

Chapter 8

ZONING DISTRICTS

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Section 8.2 Character Areas

Character Areas reflect the Vision of the Comprehensive Plan to create distinctive neighborhoods that retain the best and most cherished aspects of communities while allowing them to evolve to meet the challenges of future growth. Within these character areas some regulations may vary to ensure that the Vision can be achieved. These character areas shall be defined on the official zoning atlas of the parish and shall function similar to an overlay district, establishing guidelines within which varying development patterns and intensities may be utilized.

The character areas shall include the following:

A. Downtown

That area includes the Central Business District and the areas immediately adjacent to it within which higher intensities of use are allowed. Regulations governing development in this area shall provide for an integrated mix of high density residential and high intensity commercial uses while encouraging the enhancement of the street-level, pedestrian environment. Auto-oriented and low intensity uses shall be discouraged.

B. Urban/Walkable

This area is comprised of neighborhoods within which development was concentrated prior to the 1960s. It includes some of Baton Rouge's oldest neighborhoods that are characterized by a network of well-connected streets. In addition, it includes areas with the potential for creation of a walkable network of small blocks. Lots in these areas are generally small, and different uses can be found in proximity to one another.

C. Suburban

This is the urbanized area of City-Parish that lies outside the Downtown and Urban/Walkable Areas. It is characterized by auto-oriented shopping centers and residential subdivisions with larger lots where the majority of Baton Rouge's population growth has been concentrated since the 1960s. Different land uses typically demonstrate greater separation from one another than is found in the Downtown or Urban/Walkable Character Areas.

D. Rural

These areas lie outside the Suburban Character Area. They feature low population densities and are served by limited infrastructure, including two-lane rural roads and individual sewage treatment systems. Different land uses have the greatest degree of separation and the zoning is predominantly residential, although some commercial uses continue to operate within the area. Larger tracts are generally wooded and undisturbed.

Section 8.3 General Regulations

- A. The boundaries of the zoning districts are as shown on the official zoning map, properly certified and attested, based on City-Parish ordinance.
- B. Whenever the Metropolitan Council revokes the dedication of a street or alley, adjacent zoning districts shall extend to the centerline of the revocation.
- C. Where Parish property is incorporated into the City, its zoning classification will not be changed by that incorporation.

- D. Every building shall be on a lot. In the REA3, REA1, Rural, A1, A2, A2.1, A2.5, A2.6 and A2.7 Districts there shall not be more than one principle building on one lot.
- E. General Guidelines for Multi-Family Apartments
Where multi-family dwellings are constructed on a group of contiguous lots, the combined lots shall be considered as one site under one ownership.

Section 8.4 Zoning Districts

Section 8.4.1 Predominately Single Family Residential Districts

- A. Residential Estate/Agriculture Three (RE/A3)
The purpose of RE/A3 is to permit low-density single family residential development. All lots in a development shall be a minimum of three acres with a minimum of 100 feet of frontage on a public or private roadway.
- B. Residential Estate/Agriculture One (RE/A1)
The purpose of RE/A1 is to permit low-density single family residential development. All lots in a development shall be a minimum of one acre with a minimum of 100 feet of frontage on a public or private roadway.
- C. Single Family Residential (A1)
The purpose of A1 is to permit low density single family residential development with a maximum of 4.1 units per acre. Accessory uses normally compatible with surrounding low density residential development may be permitted.
- D. Rural (R)
The purpose of R is to permit agricultural uses and low-density residential development. If an area is designated Agricultural/Rural on the Comprehensive Plan and is zoned R, all lots in a development shall be a minimum of one acre, If the area is designated as any other use on the Future Land Use Map, the maximum allowed shall be 4.1 single-family units per acre. Accessory uses normally compatible with surrounding low-density residential development may be permitted.
- E. Single Family Residential (A2)
The purpose of A2 is to permit low density single family residential development with a maximum of 5.8 units per acre. Accessory uses normally compatible with surrounding low density residential development may be permitted.
- F. Single Family Residential (A2.7)
The purpose of A2.7 is to permit low density single family residential with a maximum of 7.3 units per acre. Accessory uses normally compatible with surrounding low density residential development may be permitted.

G. Zero Lot Line Residential (A2.1)

The purpose of A2.1 is to permit only low density “zero lot line” single family dwellings with a maximum of 7.9 units per acre.

A six foot high wall or solid fence shall be required along the sides and rear of the A2.1 zoning site wherever it adjoins A1 or A2 districts or a recognized residential subdivision.

H. Two-Family (A2.9)

The purpose of A2.9 is to provide for the location and grouping of duplex and semi-detached residences. Accessory uses normally compatible with surrounding residential development may be permitted.

I. Zero Lot Line Residential (A2.6)

The purpose of A2.6 is to allow only medium density “zero lot line” single family dwellings at a maximum of 11.5 units per acre.

A six foot high wall or solid fence shall be required along the sides and rear of the A2.6 zoning site wherever it adjoins A1 or A2 districts or a recognized residential subdivision.

J. Town House (A2.5)

The purpose of A2.5 is to permit the development of attached town homes compatible with the surrounding residential development. The maximum is 11.5 units per acre. Accessory uses normally compatible with surrounding residential development may be permitted.

Before the Planning Commission considers an application for A2.5, the proponent shall submit a preliminary subdivision layout to the Planning Commission Office demonstrating compliance with Section 4.3.8, Specialized Subdivisions,

Section 8.4.2 Predominantly Multi-Family Districts

A. Limited Residential (A3.1)

The purpose of A3.1 is to permit medium density multi-family residential development and institutional uses of a residential character with a maximum of 11½ units per acre.

B. Medium Density Multi-Family Residential (A3.2)

The purpose of A3.2 to permit medium density multi-family residential development and institutional uses of a residential character with a maximum of 17.4 units per acre.

C. High Density Multi-Family Residential (A3.3)

The purpose of A3.3 is to permit high density multi-family residential development with a maximum of 29 units per acre.

D. General Residential (A4)

The purpose of A4 is to permit high density multi-family developments with a maximum of 43.6 units per acre and must be located within an Urban/Walkable Character Area or in Regional and Employment Centers.

Section 8.4.3 Neighborhood Districts

A. Neighborhood Office (NO)

The purpose of NO is to permit a limited range of office uses in buildings designed at a neighborhood scale in close proximity to residential areas to meet the needs of the residents of the surrounding area.

B. Neighborhood Commercial (NC)

The purpose of NC is to permit a limited range of commercial activity, primarily retail shopping and personal services in close proximity to residential areas to meet the needs of the residents of the surrounding area. Buildings shall be designed at a neighborhood scale.

C. Neighborhood Commercial Alcoholic Beverage (NC-AB)

The purpose of NCAB is to permit businesses involved in the serving of alcoholic beverages for consumption on the premises, where alcohol sales are not the primary source of revenue. Buildings shall be designed at a neighborhood scale.

Section 8.4.4 Office Districts

A. General Office Low Rise (GOL)

The purpose of GOL is to permit a range of office uses, including employment and community service activities, of moderate intensity. Some residential and/or commercial uses may be permitted, provided that at least 50 percent of the building area is utilized for office purposes.

B. General Office High Rise (GOH)

The purpose of GOH is to permit large buildings that are primarily devoted to offices uses while permitting some residential and/or commercial uses provided that at least 50 percent of the building area is utilized for office purposes.

Section 8.4.5 Commercial Districts

A. Light Commercial One (LC1)

The purpose of LC1 is to permit a variety of commercial activities and multi-family residential uses that serve surrounding local areas. Buildings within this district are limited to 15,000 gross square feet of floor area per lot.

B. Light Commercial Two (LC2)

The purpose of LC2 is to permit a variety of commercial activities and multi-family residential uses that serve surrounding local areas. Buildings within this district are limited to 75,000 gross square feet of floor area per lot.

C. Light Commercial Three (LC3)

The purpose of LC3 is to permit a variety of commercial activities and multi-family residential uses that serve surrounding local areas. Buildings within this district are limited to 150,000 gross square feet of floor area per lot.

- D. Heavy Commercial One (HC1)
The purpose of HC1 is to permit a variety of commercial activities and multi-family residential uses. Buildings within this district are limited to 250,000 gross square feet of floor area per lot.
- E. Heavy Commercial Two (HC2)
The purpose of HC2 is to permit a variety of commercial activities and multi-family residential uses.
- F. Business (C5)
The purpose of C5 is to permit a variety of uses within the Downtown Character Area without setback and parking requirements

Section 8.4.6 Warehousing Districts

- A. Commercial Warehousing One (CW1)
The purpose of CW1 is to permit businesses that are involved in the distribution and storage of goods. Buildings are limited to a maximum of 50,000 gross square feet of area per lot.
- B. Commercial Warehousing Three (CW3)
The purpose CW3 is to permit businesses that are involved in the distribution and storage of goods. This district must be located along four lane streets (as shown on the Major Street Plan) or within designated commercial/industrial subdivisions.

Section 8.4.7 Industrial Districts

- A. Light Industrial (M1)
The purpose of M1 is to permit light manufacturing, fabricating, processing, and wholesale distribution activities located near or adjacent to roads as shown on the Major Street Plan.
- B. Heavy Industrial (M2)
The purpose of M2 is to permit industrial manufacturing, fabricating, processing and wholesale distribution located near or adjacent to roads as shown on the Major Street Plan.

Section 8.4.8 Special Purpose Districts

- A. Commercial Alcoholic Beverage One (restaurant) (C-AB-1)
The purpose of CAB-1 is to permit businesses 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.
- B. Commercial Alcoholic Beverage Two (bar and lounge) (C-AB-2)
The purpose of CAB-2 is to permit bars and lounges as well as businesses involved in the sale of alcoholic beverages for consumption on the premises.
- C. Commercial Gaming (CG)
The purpose of CG is to permit businesses involving gaming or legalized gambling, as from time to time hereafter defined by the State Legislature and/or the Metropolitan Council. No activity shall be conducted on such premises as shall violate State statutes or local ordinances prohibiting illegal

gambling. This zone shall not be required for charitable gaming establishments licensed and operating pursuant to ordinances of the City of Baton Rouge and Parish of East Baton Rouge, or for establishments whose only activity related to gaming is the sale of Louisiana State Lottery tickets.

D. General Airport (GA)

The purpose of GA is to contribute to the safe operation of airports, to facilitate orderly development around airports, and to control and minimize impacts on surrounding activities. It is also the intent of this district to encourage land use patterns which are appropriate for the airport vicinity and public safety by avoiding concentrations of population. Standards are provided to ensure an attractive entrance to the area to encourage trade and commerce and thereby maintain economic vitality.

1. Applicability

The GA district applies to Baton Rouge Metropolitan Airport properties. The specific boundaries are defined on the Official Zoning Map.

2. Prohibited Lighting

- a. Any moving, pulsating, flashing, rotating, or oscillating light, which may interfere with air traffic other than navigational markings or lights marking potential obstructions in accordance with Federal Aviation Administration requirements.
- b. Flood lights, spot lights, or other lighting devices which are not shielded so as to prevent illumination in an upward direction.
- c. Any light which constitutes a "misleading light" within the meaning of Federal Aviation Administration Regulations.

3. Prohibited Electronic Signals

Any electronic impulse or signal which interferes with communications between aircraft and the airport, or which interferes with established navigation aids.

4. Prohibited Heights

Structures and signs of a height which obstructs the takeoff and landing of aircraft, as determined by the Federal Aviation Administration.

5. Alternative Sidewalks

Sidewalks shall only be required on arterial and major collector streets or as required by the Airport Director

6. Alternative Landscaping

- a. Trees and shrubs shall not be required within 500 feet of the centerline of active runways and taxiways;
- b. No shrubs will be allowed within ten feet of the airport perimeter fence; and

c. No buffers shall be required in the GA district except where abutting non-GA property.

7. Additional Requirements

The Baton Rouge Metropolitan Airport shall have the opportunity to review applications for subdivision or site plan approval prior to a decision by the approving authority. All development within the GA District shall also comply with the airspace regulations adopted by the Airport Authority. Whenever said airspace regulations impose more stringent requirements or limitations than are required by this ordinance, the provisions of the airspace regulations shall prevail.

