

Section 10.114 Urban Design Overlay District Nine – Highland Road

A. Purpose

To provide guidelines for development activity within the Highland Road Urban Design Overlay District Nine (District) as designated in Appendix G; includes lots bordering Highland Road from the intersection of Parker Boulevard to the intersection of Perkins Road; and includes seven (7) subareas at the LSU South Gates, and the intersections of Lee Drive, Kenilworth Parkway, Staring Lane, Bluebonnet Boulevard, Siegen Lane, and Perkins Road. This district is intended to strengthen the physical and economic character of the neighborhood by mitigating or avoiding incompatibility of buildings or services.

B. Applicability

Except as noted below, any new development, construction, renovation, expansion or reconstruction within the district boundaries shall comply with the Unified Development Code (UDC) requirements imposed based on the zoning classification of the lot upon which the building or other improvement is constructed or reconstructed and shall also comply with the additional requirements set forth herein.

1. **New Development.** All development shall comply with this ordinance; including requirements in the subareas.
2. **Existing Development.** Any development, structure, and/or parking lot existing prior to adoption of this section may remain.
3. **Change of permitted use.** Non-conforming structures utilized by a single business which are not a part of a Development with multiple land uses, such as a shopping center, and which were in existence prior to the adoption of this section, shall conform to the requirements of the District prior to issuance of an occupancy permit for any change of use.
4. **Additions.** Any addition and/or structural alteration of structures and/or parking lots resulting in a thirty (30) percent or more increase of gross square footage under roof shall conform to the requirements of the District.
5. **Renovations and Redevelopment.** Developments and other structures existing at the time of creation of the District shall conform with District requirements when one (1) or more renovations and/or structural alterations to any existing structure or parking lot involves thirty (30) percent or more of the gross floor area under roof.
6. **Subareas.** Seven (7) Subareas are as shown in Appendix G, including lots at the LSU South Gates, and the intersections of Lee Drive, Kenilworth Parkway, Staring Lane, Bluebonnet Boulevard, Siegen Lane, and Perkins Road. Provisions in subareas will apply to conditions in the main ordinance, in addition to more stringent requirements in the Subareas.

C. Dimensional Regulations

1. Permitted Heights

a. In Sub Areas 5 and 6

(i) The maximum building height is two (2) stories high, or forty-five (45) feet.

2. Yard Requirements

a. In Sub Area 1 and Sub Area 2

(i) Minimum front yard shall be ten (10) feet with a maximum of twenty (20) feet.

b. In Sub Areas 5 and 6

(i) Maximum front yard shall be thirty (30) feet with a minimum of twenty (20) feet.

c. In Sub Areas 3, 4, 5, 6, and 7

(i) Minimum front yard shall be twenty (20) feet.

3. Geometric Standards for Development

a. Lots

(i) Group Development

1. Group Development. Group Development shall include a unified site design for the entire Development site and shall meet the District regulations and as follows:

a. (i) District standards and regulations shall be applied to the Group Development site perimeter boundary lines.

b. (ii) All lots within the Group Development site shall be bound together as a Group Development either by resubdivision, cross dedication, servitude, or an instrument approved by the Parish Attorney as to form and legality and recorded in the Office of the Clerk of the Parish of East Baton Rouge.

c. (iii) No more than one (1) detached sign per frontage is allowed per Group Development.

D. Utilities

1. Lighting

a. In all Sub Areas

- (i) Walkways shall be illuminated and not exceed one-half (0.5) foot candles at grade. The mounting height of these light fixtures shall not exceed twelve (12) feet.
- (ii) Flood lighting of building exteriors shall be prohibited.

E. Streets and Sidewalks

1. Street and Alley Right of Ways

a. Curb Cuts

(i) In all Sub Areas

- 1. Curb cuts should be minimized along Highland Road.
- 2. Group Developments shall have one curb cut per street frontage. Said curb cuts shall be no more than twenty-four (24) feet wide.
- 3. Curb cuts shall not be located within fifty (50) feet from another curb cut. Lots are encouraged to share curb cuts with other Lots.

2. Sidewalks

a. In all Sub Areas

- (i) All new developments shall provide a six (6) foot wide sidewalk with at least a six (6) foot green area setback from the road edge. Said sidewalks shall meet the Americans with Disabilities Act (ADA) requirements. Sidewalks must be located within the street yard planting area and connect with adjacent sidewalks, if adjacent sidewalks exist.
- (ii) All sidewalks within the Development shall be constructed according to the American Disability Act requirements.
- (iii) Businesses shall provide adequate and safe pedestrian circulation from the main doorway to the sidewalk in the Front Yard.
- (iv) Movable Street Furniture is allowed, and encouraged, on sidewalks for outdoor dining and shall not count as total square footage for parking requirements.
 - 1. Four (4) feet of sidewalk width shall be clear from obstructions by movable Street Furniture.

