final report on the merits of the proposal.

## **SECTION 5.10 – 5.12 RESERVED**

## **SECTION 5.13 ZONING DESIGNATIONS**

- A. For the purposes of this chapter, the City has adopted sixteen (16) zoning designations, which shall be used to designate the zoning permitted uses, restrictions and regulations of all property within the corporate limits of the City. The zoning designations permitted in the City of Walker are as follows. (*See end of this Chapter 5 and Appendix G: Summary Table for Zoning Districts.*)
  - R-80 – Residential
  - R-70 – Residential
  - R-60 – Residential
  - R-50 – Residential
  - R-A – Residential Apartments
  - R-PG – Residential - Patio Garden Home
  - R-5 – Zero Lot Line Residential
  - RC – Residential/Commercial
  - RC-CAB-1 (restaurant serving alcohol)
  - RC-CAB-2 (bar or tavern)
  - C-1 – Commercial Office
  - C-2 – Commercial Retail
  - C-3 – Heavy Commercial
  - I – Industrial
  - T – Trailer Park/Mobile Home Park
  - Hwy. 190 and Hwy. 447 Overlay District (overlays other Districts)

- B. With respect to permitted uses, restrictions and regulations within the zoning designations set forth in Paragraph A above, the provisions of this Ordinance shall apply.

## **SECTION 5.14 ZONING DESIGNATION BOUNDARIES**

- A. The boundaries of the various zoning designations of all immovable property within the corporate limits of the City shall be depicted on the official "Walker, Louisiana Zoning Designation Map\*," with each zoning designation shown in a distinct, color-coded fashion. The zoning designation map shall be prepared by, or at the direction of, the Mayor, and amended from time-to-time as necessary, in order to show any changes, variances or revisions to the zoning designation of any property within the corporate limits of the City. Said map shall be revised within sixty (60) days of the effective date of any changes, variances or revisions to the zoning designation of any property within the corporate limits of the City and each revision to said map shall be dated and initialed by the City Building Official. The Zoning District Map shall be made available for public inspection at the Walker City Hall, during normal business hours. In addition, color copies of said map shall be made available to any person requesting such a copy at a cost established by the City.

*\*The original of which will be stored in the City of Walker Building Official's office.*

## **SECTION 5.15 SCHEDULE OF PERMITTED USES, RESTRICTIONS AND REGULATIONS.**

- A. Within the zoning designations of the City in this chapter, the following schedule of zoning designation permitted uses, restrictions and regulations shall apply as summarized at the end of this Chapter 5 and *Appendix G: Summary Table for Zoning Districts*.

## **SECTION 5.16 PUBLIC BUILDINGS AND CLUBS IN R-70 DISTRICT**

- A. Within a residential R-70 District, state and federal governmental uses, golf clubs and private clubs not conducted for profit are permitted; providing all structures for all such uses are located not less than fifty (50) feet from any property line.

## **SECTION 5.17 COMMERCIAL DISTRICTS; SIGNAGE AND DRAINAGE**

(See Chapter 10: *Signage Standards, Billboards* for signage details.)

(See Chapter 11: *Subdivision Standards (for Drainage Impact Study Requirements)*)

## **SECTION 5.18 MOBILE HOME/TRAILER PARKS OR COURTS**

(See Chapter 7: *Manufactured Housing/Mobile Homes Standards and Placement, Section 7.6* for details.)

## **SECTION 5.19 GARBAGE RECEPTACLES FOR MULTIPLE DWELLINGS**

- A. For multiple dwellings and mobile home parks, garbage receptacle dumpsters shall be provided as outlined herein, or as acceptable to the Building Official.

**SECTION 5.20 HOUSE TRAILERS/MOBILE HOMES IN R-70 DISTRICTS**

(See Chapter 7: *Manufactured Housing/Mobile Homes Standards and Placement*, Section 7.8 for details.)

**SECTION 5.21 RESERVED****SECTION 5.22 FENCES FOR COMMERCIAL PROPERTY**

- A. Subsequent to the enactment of this section, any development of commercial property adjacent to the residential zoning districts shall be subject to the following restrictions and zoning requirements. The owner and/or developer of commercial property shall be required to erect or construct, or cause to be erected or constructed, a fence of the following description:
  - 1. Height: Eight (8) feet
  - 2. Material: One-half (1/2) inch thick by six (6) inch wide cedar boards or equivalent.
  - 3. Location: Six (6) inches on commercial side from commercial property line, adjacent to residential property.
- B. Prior to the construction of any fence required herein, applicant shall discuss plans with the City Building Official to review plans and specifications of the location, height and material of any fence to be erected hereunder. This section does not apply to fences in existence before the passage of this section, except that, on sale or transfer of the property on which a nonconforming fence is located, such fence shall be made to conform to the requirements of this section within thirty (30) days of closing or transfer of said commercial property.

**SECTION 5.23 QUALIFIED TRUCK STOP**

- A. A qualified truck stop means a facility that meets the criteria contained in La. R.S. 27:417 and which has underground storage facilities for fuel.
- B. No license shall be granted to any qualified truck stop facility located, at the time application is made for a license to operate video draw poker devices, within one (1) mile from:
  - 1. A property on the National Register of Historic Places.
  - 2. A public playground.
  - 3. A residential subdivision, zoned R-80, R-70 or R-60 located within the municipality.
  - 4. A building used primarily as a church, synagogue, public library, or school.

C. The distance shall be measured as follows:

1. A straight line from the nearest point of the truck stop facility, sought to be licensed, to the nearest point of the property on the National Register of Historic Places, the public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.
  2. A straight line from the nearest point of the boundary line of a residential subdivision, zoned R-80, R-70 and R-60 to the nearest point of the premises sought to be licensed.
- D. No approval shall be given to the operation of any licensed Class A (beer or liquor) permit, unless the City determines that the permit requirements have been met, and the design and construction of each building and structure of the facility meet all of the requirements of the latest adopted Building Code and this section.
- E. A qualified truck stop shall not be eligible for a special use permit.

## **SECTION 5.24 R-PG DISTRICT, ADDITIONAL RULES**

*(See Appendix G – Summary Table for Zoning Districts)*

- A. In addition to the regulations for the R-PG District in Chapter 5 herein, the following additional regulations shall apply:
1. Corner lot side depth: minimum of 15 feet
  2. Parking requirements: Two (2) spaces per living unit
  3. The minimum site area of the development shall be one (1) acre
  4. No R-PG site shall exceed ten (10) acres in size
  5. Height regulations: No building shall exceed thirty-five (35) feet in height

## **SECTION 5.25 R-5 DISTRICT ADDITIONAL REGULATIONS (ZERO LOT LINE)**

*(See Appendix G – Summary Table for Zoning Districts)*

- A. In addition to the regulations for the R-5 District in Chapter 5 herein, the following additional regulations shall apply:
1. Corner lot side depth: minimum of 15 feet
  2. Parking requirements: Two (2) spaces per living unit
  3. No wall openings shall exist on the zero lot line side. Legal provisions shall be made, such as an easement of the adjoining lot, for permanent access for the exterior portion of any wall on the zero-lot-line-side yard. (It must be kept perpetually free of

obstructions.) All units must have a minimum of eight (8) feet between structure fascia(s). The minimum site area shall be one (1) acre.

4. There shall be a six (6) foot high wall or solid wood fence along the sides and rear of the R-5 site, wherever it adjoins Single-Family Zoning Districts. No R-5 site shall exceed ten (10) acres in size. The setback on lots adjoining any other residential classifications shall conform to the side yard setback requirements of the adjacent classification.
5. In all R-5 zoning districts, the location of the first unit constructed shall dictate the property line on which all other units shall be built, so as to avoid any unusable lots in the district.
6. Height regulations: No building shall exceed thirty-five (35) feet in height.

## **SECTION 5.26 RC - COMMERCIAL CORRIDORS**

*(See Appendix G – Summary Table for Zoning Districts)*

A. The following streets or portions of streets within the corporate limits of the city are hereby designated as commercial corridors and defined herein:

1. **The Highway 447 Commercial Corridor.** That portion of La. Hwy. 447 (Walker South Road and Walker North Road), from the south boundary of the city's corporate limits, north to a point which is the intersection of the north right-of-way of Ballard Street and La. Hwy. 447. Each parcel of property having frontage on either side of the Hwy. 447 Commercial Corridor is hereby zoned for commercial and/or residential use to a depth equal to the distance from the highway right-of-way to the rear of each such parcel of property. To the extent that any parcel of property located within the Hwy. 447 Commercial Corridor is zoned for less restrictive use, such zoning designation shall continue in existence, notwithstanding the provision of this section.
2. **The Florida Boulevard Commercial Corridor.** That portion of U.S. Hwy. 190 (Florida Boulevard), from the western boundary of the city's corporate limits, east to the eastern boundary of the city's corporate limits. Each parcel of property within the city's corporate limits having frontage on either side of the Florida Boulevard Commercial Corridor is hereby zoned for commercial and/or residential use to a depth equal to the distance from the highway right-of-way to the rear of each such parcel of property. To the extent that any parcel of property located within the Florida Boulevard Commercial Corridor is zoned for less restrictive use, such zoning designation shall continue in existence, notwithstanding the provisions of this section.
3. **The Burgess Avenue Commercial Corridor.** That portion of La. Hwy. 1027 (Burgess Avenue), from its intersection with La. Hwy. 447, west to the western boundary of the city's corporate limits. Each parcel of property having frontage on either side of the Burgess Avenue Commercial Corridor is hereby zoned for commercial and/or residential use to a depth equal to the distance from the highway right-of-way to the rear of each such parcel of property. To the extent that any parcel of property located

within the Burgess Avenue Commercial Corridor is zoned for less restrictive use, such zoning designation shall continue in existence, notwithstanding the provisions of this section.

- B. The extent of the zoning created by the designation of a commercial corridor shall be determined based upon the boundaries of the parcels of property within such commercial corridor as such boundaries exist as of the effective date of such designation. The extent of such zoning shall not be enlarged, expanded, reduced, diminished or otherwise altered or amended through the subdivision of property within a commercial corridor, unless approved by the City of Walker.
- C. This section may be amended in accordance with the provision of State of Louisiana Revised Statutes 33:406, in order to designate additional commercial corridors.

#### **SECTION 5.27 HIGHWAY 190 (FLORIDA BLVD.) & HIGHWAY 447 OVERLAY ECONOMIC DISTRICT (OED or Overlay DISTRICT)**

(See Appendix G – Summary Table for Zoning Districts)

- A. **CREATION:** There is hereby established the Highway 190 and Highway 447 Overlay Economic District (*also referred to as the Overlay District*) within the City of Walker that will supplement existing zoning and Unified Development Code (UDC) regulations.
- B. **ADMINISTRATION:** The overlay district guidelines will be administered by the City of Walker Building Department, with variance requests reviewed by the Walker Zoning Commission, acting in their capacity as the Board of Adjustments.
- C. **LOCATION:** This overlay district is bounded on the east by the Walker corporate limits and on the west by the Walker corporate limits, with all properties in-between the corporate limits that face onto Highway 190. Also, all lots of record/parcels fronting onto Highway 190/Florida Boulevard, both on its south and north sides, and within that portion of La. Hwy. 447 (Walker South Road and Walker North Road), from the south boundary of the city's corporate limits, north to a point which is the intersection of the north right-of-way of Ballard Street and La. Hwy. 447, with all properties in-between the designated area listed herein, that face onto Walker North Road and Walker South Road, are included in this district.
- D. **PURPOSE:** The purpose of creating this Overlay Economic District is to:
  - encourage investment and renovation of property and sites within this district in a manner that values the enhancement of property values
  - provide predictability and conformity in zoning designations with relation to the character of the Overlay District and its adjoining properties and neighborhoods
  - provide a minimum set of design standards that relate to building facades, signage, landscaping, and lighting
  - provide for a set of optional development and preservation incentives to be used by the City as a negotiating and incentive tool

**E. COMPLIANCE WITH EXISTING ZONING CLASSIFICATIONS:**

The Overlay District guidelines will supplement those regulations in effect within the applicable existing Zoning Classifications of each property located within the OED District. In cases of a conflict between the guidelines of the OED District and those of the applicable Zoning Classification, the OED District guidelines shall prevail.

**F. OPTIONAL INCENTIVE TOOLS TO BE OFFERED BY THE CITY OF WALKER**

The City of Walker may, at its discretion, use the following incentives or conditions to encourage both investment and compliance with the OED District guidelines, and that includes both the Overlay Economic District standards and the minimum financial investments per project:

- *Endorsement of the State's Restoration Tax Abatement Program benefits, providing for a 5 to 10-year freeze of property values at the pre-renovation or pre-construction levels, provided that all minimum guidelines are met.*
- *Endorsement of the State's Enterprise Zone Program benefits, providing for a State tax credit for each new employee hired or retained. In addition, State and local sales taxes paid for construction materials and equipment can be refunded to the owner/developer, if required applicable minimum guidelines are met.*
- *Where applicable, historic structure federal income tax credits, if such eligible structures are recognized as historic by the State or federal Office of Historic Preservation/Trust for Historic Preservation.*
- *The City may negotiate to have unpaved or paved parking placed in the rear and sides of a building, or on adjacent lots, so that additional green space can be provided in front of buildings.*
- *City parking space requirements may be reduced by up to 20% of the number of spaces required, if health and safety are not adversely affected, and if a property owner is trying to meet these overlay guidelines or provide for parking in the rear or front of a building.*
- *As an incentive for private investment, the City may install, at its costs, driveway and drainage culverts when purchased by the owner (these services are normally required to be completed by the owner/developer).*
- *The City of Walker, at its discretion, may offer free technical assistance provided by the City, the SBDC, Chamber of Commerce, and/or the LEDC in preparing applications for the Restoration Tax Abatement Program and Enterprise Zone Programs.*
- *The City may choose to install new public sidewalks at a shared cost with the property owner, in conformance with public sidewalk plans, and to be completed in conjunction with proposed private property improvements.*
- *New street lighting standards, following the City's lighting plan, may be installed on public property or on a servitude provided to the City.*
- *The City may choose to reduce or waive building permit fees (but not the permit), subdivision fees, and charges for certain sewer or water connection fees, for*

*projects within the OED district that provide minimum investments in building and site improvements.*

## G. MINIMUM DESIGN STANDARDS TO BE FOLLOWED:

1. **Sidewalks:** It is the intention of this amendment to install public sidewalks within the OED District on at least one side of the streets included in the District. However, existing sidewalks on either side of the streets shall be retained and upgraded when new building projects are requested. Sidewalks that meet City requirements shall be installed at the expense of the property owner/developer and the City at the time building permits are requested for that same property (for new, additions, or renovation). All sidewalk improvements made by private parties must first be reviewed and permitted by the City of Walker Building Department.

**Sidewalk design:** Sidewalks shall be concrete and a minimum of 5 ft. in width and be curbed at street intersections to allow access to the handicapped using handicapped accessible ramps following the latest American with Disabilities Act (ADA) Requirements. It shall be the requirement that sidewalks designed shall meet ADA standards to the greatest, reasonable extent possible. Reinforcing wire shall be installed on all new sidewalks in this district and poured concrete shall have a minimum thickness of 5 inches, according to City standards. Color and style of sidewalks and paver tiles shall conform to the colors and styles required by the City. Repair of existing sidewalks shall follow the same City guidelines and standards. Damage to existing trees, tree roots, and landscaping shall be minimized in order to preserve as many trees as possible.

2. **Signage:** The Highway 190 and Highway 447 corridor is a unique blend of residences and businesses in a highway frontage style setting. Signage guidelines are one item used to improve the harmony between varied property uses and to preserve the unique character of this area, in order to help give the district an appealing look. In addition, the sign guidelines improve the public safety of the traveling public. All proposed signage within this District must be approved by the City Building Department, and all permit requirements must be met before being installed or changed. In addition to following the existing requirements of the City of Walker signage ordinance, additional standards for commercial uses as required in the Overlay District must be met as follows:
  - When signage is installed, replaced, or renovated for a business and not attached to a building, monument signs not exceeding 7 feet in height shall be installed. An additional 3 feet in height may be allowed for a base, berm, or foundation if such area is landscaped. Such signs may be back-lit or externally illuminated in a fashion that directly illuminates the sign and does not disturb neighboring properties. Monument signs shall meet the requirements of the City's sign ordinance and have frames constructed of brick, stucco, or cement. They shall be placed so as to not obstruct the view of on-coming traffic. Should a developer wish to request a variance to the sign height, the Building Official will make a determination as to whether the variance can be approved administratively or said variance shall be heard before the Board of Adjustments and/or Council.

*This section does not prohibit the sign face only or the name of the business from being changed on existing, legal signs within the District.*

- Portable or non-portable readerboard signs (in which letters and number are often changed to announce various information), which allow letters to be temporarily attached, will not be permitted within the OED Overlay District, unless such signs are to be permanently mounted on existing, legal pole signage (on-premise only) for businesses within the District. All other signage will follow the City's Sign Ordinance and shall first be permitted by the City. Off premise signs will **not** be permitted within the Overlay District, excepting those grandfathered before this Ordinance was approved by the City.
  - All signs that are legally non-conforming at the time that this ordinance is passed, may continue to be used, if they are maintained in good condition. If a new sign is constructed or substantially rebuilt, or if a sign is destroyed through an act of nature or by way of an accident, these new sign standards shall be used in constructing the new sign. Abandoned, unsafe, or poorly maintained signs that are considered a safety hazard shall be removed, repaired, or replaced by the owner upon notification by the City, and will not be considered as legally non-conforming.
3. **Street Lighting:** City approved **public** street light standards will be used within the Overlay District when installing new or replacement **public** lighting standards.
- Street lighting standards to be used on existing power poles, or separately mounted, will conform to a style and design chosen by the City of Walker. New electric (secondary feeds) service lines and cable TV lines to homes and businesses will be run underground, unless such lines are in the rear or side of a property within the OED District.
4. **Coordinated Landscaping:** Coordinated street landscape design will be required for new construction projects or for renovation projects. Small and medium tree species and bushes will be approved on a site- by- site basis in accordance with the site's limitations and the City's landscape plan, landscape guidelines, and the Walker Unified Development Code. As part of the Building Permit approval process, site, landscape and any water line plans will be required for each new or renovation commercial building project or landscape project within the Overlay District. **Projects in which an applicant is requesting re-roofing, painting, or maintenance only projects will not be required to meet this landscape standard.** State highway right of ways will not be used for planting trees and shrubs to meet this requirement unless such landscaped plans are first approved by the State Highway Department (DOTD) and is needed to avoid substantial removal of existing paved parking lot areas. An open 10 ft.-wide front green area across the front of the property and between the public street right of way and the building will be maintained on private property as a buffer between the street and the parking area.

5. **Building Changes and Building Design:** Non-maintenance exterior building improvements, remodeling or repairs, along with new construction and/or demolition, must be pre-approved by the City Building Department before such work takes place.
  - Before any demolition is approved, a written inspection and demolition report will be prepared by the Building Department for review, before demolition is to begin.
6. **Street and Site Drainage Improvements:** Open ditch street drainage shall be discouraged within the Overlay District. When a building permit is issued for substantial renovation of a property or for new construction within the Overlay District, subsurface drainage plans shall be reviewed and negotiated between the property owner and the City, in accordance with City and State DOTD (Highway Department) standards. Drainage plans for the building site shall be submitted to the City Building Department for review and approval. Impacts upon adjacent properties shall be considered by the City in their review process, and all attempts will be made to provide covered public drainage ditches.
7. **Building Setbacks and Parking:** An open 15-foot-wide front yard for properties herein and where feasible, shall be maintained as green, landscaped space with required parking on the front, side or rear of the primary building. No parking of vehicles will take place within the front yard green areas and such yards shall include appropriate barriers that would prohibit the parking of vehicles in green or landscaped areas. The City will encourage parking is to be on the sides or rear of buildings. No parking shall be permitted that would allow backing of vehicles (cars or trucks) directly onto a public street. All other areas within the Overlay District shall follow the required front building setbacks, parking, and yard requirements of the City's Unified Development Code. Access driveways directly from or onto the street will be limited to no more than one per property or two for properties exceeding 100 feet of public road frontage, or as determined by the State DOTD permit for access onto State roadways.

#### **H. MINIMUM STANDARDS AND INVESTMENTS REQUIRED FOR CITY APPROVAL OF INCENTIVE BENEFITS OFFERED HEREIN**

1. In order for the City of Walker to approve an owner's application for OED incentives outlined in Part F above, and within the OED District, an owner or applicant or leasee must be able to document the following:
  - a. The owner-applicant will provide the minimum improvements required by this ordinance when upgrading their property as a development or renovation project, requesting incentives, and will indicate such information on their building plans;
  - b. Within a one-year period from the date of an issued building permit, the owner or developer will document that they will spend the minimum development, repair or renovation investment, not including purchase price of property, required for the following types of projects:

• owner-occupied households; single-family units	<i>\$50,000 minimum per one building permit or one project</i>
• commercial properties (including apartments)	<i>25% of the assessed value of the property affected (assessment for land and improvements, as determined by the Parish Tax Assessor) or \$100,000, whichever is greater</i>

Note: *The value of a leasee's improvements may be included by a commercial property owner who is applying for incentives. The value of parking lot improvements and landscaping may also be counted toward a leasee's or property owner's minimum investment.*

- c. The improvements shall include more than re-roofing, painting, or maintenance items but are considered substantial improvements to the property and site;
- d. In order to qualify for the eligible tax credits provided, the applicant must have the credit approved by the applicable State administering agency, the City of Walker, and any Parish governing authority when Parish taxes are affected. An approval resolution of the City and/or Parish governing bodies is required.

## **SECTION 5.28 RC ZONING DESIGNATION ADDITIONAL REGULATIONS**

(See Appendix G – Summary Table for Zoning Districts)

A. In addition to the regulations for the RC zoning district set forth in Section 5.26 restrictions and regulations, the following additional regulations shall also apply:

1. Unless otherwise recommended by the Zoning Commission and approved by the Mayor and City Council, only property located within designated commercial corridors as defined in Section 5.26 may be zoned RC.
2. For properties used for dwelling purposes and zoned RC, the following regulations also apply:
  - a. For properties zoned RC used for dwelling purposes which would otherwise require an R-A zoning designation, the permitted uses, restrictions and regulations of the schedule of zoning designation permitted uses, restrictions and regulations contained in Appendix G for property zoned R-A shall apply.
  - b. For properties zoned RC used for dwelling purposes which would otherwise require an R-PG zoning designation, the permitted uses, restrictions and regulations of the schedule of zoning designation permitted uses, restrictions and regulations, contained in Appendix G for property zoned R-PG, and the additional regulations for property zoned R-PG set forth in Section 5.26 shall apply.
  - c. For properties zoned RC used for dwelling purposes which would otherwise require an R-5 zoning designation, the permitted uses, restrictions and regulations

of the schedule of zoning designation permitted uses, restrictions and regulations contained in Appendix G for property zoned R-5, and the additional regulations for property zoned R-5 set forth in Appendix G shall apply.

3. For properties used for dwelling purposes and zoned RC, the following regulations also apply:
  - a. For properties zoned RC used for commercial purposes which would otherwise require a C-1 zoning designation, the permitted uses, restrictions and regulations of the schedule of zoning designation permitted uses, restrictions and regulations contained in Appendix G: *Summary Table for Zoning Districts* for property zoned C-1, and the additional regulations for property zoned C-1 set forth in Chapter 5: *Zoning Standards and Districts, Accessory Uses, Overlay District*, as well as the restrictions and regulations set forth in Section 6.5 shall apply.
  - b. For properties zoned RC used for commercial purposes which would otherwise require a C-2 zoning designation, the permitted uses, restrictions and regulations of the schedule of zoning designation permitted uses, restrictions and regulations contained in Appendix G for property zoned C-2, and the additional regulations for property zoned C-2 set forth in Chapter 5, and the additional regulations for commercial property set forth in Section 6.5 shall apply.
  - c. For properties zoned RC used for commercial purposes which would otherwise require a C-3 zoning designation, the permitted uses, restrictions and regulations of the schedule of zoning designation permitted uses, restrictions and regulations contained in Appendix G for property zoned C-3, and the additional regulations for property zoned C-3 set forth in Chapter 5, and the additional regulations for commercial property set forth in Section 6.5 shall apply.
  - d. For properties zoned RC used for commercial purposes which are adjacent to residential dwellings, the provisions of Section 5.22 related to fencing of commercial property shall apply.

## **SECTION 5.29 RESERVED**

## **SECTION 5.30 TRANSITION USES**

1. Wherever the side of any lot of record in a residential district abuts on a commercial or light industrial use, or wherever any lot of record in a residential district is located directly across the street from a commercial or light industrial use, such lot of record may be used for the office of a physician, lawyer, engineer, architect, real estate broker, insurance agent, or similar professional services business; provided that such office building shall leave side and rear yards as provided for the district in which it is located; and provided, further, that, such office use shall be accompanied by off-street automobile parking as required in Chapter 6: *Parking, Access, Loading Zones*.

## **SECTION 5.31 UNDERSIZED LOTS**

- A. If, in the opinion of the Building Official, a lot is so small or narrow or shallow that it is not feasible or practicable to meet the yard or lot size requirements of Chapter 5: *Zoning Standards and Districts, Accessory Uses, Overlay District*, then the Building Official, in his/her discretion, may permit a single-family dwelling and its accessory buildings to be erected on any such lot of record or parcel of land which became legally established as defined by deed or act of sale before June 3, 1975, if such lot is located in an R-70, R-50, R-A residential or C-commercial district; provided that the side yard of no dwelling shall be less than three (3) feet.

