

## CITY OF CENTRAL

**BY COUNCIL MEMBER DeJOHN**

AN ORDINANCE TO REDESIGNATE CERTAIN PROVISIONS OF CHAPTER 4 OF THE CENTRAL UNIFIED DEVELOPMENT CODE, TO AMEND CHAPTER 4 OF THE DEVELOPMENT CODE AND TO PROVIDE FOR RELATED MATTERS

### **ORDINANCE NO. 2013 -31**

WHEREAS, prior to the incorporation of the City of Central, land use within the area now incorporated as the City of Central was governed by the Unified development Code enacted by the Metropolitan Council for the City of Baton Rouge and Parish of East Baton Rouge (“EBR-UDC”);

WHEREAS, in 2005 the City of Central adopted the EBR-UDC to regulate land use and thereafter adopted the Central Unified Development Code (“Central-UDC”);

WHEREAS, since the adoption of the Central-UDC, the City of Central has held numerous workshops and public meetings to develop a Comprehensive Zoning Code;

WHEREAS, on May 23, 2013, the Central Zoning Commission conducted a public hearing on the proposed Comprehensive Zoning Code and recommended to the Central Council and Mayor, enactment of the Comprehensive Zoning Code; and

WHEREAS, the adoption of the Comprehensive Zoning Code necessitates the re-designation of certain sections of Chapter 4 of the Central-UDC and amendment of certain re-designated sections;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

**Section 1:** Sections 4.10, 4.11 and 4.12 of the Central Unified Development Code are hereby repealed.

**Section 2:** Chapter 4 of the Central Unified Development Code is hereby re-designated as Chapter 4 of the Development Code.

**Section 3:** All references in Chapter 4 of the Central Development Code to “Central Unified Development Code” shall be replaced with “Development Code.”

**Section 4:** Section 4.103 Chapter 4 of the Development Code is hereby amended and reenacted to read as follows:

## **Section 4.103. Requirements for Improvements, Reservations, and Design**

### General Improvements.

1. Conformance to Applicable Rules and Regulations. In addition to the requirements established in these regulations, all subdivision plats shall comply with all applicable laws, rules, and regulations including, but not limited to:
  - a. City of Central zoning regulations, all other applicable ordinances of the City of Central and of the Parish of East Baton Rouge.
  - b. The special requirements of these regulations and any rules of the Parish Health Unit.
  - c. The rules of the State Department of Transportation and Development if the subdivision or any lot contained therein abuts a state highway or connecting street.
  - d. Final Plat approval may be withheld if a subdivision is not in conformity with the above laws, regulations, guidelines, and stipulations set forth by the Planning Commission and the Department of Public Works.
  
2. Adequate Public Facilities

No preliminary plat shall be approved unless the Department of Public Works determines that public facilities will be adequate to support and service the area of the proposed subdivision. Public facilities and services to be examined for adequacy will include roads and public transportation facilities, sewerage and water service, schools, police stations, fire houses, and health clinics.

- a. The Applicant for a preliminary plat must, at the request of the Planning Commission, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities and services by possible uses of said subdivision.
- b. Water. All habitable buildings and buildable lots shall be connected to a public water system capable of supplying water for health and emergency purposes, including adequate fire protection and shall comply with requirements of Chapter 14 of the Development Code.
- c. Sanitary Sewer. All habitable buildings and buildable lots shall be served by an approved means of wastewater collection and treatment as required by Chapter 14 of the Development Code.
- d. Stormwater Management. Drainage improvements shall accommodate potential runoff from the entire upstream drainage area and shall be

designed to prevent increases in downstream flooding. The Department of Public Works may require the use of control methods such as retention or detention, and/or the construction of offsite drainage improvements to mitigate the impacts of the proposed developments. The Applicant shall meet the requirements of Chapter 15 of this Development Code.

- e. Roads. Proposed roads shall provide a safe, convenient, and functional system for vehicular; and pedestrian traffic, and provide bicycle circulation; shall be properly related to the Major Street plan and standard street sections in Appendix J; and shall be appropriate for the particular traffic characteristics of each proposed development and shall meet the requirements of Chapter 13 of the Development Code.

### 3. Character of the Land and Development

Land that the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, adverse earth formations or topography, utility easements, or other features that will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation of the Department of Public Works, to solve the problems created by the unsuitable land conditions.

The subdivider or tract developer or his representative shall confer with the Planning Commission staff regarding the type and character of development that will be permitted in the subdivision and discuss with the Planning Commission staff. To the extent required by the Development Code, deed restrictions or covenants shall be submitted to provide for the proper protection and maintenance of the development. Such deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants. The City of Central does not enforce private deed restrictions. A copy of such restrictions shall accompany the plat for final approval.