3. Transit

a. In Sub Areas 1, 2, 3, 4, 5, and 6

- (i) In Sub Area 1 parking requirements may be reduced by five (5) percent in order to support transit and other alternative transportation; or
- (ii) In Sub Area 1 parking requirements may be reduced seven (7) percent if a property is located at a designated CATS bus stop and installs a bus stop, a bus stop sign, and a bus stop schedule at the designated bus stop. The materials installed shall be approved by CATS before installation and be maintained by the property owner; or
- (iii) In Sub Area 1 parking requirements may be reduced ten (10) percent if a property is located at a designated CATS bus stop and installs a bus shelter, bus stop sign, and a bus stop schedule at a designated bus stop. The materials installed shall be approved by CATS before installation and be maintained by the property owner.

b. In Sub Area 7

- (i) Parking requirements may be reduced three (3) percent if a property is located at a designate CATS bus stop and installs a bus stop, a bus stop sign, and a bus stop schedule at the designated bus stop. The materials installed shall be approved by CATS before installation and maintained by the property owner; or
- (ii) Parking requirements may be reduced five (5) percent if a property is located at a designated CATS bus stop and installs a bus shelter, bus stop sign, and a bus stop schedule at a designated bus stop. The materials installed shall be approved by CATS before installation and maintained by the property owner.

F. Signs

1. Abandoned

a. In the District

- (i) All existing signs and supporting structures not in use as part of an active trade or business within thirty (30) days of [PASSAGE DATE] must comply with the sign regulations put forth in Chapter 16 of the UDC.

2. Non-Conforming Signs

a. In the District

- (i) All provisions in this section (Signs) shall be brought into compliance within two (2) year of [PASSAGE DATE].
- (ii) Any modifications to a non-conforming sign, renovations to the building or property, change in use of the building or property, or damage to existing signs, the non-conforming sign must be brought into compliance.

3. Maintenance

a. In the District

- (i) All signs shall be maintained in accordance with Chapter 16.8 of the UDC.

4. Allowed Signs

a. In Sub Area 1 and 2

- (i) Only one (1) monument sign, wall sign, and projecting sign are allowed per business.
- (ii) For Group Developments, one (1) monument sign shall be used for the entire development.

b. In Sub Area 3, 4, 5, 6, and 7

- (i) Only one (1) monument sign, wall sign, and projecting sign are allowed per business.
 - 1. One (1) monument sign is allowed for each street frontage.
- (ii) For Group Developments, one (1) monument sign shall be used for the entire development.
 - 1. One (1) pylon sign may be substituted for a monument sign in.
 - 2. One (1) pylon or monument sign is allowed for each street frontage.

5. Illumination

a. In the District

- (i) Liquid Crystal Display (LCD), Light Emitting Diodes (LED), Plasma, or any other computer controlled electronic message signs are not allowed.
- (ii) Neon signs are not allowed.
- (iii) A sign may not be illuminated from inside and may not flash, blink, fluctuate, or be animated.

6. Permanent On-Premise Signs By Type

a. Detached Signs

(i) Monument Signs

1. In all Sub Areas

- a. Monument signs may be located within the Street Yard Planting area given all requirements of this ordinance, and is not located within the Site Triangle.
- b. One monument sign is allowed per street frontage. Monument signs may not exceed six (6) feet in height and five (5) feet width.

(ii) Pylon Signs

1. In Sub Area 3, 4, 5, and 6

- a. Pylon Signs shall only be used by Group Developments.
- b. Only one (1) pylon sign is allowed per each Group Development.
- c. Pylon signs shall not exceed sixteen (16) feet.
- d. Pylon sign face shall not exceed fifty (50) square feet.

2. In Sub Area 7

- a. Pylon signs shall only be used by Group Developments.
- b. Only one (1) pylon sign is allowed per each Group Development.
- c. Pylon signs shall not exceed twenty-four (24) feet.
- d. Pylon sign face shall not exceed one-hundred (100) square feet.

7. Off Premise Signs

a. In the District

- (i) No off-premise signs.

G. Parking

1. Off Street Parking

a. In the District

- (i) In residential areas, garage doors shall not face the front of a Lot.

