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ADOPTED
METROPOLITAN COUNCIL

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ORDINANCE 14363

Brian Maynard
COUNCIL ADMINISTRATOR TREASURER

AMENDING TITLE 7 (UNIFIED
DEVELOPMENT CODE), CHAPTER 10
SUPPLEMENTARY USES OF THE CODE OF
ORDINANCES OF THE CITY OF BATON
ROUGE AND PARISH OF EAST BATON
ROUGE, SO AS TO ADD SECTION 10:107
THERETO, ESTABLISHING THE ARTS AND
ENTERTAINMENT DISTRICT.

BE IT ORDAINED by the Metropolitan Council of the Parish
of East Baton Rouge and City of Baton Rouge that:

Section 1. Title 7 of the Code of Ordinances of the City
of Baton Rouge and Parish of East Baton Rouge is hereby amended, so
as to amend and re-enact Chapter 10 thereof, so as to add Section
10:107 thereto, which shall read as follows:

"Chapter 10. SUPPLEMENTARY USES

10:107 ARTS AND ENTERTAINMENT DISTRICT.

A. Purpose.

To provide guidelines for development activity in the designated area as shown in Appendix _ (site map attached for your review), also characterized as the Arts & Entertainment District in Downtown Baton Rouge, and to strengthen the physical and economic character of the district by promoting and encouraging consistency in the quality of design. The purpose is to create a well-defined destination attraction and vibrant commercial centerpiece within Downtown, with a thematic focus and balanced mix of arts and entertainment venues and activities. The district is bounded by North Boulevard (including Galvez Plaza) to the south, Main Street to the north, the west edge of River Road to the west and to the western most right of way line of Fourth Street to the east.

The district boundaries as set forth in this section may be altered only by the affirmative vote of two thirds (2/3) of the members of the Metropolitan Council at a public meeting in which a quorum is present.

The Architectural elements in these guidelines are not intended to be inflexible prescriptive requirements, and therefore exceptions may be granted by the Planning Commission for particularly appropriate proposals as set forth hereinafter. The intent is to encourage creative quality design solutions in creating a distinctive environment with this district.

B. Scope.

Except as noted above, any Development within the Arts and Entertainment District shall comply with the Unified Development Code requirements imposed based on the zoning classification of the lot upon which the building or other improvement or signage is constructed or reconstructed and also comply with the additional requirements set forth in this section. The Unified Development Code may be accessed online at <http://brgov.com/dept/planning/udconline.asp>.

Prior to the issuance of a building permit for any structure located within the Arts and Entertainment District as required under Title 8, Chapter 1, Section 8:1 of the Code of Ordinances, the Planning Commission Staff shall certify compliance with and/or exemption from the requirements of this section as set forth herein.

To be eligible for any financial incentive programs as may be established for the Arts and Entertainment District, projects must comply with the Architectural Elements as well as all other provisions of this section.

C. Downtown Design Committee.

This committee shall be established by the Council to review developments that seek incentives and will issue a statement of approval/disapproval of those developments seeking Arts and Entertainment financial incentives. The committee shall include: the Director of the Downtown Development District, a staff member of the Planning Commission, a member from the Downtown Business Association, a member from Center for Planning Excellence, three local professional advisors including one Architect, one Landscape Architect and one Civil/Transportation/Environmental Engineer, one property owner from the Arts and Entertainment District, one business owner from the Arts and Entertainment District, and one member of the Arts Council of Baton Rouge.

Project designers are encouraged, but not required, to meet with the Downtown Design Committee to review project specifics prior to Planning Commission review. The Downtown Design Committee will issue a project review statement to submit as part of the review package to the Planning Commission.

D. Downtown Master Plans.

Project designers should reference downtown master plans for conceptual project guidelines prior to submitting plans to the Planning Commission for review. Such plans include the Plan Baton Rouge Master Plan, the Riverfront Master Plan, the New River District Plan and the Downtown Visitors' Amenity Plan. Copies of these plans are accessible on the Downtown Development District website, www.brgov.com/dept/ddd.

E. Definitions.

"Building Setback" is the distance between the building

wall and the property line.

"District Boundary" is the boundary of the Urban Design Overlay District ___ and is shown on the map attached hereto as Exhibit A.

"Development" is any new construction, and/or any renovation, expansion or reconstruction which encompasses forty (40%) percent or more of the total square footage of the ground floor or which involves any modification of the front exterior.

"Storefront" is the first floor facade of a building that faces the street and connects with the sidewalk regardless of use.

Any other term used herein and not otherwise defined shall have the same meaning as given that term in the Unified Development Code which may be accessed online at <http://brgov.com/dept/planning/udconline.asp>.

