

Section 4.3 Preliminary Plats

- D. Abutting Property. The Lot number and names of all abutting subdivisions, and the names ~~and recorded owners~~ of abutting tracts of unsubdivided land.

Section 13.6 Street and Sidewalk improvement standards

- H. Sidewalks. Four (4) inch thick, five (5) foot wide sidewalks shall be required along both sides of all public and private subdivision streets. Single-loaded streets, which have lots on one side only, may be allowed to have sidewalks along one side of the street when deemed appropriate and reasonable by the Planning Director. Sidewalks may also be required along officially designated major streets and along all other streets where deemed essential for the public safety by the Planning Commission Staff. Such sidewalks shall be constructed in accordance with the standards and specifications of the Department of Public Works.

I. Private Street

4. Private Streets located outside the limits of the City of Baton Rouge:

Private Streets for Subdivisions with five (5) lots or less located outside the limits of the City of Baton Rouge shall be a minimum of thirty (30) feet wide and constructed with a minimum of six (6) inch thick concrete or asphalt, and the street surface shall be at least twenty-two (22) feet wide by fifty (50) feet from the edge of the Public Street. The remaining portion of the Private Street may be constructed of gravel, crushed limestone, or equivalent four (4) inches thick as approved by the Department of Public Works and shall be at least twenty-two (22) feet wide within the thirty (30) foot servitude. No more than five (5) lots can be created on Private Streets constructed of gravel, crushed limestone, or equivalent. Any Private Street outside the limits of the City of Baton Rouge must have a maneuvering surface approved by the Department of Public Works and a street name approved by the Planning Director. Waivers shall not be granted from paving the first fifty (50) feet of the Private Street when connecting to a Public Street. Private Streets for subdivisions with more than five (5) lots must meet the street construction standards in Appendix J. Major Subdivisions must also comply with Section 14.3.B.2.

- a. Private Streets serving five (5) lots or less, outside the limits of the City of Baton Rouge, and zoned Rural may be approved by the Planning Director.
- b. Private Streets serving five (5) lots or less, outside the limits of the City of Baton Rouge, and zoned Rural; the requirement for sidewalks may be waived when deemed appropriate and reasonable by the Planning Director.
- c. Private Street standards can be waived by the Planning Director if the street serves one lot, the property is outside the limits of the City of Baton Rouge, is zoned Rural, and a note is added to the plat stipulating that no further subdivision of land can occur unless the street is brought up to street construction standards.

Section 5.1 Waivers

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardship or injustice the developer may request a waiver by submitting for approval by the power of the Planning Commission.

A. The Planning Commission is authorized specifically to consider requests for and grant approval of waivers to Section 13.2.D Street and alley rights-of-way, turning circles and T-turnarounds; Section 13.3 Location of new streets in relation to existing and proposed streets; Section 13.6.I Street and sidewalk improvement standards; Section 14.2 Space allocation for utilities in new subdivisions and on new site or tract developments and Section 16.10.D Prohibited Signs, public rights-of-way. Waivers granted by the Planning Commission are final and subject to appeal according to Section 5.1.G.

B. The Board of Appeals shall consider waiver request items for Chapter 15.

C. On any subdivision where there is a question on whether a street, servitude, or bridge should be added, extended or deleted the Planning Commission staff and/or the subdivision developer would place this matter on the Planning Commission agenda for review and approval ~~recommendation to the Metropolitan Council~~. The Metropolitan Council would be advised, as soon as possible, of the Planning Commission action so that the Metropolitan Council member might ~~either accept or amend~~ appeal the Planning Commission decision ~~recommendation and the subdivision would be developed accordingly~~.

D. On any subdivision matter not involving public improvements ~~but dealing only with a minor adjustment of lot size, provision of servitudes of passage, and approval of partitions~~ not generally involving the broader public interest, such matters would be acted upon only by the Planning Commission ~~after staff recommendation~~.

E. On site or tract developments where plans were begun prior to the adoption of these amendments and no improvements are required, the Planning Commission staff and the Department of Public Works may vary requirements to permit reasonable development with such variations subject to ratification by the Planning Commission.

F. Waivers that have been granted approval for the purpose of establishing a Minor Subdivision shall be valid for a period of two years. If the minor subdivision plat has not been approved by the Office of the Planning Commission and recorded in the Office of the Clerk of Court and Recorder of the Parish within said time, the waiver shall become null and void.

G. Notwithstanding any other provision of this ordinance, at the Metropolitan Council meeting following the decision of the Planning Commission regarding requests for all such waivers, any member of the Metropolitan Council may introduce an appeal of said decision. Failure to appeal will make the Planning Commission decision final.