E. Adult Business (X)

This district allows adult businesses that are distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities.” This district may not be located within 1,000 feet of:

1. Another adult business;
2. Any restaurant, bar or lounge, or package liquor store; or
3. A school, playground, church, or area zoned for residential purposes.

Section 8.4.9 Planned Districts

A. Purpose.

The intent of this section is for the following objectives to be achieved, where applicable, through the use of the Planned unit development process:

1. Encourage a mix of land uses for the development of large tracts of land as planned neighborhoods, communities, and/or development.
2. Encourage flexible and creative concepts in site planning.
3. Preserve the natural amenities of the land by encouraging scenic and open areas; create a method for the permanent preservation of common open space, natural vegetation, topographic and geological features, and environmentally appropriate features for the continued use and enjoyment of the residents of the development (for PUDs and SPUDs only).
4. Accomplish a more desirable environment and increase the variety of environments made available to the public by allowing a development that would not be possible under the strict application of the current Unified Development Code.
5. Provide an efficient use of land, which could result in smaller networks of utilities and streets, and promote a creative approach to the use of land and related physical facilities that result in better design and development, with the inclusion of aesthetic amenities including an increased amount of landscaping.

6. Provide an environment of stable character compatible with surrounding area, and combine and coordinate architectural styles, building forms, and building relationships with a possible mixing of different land uses in an innovative design.
7. Provide an environment that encourages non-vehicular circulation.
8. Provide for the prevention and/or control of soil erosion, surface flooding, and the preservation of subsurface water.
9. Provide for more usable and suitably located recreation facilities, schools, and other public and private facilities (for PUDs only).
10. Create a method for the permanent preservation of architectural and/or historic landmarks.
11. Promote a land use which promotes the public health, safety and welfare. Within the planned area, a variety of land use types should be designed, in an orderly relation to one another and to existing land uses, and with due regard to comprehensive planning.

Such development may consist of conventionally subdivided lots to be sold, un-subdivided single ownership, separate condominium ownership of structures, or other ownership methods the location and extent of which are established on the Planned unit development Plat.

The unique and substantially different character of Planned unit developments require their administrative processing as a “special rezoning” in this ordinance. Planned unit developments are more complex and of a different character than other zoning classifications, requiring the establishment herein of specific and additional procedures, standards, requirements and exceptions to govern the recommendations of the Planning Commission and the action of the Metropolitan Council.

12. Provide for infill development and adaptive reuse of abandoned or blighted properties.
13. Provide an environment which encourages live/work mixes. This type of development should include a mix of at least two separate uses within the development; however, districts of a single zoning type may be allowed dependent on the development, location and availability of traditional zoning.

B. Interpretation.

1. The subdivision, development and use of land as an integral unit which provides a mix of land uses, and may include for single-family residential, multiple-family residential, educational, business, commercial, recreational, park and common open areas, is described as a Planned unit development.
2. In its establishment and authorization as a special zoning classification, the Planned unit development may be excepted from the provisions of the subdivision and site plan regulations and of the zoning ordinance of East Baton Rouge Parish to the extent specified in this

ordinance and in the final authorization of the Planned unit development as specified in an ordinance approved by the Metropolitan Council.

C. Development Standards

1. General

Table 8.A, PUD, SPUD, and ISPUD Minimum Development Standards, shall apply to all Planned unit developments and shall constitute minimum planned unit development requirements:

**Table 8.A
PUD, SPUD, and ISPUD Minimum Development Standards**

Issue	PUD		SPUD	ISPUD
Site Area	10 or more ac		2½ - 10 ac	Up to 2½ ac
Prohibited Uses	Uses allowed only in X districts Residential uses if any industrial uses proposed	Uses allowed only in M2 and X districts Residential uses if any industrial uses proposed	Uses allowed only in M2 and X districts Residential uses if any industrial uses proposed	Uses allowed only in CG, CW1, CW2, CW3, M1, M2, and X districts
Maximum Density	Determined by Concept plan		Determined by Development Plan	Determined by Development Plan
Minimum Lot Width	Determined by Development Plan		Determined by Development Plan	Determined by Development Plan
Minimum Lot Area	Determined by Development Plan		Determined by Development Plan	Determined by Development Plan
Minimum Setbacks	Determined by Development Plan		Determined by Development Plan	Determined by Development Plan
Maximum Building Height	150% of abutting zoning districts Height may be increased one foot for every ten feet of building setback	150% of abutting zoning districts Height may be increased one foot for every ten feet of building setback	150% of abutting zoning districts Height may be increased one foot for every ten feet of building setback	150% of abutting zoning districts Height may be increased one foot for every ten feet of building setback
Common Open Space Required (See Section 8.4.9.C.2, Common Open Space Requirements, for additional details)	Up to 50 ac	15% of site	15% of site	5%
	50 – 100 ac	18% of site		
	More than 100 ac	20% of site		
Green Open Space Required	50% of required Common Open Space		50% of required Common Open Space	Determined by Development Plan
Utilities	Underground		Underground	Underground
Signs	Determined by Development Plan		Determined by Development Plan	Determined by Development Plan
Parking	Chapter 17, Parking		Chapter 17, Parking	Chapter 17, Parking
	Shared parking may be used throughout site		Shared parking may be used throughout site	Shared parking may be used throughout site
Landscape	Chapter 18, Landscape		• Chapter 18, Landscape	Chapter 18, Landscape

2. Open Space Requirements

a. PUD Common Open Space Requirements

(1) The following uses may account for common open space with the stated limitations:

- (a) Parks, and other open greenbelt areas, whether publicly or privately owned, that are readily accessible must account for not less than 50 percent of the common open space.
- (b) Street trees located within designated landscape common areas or landscape servitude and located within a street right-of-way may not exceed 25 percent of the common open space. However, common open space within vehicle use areas or any noncontiguous green area of less than 1,000 square feet may not be included.
- (c) Surface drainage, including surface retention and detention, shall be natural or man-made features that enhance a particular property and increase its desirability to a community or its marketability to the public.
 - i. Lake and ponds, including storm water wet detention basins provided that they are designed so that a minimum of 20 percent of the abutting shoreline is made accessible for the common use of the development. The accessible path must be shown on the development plan.
 - ii. Storm water dry detention basins of not less than one acre; but may not exceed 25 percent of the common open space and must be designed to provide for acceptable maintenance and upkeep of the detention basin.
- (d) Golf courses may account for up to 50 percent of the common open space.
- (e) Natural wetlands may not exceed 50 percent of common open space plus any natural wetlands reasonably visible from interpretive walkways provided in and through the wetlands.
- (f) Hard surface recreation areas such as recreational courts and pedestrian plazas may account for up to 25 of the common open space.
- (g) Servitudes with existing below ground utilities and/or facilities with a width of not less than 30 feet.
- (h) Electrical transmission line servitudes with a width of not less than 150 feet in commercial areas only.
- (i) Dedicated recreational areas on school sites, excluding the area devoted to buildings.

- (j) An existing building or buildings that have historical or cultural significance may be located in a common area space; however, the enclosed building area may not be included in the common open space requirement.
 - (k) Common open space for the use by the general public, if agreed to by the appropriate governmental authority, in each case in an amount to be determined by the Planning Commission.
- (2) Common open space shall not include:
- (a) Yards that are not accessible for the common use of the development;
 - (b) Parking areas;
 - (c) Drives;
 - (d) Utilities with above ground improvements (except as noted above) or road easements/servitudes;
 - (e) Paved lakes, ponds, bayous, streams, or creeks;
 - (f) Structures (unless a part of the open space such as gazebos or as noted above);
 - (g) Drainage ditches or canals; and
 - (h) Areas reserved for the exclusive use and benefit of an individual tenant or owner.
- (3) Common open space shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the Planned unit development through covenant, deed restriction, open space servitude, or similar legal instrument; or, if agreed to by governmental agency, the open space may be conveyed to a governmental agency for the use of the general public.
- (4) In the event land shown on a final development plan as common open space is dedicated to the Parish, the Metropolitan Council may, but shall not be required to, accept the open space provided:
- (a) Such land is accessible to the residents of the Parish;
 - (b) There is no cost of acquisition other than the costs incidental to the transfer of ownership; and,
 - (c) The Parish agrees to and has access to maintain such lands.

b. SPUD Common Open Space Requirements

- (1) Land areas proposed for common open space must be throughout the entire development and must be designed and made accessible for common usage of the development by means of pedestrian and/or bicycle connectivity.
- (2) Lakes or ponds may be included in the common open space calculations provided that they are designed so that a minimum of 20 percent of the abutting shoreline is made accessible for the common usage of the development and the access path is shown on the development plan. Drainage ditches or canals are not considered lakes and ponds and shall not count towards open space. In all projects over one acre. Surface drainage, including surface retention and detention, must be natural or man-made features which enhance a particular property and increase its desirability to a community or its marketability to the public.
- (3) Common open space within vehicle use areas or any noncontiguous common area of less than 1,000 square feet may not be included in the required area.
- (4) Hard surface areas such as pedestrian plazas and recreational courts may account for up to 25 percent of the common open space.
- (5) Common landscape areas located within rights-of-way or servitudes may account for up to 25 percent of the common open space.
- (6) Dry detention basins and retention areas may account for up to 50 percent of the common open space.
- (7) The area immediately surrounding existing building(s) and existing building(s) that have historical or cultural significance may be located within the dedicated common open space requirements. These areas must be made accessible for the common usage of the development.
- (8) Servitudes with existing below ground utilities or facilities may be included in the common open space requirement. Servitudes with existing above ground utilities or facilities may be included for commercial areas only.

c. ISPUD Common Open Space Requirements

Any of the uses described in Section 12.4, Uses, may be provided regardless of the character area in which the development is located.

d. Control of Open Space

The common open space and associated facilities may be owned by an association or maintenance association. The association shall be formed and operated under the following provisions:

- (1) The applicant shall provide the articles and bylaws of the association and the methods for maintaining the common open space.

- (2) The association shall be organized by the applicant and shall be operated with a financial subsidy from the applicant before the sale of any lots within the Planned unit developments.
- (3) Membership in the association shall be mandatory for all purchasers of property therein and their successors in title. The conditions and timing of transferring control of the association from the applicant to the property owners shall be identified.
- (4) The association shall be responsible for maintenance of insurance and taxes on all common open space, enforceable by liens placed on the association by the Parish. The association may place liens on the property of its members who fail to pay their association dues in a timely manner, as provided in the association bylaws. Shares shall be defined in the bylaws.
- (5) The association shall, at all times, cause the property owners to have access to the common open space within the Planned unit developments.
- (6) The association shall be able to adjust the assessments to meet changing needs.

D. General Review Criteria

Approval and recommendation of the Planning Commission shall be accompanied by a written report stating the reasons for approval of the application, and specific evidence and facts showing that the proposed planned unit development will not adversely affect the immediate vicinity. The Planning Commission in its review of proposed planned unit developments shall consider, where applicable:

1. The relation between the proposed development and surrounding uses, and the effect of the proposed planned unit development plan upon the comprehensive plan;
2. The adequacy of existing and proposed streets, utilities, and other public services to serve the development; and the location with respect to the interstate, major highways and major arterial streets so as not to create adverse major shifts of traffic generation to intermediate collectors and/or minor streets; and access of every dwelling unit or other uses within the planned unit development to a public and/or private street via pedestrian ways, courts or other access related servitudes or easements;
3. The character, design, and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable, to preserve the natural amenities of streams, wooded areas, and similar natural features where possible, to provide adequate pedestrian circulation and access to mass transit if available;
4. The proposed location, arrangement density/intensity, and height of land uses shall be compatible to existing or proposed dwellings within the vicinity of the planned unit development or to the development of the neighborhoods;
5. The suitability of the site for development in the manner proposed without hazard to persons or property adjacent to the site, the use of flood hazard areas if present for recreational areas,

and no contribution to erosion or other soil related damage. Soil conditions, drainage, vegetation cover and topography shall be maximally utilized to fit the intended design of the development;

6. The requirement of common open spaces within the planned unit development and the devotion of the development to active and passive recreational purposes;
7. The protection and preservation of any existing historic and archaeological structures or sites into the design of the Planned unit development;
8. The greater protection and preservation of environmentally sensitive and natural amenities areas within the Planned unit development, if any, including, but not limited to, wetlands, problem soils, streams, creeks, old growth wooded areas, and areas containing protected species;
9. The internal compatibility of the land uses within the plan;
10. The external compatibility of the arrangement of the land uses within the planned unit developments;
10. The proposed planned unit development is consistent with the spirit and intent of this section and represents an opportunity for improved or innovative development for the community that could not be achieved through conventional zoning; and,
11. The promotion of the purposes set forth in Section 8.4.9.A., Purpose.

