

ORDINANCE 2024-20

AN ORDINANCE TO AMEND, SUPPLEMENT AND RE-ENACT CITY OF BAKER CODE OF ORDINANCES CHAPTER 22, SECTION 6, Concerning Geometric Standards for Development and to provide for Other Matters regarding the same.

BE IT ORDAINED BY THE MAYOR AND COUNCIL of the City of Baker, Parish of East Baton Rouge, Louisiana, in regular session assembled, a proper quorum being there and then assembled on the 8th day of October 2024, as follows, to-wit:

SECTION 1:

City of Baker Code of Ordinances Chapter 22, Section 6 shall be Amended, Supplemented and Re-Enacted to read as follows:

“Sec. 22-6. Geometric Standards for Development.

Geometric standards for subdivision development are as follows:

(1) *Lots.*

- a. **The minimum width of lots shall be 75 feet and the minimum lot area shall be 10,000 square feet. In any case, the minimum lot width and the minimum area shall be not less than the minimum standards established by chapter 27.**
- b. **All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.**
- c. **Corner lots shall have extra width to permit the establishment of front building setback lines on both the front and the side of the lots adjoining the streets, irrespective of whether the rear lot lines of the corner lots abut lots fronting on the side streets.**
- d. **Lots of major street intersections and at all acute angle intersections which, in the opinion of the commission, are likely to be dangerous to traffic movement shall have a radius of 20 feet at the street corner. Where grade separation structures are proposed at the intersection of major streets, the lots and improvements in the subdivision shall be arranged so as to make adequate provision for such structures.**
- e. **No lot may be built upon which has an average ground elevation below the elevation of the finished wearing surface of the street at the centerline of the finished wearing surface of the street on which the lot fronts. The elevation of the floor level of any building constructed on a lot shall be at least 18 inches above the elevation of the finished wearing surface of the street on which the lot fronts.**

(2) *Blocks.*

- a. **No blocks shall be longer than 1,200 feet between street lines. For blocks over 800 feet, a gravel crosswalk shall be required, located near the center of the block, with a minimum right-of-way of ten feet.**
- b. **Where it is desired to subdivide a tract of land which, because of its size or location, does not permit an alignment directly related to a normal street arrangement, there may be established one or more "places." Such a place may be in the form of a court, a street with a cul-de-sac, or other arrangement; provided, however, that proper access shall be given to all lots from a dedicated street or court. A turning circle as described in subsection (3)b of this section shall be**

required at the end of dead-end streets which provide access to subdivided lots.

(3) *Street and alley right-of-way.*

- a. Streets shall be curb and gutter and shall have a minimum right-of-way of 50 feet.
- b. Turning circles at the end of dead-end streets shall be open spaces, preferably circular, equivalent to a circle having a right-of-way radius of 68 feet, with a minimum inside turning radius of 35 feet. A turning tee may be substituted for a turning circle when, in the opinion of the planning and zoning commission, the street will require future extension.
- c. Alleys shall be required at the rear of all business and commercial lots and shall be at least 20 feet in width. A five-foot cutoff shall be made at all acute angle alley intersections.
- d. Off-street parking and loading space shall be indicated on the plat for every lot or group of lots proposed or developed for business or commercial usage to provide minimum off-street parking and loading space as provided in chapter 27. If not shown on the plat as improvements to be constructed by the subdivider, private deed restrictions shall stipulate the provision of off-street parking and loading space as required in chapter 27, and such deed restrictions shall be noted on the plat.

(4) *Servitudes.* Where alleys are not provided, a servitude of not less than 7½ feet in width shall be provided on each side of all rear lot lines where necessary for poles, wires, conduits, drainage ditches, storm and sanitary sewers, and other utilities. Where both water and sewer lines are located in the same servitude, and where the contour of the land requires a drainage ditch, a width of servitude shall be required sufficient to serve all of the necessary services and to provide and maintain the necessary drainage. Wherever it is necessary to install sanitary or storm sewers or drainage ditches alongside lot lines, or across lots, a sufficient servitude shall be required to contain the necessary services as determined by the commission and the city council, or its authorized representative. No shrubs, trees, fences or other obstructions shall be planted or constructed in a servitude or be permitted to interfere with the purpose for which the servitude is provided.

(5) Required Improvements; Upgrade Agreements

a. Design and Installation of Improvements.

1. All improvements required by this ordinance and related City regulations shall be designed and installed in accordance with all applicable Local, Parish, State and Federal Regulations.
2. All improvements shall be furnished, installed, and constructed by the applicant at no cost to the City, except as specifically provided in this ordinance. Escrows or sureties may be required for off-site improvements that are required by this ordinance.

(6) Water, Sewer and Gas Utilities

a. Generally.

