

MINUTES
WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port Allen

Thursday, January 13, 2022

5:30 PM

The Following Minutes Are Summarized For Brevity, For Precise Meeting Information Please Refer To Meeting Audio Or Video.

1. **CALL MEETING TO ORDER & REQUEST ALL ELECTRONIC DEVICES BE SILENCED**

A Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, January 13, 2022 and called to order at 05:30 PM. Council Chairman Kirk Allain asked that all electronic devices be placed on silent.

2. **OPENING PRAYER**

Councilman Atley Walker Jr. led everyone in an opening prayer, including prayers for the Delapasse family, the Toups family and the Mouch family.

3. **PLEDGE OF ALLEGIANCE**

Chairman Allain recognized Mr. Kevin Durbin who led everyone in the Pledge of Allegiance.

4. **LOG ATTENDANCE**

The following members were recorded as being present: Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, and Gary Joseph.

Also present were, Mr. Riley Berthelot Jr, Parish President, Mr. Phillip Bourgoyne, Director of Finance, Mr. Jason Manola, Executive Assistant, Mr. Kevin Durbin, Director of Public Works, Mr. Lou Delahaye, Parish Attorney, and Mrs. Michelle Tullier, Council Clerk

5. **ELECTION OF OFFICERS**

A. **Election of Council Chairman for 2022**

Councilman Caleb Kleinpeter nominated Councilman Carey Denstel to serve as Chairman for 2022, there were no other nominations therefore Councilman Carey Denstel is elected as 2022 Council Chairman by acclamation.

B. **Election of Council Vice Chairman for 2022**

Councilman Kirk Allain nominated Councilman Alan Crowe to serve as Vice Chairman, Councilman Gary "Shaq" Joseph nominated Councilman Atley Walker to serve as Vice Chairman. Councilman Allain announced that the nominations would be voted on until a majority vote is obtained.

Councilman Allain announced the current vote would be to elect Councilman Alan Crowe as Vice Chairman for 2022.

The vote was recorded as follows:

YEAS: 6 (Kirk Allain, Chris Kershaw, Caleb Kleinpeter, Carey Denstel, Alan Crowe, Craig Bergeron)

NAYS: 3 (Atley Walker, Kenneth Gordon, Gary Joseph)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Councilman Alan Crowe was elected as Vice Chairman with a majority of the vote for 2022.

6. **MINUTES APPROVAL**

A. Approval of Minutes from December 9, 2021 Regular Meeting.

A motion was made by Kirk Allain, seconded by Chris Kershaw to approve minutes from the December 9, 2021 Regular Meeting.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

7. **CONSIDER ANY AMENDMENTS TO THE AGENDA**

8. **PARISH PRESIDENT'S REPORT**

Parish President Riley Berthelot was recognized and covered the following items:

Recognized Mr. C.D. Delapasse, Mr. Roy Mouch, and Ms. Beth Touns asked to keep them in our prayers;

Thanked Mr. Shelby Hemingway with Boardwalk Pipeline for recent Food Bank Donation;

Thanked the previous School Board Superintendent, Mr. David Corona for a recent Food Bank Donation;

Recent meeting regarding issues with Entergy, getting new contacts;

Councilman Joseph thanked the administration for barricades installed on Commercial Drive, Chairman Denstel concurred;

There were no further comments or questions.

9. **PUBLIC COMMENTS**

Mr. Gary Spillman, previous Councilman District 7, congratulated the newly appointed Chair and Vice Chair. Mr. Spillman thanked the Council for not moving money out of the general fund in order to fund an item which has a designated millage. Mr. Spillman went on to thank Councilman Crowe who brought up the increase in revenue which will be coming in due to the recent assessments increasing.

10. **ANNUAL DEPARTMENT OF REVENUE & TAXATION DELINQUENT SALES TAX REPORT**

Mrs. Melanie David, Director of Revenue, was not able to make the meeting tonight, therefore Mr. Phillip Bourgoyne presented the Annual Department Delinquent Sales Tax Report as presented to the Council and required by the Home Rule Charter, Mr. Bourgoyne offered to answer any questions, there were none.

11. **CONSIDER COST OF LIVING INCREASE FOR PARISH EMPLOYEES**

Mr. Phillip Bourgoyne was again recognized and read aloud a memo from the Administration recommending a five percent (5%) Cost of Living increase to all pay scales of WBR Parish, also recommending the WBR Fire Department receive a three percent (3%) Cost of Living increase, noting the fire department automatically receives a two percent (2%) anniversary date increase.

A motion was made by Chris Kershaw, seconded by Atley Walker to approve the recommended five percent (5%) Cost of Living increase to all pay scales including Coroner's Office, Registrar of Voters, Health Unit, Judges, District Attorney, Detention Center, JP's, Constables, Council Clerk and all full-time and part-time employees of WBR Parish Departments, and a three percent (3%) Cost of Living increase for the WBR Fire Department employees.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

12. **COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

A. **Approve Annual Sales Tax Percentage Adjustments**

Mr. Phillip Bourgoyne was again recognized and reviewed the current sales tax percentage adjustments. The reported estimated percentages as of December 31, 2021 are, Parish 47.62%, Port Allen 18.16%, Brusly 9.48%, and Addis 24.75%. A few

questions from the Council in regards to how we get these numbers, with some members expressing their disagreements with the Census numbers. Mr. Kershaw expressed his disagreement with the numbers which are being distributed by the census.

A motion was made by Chris Kershaw, who again expressed his disagreement with the numbers from the census, seconded by Kirk Allain to Approve Annual Sales Tax Percentage Adjustments.

The vote was recorded as follows:
YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)
As a result of the votes, the motion **Passed**.