- (ii) Parking areas must provide no less than one (1) bicycle parking space for every ten (10) motor vehicle parking spaces.
- (iii) All new commercial lots must be placed to the side or rear of buildings.
- (iv) Painted crosswalks for pedestrian circulation shall be included in parking areas that connect sidewalks to commercial building entryways.

b. In Sub Area 1 and 2

- (i) Parking spaces cannot exceed the UDC Chapter 17 required number.
- (ii) Shared parking is encouraged and may be located within the subarea.
 - 1. A written agreement between property owners shall be presented at the time of approval.
 - a. If an office use and a retail use shared parking, the parking requirement for the retail use may be reduced by twenty (20) percent, provided that the reduction shall not exceed the minimum parking requirement for the office use.
 - b. If a residential use shares parking with a retail use other than lodging uses, eating and drinking establishments or entertainment uses, the parking requirement for the residential use may be reduced by thirty (30) percent, provided that the reduction does not exceed the minimum parking requirement for the retail and service use.
 - c. If an office and a residential use share off-Street (or other Thoroughfare) parking, the parking requirement for the residential use may be reduced by fifty (50) percent, provided that the reduction shall not exceed the minimum parking requirement for the office use.

2. Compact Auto Parking Spaces are encouraged for use.

c. In Sub Areas 3, 4, 5, 6, and 7

- (i) Shared drive-ways and parking areas, along with compact car parking spaces, are encouraged along Highland Road.
 - 1. A written agreement between property owners shall be presented at the time of approval.

2. On Street Parking

a. In all Sub Areas

- (i) Adjacent on-street parking along streets intersecting Highland Road are encouraged to include parallel, on-street parking and may apply these spaces towards minimum parking requirements. Side parking spaces shall be constructed to City-Parish standards.

H. Landscape and Trees

1. Landscape Standards

a. Street Yard Planting Area

(i) In the District

1. A Street Yard Planting area is required within the ten (10) foot front yard on Highland Road. The minimum requirements for the Street Yard Planting area include current UDC requirements in 18.3 Section B3, and:
 - a. Sidewalk must be separated from the edge of the road pavement by at least a five (5) foot planting strip.
2. Corner lots with frontage on more than one street must provide the requirements in this ordinance on both streets.
3. All parking areas must contain a minimum of two (2) Class “A” trees minimum three (3) inch caliper for every fifteen parking spaces, or fraction thereof.

(ii) In all Sub Areas

1. A twenty (20) foot Street Yard Planting shall run along the Frontage.
2. One (1) Class “A” tree for every fifty (50) linear feet of public street frontage, or fraction thereof, measured at the property line shall be planted in the planting strip.
3. One (1) required tree may be replaced with a bench facing the sidewalk. This bench must be maintained and kept in good order by the property owner.

b. Buffer Yard Screening

(i) In the District

1. A ten (10) foot buffer yard shall be constructed along the designated line.

2. Tree and Forest Preservation

a. Tree Preservation Requirements

- (i) The Tree Preservation process has been established in order to encourage and enhance the preservation of existing significant native trees. The following tree preservation requirements shall be followed for all properties located within the boundaries of the Highland Road Urban Design Overlay District. These requirements are not applicable to street rights of way, public servitudes, or any other locations under direct control and authority of the City-Parish of East Baton Rouge or the Louisiana Department of Transportation and Development.

b. Bayou Fountain Tree Protection Buffer Zone

(i) In order to afford protection to the ecosystems and water quality of Bayou Fountain, a Tree Protection Buffer Zone is imposed.

1. A Tree Removal Permit shall be required for the removal of any tree located within fifty feet of the centerline on both sides of the existing primary channel of Bayou Fountain as seen in the Bayou Fountain Tree Protection Buffer Zone in Appendix G.

2. Tree Removal Permit:

a. Within the Designated Line and the Bayou Fountain Tree Protection Buffer Zone, no tree listed on the following Protected Species List Shall be removed by any person without the prior issuance of a Tree Removal Permit from the Department of Public Works. Property owners are required to identify all native species from the table below, larger than ten inches (10”) diameter at breast height (DBH).

