



Land planning

The Current Planning Division of the Office of the Planning Commission processes several planning items. Action on these various land planning matters are accomplished in several ways: 1) Certain matters, for instance subdivisions of up to five lots that do not front on a private servitude of access, can be approved by the Planning Commission staff after DPW review; 2) Others may be determined by the Planning Commission with a public hearing, for example, the Major Street Plan; and 3) others must be approved by the local governing authority, the Metropolitan Council.

Other current planning matters require waivers or changes of the subdivision or zoning regulations of the Unified Development Code (UDC). These require a public hearing by the Planning Commission prior to a recommendation for a public hearing and a vote by the Metropolitan Council.

Public hearings need to be legally advertised prior to each scheduled hearing date. Therefore, when public hearings are required by law, the action on these matters may normally take 10 to 12 weeks; this time period is an approximation and particular circumstances may change the length of time involved.

This bulletin gives an overview of land planning procedures.

Subdivision Development

The subdivision regulations of the UDC are locally adopted laws governing the process of converting land into building sites. Typically, a developer or land owner will accomplish this through a plat approval process. Waivers of the subdivision regulations are required to have a public hearing before the Planning Commission and the Metropolitan Council. A developer may not sell lots without the proposed development receiving approval and recording the plat with the Clerk of Court's Office.

A common set of procedures must be followed for the development of a typical subdivision. The subdivision regulations provide for this to be accomplished in five basic steps: 1) *Pre-Application Procedures*; 2) *Subdivision Review Committee*; 3) *Public Hearings*; 4) *Construction Plans*; 5) *Final Plat*.

Pre-Application Procedures. The developer or his engineer shall review his proposed development with the Planning Commission Staff and shall then submit 10 blue-line prints of the Preliminary Plat, two 11" x 17" reductions of the plat, a complete list of names and mailing addresses of adjacent property owners, three (3) drainage impact studies, and three (3) copies of a traffic impact study, if required. The developer shall submit the appropriate fees, a signed application, and an electronic copy upon a submittal of the preliminary plat.

Subdivision Review Committee. This review allows interaction between the various technical agencies involved with the subdivision process. Utility companies, Health Department, Fire Department, Department of Public Works, the Planning Commission Staff and other committee members review the proposal. This allows all parties involved to have a complete understanding of the proposal and to resolve any perceived problems prior to the public hearing by the Planning Commission.

Public Hearings. The Planning Commission holds a public hearing; this hearing follows the Subdivision Review Committee meeting. A typical subdivision will receive preliminary approval from the Planning Commission at this time. If a waiver of the subdivision regulations is requested for the Preliminary Plan, the Planning Commission shall forward the waiver item to the Metropolitan Council for consideration at a public hearing.

Construction Plans. After the Preliminary Plat has been approved, the engineer will then prepare and submit construction plans to the Department of Public Works for review. After construction plans have been approved by the Director of Public Works, the developer may proceed with the approved required improvements. In lieu of immediate construction of improvements as required, the developer may file with the Planning Commission an agreement and performance bond securing to the City-Parish the satisfactory construction of proposed improvements within a period of not more than two years from the date of such agreement and bond.

Final Plat. Upon completion and acceptance of improvements, or after posting a performance bond and agreement to guarantee construction of the required improvements, the Planning Director and the Department of Public Works check the final plat for conformity with the approved Preliminary Plat and for compliance with the "Final Plat" section of the Unified Development Code. The Planning Commission will then grant Final Approval of the plat.

The engineer records the Final Plat with the East Baton Rouge Parish Clerk of Court, then submits blackline prints to the Office of the Planning Commission, which then transmits the plats to other government agencies. The developer shall file a maintenance agreement and surety bond with the Department of Public Works securing to the City-Parish the satisfactory performance of the construction and improvements.

Subdivision matters involving five lots or less or cases in which property involving no new lots is being exchanged or sold generally can be handled at staff level. However, subdivisions with more than five lots and all matters requiring waivers must be processed and will require a public meeting by the Planning Commission.

Parking Reduction or Paving Waivers

Off-street parking spaces and hard surface paving are required in the zoning regulations of the Unified Development Code, and therefore, any reduction or waiver must be an ordinance change. This means that the Planning Commission and the Metropolitan Council must hold hearings in the process of taking action on parking reduction or paving waivers. A completed application for parking space reduction or hard surface paving waiver is first submitted to the Office of the Planning Commission for review by the Planning Commission Staff. The application is referred to the Department of Public Works for review and comment. It is then returned to the Office of the Planning Commission for staff comment and recommendation to the Planning Commission. The item will then be considered at a regularly scheduled Planning Commission meeting. The application and the Planning Commission's recommendation will then be forwarded to the Metropolitan Council. The Metropolitan Council will then hear the request at a regularly scheduled hearing and make a final determination on the request. This process normally takes approximately 60 days.

Right-of-Way or Servitude Revocation

When seeking a right-of-way or servitude revocation, a letter of request, and all appropriate maps or sketches, shall be submitted to the Office of the Planning Commission.

The applicant is required to simultaneously send a copy of this letter and map(s) to: a) the Department of Public Works; b) the utility company(s) serving the area; c) Bellsouth Telephone Company; d) the cable television company serving the area; and e) the water company serving the area.

Once responses are received from all of these agencies, the Planning Commission Staff will forward the revocation request to the Planning Commission for a public hearing and recommendations. The request then goes to the Metropolitan Council for a public hearing and final disposition.

Street Name Change

A letter requesting a street name change, and a petition of a majority (51%) of property owners with addresses along the entire length of the street proposed for renaming agreeing to the change, and a list of those property owners must be submitted to the Office of the Planning Commission. Notices of a public

hearing are then sent by the Planning Commission Staff to property owners on that street. The proposed name change will be heard by the Planning Commission at a regularly scheduled public hearing. The item will then be sent to the Metropolitan Council with a recommendation from the Planning Commission. Council action on this matter is final.

Planned Unit Development

The purpose of a Planned Unit Development (PUD) District is to encourage the development of large tracts of land as planned neighborhoods, communities or developments through flexible and creative concepts in site planning. Within the planned area, a variety of land use types should be designed in an orderly relation to one another and to existing land uses, and with due regard to comprehensive planning. A PUD must contain a minimum of five contiguous acres. A PUD may be developed in stages or phases.

There are three required steps in the PUD approval process, which are located in section 8.216D of the Unified Development Code: a) approval of the Concept Plan by the Planning Commission and Metropolitan Council for the entire PUD; b) approval of a final development plan, which may include a preliminary plat, by the Planning Commission; and c) approval of the final plat by the Planning Commission Staff.

The procedures for processing applications for PUD development basically follow these steps: a) Subdivision Review Committee consideration; b) Planning Commission public hearing; and c) Metropolitan Council public hearing. Final development plan approval shall expire two years from the date of Planning Commission approval, unless a construction permit is obtained during that year. If a permit is obtained, the final development plan approval shall remain in force for 18 months following the issuance of such permit.

Plan Review

A site plan must be submitted to the Planning Commission for review for all projects with 75 residential units, offices, shops, stores or other uses of buildings containing 30,000 square feet or more; or with additions of 6,000 square feet or greater to buildings of 30,000 square feet or greater. Generally, projects with 75 to 99 units, and between 30,000 to 49,999 square feet, require only Planning Commission Staff approval. Site plans for projects of 50,000 square feet or more, or 100 units or more, must receive Planning Commission approval. No public hearing is required for site plans. (*see Info. Bulletin 13 for more detail*)

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