

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7619

ORDINANCE COUNCIL SERIES NO.: 24-_____

COUNCIL SPONSOR: LAUGHLIN/COOPER

PROVIDED BY: PARISH PRESIDENT’S OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 6TH DAY OF JUNE, 2024

ORDINANCE TO UPDATE AND CLARIFY REFERENCES THROUGHOUT PART I OF THE CODE OF ORDINANCES (THE CODE) TO CORRECTLY REFERENCE THE UNIFIED DEVELOPMENT CODE (PART II), PRIOR TO ITS EFFECTIVE DATE (PARISHWIDE)

WHEREAS, to improve land management in St. Tammany Parish, the Parish Council adopted Part II: The Unified Development Code (UDC) on December 18, 2023, via Ordinance No. 23-5339, to streamline, simplify, and improve overall code navigation and to reduce permitting confusion, remove redundancy, and align Parish procedures; and

WHEREAS, sections of the Code (Part I) are out of date; and

WHEREAS, amendments herein correct and/or align references between Part I and Part II; and

WHEREAS, as result of a comprehensive review of Part I, 30 references were identified, reviewed, and matched to the correct sections in Part II; and

WHEREAS, these references were then compared to confirm consistency across the versions; and

WHEREAS, each reference was then amended to ensure consistency between Part I and Part II prior to the UDC’s effective date; and

WHEREAS, the Parish acknowledges this amendment to Part I represents another critical step in creating an updated and clear UDC to continuously advance goals of the 2040 Comprehensive Plan; and

NOW, THEREFORE, THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends Part I: Code of Ordinances in accordance with **Exhibit A**, to update and clarify references for consistency prior to the UDC effective date, in order to best prepare for and support successful UDC implementation parishwide.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 August 2, 2024.

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 11TH DAY OF JULY, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO.: 24-
_____.

ARTHUR A. LAUGHLIN, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MAY 29, 2024

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____

EXHIBIT A

PART 1: Code of Ordinances

Aligned to Part II: The Unified Development Code

Key:

Underlined text = Amended Text

* * * = Skipped, Unchanged Text (Not Amended)

Proposed amendments to St. Tammany Parish's Code of Ordinances, Part I – Code of Ordinances, include the following:

* * *
CHAPTER 2 – ADMINISTRATION.

* * *
ARTICLE V. – DEPARTMENTAL ORGANIZATION.
* * *

Sec. 2-183. – Duties of departments.

(17) The department of engineering, under the direction of the parish engineer, shall include, but is not limited to, the oversight and administration of major road, drainage and capital projects, except district capital projects. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the department of engineering and/or parish engineer as provided for in this Code, as set forth in, Chapter 800 – Subdivision Regulations and Chapter 900 - Infrastructure and any other applicable regulations. Said duties shall also include the ability of the parish engineer to designate additional engineer(s) to act in place of the parish engineer for the administration of parish engineer duties as provided by this paragraph. The parish engineer and/or his/her designee(s) shall be, at the time of his/her appointment, a professional engineer licensed by the Louisiana Professional Engineering and Land Surveying Board and shall have been engaged in the practice of engineering for a period of five years.

* * *
ARTICLE XIV. – CODE VIOLATIONS AND ADMINISTRATIVE ADJUDICATION

* * *
Sec. 2-544. – Inclusion and adoption of all existing sections and subsections of this Code.

- * * *
(1) Chapter 300 – Buildings and Construction (and as may be amended).
(2) Chapter 800 – Subdivision Regulations (and as may be amended).
(3) Chapter 400 – Zoning, (and as may be amended).

- * * *
(7) Chapter 900 - Infrastructure, Sec. 900-6.5 - Placement of Fill and Sec. 900-6.7 - Flood Hazard Area Requirements, and as may be amended.

* * *
Sec. 2-549. - Authority to assess and levy.

- * * *
(b) Chapter 800 – Subdivision Regulations (and as may be amended).
(c) Chapter 400 – Zoning (and as may be amended).

- * * *
(e) Chapter 300 – Buildings and Construction (and as may be amended).

