

AMENDING TITLE 7 (UNIFIED DEVELOPMENT CODE), CHAPTER 10 (SUPPLEMENTARY USES) OF THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE, SO AS TO AMEND AND RE-ENACT CHAPTER 10 IN ITS ENTIRETY, RELATIVE TO THE GOVERNMENT STREET URBAN DESIGN OVERLAY DISTRICT.

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

Section 1. Title 7, Chapter 10, of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended and re-enacted in its entirety, which shall read as follows:

"Section 10.107 Government Street Urban Design Overlay District.

A. Purpose.

To provide guidelines for development activity in the designated area as shown in Appendix G along Government Street from Interstate 110 to Jefferson Highway and along Jefferson Highway from Government Street to Claycut Road and to strengthen the physical and economic character of the corridor by promoting and encouraging consistency in the quality of design.

The district boundaries as set forth in this section may be altered only with the affirmative vote of two thirds (2/3) of the members of the Metropolitan Council voting at a meeting in which a quorum is present. The Planning Commission staff shall certify compliance with Government Street Urban Design Overlay District (Government Street UDOD) prior to the issuance of a building permit.

B. Scope.

Any Development within Government Street UDOD, shall comply with the Unified Development Code requirements imposed based on the zoning classification of the lot upon which the building or other improvement or signage is constructed or reconstructed and in addition shall comply with the additional requirements set forth in this section. In addition, any Development within this district, with the exception of Small Planned Unit Developments, Planned Unit Developments and Traditional Neighborhood Developments

(SPUDs, PUDs and TNDs) shall comply with the additional requirements set forth in this Ordinance.

Waivers of SPUD, PUD and TND Common/Open Space requirements may be granted by recommendation by the Standards Committee to the Planning Commission and Metropolitan Council.

C. Government Street UDOD Standards Committee.

A committee shall be established to oversee the implementation of this section. The committee shall include the City-Parish Planning Director, the Zoning Enforcement Chief, District 61 State Representative, District 7 Councilmember, District 10 Councilmember, District 11 Councilmember, a representative from Mid City Redevelopment Alliance and two (2) representatives from Mid City Merchants Association.

D. Permitted Uses.

Any lot within the Government Street UDOD may be used for those uses allowed under its zoning classification.

E. Definitions.

"Building Setback" is defined as the distance between the location of a building and the property line.

"Courtyard" is defined as an outdoor space which is partly enclosed by buildings or walls that is used for dining, entertainment or seating.

"District Boundary" is defined as the boundary of the Government Street UDOD and shown in Appendix G.

"Development" is defined as any new construction, expansion, reconstruction, or renovation which requires the issuance of a building permit and involves forty (40%) percent or more of an existing building or structure. A renovation, expansion or reconstruction shall be calculated based upon the gross square footage under the roof.

"Front Yard Setback" is defined as the distance between the location of a building and the Front Lot Line.

"Street Yard Planting Area" defined in UDC Chapter 18 as the unpaved area of land located between the property line and any building designated for the preservation and placement of plant materials along all property lines that border a public street.

"Top Plate Height" is defined as the top

edge of the highest wall assembly or that point where the eave becomes the roof.

Any other term used herein and not otherwise defined shall have the same meaning as given that term in the Unified Development Code.

F. Landscaping.

Any Development with an existing Building Setback of twenty feet (20') or more shall include a ten foot (10') Street Yard Planting Area within the Front Yard Setback. The minimum requirements for the Street Yard Planting Area shall include one (1) Class "A" tree or three (3) Class "B" trees for every forty (40) linear feet of public street frontage, or fraction thereof, measured at the property line.

The Street Yard Planting Area shall also include:

Shrubs and ground cover plantings to the extent that forty percent (40%) of the street planting area is planted with vegetation other than turf grass.

Hardscape elements such as courtyards, plazas, planters, benches, fountains and tables, in addition to the required trees may be included.

A combination of both landscape and hardscape elements is encouraged.

Corner lots with frontage on more than one street must provide a Street Yard Planting Area along the entire frontage of both streets.

Any Development containing twenty-five (25) or more parking spaces shall contain a minimum of two (2) Class "A" trees or four (4) Class "B" trees for every 15 parking spaces, or fraction thereof.

All parking areas shall be required to have a minimum of ten percent (10%) of the total Vehicular Use Area landscaped with trees, shrubs and ground cover other than turf grass.

Any Development containing twenty-five (25) or more parking spaces shall include sunken parking islands with curb cuts or drains that would allow channelization of stormwater to vegetation planted within the island.

Any commercial Development that abuts a lot with residential zoning or residential existing land use must contain a minimum twelve (12') foot wide Bufferyard and the minimum planting as required for a twenty foot (20') Bufferyard Type B. Seventy-five percent

(75%) of the required trees in the Bufferyard must be evergreen.

Parking areas that abut a residential lot must include a solid eight-foot (8') fence, constructed with allowable materials, for screening. A fence permit that is in compliance with Section 9.3 must be obtained from the Department of Public Works Inspection Division.

Where gas fueling bays or any portion of a Vehicular Use Area front directly on Government Street, a screen of evergreen plantings shall be provided. The screen shall be a minimum height of two feet (2'), a maximum height of three feet (3') and shall be placed within the Street Yard Planting Area (minimum width of ten feet (10')).

Unless otherwise provided, allowable materials for fences and walls include: natural and man-made stone, brick, aluminum, architectural concrete, or wood. Fencing made of barbed wire, razor wire, plastic, chain link, or vinyl clad chain link is prohibited.