## **SECTION 5.32 FRONT, SIDE, AND REAR YARDS, ADDITIONAL INTERPRETATION**

- A. Where dedicated street right-of-way is less than fifty (50) feet wide, the depth of the front yard shall be measured from a point of twenty-five (25) feet from the centerline of the street to the front of the building line. If the right-of-way is fifty (50) feet wide or greater, the Yard, Front, previously defined in Chapter 3: *Definitions*, will be enforced.
- B. Steps or stoops, eaves, cornices, belt courses, window sills, and unenclosed and uncovered porches/decks may project into any required yard, provided such construction does not project nearer than two (2) feet to the lot lines. Except on the street side of a corner lot, unenclosed carports may project into a side or rear yard, provided such construction does not project nearer than two (2) feet to the lot lines.
- C. On lots occupied by dwellings, not more than forty percent (40%) of the rear yard of the main building may be occupied by one-story buildings of accessory use, and garage apartments where permitted.

## **SECTION 5.33 GROUP CARE/HOUSING PROJECTS**

- A. In the case of a housing project consisting of a group of two (2) or more buildings to be constructed on a plot of ground of at least three (3) acres and not subdivided into the customary streets and lots which will not be so subdivided or where the existing or contemplated street and lot layout make it impracticable to apply the requirements of this chapter to the individual buildings in such housing projects, the application of such requirements to such housing project shall be made to the Planning and Zoning Commission, and shall be made in a manner that will be in harmony with the character of the neighborhood, and will insure a density of land use no higher and a standard of open space at least as high as required by this chapter in the district in which the proposed project is to be located. In no case shall the Planning and Zoning Commission authorize a project without first holding a public hearing with due advertisement as required by State laws.

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## **CHAPTER 6**

### **PARKING, ACCESS, LOADING ZONES**

## **CHAPTER 6: PARKING & ACCESS, LOADING ZONES**

### **SECTION 6.1**

- A. Parking space is an area on a lot sufficient in size to store one automobile. This space shall not (except as hereafter noted) be less than nine (9) feet in width and twenty (20) feet in length. This parking space (except for single-family dwellings) shall be served by an aisle or maneuvering area not less than twenty-two (22) feet in depth. The aisle may be eighteen (18) feet in depth for one-way traffic.

### **SECTION 6.2**

- A. Except for single-family dwellings, all off-street parking spaces, aisles, loading zones, and connecting driveways shall be surfaced with a permanent dust-free paving, cement or asphalt. (Gravel is not dust-free.) If a single-family unit parking space is not required to be paved, then the parking area must be surfaced with a minimum of 4 inches of gravel, limestone, or similar approved material.

### **SECTION 6.3**

- A. Floor area means the square feet of floor space within the outside line of walls and includes the total of all space on all floors of a building. It does not include porches, garages, or space in basement or cellar.

### **SECTION 6.4 RESIDENTIAL**

- A. All residential uses shall provide at least the following off-street parking spaces:
1. Single-family detached – 2 spaces/unit
  2. Single-family attached – 2 spaces/unit
  3. Multi-family – 2 spaces per unit, plus 1 space per every 2 living units. Efficiency and one (1) bedroom units may provide only 2 spaces/unit.
  4. Dormitories, sororities, fraternities, and care homes – 1 space/1 bed, plus guest spaces, 1 space per occupant planned for.
  5. Hotels – 1 space/bedroom
  6. Motels – 1 space/bedroom
  7. Trailer courts – 2 spaces/unit
  8. Apartment hotels – 2 spaces per unit, plus 1 space per every 2 units.

## SECTION 6.5 COMMERCIAL

- A. All commercial uses shall provide at least the following off-street parking spaces:
1. Office buildings and banks – 1 space/300 square feet
  2. Business, professional and medical, including clinics, but not hospitals – 1 space/300 square feet
  3. Shopping goods, retail – 1 space/300 square feet
  4. Convenience goods, retail – 1 space/300 square feet
  5. Furniture sales, retail – 1 space/300 square feet of office and display area
  6. Personal services and repair – 1 space/300 square feet
  7. Restaurants – 1 space/75 square feet (full service)
  8. Drive-ins – 1 spaces/75 square feet (fast food with seating area)
  9. Commercial recreational facilities (other than below) – 1 space/100 square feet
  10. Bowling lanes – 8 spaces/lane
  11. Driving ranges – negotiated with the City
  12. Car sales – 1 space/300 square feet of office, sales area
  13. Car washing – 1 space/300 square feet
  14. Theater, Cinema – 1 space/3 seats
  15. Lounge or Bar – 1 space/35 square feet
  16. Self-service gas stations:
    - a. No service of vehicles and *without* convenience food store – 2 spaces
    - b. Self-service gas stations (no service of vehicles and *with convenience food store*) – 2 spaces, plus 1 per 100 square feet of building floor area

**NOTE:** Some buildings combine two or more uses above (such as restaurant/bars or gas stations/convenience food store), and it will be the judgment of the Building Official to determine the proper number of parking spaces based upon the primary use of the building. Conflicts in this determination will be resolved by the Zoning Commission.

## **SECTION 6.6 INSTITUTIONAL**

- A. All Institutional, public, assembly, transportation shall provide the following off-street parking spaces:
1. Churches – 2 space/4 individual seats or 50 square feet in main assembly room
  2. Auditoriums, theaters – 1 space/4seats or 34 square feet
  3. Day Care – 1 space per 300 square feet; minimum of 2 spaces
  4. Schools:
    - a. Elementary – 2 spaces/classroom
    - b. Junior High – 4 spaces/classroom
    - c. High School – 10 spaces/classroom
  5. Nursing Homes – 1 space/4 beds
  6. Funeral parlors – 1 space/100 square feet
  7. Stadiums and arenas – 1 space/4 seats
  8. Clubs and lodges – 1 space/300 square feet
  9. Public buildings – 1 space per 300 square feet

## **SECTION 6.7 INDUSTRIAL**

- A. All Industrial manufacturing, warehousing and wholesale shall provide the following:
1. All – 1 space per each two employees or combined two largest shifts, plus 1 space for each company vehicle domiciled at the facility, plus 15% total of employment to accommodate visitors.

## **SECTION 6.8 OFF-STREET LOADING**

- A. Every commercial or industrial building of 5,000 square feet or above shall have 1 off-street loading position for each 15,000 square feet or fraction thereof per tenant or owner.
- B. All backing and maneuvering for such loading spaces shall be completely on the property of the commercial or industrial concern. This space shall not be less than 60 feet in depth.
- C. A loading space shall be a minimum of 14 feet wide, 60 feet deep, and have a vertical clearance of at least 14 feet.

- D. No curb cut shall be permitted in the street where it parallels a loading dock.
- E. Space equal to the loading requirements shall be provided for the parking of each company-owned truck or vehicle domiciled at the site.

#### **SECTION 6.9 EXISTING BUILDINGS NOT COMPLYING WITH OFF-STREET PARKING**

- A. Existing buildings not complying with off-street parking or loading requirements may be remodeled, repaired, and structurally altered.
- B. For any off-street parking or loading facility, as required by this Ordinance, a layout plan showing entrances, drives and parking stalls shall be submitted to and approved by the Building Official.
- C. In any of the R and C Districts, all parking spaces shall be set back at least 10 feet from the street curb.
- D. In any of the C Districts, where there are adjacent residences, and in any of the C and L Districts where there is adjacent residential zoning, a 5-foot side yard shall be provided with no parking or paving permitted to extend into the side yard.
- E. On lots having 50 feet or more of frontage, there shall be only one entrance for each 50 feet of frontage, and only one entrance on lots having less than 50 feet of frontage.
- F. In any of the Districts, parking space may be provided on a separate lot, provided that the separate lot parking is clearly marked and available for use and provided it is within 100 feet of the building using the lot. Two or more owners may join together in the provision of this separate parking, and such parking agreement shall be in writing and available to the City Building Official.

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## **CHAPTER 7**

### **MANUFACTURED HOUSING / MOBILE HOMES STANDARDS AND PLACEMENT**

## **CHAPTER 7: MANUFACTURED HOUSING / MOBILE HOMES STANDARDS AND PLACEMENT**

### **SECTION 7.1 PURPOSE**

In order to ensure safe and orderly development and to protect the health, safety and welfare of its citizens, to ensure against encroachment on other people's property, and to protect property values, the City of Walker has included this Chapter within this ordinance. This chapter provides for the proper permitting, placement and location of manufactured housing (mobile homes or trailers) within the corporate limits of Walker, Louisiana.

#### **DEFINITIONS** (See *Chapter 3: Definitions* of this Ordinance.)

For the purposes of this Ordinance, a manufactured home, or mobile home or house trailer, is defined as a vehicle or portable building which is constructed on a chassis, and/or which may be attached to wheels, and which is designed to be towed over roads and highways and to be used for occupancy (residential). It may be used with or without a permanent foundation and may be designed to be transported and used in one or more sections. As such, the mobile unit will be duly titled by the appropriate regulatory agency and if rendered unsuitable for transportation, or its title rescinded, shall not be considered a legal mobile home or manufactured home for occupancy in the City of Walker. Travel trailers, pick-up campers, motor homes, tent campers, bus trailers, and other such units are not considered as included in this definition, but if intended to be used for occupancy in Walker for a time period of 7 continuous days or more, or for occasional occupancy in Walker, or to be stored on public right of way or servitude must also be approved and permitted by the City Building Department before such occupancy or placement begins. The housing units meeting the definition herein as being approved manufactured housing, are built in accordance with federal HUD manufactured housing and wind codes.

Mobile homes or manufactured housing in Walker must be skirted according to the standards called for in the City Unified Development Code, herein, tied down (anchored) according to Louisiana State Manufactured Housing Installation Law, and must bear the label or seal of compliance with the Federal Manufactured Home Construction and Safety Standards issued by an agency approved by the Secretary of the Department of Housing and Urban Development. Mobile or manufactured homes shall, upon City inspection, meet the Class A or Class C standards defined by the City Building Department. Mobile home owners must receive a moving permit before moving a mobile home to be placed in Walker. Mobile home or mobile trailer structures used as commercial buildings or storage in Walker are not permitted, except for temporary use with construction sites. Building inspections and occupancy permits and moving permits must be obtained before such buildings are occupied.

Manufactured modular units or buildings constructed off-site and intended for occupancy in the City of Walker are also not included in this definition but must be permitted by the City before movement and occupancy within the corporate limits of Walker. Such units must meet the required adopted State of Louisiana and City of Walker building codes, including but not limited to the International Residential Building Codes and associated electrical, plumbing, and fire codes.

**SECTION 7.2 PERMIT TYPES** Within the boundaries of the City of Walker, a mobile home or manufactured home permit for residential or commercial occupancy or placement within the City is required by the City of Walker before moving and placing within the corporate boundaries. This includes temporary or permanent types of uses for non-site built housing or business manufactured units built off-site usually not considered mobile units that are moved into or within the City and intended for placement and occupancy. A permit and approval must be obtained from the City Building Permit office before any of the following activities, construction, or actions commence within the City. These required permits are outlined below:

- Placement and/or renovation or addition onto an existing mobile building, manufactured housing, house trailer, or mobile home being moved from one location to another location within the City limits or being brought in from outside the City limits for placement and occupancy within the corporate limits of Walker.
- Occupancy permit from the City of Walker for occupancy of a mobile home or manufactured housing structure, whether commercial or residential.
- Moving and placement of new or used mobile homes or modular buildings, manufactured home, modular home, or mobile commercial building intended for occupancy or storage. Only approved and properly skirted HUD standard mobile homes manufactured within 10 years of application year (HUD mobile home code date), meeting FEMA required wind code standards, and having the required and exterior **affixed red metal ID label** and proper ownership documentation shall be permitted to be placed within the City boundaries. Those units legally located in the City, currently installed with standard City utilities, and not meeting these standards at the time of enactment of this ordinance are allowed to remain (**are grandfathered as non-conforming**) but can only be replaced by HUD standard conforming units, cannot be enlarged, and may not be relocated within the City boundaries, unless they become conforming structures properly permitted by the City and meeting the 10 years within application year manufactured date and wind load requirements indicated herein.

### **SECTION 7.3 PERMIT PROCESS- START AND EXPIRATION DATES/ USE OF LICENSED MOVERS**

Each application for permits for newly moved structures, intended for occupancy, including mobile or manufactured homes, modular homes, or commercial units, and additions to such units, shall first be reviewed for approval by the City Building Department. A sketch showing the exact proposed location of the unit upon a parcel of property, with all required yard setbacks, shall be provided in written form to the City Building Department. The permit applicant must receive Building Official approval and a permit before moving and occupying the manufactured unit. In the case of a mobile home/manufactured home legally permitted to be placed in the City, proper anchoring and complete perimeter skirting must be completed, as per State of Louisiana standards, before such unit is occupied, and shall be completed before occupancy. After receipt of the proper permit, the moving and proper installation of the unit must begin and be completed within 90 days of the permit date, with such placement being

done by a State licensed and insured manufactured housing/mobile home mover. After such 90-day period, the permittee can request an extension of time from the City Building Permit Office, but such extension does not have to be provided if the Building Official affirms that sufficient time has been provided for such action to be completed. During this time period, an approved and ventilated mobile home skirting shall be properly installed on all exterior sides of the unit.

#### **SECTION 7.4 PERMIT FEES**

All moving, placement and occupancy permits to be obtained from the City of Walker in conformance with this ordinance must pay the required permit fee for activities included herein, and such shall be obtained from the City Building Permit office before commencement of the activity, installation, placement, occupancy, or construction. The fees include a \$35 site inspection fee, a \$25 moving fee, and, where required, an elevation certificate. A **site drawing and/or property survey** is required by the City from the land owner or permit applicant, which clearly designates the proposed specific location of building and driveway placement on the property. New construction proposed to be attached to an existing mobile home will be charged the appropriate building permit fees for new construction.

#### **SECTION 7.5 ZONING CLASSIFICATIONS -MINIMUM BUILDING SETBACKS AND LOT SIZE**

The minimum set-backs, lot sizes, and spacing standards for newly placed manufactured homes/mobile homes or trailers defined herein, will be as required in the appropriate zoning classification for which the unit is being located. If all appropriate and related requirements are met, manufactured housing/mobile homes may be located in R-50, R-60 and R-70 residential zoning classifications and within approved mobile home parks, upon City approval, prior to construction activities.

Other than exit steps and door overhangs, any and all proposed additional rooms, carports, porches and decks to be added onto a manufactured or mobile home unit, including each improvement or addition to a unit, shall first be properly permitted and approved by the City Building Official.

Commercial or business occupied mobile homes are not permitted with the Walker corporate limits. However, approved modular commercial units with proper documentation, may be approved by the City Building Official. This does not restrict a construction contractor from locating a construction trailer for a time period of no more than 12 continuous months on the site of a construction job that has been legally permitted within Walker.

#### **SECTION 7.6 MOBILE HOME/TRAILER PARKS OR COURTS**

- A. A trailer park or court for a group of house trailers or manufactured/mobile homes is permitted in a T – Trailer Park District, only after submission of a site plan showing the proposed layout, as provided in Section 5.8(B). The proposed layout shall be in compliance with the following criteria. All trailer parks in all districts where permitted, shall be developed in accordance with the City, Parish and State requirements for the

method of sewage treatment and disposal and for the public water supply, and shall be built in accordance with the following minimum construction standards:

1. Individual house trailer/mobile home sites may be leased or rented but not subdivided or sold.
2. Each house trailer/mobile home used or brought to the site must be built within 10 years of application year and shall be certified as meeting the most recent or prior HUD standard construction and safety codes.
3. Frontage shall be required on a publicly maintained street or road. No mobile home park shall be allowed on a servitude.
4. Maximum density shall be no more than seven and one-half (7.5) house trailer sites per acre.
5. Minimum improvement requirements for private drives within the trailer park shall be twenty-three-foot (23') roadway surface in fifty foot (50') width between building lines with adequate storm drainage and pavement construction of at least eight-inch (8") compacted crushed limestone base and two (2) inches of asphaltic surface.
6. Where only one drive is to be provided, each trailer park shall include an adequate circular turnaround at the rear of the property with a minimum inside radius of thirty-five (35) feet for garbage trucks and other vehicles.
7. The minimum house trailer site size shall be at least forty (40) foot front by one hundred forty-five (145) feet in depth.
8. Each house trailer site shall have two (2) concrete runners, two (2) feet wide and six (6) inches thick, for the trailer location and a four-inch (4") thick, ten-foot (10') by twenty-six-foot (26') concrete parking pad.
9. All mobile homes must have steps that are in compliance with the latest version of the International Building Code (IBC).
10. Garbage receptacles are to be provided. Two (2) receptacles shall be provided for each twenty (20) house trailer sites such that a minimum 0.4 Cubic Yards per week, per unit is available, or a number and type satisfactory to the Building Official.
11. Each house trailer site shall be provided with a sanitary sewer connection and each trailer park shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit, the City of Walker, and the State Health Department.
12. There may be established a separate or optional area for overnight campers which area shall be provided with central public facilities.

13. Where T – Trailer Park or Manufactured/Mobile Home Districts are adjacent to other Residential Districts, a fence at least eight (8) feet high and ninety (90) percent solid shall be provided along the side and rear property lines adjacent to the District.

## **SECTION 7.7 GARBAGE RECEPTACLES FOR MULTIPLE DWELLINGS**

- A. For multiple dwellings and mobile home parks, garbage receptacle dumpsters shall be provided acceptable to the Building Official.

## **SECTION 7.8 HOUSE TRAILERS/MOBILE HOMES IN R-70 DISTRICTS**

- A. House trailers/mobile homes are permitted in R-70 Residential District in connection with a dwelling on the same lot with such a dwelling or adjacent thereto, provided that:

1. Any such house trailer is occupied by a member of the immediate family occupying such dwelling. A member of the immediate family shall be construed to be a son, daughter, parent, sibling, grandparent, or grandchild.
2. Any such house trailer shall meet the same minimum yard and lot size requirements as a primary building on the site.
3. The occupancy permit for any such house trailer shall expire twenty-four (24) months from the date of issuance at which time application for renewal may be made.
4. Only one additional house trailer/mobile home shall be allowed in addition to the primary dwelling on any single lot.
5. Each house trailer/mobile home used or brought to the site must be built within 10 years of application year and shall be certified as meeting the most recent or prior HUD standard construction and safety codes.

- B. House trailers/mobile homes are also permitted in the R-70 Residential District not in connection with a dwelling provided that:

1. Any such house trailer shall be occupied by the owner of the property on which the house trailer is located or by a member of his immediate family, being a son, daughter, parent, grandparent or grandchild.
2. Any such house trailer shall meet the same minimum yard and lot size requirements as a main building.
3. The occupancy permit for any such house trailer shall expire twenty-four (24) months from the date of issuance at which time applications for renewal may be made.
4. Only one house trailer/mobile home shall be allowed on any single lot.

C. A person requesting a building permit for a mobile home must furnish proof of ownership, to include a notarized bill of sale.

## **SECTION 7.9 RESERVED**

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## **CHAPTER 8**

### **LANDSCAPING, LAND CLEARING, AND LAND FILLING STANDARDS**

## **CHAPTER 8: LANDSCAPING, LAND CLEARING AND LAND FILLING STANDARDS**

### **SECTION 8.1 PURPOSE AND INTENT**

- A. The purpose of this section of the UDC ordinance is to promote the health, safety, and welfare and sustainability of the existing and future residents of the City of Walker and of the City environment, by establishing minimum standards for the protection and enhancement of natural plant communities, natural features, and continued maintenance of those areas and landscaped areas with the City of Walker for the following purposes:
1. Environmental Quality - To improve environmental quality by recognizing the numerous beneficial effects of landscaping and protection of the forest canopy.
  2. Aesthetics - To improve the aesthetic appearance of commercial, industrial and residential areas through landscape design which incorporates protection and maintenance of living plant materials and other site developments in ways that harmonize and enhance the natural and built environment, while enhancing public health and safety.
  3. Land Values - To maintain and increase the value of land and community economic image by requiring a minimum amount of landscaping to be incorporated into development, thus becoming itself a valuable capital asset.
  4. EPA mandate - To comply with the Environmental Protection Agency and DEQ mandates to reduce non-point pollution of streams and waterways.
  5. FEMA and Corps of Engineers- Floodplain standards and wetlands

### **SECTION 8.2 LAND CLEARING, AND LAND FILLING REQUIREMENTS**

The following requirements apply to all Land Clearing and Land Filling operations in all zoning districts and for commercial, multi-family and industrial building sites, building project or sites, public or private, which require a building permit in the City of Walker, regardless of location. This does not include the clearing of a single subdivision lot or conforming residential lot for a single-family house. Land clearing notifications, which may or may not be included as part of the Building Permit application, shall be required of all parties engaged in land clearing when a tract of land is changed from an agriculture, undeveloped, or forestry use to a residential subdivision, institutional, commercial, multi-family, or industrial use, or that may be cleared only for sale of timber.

#### **A. Land Clearing Notification/Fill Permit:**

1. Prior to the cutting, clearing, or removal of any plant material, or the filling of a lot with soil or other fill material, a Land Clearing Notification/ Fill Permit shall be initiated by contacting the City of Walker Building Department. The following minimum information shall be provided to the City:

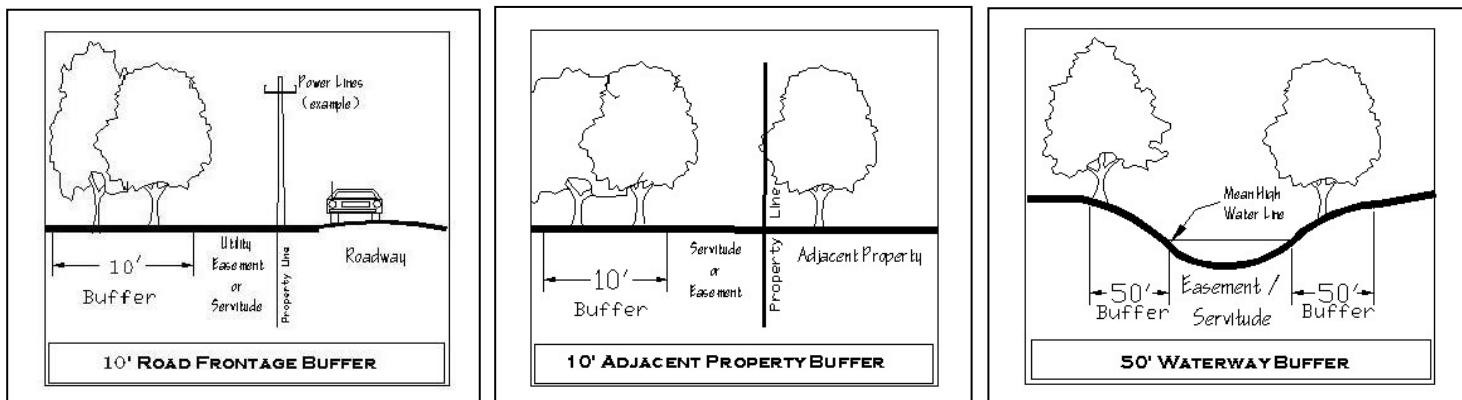
- Name, address, phone number, contact person of contractor and property owner
  - Adequate legal description of property
  - Authorization of property owner to begin clearing or filling
  - Preliminary Site plan of property, showing any buildings on the site, area to be cleared or filled and location of green buffer areas where required
  - Estimated starting date and completion date of work
  - Erosion control measures and Best Management Practices (BMP) measures to be taken to keep soil from eroding into streets, drainage areas, and neighboring properties.
2. **Permit(s) required:** Upon a flood determination being provided to the applicant, a Land Clearing Notification/ Fill Permit may be allowed by the Building Department. The notification/permit shall be valid for no more than six (6) months, should additional time be necessary to complete the clearing or filling the owner/developer/contractor shall provide additional notice. In addition, before a clearing shall begin, the applicant may need to request a Section 404 permit from the U.S Army Corps of Engineers, depending upon the site and the size. Notification to the City of land clearing and land filling activities does not relieve the owner/developer/contractor from obtaining the other necessary local, state, and federal permits that may be required.
  3. **Pre-Inspection by City:** At least three working days prior to beginning work, the owner or his/her representative shall request a pre-condition and pre-clearing inspection from the City Building Department. After notification by the owner, the City shall schedule a meeting within three days with the owner or his representative, prior to the contractor beginning work. No work is to begin until representatives from these departments meet with the owner or his representative on site AND a flood determination has been presented.
  4. **Post-Inspection:** The Building Inspector and/or his designee may inspect the clearing site during and after completion of work from compliance with City regulations and to inspect for any damage to public culverts, roadways, drainage ways, and to verify that erosion control measures have been installed by the owner/developer/contractor.

#### B. Land Clearing and/or Land Filling Requirements:

1. The requirements of this section shall be met by all parties engaged in land clearing or land filling when a tract or parcel of land is being prepared for development, or is being changed from an agricultural, open, developed, undeveloped, or forestry use to a residential subdivision, commercial, multi-family, or industrial use. The City Building Official, in conjunction with the Chief of Operations, shall be the primary contact points for review and negotiation of land clearing and fill requirements.
2. Notification to the Walker Building Department is required prior to commencement of land clearing operations. An erosion control plan shall be included to indicate the owner/developer's plans for reducing erosion on the site after clearing or filling. If the subject property is located within a designated wetland, within the Coastal Zone, and/or within a flood zone or floodway, or wetlands, other appropriate permits or

approvals may be needed from federal or state agencies before the City of Walker approves its own permit for such work.