F. Architectural Elements.

A building's mass, profile, orientation, color, placement, and material can either enhance or detract from the overall aesthetic appearance and experience in the Arts & Entertainment District. The objective of the development guidelines is to ensure continuity and compatibility among all architectural features and their associated spaces to enhance the quality of life as it relates to how people experience spaces and the environment around them. This is accomplished by using the building's enclosure to define and enhance spatial legibility while also providing visual cues to add diversity and highlight key elements.

The guidelines are intended to be sensitive to market considerations by being functional, flexible and responsive to varying tenant requirements. Consequently, these guidelines are illustrative rather than prescriptive. They describe appropriate types of enhancements that can be made to existing and new structures, as well as general façade enhancements. While attempting to be comprehensive in scope, these guidelines are not exhaustive in detail and do not dictate design decisions. Nevertheless, they address functional standards, preservation principles, and design parameters that encompass the building façade and streetscape components of the District.

- a. Massing and Density Standards
(Also refer to East Baton Rouge UDC Chapter 8 - Zoning Districts & Chapter 9 - Accessory Uses)

Buildings that are over one hundred and fifty (150) feet tall, or more than nine (9) stories in height, shall have a discernible treatment that distinguishes the base, middle and top of each building on all facades.

- b. Exterior Materials

An urban fabric of compatible building exteriors within this section will portray the design excellence and building quality to be embodied throughout the Arts & Entertainment District. The design guidelines for exterior walls focus on texture and materials. If the building's façade is complex with many design features, the wall texture should be simple and subdued. If the façade design is simple, a finely textured material, such as patterned masonry, can greatly enrich the building's overall character.

The following materials are recommended as dominant building materials to complement the existing Downtown building stock and facades:

Masonry brick, natural stone or architectural pre-cast stone or concrete.

Masonry or glazed concrete masonry unit block.

Stucco masonry systems.

Prefinished painted metal panels.

Natural hardwood siding, posts, railings.

Cementitious siding.

100% recycled building products, e.g., metals, recycled lumber, plastics, etc.

Ceramic tile.

Glass.

The following materials are recommended for use as accent building materials used in moderation, and composing less than 20 percent of any one façade on the building:

Stainless, Galvanized, or Corrugated Steel.

Sheet Aluminum.

Architectural Glass Block.

The following materials are not recommended as dominant building materials because they do not complement the existing Downtown building stock and facades:

Aluminum siding.

Vinyl siding.

Glass curtain walls or mirrored glazing in general on the first floor for retail uses.

Concrete Masonry Units (CMU): Unfinished and painted CMUs are not permitted as the finished exterior surface of a building, wall or fence; however, decorative CMUs (e.g., split face, glazed, etc.) may

be used if approved by the Planning Commission.

Pressure treated wood products.

Exposed ends of unit and foundation walls shall be clad in brick, natural stone or stucco material.

c. Façade Wall Articulation/Fenestration

Reinforcing the architectural design fundamentals, wall articulation and fenestration should enhance the aesthetic experience by providing a rich and varied streetscape facade.

Long, blank, unarticulated street wall facades are prohibited. Monolithic street wall facades shall be designed to include vertical and horizontal articulation (i.e., sculpted, carved or penetrated wall surfaces defined by recesses and reveals).

A "long, blank, unarticulated street wall" is any wall unbroken to the height of nine (9) feet by any one (1) or the width of 15 feet of one or more of the following:

- a. A public doorway made of transparent materials.
- b. A doorway made of opaque materials and recessed at least three (3) feet.
- c. A stairway directly available at street level to the public, but not fire escapes or false stairways.
- d. A window or fenestration opening in keeping with the architectural character of the surrounding area of at least twelve (12) square feet in area.
- e. Sculpted, carved or penetrated wall surfaces or breaks (reveals, recesses) in the surface of the wall itself.

It is encouraged that facades instead be articulated into a series of structural bays with solid piers that frame window and door elements. This subdivision of the wall plane establishes a rhythm that yields a human scale to the streetscape.

G. The Upper Façade.

The upper façade of a building is distinct from the street-level storefront, and the design qualities differ.

The upper façade consists of the following components:

The cornice and fascia that cap the building front.

The building's upper stories.

The windows, which provide articulation and interest to the upper architecture.

The piers, which extend to the ground level to visually support the façade and frame the storefront.

The more massive, solid architecture of the upper façade gives the building its feeling of substance and expresses its architectural quality and character. As a result, the design treatment, materials and conditions of the upper façade play an important role in defining the architectural style of the building and in relating it to neighboring buildings in the block face.

