Wednesday, October 16, 2019

4:00 PM

The Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge convened in zoning session on Wednesday, October 16, 2019 at 4:00 PM, in the Council Chambers of the Governmental Building, Room 348, Baton Rouge, Louisiana.

The Meeting was called to order by the Presiding Officer and the following members were present:

Present: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson

Absent: Banks, Cole, Loupe, Welch

. . . . . . . . . . . . . . . . . . .

Amending the Comprehensive Zoning Map of the City of Baton Rouge and Parish of East Baton Rouge of June 1976, as contained in and made a part of the “Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge for 1958,” as amended so as to:

. . . . . . . . . . . . . . . . . . .

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17172


WHEREAS, at its meeting of September 16, 2019, the Planning Commission approved an amendment to the from Residential Neighborhood Future Land Use hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:
Section 1. That the Comprehensive Land Use Plan of the City of Baton Rouge and Parish of East Baton Rouge for the year 2018, as amended, and its accompanying Plan Map, be and the same is hereby amended so as to create a Neighborhood Center Future Land Use, which shall include the following described property, to wit:

A certain piece or portion of ground, together with all the buildings and improvements on the property located north side of Highland Road, west of Kenilworth Parkway and south of Menlo Drive, on Lots 1-A and 2-A of the Rosario Martina Property. Section 63, T8S, R1E, GLD, EBRP, LA

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on October 16, 2019, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Freiberg and seconded by Mr. Watson to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Yews: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17173

TA-18-19 AMENDING TITLE 7 (PLANNING AND ZONING), CHAPTER 17 (PARKING AND LOADING), REPEALING AND REPLACING CHAPTER 17 (PARKING AND LOADING), IN THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE.

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Title 7, Chapter 17, to repeal and replace Chapter 17 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended, and shall read as follows:

Section 17.1 Purpose
The purpose of this chapter is to reduce hazards to public safety and to ensure efficient traffic flow by establishing standards for motor vehicle parking, bicycle parking and loading areas.

Section 17.2 Applicability

Section 17.2.1 General
A. Except where expressly provided for otherwise, all uses in all zoning districts shall provide off-street parking as set forth in this chapter.
B. No parking area, driveway, or access shall be constructed or expanded except in accordance with this ordinance without regard to whether it is used to provide required parking spaces.

Section 17.2.2 Off-street Parking Credit for Older Buildings and Uses
In order to encourage the reuse of existing buildings, any building constructed prior to November 20, 1996 having fewer spaces than required shall be credited with the parking required for the last legally permitted use without regard to the number of parking spaces, if any, that actually exist on the site.

Section 17.2.3 Adjustments to Requirements
In the event there is any conflict between the parking requirements set forth in the regulations of any applicable overlay district and those found in this chapter, the regulations of the specific overlay district shall apply.
Section 17.3 General Provisions

Section 17.3.1 Zoning Classification

All parking areas shall be located within a district which permits the use that such parking serves, or in a district that permits parking as a principle use.

Section 17.3.2 Parking Plan

In the event that the Planning Director determines that the evaluation of compliance with the parking requirements of this ordinance requires a parking plan, no new use may commence until a plan, drawn to scale and showing parking facilities and spaces, is provided and it has been determined that the parking provided is sufficient.

Section 17.3.3 Use of Parking Spaces

Required parking spaces shall not be used for the storage or sale of merchandise, vehicles for sale, or vehicle repair. Spaces allocated for these activities shall be designated on a parking plan.

Section 17.3.4 Multiple Uses on Same Lot

When computing the number of parking spaces required on a lot with more than one use, the total number of required spaces shall be the sum of the number of parking spaces required for each use evaluated individually, including any adjustments made under the alternative parking provisions of Section 17.4.1B, Motor Vehicle Parking Modifications.

Section 17.3.5 Fractional Spaces

When determination of the number of parking or loading spaces required by this ordinance results in a fractional number, any fraction shall be rounded up to the nearest whole number.