B. Planning & Zoning Commission Attendance Report Review

Councilman Kleinpeter was recognized and explained the request for these reports were originally asked for by him, in order to see how many meetings were being held and how many Commissioners were attending regularly. The Council discussed the rate of pay for the Planning & Zoning Commission and what can be done per state law regarding an increase in pay, pay for attended meetings, and pay for canceled meetings. Mr. Lou Delahaye was recognized and read aloud a portion of state law in regards to some of the aforementioned information. There were some concerns over attendance by some of the Commission members and a few questions regarding the same for Mr. Durbin. After a lengthy discussion on what our code reads versus what needs to be done in the future, Councilman Kleinpeter suggested tabling this discussion until more information can be gathered.

A motion was made by Caleb Kleinpeter, seconded by Alan Crowe to table Planning & Zoning Commission Attendance Report Review.

The vote was recorded as follows:
YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)
As a result of the votes, the motion **Passed**.
The item was tabled to the February 10th agenda.

13. PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

A. An Ordinance To Amend And Reenact Section 104-103 (“Site Development Regulations”) Of Article IV (“Planned Unit Development (PUD) Districts”) Of Chapter 104 (“Zoning Ordinance”), Part III (“Unified Development Code”) Of The West Baton Rouge Parish Code Of Ordinances To Remove The Planned Unit Development (“PUD”) District

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was recognized and noted that the Planning & Zoning Commission recommended approval of this ordinance, and he offered to answer any questions.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Chris Kershaw, seconded by Caleb Kleinpeter to approve An Ordinance To Amend And Reenact Section 104-103 (“Site Development Regulations”) Of Article IV (“Planned Unit Development (PUD) Districts”) Of Chapter 104 (“Zoning Ordinance”), Part III (“Unified Development Code”) Of The West Baton Rouge Parish Code Of Ordinances To Remove The Planned Unit Development (“PUD”) District.

The vote was recorded as follows:
YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 1 of 2022 can be found at the end of these minutes.

B. An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 103 (“Floodplain Management”), Section 103-7 (“Minimum Floor Elevation Requirements; Procedures”) And Chapter 106 (“Site Planning”), Article II (“Stormwater Management”) To Provide For Additional Stormwater Protection For Residents And Businesses In West Baton Rouge Parish.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was recognized and explained the purpose of said ordinance and notified the Council of the recommendation of approval by the Planning & Zoning Commission. There were a few questions from the Council for clarification.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Alan Crowe, seconded by Kirk Allain to approve An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 103 (“Floodplain Management”), Section 103-7 (“Minimum Floor Elevation Requirements; Procedures”) And Chapter 106 (“Site Planning”), Article II (“Stormwater Management”) To Provide For Additional Stormwater Protection For Residents And Businesses In West Baton Rouge Parish.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 2 of 2022 can be found at the end of these minutes.

C. An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 106 (“Site Planning”), Article V (“Yard/Setback, Open Space And Common Area Requirements”), Section 106-124 (“Commercial Site Development Regulations”), Subsection D (“C-1.4, Industrial-Transitional Commercial District”), Section 106-125 (“C-2 Site Development Regulations”) And Sections 106-126 Thru 106-128 (Industrial Site Development Regulations) To Fix Consistency Errors In Buffers.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was again recognized and gave a brief review of the changes the ordinance includes, and noted this ordinance was recommended for approval by the Planning & Zoning Commission.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Kirk Allain, seconded by Chris Kershaw to approve An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 106 (“Site Planning”), Article V (“Yard/Setback, Open Space And Common Area Requirements”), Section 106-124 (“Commercial Site Development Regulations”), Subsection D (“C-1.4, Industrial- Transitional Commercial District”), Section 106-125 (“C-2 Site Development Regulations”) And Sections 106-126 Thru 106-128 (Industrial Site Development Regulations) To Fix Consistency Errors In Buffers.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 3 of 2022 can be found at the end of these minutes.

D. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map(Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Bradley Smith.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Durbin was recognized and noted the Planning & Zoning Commission recommended this rezoning for approval.

Mr. Court Bradford was recognized and explained what the request was and what the reasons for this request were.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Chris Kershaw, seconded by Craig Bergeron to approve An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Bradley Smith.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 4 of 2022 can be found at the end of these minutes.

E. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For Louisiana Wood Products Two.

The chairman explained this item was tabled by the Planning & Zoning Commission, therefore without a recommendation from the Commission the Council is not able to take this item up at this time. This item will be taken up at the February 10, 2022 meeting.

F. An Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of Real Property and Further Authorizing the Parish President to Sign the Necessary Documentation to Purchase Property on Freeman Lane

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Jason Manola was recognized and explained the need for this ordinance.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Atley Walker, seconded by Kenneth Gordon to approve An Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of Real Property and Further Authorizing the Parish President to Sign the Necessary Documentation to Purchase Property on Freeman Lane.

The vote was recorded as follows:

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 5 of 2022 can be found at the end of these minutes.

14. INTRODUCTION OF ORDINANCES

Mrs. Tullier, Council Clerk read by title the below proposed ordinance/s being introduced and publicized by title, and considered for adoption following a public hearing as specified below, at 5:30pm in the Council Chambers, located at 880 North Alexander Avenue, Port Allen, La.:

- A.** An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Kyledren D. Antoine File #2022-1: as described by the WBR Assessor: Tract M Cont. 14.06 Ac In Sec 17 T6S R11E, Being P/O Unit 4 Of Ne/4 & Se/4 P/O H Morris Prop- Rezoning From R-M (Residential Minor) and AG-3 (Agricultural Full Scale) to AG-2 (Agricultural Moderate Scale) and AG-3 (Agricultural Full Scale). Master Plan Change.
Public Hearing Date: February 24, 2022
- B.** An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Rosco Holdings. Located At 2012 Forest Dr. Port Allen, LA 70767, File #2022-2, As Described By The WBR Assessor: Lot E The Woodlands Commercial Park. Rezoning from C-1.3 (Regional Scale Commercial) to C-1.4 (Transitional Commercial) for Warehouse Storage and Distribution Light. Public Hearing: February 24, 2022
- C.** An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 109 (“Property Maintenance”), Article II (“Unlawful Vegetation”), Section 109-19 (“High Weeds And Grass In Certain Areas”), To Clarify And Expedite Vegetative Maintenance Nuisance Enforcement In The Unincorporated Areas Of West Baton Rouge Parish. Public Hearing Date: January 27, 2022
- D.** An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Clarice Christopher. 5935 Flynn Rd. Port Allen, La 70767. File #2022-3: as described by the WBR Assessor: Lot 10-C-2 Cont. 4.442 AC Tonawanda Pltn. Subd. Rezoning From AG-3 (Agricultural Full Scale) to R-M (Residential Minor). Public Hearing Date: February 24, 2022