Where appropriate, the design of buildings should provide a transition from the pedestrian level/storefront to the upper floors by the use of materials, building articulation, color and level of detailing. When seen from the streets, a transition zone should add interest at the vehicular and pedestrian scale, thereby reinforcing the aesthetic experience and providing diversity and focal points.

H. Storefronts.

a. Storefront designs

The treatment of storefronts is critical to the overall integrity of the Arts & Entertainment District character. Storefront does not necessarily imply that a building has a retail commercial use; the storefront traditionally has experienced the greatest amount of change during a building's life and holds the most potential for creative alterations affecting the character of the building and the street scape.

Traditional storefront buildings can be small, individual, or mid-block structures that accommodate a single business, or large buildings designed to provide space for two or more businesses separated by masonry columns or piers forming distinct storefront structural bays. This building type is designed to be perceived as a whole unit, with the visual emphasis consistently placed on the storefront area and its display windows, versus the upper story facade characterized by vertical windows, parapets, or cornices.

Retail uses are critical on the street front, sidewalk frontage of the building façade in the Arts & Entertainment District. The frontage of all buildings should have primarily retail storefronts along the sidewalk edge.

b. Entries and Doorways

The main entry to a building, leading to a lobby, stair or central corridor should be emphasized at the street level to announce a point of arrival in one or more of the following ways:

Recessed within a larger arched or cased decorative opening.

Covered by means of an awning, balcony, or colonnade.

Punctuated by means of a change in roofline, a tower, or

a break in the surface of the subject wall.

Buildings situated at the corner of a public street should take advantage of and address the opportunity to provide a prominent corner entrance to street level shops or lobby space.

c. Windows

All reflective glazing and tinted glass is prohibited on the first floor of any retail establishment located in the Arts & Entertainment District. Windows are to be transparent.

Window treatment is a key way to differentiate between the street level storefront and upper stories. The large window area at ground level also creates a more inviting and diverse streetscape with highlights at each storefront.

d. Door and Window Design

The detailing of doors and windows can also contribute to the aesthetic experience. The proper accents on these features can further enhance the focal point demarcating the entry.

Doors can be accentuated with simple details such as a handsome brass door pull, brass kick plate, or an attractive painted sign.

Doors to retail shops should contain a high percentage of glass in order to view the retail contents.

When windows are added or changed, it is important that the new design be sympathetic to and compatible with the facade theme of the entire block face.

Storefront windows should be as large as possible and no closer than 18 inches from the ground (bulkhead height). This height is used to prevent someone from accidentally kicking a window by elevating the sills. By limiting the bulkhead height, the visibility to the storefront displays and retail interior is maximized. Maximum bulkhead heights for new construction should be 36 inches.

Introducing or changing the location or size of windows or other openings that alter the architectural rhythm or character of an existing building is discouraged and must be approved by the Planning Commission.

Permanent, fixed security grates or grilles in front of windows are prohibited.

e. Awnings, Canopies and Balconies

A continuous overhead cover protecting the pedestrian from sun and rain shall be provided along the right-of-way where the building meets the street in the Arts & Entertainment District. The height shall be between nine and fourteen feet from the sidewalk and shall provide a

minimum of eight feet in cover in width where feasible and permitted by site dimensions. Special circumstances may apply and minimum width may be waived. This can take the form of a fixed projection from the building (i.e. balconies), or retractable or non-retractable awnings.

Awnings and canopies provide the opportunity to add color and visual relief to buildings, as well as protecting windows from intense direct sunlight and protecting the pedestrian from the elements. The following guidelines describe the elements of awnings and canopies that will enhance the aesthetic experience of the Arts & Entertainment District.

Awnings, where used, should be of durable, commercial grade materials.

Bright and/or contrasting colors should be avoided. The awning colors should complement the building they are intended to serve and the proposed street furnishings.

Awnings should have a single color or two-color stripes.

Where the facade is divided into distinct structural bays (sections defined by vertical architectural elements, such as masonry piers), awnings should be placed within the vertical elements rather than overlapping them. The awning design should respond to the scale, proportion and rhythm created by these structural bay elements and "nestle" into the space created by the structural bay.

Awning frames and supports should be of painted or coated metal or other non-corroding material.

Glossy or shiny plastic or similar awning material is not recommended.

Awnings should be well-maintained, washed regularly and replaced when faded or torn.

Signage on the awning should cover less than 20% of the awning area.

I. Ground Floor Transitions in the Building.

Where appropriate, the design of buildings shall provide a transition from the upper floors to the pedestrian level by the use of materials, building articulation, and level of detailing. When seen from the boulevards and streets, a transition zone shall add interest at the vehicular and pedestrian scale, thereby reinforcing the urban street quality of the street and system.