Section 17.4 Motor Vehicle Parking Requirements

Section 17.4.1 Minimum Motor Vehicle Parking

A. Standard Requirements

Every use shall include the number of motor vehicle parking spaces indicated under the classifications and formulas set forth in Table 17.A, Minimum Parking Requirements, below, except in the C-5 zoning district, where no parking shall be required.
Table 17.A
Minimum Parking Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Rural and Suburban</th>
<th>Urban/Walkable</th>
<th>Downtown</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses (except as listed below)</td>
<td></td>
<td></td>
<td></td>
<td>No spaces required for existing lots of record less than 30 feet in width (except townhomes)</td>
</tr>
<tr>
<td>Assisted Living Center</td>
<td>2 per 3 beds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fraternity/Sorority</td>
<td>2 per bedroom</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group living</td>
<td>1 per 300 SF of GFA</td>
<td>1 per 300 SF of GFA</td>
<td></td>
<td>Facilities approved through a Reasonable Accommodation utilize the parking requirements of a single family house.</td>
</tr>
<tr>
<td>Multifamily (Studio, 1 bedroom)</td>
<td>1 per unit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily (2 bedroom)</td>
<td>2 per unit</td>
<td>1.5 per unit</td>
<td>1 per unit</td>
<td></td>
</tr>
<tr>
<td>Multifamily (3 bedroom)</td>
<td>2.5 per unit</td>
<td>2 per unit</td>
<td>1 per unit</td>
<td></td>
</tr>
<tr>
<td>Multifamily (4 bedroom)</td>
<td>4 per unit + 10% additional spaces</td>
<td>1 per unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townhouse</td>
<td>2.25 per unit</td>
<td>1 per unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office Uses (except as listed below)</td>
<td>1 per 300 SF of GFA</td>
<td>1 per 400 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical Office/Clinic</td>
<td>1 per 200 SF of GFA</td>
<td>1 per 250 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Office</td>
<td>1 per 250 SF of GFA</td>
<td>1 per 350 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Uses (except as listed below)</td>
<td>1 per 250 SF of GFA</td>
<td>1 per 330 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antique Store</td>
<td>1 per 500 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Art Gallery and Studio</td>
<td>1 per 500 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>1 per guestroom + residential required parking</td>
<td>1 per guestroom</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Table 17.A (cont’d)
### Minimum Parking Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Rural and Suburban</th>
<th>Urban/Walkable</th>
<th>Downtown</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial Uses (continued)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Material Sales</td>
<td>1 per 500 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Wash (self-service)</td>
<td>1 per bay</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day Care Facility</td>
<td>1 per 300 SF of GFA</td>
<td>1 per 400 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Furniture Store</td>
<td>1 per 500 SF of GFA</td>
<td>1 per 1,000 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gaming</td>
<td>1 per 50 SF floor area + 1 per 100 SF employee area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health and Fitness Facility</td>
<td>1 per 150 SF of GFA</td>
<td>1 per 250 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heavy Equipment Sales and Service</td>
<td>1 per 500 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel and Motel</td>
<td>1 per guestroom + 1 per 300 SF conference, banquet, restaurant</td>
<td>1 per guestroom + 1 per 400 SF conference only</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennel</td>
<td>1 per 400 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mini-storage</td>
<td>3 spaces + 1 per 100 storage units</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office/Warehouse</td>
<td>1 per 300 SF GFA office/sales + 1 per 4,000 GFA storage/inventory space</td>
<td>Where the use is a combination and neither clearly predominates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reception Hall</td>
<td>1 per 50 SF of assembly floor area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurant and Bar</td>
<td>1 per 150 SF of GFA</td>
<td>1 per 250 SF of GFA</td>
<td></td>
<td>Parking required for active patio and outdoor seating areas when provided</td>
</tr>
<tr>
<td>Theater</td>
<td>1 per 5 seats</td>
<td>1 per 7 seats</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Sales</td>
<td>1 per 500 indoor SF of GFA + 1 per 10,000 SF outdoor lot area + 3 per repair bay</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Service</td>
<td>3 per bay</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Public/Institutional Uses</strong></td>
<td>as determined by the Planning Director</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(except as listed below)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Center</td>
<td>1 per 50 SF of assembly floor area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convention Center</td>
<td>1 per 50 SF of assembly floor area</td>
<td>1 per 65 SF of assembly floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>1 per 400 SF of GFA</td>
<td>1 per 500 SF of GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library and Museum</td>
<td>1 per 500 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passenger Terminal (airport, bus/train)</td>
<td>1 per 500 SF of passenger seating area</td>
<td>1 per 1,000 SF of passenger seating area</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 17.A (cont’d)
Minimum Parking Requirements

<table>
<thead>
<tr>
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<th>Urban/ Walkable</th>
<th>Downtown</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public/Institutional Uses (continued)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Religious Institution</td>
<td>1 per 50 SF of assembly floor area</td>
<td>1 per 65 SF of assembly floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial Uses (except as listed below)</td>
<td></td>
<td></td>
<td></td>
<td>Where the principal use is warehouse or industrial</td>
</tr>
<tr>
<td>Warehouse and Wholesale</td>
<td>1 per 1,250 SF of GFA</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Motor Vehicle Parking Modifications

The Planning Director may modify the parking requirements in Table 17.A, Minimum Parking Requirements, when an applicant submits parking data illustrating that the standards do not accurately apply to a specific development. The data submitted for an alternative parking plan shall include, at a minimum, the size and type of the proposed development, and the anticipated peak and average parking loads of all uses. The Planning Director may approve a parking requirement that is based on:

1. An analysis conducted using the Urban Land Institute’s data and methodology as described in the most recent version of the publication *Shared Parking*; or,

2. The data and methodology as described in the latest version of the Institute of Transportation Engineers publication *Parking Generation*; or,

3. An alternative analysis that the Planning Director deems to have met the requirements of this section.

Section 17.4.2 Maximum Motor Vehicle Parking

In order to minimize the adverse impacts caused by improving large areas with impervious surfaces, including increased storm water run-off, urban heat island effects, and nonpoint source pollution, excess parking shall not exceed 125 percent of the minimum parking requirement unless:

A. The development utilizes pervious paving materials for the excess parking;

B. Alternative methods that use vegetative plantings to capture and filter the first flush of a 25-year storm event, such as rain gardens, infiltration trenches, or similar methods approved by the Director of Development, are used; or,

C. Structured parking or new parking spaces located on-street represent the excess parking spaces provided.
Section 17.4.3 Handicapped Accessible Parking

Every use shall include the number of handicapped accessible parking spaces set forth in Table 17.B, Handicap Accessible Parking Requirements, below. The location and design of such spaces shall conform to the requirements of the Americans with Disabilities Act.

Table 17.B
Handicapped Accessible Parking Requirements

<table>
<thead>
<tr>
<th>Total Parking Spaces</th>
<th>Required Handicapped Accessible Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1—25</td>
<td>1</td>
</tr>
<tr>
<td>26—50</td>
<td>2</td>
</tr>
<tr>
<td>51—75</td>
<td>3</td>
</tr>
<tr>
<td>76—100</td>
<td>4</td>
</tr>
<tr>
<td>101—150</td>
<td>5</td>
</tr>
<tr>
<td>151—200</td>
<td>6</td>
</tr>
<tr>
<td>201—300</td>
<td>7</td>
</tr>
<tr>
<td>301—400</td>
<td>8</td>
</tr>
<tr>
<td>401—500</td>
<td>9</td>
</tr>
<tr>
<td>501—1,000</td>
<td>2% of total</td>
</tr>
<tr>
<td>over 1,000</td>
<td>20 plus one for each 100 standard spaces over 1,000</td>
</tr>
</tbody>
</table>

Section 17.4.4 Motor Vehicle Parking Reductions

The following reductions are available upon a showing that the required conditions have been met.

A. Transit Availability
Locations within a 1000-foot walking distance of a transit stop approved by the transit provider providing both shade and seating may reduce the total number of required parking spaces by 5 percent. Walking distance shall be measured along a clear walking path along sidewalks and pathways, including designated crosswalks, from the primary entrance of the use to the transit boarding location.

B. Structured Parking
Where parking is provided in a structure, the required total number of spaces may be reduced by 10 percent.

C. On-Street Parking (Non-Residential Only)
On-street parking located at curb locations contiguous to a development site may be used to reduce required on-site parking except in locations within 200 feet of any property zoned C-5, as described below:

1. Existing On-Street Parking
   The amount of off-street parking may be reduced by one space for every two existing on-street parking spaces.

2. Newly Created On-Street Parking
   The amount of off-street parking may be reduced by one space for every new on-street parking space that is created by a development as a result of street widening, dedication of additional right-of-way or easement, or other means approved by the Director of Development.

3. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.
D. Tree Preservation
The number of parking spaces required may be reduced by a maximum of 5 percent of the total required parking, consistent with the provisions of Table 17.C, Parking Reduction Credit for Tree Preservation within the area proposed for site development, if the tree proposed for preservation is approved by the Director of Development and appropriate steps are taken by the developer to ensure the tree’s protection during the development process. If, however, the tree is damaged during development, no credit shall be granted. Multiple trees may be approved for credit.

<table>
<thead>
<tr>
<th>Preserved Tree Diameter at Breast Height</th>
<th>Number of Spaces Credited</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 inches, but less than 12 inches</td>
<td>2</td>
</tr>
<tr>
<td>12 inches, but less than 18 inches</td>
<td>3</td>
</tr>
<tr>
<td>18 inches, but less than 24 inches</td>
<td>4</td>
</tr>
<tr>
<td>24 inches or more</td>
<td>5</td>
</tr>
</tbody>
</table>

Section 17.4.5 Alternative Motor Vehicle Parking Arrangements
In order to accommodate infill development, redevelopment, and flexible parking practices within the built environment, the following alternative parking arrangements may be utilized to satisfy specific parking needs, but will not be effective until the Planning Director approves a parking plan. All parking areas shall be located within a district that permits the use that such parking serves or in a district that permits parking as a principle use.

A. Off-Site Parking
The Planning Director may approve the location of required parking spaces on a separate lot from the lot on which the principal use or uses are located if the off-site parking complies with the all of following standards.

1. Eligible Activities
   a. All Uses
      Off-site parking spaces shall be located within 660 feet from the primary entrance of the use served. Walking distance is measured along a clear walking path along sidewalks and pathways including designated crosswalks from the primary entrance of the use to the closest section of the off-site parking lot.
   b. Residential Uses
      Off-site parking may be used for multi-family residential uses if both the use and the off-site parking spaces are located in the Downtown or Urban/Walkable Character Areas.

2. Agreement
   a. A legally binding written easement or servitude between the owners of record of the properties establishing the duration and conditions associated with the off-site or shared parking must be created, approved by the Planning Director, and recorded with the East Baton Rouge Parish Clerk of Court Recorder’s Office. A copy of the new agreement must be filed prior to expiration of the current agreement.
   b. An off-site or shared parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this Chapter.

3. Ineligible Activities
   Off-site parking may not be used to satisfy the off-street parking requirements for residential uses (except for guest parking or as noted above), convenience stores or bars and lounges.

B. Valet Parking
The Planning Director may approve valet parking as a means of satisfying parking requirements if the valet parking meets all of the following standards:

1. Adequate assurance of the continued operation of the valet parking, such as a contractual agreement for valet services or the tenant’s affidavit agreeing to provide such services, is provided;
2. An equivalent number of valet spaces are available to replace the required parking spaces. Such valet spaces do not require individual striping, and may utilize tandem or mass parking of vehicles;

3. The valet operation, if used to satisfy the requirements of this chapter, must remain in effect while the use is in operation; and,

4. If valet parking is located off premises, the off premises lot must have a valid agreement for use of the off premise parking lot(s) satisfying the standards as described above in Section 17.4.5.A.2.

C. An alternative parking arrangement may be amended by following the same procedure required for the original approval.

Section 17.5  Motor Vehicle Parking Design Standards

Section 17.5.1  General

A. All parking facilities shall meet the following criteria:

1. No parking spaces shall be located within sight distance triangles.

2. No parking spaces may be permitted closer to the roadway edge or curb than ten feet.

3. When parking is proposed perpendicular to a public sidewalk or property line, barrier curbing shall be installed two feet, six inches from the sidewalk or property line to prevent the vehicle from overhanging the sidewalk or property line and ensure maintenance of the clearance requirements of the Americans with Disabilities Act.

4. All parking entrances, exits, and aisles shall have white directional arrow pavement markings with materials that meet the guidelines of the Manual on Uniform Traffic Control Devices (MUTCD). All regulatory and warning signage shall be of the type universally recognized as shown in the MUTCD.

B. Wreckers, buses (other than school buses used primarily for transporting school children), trucks and semitrailers with more than two axles and a payload capacity of more than 3,500 pounds are prohibited from parking on the drive, in the front yard, or adjacent to any lot in the A1, A2, A2.5, A3, or A4 zoning district or between the street and a house in recognized subdivisions in the R zoning district.

Section 17.5.2  Locational Standards for Parking Areas

A. Single Family Dwellings

1. For any single family dwelling, motor vehicle parking and maneuvering areas shall not be located in any required yard adjacent to a public street (other than an alley) except in an access/driveway or on a parking area adjacent to that driveway that complies with the provisions of Section 17.5.2.A. Single Family Dwellings. Any structure designed to shield or shelter a motor vehicle that projects into any required yard shall comply with the requirements of the district.

2. Parking for single family dwellings may be permitted on drives off of an alleyway as long as the area designated for such parking is designed consistent with the dimensional requirements for parking stalls shown in Table 17.D, Standard Parking Dimensional Requirements.

B. Uses Other than Single Family Dwellings

Surface motor vehicle parking and maneuvering areas shall be located as follows, based on the Character Area map:
1. All Character Areas
   A standard parking space shall be an area sufficient in size to store one automobile (see Table 17. D and 17.E) that is connected to a street or alley by an aisle and/or driveway designed in such a manner that adequate maneuvering areas are provided and backing onto or off the street is prohibited.

2. Suburban
   Parking shall not be located in any required yard adjacent to a public street (other than an alley) or any required buffer yard or open space.

