

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7324AA

ORDINANCE COUNCIL SERIES NO. 24-

COUNCIL SPONSOR: MR. AIREY

PROVIDED BY: COUNCIL STAFF

INTRODUCED BY: MR. LAUGHLIN

SECONDED BY: MR. CANULETTE

ON THE 18TH DAY OF DECEMBER, 2023

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES SECTIONS 130-918, 130-945, 130-969 TO REMOVE THE TERM APARTMENTS FROM THE DEFINITION OF LODGING AS SET FORTH IN THOSE ORDINANCES AND TO EXEMPT CERTAIN ZONED PARCELS WITH ZONING AS OF RIGHT.

WHEREAS, it is necessary to amend the St. Tammany Parish Code of Ordinances Sections 130-918, 130-945, 130-969 to remove the term apartments as set forth in those Sections as a clarifier for the term “lodging” as the existence of the term apartments in those Sections as a parenthetical exemplar of the listed permitted use of “lodging” was intended to address transient uses, however, the term apartments has been applied in instances to allow for non-transient lodging in the form of residential apartments; and

WHEREAS, amendments to Ordinances Sections 130-918, 130-945, and 130-969, were introduced at a meeting of the Parish Council, in July of 2023, to ensure that this improper application of the term lodging to permit residential apartments in areas zoned highway commercial zoning is no longer allowed; and

WHEREAS, said amendments to Ordinances Sections 130-918, 130-945, and 130-969 were referred to the Parish Zoning Commission and, on November 1, 2023, the Zoning Commission ruled (2023-3471-ZC), recommending approval of the Unified Development Code text changes in Ordinance No. 7324 and removing the term apartments from the definition of lodging; and

WHEREAS, appeal was taken and on December 07, 2023, the Parish Council held its public hearing on the matter as required by law.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that the St. Tammany Parish Code of Ordinances Sections 130-918, 130-945, 130-969 be amended as follows:

Sec. 130-918. - Permitted uses.

(a) Use by right subject to any minimum standards as listed in [section 130-2213](#).

(b) All uses permitted in the HC-1 district and:

(12) Lodging, 100 rooms or less (including ~~apartments~~, hotels, and motels).

Sec. 130-945. - Permitted uses.

(a) Use by right subject to any minimum standards as listed in [section 130-2213](#).

(b) All uses permitted in the HC-1 district and:

(12) Lodging, 200 rooms or less (including ~~apartments~~, hotels, and motels).

Sec. 130-969. - Permitted uses.

(a) Use by right subject to any minimum standards as listed in [section 130-2213](#).

(b) All uses permitted in the HC-2 district and:

(6) Lodging, greater than 100 rooms (including ~~apartments~~, hotels, and motels).

THE PARISH OF ST. TAMMANY FURTHER ORDAINS that, Notwithstanding the foregoing, as to any parcels zoned HC-2, HC-2A, HC-3, PBC-1, or PBC-2 as of the effective date of the adoption of this ordinance (collectively the "Zoned Parcels"), the language in this ordinance removing "apartments" (as that term is defined under Art. IV, Sec.130-5 of the Unified Development Code as of the effective date of the adoption of this ordinance) as a permitted use by right shall not be applicable to Zoned Parcels for which there are apartments constructed (whether occupied or not), under construction, under development for which the issuance of permits has been approved by the Parish Department of Planning and Development and/or Department of Permits, and/or under development for which applications for permits have been submitted to St. Tammany Parish (and have been assigned permit numbers); and said Zoned Parcels shall continue to be entitled to all provisions of the applicable and existing zoning entitlement provisions in place prior to the effective date of the adoption of this ordinance. The purpose of this provision is to negate any implication that said Zoned Parcels would be considered non-conforming uses as a result of this ordinance, and would facilitate (including, but not necessarily limited to) expansion, re-build, restoration/refurbishment, and the like of the apartments on said Zoned Parcels, subject to compliance with all other laws of St. Tammany Parish.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall be effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 18TH DAY OF DECEMBER, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-.

, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JUNE 28, 2023 Re-Introduction: DECEMBER 20, 2023

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____