

MINUTES
WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port Allen
Thursday, March 10, 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, March 10, 2022 and called to order at 05:30 PM. Council Chairman Carey Denstel asked that all electronic devices be placed on silent.

2. **OPENING PRAYER**

Councilman Alan Crowe led everyone in an opening prayer.

3. **PLEDGE OF ALLEGIANCE**

Chairman Denstel recognized Councilman Caleb Kleinpeter who led everyone in the Pledge of Allegiance.

4. **LOG ATTENDANCE**

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

Absent: Messrs. Atley Walker, Kenneth Gordon, and Gary Joseph

Also present were, Mr. Phillip Bourgoyne, Director of Finance, Mr. Jason Manola, Executive Assistant, Mr. Kevin Durbin, Director of Public Works and Mrs. Michelle Tullier, Council Clerk

5. **MINUTES APPROVAL**

A. **Approval of Minutes from February 24, 2022 Regular Meeting**

A motion was made by Kirk Allain, seconded by Caleb Kleinpeter to approve Minutes from the February 24, 2022 Regular Meeting.

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 3 (Messrs. Atley Walker, Kenneth Gordon, Gary Joseph)

ABSTAIN: 0 (None)

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

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

There were no items to consider at this time.

7. **PARISH PRESIDENT'S REPORT**

Mr. Jason Manola was recognized and explained the Parish President was not in attendance due to the Police Jury Conference and went on to notify the Council of the recent passing away of Mr. LJ Leblanc, President Berthelot's brother in law, and asked that he be kept in everyone's prayers.

Mr. Manola went on to cover the following items:

Road Overlay bids coming up, reminding the Council of price increases;

Raisin Canes grand opening;

RR changing cross ties from Port Allen to Livonia;

DOTD Intracoastal Project, Lane Closure Proposal Update.

There were a few questions from the Council regarding LA1 paving, barricades around pipeline stations near roadways, and the Stumpy Bayou project status.

8. **PUBLIC COMMENTS**

There were no items to consider at this time.

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

Superintendent Wes Watts was recognized and reminded everyone about the upcoming election for the School Board on March 26th, he went on to explain exactly what the 10 year renewal pays for and the importance of it. Superintendent Watts was questioned about rolling back any millages, he explained this is something they are looking at for the future as some of their debt is paid down.

10. **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

A. **An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”), To Include Home Occupation Use In Certain Zones.**

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

Mr. Kevin Durbin was recognized and explained this ordinance came out of the Zoning Review Board meeting noting the Planning and Zoning Commission did recommend approval.

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.

There were a few questions for clarity regarding the proposed changes to the appendix, and some clarification and amendments were made to the proposed ordinance.

A motion was made by Caleb Kleinpeter, seconded by Kirk Allain to approve with amendment/s An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”), To Include Home Occupation Use In Certain Zones.

The vote was recorded as follows:

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 3 (Messrs. Atley Walker, Kenneth Gordon, Gary Joseph)

ABSTAIN: 0 (None)

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

Ordinance 15 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 101 (General Provisions) Section 101-1 (Definitions) To Clarify Lot Width Definition Especially In Instances Of Non-Perpendicular Lots.**

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

Mr. Durbin was again recognized and explained this was another ordinance from the Zoning Review Board, and notified the Council of the recommendation of approval from the Planning and 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.

There was quite a bit of discussion regarding the aforementioned ordinance to clarify the need and purpose of the same. Discussion continued regarding side setbacks and what this would mean to calculate them. Councilman Crowe explained this was a

way to make sure that all lot widths are calculated the same way across the Parish.

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 101 (General Provisions) Section 101-1 (Definitions) To Clarify Lot Width Definition Especially In Instances Of Non-Perpendicular Lots.

The vote was recorded as follows:

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

NAYS: 1 (Mr. Chris Kershaw)

ABSENT: 3 (Messrs. Atley Walker, Kenneth Gordon, Gary Joseph)

ABSTAIN: 0 (None)

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

Ordinance 16 of 2022 can be found at the end of these minutes.

11. **INTRODUCTION OF ORDINANCES**

There were no items to consider at this time.

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

There were no items to consider at this time.

13. **RESOLUTIONS**

There were no items to consider at this time.

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

There were no items to consider at this time.

15. **CORRESPONDENCE REPORT**

Correspondence Report from Council Clerk, Mrs. Michelle Tullier included the following items:

- Next Planning & Zoning Meeting Tuesday March 15, 2022 at 5:30 PM
- Next Parish Council Meeting Thursday, March 24, 2022 at 5:30PM

16. **ADJOURN**

There being no further business, a motion to adjourn was made by Caleb Kleinpeter and was adopted by acclamation at 06:25 PM.


Carey Denstel, Chairman


Michelle Z. Tullier, Council Clerk

ORDINANCE 15 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of January 27, 2022
And Adopted March 10, 2022

AN ORDINANCE TO AMEND AND REENACT THE WEST BATON ROUGE PARISH CODE OF ORDINANCES, PART III (“UNIFIED DEVELOPMENT CODE”), CHAPTER 104 (“ZONING ORDINANCE”), APPENDIX A (“ZONING DISTRICTS”), TO INCLUDE HOME OCCUPATION USE IN CERTAIN ZONES.

