



What is zoning?

Introduction

Zoning is permitted within the home-rule power of the City-Parish as granted by the State of Louisiana. The land use and development of land are regulated through the classification of the Parish into various districts with permitted uses for each district. Zoning affects several aspects of development within each district, including intensity of development, height and bulk of development, required lot and yard sizes, and parking requirements. Zoning may also establish standards for noise, signs and landscaping.

Zoning in East Baton Rouge Parish

The East Baton Rouge Parish Zoning Ordinance was first adopted by the Parish governing authority in 1958. Since then, it has been updated and amended to keep pace with community growth and changing standards in design. In 1996, the Zoning Ordinance was incorporated into the Unified Development Code (UDC) -- a single document that is a consolidation of all of the Parish regulations and ordinances related to land use and development. The UDC is effective throughout the Parish, except within the city limits of Baker and Zachary, which have their own zoning regulations.

Title 7, Chapter 3 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge establishes zoning regulations in the following manner:

“This chapter is an ordinance dividing the city-parish into districts and within the districts regulating and restricting the height, number of stories, and size of buildings and other structures; the size of yards, courts and other open spaces; the density of population; and the location and use of buildings, structures and land for trade, industry, residence and other purposes; establishing a board of adjustment and prescribing its powers and duties; providing penalties for the violation of the chapter and repealing all ordinances in conflict herewith.

“The Zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of

population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration among other things, to the character of the district, and its peculiar suitability for the particular uses; and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.”

Zoning Administration

Zoning, as an ordinance, is the providence of the local governing authority. Metropolitan Council actions reflect recommendations of the Planning Commission and the Office of the Planning Commission. The Unified Development Code describes permitted uses by zoning district. The Office of the Planning Commission maintains maps of the City and Parish as part of the electronic Geographic Information System (GIS), indicating the current official zoning on each parcel of land. These maps are available to the public on the World Wide Web at the Planning Commission Parcel Finder Website, located online at <http://gis.brgov.com/maps/>. Customized zoning maps can be produced by the CPPC GIS Division upon request.

When requesting zoning information on specific parcels of land, it is best to determine the street location and nearest intersecting streets, as well as the legal description of the property. This legal description may include a lot or tract number, square number and subdivision or property description name. Occasionally, a written “zoning verification” is needed. Verifications, zoning maps, copies of the UDC and other documents may be obtained from the Resource Center in the Office of the Planning Commission.

Rezoning

Recognizing that community growth over time often changes the character and needs of any community, the UDC allows requests for zoning changes when the existing zoning no longer allows reasonable use. Once a month the Planning Commission, which also constitutes the “Zoning Commission,” holds a public hearing and considers such requests. Rezoning changes are not a simple matter. Two public hearings, one conducted by the Planning Commission and a second by the Metropolitan Council, are required before a zoning change.

For more information contact:

The City-Parish Planning Commission

Telephone: (225) 389-3144

Fax: (225) 389-5342

Office hours: 8 a.m.-5 p.m.

takes place. The rezoning process, barring any complications, normally takes about 60 to 90 days from application to final decision.

Persons requesting a change in zoning are encouraged to visit the Office of the Planning Commission and obtain a rezoning application. Upon the visit, it may be helpful to discuss the proposed zoning change with a member of the planning staff. A completed rezoning application and any required fees must be submitted before the staff may accept the application for a zoning change. Also, determination should be made as to the consistency of the proposed zoning change with the Horizon Plan. The Horizon Plan is a future land use plan designed to be used as a guide by the Planning Commission and Metropolitan Council in making land use and development decisions. The Horizon Plan includes a "2010 Land Use Plan" for the Parish. Proposed zoning changes should be consistent with the Horizon Plan; if so, the applicant may proceed with the rezoning request. If the proposed zoning change is not consistent with the Horizon Plan, the applicant may choose to apply for an amendment to the Horizon Plan. Procedures for the Horizon Plan amendment process are available upon request to the Office of the Planning Commission. Also, there are separate applications and fees for Horizon Plan amendments.

Prior to public hearings on rezoning requests, public notice is required. Three legal advertisements describing the proposed zoning change will appear in the *Advocate*, the first ad not less than 10 days prior to the date set for the public hearing. A "display ad" also is published.

Also prior to public hearings, the property involved must be "posted" with one or more signs describing the rezoning proposal. The Planning Commission Staff has standard rezoning signs and will post them not less than 15 days prior to hearings.

Persons requesting zoning changes involving on-premise consumption of alcohol, such as for restaurants or bars, must obtain a "letter of compliance" from the Director of the Office of Alcohol Beverage Control. This letter must be submitted with a completed rezoning application.

Site Plan Review

Certain uses are subject to "Site Plan Review" by the Planning Commission or other applicable agencies. In general, site plans must be approved for apartment projects of more than 75 units, and commercial and office buildings of more than 30,000 square feet. Site plan drawings and descriptions are used to evaluate environmental impact and a project's relationship to public and private facilities and infrastructure. (See Information Bulletin 13, "Site Plan Review.")

Deadlines for rezoning applications are established on an annual basis. The schedule for the current calendar year is available at the Office of the Planning Commission.

Rezoning Processing Fees

A minimum processing fee of \$375 is charged, plus \$75 for each acre after the first acre. For instance, processing fees for a lot of one acre or less would be \$375, but would increase to \$450 for a lot between one and two acres. Processing fees must be included with the rezoning application. Fees are non-refundable.

A fee schedule and step-by-step procedures for rezoning applications are available at the Office of the Planning Commission.

Public Hearings

The Planning Commission normally meets to consider zoning and development matters on the third Monday of each month in Room 348 of the Governmental Building, 222 St. Louis Street, in downtown Baton Rouge. A public hearing is held for rezoning cases at these regular meetings. The Planning Commission makes recommendations on rezoning cases to the Metropolitan Council.

The Metropolitan Council Zoning Meeting -- the second public hearing for rezoning cases -- normally is held on the third Wednesday of each month, also in Room 348 of the Governmental Building.

The residents of East Baton Rouge Parish can look toward the Horizon for a bright future.

The Horizon Plan, a 20-year "Comprehensive Land Use and Development Plan," is at work as our "blueprint for the future." The plan was created with substantial citizen involvement and adopted by the Metropolitan Council in accord with the Plan of Government, as passed by referendum. The plan guides the community into the 21st century with sound growth management and development. Economic vitality, a high quality of living and an efficient use of community resources are important goals of the Horizon Plan. During the past ten years, the Horizon Plan has moved to the forefront of activities at the City-Parish Planning Commission -- the "Lead Agency" for many of the plan's "Action Items" -- and other City-Parish agencies and offices. The Planning Commission is responsible for coordination of the entire plan, as well as implementing, creating, and updating plans for Horizon's 16 planning districts.

The City-Parish Planning Commission can be contacted for information about the Horizon Plan and its progress. The Planning Commission is located at 1755 Florida Street, P.O. Box 1471, Baton Rouge, LA 70821. The telephone number is (225) 389-3144 and FAX number is (225) 389-5342. See our web page on the internet at <http://www.brgov.com/dept/planning>, and e-mail us at planning@brgov.com. Copies of the "Horizon Plan Summary", "Final Plan Report", Five-Year Update, and Ten-Year Update are available for interested groups.