E. Ownership and Control

All land included for purpose of development within planned unit developments shall be owned by or be under the control of the applicant for such zoning designation (including without limitation a purchase agreement, option agreement, and/or development agreement), whether that applicant be an individual, partnership, corporation (limited liability company, limited liability partnership, trust), or groups of individuals, partnerships, or corporations (limited liability company, limited liability partnerships and/or trusts).

The applicant shall present proof of the unified control of the entire area within the planned unit development and shall agree that if applicant proceeds with the planned unit development applicant will do so in accordance with:

1. The concept plan adopted for the planned unit developments;
2. Regulations existing when the amendment granting the planned unit development was adopted; and,
3. Such other conditions or modifications as may be attached to the rezoning of the land to the planned unit developments.

F. Definitive covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and structures including proposed easements for public utilities and instruments

relating to the use and maintenance of common area and private streets shall give consideration to access requirements of public vehicles for maintenance purposes.

G. Additional Regulations for Phased Developments.

A PUD may be developed in phases or stages in accordance with the following:

1. Boundaries

The boundaries of all proposed phases shall be shown on the concept plan.

2. Data

All data required for the project, as a whole, shall be given for each phase shown on the concept plan.

3. Improvements

The phasing plan shall be consistent with the traffic circulation, drainage, common open space, and utilities plans for the entire Planned unit development. Planned unit developments that are to be developed in phases or stages shall be required to provide public improvements, common open space, and other amenities attributed to such phase at the same time as or before the construction of principal buildings and structures associated with individual phases. The nature, type, and amount of public improvements, common open space, and other project amenities provided during an individual phase of the project shall be commensurate with and proportionate to the overall development of the phase.

H. Review and Approval Process

The planned unit development approval process shall consist of the steps described below. The approval authorities and timeframes within which the various steps remain valid is as shown in Table 8.B, Planned Development Approval Process.

**Table 8.B
Planned Development Approval Process**

	PUD		SPUD	ISPUD
	Concept Plan	Development Plan	Development Plan	Development Plan
Initial Period • Approval Authority	36 months • Council	36 months • Planning Commission	36 months • Council	36 months • Council
Extension Period • Approval Authority	12 months • Planning Commission	12 months • Planning Commission	12 months • Planning Commission	12 months • Planning Commission

The Planning Director may extend the period of validity of a plan within a planned unit development for one additional year upon receiving a written request describing any extenuating circumstances beyond the control of the developer, provided such request is received during the period of validity.

1. Pre-Application Conference

The pre-application conference shall be held with the Planning Director for the purpose of exchanging information, providing guidance to the applicant and determining the eligibility of

the request for consideration as a planned unit development. A request for a pre-application conference shall be made to the Planning Director. The applicant shall submit copies of a conceptual plan, showing the location of the property, boundaries, significant natural features, vehicular and pedestrian circulation, and land use(s) for the entire site, at least ten days in advance of the pre-application conference. The Planning Director shall advise the applicant of the conformance of the conceptual plan with the requirements of a planned unit development. No formal action will be taken at a pre-application conference, nor will statements made at the pre-application conference be considered legally binding commitments.

2. Concept Plan (PUD only)

- a. Following the pre-application conference, an applicant may submit a completed application for concept plan approval to the Planning Director. The concept plan shall follow the procedures for approval of planning items before the Planning Commission and zoning cases before the Metropolitan Council. Where the planned unit development is to be developed in phases, the concept plan that is presented for review and approval shall be the concept plan for the entire development and shall identify the proposed phasing.
- b. A concept plan shall be valid for three years from the date of the Metropolitan Council approval, unless, during that three year period, a final development plan for all or a portion of the property is submitted and then approved.
- c. Provided that the concept plan has not expired, the period of validity of an approved concept plan may be extended one time for up to 12 months as shown in Table 8.B, Planned Development Approval Process, by the Commission.
- d. If the applicant fails to timely submit a final development plan for all or a portion of the property, or obtain an extension, the previously approved concept plan shall be determined to be invalid, but the PUD zoning district shall remain.

3. Final Development Plan

Construction may take place within a planned development only following approval of a final development plan for the area.

a. PUD Final Development Plans

- (1) A final development plan, showing substantial compliance with the approved concept plan shall follow the procedure for planning items going to the Planning Commission with a public hearing.
- (2) Upon approval of the final development plan, construction may proceed for public and/or approved private roads, utility installations, common open space, recreational facilities, governmental structures, and similar uses provided that a preliminary subdivision plat and construction plans have also been approved for the development.

- (3) If the PUD includes the division of property into lots, the final development plan shall be approved concurrently with the preliminary plat. The applicant shall submit all required land division documents in accordance with the requirements of the Unified Development Code
- (4) Subdivisions of property within a PUD after concept plan approval, but prior to final development plan approval, shall meet the zoning requirements of the most restrictive zoning district allowed for each designated use for that portion of the concept plan. These subdivisions shall require Planning Commission approval but will not allow development or building permit approval until a Final development plan is approved.
- (5) Final development plans shall expire three years from the date of Planning Commission approval. The applicant may request an extension from the Planning Commission for not more than one year if the previously approved development plan has not expired.

b. SPUD and ISPUD Final Development Plans

- (1) Development plans shall follow the procedure for zoning items requiring a recommendation from the Planning Commission and approval by the Metropolitan Council following public hearings.
- (2) Development plans for SPUDs and ISPUDs shall expire three years from the date of the Metropolitan Council approval, unless, during that three year period a construction permit is obtained.
- (3) The applicant may request an extension from the Commission not more than 12 months if the previously approved development plan has not expired
- (4) If no construction occurs within three years and no extension was granted, the property shall remain in the SPUD or ISPUD district, however, no permits for development will be issued unless or until a new ISPUD development plan meeting the requirements of the ordinance in effect at the time of the new submittal is reviewed and approved.

4. Changes to an Approved Planned Development

a. Types of Changes

There are three types of changes:

- (1) Major Change -- one that will have significant impacts on the approved uses within the development, or on the site surrounding the development. These changes require a recommendation from the Planning Commission and approval by the Metropolitan Council following public hearings;

- (2) Minor Change – one that will have significant impact on the layout of the development. These changes require approval by the Planning Commission following a public hearing; and,
 - (3) Administrative Change – one that will not alter the basic design and character of the development, nor any specified conditions imposed as part of the original approval. These may be approved by the Planning Director.
- b. Applications for Changes
The owner(s) of record of the property affected by the proposed change shall file an application with the Planning Director that shall contain the reason for the change and the anticipated impacts on the development.
 - c. Appeal of Classification
The applicant may appeal the decision by the Planning Director as to the classification of a proposed change to the Planning Commission.
 - d. Major Changes
Major changes include, but are not limited to:
 - (1) An increase in density or intensity of any permitted land use, including the number of housing units, by more than ten percent from what was originally approved in the concept plan;
 - (2) In residential areas, a change in the mix of single family and multi-family structures by more than ten percent from what was originally approved in the concept plan;
 - (3) An increase in the amount of land in nonresidential uses by more than ten percent from what was originally approved in the concept plan;
 - (4) Involve any use not specified on the approved concept plan; and/or,
 - (5) Substantial and material reduction in the amenities proffered by the applicant.
 - (6) In an ISPUD, any change in the location of uses that cannot be approved administratively.
 - e. Minor Change
Minor changes are any change not determined to be a major or administrative change.
 - f. Administrative Change
Administrative changes include, but are not limited to:
 - (1) Change in the location or size of open space, if the overall amount of common open space acreage does not decrease by more than ten percent, and the Planning Director determines that the quality and functionality of the revised common open space is the same or better. The Planning Director may not approve a revision that includes

the deletion of an open space within 500 feet of an area that is part of a final plat in a residential area;

- (2) Change in the location or type of a drainage or water quality control, if the Planning Director determines that:
 - (a) The basic layout of the PUD remains the same; and,
 - (b) The revised location or type of control functions as well as the previous location or type of control, provided that there are no objections from the Department of Development;
- (3) Change in the locations of major utility facilities and easements, if the Planning Director determines that the revised locations are more appropriate or functional, provided that there are no objections from the Department of Development;
- (4) Change in a preliminary architectural standard, if the Planning Director determines that the revised standard is consistent with the architectural character of the PUD;
- (5) Reduction of the size of any building;
- (6) Movement of buildings and/or signs by no more than 25 feet, but in no event in required buffers and/or setbacks;
- (7) Landscaping approved in the final development plan that is replaced by similar landscaping to an equal or greater extent;
- (8) Internal rearrangement of a parking lot that does not affect the number of parking spaces or alter access locations or design;
- (9) Changes to the internal road network, provided that there are no new external connections created and there are no objections from the Department of Transportation and Drainage;
- (10) In an ISPUD, changes to external access locations
 - (a) Those greater than one acre, by no more than 50 feet provided the access remains on the same roadway;
 - (b) Those up to one acre, by no more than 20 feet provided the access remains on the same roadway.
- (11) Changes required or requested by the Parish or other State or Federal authorities in order to conform to other laws or regulations; and/or,
- (12) In a PUD, the addition of phasing to a previously approved concept plan.

5. Permits

No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved planned unit development prior to a determination by the Fire Marshal or designee that adequate fire protection and access for construction needs exists. No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved Planned unit development prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the Director of the Department of Development and the Building Official.

6. The Approved Final Development Plan

Development restrictions and/or conditions, as required by the Planning Commission and/or Metropolitan Council, shall be recorded by the applicant with the Clerk of Court of East Baton Rouge Parish within fifteen days of the date of the final approval of the Concept plan and/or the Final development plan by the Planning Commission and/or Metropolitan Council, as the case may be. Certified copies of these documents shall also be filed with the Office of the Planning Commission. The applicant shall record development restrictions and other required documents, which pertain to a subdivision within the approved Final development plan, with the Clerk of Court of East Baton Rouge Parish within fifteen days of the signing of the final plat, as provided in this Section 8.4.9.A.8.h.

Section 8.4.10 Traditional Neighborhood Development (TND)

A. Purpose

The purpose of a TND is to encourage mixed-use, compact, walkable development and facilitate the efficient use of services. A TND diversifies and integrates land uses within close proximity to each other, and it provides for the daily recreational and commercial needs of the residents. A TND is a sustainable, long-term community that provides economic opportunity and environmental and social equity for the residents. This ordinance's intent is to encourage its use by providing incentives, rather than prohibiting conventional development. A Traditional Neighborhood Development:

1. Is designed for the human scale;
2. Provides a mix of uses, including residential, commercial, civic, and open space Uses in close proximity to one another within the neighborhood;
3. Provides a variety of housing types, and sizes to accommodate households of all ages, sizes, and incomes;
4. Coordinates transportation systems with a hierarchy of appropriately designed improvements for pedestrians, bicycles, and vehicles, which incorporates a system of relatively narrow, interconnected streets, roads, drives, and other thoroughfare types, and provides for the connections of those thoroughfare types to existing and future developments;

5. Includes compatibility of buildings and other improvements as determined by their arrangement, massing, form, character and landscaping to establish a livable, harmonious and diverse environment;
6. Incorporates environmental features into the design;
7. Provides a range of open spaces configured by squares, plazas, greens, landscaped Streets, preserves, greenbelts and parks woven into the pattern of the neighborhood;
8. Incorporates architecture, landscape, lighting and signage standards integrated with the zoning provisions that respond to the unique character of the region; and,
9. Provides an increased range of options than are allowed by conventional zoning.

