

**BY COUNCIL MEMBER LOBUE**

**ORDINANCE NO. 2014-14**

TO AMEND AND REENACT THE COMPREHENSIVE ZONING CODE TO ENLARGE THE AREA FOR NOTICE OF ZONING CHANGES, TO INCREASE THE SETBACK FROM CERTAIN STREETS FOR ADULT USES, AND TO PROVIDE FOR RELATED MATTERS

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

**Section 1:** Sections 13.9(B) and (C) of Chapter 13 are hereby amended and reenacted to read as follows:

**Section 13.9 Notice Requirements**

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**B. Mailed Notice.** Each application for a Variation, Conditional Use or Amendment shall also provide notice of the required public hearing by U.S. mail, sent not less than 20 days in advance of the hearing, to the Commission staff and all owners of real property, within 500 feet of the boundaries of the land upon which a zoning application is requested. The Applicant shall provide the Commission staff with proof of the required mailing (consisting of a Certificate of Mailing from the U.S. Postal Service or delivery receipt) for each notice at least two days prior to the public hearing. The failure to timely provide this proof shall cause the application to be deemed incomplete and prevent the Zoning Commission from considering the application. For the purpose of notice requirements to property owners, the names and addresses of such owners shall be deemed to be those on record in the East Baton Rouge Parish Assessor's records. Failure of owners to receive this mailed notice shall in no way not affect the validity of any action taken at the hearing.

**C. Public Participation Program.** In addition to the requirements of paragraphs A and B above, Applicants for approval of a Planned Unit Development ("PUD"), including a Traditional Neighborhood Development ("TND") shall complete the two-part Public Participation Program outlined herein to enhance dialogue between Applicants and individuals which could be impacted by the proposed development prior to the public hearing.

1. Part One of the process is the filing of a plan on the Public Participation Form (Form A) simultaneously with the application requesting approval of a PUD preliminary plat. The Public Participation Plan shall include the following:

- a. Identification of all property owners within 500 feet of the site and area homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the Applicant and the City staff at the time of the pre-application conference.
- b. Explanation of how the interested parties will be informed of the proposed development. If notice to property owners within 500 feet required by this Section will be performed by mail, the notice required in Subsection B of this Section can be included with this notice provided the proof of mailing required by Subsection B of this Section is provided.

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**Section 2:** Section 19.1(3) of Chapter 19 is hereby amended and reenacted to read as follows:

**Section 19.1 Adult Uses**

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- 3. **Location.** Adult uses may be located in B-3, B-4, B-5 and O, R & D districts (unless such property is planned for residential or low density B-1 and B-2 commercial uses) provided that no adult uses shall be located within 1,000 feet of any property zoned, used or planned for residences, churches, schools, parks or another adult use. Further, no adult use shall be permitted to operate within 500 feet of the centerline of Greenwell Springs, Hooper, Joor, Sullivan, Wax/Magnolia Bridge Roads or Central Thruway.

\* \* \*

**Section 3: Conflicts.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 4: 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 5: Effective Date.** This Ordinance shall be effective on July 1, 2014.

Approved by the Zoning Commission on May 22, 2014.

Introduced on June 10, 2014.

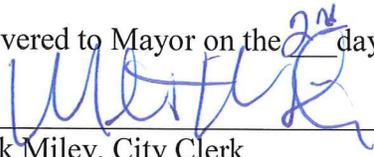
This Ordinance having been submitted to a vote, the vote thereon was as follows:

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

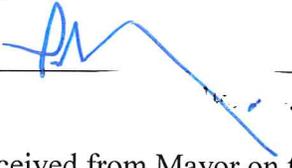
Adopted the 24<sup>th</sup> day of June, 2014.

Signed the 27<sup>th</sup> day of June, 2014.

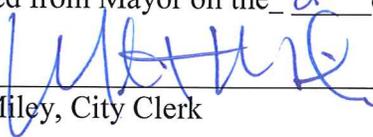
Delivered to Mayor on the 2<sup>nd</sup> day of July, 2014:

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

Approved:

  
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Received from Mayor on the 2<sup>nd</sup> day of July, 2014:

  
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Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 11<sup>th</sup> day of July, 2014.