15. CONSIDER STATUS REPORT, CHANGE ORDER AND/OR OTHER MATTERS AS REQUIRED ON CURRENT PROJECTS

Mr. Manola was again recognized and went over the following items:

Recent Meeting with Owen and White Inc. and what was learned;

Recent notification from Republic Service on the upcoming garbage fee increase;

Recent meeting with PEC on road overlays for the year.

Councilman Allain asked for another sit down meeting with Republic over ongoing issue with their services.

16. RESOLUTIONS

A. A Resolution Adopting the Proposed 2022 West Baton Rouge Parish Regular Meeting Schedule

A motion was made by Kirk Allain, seconded by Gary Joseph to approve A Resolution Adopting the Proposed 2022 West Baton Rouge Parish Regular Meeting Schedule.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 1 if 2022 can be found at the end of these minutes.

17. **CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO**

Councilman Kleinpeter asked Mr. Danny Rabalais to update him on the Boulanger property at the end of American Way off of Liberty Dr. Mr. Rabalais explained 60 days were given for the owner to put the fence up as agreed upon at the time the property was rezoned.

18. **CORRESPONDENCE REPORT**

- Next Board of Adjustments Meeting Tuesday, January 18, 2022 at 5:30PM
- Next Planning & Zoning Meeting Tuesday, January 18, 2022 at 5:30 PM
- Next Parish Council Meeting Thursday, January 27, 2022 at 5:30PM

19. **ADJOURN**

There being no further business, a motion to adjourn was made by Chris Kershaw and was adopted by acclamation at 07:22 PM.

/s/ Carey Denstel

Carey Denstel, Council Chairman

/s/ Michelle Z. Tullier

Michelle Z. Tullier, Council Clerk



WEST BATON ROUGE PARISH
REVENUE DEPARTMENT
POST OFFICE BOX 86
PORT ALLEN, LOUISIANA 70767

January 13, 2022

MEMORANDUM

TO: Riley Berthelot, Jr., Parish President
and Parish Council Members

FR: Melanie David, Director
Revenue Department

RE: Annual Report on Status of Delinquent Taxes

The Parish Plan of Government requires as part of its budget process a report of delinquent taxes for the current and preceding years, accompanied by some estimation of collection of same.

As a preface to the report, it is useful to understand how our accounts receivable program works. Once a dealer registers with this Department he is required to file a sales tax return on one of several filing frequency levels (e.g. monthly, quarterly, etc.). When the dealer fails to remit the expected report, the system generates a "reminder notice". Following a brief period, if the return is still not

recorded as filed, the system automatically issues a "proposed assessment" for an estimated amount based on an existing filing history, or a minimum amount, whichever is greater.

The taxpayer still has the right and time (30 days) to file an actual report, which we accept as accurate and override the estimated amount due. However, if the taxpayer fails to file within the required time, the proposed assessment becomes a formal assessment, collectable in a manner prescribed by law. The director may withdraw or modify the assessment if presented with information that it was issued in error of fact or law.

With reference to the Occupational License tax, the law now provides for issuances of estimated assessments in addition to the seeking of a rule before the court to have the taxpayer show cause as to why tax has not been paid and order same. The Insurance Premium Tax law does permit the issuance of assessments, and failing to collect same, authorizes turning the account over to the Insurance Commissioner for revocation of the account's state license to operate after the assessment is older than six months.

Due to the ongoing public health emergency caused by COVID-19, 2021 was again an atypical year for collecting delinquent taxes. With many businesses being restricted, closed, or operating remotely, our collection procedures were constantly changing.

In 2021, the Department has issued 1,853 delinquent sales tax filing notices, an average of 5.07% of accounts required to file, which represents a decrease from 2020 delinquent rate of 8.07%. In addition, we have issued 1,252 notices of intent to assess and 581 notices of assessment for the same period. We attribute this decrease to the adaptation of our collection procedures to the businesses and their Covid-19 remote workers.

INTEROFFICE MEMORANDUM

TO: COUNCIL MEMBERS

FROM: ADMINISTRATION

SUBJECT: ANNUAL COST OF LIVING ADJUSTMENT

DATE: 1/13/22

As discussed in previous meetings we would like to recommend the cost of living adjustment be considered in January of each year going forward to better coincide with our budget year. For the year ending 12/31/21 the CPI increase is 7% the largest 12 month change since 1991. We received a 4% increase to our pay plan for all steps and classification in July 2021 which reflected the 12 month CPI increase from 6/1/20 to 5/31/21.

We recommend a 5% Cost of Living adjustment to all pay scales to reflect the 4.4% actual CPI increase from June to December 31, 2021. We included in the budget and the council approved 5% salary adjustments for 2022.

We ask that you specifically name in the motion the Coroner's Office, Registrar of Voters, Health Unit, Judges, District Attorney, Detention Center, JP's, Constables, Council Clerk and all full-time and part-time employees of WBR Parish Departments.

We also recommend the WBR Fire Department receive a 3% increase with their automatic annual 2% anniversary date increase.

If you have any questions or would like to discuss further do not hesitate to contact me.