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.

NOW, THEREFORE, BE IT ORDAINED that the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”) 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 104

ZONING ORDINANCE

* * *

APPENDIX A – ZONING DISTRICTS

* * *

Use Classifications	R-SF-1, R-SF-2, R-SF-3, R-ED, R-2F	R-MF-1, R-MF-2, R-MF-3	R-MH, R-M	C-1.1	C-1.2	C-1.3	C-1.4	C-2	I-1, I-2	I-3	AG-1	AG-2	AG-3	B-1, B-2	POS-C-RV; PF
Home occupation	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>				P	P	P		

* * *

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 CALEB KLEINPETER, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 6 (MESSRS. KLEINPETER, ALLAIN, KERSHAW, DENSTEL, CROWE, BERGERON)

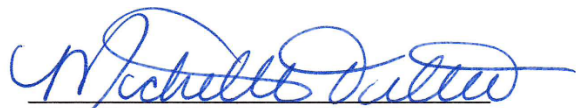
NAYS: 0 (NONE)

ABSENT: 3 (MESSRS. WALKER, GORDON, JOSEPH)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the 10th Day of March, 2022.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 16 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of January 27, 2022
And Adopted March 10, 2022

AN ORDINANCE TO AMEND AND REENACT THE WEST BATON ROUGE PARISH CODE OF ORDINANCES, PART III (“UNIFIED DEVELOPMENT CODE”), CHAPTER 101 (GENERAL PROVISIONS) SECTION 101-1 (DEFINITIONS) TO CLARIFY LOT WIDTH DEFINITION ESPECIALLY IN INSTANCES OF NON-PERPENDICULAR LOTS.

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, the West Baton Rouge Parish Council finds that the existing definition of lot widths (which also is used for calculating yards/setbacks) does not satisfactorily account for odd shaped and/or non-perpendicular lot layouts.

NOW, THEREFORE, BE IT ORDAINED that An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part Iii (“Unified Development Code”), Chapter 101 (General Provisions), Section 101-1 (Definitions), 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 101

* * *

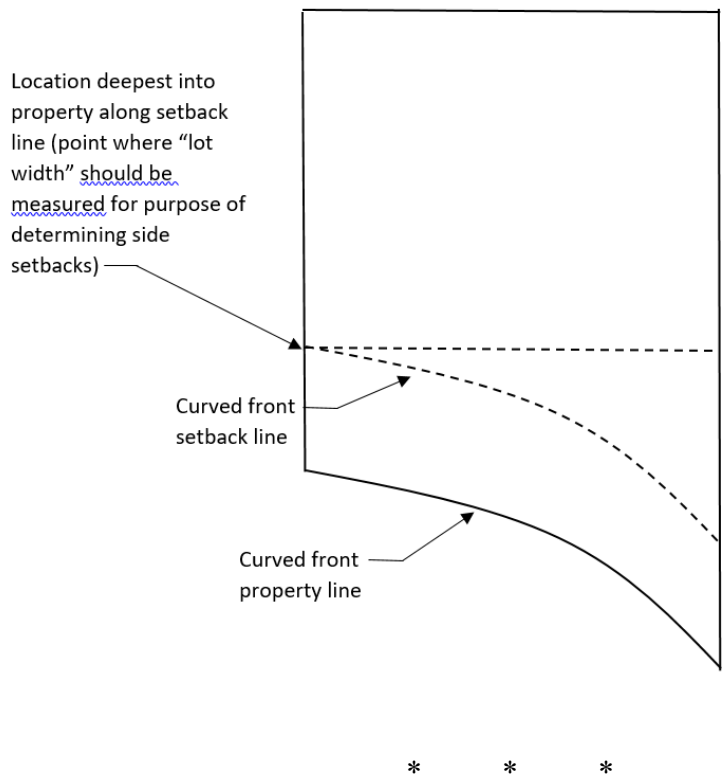
GENERAL PROVISIONS

* * *

Sec. 101-1 Definitions

* * *

Lot width means the horizontal distance between the side lines of a lot measured at right angles to the depth along a straight line parallel to the front lot line at the minimum required front setback line. In cases of curved front setbacks, the lot width (for the purpose of calculating side setback requirements) should be determined at the point along the curved setback line that is deepest into the property. An example on where to measure lot width (for the purpose of determining side setback requirements) in case of curved front setbacks is shown here:



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

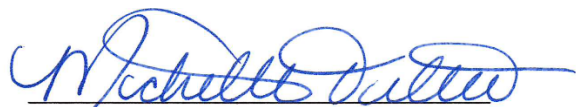
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be 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: 5 (MESSRS. CROWE, ALLAIN, DENSTEL, BERGERON, KLEINPETER)**
- NAYS: 1 (MR. KERSHAW)**
- ABSENT: 3 (MESSRS. WALKER, GORDON, JOSEPH)**
- ABSTAIN: 0 (NONE)**

WHEREUPON the ordinance was declared adopted on the **10th Day of March, 2022.**

ATTEST:


Michelle Tullier, Council Clerk