- * * *
(h) Chapter 900 - Infrastructure, Sec. 900-6.5 Placement of Fill and Sec. 900-6.7 Flood Hazard Area Requirements (and as may be amended).

* * *

Sec. 2-551. - Costs, fines and penalties.

* * *

(1) As to Building Code violations (Chapter 300 – Buildings and Construction), and as may be amended, the officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "A," attached hereto and a made a part hereof and as may be amended hereinafter by this council.

* * *

(4) As to Subdivision violations (Chapter 800 – Subdivision Regulations, and Chapter 900 – Infrastructure), and as may be amended, the officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "D," attached hereto and made a part hereof and as may be amended hereinafter.

(5) As to Zoning violations (Chapter 400 – Zoning), and as may be amended) the officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "E," attached hereto and made a part hereof and as amended hereinafter.

* * *

(7) As to Floodplain Management violations (Chapter 900 - Infrastructure, Sec. 900-6 and Sec. 900-7), and as may be amended, the officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "G," attached hereto and made a part hereof and as may be amended hereinafter by this council.

* * *

Sec. 2-559. - Schedule of costs, fines, penalties.

* * *

<i>Schedule A</i>	
<u>Chapter 300 – Buildings and Construction (and as may be amended)</u>	Up to \$500.00 per day for continuing violations
* * *	
<i>Schedule D</i>	
<u>Chapter 800 – Subdivision Regulations (and as may be amended)</u>	Up to \$500.00 per violation; same per day for continuing violations
<i>Schedule E</i>	
<u>Chapter 400 – Zoning (and as may be amended)</u>	Up to \$500.00 per violation; same per day for continuing violations
* * *	
<i>Schedule G</i>	
<u>Chapter 900 – Infrastructure, Sec. 900-6 and Sec. 900-7 (and as may be amended)</u>	Up to \$500.00 per violation; same per day for continuing violations

* * *

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ARTICLE XVII. PARISH FEES, DIVISION 3. – DEVELOPMENT.

Subdivision V. – Mandatory Impact Fees.

Sec. 2-771. – Definitions.

* * *

Major road system means the system of major roadways within the service area that is comprised of those roads identified in the road impact fee study and the attached major road system list, including those roadways that are subsequently included in the major road system list by resolution of the governing authority. The major road system excludes Interstates and U.S. highways.

Manufacturing means an establishment primarily engaged in the fabrication, assembly or processing of goods. Typical uses include manufacturing plants, welding shops, wholesale bakeries, dry cleaning plants and bottling works.

* * *

Trip means a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end).

Vehicle-Miles of Travel (VMT) means the product of the average number of vehicles traveling during the afternoon peak hour of adjacent street traffic on a weekday and the distance (in miles) that they travel on the major road system.

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CHAPTER 6 - ALCOHOLIC BEVERAGES.

* * *

ARTICLE II. – PERMITS

DIVISION I. – GENERALLY.

* * *

Sec. 6-34. - Location restrictions.

* * *

(b) Except with the written consent or approval provided for in paragraph (1) herein below, a permit for the sale of beverages of high alcoholic content, other than one specifically limited to the sale of beer and wine, shall not be granted for any facility selling alcoholic beverages for consumption on premises that is situated on property located adjacent to single-family residentially zoned property or where the facility selling alcoholic beverages is situated within 500 feet or less of single-family residentially zoned property. The measurement to be taken shall be as provided for in paragraph (a) herein above.

* * *

CHAPTER 22 - LICENSES, TAXATION, AND REGULATIONS.

* * *

ARTICLE XII. - SHORT TERM RENTALS.

* * *

Sec. 22-591. Application requirements and permit approval.