ORDINANCE 1 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of November 18, 2021
And Adopted January 13, 2022

An Ordinance To Amend And Reenact Section 104-103 ("Site Development Regulations")

Of Article IV (“Planned Unit Development (PUD) Districts”) Of Chapter 104 (“Zoning Ordinance”), Part III (“Unified Development Code”) Of The West Baton Rouge Parish Code Of Ordinances To Remove The Planned Unit Development (“PUD”) District
WHEREAS, one of the primary functions of local governments is to protect the health, safety and welfare of its people; **AND**

WHEREAS, in exercising its role to carry-out the above, the West Baton Rouge Parish Council utilizes its police powers under the Constitution and laws of the State of Louisiana; **AND**

WHEREAS, such exercise of police power involves from time-to-time creating or amending local laws in order to protect the public; **AND**

WHEREAS, part of those regulations relate to a specific type of development known as Planned Unit Developments (“PUDs”) **AND**

BE IT ORDAINED BY THIS COUNCIL that Section 104-103 (“Site Development Regulations”) of Article IV (“Planned Unit Development (PUD) Districts”) of Chapter 104 (“Zoning Ordinance”), Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows :

(NOTE: underlined words are additions and strikethrough words are deletions. Three asterisks - * * * indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 104

ZONING ORDINANCE

* * *

ARTICLE IV. PLANNED UNIT DEVELOPMENT (PUD) DISTRICTS

* * *

Sec. 104-101. – Purpose.

The purpose of the PUD district shall be to provide for flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures; achieve economy and efficiency in the use of land, natural resources, energy and the providing of public services and utilities; encourage useful open space; and provide a variety of housing opportunities. PUD developments are recognized as a tool of "Smart Growth" and allow for the developer of one relatively large site to mix residential land and building uses as well as to vary from normal minimal zoning standards such as lot size and area. This type of development differs from "cluster subdivisions" (Parish Code [105-8](#)) in that cluster subdivisions do not allow for mixing of residential uses and are more aimed specifically at preserving community features (e.g. wetlands, woodlands, farm land, open space, recreation space, etc.). PUDs also differ from "Traditional Neighborhood Developments" (TNDs, Parish Code [104-57](#), et seq.) in that TNDs allow for mixing of residential and commercial uses and thereby go farther in achieving Smart Growth principles. There are development trade-offs associated with PUDs that allow developers to achieve higher project density while still granting certain concessions to the entire community. These trade-offs are discussed under site development regulations and special regulations. (Ord. No. 26-2008, 3-28-2008)

Sec. 104-102. – Permitted, prohibited and special uses.

- (a) *Permitted uses.* The permitted uses in PUD districts closely mirror those in the single-family and multi-family zoning districts. Explicitly permitted PUD uses are limited to the following:
- (1) Residential, single-family.
 - (2) Residential, multi-family (including condominiums and townhomes).
 - (3) Accessory residential.
 - (4) Bed and breakfast.
 - (5) Cemetery.
 - (6) Church, religious assembly.
 - (7) Day care centers, preschools, nursery schools.
 - (8) Group home for the handicapped.
 - (9) Guest house.
 - (10) Home occupations.
 - (11) Recreation, community.

- (12)Schools, public and private primary and middle educational facilities.
- (13)Schools, public and private secondary educational facilities.
- (14)Taxidermy.
- (15)Utilities, minor services.
- (16)Woodland.
- (b)*Prohibited uses.* The prohibited uses in PUD districts closely mirror those in the single-family and multi-family zoning districts. Explicitly prohibited PUD uses include the following:
 - (1)Residential, mobile home parks.
 - (2)Commercial uses.
 - (3)Industrial uses.
- (c)*Special uses.* The specially permitted uses in PUD districts closely mirror those in the single-family and multi-family zoning districts. Explicitly specially-permitted PUD uses are limited to the following:
 - (1)Congregate housing.
 - (2)Nursing home.
 - (3)Postal and parcel delivery services.
 - (4)Public safety services.
 - (5)Resource extraction.
 - (6)Commercial, seasonal outdoor.

Sec. 104-103. – Site development regulations.

~~(a)Maximum density and lot size distribution.~~ The maximum density of single-family, detached dwelling units shall not exceed the following limits: Four and one-half units per gross acre when mostly adjacent to low-density residential developments (e.g. R-SF-3 areas); eight units per gross acre when mostly adjacent to medium-density residential developments (e.g. R-SF-2 and R-SF-1 areas); ten units per gross acre when mostly adjacent to existing, historically dense residential developments (e.g. 6,000 square feet or less average lot size pattern). Multi-family densities shall not exceed 21.5 units per acre.

A minimum of 25 percent of the total number of lots shall be 70 feet wide or greater. A maximum of 35 percent of the total number of lots shall be 50 to 59 feet wide. A maximum of 40 percent of the total number of lots shall be 60 to 69 feet wide.

- ~~(b)Minimum lot area:~~ 4,500 square feet.
- ~~(c)Minimum lot width:~~ 45 feet.
- ~~(d)Minimum lot depth:~~ 100 feet.
- ~~(e)Minimum front yard:~~ 20 feet (single-family); see R-MF districts for multi-family yards and building separation requirements. For lots with frontage on a cul-de-sac, the minimum front yard shall be 15 feet.
- ~~(f)Minimum side yard:~~ Five feet (single-family); see R-MF districts for multi-family yards and building separation requirements. For corner lots, the minimum side yard shall be 15 feet.
- ~~(g)Minimum rear yard:~~ Ten feet (single-family); see R-MF districts for multi-family yards and building separation requirements.
- ~~(h)Minimum floor area per dwelling unit:~~ 800 square feet.
- ~~(i)Maximum height:~~ Two-story, 35 feet (single-family); three-story, 40 feet (multi-family).
- ~~(j)Maximum coverage:~~ 35 percent plus ten percent additional coverage permitted for accessory buildings (single-family);
- ~~(k)Minimum site requirements:~~ 40 acres of fully contiguous land.
- ~~(l)Special regulations.~~
 - ~~(1)Curb-and-gutter street design~~ shall be required for all streets in PUD developments.
 - ~~(2)Open space regulations.~~ All PUDs must contain a minimum of ten percent of the gross-platted area as common open space based on the sliding scale shown here:

Overall Density of Development	Minimum Percentage of Common Open Space Required
4.5 units per gross acre	10%
8 units per gross acre	15%
10 units per gross acre	20%

