

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7079AA

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: CIVIL DISTRICT ATTORNEY

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. FITZGERALD

ON THE 6TH DAY OF APRIL, 2023

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, PART II-LAND DEVELOPMENT CODE, CHAPTER 130-UNIFIED DEVELOPMENT CODE, ARTICLE V-OVERLAYS, DIVISION 6-PLANNED CORRIDOR DISTRICT, SECTION 130-1814-SPECIAL DESIGN STANDARDS, TO LIMIT HOURS OF OPERATION FOR CERTAIN USES WITHIN THE HIGHWAY 21 PLANNED CORRIDOR (WARD 1, DISTRICT 1). (Recommended denial by Zoning Commission)

WHEREAS, St. Tammany Parish Code of Ordinance Sec. 130-1809, et seq., establishes a planned corridor overlay district for property located on Highway 21 between the Tchefoncté River and Highway 1077; and

WHEREAS, the purpose of the Highway 21 Planned Corridor District is to provide for the preservation of the certain existing special standards for all commercial development in the District to ensure continuous conformance to all applicable standards and the integrity of the District; and

WHEREAS, the Highway 21 Planned Corridor District incorporates special design standards in order to maintain enhanced aesthetics, traffic flow, and sensitivity to long-established residential neighborhoods abutting the District; and

WHEREAS, stringent development criteria are required in the Highway 21 Planned Corridor District to ensure that harmony and compatibility with adjacent land uses are not adversely affected; and

WHEREAS, the proliferation of automated car washes in St. Tammany Parish has underscored the importance of protecting abutting residential property owners from increased noise, illumination, and traffic caused by automated car washes; and

WHEREAS, in order to ensure that existing residential property owners are not adversely affected by automated car washes in the Highway 21 Planned Corridor District, it is necessary to limit hours of operation for such businesses which abut residentially-zoned properties; and

WHEREAS, in order to balance the interest of business operators and residential property owners, hours of operation for automated car washes in the Highway 21 Planned Corridor District must be limited to 7:00 am to 7:00 pm.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the St. Tammany Parish Code of Ordinances, Part II-Land Development Code, Chapter 130-Unified Development Code, Article V-Overlays, Division 6-Planned Corridor District, Section 130-1814-Special Design Standards, be amended as follows:

The minimum standards for the Highway 21 planned corridor overlay will be the same as the standards for all commercial development unless otherwise stated below:

(1) *Site and structure provisions.*

- a. Minimum lot area.
- b. Minimum area regulations.
- c. Height regulations.
- d. Off-street parking and loading requirements. The parking area shall be located no less than 50 feet from the property line nor shall it encroach on the required street planting area.
- e. Landscaping regulations. Landscape regulations shall be the same as for other commercial properties, except that the following additional standards shall apply:
 1. *Planting requirements.*
 - (i) *Street planting area requirements.*
 - A. The street planting area shall be a minimum of 25 feet in depth. For lots greater than 150 feet in depth, the street planting area shall include one additional foot for every ten feet in depth.
 - B. The street planting area shall contain a minimum of one Class A tree per every 300 square feet of the street planting area and one Class B tree per every 200 square feet of the street planting area.
 - C. Planting beds near signage and structures are recommended.
 - D. Grass or groundcover are recommended for areas without trees.
 - (ii) *Buffer planting area requirements.* A nonresidential property abutting a residential district shall have a minimum side yard and rear yard requirement of 30 feet.
 - (iii) *Parking area requirements.*
 - A. The parking area shall be screened from view when the parking area is oriented to the side and/or the front of the structure to reduce visibility of the parking area from the highway using one of the following methods:
 - i. 70 percent sight obscuring screen of living material.
 - ii. 100 percent sight obscuring screen six feet in height of non-living material.
 - iii. Earth berm with a minimum height of three feet.
 - B. Planting areas shall be a minimum of ten percent of the paved parking area.
 2. *Protection of landscape areas.* The placement of barrier curbs or wheel stops to protect landscape areas from vehicular damage shall be required.
- f. Sign regulations. Sign regulations shall be the same as for other commercial properties, except that the following additional standards shall apply:
 1. Area and height provisions for ground signs.
 - (i) Single occupancy.
 - A. Area allowed: 25 square feet.
 - B. Height allowed: six feet.
 - (ii) Multiple occupancy.
 - A. Area allowed: 50 square feet.
 - B. Height allowed: eight feet.
 2. No internal illumination.
 3. White light only, no colored lighting.
 4. Spectrum colors only, no iridescent colors permitted.
 5. Personal identification signs with any dimensions exceeding 24 inches shall require an administrative permit. Such signs shall not exceed four square feet.
- g. Lighting requirements.
- h. Utility requirements.

- i. Setback requirements. For lots with frontage along Highway 21 only, the following setback requirements shall be applied:
 - 1. Principal buildings: 100 feet from the property line.
 - 2. Accessory structures: 100 feet from the property line.
- j. ~~Hours of operation for automated car washes abutting residentially-zoned property shall be limited to 7:00 am to 7:00 pm.~~ Hours of operation for any commercial establishment abutting residentially-zoned property which customarily produces noise at or above 70 dB(A) as defined in Sec. 26-112 shall be limited to 7:00 am to 7:00 pm.

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 immediately upon final 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 4TH DAY OF MAY, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: APRIL 19, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____