B. Overview

1. A TND shall require an area of not less than 50 contiguous acres. Property shall be considered contiguous even if separated by a public roadway.
2. A TND shall include at least two types of areas, and each type of area shall have different land use and site development regulations. A TND shall have one Neighborhood Center Area and at least one Mixed Residential Area. A TND may also have a Neighborhood Edge Area.
3. A “Neighborhood Center Area” shall serve as the focal point of a TND, containing retail, commercial, civic, and/or public services to meet the daily needs of community residents. A “Neighborhood Center” shall be designed to encourage pedestrian movement. A square may be located in a Neighborhood Center Area. Retail and commercial uses should generally be located adjacent to a square. The Neighborhood Center Uses include retail shops, grocery stores, restaurants, offices, banks, hotels, a post office, governmental offices, churches, community centers, and attached residential dwellings.
4. A “Mixed Residential Area” may include a variety of residential land uses, including detached single-family, duplex, townhome, and multi-family. Civic uses and neighborhood-scale commercial and office uses may be permitted within a Mixed Residential Area with strict architectural and land use controls to ensure that they blend into the residential character of the neighborhood. A Mixed Residential Area shall include open spaces such as small squares, pocket parks, community parks, and/or greenbelts. A Mixed Residential Area shall promote pedestrian activity through well-designed and varied streetscapes that also provide for the safe and efficient movement of both pedestrian and vehicular traffic. Mixed Residential Areas may utilize alleys, either public or private. Varying lot sizes are encouraged within the Mixed Residential Area.
5. A “Neighborhood Edge Area” shall represent the least dense portion of a TND, with larger lots and greater setbacks than the rest of the neighborhood. Direct vehicular access to streets shall be permitted. Only single-family residential dwellings shall be permitted. A Neighborhood Edge Area is appropriate along the perimeter of the neighborhood. A portion of a TND that abuts existing or platted conventional low density housing shall be designated as a Neighborhood Edge Area.

6. Large office, low-impact manufacturing uses and industrial uses that are not appropriate for a Neighborhood Center Area or a Mixed Residential Area but which serve the local residents may be located in a specified district.
7. Civic uses that are oriented to the general public shall be permitted in a Neighborhood Center Area and a Mixed Residential Area. Special attention should be paid to the location of government offices, libraries, museums, schools, churches, and other prominent public buildings to create focal points and landmarks for the community.
8. Open space is a significant part of a TND design. TND's shall incorporate common open spaces to be maintained by the municipality and/or private open spaces to be maintained by the community or landowners within the TND. Formal and/or informal open spaces shall be required. These serve as areas for community gatherings, landmarks, and as organizing elements for the neighborhood. Open space may include squares, plazas, greens, preserves, parks, and greenbelts.
9. TND shall be designed to be pedestrian oriented. To accomplish this goal, the pattern and design of the various thoroughfare types may be used to reduce vehicle travel speeds and encourage pedestrian activity. An interconnected and diverse network of streets, and other thoroughfare types, shall be required. Streets may be narrower than in conventional developments and more varied in size and form to control traffic and give character to the neighborhood.
10. Thoroughfares and utilities in TNDs shall connect to existing thoroughfares and utilities, or dead-end as stubs intended for connection to future thoroughfares, unless otherwise prohibited by topography, environmental constraints or other considerations.

C. TND Design Requirements

1. Association.
 - a. Conditions, covenants, and restrictions for all the property within a TND shall be filed in the Parish records by the owner before a lot is sold and/or a building permit is issued.
 - b. In addition to other terms and conditions acceptable to the applicant, the conditions, covenants, and restrictions must create one or more property owners' association with mandatory membership for each property owner, governed by articles of incorporation and bylaws, which shall:
 - (1) Be organized by the applicant and operated with a financial subsidy from the applicant before the sale of any lots within the TND;
 - (2) Provide for the conditions and timing of transferring control of the association from the applicant to the property owners;

- (3) Be responsible for maintenance of insurance and taxes on all common open space, enforceable by liens placed on the association by the Parish, as provided in the association bylaws;
- (4) At all times, cause all owners to have access to the common open space within the TND;
- (5) Establish architectural standards that are in conformity with the requirements of this ordinance which shall be subject to review and approval by the board of directors of the association or the architectural control committee, as described below;
- (6) Create an architectural control committee to review development for compliance with the design standards, to issue certificates of approval, and to review and approve the development's architect, designer, and/or other professionals contributing to the development;
- (7) Provide for the ownership, development, management, and maintenance of private open space (except plazas owned by individual property owners), community parking facilities, community meeting hall, and other common areas;
- (8) Provide for a maintenance program for all property within the TND, including landscaping and trees within the streetscape;
- (9) Require the collection of assessments from members in an amount sufficient to pay for its functions; and,
- (10) Be effective for a term of not less than 50 years.

2. Land Use Allocations.

Each lot within a TND shall be allocated particular permitted land use categories. The identification of permitted land uses within all or a portion of a TND may be made by reference to other zoning districts available within the Unified Development Code. Areas that would permit the sale or consumption of alcohol must be approved for an alcohol license by the Alcoholic Beverage Control Board; provided, however, in the event of a conflict between the proximity and/or distance requirements of the Parish's Wine, Beer and Liquor Ordinance for establishments licensed or seeking a license to sell or serve alcoholic beverages and the establishments and facilities defined in La. R.S. 26:81(C)(1) and this ordinance, this ordinance shall prevail.

3. Neighborhood Uses

In order to achieve the proximity necessary to make neighborhoods walkable, it is important to mix land uses throughout the TND and not to separate uses. A TND shall consist of a mix of residential uses, a mixed-use area, and open space as provided below:

a. Residential areas may include the following:

- (1) Single-family detached dwellings;

- (2) Single-family attached dwellings, including duplexes, and townhomes;
 - (3) Multi-family dwellings, including senior housing;
 - (4) Accessory dwelling units;
 - (5) “Special needs” housing, such as community living arrangements and assisted living facilities;
 - (6) Civic uses as provided below.
- b. Mixed-Use Areas with commercial, residential, civic or institutional, and open space uses as identified below. All residents’ residences shall be within approximately ¼ mile distance from existing or proposed commercial, civic, and or open space areas.
- (1) Commercial uses may include the following:
 - (a) Food services (including without limitation grocery stores; butcher shops; bakeries; restaurants (including the sale and consumption of alcohol); cafes; coffee shops; neighborhood taverns, bars or pubs); delis, ice cream parlors, specialty foods, and/or outside dining patios and areas;
 - (b) Retail uses (including without limitation, retail sales; florists or nurseries; gas stations, hardware stores; stationery stores; book stores; galleries, studios and shops of artists and artisans, drug stores, apparel, antiques, furniture, music, pets, farmers market, and toys);
 - (c) Services (including without limitation, child care centers; music, dance or exercise studios; offices, including professional and medical offices; financial and banks; medical clinics, barber; laundromats; educational, hair salon; dry cleaning, health or fitness, dry cleaners, tailor shops, repair and service shops, and postal);
 - (d) Accommodations (bed and breakfast establishments, small hotels or inns); and,
 - (e) Clubs and organizations, including fraternal organizations.
 - (2) Residential uses may include the following:
 - (a) Single-family attached dwellings, including duplexes, and townhomes;
 - (b) Multi-family dwellings, including senior housing;
 - (c) Residential units located on upper floors above commercial uses or to the rear of storefronts;
 - (d) Live/work units that combine a residence and the resident’s workplace; and

- (e) “Special needs” housing, such as community living arrangements and assisted living facilities.
- (3) Civic or institutional uses may include the following:
- (a) Municipal offices, fire stations, libraries, museums, community meeting facilities, and post offices;
 - (b) Places of worship;
 - (c) Transit shelters;
 - (d) Philanthropic institutions; and
 - (e) Educational facilities.
- (4) Office uses may include the following:
- (a) Art galleries and studios;
 - (b) Banks;
 - (c) Child care centers;
 - (d) Clubs;
 - (e) Offices; and
 - (f) Medical clinics.
- (5) Open space uses may include the following:
- (a) Central square;
 - (b) Neighborhood parks;
 - (c) Recreational facilities; and
 - (d) Playgrounds.
- c. Open space uses may include those identified below as appropriate. Large outdoor recreation areas (such as playgrounds and fields) should be located at the periphery of neighborhoods rather than central locations.
- (1) Environmental corridors dedicated for preservation;
 - (2) Protected natural areas dedicated for preservation;

- (3) Community parks;
- (4) Streams, ponds, and other water bodies.

4. Development Units

The number of residential dwelling units and the amount of nonresidential development, excluding open spaces, shall be determined as follows:

- a. Single-family detached dwellings shall account for at least 50 percent of the total number of residential units in the TND, and two-family units, townhomes, and multi-family units shall comprise less than 50 percent of the units.
- b. In areas devoted to mixed residential uses:
 - (1) The number of single-family attached and detached units permitted shall be 5–10 dwelling units per acre.
 - (2) The number of multi-family units shall be 8-40 dwelling units per acre.
 - (3) Accessory dwelling units shall be permissible in addition to the number of dwelling units authorized under this section. However, the total number of accessory dwelling units shall not be more than 20 percent of the total number of single-family attached and detached units.
- c. In Mixed-Use Areas:
 - (1) The number of single-family and multi-family dwelling units permitted shall be calculated the same as above plus an additional number of units not to exceed ten percent of the amount permitted above.
 - (2) All dwelling units constructed above commercial uses shall be permissible in addition to the number of dwelling units authorized under this section. However, the total number of dwelling units shall not be increased by more than ten dwelling units or ten percent, whichever is greater.
 - (3) The total ground floor area of nonresidential uses, including off-street parking areas, shall not exceed 25 percent of the TND.

5. Common Open Space

At least 20 percent of the gross acreage of the TND shall be common open space. Ninety (90) percent of the lots within the areas devoted to mixed residential uses shall be within approximately ¼ mile of common open space.

- a. The following uses may account for common open space with the stated limitations:
 - (1) Parks, open greenbelt areas, and other recreational space which are readily accessible must account for not less than 25 percent of the common open space.

- (2) Trees along streets located within designated landscape common areas or landscape servitudes and located within a street right-of-way may constitute 25 percent of the common open space. There shall be an average of one street tree on both sides of the street per 40 feet of frontage, unless alternative spacing is recommended by the Director of Development.
- (3) Surface drainage, including surface retention and detention, including both natural and man-made features that appear natural or enhance a particular property and increase its desirability to a community or its marketability to the public.
 - (a) Lakes, ponds, bayous, streams, or creeks, including stormwater wet detention basins provided that they are designed so that a minimum of 20 percent of the abutting shoreline is made accessible for the common use of the development, but in no event less than 300 feet of frontage.
 - (b) Storm water dry detention basins of not less than $\frac{1}{2}$ acre; but may account for up to 25 percent of the common open space if designed to provide for acceptable maintenance and upkeep of the detention basin.
- (4) Golf courses may account for up to 50 percent of the common open space provided that the course is open to the public.
- (5) Natural wetlands shall not exceed 50 percent of common open space provided that they are reasonably visible and accessible from interpretive walkways provided in and through the wetland.
- (6) Hard surface recreation areas such as recreational courts and pedestrian plazas may account for up to 25 of the common open space.
- (7) Servitudes with existing below ground utilities and/or facilities with a width of not less than 30 feet.
- (8) Electrical transmission line servitudes with a width not to exceed 150 feet, if improved, recreational use areas are available to the public.
- (9) School and library yards, not to exceed 20 percent of the common open space, excluding the area devoted to buildings.
- (10) An existing building or buildings that have historical or cultural significance may be located in a common area space; however, the enclosed building area may not be included in the common open space requirement.
- (11) Innovative stormwater management designs that result in the site exceeding typical stormwater management requirements may account for up to ten percent of the open space at the discretion of the Planning Director.

b. Common open space shall not include:

- (1) Yards which are not accessible for the common Use of the Development;
 - (2) Parking areas (other than those serving a community recreational facility);
 - (3) Drives;
 - (4) Utilities with above ground improvements or road servitudes, except as provided in paragraph 5.a, above;
 - (5) Paved lakes, ponds, bayous, streams, or creeks
 - (6) Structures (unless designed and used as an integral part of the open space such as gazebos);
 - (7) Required drainage ditches or canals, unless designed to create a community amenity;
 - (8) Any noncontiguous green area of less than 500 square feet; and,
 - (9) Areas reserved for the exclusive use and benefit of an individual tenant or owner.
- c. Common open space shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the TND through covenant, deed restriction, open space servitude, or similar legal instrument; or, if agreed to by a governmental agency, the open space may be conveyed to a governmental agency for the use of the general public.
- d. In the event land shown on a final development plan as common open space is dedicated to the Parish, the Metropolitan Council may, but shall not be required to, accept the open space provided:
- (1) Such land is accessible to the residents of the parish;
 - (2) There is no cost of acquisition other than the costs incidental to the transfer of ownership; and,
 - (3) The Parish agrees to maintain such lands.
- e. Common open space shall be protected against development and environmental damage by conveying to the municipality, parish, association, or land trust an open space servitude restricting the area in perpetuity against any future building and against the removal of soil, trees and other natural features, except as the Planning Commission determines is consistent with conservation or recreational purposes.
6. Stormwater Management.
The design and development of the TND shall minimize off-site stormwater runoff, promote on-site filtration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained/protected to the maximum

extent practicable. New development and redevelopment shall meet the following requirements:

- a. Untreated, direct stormwater discharges to wetlands or surface waters shall not be allowed.
- b. A Drainage Impact Study shall be submitted in conformance with the requirements of Chapter 15 of the Unified Development Code.
- c. Erosion and sedimentation controls shall be implemented.
- d. Redevelopment stormwater management systems shall be designed to improve existing conditions and meet standards to the extent practicable.
- e. All treatment systems or BMPs shall have operation and maintenance plans to ensure that systems function as designed.