- ~~(3)Design criteria.~~ Areas provided as usable common open space shall meet the following criteria:
 - a. All residential lots must be located within 600 feet of usable open space as measured along a street. The planning and zoning commission may increase this distance to 1,200 feet if the shape of the subdivision is irregular or if existing vegetation on the site will be preserved by an increase in the distance.
 - b. A primary usable open space area of 20,000 square feet or larger shall be provided. This

open space must be a minimum of 50 feet wide and have no slope greater than ten percent and must abut a street on a minimum of 25 percent of the area's perimeter.

c. If additional usable open space is needed to meet the minimum percent requirement, secondary space(s) shall be a minimum of 7,500 square feet. This open space shall be a minimum of 25 feet wide, have no slope greater than ten percent, and must have a minimum of 25 feet of street frontage. Secondary usable open spaces greater than 15,000 square feet shall have a minimum of two access points to public streets, which must be at least 25 feet wide.

d. Pools, tennis courts, walks, patios, and similar amenities may be located within areas designated as usable open space. Areas occupied by enclosed buildings (except gazebos and pavilions), drives, parking, overhead electrical transmission lines, drainage or floodway easements, and antennas shall not be included in calculating usable open space.

(4)*Landscaped areas.* Additional common open space and landscaped areas may be provided but shall not be counted as usable common open space unless they meet the criteria above.

(5)*Unacceptable common open space.*

a. The planning and zoning commission may deny the creation of any common open space area if in the judgment of the commission the area would be difficult to maintain, a security or safety concern, or an unreasonable financial burden to the homeowners association.

b. At the time of the site plan and/or subdivision plat approval, the planning and zoning commission and/or parish council may give full or partial credit for open areas that exceed the maximum slope or which are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.

c. Also, at this time, approval may be granted for up to one-third of the required open space to be credited for offsite dedicated open space that meets the development's needs in terms of adjacency, accessibility, usability, and design integration. It is to be noted that the granting of the offsite credit is a discretionary power of the planning and zoning commission and/or parish council. The guidelines below may assist in considering if credit is appropriate:

- *Adjacency:* Is 15 percent or more of the site's boundary adjacent to park land?

- *Accessibility:* Are there defined pedestrian connections between the development and the park land?

- *Usability:* Is the park land immediately adjacent to the development suitable for use by residents?

- *Design integration:* Does the design of the development provide a significant visual and pedestrian connection to the park land?

(6)Landscaping requirements of one tree for each three dwelling units shall be met. Trees planted to meet this requirement may be clustered or dispersed throughout the site and must be indicated on the landscape plan. New trees planted to meet this requirement shall be a minimum three-inch caliper.

(7)Because of the unique nature of PUDs, block lengths can vary from normal subdivision standards and shall not exceed 1,200 feet. However, the Parish Council reserves the right to extend the maximum block length due to unique geographic or topographic features if the developer provides pedestrian cut-through paths every 1,200 feet. Pedestrian and bicycle cut-through paths shall be composed of a minimum 12-foot public servitude with a six-foot wide, four-inch thick concrete sidewalk to be maintained by the homeowners' association.

(m)*Ownership and agreement regulations.* The common open space and associated facilities shall be owned by an association. The association shall be formed and operated under the following provisions:

(1)The applicant shall provide the articles and bylaws of the association and the methods for maintaining the common open space.

(2)The association shall be organized by the applicant and shall be operated with a financial subsidy from the applicant before the sale of any lots within the planned unit development.

(3)Membership in the association is mandatory for all purchasers of property therein and their successors in title. The conditions and timing of transferring control of the association from the applicant to the property owners shall be identified.

(4)The association shall be responsible for maintenance of insurance and taxes on all common open space. The association may place liens on the property of its members who fail to pay their association dues in a timely manner, as provided in the association bylaws. Shares shall be defined in the bylaws.

(5)The association shall, at all times, cause the property owners to have access to the common open space within the planned unit development.

(6)The association shall be able to adjust the assessments to meet changing needs.

(n) *Approval and application processing regulations.* PUDs shall be approved in the same manner as all other major (i.e. not "family" or "minor") developments according to West Baton Rouge approval standards for such major developments. This includes, but is not limited to, rezoning hearings, plat approvals, site plan approvals, construction plan approval and construction inspections as described elsewhere in parish codes. Any special approval procedures for TNDs shall not apply to PUDs.

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective upon the signature of the Parish President.

THEREFORE BE IT RESOLVED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER CALEB KLEINPETER, THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. KERSHAW, KLEINPETER, WALKER, DENSTEL, CROWE, GORDON, ALLAIN, BERGERON, JOSEPH)

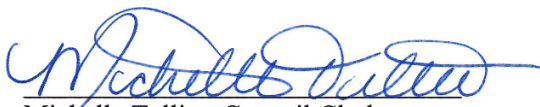
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the **13th Day of January, 2022.**

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 2 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of November 18, 2021
And Adopted January 13, 2022

An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 103 (“Floodplain Management”), Section 103-7 (“Minimum Floor Elevation Requirements; Procedures”) And Chapter 106 (“Site Planning”), Article II (“Stormwater Management”) To Provide For Additional Stormwater Protection For Residents And Businesses In West Baton Rouge Parish.

WHEREAS, one of the primary functions of local governments is to protect the health, safety and welfare of its people; **AND**

WHEREAS, in exercising its role to carry-out the above, the West Baton Rouge Parish Council utilizes its police powers under the Constitution and laws of the State of Louisiana; **AND**

WHEREAS, such exercise of police power involves from time-to-time creating or amending local development laws in order to protect the public; **AND**

WHEREAS, recent regional flooding has demonstrated areas for improvement in stormwater management and oversight; **AND**

WHEREAS, the West Baton Rouge Parish Council finds that it should be involved in further overseeing stormwater drainage pattern changes from new or expanded commercial and industrial developments in order to ensure compliance with existing civil law;

NOW, THEREFORE, BE IT ORDAINED that the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 103 (“Floodplain Management”), Section 103-7 (“Minimum floor elevation requirements; noncompliance”) be amended and readopted to read as follows and that Chapter 106 (“Site Planning”), Article II (“Stormwater Management”) be amended and readopted to create a new Section 106-21 to read as follows:

(NOTE: underlined words are additions and strikethrough words are deletions. Three asterisks - * * *

indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

* * *

CHAPTER 103

FLOODPLAIN MANGEMENT

* * *

Sec. 103-7. Minimum floor elevation requirements; noncompliance.