Scientific Name

Acer rubrum
 Catalpa bignoides
 Carya cordiformis
 Carya illinoensis
 Carya ovata
 Fagus grandiflora
 Fraxinus americana

Scientific Name

Fraxinus pennsylvanica
 Juniperus virginiana
 Juglans nigra
 Liriodendron tulipifera
 Magnolia grandiflora
 Nyssa sylvatica
 Platanus occidentalis
 Quercus alba
 Quercus falcata
 Quercus falcata “Pagodaefolia”
 Quercus lyrata
 Quercus michauxii
 Quercus nuttallii
 Quercus phellos
 Quercus shumardii
 Quercus virginiana
 Taxodium ascendens
 Taxodium distichum
 Tilia americana/caroliniana/floridana
 Ulmus americana

Common Name

Red Maple
 Catalpa
 Bitternut Hickory
 Pecan
 Shagbark Hickory
 American Beech
 White Ash

Common Name

Green Ash
 Eastern Red Cedar
 Black Walnut
 Tulip Poplar/Yellow Poplar
 Southern Magnolia
 Swamp Tupello/Black Gum
 Sycamore
 White Oak
 Red Oak
 Cherrybark Oak
 Overcup Oak
 Cow Oak/Basket Oak
 Nuttall Oak
 Willow Oak
 Shumard Oak
 Live Oak
 Pond Cypress
 Bald Cypress
 American Linden
 American Elm

Ulmus cerasifolia
Ulmus alata

Cedar Elm
Winged Elm

- b. A Tree Removal Permit shall be required for any tree removal within the Highland Road Preservation District when one of the following conditions is present:
- i. Development is proposed within the Designated Line of the Highland Road Urban Design Overlay District requiring the issuance of a Residential or Commercial Building Permit; or
 - ii. Removal is requested for any tree on the Protected Species List with a DBH of ten inches (10”) or greater, located within the Designated Line.
 - iii. Removal is requested for any tree on the Protected Species List with a DBH of ten inches (10”) or greater, located within the Bayou Fountain Tree Protection Buffer Zone.
- c. A Tree Removal Permit shall not be required for any site when one of the following conditions are present:
- i. The site is located outside of the Designated Line or Bayou Fountain Tree Protection Zone boundaries of the Highland Road Urban Design Overlay District; or
 - ii. The site contains no native trees, as designated by the Protected Species List. In such cases, documentation prepared by a professional arborist, licensed to practice in Louisiana, must be reviewed and approved by the Urban Forestry and Landscape Manager; or
 - iii. The site contains no native trees with a DBH of less than ten inches (10”). In such cases, documentation prepared by a professional arborist, licensed to practice in Louisiana, must be reviewed and approved by the Urban Forestry and Landscape Manager; or
 - iv. The tree to be removed is dead or poses a hazard or threat to life or property. In such cases, documentation prepared by a professional arborist, licensed to practice in Louisiana, must be reviewed and approved by the Urban Forestry and Landscape Manager; or
 - v. The tree to be removed has already fallen, broken, or caused damage to life or property, or has caused blockage of normal ingress and egress to the property.
- d. Tree and Urban Forest Preservation Standards
- i. The property owner is encouraged to preserve as many existing mature trees and shrubs as possible in the design and implementation of site development.

- ii. It shall be the responsibility of the property owner to exercise reasonable care in the preservation of all trees not receiving a Tree Removal Permit on a site.
 - As a condition for receiving any Building Permit within the Designated Line or Bayou Fountain Tree Preservation Buffer Zone, the owner must submit a Tree Preservation Plan which shall be reviewed and approved by the Urban Forestry and Landscape Manager prior to the issuance of a Building Permit.
 - The Tree Preservation Plan shall include the location, size, and condition of each tree or grove to be preserved, along with an indication of proposed development features which may impact such trees and any other pertinent information as required by the Urban Forestry and Landscape Manager to effectively evaluate existing and proposed conditions.
 - The Tree Preservation Plan shall include a detailed description of all methods to be used to ensure the survival of all trees scheduled for preservation, including information that may be required by the Urban Forestry and Landscape Manager to interpret the intent and methodology proposed.
 - All tree preservation methodology shall conform to the standards of the Louisiana Department of Agriculture and Forestry, the Louisiana Horticulture Commission, the International Society of Arboriculture, and the American National Standards Institute (ANSI).
 - All Tree Preservation Plans must be prepared by an Arborist currently licensed to practice in the State of Louisiana.
- e. To protect trees during site development and construction, the area beneath the canopy of a tree shall be designated as a Tree Protection Buffer Zone and shall be kept safe from harmful impact.
 - i. Contractors Duties Relating to Trees, and the Placing of Materials; and Indemnity Bond. In the erection of any building or structure, the builder, contractor or owner thereof shall place such tree guards or barriers around all the nearby trees belonging to the City-Parish as shall effectual prevent injury to them, and shall not place building materials or trash upon neutral grounds without the permission of the Director of Public Works. Contractors and others doing work on neutral grounds, either for excavation or other projects for which permission has been granted by the Director of Public Works Shall give bond to the Director of Public Works to guarantee the payment of all costs for repairing any settlement or other damage or deterioration that shall take place in the neutral grounds as a result of the project undertaken by them.