3. Walkable, Urban, Downtown
   a. No parking shall be located in any required buffer yard or open space.
   b. Parking shall not be located in any required yard adjacent to a public street except when a wall, hedge, or decorative fence is located along the property line abutting the street which is not less than three feet in height, screens the parking area, and defines the edge of the pedestrian corridor as required in Section 18.3.4, Street Yard.

Section 17.5.3 Design Standards for Parking Areas

A. Single Family Dwellings

1. Surfacing
   a. All driveways, accesses, and parking areas must be paved with durable all-weather materials, such as concrete or asphalt, and designed to maintain proper drainage. Alternative materials meeting the criteria below may be approved by the Department of Development with a paved apron:
      (1) in the Rural Character Area;
      (2) in areas outside the city limits; or,
      (3) within the critical root zone of a qualifying tree as outlined in the Landscape Chapter of this ordinance.
   b. All single family detached dwellings shall be permitted to construct driveways that consist of two concrete wheel strips, each of which is at least 18 inches wide and at least 20 feet long. Groundcover shall be planted between the strips; gravel or loose rock between the strips shall be prohibited.

2. Driveway or Access
   Any surface, as approved by the Development Director, used for parking or maneuvering a vehicle and which is located in any required yard abutting a public street shall be limited to a driveway or access installed perpendicular or nearly perpendicular to the abutting street. The width and number of such driveways or accesses per zoning lot shall be limited as follows:
   a. On lots at least 100 feet wide
      (1) No more than two, with a maximum width of 20 feet each and located on separate streets if a corner lot.
      (2) No more than two, with a maximum width of 20 feet each and separated by at least 50 feet of street frontage if located on the same street.
b. On lots at least 75 feet wide but less than 100 feet wide

(1) No more than two, with a maximum width of 20 feet each and located on separate streets if a corner lot.

(2) No more than two, with a maximum width of 10 feet each and separated by at least 25 feet of street frontage if located on the same street.

c. On lots at least 40 feet wide but less than 75 feet wide

(1) No more than one, with a maximum width of 20 feet.

(2) No more than two, with a maximum width of ten feet each and located on separate streets if a corner lot.

(3) No more than two, with a maximum width of ten feet each and separated by at least 15 feet of street frontage if located on the same street.

d. On lots at least 30 feet wide but less than 40 feet wide, no more than one, with a maximum width of 10 feet.

e. On lots less than 30 feet wide, no more than one, with a maximum width of ten feet. If located on a corner lot, driveway should be located along the longer street frontage.

B. Townhouses and Duplex Dwellings

All design standards applicable to parking areas, driveways and accesses for single family homes set forth above shall likewise apply to townhouses and duplex dwellings with the additional limitation that no driveway or access shall occupy more than 50 percent of the front yard of townhouses or duplexes located in the Walkable, Urban or Downtown Character Areas.
C. All Other Uses

1. Surfacing
All driveways, accesses, and parking areas must be paved with durable all-weather materials, such as concrete or asphalt, and designed to maintain proper drainage. Alternative materials meeting the criteria below may be approved by the Department of Development with a paved apron:

a. in the Rural Character Area; or,

b. within the critical root zone of a qualifying tree as outlined in the Landscape Chapter of this ordinance.

2. Landscaping and Screening
Landscaping and screening of parking areas shall be provided in accordance with the requirements of Sections 18.3.4, Street Yards, and 18.3.5, Parking Lot Landscaping.

3. Lighting
All parking area lighting shall be provided in accordance with the requirements of Section 14.6, Outdoor Lighting.

4. Marking
Parking spaces shall be striped on pavement or designated with some other form of permanent marking.

5. Dimensions of Parking Spaces

a. All minimum requirements as to size, angle, and placement of parking spaces located on surface lots shall be as set forth in Tables 17.D, Standard Parking Dimensional Requirements, or 17.E, Compact Parking Dimensional Requirements, and illustrated in Figure 17.5, Minimum Parking Dimensions, unless alternative dimensions indicated on a parking plan designed and sealed by a licensed design professional have been approved by the Director of the Department of Development.

<table>
<thead>
<tr>
<th>Parking Angle (A)*</th>
<th>Stall Width (B)</th>
<th>Stall Depth (C)</th>
<th>Aisle Width – parking on one side (D)</th>
<th>Aisle Width – parking on both sides (D)</th>
<th>Stall Distance – Curb to Aisle (E)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°</td>
<td>9 ft</td>
<td>22 ft</td>
<td>12 ft (one-way) 20 ft (two-way)</td>
<td>12 ft (one-way) 20 ft (two-way)</td>
<td>9.0 ft</td>
</tr>
<tr>
<td>45°</td>
<td>9 ft</td>
<td>18 ft</td>
<td>13 ft (one-way)</td>
<td>13 ft (one-way)</td>
<td>18.4 ft</td>
</tr>
<tr>
<td>60°</td>
<td>9 ft</td>
<td>18 ft</td>
<td>18 ft (one-way)</td>
<td>18 ft (one-way)</td>
<td>19.6 ft</td>
</tr>
<tr>
<td>70°</td>
<td>9 ft</td>
<td>19 ft</td>
<td>20 ft (one-way)</td>
<td>20 ft (one-way)</td>
<td>20.6 ft</td>
</tr>
<tr>
<td>90°</td>
<td>9 ft</td>
<td>18 ft</td>
<td>22 ft (two-way)</td>
<td>24 ft (two-way)</td>
<td>18.0 ft</td>
</tr>
</tbody>
</table>

* Letters correspond with the locations shown in Figure 17.5, Minimum Parking Dimensions.
Table 17.E
Compact Parking Dimensional Requirements