- i. The installation of all sewer connections, subdivision sewer systems, sewerage disposal systems and devices shall be constructed under the supervision of and approved by the parish health unit, Public Works Director and City Engineer and such connections, systems, and devices shall meet the requirements of the

Board of Health of the State and be designed according to the Engineering Standards Manual.

b. Location in Servitude.

i. All gas, water and sewer lines, and utilities for such purposes, shall be located in the street servitude or rights-of-way, with adequate additional servitude for the location of pumping or lift stations or the like, unless it is certified by the developers and/or property owners concerned that such location is impractical, and the Planning and Zoning Commission and City Council, City of Baker finds that the placement is not feasible.

c. Sanitary Sewer.

i. The subdivision developer shall be responsible for providing sewers for the subdivision from the nearest public sewer collection line available, at the subdivider's expense; minimum sewer collection line size in the subdivision itself, shall be eight inches in diameter, and the minimum size line from the subdivision to the public collection line shall be eight inches in diameter, but if the City Engineer requires larger diameter pipe, then the subdivision developer shall be responsible for the additional expenses incurred for the larger diameter pipe.

ii. The type of sewer pipe to be used by the subdivider shall be ASTMD3034SDR35 pipe or its equivalent. Further, the subdivision developer must provide written approval of the subdivision development from the Department of Public Works of the Parish or the then existing sewer district, the approval being based on a capacity analysis of the then existing sewer systems.

d. Water and Gas Supply.

i. The subdivision developer shall be responsible for providing water and gas for the subdivision from the nearest public water and gas systems available, at the subdivider's expense; the minimum water line size shall be eight inches in diameter, and the minimum gas line size shall be two inches in diameter, but if the City Engineer requires larger diameter pipe, then the subdivision developer shall be responsible for the additional expenses incurred for the larger diameter pipe.

ii. The type of pipe to be used for water lines shall be PVC and shall be C900 or the equivalent.

iii. The type of pipe to be used for gas lines shall be polyethylene and shall be ASTM2513 or the equivalent.

iv. All gas service lines shall be at least 12 inches below the surface at the meter and 18 inches below the surface at the property line to conform with the Department of Transportation rules and regulations.

v. All water service lines shall be at least 18 inches below the surface at the property lines.

vi. All rises from the gas service line to the meter shall be a minimum of one inch in diameter.

vii. Gas service lines from the main to the meter shall be at least five-eighths inch in diameter.

viii. Water service lines from the water main to the meter shall be at least one inch in diameter.

ix. The right to upgrade these requirements is reserved to the City Department of Public Works

x. Tracer wire shall be properly connected to all water lines, service and main lines, and shall extend into the meter box.

xi. Meter boxes shall be provided and installed by developers.

xii. Meter boxes shall be in conformance with current City of Baker Public Works requirements.

(7) Gas and Water Mains.

(a). Main lines for gas and water service must be run along both sides of each street in the subdivision, such that service lines can be connected to each individual lot after construction; or main lines for gas and water service are to be run along one side of a street in the subdivision and service lines must be run from the main line to each lot on both sides of the street.

(8) Fire Protection

a. Water Supply. All development must be served by adequate water supply and pressure to provide fire protection according to standards promulgated by the Department of Public Works in consultation with the Fire Department.

b. Hydrant Spacing. Spacing between hydrants shall be established by the Department of Public Works in consultation with the Fire Department.

(9) Street Lighting Standards

a. Public Streets. In any development with public streets, the developer shall provide adequate electrical service to proposed street light locations as determined by the City Engineer.

b. Private Streets. In any development with private streets, the City Engineer shall review the lighting plan for adequacy regarding safety and ease of pedestrian and vehicular access. General standards for private street lighting may be included in the Engineering Standards Manual

(10) Location of utilities. Certain locations within the street right-of-way and servitudes shall be designated for the construction of subsurface drainage, sanitary sewers and public facilities, to minimize conflicts and facilitate the

construction, maintenance and operation of these various facilities. Where feasible, all utilities shall be installed below the ground.

- a. Storm drainage pipe and gas lines shall be located within the street right-of-way unless otherwise approved by the commission. Special servitudes may be required for outfall purposes or interconnections within the subdivision.
- b. Water lines shall be generally located in the street right-of-way and placed on opposite sides of the street from the sanitary sewer lines; except that where a majority of the lots to be served are on one side of the street right-of-way, the water line may be moved to the same side as the sewer line.
- c. Sanitary sewer lines may be located in the street right-of-way or in side or rear lot servitudes.
- d. Streetlight standards may be located on either side of the street or in the center of the median strip on boulevards as required by the illumination design.
- e. Electric power and telephone facilities shall be generally located in servitudes at the rear of the lots. Power and telephone facilities shall be placed on opposite sides of the servitudes.
- f. Where underground electrical utility service is provided for the subdivision, note shall be made on the final plat of the subdivision, and in the restrictions, requiring the owner of each lot to furnish a two-foot-wide electric servitude from the source of supply to his meter location for receipt of electric service on the lot.