- (a) All Short Term Rentals shall be operated in accordance with the minimum standards set forth in Chapter 400 – Zoning Sec. 400-8.II. Where requirements in this section conflict or appear to conflict with Chapter 400, the more restrictive shall apply. No one shall operate a short term rental without first filing an application, initial or renewal, provided by St. Tammany Parish Government, and obtaining a short term rental permit from the department of planning and development to engage in such business. Where this code allows for a short term rental, including those that are in operation at the time of the effective date of this article, the operator of each short term rental shall have until February 1, 2022 to submit a completed application for the short term rental permit that must be approved, or face penalties as provided in this article. A short term rental permit shall not be transferred from one place or one person to another place or person. More than one short term rental may be located on the same property, in which case more than one short term rental permit will be needed (one for each short term rental is required). The requirements for the short term rental permit herein provided are requirements separate and apart from and in addition to the requirements for obtaining an occupational license to operate a business as required per chapter 22, article II, et seq.
- (b) The application and all supporting documents shall be retained and reviewed by the department of planning and development, which shall approve or deny the application and provide notice of such. All applications shall include, but not be limited to, the following information and documents:

* * *

- (12) Copy of the informational brochure as required per Chapter 400 – Zoning Sec. 400-8.II.
- (13) Sworn affidavit executed by the proposed operator certifying that the proposed operator has read and understood all of the minimum standards for short term rentals as set forth in Chapter 400 – Zoning Sec. 400-8.II and that the proposed operator is and shall be through the duration of the permitting term in compliance with all of the minimum standards therein.

* * *

CHAPTER 35 – ROADS AND BRIDGES

ARTICLE I. – IN GENERAL.

* * *

Sec. 35-5. – Accepting private roads, excluding subdivisions, into the parish selective road maintenance system inventory.

* * *

- (a) *Initial/preliminary.* A letter must be signed by all of the property owners involved stating their intentions to dedicate and construct a right-of-way to parish specifications. The letter shall be addressed and sent to the parish engineer and shall include the following:

* * *

- (2) That the right-of-way must serve two or more individual legal parcels of land, defined as follows:

* * *

- c. That the roadway will be constructed to parish standards and the surface shall be consistent with that of the public road off which it runs, as follows:

* * *

9. The applicant shall be required to submit a traffic signage plan for the purpose of providing proper traffic signage. Traffic signage plan specifications shall be in accordance with in Chapter 900- Infrastructure, Sec. 900-3.9 Traffic Signs and Control Devices of this Code, and all signs must be in place prior to obtaining final approval.

* * *

(c) *Final acceptance.*

* * *

- (3) *Amount of warranty.* The amount of the warranty obligations set by the department of engineering shall be based on the standards established in Chapter 800 – Subdivision Regulations of this Code. The warranty obligation will be released by resolution of the governing authority upon satisfactory inspection by the department of engineering and submission of the following documents by the applicant.

* * *

Sec. 35-27. – Procedures and standards for granting permission to enter parish right-of-way for gaining access to property.

* * *

- (b) Conditions which may be imposed on an applicant which must be incorporated within the resolution include, but are not limited to, the following information:

- (1) Requiring additional right-of-way to be dedicated to the parish or the establishment of servitudes in cases when the right-of-way does not meet the current right-of-way widths as established in Chapter 900 – Infrastructure or requiring in cases of limited right-of-way widths the provision to allow a one-way access as long as the one-way access provides an entrance and a different exit (terminus) to an approved roadway.

* * *

- (5) The parish engineer must review and approve a road design and drainage plan prepared by a licensed state-registered engineer. The parish engineer may require additional off-site work to minimize the potential impact of the proposed construction with special emphasis regarding drainage. The road and drainage design must meet the road standards as established under Chapter 900 – Infrastructure.

- (6) Any developer/applicant proposing to develop lots within a "dormant subdivision" or "subdivision of record" must submit for review and approval of the parish engineer a drainage plan that meets the detention requirements of Chapter 900 – Infrastructure. Where applicable, such developer/applicant shall be entitled to claim a credit toward drainage impact fees due the parish under the authority of chapter 2, article XVII, and, where applicable, shall be entitled to claim credit/reimbursement from any drainage impact fees that have been paid into the "Drainage Impact Fee Escrow Account" by the owners of lots that are not owned by the developer/applicant but would be receiving the benefits of said storage requirements.

* * *

- (8) Provisions for the establishment of a performance and warranty letter of credit, when applicable and utilized in the same manner as performance letters of credit are utilized as per Chapter 800 – Subdivision Regulations.

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