<table>
<thead>
<tr>
<th>Parking Angle (A)*</th>
<th>Stall Width (B)</th>
<th>Stall Depth (C)</th>
<th>Aisle Width – parking on one side (D)</th>
<th>Aisle Width – parking on both sides (D)</th>
<th>Stall Distance – Curb to Aisle (E)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°</td>
<td>8.5 ft</td>
<td>18.0 ft</td>
<td>11 ft (one-way) 20 ft (two-way)</td>
<td>11 ft (one-way) 20 ft (two-way)</td>
<td>8.5 ft</td>
</tr>
<tr>
<td>45°</td>
<td>7.5 ft</td>
<td>16.5 ft</td>
<td>12 ft (one-way)</td>
<td>12 ft (one-way)</td>
<td>17.0 ft</td>
</tr>
<tr>
<td>60°</td>
<td>7.5 ft</td>
<td>16.5 ft</td>
<td>16 ft (one-way)</td>
<td>16 ft (one-way)</td>
<td>18.0 ft</td>
</tr>
<tr>
<td>70°</td>
<td>7.5 ft</td>
<td>17.0 ft</td>
<td>18 ft (one-way)</td>
<td>18 ft (one-way)</td>
<td>18.5 ft</td>
</tr>
<tr>
<td>90°</td>
<td>7.5 ft</td>
<td>16.5 ft</td>
<td>19 ft (two-way)</td>
<td>21 ft (two-way)</td>
<td>16.5 ft</td>
</tr>
</tbody>
</table>

* Letters correspond with the locations shown in Figure 17.5, Minimum Parking Dimensions.

Figure 17.5
Minimum Parking Dimensions

b. The minimum dimensional requirements of parking spaces in a structured parking facility and shown on a parking plan designed and sealed by a professional engineer shall be established by the Director of the Department of Development.

d. Any parking area may include spaces designed for compact vehicles, subject to the following limitations:

(1) No more than 20% of the number of minimum required parking spaces may be satisfied by providing compact spaces.

(2) Each compact space shall be clearly identified with markings placed on the surface of the parking space and with a sign restricting it for compact vehicles only.

Section 17.6 Bicycle Parking

Section 17.6.1 Minimum Bicycle Parking Requirements

A. Parking Spaces

Except where indicated otherwise in this ordinance, every use shall provide one bicycle parking space for every 20 motor vehicle parking spaces provided to a maximum of 50 bicycle parking spaces. The Planning Director may approve a reduction in the amount of bicycle parking per Section 17.4.1.B., Alternative Minimum Parking.

B. Exemptions

No bicycle parking spaces shall be required for any of the following:

1. Any single family dwelling, two-family dwelling, or group home.

2. Any industrial use.

3. Any use in the Rural Character Area.
C. Clustered Bicycle Parking
Locations for bicycle parking spaces required for more than one use on the same lot may be clustered if the total number of required bicycle parking spaces for each use is satisfied and the parking area is located within 125 feet from the main entrance of the principal building as measured along the most direct and safe pedestrian access route.

Section 17.6.2 General Requirements

A. Maneuvering Areas
All required bicycle parking must meet all of the following minimum criteria:

1. The parking area must accommodate the maneuvering standards set forth in the Figure 17.6, below, or, for bicycle parking provided with vertical space-saving racks, as set forth in Figure 17.7, below.

2. When in use, each parking space must be accessible without moving another, parked bicycle.

3. The maneuvering area provided alongside or behind the bicycle parking spaces may extend into portions of a public right-of-way but not those portions established as a motor vehicle lane, motor vehicle drive aisle, motor vehicle parking space, or any landscaped area.

B. Surfacing
The surface of the bicycle parking area shall be improved, as approved by the Director of the Department of Development, with a hard surface and shall not include any gravel, dirt, sand or turf.

Figure 17.6
Minimum Maneuverability Criteria for Bicycle Parking

- This area accommodates eight bicycles.

- These areas accommodate eight bicycles.

- These areas accommodate 16 bicycles.
C. Visibility
Whenever the bicycle parking area is not visible from either the street or the entrance of the principal building, a sign shall be posted at the entrance of the principal building indicating the location of the bicycle parking.

Section 17.6.3 Standards for Bicycle Parking Facilities

All bicycle parking facilities or racks shall meet the following construction and location standards:

A. The facility or rack shall accommodate securing a bicycle using an industry-standard bike lock in compliance with the standards at the time of installation. The bicycle must be able to be attached to the rack by the bicycle frame and one wheel using a standard bicycle lock without removing a wheel.

B. The facility or rack shall be securely anchored to the ground or to a structural element of a building or structure.

C. Each space on the facility or rack shall be sufficient to accommodate a bicycle at least six feet in length.

D. The parking area shall be located within 125 feet of the main entrance to the building as measured along the most direct pedestrian access route using sidewalks and pathways, including designated crosswalks.

Section 17.7 Vehicle Stacking

Commercial Drive-Thru facilities for which vehicle stacking spaces are required must meet the minimum dimensional standards set forth in Table 17.F, Vehicle Stacking.

<table>
<thead>
<tr>
<th>Type of Activity</th>
<th>Required Stacking Spaces</th>
<th>Start Point for Stacking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automated teller machine</td>
<td>2</td>
<td>Teller machine</td>
</tr>
<tr>
<td>Bank teller lane</td>
<td>2</td>
<td>Teller window/tube</td>
</tr>
<tr>
<td>Dry-cleaning/laundry</td>
<td>3</td>
<td>Cleaner/laundry window</td>
</tr>
<tr>
<td>Pharmacy</td>
<td>3</td>
<td>Pharmacy window</td>
</tr>
<tr>
<td>Food service</td>
<td>6</td>
<td>Order box/speaker</td>
</tr>
<tr>
<td>Other</td>
<td>4*</td>
<td>Pick-up window</td>
</tr>
</tbody>
</table>

*These spaces are required in addition to the stacking spaces required to be located behind the order box/speaker and shall be located between the pickup window and the order box/speaker.
Section 17.8 Off-Street Loading

Section 17.8.1 General Requirements

A. Location of Loading Areas and Docks

1. All required loading areas and docks shall be located on the same lot as the use served unless a central loading facility is incorporated as part of a single development.

2. All loading docks that abut a residential zoning district or are visible from a public right-of-way shall be completely screened by building walls, a solid concrete or masonry wall, or a door designed to be compatible with the principal building that it serves. The screening wall shall not be less than six nor more than eight feet in height.

3. No loading dock shall be located within 30 feet of the nearest point of intersection of any two streets.

4. No loading areas or docks shall be located in a required front or side yard abutting a residential zoning district.

B. Dimensions of Loading Docks

1. Unless otherwise specified, a required loading dock shall be at least 12 feet in width by at least 35 feet in length exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least 19 feet.