Typical cross sections and details showing the location of all utilities shall be included in the subdivision construction plans. If there is to be an exception or variation to provisions of subsections (5)a, b, c, d and e of this section, it shall be submitted to the commission for review and approval. The commission or its authorized representative shall have the authority to waive or alter any provisions of this section where any conflict may occur.

- (11) *Location of new streets in relation to existing and proposed streets.* The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided), insofar as they may be deemed necessary by the commission for public requirements. The street and alley arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. In general, provisions shall be made for through streets at intervals of approximately one-half mile or less, and offset streets avoided. In cases where the subdivision includes or adjoins an existing major or secondary street of width less than the minimum widths established in this chapter, the commission may require the dedication of additional right-of-way width.
- (12) *Street names; street signs.* A street name sign as approved by the city council shall be placed by the developer on one corner of all street intersections. All street names shall be chosen from an approved list of available names issued by the inspection department. Any names not included in such list may be added to the list by the inspection department, provided they are checked against duplication. All street names shall be approved by the commission.
- (13) *Storm drainage.* Wherever a drainage ditch, canal or other improved surface drainage course is located in an area that is being subdivided within such area, adequate rights-of-way shall be dedicated on either side of such drainage facility for maintenance and construction purposes. For all drainage courses having a depth of five feet or more, the subdivider

shall dedicate a right-of-way having a minimum width of 20 feet plus five additional feet for every one foot of depth. For smaller ditches, the right-of-way width shall be a minimum of six times the depth of the ditch. The planning and zoning commission may require additional rights-of-way, if it deems necessary, based upon established criteria, after review of the drainage requirements of the subdivision and consultation with the city council or its authorized representative and the engineer designing the subdivision.

(14) ***Building lines.*** The subdivider shall establish building lines in accordance with the needs of each subdivision, but in no case shall building lines be less than required by chapter 27. Restrictions requiring buildings to be set back to such building lines shall either be shown on the plat, or shall be contained in a separately recorded document and referred to on the plat. The commission may require additional building line distances where a subdivision includes or adjoins a major street or state highway.

(15) ***Exceptions for neighborhood unit developments.*** Whenever an area of at least 20 acres is to be planned and developed as a modern neighborhood unit, wherein an adequate park or playground is provided, through traffic is adequately cared for, and the majority of the minor streets are of the cul-de-sac type, the commission may vary the requirements of subsections (1), (2) and (3) of this section in order to allow the subdivider more freedom in the arrangement of the streets and lots. The commission, however, shall ensure that the convenience, health, welfare and safety of the probable future residents of the subdivision, as well as the character of the surrounding property and the general welfare of the entire parish, are protected. The average lot area per family may be reduced at the discretion of the commission.

(16) Elevation Certificate Requirement

(a) Current elevation certificate is required and shall be submitted with all construction permit applications.

i. All zones, including, non Special Flood Hazard Area (SFHA), require a current elevation certificate.

ii. Freeboard Requirement - 2 feet above the Base Flood is the level at which a structure's lowest floor must be elevated or floodproofed

iii. The Lowest Floor Elevation is determined by adding one (1) foot to the highest of the following four (4) measurements, where applicable.

- FEMA base flood elevation (as noted on the latest adopted Flood Insurance Rate Map or nearest base flood elevation or community determined elevation.
- Center line of the nearest public road adjacent or across from proposed development
- location;
- Top of the nearest upstream or downstream Sanitary Sewer Manhole where a
- community or municipal system is provided;
- Highest recorded historical or modeled 100-year inundation levels

(17) Floodways

(a) No new construction, substantial improvements, or other development (including fill) be permitted within SFHA Zones A, AI-30, and AE on the FIRM when a regulatory floodway has not been designated unless it is demonstrated that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the floodplain”

SECTION 2:

All Ordinances and parts of Ordinances in conflict herewith and the same are hereby Repealed.

All Ordinances not in conflict herewith and not affected by the amendment hereinabove set forth are hereby maintained in full force and effect as if re-enacted herein.

The Repeal of an Ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceedings pending at the time of the repeal, for an offense committed under the ordinance repealed.

SECTION 3: SEVERABILITY

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by any Court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrases, clauses, sentence, paragraph or section. If the provisions of this ordinance, or the application thereof to any person, fact, situation or circumstance are held invalid, the remainder of this ordinance and the application of such provisions to the other persons, facts, situations or circumstances, shall not be affected thereby.

SECTION 4: INVALIDATION

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications and, to that end, any and all provisions of this ordinance and applications thereof are declared to be severable.

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Collins, Dunn, Murphy, Vincent, Young

NAYS: None

ABSENT: None

ABSTAIN: None

And the Ordinance was presented September 24, 2024, at the regular meeting of the Baker City Council held at the City Hall Building in Baker, Louisiana.

And the Ordinance was declared adopted on this, the 8th day of October 2024 at the regular meeting of the Baker City Council held at the Baker City Hall Building in Baker, Louisiana.

ATTEST:

/s/Angela Canady Wall, LCMC, Clerk of Council

/s/Darnell Waites, Mayor