### 4. Lot Improvements

- a. Lot Arrangement. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Development Code and health regulations of East Baton Rouge Parish.
- b. Lot Dimensions. Lot dimensions shall comply with the minimum standards of the zoning regulations and comply with Appendix F.

- c. Lot Orientation. The lot line common to the street or servitude of access right-of-way shall be the front line or frontage. Lots may be rear loaded and front common green open space. The lot width (frontage) of any or portion of a lot having frontage on a cul-de-sac or flares at right angle street corners may be measured at the building line. All side lines of lots shall be at right angles to straight street lines or radial to curved street lines, unless, a variation to this rule will give a better street and lot plan. Corner lots shall have extra width of a least 20% percent to permit establishment of greater building lines on the side of the lots adjoining the side street. Lots on major street intersections and at all acute angle intersections, which in the opinion of the Planning Commission are likely to be dangerous to the traffic movement, shall have a radius of 20 feet at the street corner. Where grade separation structures are proposed at the intersection of major streets, the lots, and improvements in the subdivision shall be arranged so as to make adequate provision for such structures.
- d. Site or tract developments, as defined above, are subject to lot development standards.
- e. On lots or tracts with access to the Wastewater Suburban Transportation Network as determined by the Department of Public Works, the minimum width of lots and minimum area shall conform to the Development Code.
- f. On lots or tracts without access to the Wastewater Suburban Transportation Network as determined by the Department of Public Works, the minimum lot width area and/or depth shall be as follows:
  - i. Subdivisions having five lots or less shall have lots containing 22,500 square feet or more and with a width (frontage) of at least 100 feet may have effluent from an approved private sewage disposal (treatment) system draining to open effluent ditches, provided such open effluent ditches are predominant in the area and are at least 24 inches deeper than the grade at the building site. Sufficient grade elevations, to adequately determine meeting of this requirement and statement by the engineer certifying that open effluent ditches are predominant in the area, are required on the plat and shall be approved by the Parish Health Unit along with a vicinity map at a scale of 500 feet to the inch showing the subject property and any existing buildings, streets and drainage channels within at least 1,000 feet in all directions from the subject property.
  - ii. Subdivisions having between five and seven lots shall have lots with a minimum of 250 feet of width and minimum depth of 300 feet may have effluent from an approved sewage disposal

(treatment) system draining to open drainage ditches, provided such open drainage ditches are at least 24 inches deeper than the grade at the building site. Sufficient grade elevations to adequately determine meeting of this requirement shall be shown on the plat and shall be approved by the Parish Health Unit along with a vicinity map at a scale of 500 feet to the inch showing the subject property and any existing buildings, streets, and drainage channels within at least 1,000 feet in all directions from the subject property. None of these lots may be further subdivided unless treatment and disposal are provided for all lots.

5. Access to Lots

Driveways or curb-cuts shall be approved by the Planning Commission staff and Department of Public Works in the proposed subdivision by the following criteria:

- a. On lots having a frontage of 50 feet or less, only one combined entrance-exit shall be permitted. On lots having a frontage in excess of 50 feet but less than 200 feet, there shall be no more than two combined entrance-exits. On property having frontage on publicly maintained streets and roadways in excess of 200 feet, additional drives may be permitted only when traffic generated by the use warrants the additional drives and the design has been approved by the Central Department of Public Works.
- b. Shared access is encouraged whenever possible.
- c. Access to residential lots with frontage on two or more roadways shall be limited to one access from the lower functional roadway.
- d. Access to nonresidential lots with frontage on two or more roadways shall be limited to one access point per roadway.
- e. A subdivider seeking a driveway or curb-cut on a roadway maintained by the State or City-Parish shall obtain all required approvals from the entity responsible for maintenance of the roadway.

6. Blocks

- a. No blocks shall be longer than 1,500 feet between intersecting street centerlines. For blocks over 750 feet in length, the Planning Commission shall require signs and crosswalks in accordance with the Manual on Uniform Traffic Control Devices near the center of the block with a minimum right-of-way width of ten feet where the nearest portion of the block is within 1,500 feet of an existing school, playground, shopping center, transportation, and other community facilities.

- b. Where it is desired to subdivide a tract of land which because of its size or location does not permit an alignment directly related to a normal street arrangement, there may be established one or more "places." Such a "place" may be in the form of a court, streets with a cul-de-sac, or other arrangement provided, however, that proper access shall be given to all lots from a dedicated street or court. A turning circle or a "T-turnaround" as described in Section 13.2(d) of the Development Code shall be required at the end of dead-end streets which provide access to subdivided lots when the dead-end streets exceed 250 feet or the width of two abutting lots.
- c. Development of sites or tracts is subject to the block length standards and alignment of streets or drives in relation to adjacent streets.