2. Maneuvering aprons for docks shall be at least 60 feet in length.

3. Access lanes for docks, shall be 14 feet in width for one-way lanes and 24 feet in width for two-way lanes. Space dedicated for access lanes may also be considered as space for the maneuvering apron.

C. Access

Each required loading area or dock shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement, shall be separated from required customer and employee parking, and shall be subject to approval by the Director of the Department of Development.

D. Surfacing

All open loading areas or docks shall be surfaced with a dustless, all-weather material capable of bearing a live load of 200 pounds per square foot in accordance with standards established by the Director of the Department of Development.

E. Utilization

Space allocated to any loading use shall not be used to satisfy the space requirements for any motor vehicle parking area.

F. Central Loading

Central loading facilities may be substituted for loading areas or docks on individual lots within a development provided that the following criteria are met:

1. Each lot served shall have direct access to the central loading area or dock without crossing streets or alleys at-grade.

2. The total number of loading areas or docks provided shall meet 75 percent of the minimum requirements herein specified for each of the uses served.

3. No lot served by the central loading facility shall be located no more than 660 feet from it.

4. Any tunnel or ramp connecting the central loading area or dock with the lot served shall be a minimum of seven feet in width and have a vertical clearance of not less than seven feet.
Section 17.8.2 Required Loading Areas

Except where indicated otherwise in this ordinance, every use listed in Table 17.G, Off-Street Loading Requirements, shall provide the identified number of loading areas or docks with each facility being at least 12 feet wide and 35 feet deep with a vertical clearance of 19 feet.

Section 17.8.3 Receiving Areas

Uses that require loading facilities that are located in buildings with less floor area than the minimum described in Table 17.G, Off Street Loading Requirements, shall provide adequate receiving facilities accessible by motor vehicle off any adjacent alley, service drive, or open space on the same zoning lot.

Table 17.G
Off-Street Loading Requirements

<table>
<thead>
<tr>
<th>USES</th>
<th>Gross Floor Area of all Buildings or Structures Served (in square feet)</th>
<th>Number of Loading Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL USES (only those listed below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursing Home, and Continuing Care Retirement Community</td>
<td>Over 10,000</td>
<td>1</td>
</tr>
<tr>
<td>OFFICE USES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All office uses</td>
<td>10,000 – 100,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Each additional 100,000 up to 500,000</td>
<td>1</td>
</tr>
<tr>
<td>COMMERCIAL USES (only those listed below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail Goods Establishment, (wholesale)</td>
<td>5,000 – 10,000</td>
<td>1</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>10,000 – 100,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>each additional 100,000</td>
<td>1</td>
</tr>
<tr>
<td>Theater</td>
<td>10,000 – 25,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>each additional 50,000</td>
<td>1</td>
</tr>
<tr>
<td>PUBLIC AND CIVIC USES (only those listed below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphitheater, Arena, Stadium, Conference Center</td>
<td>Over 10,000</td>
<td>1</td>
</tr>
<tr>
<td>Hospital, Educational Facility</td>
<td>10,000 – 100,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>each additional 100,000</td>
<td>1</td>
</tr>
<tr>
<td>INDUSTRIAL USES (only those listed below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing, Heavy and Light, and Warehouse/Wholesale</td>
<td>5,000 – 10,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>10,000 – 40,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>40,000 – 100,000</td>
<td>2</td>
</tr>
</tbody>
</table>

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Collins-Lewis and seconded by Mr. Hudson to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

- **Yeas:** Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
- **Nays:** None
- **Abstains:** None
- **Did Not Vote:** None
- **Absent:** Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

**ORDINANCE 17174**

**TA-19-19** AMENDING TITLE 7 (PLANNING AND ZONING), CHAPTER 4 (SITE PLANS AND PLATS), SECTION 4.1.2, COORDINATION WITH OTHERS OF THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE, SO AS TO REVISE COORDINATION WITH OTHERS, TO EXTEND THE REVIEW PERIOD FROM 45 DAYS TO 60 DAYS AND REQUIRE RECEIPT OF A BASIS FOR ANY RECOMMENDATION OF DENIAL.

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. The definition below from Title 7, Chapter 4, Section 4.1.2 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended, which shall read as follows:

**Section 4.1.2 Coordination with Others**

A. Central

The plans for all projects and developments to be constructed within the Central Community School District which require approval of the East Baton Rouge Planning Commission shall be submitted to the Central Planning and Zoning Commission within five days of submission of the plans to the East Baton Rouge Parish Planning Commission. The East Baton Rouge Parish Planning Commission shall not act upon the proposed project or development until it has either received a recommendation from the Central Planning and Zoning Commission including a statement explaining the basis for any recommendation of denial, or a period of 60 days has elapsed since submission to the Central Planning and Zoning Commission. If no reason is provided for a recommendation of denial, the East Baton Rouge Parish Planning Commission may proceed as if no recommendation was provided.
B. Zachary

The plans for all projects and developments to be constructed within the Zachary Community School District which require approval of the East Baton Rouge Planning Commission shall be submitted to the Zachary Planning and Zoning Commission within five days of submission of the plans to the East Baton Rouge Parish Planning Commission. The East Baton Rouge Parish Planning Commission shall not act upon the proposed project or development until it has either received a recommendation from the Zachary Planning and Zoning Commission including a statement explaining the basis for any recommendation of denial, or a period of 60 days has elapsed since submission to the Zachary Planning and Zoning Commission. If no reason is provided for a recommendation of denial, the East Baton Rouge Parish Planning Commission may proceed as if no recommendation was provided.

C. The Recreation and Parks Commission

The plans for all projects and developments to be constructed within 1,000 feet of a Recreation and Park Commission for the Parish of East Baton Rouge (BREC) designated park shall be submitted to the BREC Planning and Engineering Office at least 30 days prior to the Planning Commission public hearing.