J. Streetscape Standards.

The detail elements of streetscapes play a vital role in creating a desired theme or sense of place in City environs. The Downtown Visitors' Amenity Plan was developed to provide a conceptual plan of coordinated amenity improvements to complement public and private sector developments.

The Downtown Visitors' Amenity Plan is strategically directed at developing the City's identity profile by enhancing the Riverfront, ease of vehicular access, and pedestrian friendly character. Targeting the major identifying components of the City's visitor landmarks, connective infrastructure, and visual image, the plan identifies conceptual amenity upgrades and additions to significantly strengthen and enrich Downtown's visitor orientation, user experience, and tourist marketability. Streetscape elements should be chosen for their overall response to design, cost, structural stability, durability and sustainability qualities. The elements presented in this section have been selected with these qualities in mind as well as past experiences with similar models or the manufacturers. They are intended to serve as guidelines for comparison with furnishings and materials put forth in development proposals as well as comparison with local manufacturers offering the same or similar streetscape elements.

K. Outdoor Dining Areas.

New restaurants/bars/entertainment venues in the Arts and Entertainment District are encouraged to incorporate usable private open space and outdoor dining areas as set forth in Title 15, Chapter 6, Section 333 of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge.

L. Site Materials/Furnishings.

Human scale public art, street furniture such as seating, distinctive landscaping such as specimen trees, shade trees, flowering plants, water features and public seating areas in the form of ledges, broad stairs and planters near public open spaces are encouraged. See the Downtown Visitors' Amenity Plan.

Newspaper and advertisement/marketing vending boxes within the Arts and Entertainment District are prohibited within the public right of way unless approved by the Downtown Design Committee.

M. Lighting.

Sidewalks, arcades, pedestrian pathways, parking areas and building entrances must be well-lit with pedestrian scaled lighting.

Use of appropriate lighting strategies is required such as:

illuminating distinctive features of a building, including entries, signage, canopies and areas of architectural detail and interest, install lighting in display windows that spills into and illuminates the sidewalk.

A minimum zone of 4 feet from the building and a zone of 2 feet within the storefront shall be lit by mounted exterior lighting.

If walkways are illuminated, the illumination shall not exceed .5 foot candles at grade. The mounting height of these light fixtures shall not exceed 14 feet (pedestrian scale). Lighting element shall be shielded.

N. Parking, Streets, Sidewalks and Access Accommodations.

(Also refer to East Baton Rouge UDC Chapter 17 - Parking and Appendix A- Parking, Streets and Roadways)

Parking lots and structures, if properly designed and screened, can contribute to the urban character and provide for attractive pedestrian environment. A low evergreen hedge or masonry wall will screen autos and paving, thereby eliminating the harshest visual aspects of the parking lot, while also providing for adequate surveillance and security.

O. Surface Parking Lots (Reserved).

P. Parking Structures.

With the exception of any areas dedicated to ingress and egress, any parking structure that is located adjacent to a public street shall have retail/commercial uses in all areas of the first level fronting the street.

Adjoining parking structures shall have identical exterior and interior architectural and structural design including color, materials, appearance, and landscaping. The material and color selection shall be neutral and complementary to adjoining buildings.

Q. Sidewalks.

The use of non-standard paving materials and/or patterns is encouraged. The standard public sidewalks within the Downtown Arts & Entertainment District consist of concrete scored in a 2-foot by 2-foot (2 x 2) square grid pattern. Any deviation from this standard construction detail shall require the prior approval of the Director of Public Works.

General upkeep of public sidewalks, including cleaning, sweeping, and litter removal shall be the responsibility of the adjacent property owner.

No public sidewalk shall be painted, overlaid, re-colored or otherwise modified without the prior approval of the Director of Public Works.

All markings on sidewalks or buildings for purposes of utility repair shall use temporary removable, washable paint. Contractor shall remove the markings within fourteen 14 days of job completion or contractor is subject to a fine of \$100 per day.

R. Service Areas.

Service areas are defined as designated areas for short-term trash storage and pick-up, short-term recyclable

materials storage and pick-up as well as above or below ground utility equipment such as condenser units, chillers, transformers, utility meters, etc. The requirements of this subsection must be implemented within three (3) years of the date of adoption of this ordinance.

1. Location. Service areas within the Arts & Entertainment District must be carefully sited to be easily accessible, while remaining hidden from direct view from the primary or side streets. This can generally be accomplished by adhering to the following guidelines;

Utility areas, mechanical equipment or designated loading spaces shall be located at the rear of buildings.