7. Lot and Block Standards

a. Block and Lot Size Diversity

Thoroughfare layouts shall provide for perimeter blocks that are generally in the range of 200 to 500 feet deep by 400 to 800 feet long. The Planning Commission may approve larger blocks if required because of existing topography. The applicant shall provide, when appropriate, a mid-block crossing for blocks longer than 500 feet in length. A variety of lot sizes shall be provided to facilitate housing diversity and choice and meet the projected requirements of people with different housing needs.

b. Lot Widths

Lot widths shall be designed to create a relatively symmetrical street or road cross section that reinforces the public space of the street or road as a simple, unified public space.

c. Building Setback, Front – Mixed-Use Areas

Structures in the Mixed-Use Areas shall be designed to abut the unless a courtyard or outdoor seating area is provided between the building and the sidewalk, in which case the building may be located as much as 15 feet behind the sidewalk; such seating areas shall include the use of plant material, walls, or fences to better define the space and soften its appearance from the street. If no sidewalk exists, the building shall be located no further than ten feet from the back of the right-of-way and a sidewalk connection between the street and the building entrance shall be provided.

d. Building Setback, Front - Areas of Mixed Residential Uses

Single-family detached residences shall have a building setback no more than 25 feet; if a front-loaded garage is provided, the garage doors shall be set back at least 25 feet from the street. Single-family attached residences and multifamily residences shall have a building setback of up to 15 feet, provided that front-loaded garages satisfy the 25 foot setback requirement above.

e. Side Setbacks

Provision for zero-lot line single-family dwellings may be made, provided that a reciprocal access easement is recorded for both lots.

8. Thoroughfare Network.

- a. The circulation system shall allow for different modes of transportation.
- b. The circulation system shall provide functional and visual links within the residential areas, Mixed-Use Areas, and open space of the TND and shall be connected to existing and proposed external developments. The circulation system shall provide adequate capacity, provide connected pedestrian and bicycle routes (including off-street bicycle or multi-use paths or bicycle lanes on the streets where required) and ADA-approved crosswalks and sidewalks, control through traffic, provide adequate transit stops, limit access to streets of lower traffic volumes, and promote safe and efficient mobility through the TND.
- c. The minimum widths of rights-of-way and private streets shall be shown as illustrated in Appendix J or alternatives approved by the Director of the Department of Transportation and Drainage.

d. Pedestrian Circulation

Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the TND. Where feasible, existing pedestrian routes through the site shall be preserved and enhanced. All streets, except for alleys, shall be bordered by sidewalks on both sides in accordance with the provisions of Section 13.8 of the Unified Development Code, Sidewalks and Pedestrian Ways, with the following modifications:

(1) Sidewalks in Residential Areas

Clear and well-lighted sidewalks a minimum five feet in width, shall be provided along both sides of each street in residential areas. Sidewalks shall be separated from the curb in areas of single-family detached dwelling units by a planted area, or verge, at least six feet in width. In areas of multifamily and attached single-family dwellings, the verge may be reduced to five feet.

(2) Sidewalks in Mixed-Use Areas

Clear and well-lighted sidewalks a minimum five feet in width shall be provided along both sides of each thoroughfare type located within a Mixed-Use Area. Within Mixed-Use Areas, pavement may extend between the required sidewalk and the back of curb provided tree wells at least 25 feet in area are provided at least every 40 feet and the minimum sidewalk width is maintained. Alternatively, a verge at least five feet in width shall be provided between the sidewalk and the back of curb.

(3) Crosswalks

Intersections of sidewalks with thoroughfares shall be designed with clearly defined edges. Crosswalks shall be well lit and clearly marked with contrasting paving materials or texture at the edges.

e. Bicycle Circulation

Bicycle circulation shall be accommodated through a combination of on-street facilities and dedicated off-street bicycle paths. Where feasible, any existing bicycle routes through the site shall be preserved and enhanced.

(1) Off-street bicycle paths shall typically be in the form of multi-use paths shared with pedestrians and other non-motorized users. These shall be a minimum of ten feet in width.

(2) On-street bicycle facilities may be lower speed local streets shared with other vehicles (“sharrows”) where the paving is marked and signage indicating “Bike May Use Full Lane” is provided or, on busier, higher volume streets, separately designated and striped, five foot bicycle lanes. If an on-street bicycle lane is adjacent to a lane for parallel parking, the width of the bicycle lane shall be at least six feet to accommodate the opening of car doors.

f. Public Transit Access

Where public transit service is available or planned, convenient access to transit stops at locations approved by the transit provider shall be provided. Transit shelters shall be placed in highly visible locations that promote security through surveillance, and shall be well lighted.

g. Motor Vehicle Circulation

Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features such as curb extensions, traffic circles, and medians may be used to encourage slow traffic speeds.

h. The thoroughfare network of the TND shall be connected to existing streets. TND streets shall be laid out to serve existing development and allow extensions to future neighborhoods. Dead-end streets shall be prohibited except in locations where reasonable connections are not practical due to topography or existing development, in which case a design element or civic feature shall be incorporated into the terminus of the street.

i. Design of Thoroughfares

(1) General

(a) Thoroughfares shall consist of moving lanes, parking lanes, curbs or swales, planters, trees, street lights and sidewalks.

(b) Thoroughfare types shall be designated in the final development plan.

(c) Roads, streets, and commercial streets may be modified to become avenues, boulevards and drives.

- (d) Thoroughfares passing from one use area to another shall change appropriately except those designated as a “connector” in the Final development plan shall maintain the same character throughout.
- (e) The exact locations of trees and lights along thoroughfares may be adjusted for specific conditions, such as building entrances.
- (f) Thoroughfares that exist in or near a TND at the time of rezoning and are consistent with the intent of this ordinance may become an approved standard for use in that TND.
- (g) If striped, on-street parallel parking spaces shall be striped collectively, not individually.
- (h) The full width of all paths, passages, rural lanes, lanes and alleys shall be designated a utility easement. Only in the absence of these thoroughfare types may utility easements be permitted elsewhere.
- (i) All thoroughfares within a TND shall terminate at other thoroughfares, forming a network. Culs-de-sac may be permitted only when justified by site conditions.

(2) Design of Thoroughfares in Commercial Areas

- (a) All lots shall front on a thoroughfare, except that a maximum of 20 percent of Lots served by a rear alley may front a path or passage.
- (b) Thoroughfares may intersect at non-orthogonal angles as acute as 30 degrees.

(3) Design of Thoroughfares in Civic Areas

Thoroughfares fronting civic buildings or civic spaces shall follow the standards of the underlying use area.

9. Parking requirements

a. Generally

- (1) All required parking spaces shall be shown on the final development plan.
- (2) On-street parking shall count toward the parking requirements
- (3) Parking facilities shall be accessed by an alley or rear lane, when these are available.
- (4) On-street parking shall be prohibited within 30 feet of intersections to enable public service and emergency vehicles adequate turning radii.

b. In the Mixed-Use Area

- (1) Except for parking lots associated with a grocery store, no more than one row of parking spaces shall be allowed in the front of a building on its primary frontage. All other parking lots for commercial uses shall be located at the rear or side of a building. If located at the side, screening shall be provided as specified in Section 8.4.9.B.3.n, Landscaping and Screening Standards.
 - (2) A grocery store may have more parking than allowed above parking located in the front of the store if the design of the grocery store building incorporates at least five of the following elements onto its street facing facades (other than the rear):
 - (a) Masonry, except for flat, non-decorative concrete block;
 - (b) Concrete or masonry plinth at the base of the wall;
 - (c) Belt courses of a different texture and color;
 - (d) Projecting cornice;
 - (e) Decorative tile work;
 - (f) Medallions;
 - (g) Opaque or translucent glass;
 - (h) Artwork or wall graphics;
 - (i) Lighting fixtures;
 - (j) Green walls; or,
 - (k) Architectural elements not listed above, if approved by the Planning Director.
 - (3) A parking lot shall not be adjacent to any intersection other than that of an alley with a street.
 - (4) A commercial use shall provide one parking space for every 350 feet of gross building area.
 - (5) Parking lots or garages shall provide not less than one bicycle parking space for every 15 motor vehicle parking spaces.
- c. In Residential Areas
 Parking shall be provided consistent with the requirements of Section 17.4, Motor Vehicle Parking Requirements, except that:
- (1) Multi-family uses shall be required to provide one space for the first bedroom and ½ space for every additional bedroom; and,

(2) One space shall be provided for each accessory unit.

d. Parking Reductions

Any of the alternative parking provisions established in Chapter 17, Parking and Loading, may be used to reduce parking requirements.

10. Architectural Standards

a. Guidelines for Existing Structures

Existing Structures or sites, if determined to be historic or architecturally significant by the East Baton Rouge Parish Historic Preservation Commission or the Louisiana State Historic Preservation Office, or listed on the National Register of Historic Places, shall be protected from demolition or encroachment by incompatible Structures or landscape Development. The U.S. Secretary of the Interior's Standards for alterations to historic properties shall be used as the criteria for rehabilitation and treatment of historic or architecturally significant structures or sites.

b. Guidelines for New Structures

(1) Height

(a) New single-family residential structures shall be no more than 40 feet.

(b) New commercial, multifamily residential, or mixed-use structures shall be no more than 70 feet.

(2) Entries, Facades, Windows, Doors and Roofs

(a) The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public thoroughfare.

(b) Porches, shed roofs, roof overhangs, hooded front doors or other similar architectural elements shall define the front entrance to all residences.

(c) Commercial buildings other than a grocery store, shall provide a minimum of 50 percent of the front facade on the ground floor shall be transparent, including window or door openings allowing views into and out of the interior.

(d) Walls along thoroughfares shall be made of brick, block covered with stucco, or other material to match the façade of the principal building.

(e) Windows shall not be mirrored or have glass tinted darker than 20 percent.

(f) Flat roofs shall be enclosed by parapets high enough to conceal mechanical equipment.

(g) Civic uses designed specifically for civic purposes shall not be subject to the above requirements.

- (3) Accessory structures, including accessory dwelling units, may be placed on a single-family detached residential lot provided that the accessory structure shall not exceed the height of the principal structure on the lot.
- (4) Accessory dwelling units may be located within the principal structure on the lot or in a separate building. Such units shall not exceed 800 square feet.
- (5) Accessory buildings used for a garage shall have a minimum setback of 20 feet when accessed from the front property line, and shall have a minimum setback of three feet from the rear property line when accessed from a rear alley.

11. Signage

Sign guidelines reflecting types, sizes, shapes, and materials permitted shall be submitted with each final development plan.

12. Lighting

Lighting, including pedestrian scale lighting, complying with the standards of the parish shall be provided along all thoroughfares and parking areas. Lights shall be installed on both sides of streets at intervals of no greater than 75 feet apart.