Landscaping must be maintained according to the plan that was approved as part of the Building Permit process.

G. Parking Areas

For all new buildings, parking areas must be located at the rear or side of the primary building or structure unless physical constraints of lot size make this request impossible as determined by the Planning Director. The main entrance must be visually and physically accessible from the public sidewalk and street.

On corner lots, no parking areas may be located between the building or the two (2) front property lines.

Alternative Porous Pavement must be utilized for parking spaces over the required number of parking spaces for that Development. Alternative Porous Pavement must also be utilized for parking on lots that abut Wards Creek or Dawson Creek. The use of porous pavement is encouraged throughout the parking areas. Use of vegetated swales and small constructed wetlands to slow and cleanse stormwater runoff are strongly encouraged.

Rooftop parking is encouraged and should be utilized if possible.

Shared drive-ways and parking areas are encouraged to minimize the number of curb cuts along Government Street.

Cross access easements between parking lots are encouraged in site plan review.

Subdivided properties shall utilize shared parking and shared street entrances, which shall be shown on the final plat.

The Planning Director may grant a parking reduction up to 25% of the required number of spaces, whenever development are for a high density use such as multi-family projects of less than seventy-five (75) units, commercial recreation facilities with land area containing more than one-half acre, offices, shops, stores, or other commercial uses with a building or buildings containing less than thirty thousand (30,000) square feet, or an addition to an existing structure(s) in which the increase in aggregate floor area less than thirty thousand (30,000) square feet and is less than twenty (20) percent.

Parking reductions for multi-family developments greater than seventy-five (75) units or commercial or office uses with a building or buildings containing more than thirty thousand (30,000) square feet, or an addition to an existing structure(s) in which the increase in aggregate floor area greater than thirty thousand (30,000) square feet is greater than twenty (20) percent must be granted by the Planning Commission.

H. Service Areas

All service areas in Government Street UDOD must comply with Section 18.3.

I. Lighting.

All lighting in Government Street UDOD must comply with the Chapter 14 Utilities within one (1) year of (date of passage).

J. Signage.

1. Except as provided below, and subject to the general requirements of the Unified Development Code only Monument Signs, Wall Signs, Canopy signs, Awning Signs and Projecting Signs are allowed in the Government Street UDOD.

2. All existing signs in use in an active trade or business as of (date of passage) are allowed, and such signs are exempt from the limitations of the Government Street UDOD. If there are any modifications to the non-conforming sign in any way or any change in use of the building or property, the non-conforming sign must be brought

into compliance with the new sign regulations contained in the Government Street UDOD. All existing signs not in use as part of an active trade or business as of (date of passage) must comply with the new sign regulations.

3. Wall signs cannot exceed 36 square feet in sign area.
4. Canopy, awning and projecting signs are not to exceed twelve (12') feet in length.
5. One monument sign is allowed per Frontage.
6. Developments with fifty (50') feet or less of Frontage may only utilize wall, canopy, awning or projecting signs. All signs must be attached to the building.
7. Developments with fifty (50') or less of Frontage with a building setback of at least thirty (30') feet may utilize a monument sign not to exceed six (6') feet in height.
8. Developments with more than fifty (50') feet and less than two hundred (200') feet of Frontage may utilize a monument sign not to exceed six (6') feet in height and 36 square feet per face.
9. Developments with more than two hundred (200') feet of Frontage may utilize a monument sign not to exceed ten (10') feet in height and one hundred (100') square feet per face.
10. Pole signs not specifically allowed in Section J.2 of this section, off-premise signs, changeable letter signs (except as part of an identification sign), and flagging are prohibited.
11. Temporary signs are allowed in accordance with Section 16.12, Temporary Signs, of the Unified Development Code.
12. Signs may not flash, blink or fluctuate; and may not be animated.
13. No off-premises signs are allowed.
14. All abandoned signs within the Government Street UDOD must be removed or comply with the sign regulations in this section and Chapter 16 Signs within three (3) years of (date of passage).

K. Building Orientation And Siting

1. Scale and Façade

For new buildings or additions to existing buildings, facades shall incorporate recesses and projections along at least thirty (30%) percent of the length of the façade facing a public street.

In order to promote pedestrian traffic, windows, awnings and arcades shall total at least sixty (60%) percent of the façade length facing a public street.

2. Placement

New buildings shall be set back not less than ten (10') nor more than fifteen (15') feet from the front lot line. Building may be set back foot for foot up to thirty (30') feet to accommodate a courtyard.

3. Height

The maximum Top Plate Height of any new building in the District Boundary shall be forty (40') feet.

4. Materials

Pre-engineered metal panels shall not exceed twenty (20%) percent of the exterior of any building.

L. Transportation and Design Elements

1. Adequate and safe sidewalks and areas of pedestrian circulation from street and parking areas shall be provided. The sidewalks and circulation areas must be a minimum of five (5') feet in width and distinguished from vehicle use areas by using colored pavement, brick, alternative pavements and/or landscaping.

2. One bicycle parking space for every twenty (20) motor vehicle parking spaces or a rack(s) that will hold ten (10) bicycles (permanently anchored) shall be provided. The bicycle rack(s) must be visually and physically accessible from the public sidewalk and street.

3. Developments with more than four hundred (400') feet of Frontage at designated CATS bus stops may construct a bus shelter which is architecturally compatible with the primary building and may be eligible for a credit against traffic impact fees as determined by the Department of Public Works."

Section 2. The provisions of this ordinance are declared

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

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.