Service areas should be designed to be part of the primary building and should not detract from the aesthetic appeal of the district.

2. Screening. All dumpsters, exterior private trash receptacles, exposed storage areas, machinery, service areas, truck loading areas, utility buildings, air conditioning units and other similar structures shall be screened from view from neighboring properties and streets with the same materials, color and/or style as the primary building in order to be architecturally compatible with the primary building. Utility areas, mechanical equipment or designated loading spaces shall be located at the rear or on rooftop of buildings or so as not to be visible from any public street.

All roof equipment must be screened from public view so as not to be visible from any public street.

Any receptacle provided for public use shall match in style and color with the existing Downtown standard, as set forth in the Downtown Visitors Amenity Plan.

For new buildings and major renovations as defined herein, utilities and dumpsters shall be incorporated into the building within the property line, not located at the corners, and not visible to the pedestrian (example: see Baton Rouge Area Foundation building).

A waiver of the requirements of this subsection may be granted by the Planning Commission for good cause shown. All requests for waivers must be considered by the Downtown Design Committee prior to approval by the Commission and may include any conditions or stipulations the Commission deems appropriate.

S. Garbage and Trash.

Property owners shall be responsible for the routine

general removal of litter and trash from all landscaped areas and public sidewalks on or abutting their property.

Public litter receptacles and sidewalks shall not be utilized for the collection of garbage and trash from private properties and/or businesses. The use of public litter receptacles or sidewalks for such purposes shall be considered a violation of this ordinance.

T. Signage.

Except as provided below, and subject to the general requirements of the Unified Development Code which may be accessed online at <http://brgov.com/dept/planning/udconline.asp> Only Wall Signs, Awning Signs and Projecting Signs are allowed in the Arts and Entertainment District.

U. Permanent Signage.

Wall signs cannot exceed 36 square feet in sign area.

Canopy, awning and projecting signs are not to exceed twelve (12') feet in length.

Developments with fifty (50') feet or less of Frontage may only utilize wall, canopy, awning or projecting signs. All signs must be attached to the building.

Pole signs, off-premise signs, and changeable letter signs (except as part of an identification sign are prohibited).

All on premise signs in Urban Design Overlay District must comply with the sign regulations imposed by this Ordinance and the Unified Development Code Sign Ordinance within three (3) years from the date of approval of this Ordinance by the Metropolitan Council.

A waiver of the requirements of this subsection may be granted by the Planning Commission for good cause shown. All requests for waivers must be considered by the Downtown Design Committee prior to approval by the Commission and may include any conditions or stipulations the Commission deems appropriate.

V. Temporary Signage.

Temporary signs are allowed in accordance with Section 16.12, Temporary Signs, of the Unified Development Code which may be accessed online at <http://brgov.com/dept/planning/udconline.asp>.

For all temporary signs displayed in public right of way including sidewalk sandwich signs, directional, special event signage, guidelines for uniform signage are available at the Downtown Development District office.

W. Storefront Signage/Displays.

Signs shall be located in the lintel or sign frieze that separates the ground level storefront from the upper

façade, on the upper façade walls, or projecting from the face of the building.

Signs featuring renderings or graphics of future projects on vacant buildings or on construction sites are encouraged within three months following purchase transaction. New construction project signage shall be incorporated into the landscape by providing interpretative information about building activities on the fence surrounding the construction site.

X. Streetscape Planting

All existing tree wells in the public rights-of-way shall be retained when properties are developed or renovated. Existing trees shall be protected from damage during construction. With the prior approval of the DPW Urban Forestry & Landscape Manager, existing trees may be removed and replaced after construction with approved species and sizes of trees.

Planting of shrubs, ground covers, annuals, or other materials in tree wells is encouraged, but shall be done only with the prior approval of the DPW Urban Forestry & Landscape Manager.

No public tree shall be cut or pruned in any manner without the explicit prior permission of the DPW Urban Forestry & Landscape Manager.

No tree or tree well located within a public right-of-way shall be lighted, decorated or adorned in any way without prior approval of the DPW Urban Forestry & Landscape Manager.

With the exception of those placed for public safety purposes, no temporary or permanent chains, signage of any type may be attached to any public tree or located within a public tree well.

Y. Maintenance.

Storefronts, sidewalks and tree wells throughout the district should be maintained and cleaned by property owners.

Z. Noise.

Title 12 Chapter 2 Section 12:103 (Loudspeakers and amplifiers) is hereby amended so as to allow operation until 12:00 (Midnight) within the Arts and Entertainment District. All other provisions remain."

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.