(a)The minimum floor elevation on buildings shall be 12 inches above the adjacent road unless the adjacent road/highway is "built-up" in which case the floor elevations will be 24 inches above the average elevation of surrounding land within 300 feet of the building itself. The base flood elevation for Poydras Country Estates is plus 18 feet MSL. In areas of record inundation, the minimum floor area shall be twelve (12) inches above the record inundation or twelve (12) inches above the adjacent road (whichever is higher) unless the adjacent road/highway is “built-up” in which case the floor elevations will be twelve (12) inches above the record inundation or twenty-four (24) inches above the average elevation of surrounding land within 300 feet of the building itself (whichever is higher).

A “built-up” road shall be one whose centerline elevation is greater than or equal to twenty-four (24) inches above the average elevation of surrounding land within 300 feet of the edge of the road. This definition of “built-up” road applies to the entirety of this Chapter.

“Record inundation” shall be a known high water line from past storm events that has been documented and filed in the WBR Office of Community Planning and Development. Such documentation can be either informally by West Baton Rouge Parish personnel or formally by a Louisiana licensed surveyor or civil engineer.

Minimum floor elevation requirements are applicable in all areas of the unincorporated parts of West Baton Rouge Parish regardless of the type of special flood hazard (e.g. X, A, AE, V, etc). Special consideration to those structures inside of a “flood zone” (Special Flood Hazard Area A or AE) are further described elsewhere.

(b)Those persons, etc., who do not comply with the minimum floor elevation requirements of this section shall be notified that they are in violation and that the building permit is void.

* * *

CHAPTER 106

SITE PLANNING

* * *

ARTICLE II. STORMWATER MANAGEMENT

* * *

Section 106-21. – Stormwater quantity control in commercial and industrial developments
As part of the building permit / site plan review approval process for commercial and industrial new construction or expansions in which the following combinations of lands are disturbed and impervious surface created, the applicant shall demonstrate to the Director of Public Works (or his or her designee) that the proposed development does not increase existing stormwater runoff peak flow rates and water surface elevations to neighboring businesses or the existing stormwater system. Methods for maintaining existing stormwater volumes, water surface elevations and peak rates is at the discretion of the developer, but the Parish encourages the use of detention ponds, bioswales, infiltration systems and other stormwater management technologies that also demonstrate a reduction in pollutant loading as well.

<u>Undisturbed, Original Lot Size (May have previous improvements on-site)</u>	<u>Amount of Land Disturbed for Construction (including previous improvements on-site)</u>	<u>% Impervious Surface Created from Undisturbed, Original Lot Size</u>
--	--	---

<u>0 to 2 acres</u>	<u>0.50 to 2 acres</u>	<u>50%</u>
<u>2.01 to 5 acres</u>	<u>1 to 5 acres</u>	<u>40%</u>
<u>5.01 acres +</u>	<u>2 acres +</u>	<u>33%</u>

Secs. ~~106-21~~ 106-22 – 106-39. – Reserved.

* * *

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective upon the signature of the Parish President.

THEREFORE BE IT FURTHER RESOLVED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER ALAN CROWE, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. CROWE, ALLAIN, KERSHAW, WALKER, KLEINPETER, DENSTEL, GORDON, BERGERON, JOSEPH)

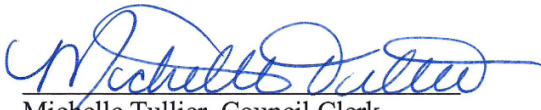
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the 13th day of January, 2022.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 3 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of November 18, 2021
And Adopted January 13, 2022

An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 106 (“Site Planning”), Article V (“Yard/Setback, Open Space And Common Area Requirements”), Section 106-124 (“Commercial Site Development Regulations”), Subsection D (“C-1.4, Industrial-Transitional Commercial District”), Section 106-125 (“C-2 Site Development Regulations”) And Sections 106-126 Thru 106-128 (Industrial Site Development Regulations) To Fix Consistency Errors In Buffers.

WHEREAS, one of the primary functions of local governments is to protect the health, safety and welfare of its people; **AND**

WHEREAS, in exercising its role to carry-out the above, the West Baton Rouge Parish Council utilizes its police powers under the Constitution and laws of the State of Louisiana; **AND**

WHEREAS, such exercise of police power involves from time-to-time creating or amending local development laws in order to protect the public; **AND**

WHEREAS, zoning district buffers are one method utilized by the West Baton Rouge Parish Council to provide appropriate protections to neighboring property owners; **AND**

WHEREAS, the West Baton Rouge Parish Council is seeking to make the buffers in C-1.4, I-1, I-2 and I-3 more consistent with other, similar buffers found in the Parish’s Unified Development Code;

NOW, THEREFORE, BE IT ORDAINED that the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 106 (“Site Planning”), Article V (“Yard/Setback, Open Space and Common Area Requirements”), Section 106-124 (“Commercial site development regulations”), Subsection D (“C-1.4, industrial-transitional commercial district”), Section 106-125 (“C-2 site development regulations”) and Sections 106-126 thru 106-128 (Industrial site development regulations) be amended and readopted to read as follows:

(NOTE: **underlined words** are additions and **strikethrough words** are deletions. Three asterisks - * * * indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

* * *

CHAPTER 106

SITE PLANNING

* * *

ARTICLE V. YARD/SETBACK, OPEN SPACE AND COMMON AREA REQUIREMENTS

* * *

Section 106-124. – Commercial site development regulations.