3. **Land Clearing Operation and Restoration:** All land clearing operations shall be on site, unless written permission is obtained to work within public areas and neighboring properties. The access roadway shall be of sufficient strength to allow access by construction vehicles and shall be maintained during land clearing operation, so that it is not allowed to become rutted. Additionally, it shall be required that the contractor, owner, or timber company, bond fifty (50) percent of the value of the existing City roadways to be used for transport, for the duration of the work. The bond shall be released upon a satisfactory roadway inspection by the City, or their Engineer. All drainage areas and public roads must be properly restored before a land clearing applicant or contactor leaves the site. All public rights-of-way, public properties, existing and recognized natural drainage, and engineered drainage shall be restored to pre-existing conditions with the cessation of the land clearing activity. Access roadways for land clearing operations may be cleared.
4. **Damage to Public Property:** In the event a land clearing operation causes damage to City of Walker public property resulting in the City having to take corrective action, the City will present the invoice to the responsible party of record and/or have the responsible party rectify the damages to the site or by payment to the City to cover repair of damages.
5. **Landscape Buffers:** The following requirements for landscape buffers are mandatory for owners/developers and their clearing contractors within the City of Walker. Additional buffers may be required as part of a valid building permit that would show approved green buffers, in addition to those required below. All buffers required shall be exclusive of all easements, servitude and or rights-of-way within the property.

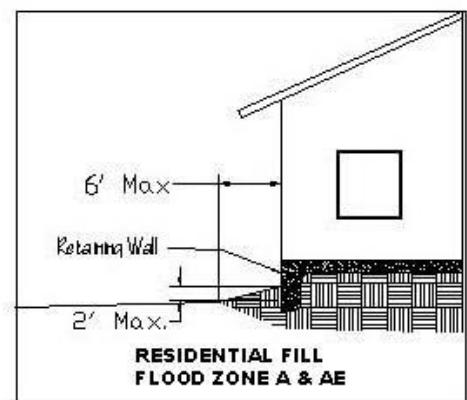


- a. **Road Frontage** – Ten-foot (10') width along the existing public road frontage. In the case of new subdivisions, all road frontage tree and shrub buffer requirements shall apply to all roadways existing and those proposed for development. For new single-family residential lots, one Class A tree shall be required in the Road Frontage Buffer on each lot.

- b. **Adjacent Property** – Ten-foot (10') width along the adjacent property line of incompatible land use as described below or as approved by the City Building Official.
- c. **Waterways** – Fifty feet (50') in width along both banks of natural streambeds, riverbanks and drainage canals maintained by the City, or Drainage District, or Parish and measured from the mean high-water line (does not include roadside drainage ditches, man-made or natural swales) or footage requirements set out in Chapter 5 for drainage, whichever is greater.

### **SECTION 8.3 LAND FILLING REQUIREMENTS:**

The requirements of this section shall be met by all parties engaged in the placement of fill material on land when a tract or parcel of land is being prepared for development, or is being changed from an agriculture, open, developed, undeveloped, or forestry use to a residential subdivision, commercial, multi family, or industrial use. If the development being ‘filled’ is a residential subdivision, commercial, multi family, or industrial development, a Drainage Impact Study (DIS) will be required per Chapter 11, herein, to prove that no adverse effects to the watershed will occur because of the development.



A. **Residential or Commercial Fill Requirements:** Fill for Individual single family residential lots, residential and commercial, and industrial properties located in Flood Zone A and Flood Zone AE, shall be limited to a maximum average height of twenty-four inches (24") above existing property ground, and limited to the area under the building envelope and shall extend no more than six feet (6') from any foundation or concrete slab (to achieve 3H:1V slope) as determined reasonable by the City Building Official or as approved in the subject Drainage Impact Study. The use of pier foundations for buildings located within the flood zone is highly encouraged by the City, as an alternative to filling of property located within the Flood Zone.

1. **Multi-family, Commercial, Industrial Fill Requirements:** Land being prepared by an owner/developer/contractor for development by filling or is being changed from an agriculture, open, developed, undeveloped, or forestry use to a residential subdivision, commercial, multi-family, or industrial use shall first notify the City Building Department as part of the Land Clearing Notifications/ Fill Permit process as outlined in Section 4.11 and 8.2 of these regulations. Once notification has been provided to the Building Department and no objection has been indicated and the Fill Permit received, the owner/developer/contractor shall be allowed to place fill on the site as follows:

- a. **Fill in conjunction with Building Permit:** Fill placed on sites as part of an approved building permit or a work order issued for subdivision or commercial construction shall follow the fill requirements set forth in the approved building permit. In Flood Zone A and Flood Zone AE, fill material for the foundation and

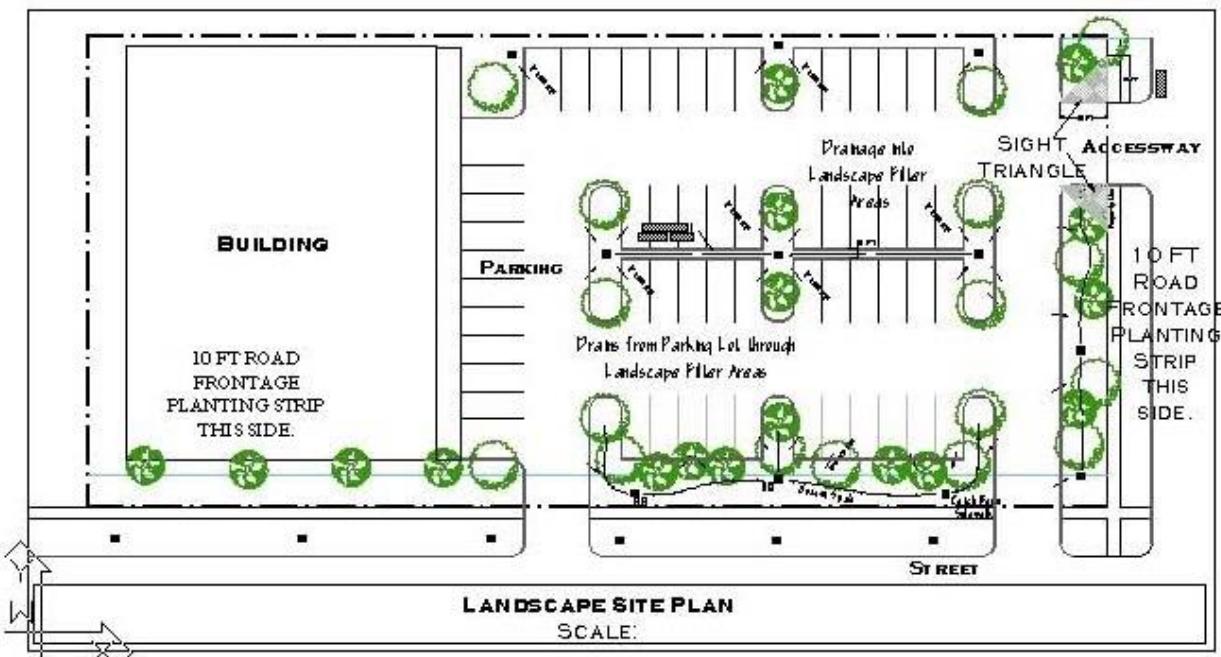
parking areas may be placed to a maximum average height of twenty-four inches (24") above the existing property grade. Should more fill need to be placed; a variance on this can be provided by the Building Permit Official as long as one or both of the following additional restrictions are met:

- i. All fill to be used on the site comes from the same property and the same flood zone designation area.
  - ii. The project's drainage impact study proves that by allowing additional fill there are no adverse effects to the adjacent waterways, properties, landowners, structures, and floodplain for the 100-year design storm (see Section 11.12 for *Drainage Impact Study Standards*).
- b. **Flood Zone X:** There are no fill requirements in areas designated as Flood Zone or X.
- B. **Erosion and Drainage Control** measures must be shown on all site plans/construction plans or building plans for new projects or exterior rehabilitation projects in which erosion of soil is a concern to the City or drainage run-off or where DRAINAGE CHANGES COULD IMPACT UPON A NEIGHBOR'S PROPERTY.

#### **SECTION 8.4 LANDSCAPE REQUIREMENTS:**

Landscape requirements apply to all new subdivisions, commercial, multi-family and industrial building sites, building project, or renovation projects or sites, public or private, in the City of Walker, regardless of location. Property or business owners applying only for maintenance improvements on their property, such as a repainting, repair or re-roofing of their property, are not required to comply with these requirements. These landscape requirements shall apply to those existing properties in which new construction or additions take place or where there is substantial renovation that exceeds routine maintenance and that requires a building permit and submission of plans to the State Fire Marshal. This includes new or renovated parking lots.

- A. **Landscape Plan Required:** A landscape plan, prepared in accordance with the provisions of this ordinance, shall be submitted to the City Building Department for review and approval before any construction takes place and before any Building Permit is issued. Said plan will be drawn to scale by a licensed landscape architect, or licensed landscape contractor with all irrigation, fill, plant types and planting methods clearly shown on the plan. Such plan will become a part of the Building Permit Application file and will be considered part of the building and site approval permit. The owner/applicant, along with the Building Department, shall sign the landscape plan, when it is approved by the City, and will install the improvements in accordance with the plan.

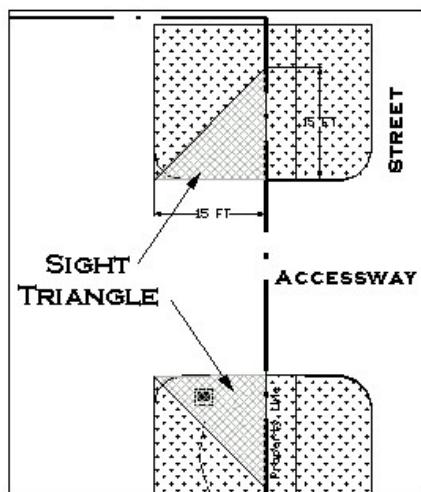


- B. **Landscape Work:** Landscape work shall be completed as part of the total construction package and must be in place at final inspection of the building or site by the City Building Inspector, or as approved by the Building Official no more than ninety (90) days after final inspection and based upon written explanation and guarantee from property owner. Site and landscaping improvements not installed according to the approved landscape plan will prevent City approval of the applicant's occupancy of the building and site. In addition, the City may take enforcement action as provided in this UDC ordinance.
- C. **Building Occupancy:** Plantings required by this ordinance shall be in place at the time the building is to be occupied or by approval by the Building Official of written requests for extensions of no more than ninety (90) calendar days (after occupancy inspection), guaranteeing completion of the landscape improvements by the property owner.
- D. **Enforcement:** Landscaping work shall be completed as part of the total construction package and be installed at the time of final City inspection of the building, parking and utilities. The City Building Official's office has the authority to issue stop work orders on any unapproved work or non-permitted project. Any person violating any provision of this UDC ordinance, or who fails to comply with any said requirement, shall be punishable by a fine as per allowed in this ordinance. The mitigation requirement of this ordinance shall apply to violations of the Land Clearing / Land Filling and Landscape Requirements Sections of this ordinance. Building permits and City water service may be withheld to properties and projects not complying with landscaping and clearing requirements. Appropriate mitigation action must take place if an owner/developer or applicant has violated this ordinance.
- E. **Irrigation System:** All landscape plans must include a proposal for automatic irrigation watering of the landscaping in order to keep the landscaping well-maintained.

F. **Maintenance:** All required plantings shall be maintained in a healthy condition and shall be routinely examined and protected during construction. Plant materials required to be planted and indicated on the site plan or landscape plan that die or become diseased during or after construction, are to be replaced with the same type and size of plant material originally specified on the landscape plan.

G. **Access:** There shall be a maximum of one (1) two way or two (2) one-way accessways for every one hundred fifty linear feet (150') of road frontage or major fraction thereof. Two-way accessways shall be no wider than thirty-five feet (35') and a one-way accessway shall be no wider than fifteen feet (15'). Minor variances to this may be approved by the Mayor or Building Official; landscape plan would be adjusted accordingly.

H. **Visibility at Intersections and Accessways:** All plantings shall conform to City standards and be located so as not to cause an obstruction to motorists. A sight triangle measuring fifteen feet (15') along the property line by a depth of fifteen feet (15') shall be established at accessways. No sight obstructions over thirty inches (30") shall be allowed in this sight triangle.



I. **Tree Preservation:** Existing trees that are in good health may be credited towards the tree requirement of the landscape buffer or area they fall in on a one to one basis. The owner is encouraged to preserve as many mature and healthy existing trees as possible in the design and implementation of the site and landscape plans. It is the responsibility of the owner to maintain the preserved trees. It will be the responsibility of the owner to replace any preserved tree that dies within five (5) years of development completion with another tree meeting Class A standards

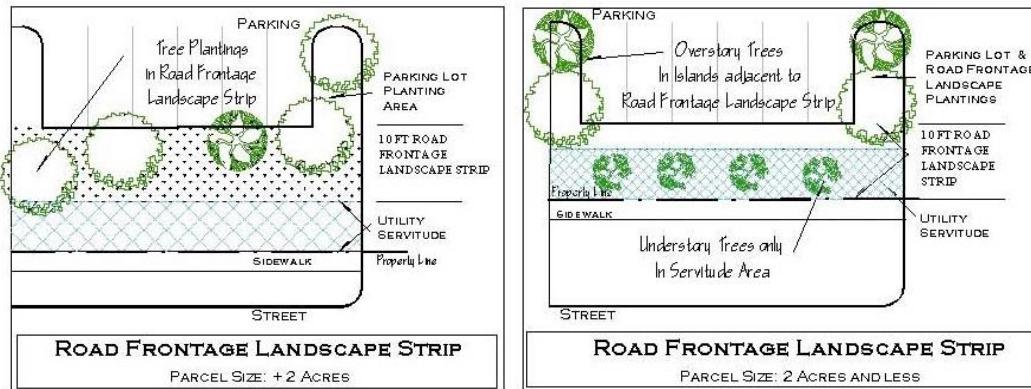
1. **Credit Determination:** To receive credit for a preserved tree, the owner must include as part of the Landscape Plan the location, species, size and photo of each tree or tree grouping proposed for preservation credit.
2. **Tree Protection:** During construction and clearing operations in connection with a building permit, all trees scheduled for protection by this ordinance shall be protected with a barrier fence extending to the edge of the tree's dripline. All tree protection

fencing must be in place prior to any clearing or site work and remain in place until all construction has been completed to receive credit for the trees. The fence shall be a minimum height of six feet and create a completely enclosed area around the tree. Plastic or no-rigid forms of fencing shall not be allowed. The fencing shall carry durable signs designating the area as a “Tree Protection Zone”. Signs shall be a minimum eight inches (8”) tall by ten inches (10”) wide and shall be firmly affixed to the tree protection fence at a maximum spacing of twenty-five feet (25’) between signs.

#### J. Site Landscape and Buffer Requirements:

- Road Frontage Landscape Buffer Requirements:** The road frontage buffer requirement is defined as a front yard landscaping easement of at least ten feet (10') wide adjacent to and along all public roadways in all commercial and multifamily zoning districts. Such easement will remain private property and shall immediately adjoin the public road right-of-way. This easement must be planted with approved tree species and shrubs, planted in a manner that will provide a slight buffer from the front parking.

For Parcels two (2) acres or less, the Road Frontage Buffer may include any easements, servitude and or rights-of-way within the property, as shown below.



- Tree Planting Requirements:** There shall be a minimum of one over-story tree, two inches (2") in diameter, a minimum of twelve feet (12') in height for every fifteen linear feet (15') of road frontage. Credit will be given on a one-to-one basis for existing overstory trees preserved and protected in the tree buffers/road frontage landscape strip along the roadways (or left protected elsewhere on the property). Trees shall be planted within the Road Frontage Landscape Strip as defined above.
  - There shall be a minimum of one Class A tree for every thirty linear feet (30') of road frontage. 50% of the total must be Class A, two Class B trees may be substituted for 1 Class A for the other 50% of the total requirement.
  - Where overhead utility lines are present, one Class B tree for every thirty linear feet (30') of road frontage shall be used in lieu of Class A trees.

- iii. Approved driveway access points may be subtracted from the total linear footage.
  - iv. Trees shall be planted within the Road Frontage Buffer as defined above.
  - v. Credit will be given on a one-to-one basis for approved existing trees in good health, preserved and protected in the road frontage buffer.
- b. **Shrub Planting Requirements:** Where parking lots are constructed adjacent to roads, a continuous screen of evergreen shrubs a minimum of three feet in height shall be planted to screen the parking from the roadway. These shrubs do not have to be planted in a solid straight line. They can also be clustered in varying depths and bed shapes so long as to still meet the intention of the screening requirement.
2. **Adjacent Property Buffer Requirements:** The Adjacent Property Buffer is defined as a perimeter landscaping easement of at least ten feet (10') wide adjacent to and along all property lines that are not along public roadways in all commercial and multifamily zoning districts that are adjacent to conflicting land use or zoning. For example, a multifamily development next to single family residence would be required to provide an adjacent property buffer. Such easement will remain private property. This easement must be planted with approved tree species and shrubs or have a solid eight-foot (8') fence constructed in a manner that will provide a screen between conflicting adjacent land uses.
- a. **Buffer Determination:** A ten-foot (10') wide landscape buffer will be required along each property line that falls under the following circumstances:
- i. Any new or expanded commercial, industrial or multifamily development being constructed next to existing residential or multifamily development.
  - ii. Any new or expanded industrial or commercial development being constructed next to existing commercial development.
  - iii. Any new or expanded parking as a primary use of the lot being constructed next to existing residential, multifamily or commercial development (if the parking is not intended for use by the adjoining development).
- b. **Tree Planting Requirements:**
- i. There shall be a minimum of one (1) Class A tree for every thirty linear feet (30') of property line. 50% of the total must be Class A, two (2) Class B trees may be substituted for one (1) Class A for the other 50% of the total requirement.
  - ii. Where overhead utility lines are present, one (1) Class B tree for every thirty linear feet (30') of property line shall be used in lieu of Class A trees.

- iii. Credit will be given on a one-to-one (1:1) basis for approved existing trees in good health, preserved and protected in the buffer.

c. **Shrub Planting Requirements:**

- i. A continuous screen of evergreen shrubs, a minimum of four feet (4') in height at planting, that will reach a six-foot (6') minimum height at maturity shall be planted to screen the new development from the neighboring development. These shrubs do not have to be planted in a solid straight line but can also be clustered in varying depths and bed shapes so long as to still meet the intention of the screening requirement.
- ii. A solid eight-foot (8') fence will be required, in lieu of shrubs, for any new industrial development bordering any other development and any new commercial or multifamily development that borders an existing single-family residential development. A solid eight-foot (8') fence may be substituted for the shrub requirement in all other conditions.

**K. Parking Landscape Requirements:**

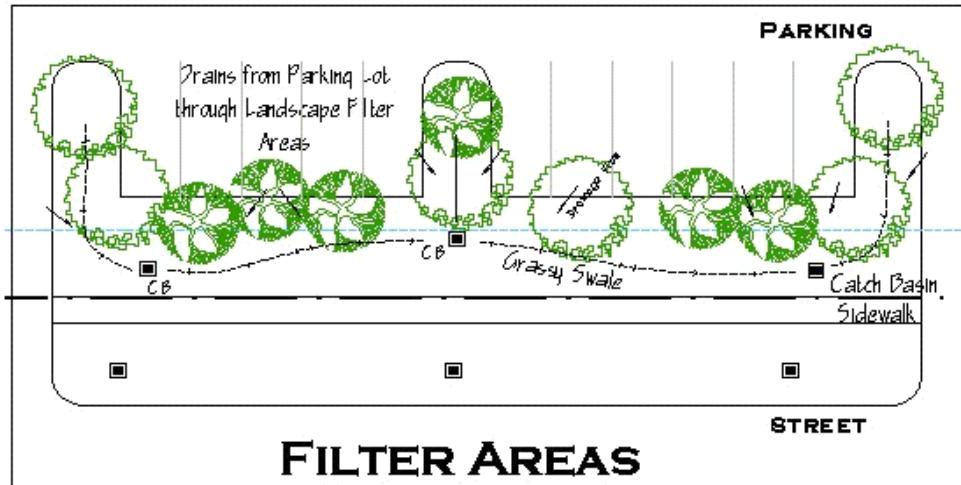
1. **Tree Planting Requirements:**

- a. There shall be a minimum of one Class A tree, for every ten (10) parking spaces provided. An interior landscaped island shall be provided between every ten (10) parking spaces in a single row. Interior islands may be consolidated, or intervals may be expanded in order to preserve existing trees in good health.
- b. No parking space shall be further than one hundred feet (100') from the trunk of a Class A tree.
- c. Credit will be given on a one-to-one basis for existing overstory trees in good health that are preserved and protected in the parking areas.

2. **Tree Planting Areas:** There shall be a minimum of one hundred twenty-five (125) square feet planting area provided for each tree required by this section. Each planting area shall have a minimum wide dimension of eight feet (8').

3. **Landscape Filter Area and Best Management Practices (BMP):** Where feasible, based upon lot size, site conditions, and parking requirements, parking tiers shall be separated by a minimum three feet of landscape filter areas. Landscape filter areas are to include a groundcover and landscape material that will achieve one hundred (100) percent coverage when vegetation is mature. Examples include solid sod, monkey grass, liriope, Japanese ardesia, Asian jasmine, or iris. Care should be taken to reduce washing of soil and mulch in filter areas, until permanent groundcover is established.

Additionally, when and where possible, and at the discretion of the City Building Department, a portion of the drainage from the parking areas shall be drained through swales in the Road Frontage Buffer to include deep rooted perennial ornamental grasses.



## L. Planting Standards:

### 1. General:

- a. All landscaping shall be installed in accordance with the rules of good arboricultural practice as set forth by the ANSI A300 and in the Louisiana Nurseryman's Manual for the Environmental Horticulture Industry, latest edition, as published by the Louisiana Nursery and Landscape Association, and currently in effect at the time of such work.
- b. Plant material shall be true to name, variety and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition, as published by the American Nursery & Landscape Association.
- c. All plant heights shall be measured from the top of the root ball to the tip of the highest branch.

### 2. Class A Trees: A Class A Tree is defined as a canopy tree that will provide significant shade and reaches fifty feet (50') and above at maturity.

#### a. Tree Planting Requirements:

- All single trunk trees shall have a minimum of two-inch (2") caliper and measure a minimum of eight feet (8') tall at time of planting.
- All multi-trunk trees shall have a minimum of three (3) main stems each with a minimum one and one-half-inch (1-½") caliper and measure a minimum of eight feet (8') tall at time of planting.

b. **Acceptable Species:** Below is a list of some but not all acceptable Class A trees.

- Swamp Red Maple, Nuttall Oak, Shumard Oak, Live Oak, White Oak, Willow Oak, Bald Cypress, Pond Cypress, River Birch, Sweet Gum, Tulip Poplar, Southern Magnolia

3. **Class B Trees:** A Class B Tree is defined as a medium size tree that can provide shade as well as ornamental value and reaches twenty-five feet (25') and above at maturity.

a. **Tree Planting Requirements:**

- All single trunk trees shall have a minimum of one-half-inch ( $\frac{1}{2}$ ") caliper and measure a minimum of seven feet (7') tall at time of planting.
- All multi-trunk trees shall have a minimum of three (3) main stems each with a minimum one-inch (1") caliper and measure a minimum of seven feet (7') tall at time of planting.

b. **Acceptable Species:** Below is a list of some but not all acceptable Class B trees.

- Drake and Chinese Elms, larger Crape Myrtle varieties, Wax Myrtle, larger Holly varieties, River Birch, Southern Crabapple, Fringe Tree, Sweetbay Magnolia

4. **Shrubs:**

a. **Shrub Planting Requirements:**

- Shrubs shall be a minimum fifteen-inch (15") height in a minimum 3-gallon container, unless they are planted as part of a screen in the Road Frontage Buffer or Adjacent Property Buffer.
- Shrubs for Road Frontage Buffer screen shall be a minimum of two and one-half feet (2- $\frac{1}{2}$ ') tall at time of planting.
- Shrubs for Adjacent Property Buffer screen shall be a minimum of four feet (4') tall at time of planting.

b. **Acceptable Species:** Below is a list of some but not all acceptable shrubs.

- Azalea varieties, Carissa Holly, Dwarf Burford Holly, other Holly varieties, Muhly Grass, Maiden Grass, Viburnum varieties, Podocarpus

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## **CHAPTER 9**

### **ENVIRONMENTAL PROTECTION AND FLOODPLAIN DEVELOPMENT REQUIREMENTS**

## **CHAPTER 9: ENVIRONMENTAL PROTECTION AND FLOODPLAIN DEVELOPMENT REQUIREMENTS**

Refer to City of Walker Ordinance Chapter 8 – Landscaping, Land Clearing and Land Filling Standards.

### **SECTION 9.1 STATUTORY AUTHORITY**

- A. The Legislature of the State of Louisiana has in R. S. 38:84 delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses.  
Therefore, the City of Walker, Louisiana, does ordain as follows:

### **SECTION 9.2 FINDINGS OF FACT**

- A. The flood hazard areas of the City of Walker are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses are created by the cumulative effect of obstructions in flood plains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

### **SECTION 9.3 STATEMENT OF PURPOSE**

- A. It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
1. Protect human life and health;
  2. Minimize expenditure of public money for costly flood control projects;
  3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  4. Minimize prolonged business interruptions;
  5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
  6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
  7. Insure that potential buyers are notified that property is in a flood area.

## **SECTION 9.4 METHODS OF REDUCING FLOOD LOSSES**

- A. In order to accomplish its purposes, this ordinance uses the following methods:
1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
  2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
  3. Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
  4. Control filling, grading, dredging and other development which may increase flood damage;
  5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

## **SECTION 9.5 DEFINITIONS** (See Chapter 3: *Definitions* of this Ordinance.)

### **GENERAL PROVISIONS**

## **SECTION 9.6 LANDS TO WHICH THIS ORDINANCE APPLIES**

- A. The ordinance shall apply to all areas of special flood hazard with the jurisdiction of the City of Walker.

## **SECTION 9.7 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

- A. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Livingston Parish and incorporated areas," dated April 3, 2012, with accompanying Flood Insurance Rate Maps (FIRM) dated April 3, 2012, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

## **SECTION 9.8 ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT**

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance. Note that a single-family residence on a property less than one-half (0.5) acre, will not be required to get a floodplain development permit, however shall still follow the requirements of Chapter 8 *Landscaping, Land Clearing and Land Filling Standards*, as applicable.

When an owner/developer/contractor providing a Drainage Impact Study which meets the requirements of these regulations, and the requirements of the City; the requirement of the floodplain development permit will be considered met.

## **SECTION 9.9 COMPLIANCE**

- A. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

## **SECTION 9.10 ABROGATION AND GREATER RESTRICTIONS**

- A. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

## **SECTION 9.11 INTERPRETATION**

- A. In the interpretation and application of this ordinance, all provisions shall be:
1. considered as minimum requirements;
  2. liberally construed in favor of the governing body; and
  3. deemed neither to limit nor repeal any other powers granted under State statutes.

## **SECTION 9.12 WARNING AND DISCLAIMER OR LIABILITY**

- A. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

## **SECTIONS 9.13 THROUGH 9.20 RESERVED.**

## **ADMINISTRATION**

### **SECTION 9.21 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR.**

The Building Official (or his/her designee if appointed by the Mayor) is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

**SECTION 9.22 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR**

- A. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:
1. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance;
  2. Review permit application to determine whether to ensure that the proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding;
  3. Review, approve or deny all applications for development permits required by adoption of this ordinance;
  4. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
  5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
  6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency, which is the Louisiana Department of Transportation and Development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
  7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
  8. When the base flood elevation data has not been provided in accordance with Section 9.7 herein, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of all parts of this Section.
  9. When a regulatory flood way has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

10. Under the provisions of 44 CFR Chapter I, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one (1) foot, provided that the community first completes all of the provisions required by Section 65.12.

## **SECTION 9.23 PERMIT PROCEDURES.**

- A. Application for a local Development Permit shall be presented to the Floodplain Administrator/Building Official on forms furnished by him/her and may include, but not be limited to plans in duplicate drawn to scale showing the location, dimensions, and elevations of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
  2. Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;
  3. A certificate from a registered professional engineer or architect that the nonresidential flood proofed structure shall meet the flood proofing criteria of Subsection 9.37 (2) of this Ordinance.
  4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
  5. Maintain a record of all such information in accordance with Subsection 9.22(1) of this Ordinance.
- B. Approval or denial of a Development Permit by the Floodplain Administrator/Building Official shall be based on all of the provisions of this ordinance and the following relevant factors:
1. The danger to life and property due to flooding or erosion damage;
  2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  3. The danger that materials may be swept onto other lands to the injury of others;
  4. The compatibility of the proposed use with existing and anticipated development;
  5. The safety to access to the property in times of flood for ordinary and emergency vehicles;

6. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability or alternative locations, not subject to flooding or erosion damage, for the proposed use;

#### **SECTION 9.24 VARIANCE PROCEDURES AND APPEAL BOARD (THE BOARD OF ADJUSTMENTS)**

- A. The Appeal Board, as established by the community, shall hear and render decisions on requests for variances or waivers from the requirements of this ordinance.

The Building Official, through its appointment as the Floodplain Administrator, shall determine if any construction of a residential or commercial structure is required to be built one (1) foot above the base flood elevation. If the Applicant is displeased with the decision of the Building Official, then Applicant may appeal that decision to the City of Walker's Appeal Board (Walker Planning and Zoning Commission) for review. If Applicant is displeased with the decision of the City of Walker's Appeal Board on the appeal, then (s)he may appeal that decision to the City Council of the City of Walker.

- B. The Appeal Board shall hear and render judgment on appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.
- C. Any person(s) aggrieved by the decision of the City Council may, within 30 (thirty) days of the date of such decision, appeal that decision to any court of competent jurisdiction.
- D. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- E. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.
- F. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (0.5) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in this Chapter 9 have been fully considered. As the lot size increases beyond the one-half (0.5) acre, the technical justification required for issuing the variance increases.

- G. Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance.
- H. Variances shall not be issued within any designated floodway, if any increase in flood levels during the base flood discharge would result.
- I. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- J. Prerequisites for granting variances are as follows:
  - 1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - 2. Variances shall only be issued upon:
    - a. showing a good and sufficient cause;
    - b. a determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - c. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - 3. Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- K. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that
  - 1. the criteria outlined in sub section J, 1&2 a-c above are met; and
  - 2. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

**SECTIONS 9.25 through 9.35 RESERVED.**

## **PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **SECTION 9.36 General Standards**

- A. In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
  3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
  4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
  5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
  6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
  7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

### **SECTION 9.37 SPECIFIC STANDARDS**

- A. In all areas of special flood hazards where base flood elevation data has been provided as set forth in Subsections 9.7, 9.22(8), and 9.38(C), the following provisions are required:
1. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement, machinery and equipment, etc.) one (1) foot above the base flood elevation. This one (1) foot above base flood elevation applies to the elevation of the lowest floor (or lowest horizontal structural member in V Zones) of the building. A registered professional engineer, architect and/or surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection, as proposed in subsection 9.23(1)a, is satisfied.
  2. Non-residential Construction. New construction and substantial improvements of any commercial, industrial or other non-residential structure shall either have the lowest floor (including basement, machinery and equipment, etc.) elevated to one (1) foot above the base flood level (or lowest horizontal structural member in V Zones) or together with attendant utility and sanitary facilities, be designed so that below the base flood level plus one (1) foot the structure is watertight with walls substantially

impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design specifications and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the Floodplain Administrator.

3. **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, shall be designated to automatically equalize hydrostatic flood forces on all exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. A minimum of two (2) openings, on separate walls, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
- b. The bottom of all openings shall be no higher than one (1) foot above grade.
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

4. **Manufactured Homes in Flood Zones**

- a. Require all manufactured homes and mobile homes to be placed within Flood Zone A on a community's FHBW or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to one (1) foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) (b) of this Section be elevated so that either:
  - i. the bottom of the longitudinal structural I beam of the manufactured home is one (1) foot above the base flood elevation, or
  - ii. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
5. Recreational vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Sub-Section 9.23(1), and the elevation and anchoring requirements for "manufactured homes" in above paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or a jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

### **SECTION 9.38 STANDARDS FOR SUBDIVISION PROPOSALS.**

- A. All subdivision proposals including manufactured home parks and subdivisions shall be consistent with Sections 9.1 – 9.4 of this Ordinance.
- B. All proposals for the development of subdivisions including manufactured home parks and subdivisions shall meet Development Permit requirements and the provisions of this Ordinance.
- C. Base flood elevation data shall be generated for subdivision proposals and other proposed development including manufactured home parks and subdivisions if not otherwise provided pursuant to this Ordinance.
- D. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- E. All subdivision proposals including manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

### **SECTION 9.39 RESERVED**

### **SECTION 9.40 SEVERABILITY**

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 9.41 PENALTIES FOR NON-COMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without the full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be punished as set forth in Chapter 13 of this Ordinance, for each violation. Each day the violation continues shall be deemed a new violation. In addition, the violator shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Walker from taking such other lawful action as is necessary to prevent or remedy any violation.

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## **CHAPTER 10**

### **SIGNAGE STANDARDS, BILLBOARDS**

## **CHAPTER 10: SIGNAGE STANDARDS; BILLBOARDS**

### **SECTION 10.1 GENERAL CONSIDERATIONS**

- A. The following regulations apply generally to all signs located in commercial and industrial zoning districts and are in addition to the regulations contained elsewhere in this article.
- B. No sign unless herein excepted shall be erected, constructed, posted, painted, altered, maintained, or relocated except as provided in this article and in these regulations, until a permit has been issued by the Building Official.
- C. Except as otherwise provided, these regulations shall be interpreted to permit one sign of each permitted type, in accordance with applicable regulations, for each street frontage, for each permitted use on the premises. For the purpose of the regulations, sign "types" are flat, detached, projecting, canopy, marquee, and roof signs, or special purpose signs specifically listed in the district regulations.
- D. Except as otherwise provided, any sign may be flat, detached, or projecting.
- E. The owner and/or tenant of the premises and the owner and/or erector of the sign shall be held responsible for any violations of these regulations. Where a sign has been erected in accordance with these regulations, the sign company shall be relieved of further responsibility under these regulations, after final approval of the sign by the Building Official.
- F. In areas designated as "overlay districts," (see Section 5.27 "G"), additional signage standards may apply.

### **SECTION 10.2 PERMIT REQUIREMENTS AND SIGN INSTALLATION**

- A. Before any permit is issued, an application, especially provided by the Building Official shall be filed, together with three (3) sets of drawings, and/or specifications (one to be returned to the applicant) as may be necessary to fully advise and acquaint the Building Official with the location, construction, materials, manner of illuminations, and/or securing or fastening, the number of signs applied for, and the wording of the sign or advertisement to be carried on the sign, except in the cases of general advertising signs or accessory signs where the copy or advertising is anticipated to be changed periodically and where such wording or advertising is not needed in computing the area of the sign. All signs which are electrically illuminated by neon or by any other means shall require a separate electrical permit and inspection. All signs shall be erected on or before the expiration of six (6) months from the date of issuance of the permit; otherwise the permit shall become null and void and a new permit shall be required. Each sign requiring a permit shall be clearly marked with the permit number and the name of the person or firm placing the sign on the premises. Fees for sign permits shall be in accordance with the schedule adopted by ordinance, a copy of which is maintained in the offices of the Building Official.

B. Structural and safety features and electrical systems shall be in accordance with the requirements of the building and electrical code of the city. No sign shall be approved for use unless it has been inspected by the department issuing the permit and is found to be in compliance with all requirements of this article and other applicable technical codes.

C. The following are the minimum requirements necessary to issue a sign installation permit:

1. A scaled plot showing location and size of proposed sign, existing buildings and other existing appurtenances. It is the responsibility the contractor to find and expose property corner markers so that they are visible to the Building Official during the sign location inspection.
2. A typical elevation of the proposed sign, indicating height, width, sign size, foundation, construction materials, anchoring and fastening details, and any other information relevant to the structure of the sign.
3. A structural design statement, where applicable, and requested by the Building Official, signed by a Louisiana registered engineer or architect certifying the sign meets the wind pressure and deadload requirements of the International Building Code Congress International, Inc., latest edition and FEMA wind load standards.
4. An electrical permit shall be required at the time of sign permit issuance if the sign requires electrical power.

### **SECTION 10.3 SIGN LOCATION AND ILLUMINATION**

A. Signs over public streets, sidewalks and alleys.

1. No sign shall be located to extend over the portion of a street used by vehicles.
2. No sign projecting over sidewalks shall extend or project nearer than twenty-four (24) inches to the curb.
3. No sign projecting over any part of a public sidewalk shall be erected less than nine (9) feet, measured vertically, above any part of such sidewalks.
4. No sign projecting over an alley shall be erected less than fifteen (15) feet above the surface of the alley directly beneath such signs.

B. Other sign locations.

1. Unless otherwise specified in these regulations, all signs shall comply with the yard requirements of the district in which they are located.
2. One accessory sign may occupy required yards in a district where such sign is permitted by these regulations, provided such sign meets the sign requirements of the district in which it is located, but in no instance shall it exceed thirty-two (32) square

feet in area nor contain flashing, moving, or intermittent illumination, and provided other requirements of these regulations are complied with.

3. No sign, portable or otherwise, is to be placed or located to conflict with the vision, clearance, or other requirements of this article and traffic ordinance of the City.
4. Signs of permitted types and within total sign area may be placed on walls of buildings other than the front except on side or rear walls facing and within 100 feet of the same side of the street of any residential zoning district.
5. No signs shall be attached to trees, utility poles, or any other unapproved supporting structures.

#### **SECTION 10.4 SIGN ILLUMINATION**

- A. Notwithstanding other illumination requirements in other sections of this article, the following guidelines shall be followed:
1. Any sign may be indirectly illuminated if illumination is not otherwise limited by the provisions of these regulations and is not a hazard to vehicle drivers.
  2. No sign may be a flashing sign unless it is specifically permitted.
  3. No flashing signs shall be located within one hundred (100) feet, measured along the street frontage, of any property in a residential district.
  4. Neon lighting or other tubular lighting, when used on the exterior of a building for strip lighting, to outline any portion of a building or structure other than a sign shall not be considered in computing the number of permitted signs but shall be considered as a general advertising sign are permitted and shall be included in the computation of permitted sign area by multiplying the length of the tubing by six (6) inches.

#### **SECTION 10.5 SIGN CONDITION MINIMUM REQUIREMENTS**

- A. All signs shall be maintained in good condition and appearance. The Building Official may cause to be removed any sign which shows gross neglect or becomes dilapidated or where the area immediately around such sign is not well maintained after due notice has been given as provided below.
- B. The Building Official shall remove or cause to be removed, any sign erected or maintained in conflict with these regulations if the owner or lessee of either the site or the sign fails to correct the violation within thirty (30) days after receiving written notice of violations from the Building Official. The Building Official may immediately remove or cause to be removed any sign which in his opinion constitutes a public hazard. Removal of a sign by the Building Official shall not affect any proceedings instituted prior to removal of such sign.

## SECTION 10.6 EXEMPT SIGNS

- A. The following signs are exempted from the permit provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the building code and the Walker Unified Development Code.
1. Official traffic signs or sign structures meeting the provisions of these regulations may be erected by a governmental agency and temporary signs indicating danger. Informational signs erected by a public agency.
  2. Changing of copy on a bulletin board, poster board, display encasement, or marquee and the painting and routine maintenance of sign structures and supports, if the sign area is not increased or any other structural improvements, alterations or replacements made.
  3. Temporary, non-illuminated signs, not more than thirty-two (32) square feet in area, on private property, advertising real estate for sale or lease or announcing contemplated improvements or real estate and located on the premises. One such sign for each street frontage.
  4. Temporary, non-illuminated signs, not exceeding one hundred (100) square feet in area erected in connection with the new construction work and displayed on the premises during such time as the actual construction work is in progress. One such sign for each street frontage.
  5. Non-illuminated signs, not exceeding ten (10) square feet in area with letters not exceeding one foot in height, painted, stamped, perforated, or stitched on the surface area of the awning, canopy, roller curtain, or umbrella.
  6. Cornerstone or tablet of bronze, brass or other noncombustible material when built into or attached to the wall of a building or structure, which states only the name of the building or structure, its use, the date of erection, names of owner, architect, municipal number, public officials or which gives information commemorating a person or event.
  7. Sign on a truck, bus, or other vehicle, while in use in the normal course of business. This subsection should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.
  8. Direction signs of no more than three (3) square feet in total area that direct the public to the entrance or exits of property, or that direct the public to particular parking areas.

## SECTION 10.7 PROHIBITED SIGNS

- A. Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination, may be confused with traffic control signs or signals, or the light of any emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal, or device.

- B. Any sign which emits sound, odor, or visible matter which serve as a distraction to persons within the public right-of-way and as such, could be a public safety hazard.
- C. Signs placed or erected at any intersection, road, right-of-way, or in any manner so as to obstruct clear and free vision with respect to view of traffic or to other signs already in place.
- D. Off-premise/billboard signs at locations other than the location of business are prohibited, except where such signs are grandfathered as non-conforming.

## **SECTION 10.8 NON-CONFORMING SIGNS; SCHEDULE FOR SIGN REMOVAL**

- A. In order for this Ordinance to have its intended effect of improving safety and reducing clutter, certain types of non-conforming signs will be removed over a period of time as provided below:
  1. Signs which have been erected in violation of a previously existing ordinance shall not, by virtue of the adoption of this Ordinance, become legally non-conforming. Such signs shall immediately be removed by the owner or be brought into conformance with this Ordinance.
  2. Signs which have been abandoned, are considered unsafe, or are illegally located on public property shall immediately be removed or repaired by the owner and brought into conformance with this Ordinance.
  3. Mobile, portable, skid-mounted and trailer (vehicle) signs shall immediately be brought into conformance with the Ordinance in relation to their location on the property. Blinking and flashing signs and those with traveling lights that are considered mobile or portable must be set back 20 feet from the right-of-way or from the edge of street pavement, whichever is greater. All portable and mobile signs not using flashing or blinking lights must be set back 10 feet from the right-of-way or edge of street pavement, whichever is greater.
  4. All portable, skid-mounted, mobile and trailer signs which are used on a rental basis must be removed or brought into compliance immediately at the end of the contracted rental period. Renewal of the rental contract for portable signs will not be allowed, since these signs are non-conforming in accordance with this Ordinance. Signs connected by extension cords across a parking lot or walkway must be brought into conformance with City electrical codes.
  5. Signs which become non-conforming and do not meet the provisions of this Ordinance because of height or size shall be allowed to remain and, therefore, become legally non-conforming signs.
  6. All other on- or off-premise signs not conforming to the provisions of this Ordinance must be brought into conformance or removed within 12 months of written notification from the City.

7. No legally non-conforming sign may be enlarged or altered to increase its non-conformity with this ordinance.
- B. City Staff or their representatives must log all non-conforming signs and determine what schedule must be followed in having such signs removed or altered to conform to this Ordinance.
  1. After inventory and logging of all signs which are non-conforming, the owners or responsible parties for such signs shall be notified by the City of the time schedule applicable for such signs to be removed or brought into conformance with this Ordinance.

## **SECTION 10.9 TEMPORARY SIGNS**

- A. Temporary Signs are those that generally are not allowed by this Ordinance, but which may be displayed for periods of no more than 14 consecutive days, upon receiving written prior approval from the Building Official.
- B. Temporary signs that may be approved shall be limited to:
  1. Banner signs that announce special events relating to public purposes, charity, non-profit entities or tourism. Such signs approved by the Building Official may be erected across public streets that are no more than 2 lanes wide.
  2. Portable or trailer signs that display grand openings or special events.
  3. Signs painted or built onto vehicles to be parked as advertising.
- C. It should be noted that this Ordinance allows many types of temporary signs that do not need approval from the Building Official. An example would be a business that announces a special sale with a temporary sign on their building or on an approved pole or mobile sign. Such signs do not need prior approval. Real estate, contractor signs, and political campaign signs are also examples of temporary signs that do not need prior written approval from the City, when installed according to the guidelines of this Ordinance.  
\*\*Temporary signs may be approved for periods of up to 14 consecutive days, 2 times per calendar year, for any 1 business.
- D. Political campaign signs are all considered temporary signs and must be removed within 30 days after an election. These signs are not allowed on public right-of-way, public buildings, public parks, utility poles, or on public trees and may at any time be removed from the public property by the City or State.

## **SECTION 10.10 ABANDONED, UNSAFE, OR DAMAGES SIGNS**

- A. All unsafe or damaged signs shall be removed or repaired within 30 days of receiving written notice from the building Official. Such notices shall be by certified mail.

B. All abandoned signs and their supports shall be removed within 90 days of receiving written notice from the Building Official.

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## **CHAPTER 11**

## **SUBDIVISION STANDARDS**

## CHAPTER 11: SUBDIVISION STANDARDS

### SECTION 11.1 DEFINITION OF SUBDIVISION

- A. For the purpose of this Ordinance, a subdivision of land is (1) the division of land into two or more tracts, sites or parcels of three (3) acres or less in area, or (2) re-subdivision of land previously divided or platted into lots, sites, or parcels. Any sales or contract of sale or agreement to purchase any lot or division of land either by lot description or by metes and bounds shall constitute a subdivision of land and require, prior to any sale or contract of sale or agreement to purchase and before the delivery of a deed, the submission of a proposed plat to the Planning and Zoning Commission. This Ordinance shall not apply to:
1. Land in subdivisions previously legally recorded, except in the case of re-subdivision.
  2. The subdivision of land to be used as cemetery plots, except that submittal of the preliminary plat and final plat is still required.

A minor subdivision is a division of land that does not involve the creation of any new street or other public improvement, does not involve more than two (2) acres of land or more than seven (7) lots of record, and otherwise meets all the requirements of the subdivision regulations and zoning ordinances. City Council and/or Planning and Zoning Commission approval of minor subdivisions is not required by this Ordinance, but may be reviewed and approved by the Building Official.

### SECTION 11.2 JURISDICTION

- A. From and after the date of its adoption, this Ordinance, in the form of the latest Unified Development Code, shall govern all subdivision of land within the corporate limits and jurisdiction of the City of Walker. Any ordinances adopted prior to this that are in direct conflict are hereby repealed.
- B. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the City Building Department or its authorized representative, a preliminary plat and a final plat of the subdivision which shall conform to the minimum requirements set forth in these regulations. Before approving a preliminary plat, the City or its authorized representative shall submit said plat to the Walker Planning and Zoning Commission for approval. Minor subdivisions only go to the Building Official for review and approval. The Planning and Zoning Commission shall approve or disapprove a plat within sixty (60) days after the submission thereof to it; otherwise such plat shall be deemed to have been approved in accordance with LA Revised Statute 33:113.
- C. No plat of a subdivision lying within such territory or part thereof shall be filed or recorded in the office of the Livingston Parish Clerk of Court, and no subdivider may proceed with improvement or sale of lots in a subdivision until such final subdivision plat shall have been approved by the Planning and Zoning Commission and such approval entered in writing on the plat by the Clerk, and signed by the appropriate City personnel.

**SECTION 11.3 CONFORMITY TO THE CITY MASTER PLAN, PUBLIC WORKS PLAN, AND ZONING DISTRICT**

A. The Building Department and Planning and Zoning Commission in its review of a subdivision shall ensure that said proposal is in conformity to the City of Walker Master Plan and any local public works plan, and that the subdivision lay-out and plat are in conformance to the Zoning District in which the proposed subdivision will be located.

**SECTION 11.4 STREET (RESIDENTIAL) (*See also Sections 11.11 – 11.20 herein.*)**

A. Relation to adjoining street system: Proposed new streets shall extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width, unless variation are deemed necessary by the Planning and Zoning Commission for reason of topography or design. Where, in the opinion of the Planning and Zoning Commission, it is desirable to provide street access to adjoining property, proposed streets shall extend to the boundary of such property, without the provision of allowing access to the adjoining property at a future date.

B. Street Right-of-Way (ROW) width: The minimum Right-of-Way (ROW) width of proposed streets measured from lot line to lot line, shall be as shown on any officially adopted Major Street Plan, if available, or if not, not less than the ROW width shown in the street cross sections attached hereto as Appendix F for officially designated major streets, minor streets with curb and gutter, and minor streets with open ditch drainage.

1. If the Mayor appoints a City street commissioner and he/she recommends and it is approved by the Planning and Zoning Commission, the street ROW width may be adjusted to a minimum of thirty (30) feet measuring from the center of one ditch to the center of the opposite ditch, provided that the minimum road surface is twenty-two (22) feet in width; providing the following conditions exist:

- a. The subdivision of land is a tract of land consisting of two (2) acres or less;
- b. Only applications in residentially-zoned areas of the City will be considered under this subsection. Commercial roads have different street standards as per Appendix F.
- c. Street intersections. Insofar as practical, acute angles at street intersections shall be avoided.
- d. Dead-end streets. Streets designed to have one end permanently closed (cul-de-sac) shall be provided at the closed end with a turn-around with a minimum right-of-way radius of sixty-five feet (65), and a minimum driving surface of twenty-two (22) feet, with a minimum outside radius of fifty-five (55) feet and a street ending in a “cul-de-sac” shall not be more than six hundred (600) feet in length, unless approved by the Planning and Zoning Commission or their authorized City representative for specific reasons of topography or design. Where streets are proposed to continue into any development phase, T-street end designs may be approved by the City. (See Appendix F.)

- e. Street names. Proposed streets obviously in alignment with existing and named streets shall bear the names of existing streets. In no case shall the name for the proposed streets duplicate existing street names, irrespective of the suffix used. Street names shall be submitted to the City and the 911 Office for review and approval. Street names shall be submitted to the City and the 911 Office for review and approval. All street signage shall be installed by the developer in accordance with City standards.
- f. Street improvements. Street improvements shall be required as set forth in Sections 11.4 and 11.15 of this Chapter.

## **SECTION 11.5 BLOCK LENGTH**

- A. Blocks shall not be more than one thousand two hundred (1,200) feet in length and are recommended to be no more than 400 feet in length.

## **SECTION 11.6 LOTS**

- A. Lot arrangement. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street or approved private street which is connected with the public street system.
- B. Minimum lot size. Within the subdivision jurisdictional limits of the City, the size and shape of residential lots shall be such as the City deems appropriate for the type of building development contemplated. Lots shall have a minimum width of fifty (50) feet at the building setback line, and a minimum width area as required by the zoning district in which the proposed subdivision is included. Provided, however, that in no case shall the lot area or width at the building line be less than that required by the City zoning portion of the UDC Code.

## **SECTION 11.7 PUBLIC USE AND SERVICE AREAS**

### **A. Major Drainage Course**

Whenever any stream or major surface drainage course is located in an area that is being subdivided, the subdivided tract of property shall dedicate an adequate public servitude or right-of-way along each side of the stream for drainage maintenance. These drainage maintenance servitudes or rights-of-way shall be indicated in writing on a final subdivision plat that shall be filed with the Livingston Parish Clerk of Court. If a drainage course is maintained by an area wide drainage district (Gravity Drainage District) #5 then the Drainage plans will also need to be submitted to Drainage District #5 for review and approval.

The servitude criteria shown below in subparagraphs a. through j. shall be required for each ditch, canal, and storm sewer; however, where applicable, local drainage districts reserve the right to review and request modifications as necessary to facilitate future maintenance of proposed ditches, canals and storm sewer systems. In addition, (with the

approval from local drainage districts if applicable) the review engineer may allow variations based on sound engineering practices. The servitude criteria are:

1. Storm sewers and swale ditches: Fifteen-foot minimum servitude;
2. Ditches with a top width up to fifteen (15) feet: Width of ditch plus a minimum of fifteen (15) feet from the top of bank on one side;
3. Canals with top widths greater than fifteen (15) feet: Width of canal plus a minimum of fifteen (15) feet on each side;
4. Canals with bottom widths greater than fifteen (15) feet and a top width of less than forty (40) feet: Width of canal plus a minimum of fifteen (15) feet from the top of bank on one (1) side and twenty-five (25) feet on the other;
5. Major laterals with a top width greater than forty (40) feet: Twenty-five (25) feet from the top of bank on both sides. When a proposed ditch must discharge into a major unlined canal, the O/D/S shall be required to enclose the ditch, under the necessary strip of the major canal in an adequate size bituminous-coated metal pipe. The pipe shall be an appropriate length to provide a fifteen-foot wide level surface to traverse ditch and extend four (4) feet into the canal beyond the side slope and shall discharge into rip rap that extends a minimum of five (5) feet into the bottom of the canal. Rip rap shall be constructed immediately after conduit is installed;
6. All drainage servitudes shall be labeled as drainage servitudes and shall be restricted to drainage uses only. No other structures shall be allowed within the drainage servitude (*i.e.* telephone junction boxes, cable junction boxes, power poles and/or junction boxes, owners minutes structures). The purpose of this is to insure proper access for maintenance of the servitude by the drainage district;
7. No utilities shall place their services within the drainage servitude (*i.e.* above ground or buried cables, pipes, valves etc.) without approval of Gravity Drainage;
8. Where a servitude lies between any two (2) lots or parcels of ground, a fifteen (15) foot, forty-five (45) degree chamfer will be placed on both sides of the servitude at its intersection with the back-of-lot servitude. This allows ease of access for drainage district equipment to turn the corner without going outside the servitude;
9. The full width and length of all rights of way and servitudes are to be completely cleared and grubbed of all trees, brush, debris, etc; and

10. Open Ditches: Open ditches shall remain open unless prior approval has been given by Drainage District [guidelines for subsurface drainage.] Resident **must** contact Gravity Drainage District No. 5 prior to the installation of subsurface drainage. Any roadside ditches along any public right-of-way will need approval of the City of Walker Street and Drainage Department to install subsurface drainage.

## **SECTION 11.8 BUILDING RESTRICTIONS**

- A. No final plat of land within the force and effect of the City's UDC/ zoning ordinance shall be approved, unless the building restrictions to be established conform to the minimum requirements of such ordinance and approved in writing.

## **SECTION 11.9 COMPREHENSIVE GROUP HOUSING DEVELOPMENT**

*(Generally for lease or rental or in condominium form.)*

- A. A comprehensive group housing development, including the construction of two or more buildings together with the necessary drives and ways of access and which is not subdivided into the customary lots, blocks, and streets, shall be approved by the Planning and Zoning Commission, if in the opinion of the City Attorney and City Council, a departure from the forgoing regulations can be made without destroying the intent of the regulations. Site plans for such developments shall be submitted as either a minor site plan or a major site plan. Minor site plans shall be submitted to and approved by the Building Official, and major site plans shall be submitted to and approved by the Planning and Zoning Commission, whether or not such plat is to be recorded. No building permits shall be issued until such approval has been given by the Building Official or Planning and Zoning Commission. (Appeals to decisions may be brought to the City Council). Such housing developments and buildings are often planned for construction in stages, so that all stages must be indicated on the plans submitted.

## **SECTION 11.10 VARIANCES FROM THE CITY SUBDIVISION STANDARDS**

- A. Where a subdivider/developer can show that a provision of these requirements and minimum standards would cause an unnecessary hardship if strictly adhered to and where, because of topographical or other conditions peculiar to the site, a rule departure may be made without destroying the intent of such provision, the Board of Adjustments may authorize a variance. Any variance thus authorized is required to be entered in writing in the minutes of the City Commission and the reason shown which justified the departure to be set forth. No variance shall be authorized if it changes the use of the land, which is required to be brought before the City Zoning Commission, followed by the City Council, to address rezoning. No variance shall be authorized without first receiving the recommendation and report of the Walker Planning and Zoning Commission; provided, however, that the failure of such group to report within 60 days from and after the date of official submission shall be deemed approval by the Commission. (Appeals to decisions may be brought to the City Council)

## SECTION 11.11 PROCEDURES FOR PLAT APPROVAL

- A. Conference with City Representatives: The subdivider shall review his proposed development with the City Building Department or its authorized representative before proceeding with preliminary plans for a subdivision, in the form of a preliminary meeting. It is suggested that the subdivider bring a rough sketch showing the subdivision layout which is tentative. The subdivider shall contact the City Building Department and request a meeting, said meeting will be set up within ten (10) working days of the request.
- B. Preliminary plat review: To prevent undue hardship on the subdivider through required plat revisions, a preliminary printed plat of the proposed subdivision at a scale not smaller than one hundred (100) feet to the inch shall first be submitted to the City Building Department or its authorized representative in duplicate, along with an electronic copy of same, and shall provide at least the following information:
  1. The plat shall show the proposed subdivision and any other adjacent land owned by the subdivider or neighbors that may affect the design of the subdivision.
  2. The subdivision name, the names and addresses of the owners, and of the designer of the plat, who shall be a Registered Professional Land Surveyor as defined herein.
  3. Date, approximate north point and a graphic scale.
  4. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drainpipes, water mains, and any public utility or other easements, or servitudes both on the land subdivided and on the adjoining land; the names of adjacent subdivisions and the names and addresses of owners of adjoining parcels of un-subdivided land as they appear on the current tax records.
  5. The proposed street layout for the entire area (all phases) shown on the preliminary plat. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines and lot sizes, and building set-back lines for the proposed subdivision shall be indicated.
  6. Statement of proposed street improvements, including contour map where terrain might affect the location of streets; and profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical when required by the City.
- C. Upon receipt of this preliminary plat, the Building Department or its authorized representative shall transmit said plat to the Planning and Zoning Commission and any interested City department or designated review engineer for review and recommendation in relation to specific service problems. Minor subdivisions are sent to the Building Official for review, while major subdivisions are sent to the Planning and Zoning Commission for review. The approval of the preliminary plat shall not be deemed final acceptance, but rather an expression of approval of the layout as submitted on the preliminary plat; such approval shall not be noted on the preliminary plat. One copy of

the preliminary plat shall be retained in the files of the Building Clerk and another provided for review at the appropriate Planning and Zoning Commission or Site Plan/Plat Review meeting.

- D. PUBLIC HEARINGS and NOTICE REQUIRED: As required by the Louisiana Revised Statutes 33:113, at least one public hearing must be held for each proposed major subdivision review. At least 5 days before the date set for such hearing, notice of the hearing shall be published at least one time in a local newspaper of general circulation. For both minor and major subdivisions, the City shall also post, or have posted at the project site, a sign indicating the proposed subdivision.
- E. Posting of Bonds. Following approval of the preliminary plat and receipt of review comments, the developer or subdivider (if choosing to move forward with the project) shall complete the application for approval of final subdivision plans, pay any required fees to the City, and post a completion bond or one-year maintenance bond, based upon the estimated costs of the improvements, as agreed upon by the City of Walker. All bonds shall be in a form acceptable to the City Attorney of Walker. (See Procedure A & B in Section 11.13.21, using the one appropriate.)
- F. If an owner, developer or subdivider (O/D/S), uses access to his development through an existing subdivision then the O/D/S shall post a separate and additional maintenance bond in an amount equal to fifty (50) percent of the value of the roads in the existing subdivision that are to be utilized for construction of the proposed subdivision. This requirement shall also apply to land being cleared and filled under Section 8.2 of this Unified Development Code.

## **SECTION 11.12 DRAINAGE IMPACT STUDY STANDARDS**

### Drainage Impact Study Standards

- A. A Drainage Impact Study is required for all developments including but not limited to residential, commercial, multi-family, industrial, etc., except for single-family residences on properties less than one-half (0.5) acre. The Drainage Impact Study shall comply with the following minimum requirements:
1. Development Location and Description:
    - a. Location: Describe location of subject property; locate by Township and Range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block page number, and provide a vicinity map.
    - b. Description: Describe the predominant existing land use and future land use in project watershed (Comprehensive Land Use Plan, Land Use Data, aerial photos, etc.); describe the proposed development, soil types, vegetative cover, watershed slopes; provide an estimate of percent of impervious area for pre and post development conditions; and provide photos of existing channels, ditches, natural drains, and drainage structures.

2. Watershed Map: Delineate drainage boundaries; indicate the acreage; and show slope of basins, and peak twenty-five (25) year and one-hundred (100) year runoff rate at entry and exit points of the development. The watershed map should indicate the location of existing channels, ditches, natural drains, proposed major drainage structures, channel realignments, and cross section locations. The latest U.S.G.S. seven and one-half ( $7\frac{1}{2}$ ) minute quadrangle map or better at scale of one-inch equals five hundred feet (1:500) or less may be used as the base for the watershed map.

3. Hydrologic Design:

- a. The Drainage Impact Study shall indicate existing condition peak twenty-five (25) year flow rates at the development entry and exit points.
- b. The Drainage Impact Study shall indicate existing condition peak one-hundred (100) year flow rates at the development entry and exit points.
- c. The Drainage Impact Study shall indicate future condition peak twenty-five (25) year flow rates at the development entry and exit points and ensure that there is no increase in the peak twenty-five (25) year flow rates. The City Building Official, Review Engineer, or Council may require at their discretion, additional detention restrictions using the 100-yr flow rates if there are known drainage issues or concerns in the subject area and there is concern that not doing so could negatively affect adjacent properties.
- d. The Drainage Impact Study shall indicate future condition peak one-hundred (100) year flow rates at the development entry and exit points.
- e. If ponds are used in design for routing of flows, the twenty-five (25) year storm event shall be used in design. The effects of a 100-year storm on the pond should be provided and the reviewing agency (and/or City) may require up to a one-foot (1') pond freeboard for the 100-yr design if the pond is adjacent to or could negatively affect a residential property/development if the 100-yr design storm were not contained.

4. Hydraulic Capacities:

- a. On site capacity: Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, etc.) within the proposed development site and required type, size, and capacity of any proposed outfall facilities as defined above.
- b. Off-site capacity: Determine capacity of existing downstream outfall facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from the downstream limits of the proposed development to the first public outfall or until it is proven that no downstream effect will be created (if no public outfall nearby). An inventory of downstream structures including size, type, invert elevation, and cover topping elevation should be made. Channel cross sections at upstream and downstream limits of the proposed development at structure

locations and at intermediate canal locations shall be required to adequately define existing channel capacities.

5. Special Site Conditions: Special conditions, which may exist at the proposed development site, should be clearly identified including but not limited to such items as:
  - a. Special Flood Hazard Areas (Firm Zones A and AE)
  - b. Regulatory Floodway
  - c. Fill placement location and mitigation requirements
  - d. Potential wetland sites
  - e. Churches
  - f. Schools
  - g. Cemeteries
  - h. Landfills and Hazardous Waste Sites
  - i. Parks
6. Drainage Impact Study Conclusions and Recommendations: Drainage Impact Study should clearly identify the results and conclusions of the study and provide recommendations of any required action(s) so that surrounding properties experience no adverse impact.

## **SECTION 11.13 CONSTRUCTION PLAN AND FINAL PLAT STANDARDS**

### Construction Plan Standards

- A. Construction plan and profiles are to be drawn on standard size sheets to a minimum scale of one inch to twenty feet (1" = 20') horizontally and one inch to ten feet (1" = 10') vertically, unless requested otherwise by the City. It is to consist of at least the following information:
  1. A detailed layout of the development including the bearings and distances of all lot lines, the contours, on 1-foot intervals, of the existing ground surface and the location of all natural drainage, including any special flood hazard areas, found within the development. (Electronic copies are also required by the City.)
  2. The layout of all street construction and sidewalk construction. This shall be drawn on plan and profile sheets, showing centerline bearings and distances, natural ground elevations and elevations of the finished construction. All essential horizontal and vertical curve data will be included on the drawings.

3. The location and layout of all sanitary sewer and storm water drainage systems. This is to include documentation of the parameters used to size the culverts and set elevations of each culvert.
4. The location of all proposed and existing easements, servitudes and rights-of-way.
5. The location and layout of the water and gas distribution system including the location of all fire hydrants and valves.
6. The specifications and details of all materials to be used in the appropriate format.
7. Where street lighting is included, an electrical plan and lighting standard plan, indicating the required spacing of standards.

#### Final Plat Standards

- A. The final plat shall conform to the following standards and include the following:
  1. The final plat, on a scale no greater than one (1) inch equals one hundred (100) feet, shall comply with all Louisiana laws and certification to such fact shall be evidenced by the stamp and signature of a land surveyor currently licensed to practice in the State of Louisiana. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet.
  2. Name of subdivision.
  3. Name, address and signature of the subdivider and/or developer.
  4. North point, scale and date.
  5. The outer boundary lines with accurate distances, angles, or true bearings if available, the exact location and width of all recorded streets, alleys and ways intersecting the boundaries of the tract being divided.
  6. The names and addresses of owners of all adjoining un-platted land in reference to recorded subdivision plats of adjoining land by record name, date and number.
  7. Name, right-of-way width, angles and ways for each street or other type right-of-way, Location, purpose and dimension of any easements. All easements to be dedicated or that have been dedicated to the City of Walker shall be shown on the final plat. Existing easements shall be designated as such and shall include the record number.
  8. All curve data, the lengths of all arcs, radii, internal angles, points of curvature, lengths, and bearings of tangents.

9. The township, range and Section # in which the subdivision is located will be shown. If Section corner, township line or range line falls within the subdivision it shall be shown.
10. Primary control points, or descriptions and "ties" to such control points to which nil dimensions, angles, bearings and similar data on the plat shall be referred. Every plat shall show a note giving reference to the basis of the bearing, i.e., "Bearing shown shall refer to true North" or "Bearing shown shall refer to Grid North as established for the Louisiana Plane Coordinate System by the U.S.C. and G.S."; or "Bearing shown shall refer for assumed North based on a bearing of S 10 degrees 30'10 W used for the centerline of State Highway 100," or "Bearing shown refers to the map (or deed) called N. North degrees E for the easterly line of the Smith Tract," etc. In all cases the bearings used shall be referenced to some well-established line.
11. All dimensions, both linear and angular, necessary for determining the exact boundary of all lots in the subdivision; all angles must either be given directly or indicated by the bearing shown; where any lot line is curved, the significant elements of the curve, such as the arc length and the subtending central angle, bearing and dimensions of the side lot lines and where a curve is involved an indication if it is a radial line and any and all mathematical information and data necessary to locate all interior and exterior boundary lines of any lot.
12. The accurate location, material, type and description of all permanent control monuments.
13. All lot numbers; all block indications, if any; and minimum building set-back line, and the purpose for which any site, other than residential lots, is reserved. Individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. Minimum slab elevations shall be shown with a permanent bench mark elevation set within the subdivision.
14. Special use areas. Location and size or proposed parks, playgrounds, church or school sites or other special uses of land to be considered for dedication or sale for public use, and of all property that may be designated by deed and covenants for common use of the property owners in the subdivision, along with a statement for responsibility for maintenance.
15. Formal dedication by the owner or owners dedicating streets, right-of-way, and easements and for public use to the City of Walker.
16. Licensed land surveyor's certification and seal, This certification shall be a statement by a land surveyor licensed to practice in the State of Louisiana to the effect that the plat is based upon an actual survey made by him and that the distances, courses, and angles and all other required survey information are shown correctly, that the monuments have been set and the lot and block corners staked correctly on the ground and that he has fully complied with the provisions and regulations governing platting. The land surveyor's seal shall be shown.

17. Reference to any private restrictions, restrictive covenants or trusteeships and their periods of existence shall be made on the final plat. Said reference shall include the file number under which the instruments were recorded by the owner, subdivider and/or developer in the office of the Clerk of Court, Livingston Parish, Louisiana.
18. Any areas subject to the City of Walker Flood Plain. If development is within a flood plain, minimum building finished floor elevations must be clearly shown on each lot.
19. Information confirming that site is not a wetlands, or areas where wetlands must be retained or permits obtained from the U. S. Army Corps of Engineers.
20. Final signatures and approval date of the developer and either the Building Official (minor subdivisions) or the Planning and Zoning Commission (major subdivisions), once the development subdivision is approved by either the Building Official (minor subdivisions) or the Planning and Zoning Commission (major subdivisions).
21. A developer shall follow the Development Procedure as outlined below, when considering at what point lots and property may be sold in a new subdivision. The following Procedure requires that the construction work be completed and then approved and accepted by the City before lots are sold.

<b>DEVELOPMENT PROCEDURE</b>	
1.	Preliminary meeting with City Building Official to discuss development plans
2.	Preliminary Plat/Plan approval from Planning & Zoning and/or Council if required.
3.	Drainage Impact Study approved by all applicable agencies.
4.	Construction plans approved by all applicable Local, State and Federal agencies.
5.	Final plat approved by Building Official (Minor), Planning and Zoning Commission (Major).
6.	Construct improvements.
7.	Acceptance of improvements by City.
8.	Post maintenance bond.
9.	Final plat signed (Building Official – Minor, Planning and Zoning Commission –Major)
10.	Plat filed in Clerk of Court.
11.	Lots may be sold.

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## SECTION 11.14 STREETS, SIDEWALKS, UTILITIES, AND DRAINAGE STANDARDS

### General Compliance

- A. All streets, sidewalk, utilities, and street drainage structures constructed hereafter in the City of Walker shall be constructed in accordance with the specifications set out in this Chapter and these Sections.

## SECTION 11.15 STREETS

### Specification for Streets in residential areas and neighborhood commercial

- A. Hard-Surfaced Street. All streets shall have a minimum of ten (10) inches of soil cement base course or eight (8) inches of crushed limestone base course and three (3) inches of asphalt wearing course (laid in two - 1.5-inch (1.5") layer) in accordance with the most recent specifications of the Louisiana Department of Transportation and Development, Office of Highways. If additional street surfacing is provided, surfacing shall meet the latest Louisiana Standard Specifications for Roads and Bridges. Acceptable surface courses are described in detail in Part IV, Section 401 and Part V, Sections 501-505 of the Louisiana Standard Specifications for Roads and Bridges, latest edition. Asphaltic concrete surfaces shall comply with the Louisiana Standard Specifications for Roads and Bridges, Part V, shall have at least a three-inch (3") depth constructed using two, one and one-half (1.5) inch lifts, and be at least twenty-four (24) feet wide, measured from back of curb. Minimum concrete thickness will be 6 inches with 6-gauge welded wire fabric 6" x 6" centers constructed on eight (8) inch crushed limestone base. Minimum allowable concrete strength is 3500 PSI.
- B. Curbs and Gutters - Drainage egresses shall be provided, as a minimum, whenever one-half of the outer travel-lane is inundated during a two-year rainfall episode for residential minor streets, a five-year rainfall episode for residential principal streets and a ten-year rainfall episode for residential collector streets. A Civil Engineer, currently registered in the State of Louisiana, shall certify that this design criteria is satisfied.
  1. Either mountable or barrier curbs may be used with their dimensions and specifications requiring prior approval of the City's Director of Public Works.
  2. The minimum grade for a gutter shall be 0.0040 feet per foot (or 0.4%) measured longitudinally with a minimum cross grade of 0.025 feet per foot (or 2.5%).
  3. Back slopes, defined as the vertical rise of fall of the ground away from a curb and gutter per foot of horizontal distance shall not exceed one foot of vertical rise or fall for every three feet of horizontal distance (3:1 back slopes) continuing to natural undisturbed ground.
- C. Open Ditch Drainage – When curb and gutter streets are not provided, ditches shall be provided having at least 3:1 fore slopes (or side slopes on the street side having at least three (3) feet of horizontal distance for each one foot of vertical drop), and 2:1 back slopes

on the property side having at least two (2) feet of horizontal distance for each foot of vertical drop. Distance between ditch lines on all streets shall be not less than forty (40) feet. Surface courses shall be at least twenty-four (24) feet wide. A minimum five (5) foot wide crushed stone shoulder will be required on either side of the street edges. The crown of the road will be 30 feet either side of the centerline and the crown slope shall be 2.5%.

- D. Erosion Protection. Erosion protection shall be installed within the street right-of-way on all soil. Sod/Hydro-Blast, or a product approved as equal by the City, shall be established on these areas by the Developer prior to acceptance by the City.
- E. Construction joints at street right-of-way line. All concrete driveways shall have a construction joint at the street right-of-way line.
- F. Right-of-Way Widths- The minimum right-of-way for conventional two-lane curb and gutter streets shall not be less than fifty (50) feet measured from lot line to lot line or from right-of-way line to right-of-way line. The minimum right of way for conventional two-lane streets with open ditch drainage shall not be less than sixty (60) feet, measured from lot line to lot line or from right of way line. The City of Walker, acting through its Director of Public Works, may require additional right-of-way if in the opinion of the Director said additional right-of-way is necessary to comply with other sections of this ordinance. Specific areas of concern which may require additional right-of-way include locations where drainage structures cross public streets, areas of deep road bed fill or areas of deep road bed cut. Utility servitudes for electrical power will be separate and apart from the public right-of-way provided to the City.
- G. Cul-de-sacs. Streets ending with cul-de-sacs shall not be longer than six hundred (600) feet, unless necessitated by topography or other circumstances beyond the control of the developer and builder of the street. All cul-de-sacs shall terminate in a circular area with a minimum right-of-way diameter of one hundred thirty (130) feet, with paving having a minimum fifty-five (55) radius to outside back of curb, unless the Director of Public Works approves a variation of turning facility. (See Appendix F.)
- H. Specifications for streets in residential areas. T-turn around. T-turn-arounds shall be allowed on dead-end streets provided not more than six lots nor more than 300-foot road frontage is on the street with the T-turn around. The minimum dimensions for the-T-turn-arounds shall be as shown on the attached drawing in Appendix F.

## **SECTION 11.16 STREET SIGNS**

- A. Traffic control and regulatory signs of the reflective type meeting approval of and in locations designated by the City of Walker (and meeting State DOTD standards) shall be erected on the street right-of-way prior to final acceptance by the City. The developer shall pay the City a fee to cover costs of each traffic control sign if installed by the City.
- B. Street name signs of a type meeting approval of and in locations designated by the City of Walker shall be erected at all public street intersections by the owner/developer.

- C. The developer shall pay for any signs which must be replaced due to theft or damage during the developer's one-year maintenance bond period.

## **SECTION 11.17 NAMING STREETS AND ROADS**

- A. The following conditions and guidelines shall be adhered to in naming roads or streets in the City of Walker, Louisiana:
1. All city street or road names are subject to the approval of the City of Walker and the Livingston Parish 911 Communications District.
  2. No street or road name shall duplicate or closely approximate any previously named street in Walker.
  3. After adoption of a street/road name it may not, be changed except by formal request to the Mayor and City Council and followed by a public hearing. The formal request shall be accompanied by a petition signed by not less than fifty- one percent (51%) of the present residents and property owners on the street/road in question.
  4. Complete street/road names shall be no greater than fifteen (15) spaces to accommodate placement on street/road signs.
  5. Actual cost incurred by the City of Walker when street/road names are changed shall be the responsibility of party or parties requesting the change.
  6. Only private drives that are at least one fourth (1/4) mile long or longer or have more than one resident facing the street/road may be named after that owner or resident.
  7. Private streets/roads that are named shall have a street/road sign conforming to the specifications of the City of Walker but will be of a different color than public street signs. Installation and maintenance of signs for private streets/roads shall be the responsibility of the owners of said streets/roads.
  8. The naming of private streets/roads shall in no way be construed to be an acceptance of private streets/roads into the City system. The maintenance and general upkeep of private streets/roads is the responsibility of the owners of such roads. The naming of a street/road does not guarantee nor suggest that emergency vehicles will be able to negotiate these streets/roads. The City of Walker assumes no liability for these private streets/roads.

## **SECTION 11.18 POSTING OF STREET ADDRESSES**

- A. The owner or occupant or person in charge of any house or building to which a number has been assigned will be notified in writing by the City of Walker as to their assigned street address. Street addresses shall be displayed in a prominent location at the front of the property within thirty (30) days of written notification. It shall be the duty of such owner or occupant or person in charge thereof upon affixing the new number to remove any different number which might be mistaken for be confused with, the number assigned

to said street/road. Each resident of the City of Walker shall, upon notification, display structure numbers in the following manner:

1. House numbers shall be at least four (4) inches in height.
2. House numbers shall be set on a background of contrasting color.
3. When a house is such a distance from a road that house numbers cannot be seen or read, or when view of the house is blocked by trees or shrubs, the house numbers shall be on a sign attached to a post, on a tree, fence or gate beside the driveway, and readable from both directions.
4. On all lots, the house number shall be on the mailbox as well as on the house.
5. House numbers shall be illuminated or made of a reflective material that is easily visible at night.
6. Apartment owners/managers and mobile home park owners/managers of single or complex units shall display lot or apartment numbers in the same manner as listed above. It shall be the responsibility of these owners/managers to notify their tenants of their correct addresses.
7. Commercial store fronts having glass walls shall adhere to the size and reflective characteristics set out in this ordinance but may have numbers painted on them.

#### Authority to Assign Address

- A. The City of Walker shall have the responsibility and authority to assign all addresses within the City of Walker.

### **SECTION 11.19 SIDEWALKS**

- A. Sidewalks in residential areas and in Overlay Commercial Districts are required and must be indicated on all construction plans. Sidewalks shall be a minimum of five (5) feet wide unless this is impossible due to the situation and terrain. Sidewalks shall generally have a concrete depth of four (4) inches.
- B. Dummy grooves will be placed at a distance not more than the width of the sidewalk.
- C. Expansion joints shall be places at a distance of not more than twenty (20) feet using one half inch (1/2") thick preformed expansion joint filler extending the thickness of the sidewalk.
- D. Construction joints shall be formed around manholes, utility poles, etc., extending into the pavement. These joints will have a minimum of 1/4 inch thick preformed expansion joint filler extending the thickness of the sidewalk.

- E. Reinforcing steel must be placed in all sidewalks that will have vehicular traffic loading, i.e. driveways.
- F. Sidewalks will be located near the outside edge of the street right-of-way line and a minimum of two (2) foot will be left between the edge of the sidewalk and the driving surface or a street. All sidewalks shall conform to the Americans with Disabilities Act in effect at the time of the development of the construction plan.

## **SECTION 11.20 DRAINAGE AND BRIDGES**

- A. Drainage facilities shall be installed in accordance with the requirements and specifications of the Director of Public Works. In establishing these requirements, the Director of Public Works will take into consideration the particular drainage conditions and drainage needs of the area and of the street or streets involved. Where deemed necessary by the Director of Public Works, subsurface drainage pipes, concrete curbs and gutters, catch basins, and culverts or bridges will be required.
- B. Should any resident of the City of Walker wish to voluntarily close in their roadside ditch (not including a driveway culvert), they shall:
  1. First contact the City to request a drainage design (by the City Engineer) at the cost of the owner, or submit a stamped engineering design (by others) for review by the City
  2. Request a work permit after the design is approved (the no-cost permit will be issued to the licensed contractor that would be completing the work). Work must be completed by a licensed contractor in the state of Louisiana, capable of constructing the drainage system to meet the specifications listed herein at the cost of the resident. This Permit for the contractor shall be free of charge but done so as to ensure the contractor to complete the work understands the requirements set forth.
  3. After the storm drainage design is approved, and the contractors' permit has been provided. The owner/contractor shall notify the City a minimum 48 hrs prior to the work commencing so that the City may observe the work to be accepted.
  4. If the work installed meets the City standards and all work was constructed per the design standards and specifications that govern; the City will accept the future maintenance of those subsurface systems.
- C. The design and construction of all drainage facilities, which includes closing in roadside ditches for residential lots, shall be made under the supervision and approval of a Civil Engineer currently licensed in the State of Louisiana. Such design shall be based upon Louisiana Department of Transportation and Development rainfall recommendations and the latest DOTD Hydraulics Manual.
- D. A Civil Engineer, currently licensed in the State of Louisiana, shall certify the type of culvert material and culvert size, catch basin material and size, and that the structural requirements for an HS-20-44 vehicular loading have been provided for both the basins and culverts/pipes. All bridges shall be designed for a HS- 20-44 vehicular loading.

- E. All bridge and drainage construction shall be in accordance with the latest edition or Louisiana Standard Specifications for Roads and Bridges, as published by the Louisiana Department of Transportation and Development, Office of Highways, in Baton Rouge. In addition, the design and construction of all drainage facilities shall comply with the following criteria:
1. Galvanized pipe will not be used. Pipe shall be A2000 or Reinforced Concrete and will meet the standards required by Section 701 and 1016 Louisiana Standard Specifications for Roads and Bridges, Louisiana Department of Transportation and Development, latest edition. In the event a material other than reinforced concrete pipe is used for a culvert drainage structure, the Civil Engineer who designs the culvert shall state the size of culvert to be used and give the equivalent reinforced concrete pipe size. The minimum size reinforced concrete pipe which serves as a cross drain for any street shall be fifteen (15) inches in diameter. The A2000 pipe shall have, as the minimum, the hydraulic capacity of a fifteen (15) inch diameter reinforced concrete pipe.
  2. Surface and subsurface drainage systems shall be provided as appropriate for collection and dispersal of storm drainage and subsurface water. These systems shall provide for the safety and convenience of residents, protection of dwellings, other improvements and usable lot areas from water damage, flooding, and erosion.
  3. Drainage shall be designed to accommodate storm run-off, calculated on the basis of ultimate or suitably developed conditions of contributory site and all site drainage area.
  4. Where storm drainage flow is concentrated, permanently maintainable facilities, (i.e., concrete paved) shall be provided to prevent significant erosion and other damage or flooding on site or adjacent properties.
  5. Provisions shall be made for the best available routing of run-off water to assure that buildings or other important facilities will not be endangered by the path of major emergency flood run-off which would become active if the capacity of the site's storm drainage system is exceeded.
  6. All culvert joints underneath any street surface shall be Type 2 or Type 3 with required wrapping. Reinforced concrete pipe (RCP) shall conform to ASTM Designation C76 and be a minimum of Class III pipe. Corrugated Steel Pipe shall be either Type I or Type II and shall conform to AASHTO Designation M190 (Bituminous coated) or AASHTO Designation 245 (Polymeric coated) as allowed in Section 1007 of the latest edition of the Louisiana Standard Specifications for Roads and Bridges.
  7. All culvert joints underneath any street surface shall have concrete tapered slopes at inlets and outlets. Concrete headwalls, special bedding materials and compaction means may be required at the discretion of the Walker Director of Public Works.
- F. Improper, inadequate, or un-permitted installations shall be corrected by the City of Walker and all expenses incurred shall be borne by the property owner.

**SECTION 11.21 STORM WATER DETENTION BASINS\***

*\*Also see section 11.12 Drainage Impact Study Standards for additional information on storm water detention basins and drainage impact study requirements.*

- A. The developers will be required to provide storm water detention basin(s), based upon drainage studies provided to the City, by a licensed Civil Engineer. The basin and storm drainage system shall be designed such that the peak post development storm water flow does not exceed the peak pre-development storm water flow. This shall be based on a 25-year storm event and associated rainfall data provided by DOTD.
- B. Storm water detention basins shall be required for *all* development (except for single-family residences on less than one-half (0.5) acre), unless exempted by the City of Walker based upon engineering recommendations, proving, through engineering studies (such as a drainage impact study), no impact to the floodplain or adjacent properties would occur. After construction of the basins has been completed, they must be accepted by the City prior to development occurring. The developer and/or commercial business shall provide for maintenance of the detention basins such that they continue to operate as designed.

**SECTION 11.22 EROSION CONTROL/WATER QUALITY BASINS**

Refer to *MS4 Erosion Control Construction Requirements: Proper Erosion Control Protection for Basic Construction Sites* for standards.

- A. During Construction The developer shall be required to install erosion control prior to construction to prevent sediment from leaving the site.
- B. After Construction All developers shall install and maintain erosion control devices to prevent sediment from leaving the development.
- C. For commercial developers, water quality basins shall be provided to detain the first 10 minutes of water flowing from the development. Sand beds shall be used to filter this first water flow prior to discharge. The commercial development will provide for continued maintenance of the system to operate as designed. If a dry detention basin(s) is provided for stormwater detention; this requirement shall be considered fulfilled. The City or reviewing agent may also waive this requirement if adequate justification or limiting site conditions exist.

**SECTION 11.23 WATER DISTRIBUTION STANDARDS/ FIRE HYDRANTS**Requirements where water mains are available

- A. When an approved public water supply is within reasonable access, no owner shall start construction of any combustible stage of a structure unless and until fire hydrants of the type that meet or exceed the standards of the American Water Works Association, are installed and accessible for use and in operation. The City of Walker maintains an exclusive right to provide potable water within the corporate limits of Walker.

- B. Prior to the approval of the construction plans, written approval shall be obtained from the Station of Louisiana Office of Public Health. The Walker Water Department shall approve the location of all fire hydrants and may request approval from the local fire department in the Livingston Parish Fire District.
1. The owner shall be responsible for all such installation for a period of one year beginning with the establishment of water flow. The responsibilities include cost of construction, materials and workmanship.
  2. The Walker Water Department shall provide for the maintenance of fire hydrants installed on municipal mains after one-year warranty period is over.
  3. All materials and installation methods shall meet or exceed American Water Works Association Standards.
  4. Where water mains are available but the installation of fire hydrants on these mains would not be accessible for efficient fire service operations, as determined by the Water Superintendent, and where water mains and fire hydrants are available at distances exceeding the three-hundred foot maximum footage requirements from the structure to be constructed, then exceptions may be allowed according to the fire flow requirements, provided the existing mains and fire hydrants which exceed the three hundred foot requirement can produce the required fire flow. The fire flow minimum requirements are:

<u>Fire Flow Required (gallons per minute)</u>	<u>Percent Increase</u>	<u>Maximum feet</u>
1,000 or less	75	525
1,000 to 2,000	30	390

Requirements where water mains are not accessible or available

- A. Water mains and fire hydrants of sufficient number and size as prescribed by this ordinance shall be installed or extended by the owner/developer, authorized agent or contractor before the combustible stage of a structure is begun; such new lines will be installed to City of Walker standards and may be required to be donated to the City for future maintenance.
- B. Upon completion of the installation of water mains and fire hydrants as required by this ordinance and before any combustible building construction material is placed upon the property, except that necessary to comply with this ordinance, temporary structures needed to safeguard the property during the construction period and construction sheds, all water mains, fire hydrants and other related equipment shall be tested and approved to certify that the water flow meets the minimum requirements for fire flow as determined

by the City of Walker. This certification will be made by a Louisiana registered professional engineer.

- C. All materials for water mains and fire hydrants and their installations shall meet or exceed the standards of the American Water Works Association. Water mains shall be equal to AWWA C900 PVC Class 150, or an acceptable City standard.

**Minimum requirements for water mains and fire hydrants**

- A. All water mains installed to supply water for fire hydrants shall be not less than six- inch inside diameter and shall be of materials approved by the American Water Works Association. No dead-end mains are permitted, and all cul-de-sacs shall be looped back to a main that will guarantee water to flow at all times.
- B. When mains on private fire protection systems are required to be looped, they may be provided with a UL listed locking-type post indicator and valve at one end of the loop tie-in. The indicator must be kept locked in the closed position with keys issued to the Fire Department and Walker Water Department. This valve will not be a part of the meter loop or bypass. However, the minimum fire flow quantities required shall be obtainable without the opening of the post indicator valve.
- C. Fire hydrants shall conform to all City specifications for fire hydrants. Each fire hydrant shall be capable of a minimum water flow of six hundred (600) gallons per minute and constant pressure.
- D. Fire hydrants shall be located on all water mains required by this ordinance, not more than five hundred (500) feet apart in residential areas unless the fire flow requirement prescribes closer spacing. For closer spacing the Insurance Service Office Grading Schedule Hydrant Distribution shall be used as the guide. No buildings shall be more than three hundred (300) feet from a fire hydrant unless allowed by paragraph E of Section 11.23 of this ordinance.
- E. When private water mains are laid where there are no structures to protect, spacing of fire hydrants may be allowed greater than five hundred (500) feet, but only upon approval of the City of Walker.
- F. All fire hydrants shall be fully accessible to fire fighters for use and maintenance.
- G. All required water mains shall be capable of being flushed periodically, as may be prescribed by the Walker Water Department, in order to remove trapped stagnant water or any possible contamination. The Walker Water Department shall provide such flushing service as may be necessary or required by that Department.

**All-weather surfacing for fire equipment**

- A. Provision shall be made in all locations covered by this ordinance, to allow fire equipment to be driven on all-weather surface capable to support thirty-eight thousand (38,000)

pounds, (weight of heaviest fire department equipment) to within one hundred (100) feet of all piles of combustible building materials and buildings.

**Water main and fire hydrant maintenance (1-year maintenance)**

- A. It shall be the duty of the developer/owner to maintain at his cost for one year, beginning from the date of the first customer hookup, the water main, fittings, fire hydrants, and workmanship, installed by such developer/owner. It shall also be the duty of the owner of the property where water mains and fire hydrants have been installed under provisions and requirements of this ordinance to provide continued maintenance and repair as may be needed and necessary, except those mains installed on public right-of-way or utility easements in order to comply with this ordinance. Such shall be maintained in accordance with the rules and regulations of the Walker Water Department. All private fire hydrants required by this ordinance shall be tested and required maintenance shall be performed at least yearly. Qualified and locally licensed plumbers and water utility contractors may perform the required maintenance, but they must notify the local Fire Department and the Walker Water Department by written affidavit that the required maintenance has been performed. Nothing provided herein shall prohibit any owner from written contraction with the Walker Water Department for maintenance of private mains and fire hydrants. Failure to properly maintain water mains and fire hydrants installed under provisions of this ordinance or any other City ordinance shall constitute a violation of the intent of this Section and shall be subject to the penalties of Chapter 13 of this ordinance.

**Back-flow prevention and cross-connection control**

- A. It shall be the duty of the owner to strictly follow the American Water Works Manual of Water Supply Practices number AWWA M14 as required by the City of Walker Water Department concerning hookups to any potable water main under the direct or indirect responsibility of the City of Walker. If a hookup of this nature is in fact needed it shall be the duty of the owner to contact the Walker Water Department to discuss which back flow prevention device will be required before plans are finalized. It shall also be the responsibility of the owner to have the back-flow prevention device inspected by the Building Official and the Walker Water Department representatives before water services are initiated.

**Field Hydrostatic and Leakage Test**

- A. The hydrostatic testing of all lines shall conform to the requirements of AWWA C600, except as modified below:
1. The maximum allowable leakage shall be based or computed on 10 gallons per inch of pipe diameter per mile of pipe for 24 hours and corrected to 4 hours test period. The test pressure shall be one and a half (1.5) times working pressure (90 psi test pressure) and shall be maintained for a minimum of four (4) hours.
  2. The test shall be applied to the whole or individual valved-off sections of the mains either before or after the trench is back filled, as directed by the City.

3. Services must be included in the hydrostatic and leakage test. All services shall be flushed for a full 15 minutes.
4. The Contractor shall furnish gauges, meters, writer tools, labor, equipment, and all other materials necessary to conduct the tests; City will be notified at least 48 hours in advance of the hydrostatic test.
5. The test pressure shall be 90 psi. The test pressure will be based upon the elevation of the lowest point of the line or Section under test and corrected to the elevation of the test gauge. No test shall be performed without presence of the City Water Department personnel or their authorized agent.
6. Should the amount of the leakage exceed that specified, the Contractor shall, at his expense, locate and repair the defective joints until the leakage is within the specified limits.
7. The Contractor is responsible for the cost of the testing.

## **SECTION 11.24 SANITARY SEWER STANDARDS**

### Design Requirements

Prior to the approval of the construction plans, written approval shall be obtained from the State of Louisiana Office of Public Health.

1. Sewer system layout. A proposed sewerage system shall be designed by a professional engineer licensed in the State who shall design the entire system in accordance with good sanitary engineering practices and in conformance with all federal, state and City requirements. The sewer system shall include all sewers and other appurtenances and facilities necessary for the flow of sewage from building sewers to the existing sanitary sewer system. The Director of Public Works has the right to approve or reject any part of a sewer system which shall not serve in the best interest of the City. Sewers shall be designed to flow by gravity to existing public sanitary sewer systems, or through approved lift stations, force mains.
2. Location of sanitary sewers. Sanitary sewer lines shall be located in the street right-of-way or inside or near lot servitudes. Sewer lines shall be located on opposite sides of the street from waterlines unless permission is obtained from the Director of Public Works. If sewer lines are installed inside or near lot servitudes, the servitude shall have a minimum width of ten (10) feet and provide proper access to manholes and all other appurtenances of the sanitary sewer system.
3. Depth of sanitary sewers. New sanitary sewer lines may vary in depth in accordance with the engineer's layout and relative ground elevation. Public sewers shall be placed at an elevation, so that the building at the property line shall have a minimum of a three-foot ground cover.

4. Size of sanitary sewers. The size of sanitary sewers shall be as follows, or as per approved design:
  - a. Gravity sewers:
    - a) Size of gravity sewer mains shall be designed to carry the ultimate flow tributary to the sewer, at half-full conditions;
    - b) Gravity sewer mains shall not be less than eight (8) inches in diameter;
    - c) Building gravity sewers to connect to the public sewer shall be of ample capacity to carry its tributary flow, but not less than four (4) inches in diameter.
  - b. Force mains.
    - a) Size of force mains may vary according to lift station capacity and engineer's designs, but in no instance shall it be less than four (4) inches in diameter unless specifically approved by the City Engineer, Mayor and/or Chief of Operations, based on engineering judgement
5. Slope of Sewers. Public sewer slopes shall be determined by the engineer with respect to capacities, sizes of sewers, and variation of ground elevations; however, slopes shall be selected to provide a minimum velocity of two (2) feet per second for the given pipe size when the sewer is flowing half full. Building sewers shall be determined by the engineer and/or licensed plumber, but in no instance shall the slope be less than one-eighth of an inch per foot.
6. Manholes. Manholes shall be located at points in the sewer system where there is a change in direction of flow, change of slope, change in sewer line elevation, or abrupt change in flow pattern. The distance between manholes shall not, unless necessitated by topography or other circumstances beyond the control of the builder, exceed three hundred (300) feet. The top of the manhole shall not be lower than the existing flood plain. Manhole construction and materials shall be pre-approved by the City Public Works Director, before these are constructed and installed.
7. Lift Stations. Lift station shall be designed by registered professional engineer(s).
  - a. Above ground self-priming Gorman Rupp Lift Stations shall be installed as standard for the City of Walker. L & M Panels shall be installed as standard for the City of Walker.
8. Plans and specifications. Plans and specifications for the construction of all sanitary sewer lines shall be prepared in accord with good engineering practices and shall be subject to requirements set forth in this division and the City sewer system specifications for the construction of sanitary sewers.

**Construction and Inspection of Sewer System**

- A. The construction and inspection of the system shall be carried on in a neat and workmanlike manner in strict accordance with the plans and specifications approved by the Director of Public Works. The Director of Public Works system will have the right to police and inspect, or order inspectors as he deems fit to inspect the work as it is being done, to ensure compliance with the plans and specifications.
- B. The construction of new portions of the system shall comply in all respects with the construction plans and specifications approved by the Director of Public Works. Modifications or additions and/or omissions to any part of a system shall not be made without the prior written approval of the Director of Public Works.
- C. To ensure the proper construction methods and procedures and to protect the City, the Director of Public Works will have the right to demand from the contractor a field inspector acceptable to the Director of Public Works to be maintained continuously on the site during all phases of construction of sanitary sewers.
- D. The contractor shall submit to the Director of Public Works a construction schedule and shall give advance notice to the Director of all testing to be carried out.
- E. Construction of sewers shall be performed under constant supervision of the engineer responsible for the design and shall be subject to inspection by the Director of Public Works at any time.
- F. The Director of Public Works has the right to reject any or all of the sewer system which is constructed without proper inspection and/or which deviates from approved construction plans and specifications.
- G. The City shall not be responsible for any part of the installation or a sanitary sewer system until it has been accepted by the City, and a one-year maintenance bond posted with the City.
- H. The Director of Public Works shall be given advance notification and access to the site to witness the required lamp, filtration tests, and deflection test.

**Acceptance of sanitary sewer system**

- A. When construction is completed the developer/applicant shall request an approval certificate from the Director of Public Works. If the Director of Public Works finds that all construction is in accordance with the approved plans and specifications and the sewer system complies in all respects with all the provisions and/or regulations, he shall issue an approval certificate.
- B. The developer/applicant may then submit the certificate, along with other required documents, to the City Council which will accept the system on behalf of the City, with the appropriate maintenance bond.

- C. After acceptance by the City the sewage collection system, whether in public right-of-way, easements, or servitude, including all sewer lines, manholes, and lift stations, become the sole and exclusive property of the City.
- D. The applicant is responsible for all maintenance and repair costs of the sewer system for one year from the date of acceptance by the City.

## **SECTION 11.25 GAS STANDARDS**

### Items Provided by the City of Walker

- A. Walker will provide the pipe, fittings, valves, and appurtenances for the gas distribution system. The sizes and materials for construction will be decided by the City of Walker gas superintendent. Walker will provide equipment and labor for installation of the gas system.

### Items provided by the Owner/Developer

- A. The Developer shall pay the City of Walker the actual cost of materials and pipe installation cost. The Developer shall pay the required amount prior to the City of Walker ordering the materials.

## **SECTION 11.26 PUBLIC STREET LIGHTING**

- A. Street lighting is required in all new or expanded commercial developments. The style and spacing of lighting standards will be determined by mutual agreement between the City of Walker and the Developer of the project. Proposed plans for such lighting will be provided to the City for review and acceptance, along with maintenance by the City at the end of the 1-year maintenance period.

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## **CHAPTER 12**

### **ANNEXATION**

## CHAPTER 12: ANNEXATION

### SECTION 12.1 ANNEXATION GENERAL PROVISIONS

- A. Items required when requesting annexation: If the City receives an annexation request, the parties requesting the annexation must provide the Walker Planning and Zoning Commissions with all documents pursuant to La. R.S. Title 33 relative to annexation, including, but not limited to a property plat map, a legal description, and a proper petition from the applicants at least 30 days prior to the Planning and Zoning Commission meeting at which the request will be reviewed.
- B. Map Requirements: The map provided shall be consistent with the existing zoning plat maps in form and shall include the following features. Provision of this map shall be the responsibility of the petitioners for annexation and shall either be drawn by a professional draftsman, engineer, or land surveyor or be obtained from the Parish Clerk of Court's Office and updated.
  1. The scale of the map shall be no smaller than 1 inch = 200 feet
  2. The map shall show the property boundaries and property owners in the newly annexed territory, proper placement of these properties, a north arrow, roads and canals in the annexed area or adjacent to it, and any classifications. (The map shall be to scale.)
  3. The map shall be legible and dated
- C. All territory which may hereinafter be added to the City of Walker shall, within the limits allowed by Louisiana and Federal Law at the time of annexation, automatically be classified as lying and being in the R-80 Zoning District, until such classification shall have been changed by a rezoning amendment as provided by this ordinance. The property owner may request a certain zoning classification other than R-80 in conjunction with the annexation request and in this manner could possibly be exempt from payment of rezoning fees.
- D. All uses, yards, and lots area of properties in the newly annexed territory not complying with the guidelines and specifications of the R-80 District, shall be classified as non-conforming, until such time as other more appropriate zoning classifications have been requested and approved by the Zoning Commission and City Council. Non-conforming uses, yards and lots may continue to exist in annexed territory, according to the non-conforming guidelines of this Ordinance.
- E. The Planning and/or Zoning Commissions or the City Council may call for a study to be undertaken (and coordinated by the Planning and/or Zoning Commission) of the proposed annexation to determine proper zoning recommendations as well as other appropriate information needed by the City. If the study is done, the Planning and/or Zoning Commission may recommend to the City Council appropriate zoning classifications for the new territory that may be other than R-80. These recommendations may become part of the official zoning

map if passed by the City Council, after appropriate public hearings are held by the Planning and/or Zoning Commission and the City Council.

- F. Any property owner in the newly annexed area or any adjacent property owner to the newly annexed territory may make one appeal of the zoning recommendations for that area, or any portion thereof, to the City Council before final approval of the annexation ordinance.
- G. The Zoning and Planning Commissions shall call a public hearing concerning the annexation and advertise such in the official journal of the City at least one time prior to making their recommendation to the City Council.

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## **CHAPTER 13**

### **ENFORCEMENT, PENALTIES DISCLAIMER, SEPARATION CLAUSE**

**CHAPTER 13: ENFORCEMENT, PENALTIES, DISCLAIMER, SEPARATION CLAUSE**

A. Any person who shall violate any of the provisions of this Ordinance, or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted an approved hereunder, shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) or be imprisoned for not more than thirty (30) days for each day that the violation continues, and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, individual person, or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be deemed guilty of a separate offense, and upon conviction shall be fined as provided. In case any building or structure is erected, constructed, reconstructed, structurally altered, converted, or maintained, or any building, structure, or land is used in violation of this chapter, the Building Official, in addition to other remedies, may institute any appropriate action or proceedings in the name of the City to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land or to prevent any illegal act, conduct, business, or use in or about such premises.

**SECTION 13.1 PENALTIES/ENFORCEMENT**

- A. Any person who shall violate any of the provisions of this Ordinance or fail to comply therewith, or who shall violate or fail to comply with any order made hereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, or any certificate or permit issued hereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Mayor and City Council or their representatives, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in this Chapter 13. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The person, business, or entity failing to comply or in violation of this Ordinance, shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00), or be imprisoned for not more than thirty (30) days for each day that the violation continues, and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this Chapter shall be placed or shall exist, and any architect, builder, contractor, individual person, or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be deemed guilty of a separate offense, and upon conviction shall be fined as provided. In case any

building or structure is erected, constructed, reconstructed, structurally altered, converted, or maintained, or any building, structure, or land is used in violation of this chapter, the Building Official, in addition to other remedies, may institute any appropriate action or proceedings in the name of the City to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land or to prevent any illegal act, conduct, business, or use in or about such premises.

- C. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. Enforcement actions by the City of Walker and/or its Police Department can include the issuance of stop-work orders, cease and desist orders, repeal of occupancy permits or occupational licenses that relate to the offending party.

## **SECTION 13.2 INTERPRETATION, CONFLICT, AND SEPARABILITY**

- A. In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
- B. It shall be the duty of the City of Walker and the City of Walker Planning and Zoning Commission and their representatives to enforce these regulations and to bring to the attention of the Municipal Prosecuting Attorney any violations or lack of compliance herewith.
- C. No owner, or agent of the owner, or any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plat and plans of such subdivision has been approved by the Building Official (minor subdivisions) or the Planning and Zoning Commission (major subdivisions), in accordance with the provisions of these regulations, and filed with the City Clerk of Court's Office.
- D. No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
- E. Conflict with public and private provisions:
1. Public Provisions. The regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulations, statute, or other provision of law. Where any provision of these regulations imposes a restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
  2. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easements, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards

than the requirements of these regulations in the determination of the Building Official (minor subdivisions), the City Planning and Zoning Commission (major subdivisions) or the City Council in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations and determinations thereunder, then such private provision shall be operative and supplemental to these regulations and determinations made thereunder.

3. Separability. If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The City Council, the City Planning and Zoning Commission, and the Building Official hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

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## **APPENDICES**

## APPENDICES

- Appendix A: Building & Planning Fee Schedule
- Appendix B: By-Laws
- Appendix C: Annexation Form & Petition
- Appendix D: Subdivision Approval Process
- Appendix E: Review Checklist
- Appendix F: TYPICAL ROADWAY SECTIONS
  - Appendix F-1: Hwy 190 Overlay District - Existing Corridor
  - Appendix F-2: Hwy 190 Overlay District
  - Appendix F-3: Curb & Gutter - Residential
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- Appendix G: Summary Table for Zoning Districts

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## **APPENDIX A**

### **BUILDING & PLANNING FEE SCHEDULE**

## APPENDIX A - BUILDING & PLANNING FEE SCHEDULE

Fee Type	Fee Amount
<b>Commercial Accessory Structures</b> <i>(Note: For estimated value, multiply \$50. by square footage of accessory structure)</i>	\$3. per \$1,000 of estimated value of building or addition, with a minimum permit fee of \$50, if new structure/addition permit fee is estimated at less than \$50
<b>Commercial Advertisement Sign</b>	\$25 - \$250, dependent upon size of & type of sign
<b>Commercial Construction &amp; Additions</b> <i>Contract price plus ten (10) percent will be used to determine the value. Permit cost to be determined as follows: Valuation up to \$100,000 is \$3.00 per \$1,000. Valuation from \$100,000 to \$500,000 is \$300. plus \$2.00 per \$1,000 above \$100,000 Valuation above \$500,000 is \$1,000. plus \$1.50 per \$1,000. Above \$500,000 (Note: For estimated value, multiply \$100 by square footage of new building or addition)</i>	\$3. per \$1000 of estimated value of building or addition
<b>Commercial Repairs &amp; Remodeling</b> (which do not result in a change in square footage of the building)	\$150
<b>Contractor Local Registration License</b>	\$100
<b>Demolition and clearance of a building or structure</b>	\$25
<b>Inspection</b> · Re-Inspection	\$50
<b>Land Clearing and Land Filling Permit</b>	\$35
<b>Major Subdivision</b>	\$300 plus \$5 per lot
<b>Minor Subdivision</b>	\$50
<b>Mobile Home Moving Permit</b>	\$25
<b>Mobile Home Site Inspection Permit</b>	\$35
<b>Residential Accessory Structure</b> <i>(Note: For estimated value of residential accessory structure, multiply \$25. by the total square footage of the accessory structure.)</i>	\$3. per \$1,000 of estimated value
<b>Residential Construction &amp; Additions</b> <i>(Note: For estimated value, multiply \$85. by square footage of the living area of the new residence or the living area of the new addition)</i>	\$3. per \$1,000 of estimated value
<b>Residential Structural Repair or Remodeling</b> (which do not result in an increase in living area)	\$50
<b>Rezoning Application</b>	\$350

Fee Type	Fee Amount
<b>Subdivision - Recording Document (Courthouse filing fee)</b> <ul style="list-style-type: none"><li>• Plat Size: up to 11" x 17"</li><li>• Plat Size: larger than 11" x 17"</li></ul>	See courthouse for latest fee schedule
<b>Variance application</b>	\$50
<b>Residential Plan Review Fee</b>	\$0.02 per square foot Minimum \$50, plus Review Engineer fees for review of associated plats, construction plans and studies if required (based on hourly costs for review time spent),
<b>Commercial Plan Review Fee</b>	\$0.04 per square foot Minimum \$50, plus Review Engineer fee for review of associated plans and studies if required (based on hourly costs for review time spent)

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## **APPENDIX B**

### **BY-LAWS FOR THE CITY OF WALKER, LOUISIANA PLANNING & ZONING COMMISSIONS**

**BY LAWS OF THE CITY OF WALKER PLANNING AND ZONING COMMISSION****SECTION 1. NAME**

City of Walker Planning and Zoning Commissions (*hereinafter referred to as “the Commissions”*)

**SECTION 2. PURPOSE**

The Commissions shall direct and be responsible for the preparation and administration of the master plan of the municipality, for the zoning plan, subdivision regulations, major variances, renewal and redevelopment plans; and any other functions assigned given to it by the City Council/Board of Aldermen or Mayor.

**SECTION 3. REGULAR MONTHLY MEETINGS**

The regular monthly meetings shall be held the third Monday of every month at 6:00 pm, except when those Mondays fall on a holiday or the Chairperson of the Commission calls a special meeting time and date. The Commission shall give written public notice of a regular meeting in the City of Walker’s official journal no later than 24 hours before the meeting.

**SECTION 4. ANNUAL MEETINGS**

The annual meeting of the Commissions shall be the first regular meeting in the month of January of each year. Such meeting shall be devoted to the election of officers for the ensuing year and other business as shall be scheduled by the Commissions.

**SECTION 5. SPECIAL MEETINGS**

Special meetings of the Commissions shall be held at a time and place designated by the officer calling the same and shall be called by the Chairperson. Notice thereof shall be given to all the members not less than twenty-four (24) hours in advance thereof. The Commissions shall give written public notice of a special meeting in the City of Walker’s official journal no later than 24 hours before the meeting.

**SECTION 6. MEMBERSHIP**

The membership of the Commissions shall consist of no less than five (5) and no more than seven (7) persons duly appointed by the Mayor and Council as provided in the Louisiana Statutes, R. S. 33:4721 through 33:4729. Each member shall be a resident property owner in the City of Walker.

The Municipal Planning Commission shall serve as a Municipal Zoning Commission and, when acting as such, it shall hold separate meetings with separate minutes and records. When acting as the municipal zoning commission, it shall exercise all the powers and duties conferred by R. S. 33:4721 through R. S. 33:4729.

All appointed member of the Municipal Planning Commission, including board of zoning adjustments, shall receive at least four hours of training the duties, responsibilities, ethics, and substance of the positions held or to be held, either prior to taking office or no later than one year after office is assumed.

## SECTION 7. QUORUM

At any meeting of the Commissions, a quorum shall consist of either four (4) of the seven (7) approved members or simple majority of total membership of the Commissions. No action shall be taken in the absence of the quorum, except to adjourn the meeting to a subsequent date.

## SECTION 8. VOTING

At all meetings of the Commissions, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member shall have a personal interest of any kind in a matter before the Commissions, he shall disclose his interest and be disqualified from voting upon the matter, and the Secretary shall so record in the minutes that no vote was cast by such member. At times where there is a conflict, that member of the Commission shall not be seated with the Commission and shall not participate in discussion as a Commission member on the item in question. The affirmative vote of a majority of the membership in a meeting with a quorum shall be necessary for the adoption of any resolution or other voting matter. For any question concerning conflict of interest or ethics of Commissions' members, the State adopted Ethics Code for Public Officials shall be consulted and shall prevail.

## SECTION 9. REMOVAL

- A. A duly appointed member of the Commissions may be removed from office by the Mayor for inefficiency, neglect of duty or malfeasance in office after a public hearing.
- B. A duly appointed member of the Commissions who fails to attend three (3) regularly scheduled and/or special meetings in a year shall be recommended to the Mayor by the Commissions' Chairperson, for removal from the Commission after a public meeting discussing the matter. The member in question may also choose to resign before being removed.
- C. A duly appointed member of the Commissions shall be removed from the Commission for a conviction of a felony during his term of office. The member in question may also choose to resign before being removed.
- D. A duly appointed member of the Commissions who fails to attend and complete the required continuing education shall be removed from the Commission. The member in question may also resign before being removed.

## SECTION 10. PROCEEDINGS

- A. At any regular meeting of the Commission, the following shall be the regular order of business.

- PLANNING COMMISSION
  - 1. Call to order
  - 2. Roll call
  - 3. Minutes of preceding meeting
  - 4. Old and new business
  - 5. Reports of consultants, staff, building inspector, or other officials
  - 6. Public hearing
  - 7. Adjournment

- ZONING COMMISSION

1. Call to order
  2. Roll call (not necessary if previously done under the Planning Commission business)
  3. Minutes of preceding meeting
  4. Old and new business
  5. Reports of consultants, staff, building inspector, or other officials
  6. Public hearing
  7. Adjournment
- B. Each formal action of the Commissions required by law, city charter, rule or regulation shall be embodied in a formal resolution duly entered in full upon the Minute Book after an affirmative vote as provided in Section 9 hereof. Item on the agenda that will become a City ordinance, such as rezoning or zoning or subdivision ordinance amendments, shall be sent to the City Council for adoption after having received a recommendation from the Zoning or Planning Commission.
- C. In order to comply with open meeting law (Sunshine Law), the agenda will be closed at least 24 hours prior to the regularly scheduled meeting and posted at the appropriate location(s). If the proposed agenda item is a rezoning issue or an ordinance change which requires State mandated public advertising time periods, the meeting agenda must be closed at least 2 weeks prior to the date of the Commission meeting. The Zoning Commission will be at a minimum follow the advertising rules of the State of Louisiana Revised Statutes 33 concerning required advertising periods.

#### SECTION 11. CONDUCT OF MEETINGS

The Chairman shall preside at all meetings. In the absence of the Chairman, the Vice-Chairman shall preside.

#### SECTION 12. RULES OF PROCEDURE

All meetings of the Commissions shall be conducted in accordance with acceptable standards of parliamentary procedure.

#### SECTION 13. OFFICERS

The officers of the Commissions shall consist of a Chairman and a Vice-Chairman and Secretary elected by the Commissions at the annual meeting for a term of one (1) year. In the event the Secretary shall be absent from any meeting, the officer presiding shall designate an acting Secretary. The term of officers shall be for one (1) year; elected by a majority of members. The election will take place at the annual meeting, as called for in Section 4 of these By-Laws. The newly elected officers will take office the first meeting in February.

#### SECTION 14. DUTIES OF OFFICERS

The duties and powers of the officers of the Commissions shall be as follows:

A. Chairman

1. To preside at all meetings of the Commission.
2. To call special meetings of the Commission in accordance with these By-Laws.
3. To sign documents of the Commission.

4. To see that all actions of the Commission are properly taken.
- B. Vice-Chairman
1. To perform the duties of the Chairman in his/her absence.
- C. Secretary
1. To record and document the proceedings of the commission during the meeting to give to the City of Walker Administrative Assistant.

#### SECTION 15. COMPENSATION, TERMS, AND VACANCIES

All members of the Municipal Planning and Zoning Commissions shall serve without compensation and shall hold no other public office. The members of the Commission, after the initial terms, shall hold office for terms of five (5) years. If a vacancy occurs otherwise than by an expiration of term it shall be filled by appointment for the unexpired term. (See Section 6 above) The costs of travel and registration to workshops, training, and appropriate meetings by the Commissions' members will be reimbursed by the City of Walker.

Should any vacancy occur among the members of these Commissions by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the City Administrative Assistant by the Secretary. Should any vacancy occur among the officers of the Commissions, the Mayor shall appoint a new member within thirty (30) days, to fill the unexpired term.

#### SECTION 16. PUBLIC HEARING

Any item requiring a public hearing shall be limited to thirty 30 minutes with the exception of a majority vote by the Commission to extend the public hearing. Any citizen wishing to comment at such public hearing shall state his or her name and address prior to comment and shall be limited to five (5) minutes per person.

#### SECTION 17. AMENDING BY-LAWS

These By-Laws may be amended at any meeting of the Commissions with proper public notice given. Recommended amendments shall be forwarded to the City for Council approval.

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## **APPENDIX C**

### **ANNEXATION FORM & PETITION**

# **ANNEXATION FORM AND PETITION**

*We, the undersigned residents and/or registered voters of Livingston Parish do hereby request annexation into the corporate limits of Walker, Louisiana. The description of the annexation and a map showing the annexed area are attached hereto.*

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## **APPENDIX D**

### **SUBDIVISION APPROVAL PROCESS**

## APPENDIX D

STEP	<b>MINOR SUBDIVISION APPROVAL PROCESS – <i>City of Walker, Louisiana</i></b>
1	Developer contacts City Permit Department about the proposed development to discuss project. Sketches recommended at this point, showing proposed lots and street layouts. Developer to request preliminary meeting with City to discuss project.
2	Developer submits completed development application and preliminary plat to City Building Department, along with appropriate fees.
3	City Building Department distributes preliminary plat to department directors for review or may call meeting of Site Plan/Plat Review Committee.
4	City Building Official reviews application and preliminary plat and will approve or reject plats or approve with conditions. (Public hearing is not required)
5	<i>Note: Developer must obtain all necessary written acceptances or permit documentation from appropriate State and Federal agencies prior to acceptance by the Building Official.</i>
6	Developer submits Drainage Impact Study (DIS) for review by applicable agencies (must also be submitted to DOTD if property is adjacent to and requires access onto a state highway)
7	Upon approval of the Drainage Impact Study (DIS) by the Building Official, developer submits construction plans to City Building Department, with a copy to the Public Works Department.
8	Upon written notification from Building Official and signing of Plans by City, the developer receives permission to proceed with development.
9	During construction, Developer must notify appropriate City personnel of any changes or modifications needed <i>prior</i> to starting the change or modification. If change or modification is substantial, approval by the Building Official and/or Planning and Zoning Commission will be required.
10	Developer must submit signed Final Plat to City for review and approval by the Building Official and the Mayor and filing with the Clerk of Court, before sale of property.
11	Before final acceptance of improvements by the City, the developer posts a maintenance bond to cover a 1-year period. Maintenance bond shall be a minimum of 10% of all construction costs.
12	All project public improvements are dedicated to the City of Walker, after recommendation from the Building Official (and with discussions and agreement from Public Works Director), and after all improvements are completed and maintenance bond posted with the City. Dedication of improvements is done by resolution of acceptance by the Walker City Council.
	<p><b>NOTES:</b></p> <ul style="list-style-type: none"> <li>· <i>Plat must note in writing any privately maintained utilities or improvements.</i></li> <li>· <i>A final subdivision plat must be signed and dated by the developer (project owner) and by the City's Building Official and the Mayor.</i></li> <li>· <i>All completion and/or maintenance bonds from a developer shall be approved in form and in amount (value) by the City of Walker attorney.</i></li> </ul>

<b>STEP</b>	<b>MAJOR SUBDIVISION APPROVAL PROCESS – <i>City of Walker, Louisiana</i></b>
1	Developer contacts City Permit Department about the proposed development to discuss project. Sketches recommended at this point, showing proposed lots and street layouts. Developer to request preliminary meeting with City to discuss project.
2	Developer submits completed development application and preliminary plat to City Building Department, along with appropriate fees.
3	City Building Department distributes preliminary plat to department directors for review or may call meeting of Site Plan/Plat Review Committee.
4	City Building Department distributes preliminary plat and written reviews of department directors to Planning Commission for approval at public meeting.
5	Planning and Zoning Commission holds public hearing and takes appropriate action.
6	Planning and Zoning Commission votes to approve or reject plans or approves with conditions.
7	<i>Note: Developer must obtain all necessary written acceptances or permit documentation from appropriate State and Federal agencies prior to acceptance by the Planning and Zoning Commission.</i>
8	Developer submits Drainage Impact Study (DIS) for review by applicable agencies (must also be submitted to DOTD if property is adjacent to and requires access onto a state highway)
9	Upon approval of the Drainage Impact Study (DIS) the developer submits construction plans to City Building Department, with a copy to the Public Works Department.
10	Upon written notification from Building Official and signing of Plans by City, the developer receives permission to proceed with development.
11	During construction, Developer must notify appropriate City personnel of any changes or modifications needed <i>prior</i> to starting the change or modification. If change or modification is substantial (realignment of streets, major drainage changes or an increase or decrease in lot count by more than 5%), approval by the Planning and Zoning Commission will be required.
12	Developer must submit signed Final Plat to City for review and approval by the Chairman of the Planning and Zoning Commission and the City of Walker Mayor and filing with the Clerk of Court, before sale of property.
13	Before final acceptance of improvements by the City, the developer posts a maintenance bond to cover a 1-year period. Maintenance bond shall be a minimum of 10% of all construction costs.
14	All project public improvements are dedicated to the City of Walker, after recommendation from the Building Official (and with discussions and agreement from Public Works Director), and after all improvements are completed and maintenance bond posted with the City. Dedication of improvements is done by resolution of acceptance by the Walker City Council.
	<b>NOTES:</b> <ul style="list-style-type: none"> <li>• <i>Plat must note in writing any privately maintained utilities or improvements.</i></li> <li>• <i>A final subdivision plat must be signed and dated by the developer (project owner) and by the City's Planning and Zoning Commission Chairman and the City of Walker Mayor.</i></li> <li>• <i>All completion and/or maintenance bonds from a developer shall be approved in form and in amount (value) by the City of Walker attorney.</i></li> </ul>

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**APPENDIX E**

**REVIEW CHECKLIST**

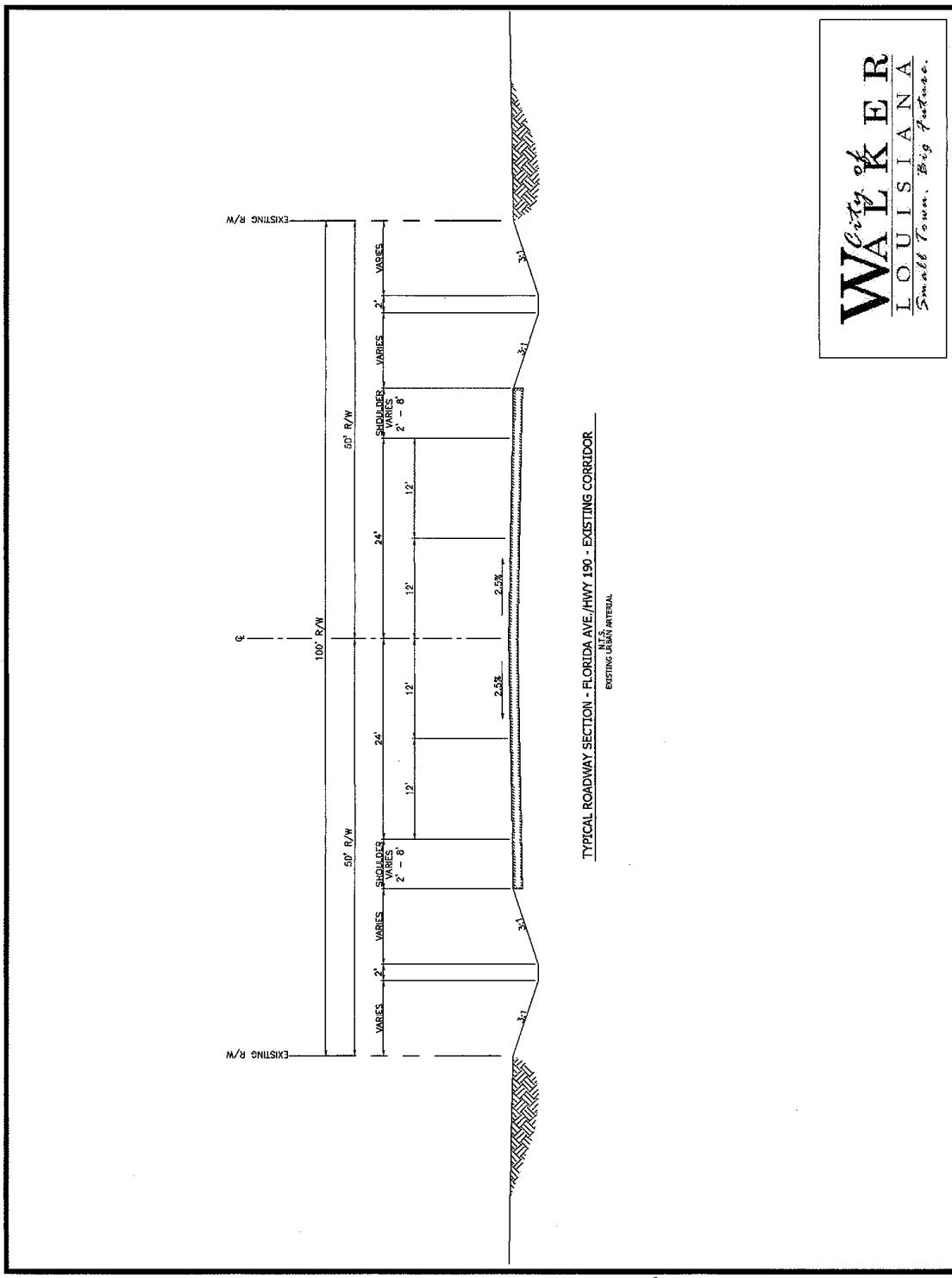
**APPENDIX E****CHECKLIST FOR NEW DEVELOPMENTS or MINOR/MAJOR SUBDIVISION OF LAND**

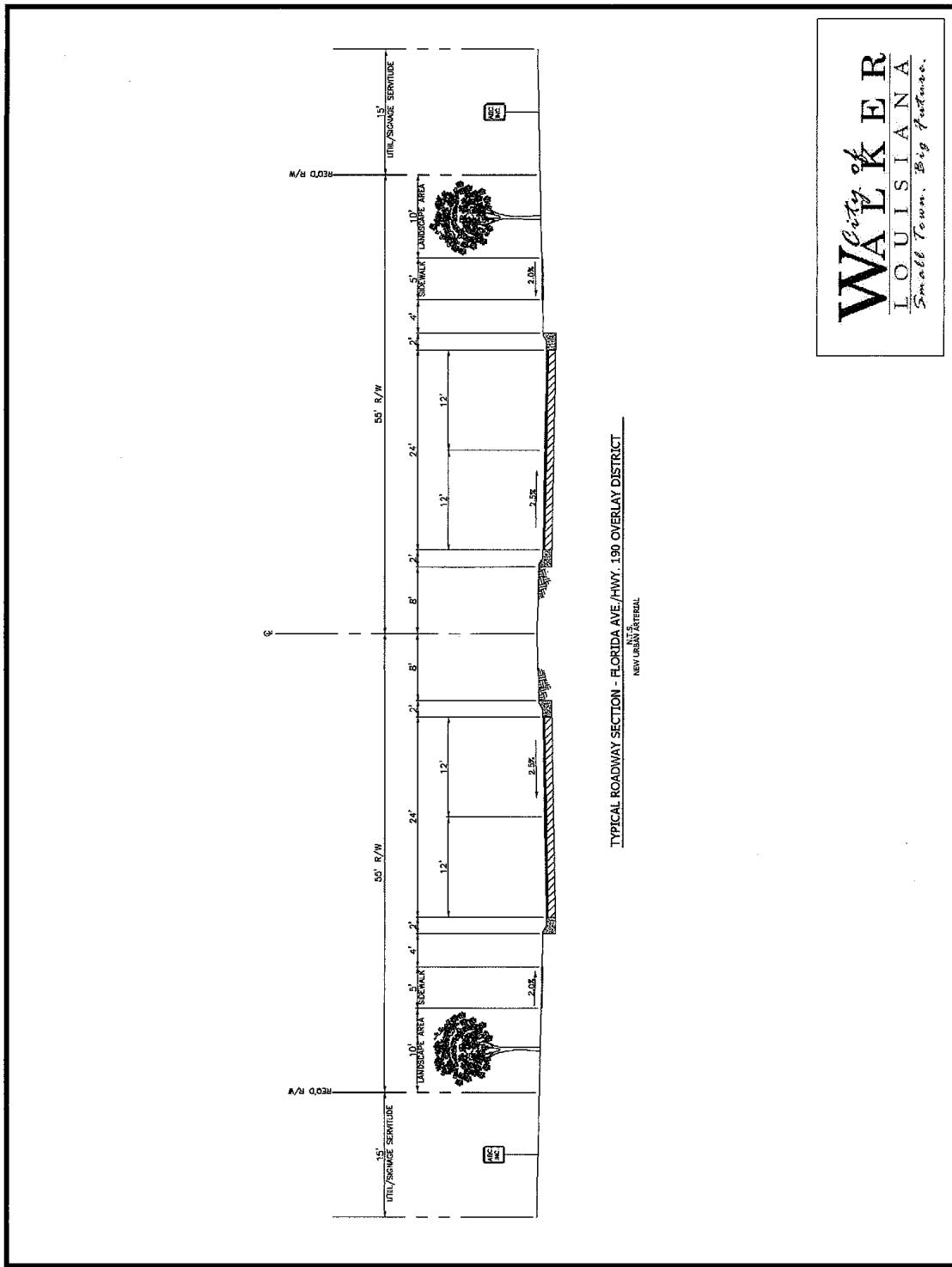
- Payment of filing fees to the City (*not refundable*)
- Name of Subdivision
- Developers, Owners name and address
- Acreage of site to the nearest one tenth of acre
- Vicinity Map
- North arrow and surveyors seal
- Bench mark location and description of all monuments found and set (for plats). Indicate base flood elevations and reference mark. Areas of flood zone will be clearly delineated.
- Plat boundary lines with bearings in degrees, minutes and seconds with distances in feet and hundredths with P.O.B. noted
- Lot lines with bearings in degrees, minutes and seconds with distance in feet and hundredths
- Streets with names, boundaries, right of ways and classification, wearing surface and width
- Sidewalks with location and width
- Lot and block numbers
- Building setback information (written)
- Building setbacks lines if different than city zoning regulations
- Servitudes on site (location, dimensions and purpose)
- Servitudes adjacent (location dimensions and purpose within 150 ft. of said development boundary)
- Public right-of-way adjacent and width provided
- Buffer zone protection for adjacent residential zoning
- Drainage servitudes, water course and location of drainage ditches
- Location of drainage discharge and/or connection to municipal system
- Size of culverts, catch basins and locations
- Water, gas and sewer lines size and location and connection to existing mains. Indicate if other than city lines or mains.
- Locate fire hydrant and water line sizes
- Any information or traffic flow patterns, one-way streets, roundabouts, and dead-end streets with cul-de-sac information
- Permanent existing buildings on site
- Street lighting with distance between standards, height of standards including specification for materials, type of lighting, method of installation (lighting plan)
- Zoning classification
- Entrances and exits onto existing streets from commercial development
- Commercial sign location marked on plan
- Parking lot layout
- Landscaping plan
- Erosion control plan, where property is being site cleared or if any top-soil can be removed by rainfall.

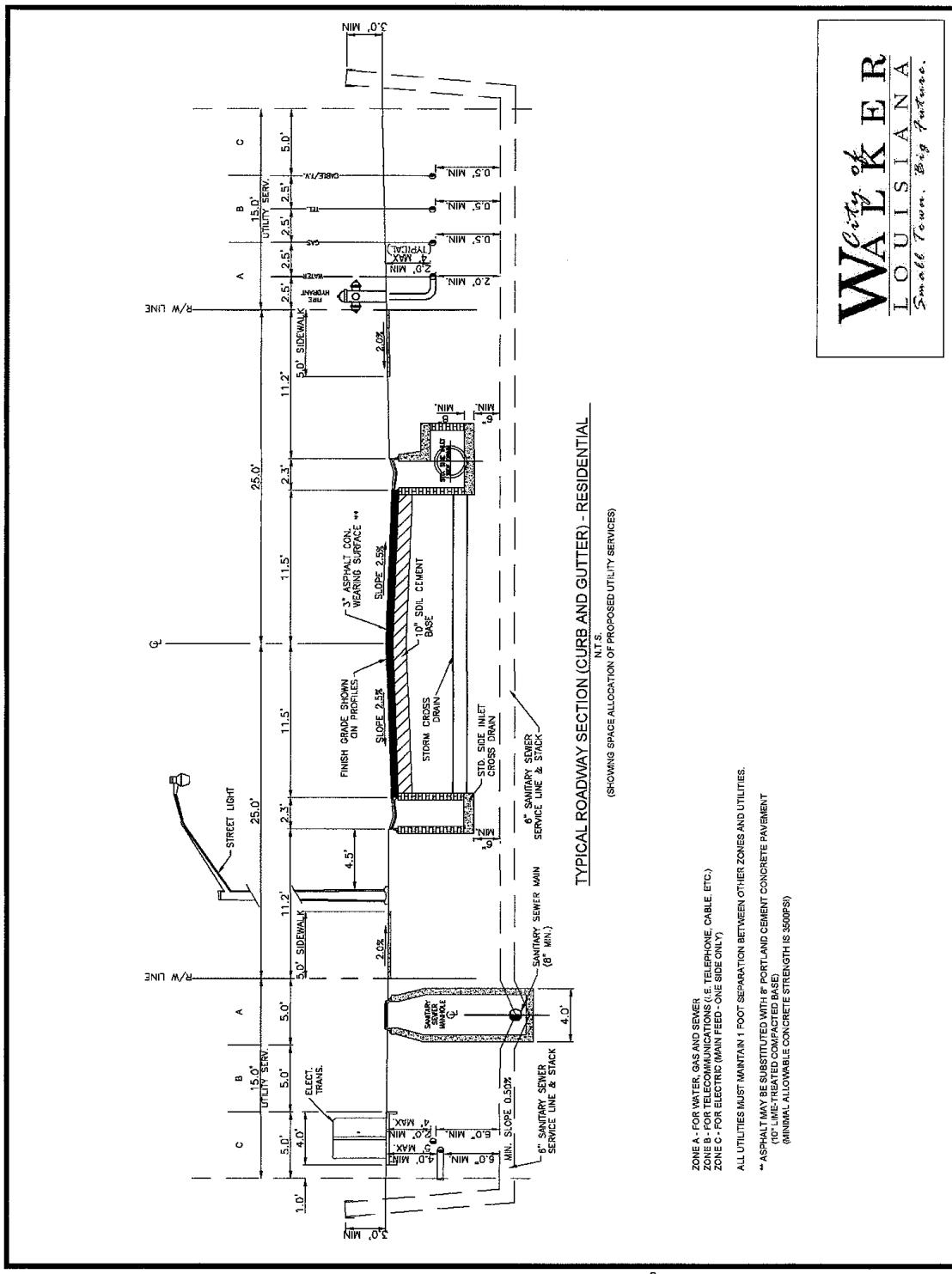
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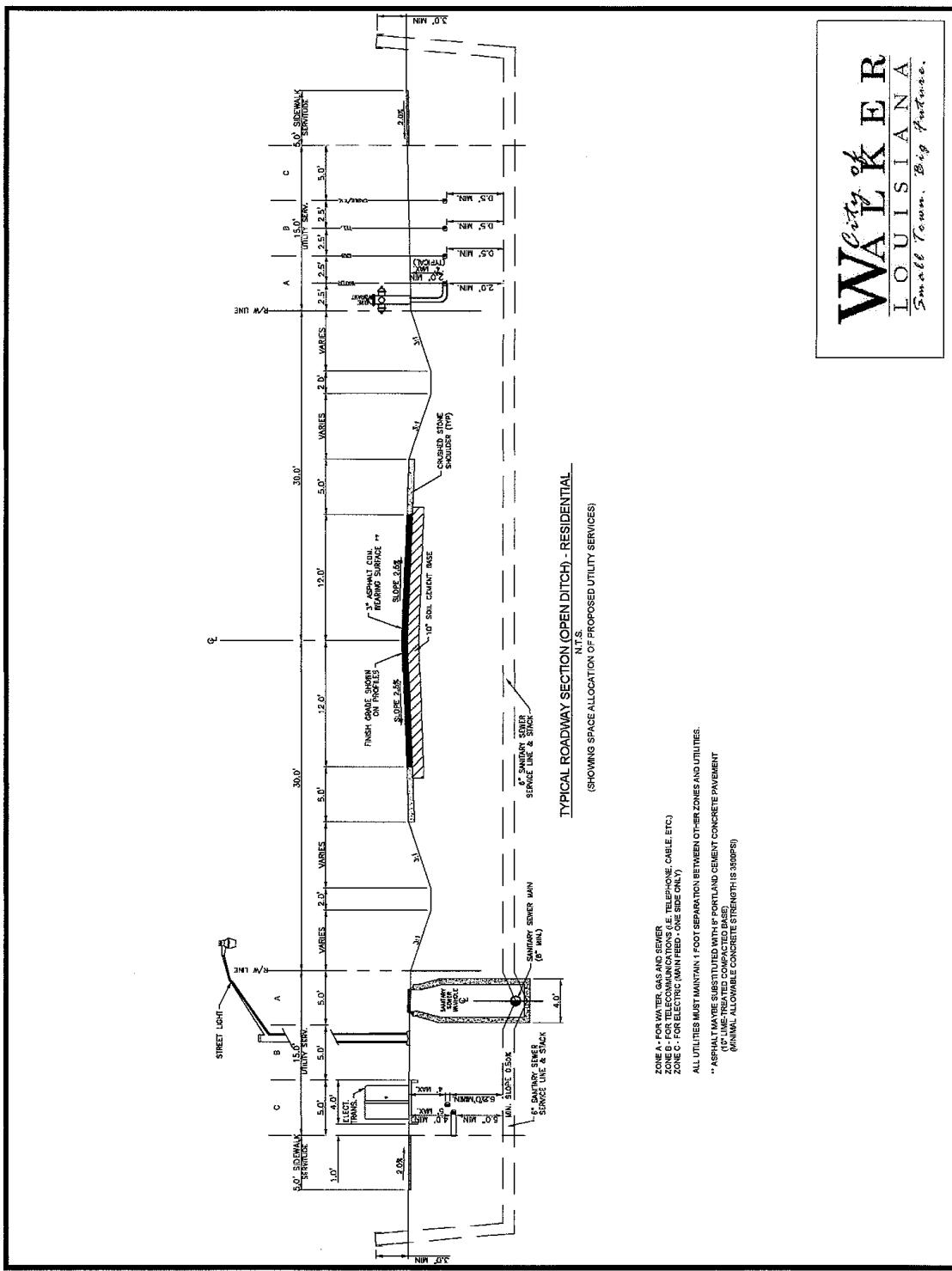
## **APPENDIX F**

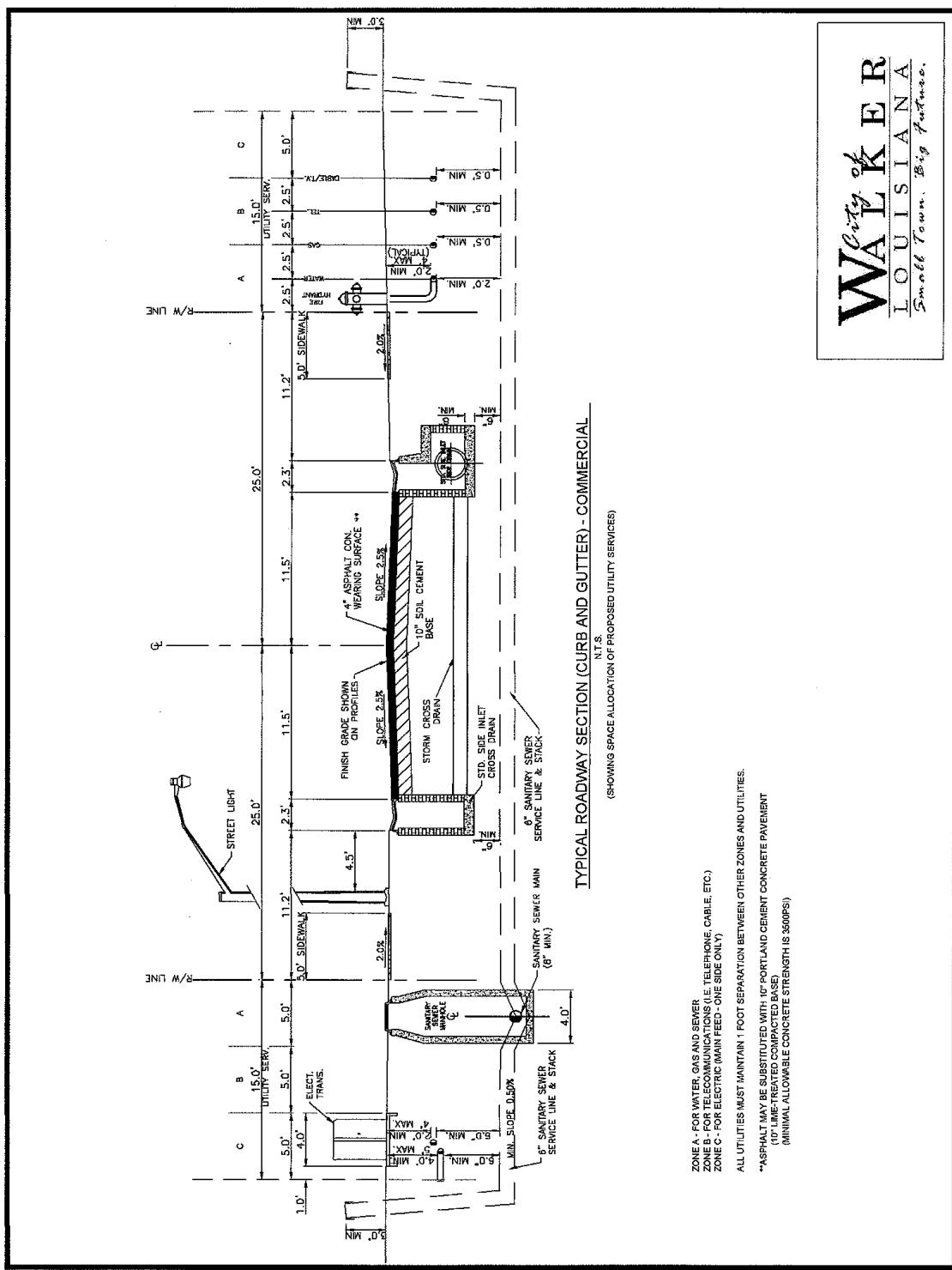
### **TYPICAL ROADWAY SECTIONS**



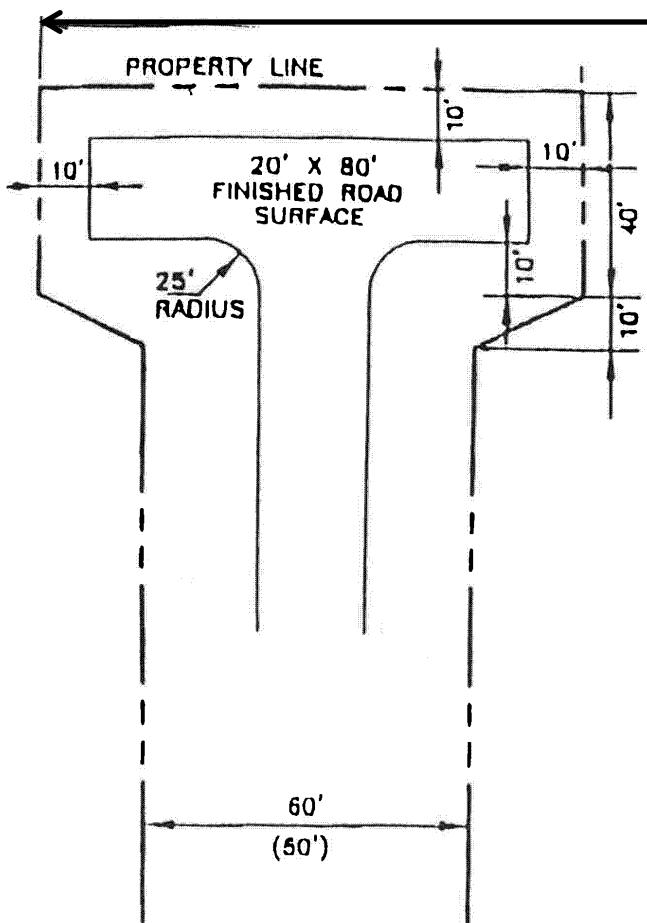








## APPENDIX F-1 T-TURNAROUND DIAGRAM



THIS IS THE MINIMUM REQUIRED. MORE MAY BE REQUIRED DEPENDING ON DRAINAGE, SEWERS, ETC.

TOWN OF WALKER  
T-TURNAROUND  
7/12/99

DIVISION II, SECTION 24-25, SPECIFICATIONS  
FOR STREETS IN RESIDENTIAL AREAS (h)  
T-TURN AROUND MINIMUM STANDARDS.

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## **APPENDIX G**

### **SUMMARY TABLE FOR ZONING DISTRICTS**

**WALKER UNIFIED DEVELOPMENT CODE - SUMMARY TABLE for ZONING DISTRICTS**

<i>Districts as shown on Zoning District Map</i>	<i>Uses Permitted</i>	<i>Uses Prohibited</i>	<i>Front Depth (feet)</i>	<i>Rear Depth (feet)</i>	<i>Side Depth (feet)</i>	<i>Area Square feet</i>	<i>Width (feet)</i>
						For all buildings except accessory uses:	
R-80 Residential	Dwellings; schools offering general education courses; day care centers; municipal use and public utility uses; accessory uses, churches.	All uses not specifically permitted herein.	20	20	5	9,600 per family	80
R-70 Residential	Any uses permitted in R-80 zoning designation. House trailers for dwelling purposes as provided in Section 20-61 are permitted. Public buildings and clubs as provided in Section 20-57.	All uses not specifically permitted herein.	20	20	5	8,400 per family	70
						For all buildings except accessory uses:	
R-60 Residential	Any uses permitted in an R-70 zoning designation. Philanthropic uses, non- profit lodge halls, house trailers for dwelling purposes where each house trailer serving as a dwelling unit is located on a separate lot approved by the City which complies with the area requirements of R-60 designation. One house trailer may be located on same lot as dwelling unit if immediate family is to occupy, provided that the same minimum yard requirements for an R-60 residence lot are met for front, rear and side yards for both dwelling unit and house trailer. Permit for additional dwelling unit to be temporary for 24-months. Nonconforming uses permitted by Section 20-3.	All uses not specifically permitted herein.	10	20	5	6,000 minimum and 3,000 per family	60
						For all buildings except accessory uses:	
Residential R-50	Any uses permitted in R-60 zoning designation, provided that separate lot size requirements for house trailers and minimum side yard sizes for house trailers on the same lot as a dwelling unit for R-50 residence designation are met for front, rear and side yards for both dwelling unit and house trailer.	All uses not specifically permitted herein.	10	20	5	5,000 minimum and 1,600 per family	50
						Same as R-80. For multiple dwelling units, side and rear yards must be equal to not less than one-half the height of the building.	
R-A Residential Apartment	Any use permitted in an R-80 zoning designation, and multiple dwellings, townhouses, lodging houses. House trailers for dwelling purposes are prohibited.	All other uses not specifically permitted.				8,400 minimum and 1,200 per family	70
						For all buildings except accessory uses:	
R-PG Patio Garden Home Residential <b>(Refer to Ch. 5, § 5.24)</b>	Any uses permitted in an R-80 zoning designation. Single-family detached residential units. Before property will be zoned R-PG, the site development layout or plans must be submitted to the Planning Commission for review and approval of drainage, land use, building separation and access.	All uses not specifically permitted herein. House trailers are prohibited.	10	20	5	5,000	50
						For all buildings except accessory uses:	

**WALKER UNIFIED DEVELOPMENT CODE - SUMMARY TABLE for ZONING DISTRICTS**

<i>Districts as shown on Zoning District Map</i>	<i>Uses Permitted</i>	<i>Uses Prohibited</i>	<i>Front Depth (feet)</i>	<i>Rear Depth (feet)</i>	<i>Side Depth (feet)</i>	<i>Area Square feet</i>	<i>Width (feet)</i>
R-5 Zero Lot Line Residential <b>(Refer to Ch. 5, § 5.25)</b>	Single-family detached residential units located on one (1) side property line only. No units may be contiguous to each other. Before property will be zoned R-5, the site development layout or plans shall be submitted to the Planning Commission for review and approval of drainage, land use, building separation and access.	All uses not specifically permitted herein.	10	20	8	4,000	40
RC Residential- Commercial <b>(Refer to Ch. 5, § 5.26 &amp; §5.27)</b>	Any uses permitted in an R-80, R-A, R-PG or R-5 zoning designation. Any uses permitted in a C-3 zoning designation, except as otherwise provided. Any residential dwelling combined with permitted commercial activity. Any commercial building unit adjacent to a residential development shall conform to the surrounding area. House trailers for dwelling purposes are prohibited.	All uses not specifically permitted herein. Only property within designated commercial corridors may be zoned RC.	Same as R-80 for dwellings. Same as R-A for multifamily dwellings. Same as C-3 for non-dwellings and combination commercial/residential buildings.			9,600 minimum and per family for dwellings. 1,200 per family for multifamily dwellings, 5,000 for non-dwellings, 7,200 for combination commercial/residential buildings.	80 for dwellings. 50—150 for commercial , depending on use.
RC-CAB-1	Business involved in the serving of alcoholic beverages for consumption on the premises and whose primary purpose is to prepare meals for on premise consumption for the general public.	All uses not specifically permitted herein. Only property within designated commercial corridor may be zoned RC-CAB-1	25	15	5	5,000	50-150
RC-CAB-2	Business involved in the sale or serving of alcoholic beverages for consumption on the premises.	All uses not specifically permitted herein. Only property within designated commercial corridor may be zoned RC-CAB-2	25	15	5	5,000	50-150
C-1 Commercial Office	Any type office building exclusively for office use, including professional and sub-professional offices, providing medical, dental, engineering, architectural, drafting, accounting, legal, realty, insurance and other such services, provided that no goods, wares, or merchandise shall be prepared or sold on the premises. Banks, savings and loans, credit unions and loan companies (excluding pawn shops).  Personal service businesses, including hair stylists, manicurists; arts and crafts studios, photography studios, small instructional schools for arts and crafts, including dance, physical fitness, gymnastics, cheer, painting, photography, cooking, provided that no merchandise is sold, except to students as needed for instructional purposes.  <i>See Chapter 6: Parking, Access, and Loading Zones</i> , related to parking in C-1 zoning designation. Commercial parking lots (including all connecting driveways and sidewalks) surfaced with concrete, asphaltic concrete, asphalt, or other solid surface or paving, free from dust, dirt, gravel or mud, for passenger vehicles only. Such parking lots and connecting driveways and sidewalks shall be maintained in good condition, free of weeds, trash and other debris. If	All uses not specifically permitted herein. No parking lot permitted hereby shall permit, allow or suffer the sale, repair work, storage, dismantling or servicing of any motorized vehicle or conveyance or equipment or the storage or distribution of any materials or supplies. No signs or advertising of any type or nature, except directory (entrance-exit or safety) type signs 32 square feet per unit.	25	15	5	5,000	50

**WALKER UNIFIED DEVELOPMENT CODE - SUMMARY TABLE for ZONING DISTRICTS**

<i>Districts as shown on Zoning District Map</i>	<i>Uses Permitted</i>	<i>Uses Prohibited</i>	<i>Front Depth (feet)</i>	<i>Rear Depth (feet)</i>	<i>Side Depth (feet)</i>	<i>Area Square feet</i>	<i>Width (feet)</i>
(C-1 Commercial Office, con't.)	<p>lighting is provided, it shall be so arranged to reflect or direct light away from any adjacent residential dwellings or developments. All non-parking or driving areas shall be landscaped as required by Chapter 8 herein and maintained in good condition.</p> <p>Any other uses deemed appropriate by the Zoning Commission.</p> <p><i>Permitted accessory uses and structures:</i> Any use reasonably related to the principal use.</p> <p><i>Special exception uses and structures:</i> Dwelling units contained within, attached or related to the office building, hospitals, rest homes, churches, schools, and institutions. Any commercial building adjacent to a residential area shall conform with surrounding area. See <i>Chapter 5, Section 5.22 Fences for Commercial Property</i>, related to fences for commercial property.</p>						
C-2 Commercial Retail	<p>Any uses permitted in C-1, retail sales, motels, hotels, restaurants, animal hospitals where all animals are kept inside a building, apartment hotels. Commercial recreation facilities, commercial greenhouses and nurseries, commercial schools, drive-in restaurants, funeral homes, mixed-use retail/office buildings. Buildings for structures from which goods, merchandise or products are sold at retail or rented for personal use, service stations, shops for the repair and servicing of the following: bicycles, electronics, appliances, locksmiths, typewriters, computers, dressmakers, tailors, millinery, bakery goods sales, laundry and dry-cleaning pickup stations, non-drive-in theaters. See <i>Chapter 6: Parking, Access, and Loading Zones</i>, related to parking in C-2 zoning designation.</p> <p>Commercial or private parking lots (including all connecting driveways and sidewalks) meeting the specifications in C-1.</p> <p>Any other uses deemed appropriate by the Zoning Commission.</p> <p><i>Permitted accessory uses and structures:</i> Any use reasonably related to the principal use.</p> <p><i>Special exception uses and structures:</i> Special exceptions uses and structures permitted by C-1.</p> <p>See <i>Chapter 5, Section 5.22 Fences for Commercial Property</i> related to fences for commercial property.</p>	All uses not specifically permitted herein. No parking lot permitted hereby shall permit, allow or suffer the sale, repair work, storage, dismantling or servicing of any motorized vehicle or conveyance or equipment or the storage or distribution of any materials or supplies. No signs or advertising of any type or nature, except as in compliance with City ordinances.	25	15	5	5,000	150
C-3 Heavy	Any uses permitted in C-2. Shopping centers, seafood markets, poultry markets, supermarkets, outdoor theaters, parking garages, laundromats,	All uses not specifically permitted herein. No parking lot permitted hereby	25	15	5	5,000	150

**WALKER UNIFIED DEVELOPMENT CODE - SUMMARY TABLE for ZONING DISTRICTS**

<i>Districts as shown on Zoning District Map</i>	<i>Uses Permitted</i>	<i>Uses Prohibited</i>	<i>Front Depth (feet)</i>	<i>Rear Depth (feet)</i>	<i>Side Depth (feet)</i>	<i>Area Square feet</i>	<i>Width (feet)</i>
Commercial  (C-3 Heavy Commercial, con't.)	<p>trailer sales, new and used car dealerships or lots, vehicles rental agencies, vehicle or equipment repair or storage, commercial storage units, whether climate controlled or otherwise, amusement establishments, department stores, gymnasiums, public utilities service centers. See <i>Chapter 5, Section 5.22 Fences for Commercial Property</i>, related to fences for commercial property.</p> <p>Any other uses deemed appropriate by the Zoning Commission.</p> <p><i>Permitted accessory uses and structures:</i> Any use related to principal use, dwelling units contained within, or related to the commercial building, including the dwelling place of the owners or occupants of the building in which a business permitted within this zoning designation is conducted.</p> <p><i>Special permit uses:</i> Parking as permitted in C-2.</p>	shall permit, allow or suffer the sale, repair work, storage, dismantling or servicing of any motorized vehicle or conveyance or equipment or the storage or distribution of any material or supplies. No signs or advertising of any type or nature, except as in compliance with City ordinances.					
I Industrial	<p>Any use permitted in C-2 and C-3, except as expressly prohibited. Metalworking industries and fabricators, manufacturing of wire mesh, manufacture of wood products and goods, manufacture of garments and other textile products, lumber mills, feed mills, machine shops and similar industrial uses.</p> <p>Commercial or private parking lots (including all connecting driveways and sidewalks) meeting the specifications in C-1.</p> <p>Any other uses deemed appropriate by the Zoning Commission.</p> <p><i>Permitted accessory uses and structures:</i></p> <p>Any use reasonably related to the principal use.</p> <p><i>Special exceptions uses and structures:</i></p> <p>Special exceptions uses and structures permitted by the Zoning Commission.</p>	All uses not specifically permitted herein. Churches, public or private schools offering general education courses of study, public or private libraries.	For dwellings, same as R-50.	None	None		
T Manufactured Home/Trailer/Mobile Home Parks	<p>House trailers in mobile home parks and any use permitted in an R-50, R-60 or R-70 zoning designation.</p> <p>Any other uses deemed appropriate by the Zoning Commission.</p> <p><i>Permitted accessory uses and structures:</i></p> <p>Any use reasonably related to the principal use.</p> <p><i>Special exception uses and structure:</i></p> <p>Special exceptions uses and structures permitted by the Zoning Commission.</p>	All uses not specifically permitted herein.	See Chapter 5, Sections 5.18 – 5.20, and Chapter 7.	See Chapter 5, Sections 5.18 – 5.20, and Chapter 7.			