- ii. Trees designated in the Tree Protection Plan as Protected Trees must be completely enclosed by a rigid wood or metal fence of a minimum height of six feet (6') and as approved by the Urban Forestry and Landscape Manager. Tree fence location must be as described on the Tree Protection Plan. Plastic or non-rigid forms of fencing will not be allowed without prior written approval of the Urban Forestry and Landscape Manager.
 - iii. Tree protection fencing must be in place prior to any clearing or site work. Failure to install tree protection fencing at the appropriate time will result in the suspension of the Building Permit and will require that the job be stopped until a revised Tree Preservation Plan is approved. Tree protection fencing must remain in place until all construction has been completed or final occupancy permit has been issued, whichever is latest.
 - iv. Tree protection fencing must carry durable signs designating the area as a "Tree Protection Zone. No entry unless authorized by the City-Parish Office of Landscape & Forestry". Such signs shall be spaced around the perimeter of all tree protection zones with a maximum spacing of twenty-five feet. Signs shall be a minimum eight inches (8") by ten inches (10") in size and shall be firmly affixed to the tree protection fence.
 - v. Any violation of a Tree Protection Zone will subject the owner to the suspension of the Building Permit and will require the suspension of all work until a revised Tree Preservation Plan is approved for the project.
 - vi. Tree protection zones shall explicitly follow the terms and Conditions of the approved Tree Preservation Plan for that project or site. Any variation must receive the prior approval of the Urban Forestry and Landscape Manager.
 - vii. Additional tree protection measures may be ordered by the Urban Forestry and Landscape Manager if site conditions warrant them.
- f. Violations and Penalties
- i. The property owner and/or the person removing a protected tree without first receiving a Tree Removal Permit shall be responsible for each violation. The removal of trees in violation of this section is a public nuisance and the violator can be fined one hundred fifty dollars (\$150.00) per violation per day until the violation is resolved with the City-Parish. Each tree is considered a separate violation.
 - ii. When a protected tree is removed without a Tree Removal Permit, the property owner shall be required to replace each removed tree with an aggregate equivalent caliper inches of new trees.

- Replacement trees must be the same genus as the tree removed; and
 - Replacement trees must be a minimum eight feet (8') in height at the time of planting. All replacement tree heights shall be measured from the top of the root ball to the tip of the highest branch; and
 - Replacement trees having a single trunk shall be a minimum of two inch (2") trunk diameter (caliper) at the time of planting. Trees having multiple trunks shall have a minimum of three (3) trunks, with each trunk being a minimum one inch (1") diameter; and
 - All replacement trees shall be installed in a sound manner and in accordance with accepted standards of the *Louisiana Nurseryman's Manual for the Environmental Horticulture Industry*, latest edition, as published by the Louisiana Nursery and Landscape Association.
- iii. The property owners and/ or the person removing a tree that is listed on the East Baton Rouge Parish *Registry of Ancient, Historic, and Unique trees*, or is a registered member of the Louisiana Live Oak Society without first receiving a Tree Removal Permit will be responsible for each violation. Monetary penalties for violation of this ordinance shall be based upon the appraised value of the removed tree, as computed using the Council for Tree and Landscape Appraisal *Guide for Plant Appraisal*, latest edition.
- iv. Replacement trees must be installed and approved by the Urban Forestry and Landscape Manager prior to the granting of any Certificate of Final Occupancy by the Building Official.

I. Design Standards

1. In all Sub Areas

- a. One (1) main doorway shall be located along walls fronting public right-of-ways for each business, and be covered by an Awning, colonnade, or Porch.
- b. Walls fronting public right-of-ways shall have sixty (60) percent of the first floor façade consisting of windows or recesses and projections.
 - (i) Reflective glazing and tinted glass is prohibited.
- c. Façade Materials Not Allowed
 - (i) Unpainted or painted standard gray concrete masonry units.
 - (ii) Residential type Vinyl or Aluminum siding (for example, simulated-lapped board types).
 - (iii) Non-Architectural type pre-engineered metal building wall and roof components (for example, trapezoidal panels with exposed fasteners).