* * *

(d) C-1.4, industrial-transitional commercial district.

* * *

(3) Special criteria

* * *

- b. Special requirements adjacent to residential districts:
 - i. Buffer requirements: A minimum eight-foot wooden fence with maximum one-quarter-inch gap between slats, permanently maintained, shall be required in the ~~20~~30-foot required setback adjacent to all residential districts. All outdoor lighting must be directed toward the commercial property, be shielded from and shall not adversely impact any adjacent use or traffic.

* * *

Section 106-125. – C-2 site development regulations

* * *

(c) Special requirements adjacent to residential districts.

- (1) Buffer requirements.* A minimum eight-foot wooden fence with a maximum one-quarter inch gap between slats, permanently maintained, shall be required in the ~~20~~50-foot servitude required setback adjacent to all residential districts. All outdoor lighting must be directed toward the commercial property, be shielded from and shall not adversely impact any adjacent use or traffic.

* * *

Section 106-126. – I-1 site development regulations.

(a) *Site development regulations in I-1 districts.* Each development site in the I-1 light industrial district shall be subject to the following site development regulations in addition to any other applicable regulations under the provisions of this chapter or any other laws of the parish, state or federal government.

Minimum lot area	25,000 square feet
Minimum lot area when abutting residential, POS-C-RV, PF or agricultural districts	2 acres
Minimum lot area when abutting commercial and/or industrial districts	1.5 acres
Minimum lot width	125 feet
Minimum lot depth	200 feet
Minimum yard setback requirements:	
Front yard	30 feet
Street side or rear yard	10 feet
Interior side or rear yard:	
Adjacent to residential, POS-C-RV, <u>AG-1, AG-2 or PF or agricultural districts</u>	100 feet
Adjacent to C-1.1, C-1.2, or C-1.3 districts	75 feet
Adjacent to C-1.4 <u>or AG-3</u> districts	30 feet
Adjacent to other districts	10 feet

(b) *Special criteria*

* * *

- (2) Special requirements adjacent to residential districts:
- a. Buffer requirements: A minimum eight-foot tall chainlink fence with a minimum seventy percent (70%) opaque windscreen, permanently maintained, shall be required in the 20~~100~~-foot required setback adjacent to all residential districts. All outdoor lighting must be directed toward the I-1 property, be shielded from and shall not adversely impact any adjacent use or traffic.

* * *

Section 106-127. – I-2 site development regulations.

(a) *Site development regulations in I-2 districts.* Each development site in the I-2 moderate industrial district shall be subject to the following site development regulations in addition to any other applicable regulations under the provisions of this article or any other laws of the parish, state or federal government.

Minimum lot area	5.0 acres
Minimum lot area when abutting C-1.4 or other industrial districts	3.0 acres
Minimum lot width	200 feet
Minimum lot depth	200 feet
Minimum yard setback requirements:	
Front yard	50 feet
Street side or rear yard	20 feet
Interior side or rear yard:	
Adjacent to residential, POS-C-RV, PF, or agricultural districts	200 feet
Adjacent to C-1.1, C-1.2, or C-1.3 districts	150 feet
Adjacent to C-1.4 districts	100 feet
Adjacent to other districts	10 feet

(b) *Special criteria*

* * *

- (2) Special requirements adjacent to residential districts:
- a. Buffer requirements: A minimum eight-foot tall chainlink fence with a minimum seventy percent (70%) opaque windscreen, permanently maintained,

shall be required in the 20200-foot required setback adjacent to all residential districts. All outdoor lighting must be directed toward the I-2 property, be shielded from and shall not adversely impact any adjacent use or traffic.

* * *

Section 106-128. – I-3 site development regulations.

(a) *Site development regulations in I-3 districts.* Each development site in the I-3 heavy industrial district shall be subject to the following site development regulations in addition to any other applicable regulations under the provisions of this article or any other laws of the parish, state or federal government.

Minimum lot area	40.0 acres
Minimum lot area when abutting industrial districts	5.0 acres
Minimum lot width	600 feet
Minimum lot depth	1,000 feet
Minimum yard setback requirements:	
Front yard	100 feet
Front yard when abutting industrial districts	50 feet
Street side or rear yard	50 feet
Interior side or rear yard:	
Adjacent to residential, POS-C-RV, AG-1, AG-2 or PF or agricultural districts	500 feet
Adjacent to C-1.1, C-1.2, or C-1.3, or AG-3 districts	350 feet
Adjacent to C-1.34 districts	250 feet
Adjacent to I-1 districts	30 feet
Adjacent to I-2 or I-3 districts	20 feet

(b) *Special district criteria.*

* * *

- (2) Special requirements adjacent to residential districts:
- a. Buffer requirements: A minimum eight-foot tall chainlink fence with a minimum seventy percent (70%) opaque windscreen, permanently maintained, shall be required in the 75500-foot required setback adjacent to all residential districts. All outdoor lighting must be directed toward the I-3 property, be shielded from and shall not adversely impact any adjacent use or traffic.

* * *

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective upon the signature of the Parish President.

THEREFORE BE IT FURTHER RESOLVED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER KIRK ALLAIN, WHICH WAS SECONDED BY COUNCIL MEMBER CHRIS KERSHAW. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. ALLAIN, KERSHAW, WALKER, KLEINPETER, DENSTEL, CROWE, GORDON, BERGERON, JOSEPH)

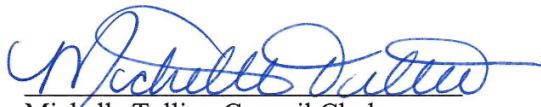
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the 13th Day of January, 2022.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 4 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Meeting of December 9, 2021
And Adopted January 13, 2022

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Bradley Smith.