13. Landscaping and Screening

All landscaping shall comply with the provisions of Chapter 18. Landscape and Trees, except as specified below.

a. Street Yards

- (1) Street trees shall be located within the verge, the landscape area between the sidewalk and the curb, within the landscaped median of a boulevard, or in tree wells.
- (2) Class A trees that grow to a minimum height of 40 feet at maturity shall be planted along all streets.
- (3) Trees shall have a minimum caliper of 2½ inches at the time of planting.

b. Parking Areas

- (1) All parking and loading areas fronting public thoroughfares or sidewalks, and all parking and loading areas abutting residential districts or uses, shall provide a landscaped area at least five feet wide between the thoroughfare or sidewalk; screening at least three feet in height and not less than 50 percent opaque; and one tree for each 25 linear feet of parking lot frontage.
- (2) The corners of parking lots, islands, and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation may include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking.

- (3) Parking lots with more than six spaces shall require a landscaped area comprising a minimum of 20 percent of the total parking lot area.
- (4) Parking lots containing more than 200 parking spaces shall require an additional landscaped area of at least 200 square feet 25 parking spaces or fraction thereof, containing one Class A tree. The remainder shall be covered with turf grass, native grasses or other perennial flowering plants, vines or shrubs.
- (5) A landscape plan shall be required for structured parking.

c. Loading Areas

A landscape plan shall be required for any loading area that abuts a street. Such a plan may include walls and berms as well as landscape materials.

14. Utilities

All utilities shall be placed underground.

15. Environmental Standards

All uses shall conform to all applicable federal, State and local laws and regulations regarding the environment such as laws and regulations concerning noise, air quality, water quality, radiation, and radioactivity.

D. Other Code and Ordinances Applicability.

1. The provisions of the Unified Development Code shall apply to a TND unless:
 - (a) This section expressly provides otherwise; and
 - (b) Only as long as such other provisions do not impede the accomplishment of the stated purpose of the TND as described in this section.
2. The requirements of this article supersede any inconsistent provision of any other-provisions of the Unified Development Code.
3. A TND is a separate and distinct zoning district which shall allow the permitted uses as provided in the concept plan, notwithstanding any other zoning classification provided in the Unified Development Code.
4. The final development plan, as approved by the Planning Commission, shall supersede any inconsistent provision of any other provisions of the Unified Development Code, including without limitation any parking, street or landscaping requirements, dimensional regulations, setbacks or proximity requirements between establishments located within the TND licensed or seeking a license to sell, consume or serve alcoholic beverages and the establishments and facilities defined in La. R.S. 26:81(C)(1), which are also located within the TND; it is the intent to give the Planning Commission the discretionary authority to deviate from those requirements when deemed appropriate by the Planning Commission in order to promote compact, mixed-use development within the TND.

E. Ownership and Control.

All land proposed to be included in the TND shall be owned by or be under the control of the applicant for the purpose of seeking the TND (including without limitation a purchase agreement, option agreement, and/or development agreement), whether that applicant be an individual, partnership, corporation (limited liability company, limited liability partnership, trust), or groups of individuals, partnerships, or corporations (limited liability company, limited liability partnerships and/or trusts). The applicant shall agree that if applicant proceeds with the Traditional Neighborhood Development applicant will do so in accordance with:

1. The concept plan officially adopted for the Traditional Neighborhood Developments;
2. Regulations existing when the amendment granting the Traditional Neighborhood Development was adopted; and,
3. Such other conditions or modifications as may be attached to the rezoning of the land to the Traditional Neighborhood Development.

F. Application Procedure and Approval Process; General.

Prior to the issuance of any permits for development within a TND, the following shall be completed according to the procedures outlined in this section:

1. Pre-application conference;
2. Approval of a concept plan by the Planning Commission and the Metropolitan Council for the entire Traditional Neighborhood Development;
3. Approval of a final development plan by the Planning Commission; and,
4. Approval of a final plat by the Planning Commission staff.

If the development includes the division of property into lots, the final development plan shall be approved concurrently with a preliminary plat. Subdivisions of property within a TND after concept plan approval, but prior to final development plan approval, shall meet the zoning requirements of the most restrictive zoning district allowed for each designated use for that portion of the concept plan. These subdivisions shall require Planning Commission approval but shall not allow development or building permit approval until a final development plan is approved.

Where the development is to be developed in phases, the concept plan that is presented for review and approval shall be the concept plan for the entire development and shall identify the proposed phasing. Each phase of a development shall have an individual final development plan.

G. Pre-Application Conference.

1. The pre-application conference shall be held with the Planning Director for the purpose of exchanging information, providing guidance to the applicant and determining the eligibility of the request for consideration as a Traditional Neighborhood Development.

2. A request for a pre-application conference shall be made to the Planning Director. As part of the pre-application conference, the applicant shall submit that shows the property location, boundaries, significant natural features, proposed vehicular and pedestrian circulation}, and proposed use(s) for the entire site, and a statement indicating financial responsibility sufficient to complete the public improvements shown on the conceptual plan.
3. The Planning Director shall advise the applicant of the general conformance of the proposed Traditional Neighborhood Development with the intent and objectives of a Traditional Neighborhood Development, and whether the general concept appears to be substantially consistent with the Unified Development Code and the Comprehensive Plan. No formal action may be taken at a pre-application conference, nor will statements made at the pre-application conference be considered legally binding commitments.

H. Concept plan.

1. Following the pre-application conference, the applicant shall submit a completed application (concept plan) to the Planning Director. The concept plan shall contain all information required in the concept plan checklist. The applicant shall subsequently be responsible for conducting a public workshop for residents of the area in which the project is proposed to be located. The workshop requirements ensure:
 - a. The applicant is fully aware of the process;
 - b. The workshop is conducted at a place and time convenient to the residents; and,
 - c. Residents are properly notified of its intent.
The applicant shall conduct the workshop and document the results to the Planning Director before the application may be deemed complete.
2. Procedures for TND Concept Plan Approval
All applications for shall follow the procedures for approval of planning and zoning items before the Planning Commission and the Metropolitan Council.
3. Approval of a TND Concept Plan
After receiving the recommendation of the Planning Commission, the Metropolitan Council shall review the application, including the concept plan, the record of the Planning Commission proceedings and the recommendation, and shall approve, approve with conditions, or deny the application. An approval with conditions shall not be considered final (and the rezoning is not final until such time) until the applicant submits a written acceptance of the conditions and all necessary revisions to the concept plan to the Council.

If approved by the Metropolitan Council, the concept plan and all other information and material formally submitted with the application shall become the standards of development for the TND. All future development shall conform to the standards adopted for the TND regardless of changes in ownership.

I. Final Development Plan and Final Plat

1. Submittal.

Within 36 months of the Metropolitan Council’s approval of the concept plan, the applicant shall submit a final development plan for all or for a portion of the property. The applicant may request an extension of up to 12 additional months from the Planning Commission. If the applicant fails to submit a final development plan for all or for a portion of the property, then the concept plan shall be determined to be invalid, but the TND zoning designation shall remain. If the Traditional Neighborhood Development is to be developed in phases all phases shall comply with the standards of the Concept plan and should be submitted in a timely manner; however, there is no time limit to submit subsequent phases. The final development plan shall contain all information required in the Final development plan checklist.
2. Certification

The following design professionals shall certify direct involvement in the preparation of the final development plan.

 - a. A licensed architect or a licensed civil engineer; and,
 - b. A licensed landscape architect.
3. Final Plat

A final plat shall be submitted in one or more sheets and contain the information listed in the application checklist. The title of the final plat shall read “Final Plat of [Name of Traditional Neighborhood Development], [Section, Township, and Range”]. Where the TND is of unusual size or shape, the Planning Director may permit a variation in the scale or size of the final plat.
4. Landscape Plan

A landscape plan, stamped and certified by a registered landscape architect, shall be required for all final development plans.
5. Substantial Compliance of Final Development Plan

The final development plan shall be in substantial compliance with the concept plan. It is not intended that the concept plan shall be inflexibly applied, but rather, final development plan shall be in conformance with the concept plan subject to modifications due to changed economic, social, market or demographic conditions. The burden shall be upon the applicant to show the Planning Commission good cause for major change (as defined below) between the concept plan and the final development plan as submitted for final approval. If the final development plan, as submitted, contains substantial variations from the concept plan, or major changes as defined below, the Planning Commission may, after a meeting with the applicant, within 14 days of such meeting, advise the applicant in writing why said variations are not in the public interest, and deny the proposed variations.
6. Procedure for Approval

The final development plan shall follow the procedure for planning items going to the Planning Commission with a public hearing. Procedure for approval of a final development plan for a TND shall be processed in the following manner:

 - a. The Department of Development shall review and approve the construction plans for any public improvements shown on the final development plan prior to any construction.

Improvements may be completed or bonded for final approval in the same manner as required under the Unified Development Code.

- b. The notice of a public hearing shall conform to the requirements for a change of zoning.
- c. Following required public notice, the Planning Commission shall hold a public hearing on the proposed Final development plan. Following the hearing, the Planning Commission shall review the final development plan request and any comments submitted at the hearing and shall approve, approve with conditions, or deny the request.
- d. Upon such approval and subsequent amendment of the Final development plan, construction may proceed for public and/or approved private thoroughfares, utility installations, open space, recreational facilities, governmental structures, and other uses provided that a preliminary subdivision plat has also been approved for the Development.

J. Consolidated Concept Plan and Final Development Plan

A final development plan and concept plan may not be simultaneously heard by the Planning Commission and the Metropolitan Council.

K. Additional Regulations for Phased Developments

A TND may be developed in phases or stages in accordance with the following requirements:

1. Boundaries

The boundaries of all proposed TND phases shall be shown on the concept plan.

2. Data

All data required for the project, as a whole, shall be given for each phase shown on the concept plan.

3. Improvements

The phasing plan shall be consistent with the traffic circulation, drainage, open space, and utilities plans for the entire TND. TNDs that are to be developed in phases or stages shall be required to provide public improvements, open space, and all amenities attributed to such phase at the same time as or before the construction of principal buildings and structures associated with the phase. The nature, type, and amount of public improvements, open space, and other project amenities provided during an individual phase of the project shall be commensurate with and proportionate to the overall development of the phase.

L. Changes to an Approved Final development plan.

1. Types of Changes

Three types of changes may be considered for a final development plan, major changes, minor changes, and administrative changes.

2. Major Changes

Any change that will have significant impacts on the approved uses within the TND, or on the area surrounding the TND shall be considered a major change. These shall include, but not be limited to:

- a. An increase in density within any permitted land use by more than ten percent;
 - b. In residential areas, a change in the mix of single-family dwelling and multi-family dwelling structures by more than ten percent;
 - c. An increase in the amount of land in nonresidential uses by more than ten percent;
 - d. Involve any land use not specified on the approved concept plan;
 - e. Substantial and material reduction in the amenities proffered by the applicant; and/or
 - f. Material changes in the permitted land use authorized in the Traditional Neighborhood Development which in the opinion of the Planning Director will have a material adverse change with the TND, or on the area surrounding the TND.
3. Minor Changes
- Any change (other than a major change) that will have significant impact on the site and layout of the development in the or on the area surrounding the TND shall be considered a minor change. These shall include, but not be limited to:
- a. Changes that vary the individual lot area requirement as approved in the concept plan by more than ten percent;
 - b. Changes in non-residential floor areas by more than ten percent within a component of the TND;
 - c. Changes to the thoroughfare network which, in the opinion of the Planning Director, result in a significant adverse change in the amount or location of thoroughfares and shared driveways, common parking areas, circulation patterns, or access to the TND;
 - d. Changes in the allocation of prescribed land uses that would result in an increase in the number of vehicle trips generated in excess of ten percent;
 - e. Changes that are material in the typical sections of thoroughfare design;
 - f. Changes in the designation of thoroughfares between private and public; and/or
 - g. Material changes in the approved overall layout of the site plan and/or matters related to onsite and/or offsite infrastructure requirements authorized in the TND that, in the opinion of the Planning Director, will have a material adverse change with the TND or on the area surrounding the TND.
4. Administrative Changes
- Any change that will not alter the basic design and character of the TND, nor any specified conditions imposed as part of the original approval may be considered an administrative change, provided such changes are mitigated to the satisfaction of the Planning Director. Such changes shall include, but not be limited to:

- a. Changes in the location of the Neighborhood Center Area, a Mixed Residential Area, a Neighborhood Edge Area, a civic area, or other designated areas, if the Planning Director determines that:
 - (1) The basic layout of the TND remains the same; and,
 - (2) The TND functions as well as before the revision;
- b. Changes in size of a Neighborhood Center Area, a Mixed Residential Area, a Neighborhood Edge Area, a civic area, or other designated areas, if the size is increased or decreased by not more than ten percent, and the Planning Director determines that:
 - (1) The basic layout of the TND remains the same; and,
 - (2) The TND functions as well as before the revision;
- c. Changes in the general location of a civic use, if the Planning Director determines that:
 - (1) The revised location is appropriate; and,
 - (2) The thoroughfare network, the infrastructure, and the overall land use mix are not adversely affected;
- d. Changes in the location of a commercial use in a Mixed Residential Area, if the Planning Director determines that the revised location is appropriate;
- e. Changes in the layout of the thoroughfare network, if the Planning Director determines that:
 - (1) The basic layout remains the same; and,
 - (2) The revised layout functions as well as the previous layout;
- f. Changes in the location or size of designated open space, if the overall amount of open space acreage does not decrease by more than ten percent, and the Planning Director determines that the quality and functionality of the revised open space is the same or better. The Planning Director may not approve a revision that includes the deletion of any open space within 500 feet of an area that is part of a final plat in a Mixed Residential Area or Neighborhood Edge Area;
- g. Changes in the location or description of a major private open space improvement, if the Planning Director determines that the revised improvement is as beneficial to the residents as the previous improvement;
- h. Changes in the location or type of a drainage or water quality control, if there are no objections from the Department of Development and the Planning Director determines that:

- (1) The basic layout of the TND remains the same; and,
- (2) The revised location or type of control functions as well as the previous location or type of control;
- i. Changes in a construction phasing plan for major private open space improvements if the change extends a deadline by not more than 24 months;
- j. Changes in the locations of major utility facilities and servitudes, if the Planning Director determines that the revised locations are more appropriate or functional, and there are no objections from the Departments of Development and Transportation and Drainage;
- k. Reduction of the size of any building;
- l. Movement of buildings and/or signs by no more than ten feet, but in no event in required buffers and/or setbacks;
- m. Landscaping approved in the final development plan that is replaced by similar landscaping to an equal or greater extent, provided that there are no objections from the Department of Development;
- n. Changes in non-residential floor plans, of up to ten percent of the total floor area that do not alter the character of the use or increase the amount of required parking;
- o. Internal rearrangement of a parking lot that does not affect the number of parking spaces or alter access locations or design; and,
- p. Changes required or requested by the Parish and other State or Federal authorities in order to conform to other laws or regulations.

5. Review Procedures

Requests for changes to an approved Traditional Neighborhood Development shall be processed as follows:

a. Major Use Changes

(1) Application

The owner(s) of record of the property affected by the proposed change shall file an application with the Planning Director, providing the reason for the change and the anticipated impacts from the major change on the Development.

(2) Public Hearing

Upon receipt and verification of the completion of the application by the Planning Director, the Planning Director will forward the application to the Planning Commission, following the notice procedures established for zoning changes. A record of information and materials presented at the public hearing shall be kept and maintained by the Planning Commission as part of the applicant's permanent record.

(3) Findings and Recommendations

The Planning Commission shall make a recommendation on the major change based on the information set forth in the application and comments heard at the public hearing. The Planning Commission shall forward a copy of their recommendations to the applicant.

(4) Adoption

The Metropolitan Council shall adopt or reject the proposed major change at the next available zoning meeting from receipt of the recommendations from the Planning Commission.

b. Minor Changes

(1) Application

The owner(s) of record of the property affected by the proposed change shall file an application with the Planning Director, describing the reason for the change and the resulting impacts from the minor change on the development.

(2) Public Hearing

Upon receipt and verification of the completion of the application, the Planning Director shall forward the application to the Planning Commission providing notice as required for a change of zoning. A record of information and materials presented at the public hearing shall be kept and maintained by the Planning Commission as part of the applicant's permanent record.

(3) Approval

The Planning Commission shall make its decision on the minor change based on the information set forth in the application and comments received at the public hearing. The Planning Commission shall forward a copy of its findings to the applicant.

c. Administrative Changes.

(1) Application.

The owner(s) of record of the property affected by the proposed change shall file an application with the Planning Director containing the reason for the change and the anticipated impacts of the change, if any.

(2) Approval

Upon receipt and verification of the application, the Planning Director shall make a decision based on the information set forth in the application and notify the applicant of the decision.

6. Subdivision of Land

If the TND involves the subdivision of land as defined in the Unified Development Code, the applicant shall submit all required land division documents in accordance with the requirements of the Unified Development Code. If there is a conflict between the design standards of the Unified Development Code and the design guidelines of this ordinance, the

provisions of this ordinance shall apply, it being understood that the size and configuration of lots within a TND may be disallowed in a typical zoning district under the Unified Development Code, but permitted within a TND Zoning District.

M. Maintaining a Final Development Plan

1. Ownership and Maintenance of Public Spaces

Provision shall be made for the ownership and maintenance of public thoroughfares, squares, parks, open spaces, and other public spaces in a TND by dedication to the Parish and/or Association(s).

2. Construction

Construction may take place only within such portion(s) of a TND for which a current final development plan is in effect.

3. Development Schedule

The development schedule shall contain the following information:

- a. The order of construction of the proposed stages delineated in the final development plan.
- b. The proposed date for the beginning of construction of each stage.
- c. The proposed date for the completion of construction of each stage.
- d. The proposed schedule for the construction and improvement of common areas within each stage including any accessory buildings.

4. Enforcement of the Development Schedule

The construction and provision of all common open spaces and public facilities and infrastructure which are shown on the final development plan shall proceed at no slower a rate than the construction of dwelling units or structures of a commercial nature. The Planning Commission may, at any time, compare the actual development accomplished with the approved development schedule. If the Planning Commission finds that the rate of construction of dwelling units or commercial structures is substantially greater than the rate at which common open spaces and public facilities and infrastructure have been constructed and provided, then either or both of the following actions may be taken:

- a. The Planning Commission may cease to approve any additional Final development plans for subsequent phases; and/or
- b. The Building Official may discontinue issuance of building permits.

In any instance where the above actions are taken, the Planning Commission shall gain assurance that the relationship between the construction of dwellings or structures of a commercial nature and the provision of common open spaces and public facilities and infrastructure are brought into adequate balance prior to the continuance of construction.

5. Permits

No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved TND prior to a determination by the fire marshal or designee that adequate fire protection and access for construction needs exists. No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved Traditional Neighborhood Development prior to final inspection and approval of all required improvements which will serve such Lot or Parcel to the satisfaction of the Building Official.

N. Expiration and Lapse of Final Development Plans

Final development plan approval shall expire if work stops for more than 24 months. In this event, the applicant will be required to submit an updated final development plan for approval.

O. Development Restrictions

Development restrictions and/or conditions, as required by the Planning Commission and/or the Metropolitan Council, shall be recorded by the applicant with the Clerk of Court of East Baton Rouge Parish within 15 days of the date of the final approval of the Concept plan and/or the final development plan by the Metropolitan Council or Planning Commission, as the case may be. Certified copies of these documents shall also be filed with the Planning Director. The applicant shall record development restrictions and other required documents, which pertain to a subdivision within the approved Final development plan, with the Clerk of Court of East Baton Rouge Parish within 15 days of the signing of the Final Plat.

P. Filing and Distribution of Final Development Plan

The applicant shall provide the total number of copies of the approved final development plan to be disbursed as required by the Planning Commission staff.

Q. Violations

Any violation of the concept plan and/or final development plan or any other phase or plan adopted as part of the amendment to the Unified Development Code shall constitute a violation of the Unified Development Code. Any person, firm, or corporation violating any provision of this Ordinance, upon conviction, shall be punished for each separate offense committed after the initial 30 day abatement period by a fine not exceeding 500 dollars. Each day during which the violation is committed, continued, or permitted shall constitute a separate offense. Any continued failure, refusal or neglect to comply with the requirements of this section shall be prima facie evidence of the fact that a public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, movement, improvement, or conversion of a lighting structure erected, constructed, enlarged, altered, repaired, moved, improved, or converted contrary to the provisions of this Ordinance.

R. Appeals

1. The applicant may appeal any decision of the Planning Director to the Planning Commission by submitting a request within one week of the decision. Such an appeal shall be heard at the first available Planning Commission hearing following the Planning Director's decision. Failure to submit the appeal will make the Planning Director's decision final.

2. Notwithstanding any other provision of this ordinance, at the Metropolitan Council meeting following the decision of the Planning Commission, any member of the Metropolitan Council may introduce an appeal of the decision of the Planning Commission; failure to appeal will make the Planning Commission decision final. If the Metropolitan Council introduces the appeal of the TND, the item shall be heard at the next regularly scheduled Metropolitan Council zoning meeting. Failure to introduce the appeal will make the Planning Commission decision final.
- S. If the applicant fails to submit a final development plan for a portion of the property in a timely manner, the TND designation shall remain, but the TND concept plan shall be resubmitted, reviewed, and approved by the Planning Commission for a three year extension. If the applicant fails to timely submit a final development plan for a portion of the property within three years from the date of the approval of the initial extension, the TND designation shall remain, but the applicant must resubmit the TND concept plan reflecting any changes required to comply with up-dated regulatory requirements for Planning Commission review and approval in a public hearing. No permits for development shall be issued unless or until a new TND concept plan is reviewed and approved.
- T. Relation to Zoning Districts
An approved TND shall be considered to be a separate zoning district in which the concept plan in combination with the final development plan, as approved, establish the restrictions and regulations according to which development shall occur, and may depart from the normal standards and requirements of the other sections of the Unified Development Code to the extent provided herein.

Section 8.4.11 Design Districts

A. Bluebonnet Design District (BDD)

1. Purpose

To provide guidelines for development activity in the Bluebonnet Design District as shown on the official zoning map. The purpose of this district is to strengthen the physical and economic character of the area by mitigating or avoiding functional and architectural incompatibility of buildings or services.

2. Enforcement and Review

a. Change of Use

Any property within this district may not be re-zoned to any classification other than BDD. The Planning Commission staff shall certify compliance prior to issuance of building permits in BDD.

b. Subareas for the District are as below and shown in Appendix G.

(1) Sub Area A1 are Lots 71-B-1, 71-A-1, 70A, 70B, 70C, 69 North, 69 South, 68.

In Sub Area A1 the designated line is 300 feet from the right-of-way line of Bluebonnet Boulevard.

- (2) Sub Area A2 are Lots 73-A-1 and 72-A-1.
In Sub Area A2 the designated line is 300 feet from the right-of-way line of Bluebonnet Boulevard.
- (3) Sub Area B1 are Lots D, E.
- (4) Sub Area B2 are Lots C, 168 C and CP DPW (N).
- (5) Sub Area B3 are Lots 369, 368.
- (6) Sub Area C1 are Lots 315, 314, 320, 316.
In Sub Area C1 the eastern rear designated line of Lot 320 and Lot 316 shall have an eight foot fence.
- (7) Sub Area C2 are Lots 308, 307A, 168C.
 - (a) In Sub Area C2 (Lots 308, 307A, 168C) - The designated line coincides with the eastern property line of Lots 307A and 168C.
 - (b) In Sub Area C2 the designated line coincides with the eastern property line of Lots 307A and 168C.
- (8) Sub Area D are Lots A, B.
- (9) Sub Area E are Lots 19-B, 61A, 61B, 60A, 60B, 59D, and 59C.
In Sub Area E the designated line is 185 feet west of the right-of-way line of Inniswold Road.

3. Buildings

- a. All buildings are limited to a maximum of 6,000 square feet of enclosed area.
- b. All foundations must be built of concrete slab construction on grade.
- c. Storage sheds must be attached to the building and constructed of the same materials as the building. No prefab, freestanding structures will be permitted.

4. Lighting

- a. Lighting mounted on buildings or fences shall be no more than seven feet above the ground.
- b. Pole lighting is allowed in parking areas. Pole lighting is limited to 18 feet in height and must be located no closer than 50 feet of the designated line.
- c. Any external lighting must be oriented inward toward the development or structures to minimize intrusion into surrounding property.

