

By Council Member Lansing

ORDINANCE NO. 2007-_____

An ordinance amending the Unified Development Code of the City of Central requiring that rezonings sought by a property owner approved only if they are contingent on a specific site plan.

WHEREAS, the City of Central has adopted the City of Baton Rouge/East Baton Rouge Parish Unified Development Code (“UDC”) and zoning map as an interim ordinance to regulate development in the newly incorporated city; and

WHEREAS, pursuant to the UDC much of the land within the City is zoned in a rural or “R” district; and

WHEREAS, many land owners and developers have approached the City seeking a rezoning of property; and

WHEREAS, though the land owners and developers, in seeking the rezonings, have advised the City of their intended use of the property, once rezoned, the property can be developed and used for any permitted use in the zoning district; and

WHEREAS, sometimes the intended use in a zoning district is compatible with the uses and planning of surrounding property, but other uses permitted in a district may not be compatible; and

WHEREAS, the City, while recognizing that it cannot condition a rezoning to a particular use, wishes to protect the health, safety and welfare of the surrounding property owners and the City’s as a whole by conditioning all rezonings sought by property owners and developers on a specific site plan; and

WHEREAS, the requirements set forth in this ordinance are not intended to change the already existing requirement that any non-residentially zoned properties that are eight (8) acres or larger and residentially zoned properties to be developed with more than eight (8) residential units be required to receive approval as a traditional neighborhood development, planned unit development or small planned unit development prior to the issuance of any permits;

WHEREAS, a public hearing was held on August 23, 2007 before the City's Zoning Commission after proper notice to consider amendments to the UDC to address the concerns raised by property rezonings; and

WHEREAS, the Zoning Commission has provided the City Council with a final report recommending that the UDC be amended as set forth herein:

NOW THEREFORE, be it ordained by the Council of the City of Central, State of Louisiana as follows:

Section 1: Section 19.2 of the Unified Development Code is hereby amended adding the following new paragraph C:

The City Council has been presented with and has conditioned the rezoning on a specific site plan. Said site plan shall be the same site plan that was presented to the Zoning Commission for its comment and recommendation or shall have been revised to conform to the Zoning Commission's recommendation. Further, the site plan must include:

1. The location and dimensions of all buildings, parking, free standing signage and open spaces to be located on the property.
2. The location of any and all drainage facilities, including all retention and/or detention areas.

This Ordinance shall become effective on October 1, 2007.

Section 2: Severability. If any provision of this Ordinance, or if the application of the provisions of this Ordinance to a particular property, building or other structure, is declared invalid by any court of competent jurisdiction, the other provisions shall remain in full force and effect.

Passed by the Council this 25th day of September, 2007

Approved by the Mayor this 25th day of September, 2007

/s/ Shelton S. "Mac" Watts
Mayor

/s/ Mark Miley
City Clerk