7. Roads

- a. General Requirements
  - i. Frontage on Improved Roads. No subdivision shall be approved unless the area to be subdivided shall have frontage on an existing, proposed street or approved private servitude of access.
  - ii. No lots may be subdivided on private streets or roads or on unimproved rights-of-way unless such streets, roads or rights-of-way are first improved to the standards in Chapter 13 of the Development Code.
- b. Location of new streets in relation to existing and proposed streets
  - i. The arrangement of new streets in new subdivisions and in new site or tract developments shall make provision for the continuation of the principal existing streets in adjoining areas in so far as it may be deemed necessary by the Planning Commission for public requirements. Streets shall be extended to the boundary of the subdivision to provide access to undeveloped areas for future use and public safety. The street and alley arrangements must also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access. In general, provisions should be made for through streets at intervals of approximately one-half mile or less and offset streets avoided. In cases where the subdivision includes or adjoins an existing street of less width than the minimum widths established herein, and the Department of Public Works determines that the subdivision creates a need for additional right-of-way, the Planning Commission may require the dedication

of sufficient right-of-way width to conform to the standards set forth in Chapter 13 of the Development Code.

- ii. Rectilinear street layouts are generally preferred with occasional diagonal elements to enhance visual interest although curvilinear layouts shall be acceptable when designed to interconnect and to produce terminal vistas of protected open space or prominent structures.
- iii. Streets shall be interconnected as far as practicable and may also be supplemented with back lanes or alleys.
- iv. Streets shall be located and oriented to take advantage of views of open space and common areas.

#### 8. Utilities

Certain locations within the street right-of-way and servitudes shall be designated for the construction of subsurface drainage, sanitary sewers, and public facilities to minimize conflicts and facilitate the construction, maintenance, and operation of these various facilities in accordance with typical sections as published by the Department of Public Works showing space allocations for utilities in new subdivision development.

**Section 5:** The introductory paragraphs of Section 4.6 of the Development Code are hereby amended and reenacted to read as follows:

#### **Section 4.6. Final Plats**

The final plat shall be drawn in ink to a scale of one inch equals one hundred feet on tracing cloth or polyester base film in one or more sheets whose dimensions are 24 inches by 36 inches. For subdivisions without improvements, and for subdivisions of five lots or less, sheet size shall be eight and one-half inches by eleven inches or multiples thereof. Where the subdivision area is of unusual size or shape, the Planning Commission may permit a variation in the scale or size of the final plat. If more than two sheets are required, an index of the same dimensions shall be filed showing the entire subdivision on one sheet.

\* \* \*

**Section 6:** The Introductory paragraph of Section 4.8 of the Development Code is hereby amended and reenacted to read as follows:

#### **Section 4.8. Cluster Subdivision**

Cluster Subdivision is a single family detached residential development with less than 15 residential units that permits lots with dimensions, frontages and setbacks reduced from

conventional lot sizes, provided the density of the tract as a whole shall not be greater than the density allowed by the underlying zoning district to which the property is subject and the remaining land area is reserved for common open space. Flexibility, good design, and layout for development of the land are encouraged to promote the preservation of historical and archeological sites, wetlands and environmentally sensitive areas, and natural features of the land.

**Section 7:** Section 4.9 of the Development Code is hereby amended and reenacted to read as follows:

**Section 4.9. Townhouse Subdivision**

The Planning Commission may approve townhouse subdivisions in the R-3 zoning districts under the following conditions:

1. Townhouses. Single-family attached dwellings on individual lots for sale may be served by servitudes of access and providing common open spaces in lieu of typical single-family yards.
2. Site plan and design criteria:
  - a. Not more than six contiguous townhouses shall be built in a row with the same or approximately the same front building line. More than 15 townhouses shall only be developed as a PUD or TND.
  - b. Separation requirements. No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than 20 feet to any portion of a town house or accessory structure related to another group, or to any building outside the townhouse area, nor shall any structure be less than 20 feet from a public street.
  - c. Yards. There shall be a 25 foot yard along sides and rear of each townhouse site wherever it adjoins an R-1 or R-2 zoning district. Each townhouse shall have its own lot yard space of at least 400 square feet, reasonably secluded from view from streets or from neighboring property. Such yard shall not be used for off-street parking or for an accessory building.
  - d. Grouped parking facilities. Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks. Practicable methods of drainage shall be assured by developers in connection with common parking facilities, and all such facilities shall be improved to City of Central standards for off-street parking areas, with at least two spaces per unit on the lot plus one visitor parking space per each two units, which may be provided in separate areas.