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Watson and seconded by Mr. Hudson to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

**Yeas:** Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson

**Nays:** None

**Abstains:** None

**Did Not Vote:** None

**Absent:** Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

**ORDINANCE 17175**

**TA-20-19 AMENDING TITLE 7 (PLANNING AND ZONING), CHAPTER 5 (WAIVERS), REPEALING AND REPLACING CHAPTER 5 (WAIVERS), IN THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE.**

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Title 7, Chapter 5, to repeal and replace Chapter 5 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended, and shall read as follows:

**Section 5.1 Waivers**

**Section 5.1.1 Waivers Granted by the Planning Commission**

A. The Planning Commission may consider requests for and grant approval of waivers to:

1. The minimum parking requirements of Chapter 17, Parking and Loading, within the Florida Boulevard Design Overlay where the requirements cannot be met due to the size, shape, topographical constraints, or historical character of the neighborhood pursuant to Section 10.3.6.C, Waivers, Variations, and Exceptions;

2. The minimum parking requirements of Chapter 17, Parking and Loading, within the Nicholson Drive Design Overlay if compliance with other provisions of the overlay are not feasible due to parking requirements pursuant to Section 10.3.9.I.1.s;

3. The minimum parking requirements of the Old Town Redevelopment Overlay where the requirements cannot be met due to the size, shape, topographical constraints, or historical character of the neighborhood pursuant to Section 10.6.4, Parking;

4. The location of sidewalks pursuant to Section 13.8.C, Waivers, in:

   a. Single family residential development of five lots or less that is more than ¼ mile from an existing accessible sidewalk, multi-use path, commercial node, school, park, community center, or library in the Suburban Character Area; or,

   b. In any character area if an alternative location or surface for a pedestrian way is proposed in order to save significant trees, maintain drainage ways, or when the alternative location provides connections throughout the development;
5. The setbacks for wireless communication towers established in Section 14.4, Wireless Tower Communications, pursuant to Section 14.45, Waivers;

6. The height of wireless communication towers to a maximum of 300 feet in the Rural zoning district provided that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment equal in number to applicant’s present and future requirements or the needs of another provider of similar telecommunication services pursuant to Section 14.45, Waivers; and,

7. The separation requirements of wireless communication towers established in Section 14.42, Conditions, if the applicant certifies that the existing tower, a permitted Communication Tower site, or an existing building of equal or greater height does not meet applicant’s structural specifications and applicant’s technical design requirements, or that a collocation agreement could not be obtained pursuant to Section 14.45, Waivers.

B. Appeals
At the first regular meeting of the Metropolitan Council following the decision of the Planning Commission regarding requests for all such waivers, any member of the Metropolitan Council may introduce an appeal of said decision, with the appeal to be heard to the next zoning meeting of the Metropolitan Council. Failure to appeal will make the Planning Commission decision final.

Section 5.1.2 Waivers Granted by the Planning Director
The Planning Director may consider requests for and grant approval of waivers to the Major Street Plan setbacks to permit excess parking and structures such as fences, walls, and signs to be located within the Major Street Plan setback upon the approval of a hold-harmless agreement approved by the Parish Attorney pursuant to Section 11.1.2.C.1, Major Street Plan Setbacks.

Section 5.1.3 Waivers Granted by the Floodplain Administrator
The Floodplain Administrator may consider requests for and grant approval of waivers to Local freeboard requirements pursuant to Sections 15.10, Duties and Responsibilities of the Floodplain Administrator, and 15.12, Variances and Waivers, if:

A. The 100-year base flood, the flood with a one percent chance of occurring in any given year, elevation plus freeboard results in an elevation in excess of the 500-year flood, the flood with a 0.2% chance of occurring in any given year, elevation; or,

B. The 1993 amended FIRM increased the base flood elevation by two feet or more and the proposed construction or substantial improvement is within an existing recognized development;

Section 5.1.4 Waivers Granted by the Director of Development
The Director of Development may consider requests for and grant approval of waivers to:

A. The requirement to treat specific water pollutants, pursuant to Section 15.12, Variances and Waivers if the developer provides documentation proving the specific pollutant does not exist on the site and will not be generated by specific activities proposed to occur on the site post construction;

B. The requirement to provide a Drainage Impact Study pursuant to Section 15.15, Drainage Impact Study, provided that:

1. The proposed development results in no more than a ten percent increase in the ten- and 25-year storm (the ten and four percent storms) pre-development peak discharge at the point of discharge from the development site;

2. The site is located within existing developed areas that are served by a network of public storm drainage facilities, which were designed to accommodate runoff from the development site; or,

3. Sufficient information is submitted by the developer indicating that the runoff from the proposed development is consistent with and discharges to a previously approved development having adequate drainage facilities or is a part of an approved larger plan of development with an approved drainage study; and,
C. The requirement to provide on-site retention/detention areas for stormwater runoff when it is demonstrated that the applicable existing streets have been designed to accommodate the stormwater runoff from paved parking areas and adequate catch basins and inlets are available pursuant to Section 15.21, Specific Standards.

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Freiberg and seconded by Ms. Wicker to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Yeas: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

**ORDINANCE 17176**


WHEREAS, at its meeting of September 16, 2019, the Planning Commission approved an amendment to the Heavy Commercial (C2) District hereinafter described, after due advertisement and the conduct of a public hearing, pursuant to law, and;

WHEREAS, public notice must be given of the intention of this Council to conduct a public hearing on this recommendation by the Zoning Commission, which public notice shall be advertised according to law, in The Advocate, Official Journal of the Parish of East Baton Rouge, a public hearing called thereon:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge:

Section 1. That the Comprehensive Zoning Ordinance of the City of Baton Rouge and Parish of East Baton Rouge, as amended, and its accompanying Comprehensive Zoning Map of 2018, and the same is hereby amended so as to create a Commercial Alcoholic Beverage (Bar and Lounges)(C-AB-2) District, which shall include the following described property, to wit:
October 16, 2019

One (1) certain tract or parcel of ground designated as “Area to be Rezoned”, containing 0.107 Ac. (4,669 Sq. Ft.) being a portion of Lot X-1-A of Arbour Place Subdivision, located in Section 54, T-7-S, R-1-W, Greensburg Land District, East Baton Rouge Parish, Louisiana, and more particularly described as follows: Commence at the intersection of the easterly right-of-way of Highland Road with the line common to Lot X-1-A and Lot 3 of Arbour Place Subdivision. Thence, departing said right-of-way, N 71°47'35" E a distance of 20.26 feet, said point also being the Point of Beginning; Thence, N 72°09'51" E a distance of 57.54 feet to a point and corner; thence, S 17°38'49" E a distance of 46.71 feet to a point and corner; thence, S 87°05'51" E a distance of 42.58 feet to a point and corner; thence, S 02°49'39" W a distance of 29.01 feet to a point and corner; thence, N 87°14'04" W a distance of 7.89 feet to a point and corner; thence, N 01°52'27" E a distance of 6.63 feet to a point and corner; thence, N 87°05'52" W a distance of 24.91 feet to a point and corner; thence, N 01°23'35" E a distance of 8.12 feet to a point and corner; thence, S 72°09'51" W a distance of 53.40 feet to a point and corner; thence, S 85°42'45" W a distance of 20.53 feet to a point and corner; thence, N 02°20'32" E a distance of 12.68 feet to a point and corner; thence, N 72°09'51" E a distance of 7.62 feet to a point and corner; thence, N 17°38'49" W a distance of 46.71 feet to the Point of Beginning.

Section 2. That a public hearing on the above proposed amendment be held at the Regular Zoning Meeting of the Metropolitan Council on October 16, 2019, after public notice thereof, according to the provisions of L.R.S. 33:4721-4730.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Ms. Amoroso and seconded by Mr. Watson to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Yeas: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

ORDINANCE 17177

**RV-13-19 REVOKING THE RIGHT-OF-WAY FOR GAYOSA STREET, LOCATED WEST OF NORTH 13TH STREET TO THE DEAD END OF THE STREET, WITHIN SQUARES 297 AND 298 OF ELYSIAN SQUARES, SECTION 71, T7S, R1W, GLD, EBRP, LA, PROVIDED CERTAIN STIPULATIONS ARE MET.**

WHEREAS, the owner of the property located adjacent to Gayosa Street, west of North 13th Street to the dead end of the street, located in the Parish of East Baton Rouge, Louisiana, has requested the approval of right-of-way for Gayosa Street, as shown on the attached map, be revoked and set aside;

WHEREAS, said portion of right-of-way is not needed for public use and the public would not be inconvenienced by the revocation of the said right-of-way; and

WHEREAS, this Council believes that it would be in the public interest to grant the mentioned request:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, that:

Section 1. The dedication of right-of-way for Gayosa Street, located west of North 13th Street to the dead end of the street, within Squares 297 and 298 of Elysian Fields, as shown on the attached map, located in the Parish of East Baton Rouge, Louisiana, is hereby revoked and set aside, pursuant to the provisions of L.R.S. 48:701, et seq., subject to the following stipulations:

1.) A dedicated public sewer servitude shall be provided, centered on the existing sewer line. The width of the servitude is to be determined by the Department of Environmental Services. Expect to provide a servitude width that is at least double the depth of the sewer line. As the applicant, you must verify the depth of the line through your licensed professional of record.

2.) Prior to the issuance of any building permits on the adjacent tracts, a map indicating the revoked right-of-way and dedicated servitudes shall be prepared, approved and recorded. The map shall reference the Metro Council Ordinance approving the revocation.

Section 2. This Council does not warrant its authority to act pursuant to the above cited provision of the Revised Statutes, nor does it warrant title to any of the property contained in the area abandoned herein.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance. A motion was made by Ms. Wicker and seconded by Ms. Amoroso to adopt the proposed ordinance. A "Yea" and "Nay" vote was called for and resulted as follows:

Yea: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

The following proposed ordinance was introduced by Ms. Freiberg and read in full at the meeting of the Metropolitan Council on September 25, 2019. With a public hearing called thereon for this meeting, the proposed ordinance was read in full for a second time.

**ORDINANCE 17178**

**SNC-1-19** CHANGING THE STREET NAME OF BATARD AVENUE TO SERENITY OAKS DRIVE, LOCATED NORTH OF HOO SHOO TOO ROAD, BETWEEN MONTRACHT DRIVE AND OAK COLONY BOULEVARD, SECTION 42, T8S, R2E, GLD, EBRP, LA, AS SHOWN ON A SKETCH PREPARED BY THE PLANNING COMMISSION, A COPY OF WHICH IS ATTACHED.

WHEREAS, a request has been received by the Planning Commission for Batard Avenue, located north of Hoo Shoo Too Road, between Montrachet Drive and Oak Colony Boulevard, in the Parish of East Baton Rouge, Louisiana, as shown on the attached map, be changed to Serenity Oaks Drive;

WHEREAS, the public would not be inconvenienced by the street name change; and

WHEREAS, this Council believes that it would be in the public interest to grant the mentioned request:

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, that:

Section 1. The name of Batard Avenue, located north of Hoo Shoo Too Road, between Montrachet Drive and Oak Colony Boulevard, as shown on the attached map, located in the Parish of East Baton Rouge, Louisiana, is hereby changed to Serenity Oaks Drive.

Section 2. A copy of this ordinance shall be forwarded to the Clerk of Recorder of the Parish of East Baton Rouge for recordation in the Conveyance Records of said office.
The Presiding Officer announced that a public hearing on the above ordinance was in order at this time. No interested citizens spoke either for or against the proposed ordinance.

A motion was made by Mr. Hudson and seconded by Ms. Amoroso to adopt the proposed ordinance. A "Yeas" and "Nay" vote was called for and resulted as follows:

Yeas: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.

ADJOURN

A motion was made by Mr. Wilson and seconded by Ms. Collins-Lewis to adjourn. A "Yeas" and "Nay" vote was called for and resulted as follows:

Yeas: Amoroso, Collins-Lewis, Freiberg, Green, Hudson, Watson, Wicker, Wilson
Nays: None
Abstains: None
Did Not Vote: None
Absent: Banks, Cole, Loupe, Welch

With 8 yeas, 0 nays, 0 abstains, 0 not voting, and 4 absent, the motion was adopted.
The Presiding Officer declared the meeting adjourned

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Council Administrator/Treasurer  Mayor-President Pro-Tempore