5. Signage

a. Calculations

In no event shall the dimensions of the sign exceed the size limitations based on the zoning classification of a lot set forth generally in the Unified Development Code.

b. Permitted Signs

Only monument signs or wall signs are allowed.

c. Illumination

Signs may be illuminated but may not flash, blink or fluctuate and may not be animated. No internal illumination is allowed.

d. Permanent Signs by Type

(1) Wall Signs

Wall sign or signs shall not exceed a total of eight square feet per primary building entrance. Wall signs are permitted at secondary exits or fire exits but shall not exceed three square feet in size. Wall paintings and graphics, including but not limited to murals and air-brushed or paint sprayed signs, are not permitted. Only one wall sign is permitted in each building entrance. A wall sign must appear within five feet from the entrance of the building.

(2) Detached Signs

Only one monument sign is allowed per curb cut or driveway. A monument sign must not be taller than eight feet and must not exceed 32 square feet of area.

6. Parking

a. Off- Street Parking

(1) All parking lots must have a concrete curb and gutter configuration. "Pin-on" curbs and/or parking blocks are not allowed.

(2) No parking lot is allowed within the ten feet of Bluebonnet Boulevard. All parking must be placed to the side or rear of buildings.

(3) Shared parking areas and driveways are encouraged.

b. Design Standards

(1) In Sub Area B1 access is permitted on Oliphant Road but limited to one driveway.

(2) In Sub Area B2 access is permitted on Oliphant Road but limited to one driveway.

(3) In Sub Area B3 access is permitted only from Gail Drive. No access is permitted from Bluebonnet Road or Bluebonnet Boulevard.

- (4) In Sub Area C1 access is permitted on Gail Drive and Cal Road. No access is permitted from Bluebonnet Boulevard.
- (5) In Sub Area C2 access to the site is permitted from Bluebonnet Boulevard from a right turn only. (No median cut will be permitted). Access is not permitted from Cal Road.
- (6) In Sub Area D no access is permitted from Oliphant Road.

7. Landscape and Trees

a. Landscape Standards

(1) Street Yard Planting Area

- (a) The minimum requirements for the street planting area include one Class “A” tree or three Class “B” trees for every 50 linear feet of public street frontage, or fraction thereof, measured at the property line. Seventy-five (75%) percent of the required trees must be evergreens and may be located anywhere within the street planting area.
- (b) The street planting area will also be planted with shrubs and ground cover plantings to the extent that 40% of the street planting area is planted with vegetation other than turf grass. The street planting area is that area located within the ten foot front yard on Bluebonnet Boulevard. The ten foot street planting must be measured from the street right of way.
- (c) Corner lots with frontage on more than one street must provide a street planting requirement along the entire street frontage.

(2) Buffer Yard Screening

- (a) A solid eight foot wood fence or masonry wall must be installed on the designated line with a minimum 20 foot landscape buffer, or a six foot fence may be installed with a 25 foot landscape buffer except as otherwise provided in this ordinance.
- (b) In Sub Area A2 the landscape buffer encompasses the same 100 foot area as the building setback.
- (c) In Sub Area B1 the required landscape buffer and fence or wall shall be located between the building setback and the designated line.
- (d) In Sub Area B1 along Oliphant Road a 20 foot landscape buffer and a 3½ foot masonry wall shall be located along the designated line.
- (e) In Sub Area B2 a 20 foot landscape buffer and a 3½ foot masonry wall shall be located within the building setback along Oliphant Road.
- (f) In Sub Area B3 a 20 foot landscape buffer shall be located along Gail Drive.

- (g) In Sub Area C1 a 25 foot landscape buffer with six foot fence or 20 feet with an eight foot fence shall be located along Cal Road.
- (h) In Sub Area C1 (except Lot 315) a 20 foot landscape buffer shall be located along Gail Drive.
- (i) In Sub Area C1 the northern boundary of Lot 314 need have only a ten foot landscape buffer.
- (j) In Sub Area C2 a 20 foot landscape buffer shall be constructed along the designated line.
- (k) In Sub Area D a 20 foot landscape buffer with a 3½ foot masonry wall shall be located along Oliphant Road.

(3) Vehicular Use Area

- (a) All parking areas must contain a minimum of one Class “A” tree for each ten parking spaces. No parking places are allowed to be further than 50 feet from a tree.

(b) Service Areas

- i. All air-conditioning condensers will be ground mounted and visually screened.
- ii. Refuse collection must be kept in a dumpster enclosed by a six foot opaque, wood, or masonry fence. Dumpsters may not be located in building setback areas or landscape buffer areas.

b. Tree and Urban Forest Preservation Standards

- (1) A tree removal permit is required for trees that measure ten inches diameter at breast height.
- (2) In Sub Area B1 a tree preservation plan must be submitted as part of any site plan.
- (3) In Sub Area D a tree preservation plan must be submitted as part of any site plan for Lot B.

9. Building Materials

a. Exterior Building Materials - Not Permitted

- (1) No concrete block or metal wall panels are allowed on the exterior wall.
- (2) No vinyl or aluminum siding.

- (3) No pre-engineered metal or concrete buildings are allowed.
- (4) Skylights will not be located on the front elevations of the office. Bubble skylights and solar collectors are not allowed.
- (5) All exposed portions of chimneys must be brick or stucco. Chimney caps are required with no exposed spark arrestors. Chimney materials will be brick, copper, bronze color clad, slate, or flagstone. Stack vents will be painted to match the color of the shingles and must be located at the rear of the unit.

b. Roof Type

- (1) A building's primary roof area shall have a minimum six on 12 pitch. Smaller secondary roof areas may utilize less than a six on 12 pitch.
- (2) The main roof type must be of gable or hip design. Dormers or other architectural features may be included in the main roof design.
- (3) Materials are limited to the following:
 - (a) Architectural asphalt shingles
 - (b) Standard seam copper
 - (c) Slate (or imitation slate)
 - (d) Clay tile

B. Highland Design District (HDD)

1. Purpose

To provide requirements for development activity in the Highland Design District as shown on the official zoning map to strengthen the physical and economic character of the neighborhood by mitigating or avoiding functional and architectural incompatibility of buildings or services. Any property within this district may not be re-zoned to any classification other than HDD.

2. Landscaping and Buffers

a. Buffers Not Required

When an office is constructed on a lot re-zoned to HDD adjacent to an existing residence, a solid 8 foot wood or masonry fence must be installed on the common property line to a point then ten feet past the rear of the proposed improvements. Landscape buffers between interior lot lines within the overlay district will not apply.

- b. Street Planting Areas

A street planting area is required within the 20 foot front yard on Highland Road. The minimum requirements for the street planting area include one Class “A” tree or three Class “B” trees for every 50 linear feet of public street frontage, or fraction thereof, measured at the property line. Seventy-five percent (75%) of the required trees must be evergreens and may be located anywhere within the street planting area. The street planting area will also be planted with shrubs and ground cover plantings to the extent that 40% of the street planting area is planted with vegetation other than turf grass. All landscaping requirements may be met by existing vegetation with approval by City Landscape and Forestry Manager.
- c. Tree Preservation

A tree preservation plan must be submitted as part of any site plan. A tree removal permit is required for trees that measure ten inches dbh or greater.
- 6. Buildings

No more than one primary structure is allowed per lot.
- 7. Parking Areas
 - a. Location

No parking lot shall be allowed within 20 feet of the Highland Road right-of-way. Rear parking areas, where feasible and shared driveways are encouraged.
 - b. Landscaping

All parking areas must contain a minimum of one Class “A” tree for each ten parking spaces. No parking places are allowed to be further than 50 feet from a tree.
- 8. Building Materials
 - a. Primary Structure
 - (1) No concrete block or metal wall panels are allowed on the exterior wall.
 - (2) No pre-engineered metal or concrete buildings are allowed.
 - b. Roofing Materials Permitted
 - (1) Architectural Asphalt Shingles
 - (2) Standard Seam Copper
 - (3) Slate (or imitation slate)
 - (4) Clay Tile

- c. Chimneys
All exposed portions of chimneys must be constructed of the same materials as the building. Chimney caps are required, with no exposed spark arrestors. Stack vents will be painted to match the color of the shingles and must be located at the rear of the unit.
- d. Accessory Buildings
Accessory buildings must be constructed of the same materials as the primary structure.
- e. Utilities
 - (1) All air-conditioning compressors will be roof mounted or screened.
 - (2) Refuse collection for non-residential uses must be kept in a dumpster located at the rear of the building, enclosed by a six foot opaque wood fence or masonry wall. Dumpsters may not be located in any setbacks.
- f. Fences
Any chain link fencing must be coated with black or green vinyl.

9. Lighting

- a. Wall Mounted
Lighting mounted on buildings or fences shall be no more than seven feet above the ground.
- b. Pole Lights
Pole lighting is allowed in parking areas. Pole lighting is limited to 18 feet in height and a maximum of 250 watts per fixture.
- c. Light Orientation
Any external lighting must be oriented inward, toward the development or structures, to minimize intrusion into surrounding property. Lighting levels on the ground within five feet of the property line shall not exceed one foot candle.

10. Signage

Only monument signs or wall signs are allowed. Only one monument sign is allowed per entrance or driveway. One wall sign is permitted at each building entrance. Signs may be illuminated but may not flash, blink or fluctuate; and may not be animated. No internal illumination is allowed.”

Section 8.4.12 Inactive Districts

A. Hi-Rise Apartment (A5)

The purpose of A5 is to permit high-density residential developments with a maximum of 87.1 units per acre. Such developments must be located within designated Downtown, Employment Centers and Regional Centers.

Rezoning of properties to A5 will not be permitted after May 31, 2020.

B. Off-Street Parking (B)

The purpose of B is to permit off-street parking.

Rezoning of properties to B will not be permitted after July 21, 1999.

C. Transition (B1)

The purpose of B1 is to permit office uses on parcels that are located between commercial and residential uses.

Rezoning of properties to B1 will not be permitted after July 21, 1999.

D. Light Commercial (C1)

The purpose of C1 is to permit retail commercial uses serving the surrounding community.

Rezoning of properties to C1 will not be permitted after July 21, 1999.

E. Heavy Commercial (C2)

The purpose of C2 is to permit commercial uses serving the surrounding region.

Rezoning of properties to C2 will not be permitted after July 21, 1999.

F. Commercial Warehousing (CW)

The purpose of CW is to permit businesses that are involved in the distribution and storage of goods. Storage areas are limited to 100,000 gross square feet of area per lot. Commercial Warehousing districts must be located along four lane streets (as shown on the Major Street Plan) or within designated commercial/industrial subdivisions. Assembly for the purpose of permissible uses in CW means putting together pre-manufactured parts that:

A. Are be conducted entirely within constructed buildings;

B. Do not use the open area around such buildings for storage of materials or manufactured products, or for any industrial purpose; and

C. Are not noxious or offensive by reason of emission of smoke, dust, gas, fumes, odors, noise, or vibrations beyond the internal confines of the building.

Rezoning of properties to CW will not be permitted after December 11, 2001.

G. Commercial Warehousing Two (CW2)

The purpose of CW2 is to permit businesses that are involved in the distribution and storage of goods. Storage areas are limited to between 50,001 and 100,000 gross square feet of area per lot. Commercial Warehousing districts must be located along four lane streets (as shown on the Major Street Plan) or within designated commercial/industrial subdivisions. Assembly for the purpose of permissible use in CW2 means putting together pre-manufactured parts that:

A. Are be conducted entirely within constructed buildings;

- B. Do not use the open area around such buildings for storage of materials or manufactured products, or for any industrial purpose; and
- C. Are not noxious or offensive by reason of emission of smoke, dust, gas, fumes, odors, noise, or vibrations beyond the internal confines of the building.

Rezoning of properties to CW2 will not be permitted after May 31, 2020.

H. Government Use (GU)

The purpose of GU is to permit governmental buildings and facilities.

Rezoning of properties to GU will not be permitted after May 31, 2020.

I. Jefferson Highway Design District (JDD)

The purpose of JDD is to provide requirements for development activity in the Jefferson Design Overlay District as shown on the official zoning map. This District is to strengthen the physical and economic character of the neighborhood by mitigating or avoiding functional and architectural incompatibility of buildings or uses.

Rezoning of properties to JDD will not be permitted after August 15, 2018.