3. Sewerage, water supply and drainage shall be designed and constructed under the supervision of a licensed professional engineer, and approved by the Parish Health Unit and the Department of Public Works as provided under Sections 14.3 and 15.20 of the Development Code except that connection to sanitary sewers shall be the only permitted method of sewage disposal.
4. Drives, parking, and utilities. Design and construction of drives, and drainage and location of utilities shall be subject to review and approval by the Department of Public Works after approval of the preliminary plan by the Planning Commission Office.
  - a. Lots may front on driveways with access to a public street by means of a private servitude of access, provided that driveways extending more than 300 feet from a public street provide adequate turning and maneuvering area. All other requirements for public streets and servitudes as set forth in Chapters 2 and 13 of the Development Code shall apply.
  - b. Interior access drives shall be at least six inches soil cement base with one and one-half inches asphaltic concrete wearing surface or better, at least 22 feet wide, with adequate drainage.
  - c. Parking areas shall be at least 65 feet wide where parking or carports are on both sides of a common drive, or at least 42 feet wide where there is parking on one side only; except where diagonal parking is to be provided, parking areas shall be at least 57 feet wide for parking on both sides or 36 feet for parking on one side.
  - d. Before approval of the final subdivision plats, restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas and other open space, with provision for perpetual maintenance of all improvements as described in the maintenance covenant including pavements, landscaping, utilities and services. Restrictions shall clearly indicate that the City of Central will not accept any maintenance responsibility for drives and parking spaces.
  - e. Where a property extends more than 400 feet from a public street, additional fire hydrants shall be provided as required by the fire chief.
  - f. There shall be an eight foot high wall or solid fence along the sides and rear of the Townhouse Subdivision wherever it adjoins all subdivisions.
5. The minimum lot width shall be 20 feet and minimum lot area 1,440 square feet except for the townhouse zoning district.
6. Townhouse Subdivision in the R-3 Zoning District.

- a. Site Plan and Design Criteria, General. It is the intent that townhouses in R-3:
    - i. May be appropriately intermingled with other types of housing but shall not be located on lots with less than 120 feet of frontage.
    - ii. Shall constitute groupings making efficient, economical, comfortable, and convenient use of land and open space and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.
  - b. Site Plan and Design Criteria, Details. In line with the general considerations above:
    - i. Minimum width for the portion of the lot on which the town house is to be constructed shall be 20 feet.
    - ii. Minimum lot area shall be 2,000 square feet.
  - c. Courts, Open Space, and Recreation Areas: There shall be a site area of at least 3,800 square feet per dwelling unit including lots, common open space, yards and buffer area adequately landscaped, walkways, and access drives, and including at least 200 square feet per dwelling unit of recreation space.
  - d. Utilities and Landscaping: As provided by the Development Code, design and construction of drives, stormwater management facilities, and location of utilities shall be subject to review and approval by the Department of Public Works, after approval of the preliminary plan by the Planning Commission Office.
7. Servitudes in favor of the lots shall be provided at the front or rear of lots in the required front or rear yards for off-street parking and utilities, but entrances to front yard parking areas shall be not less than 50 feet apart, unless an individual space is provided for each lot. Parking spaces and drives shall have permanent dust-free surfacing.

**Section 8. Conflicts.** This Ordinance shall supersede any and all other ordinances in conflict with this Ordinance.

**Section 9. Severability.** If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

**Section 10. Effective Date.** This Ordinance shall be effective on January 1, 2014.

Introduced on October 22, 2013.

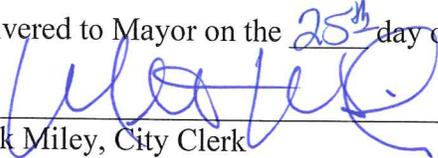
This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: DeJohn, LoBue, Messina, Moak, and Washington  
Against: None  
Absent: None

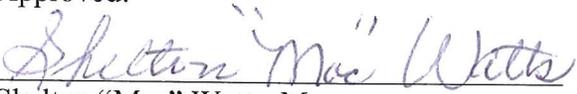
Adopted the 12<sup>th</sup> day of November, 2013.

Signed the 25<sup>th</sup> day of November, 2013.

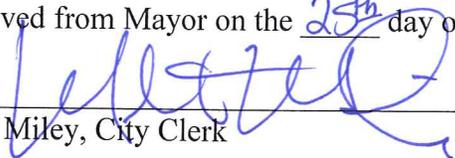
Delivered to Mayor on the 25<sup>th</sup> day of November, 2013:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:

  
\_\_\_\_\_  
Shelton "Mac" Watts, Mayor

Received from Mayor on the 25<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 6<sup>th</sup> day of December, 2013.