

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7239

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. SMITH

PROVIDED BY: COUNCIL STAFF

INTRODUCED BY: MR. SMITH

SECONDED BY: MR. DAVIS

ON THE 6th DAY OF APRIL, 2023

AN ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES SEC. 125-95, 130-5, AND 130-1674 TO PROHIBIT THE LOCATION OF GREENSPACE AND/OR OPEN SPACE REQUIRED IN MAJOR RESIDENTIAL SUBDIVISIONS, INCLUDING PLANNED UNIT DEVELOPMENTS, SEPARATED FROM THE MAJOR DEVELOPMENT BY A STATE OR LOCAL ROADWAY WHICH IS NOT A PART OF THE PERMITTED DEVELOPMENT.

WHEREAS, it is necessary to amend the St. Tammany Parish Code of Ordinances Sections 125-95, 130-5, and 130-1674 to protect the health, safety and welfare of citizens; and

WHEREAS, it is further necessary to amend said sections of the Parish Code of ordinances to address the location of greenspace and open space in major residential subdivisions in order to prohibit the location of such greenspace or open space across a major local roadway, state roadway or federally maintained roadway as part of the major subdivision.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances shall be amended as follows:

Sec. 125-95. Greenspace requirements.

(a) The developer of each subdivision with more than 25 lots shall set aside land within their development for the use of the residents for recreational purposes. Said land shall be exclusive of green belts, reserved easements or servitude and golf courses.

(b)Subdivisions with more than 25 lots shall provide greenspace area at a ratio of not less than 580 square feet per residential lot. Greenspace shall be contiguous to the approved development and shall not be separated from the development by any major local roadway, state roadway or federally maintained roadway.

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Sec. 130-5. Definitions.

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Open space means an unoccupied space open to the sky on the same lot with the building, or, in the case of a PUD overlay, land and/or water area retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state. Open space shall be contiguous to the approved development and shall not be separated from the development by any ~~major~~ local roadway, state roadway or federally maintained roadway.

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Sec. 130-1674. Plan Approval.

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(8) Maximum total land area, minimum public and private open space, streets, off-street parking and loading areas. Breakdown by percent of total land area devoted to each use such as:

- a. Residential uses.
- b. Commercial/institutional uses limited to those permitted in the NC-1, NC-2, NC-3, NC-4, NC-5, MD-1, and ED-1 districts or any uses permitted in the underlying zoning district.
- c. Open space (as defined in section 130-5).
 - 1. A minimum of 25 percent of open space is required for all PUDs.
 - 2. In no case shall required open space along the existing road frontage be less than one-quarter acre in area and less than 100 feet in width.
 - 3. In no case shall required open space along other boundary lines (without road frontage) be less than one-quarter acre in area and less than 50 feet in width.
 - 4. No more than 50 percent of the required open space shall be satisfied using limited use land (herein defined). Limited use land shall mean land which is inundated by water for a period of greater than four months within each calendar year. Two acres of limited use land are required to satisfy one acre of required open space.
 - 5. Active recreation shall include such comparable uses as playgrounds, ball fields, swimming pools, tennis courts, etc.
 - 6. Passive recreational uses shall include comparable uses such as picnic areas, permeable nature trails, undisturbed habitat, etc.
 - 7. Open space in a residential PUD shall be contiguous to the approved development and shall not be separated from the development by any ~~major~~ local, state roadway or federally maintained roadway.

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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 become 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 13TH DAY OF JULY, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-_____.

JACOB A. "JAKE" AIREY, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MARCH 29, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____

ADMINISTRATIVE COMMENT

Amendments to relevant portions of the uniform development code to address the location of greenspace and open space in major residential subdivisions. The intent is to prohibit the location of such required greenspace or open space across from a major local roadway, state roadway or federally maintained roadway as part of permitting the major subdivision.