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment Of Districts, Official Zoning Map For Rezoning Request Of Bradley Smith, **File #2021-18**; as described by the WBR Assessor: Tract 4 Cont 2.50 Ac In Sec 21 T8S R12E Being P/O Borruano Prop And Tract 5 Cont 2.50 Ac In Sec 21 T8S R12E Being P/O Borruano Prop., West Baton Rouge Parish. Master Plan Change. Rezoning From R-SF-3 (Residential) and R-M (Residential Minor) to AG-2 (Agricultural Moderate Scale).

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this Ordinance shall also serve as a Master Plan Change.

THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective pursuant to Section 2-12 (C) of the Home Rule Charter.

THEREFORE BE IT FURTHER RESOLVED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER CRIAG BERGERON. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. KERSHAW, BERGERON, WALKER, KLEINPETER, DENSTEL, CROWE, GORDON, ALLAIN, JOSEPH)

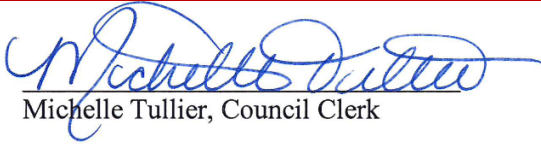
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the 13th Day of January, 2022.

ATTEST:



Michelle Tullier, Council Clerk

ORDINANCE 5 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of December 9, 2021
And Adopted on January 13, 2022

An Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of Real Property and Further Authorizing the Parish President to Sign the Necessary Documentation to Purchase Property on Freeman Lane

NOW THERE BE IT ORDAINED by the West Baton Rouge Parish Council, in legal session, that Appendix A. Purchase/Donation of Real Property of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana, is amended and re-enacted to read as follows:

Appendix A. Purchase of real property described as follows:

Municipal Address: 1480 Freeman Lane, Port Allen, LA 70767.

A certain lot or parcel of ground, lying and being situated in the Parish of West Baton Rouge, State of Louisiana, and being designated as LOT B-5 on a map entitled "Map Showing the Survey of two Lots Being Removed from Tract "B" of the Rev. J. H. Freeman Property Located in Section 14, T-7-S, R-12-E, West Baton Rouge Parish, La. For Isiah Perkins," dated August 25, 1979, prepared by Wallace J. Hargrave, Civil Engineer & Land Surveyor, a copy of which map is attached hereto and made a part hereof. Said LOT B-5 containing 0.11 acre and measuring fifty (50') feet on the North, ninety-six (96') feet on the East, ninety-six (96') feet on the West, and fifty (50') feet on the South. Being bounded on the North by K. Woodcock Dodson Prop., on the East by Exist. Lot B-4 Richardson, on the West by Lot B6, and on the South by portions of Lot 12 and Lot 13, all of said map. Together with all the building and improvements located thereon, and all rights, ways, privileges and servitudes thereto attached or in anywise thereto appertaining.

A certain lot or parcel of ground, lying and being situated in the Parish of West Baton Rouge, State of Louisiana, and being designated as LOT B-6 on a map entitled "Map Showing the Survey of two Lots Being Removed from Tract "B" of the Rev. J. H. Freeman Property Located in Section 14, T-7-S, R-12-E, West Baton Rouge Parish, La, for Isiah Perkins,' dated August 25, 1979, and prepared by Wallace J. Hargrave, Civil Engineer & Land Surveyor, a copy of which map is attached herein and made a part hereof. Said LOT B-6 containing 0.11 acre and measuring fifty (50') feet on the North, ninety-six (96') feet on the East, ninety-six (96') feet on the West, and fifty (50') feet on the South. Being bounded on the North by K. Woodcock Dodson Prop., on the East by Lot B-5, on the West Rev. J. H. Freeman Prop., and on the South by portions of the Lot 11 and Lot 12, all of said map. Together with all the buildings and improvements located thereon, and all rights, ways, privileges and servitudes thereto attached or in anywise thereto appertaining. WBR Parish Assessor Parcel No. 305310000505.

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that the Parish President is hereby authorized to sign any and all necessary documentation to effectuate the purchase of the above described property.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that this ordinance shall become effective immediately upon Parish President's signature.

NOW THEREFORE BE IF FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER ATLEY WALKER, WHICH WAS SECONDED BY COUNCIL MEMBER KENNETH GORDON. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. WALKER, GORDON, KERSHAW, KLEINPETER, DENSTEL, CROWE, ALLAIN, BERGERON, JOSEPH)

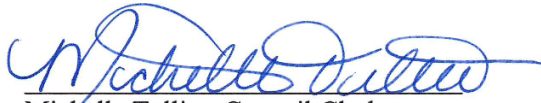
NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 13th day of January, 2022.

ATTEST:


Michelle Tullier, Council Clerk

RESOLUTION 1 OF 2022

A Resolution Adopting the Proposed 2022 West Baton Rouge Parish Meeting Schedule

WHEREAS, pursuant to the Open Meetings Act, the Council is adopting an annual meeting schedule, **AND**

WHEREAS, the proposed schedule provides for regular meetings to occur with starting times of 5:30 p.m. on the second and fourth Thursday of each month with exceptions provided for when a meeting would fall on a Parish, religious or cultural holiday or Election Day or another event; **AND**

WHEREAS, notwithstanding any other provision of this resolution, any regular meeting of the Council may be set, canceled or rescheduled to a different date, time or location by motion duly adopted by the affirmative votes of at least five members of the Parish Council or by any other manner as provided by law. The date, time and location of any meeting set or rescheduled to a different date, time or location shall be noticed and posted in the manner provided by law; **AND**

WHEREAS, this resolution shall supersede and render null and void the provisions of any prior resolution to the extent such provisions are inconsistent with the provisions of this resolution. The resolution shall become effective upon adoption of this resolution.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby adopt the 2022 Meeting Schedule attached.

The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member Kirk Allain Which Was Seconded By Council Member Gary Joseph.

The resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 9 (Messrs. Allain, Joseph, Kershaw, Walker, Kleinpeter, Denstel, Crowe, Gordon, Bergeron)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **13th Day of January, 2022.**

CERTIFICATE

I, Michelle Tullier, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of January 13, 2022 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk