

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5291

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: FALCONER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. ARTIGUE

ON THE 2 DAY OF OCTOBER , 2014

ORDINANCE TO AMEND THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE, VOLUME I (ZONING), SECTION 6.01 PLANNED UNIT DEVELOPMENT OVERLAY RELATIVE TO OPEN SPACE & MAJOR AMENDMENT TO THE PUD (ZC14-08-075).

WHEREAS, it is necessary to amend the St. Tammany Parish Unified Development Code, Volume 1 (Zoning), specifically to amend the standards for major amendment and provide regulation for open space within the PUD Planned Unit Development Overlay.

NOW, THEREFORE, the Parish of St. Tammany hereby ordains, that it amends the St. Tammany Unified Development Code, Volume I (Zoning), Section 2, Definitions by amending the following terms to the existing definitions:

Open Space : An unoccupied space open to the sky on the same lot with the building, or in the case of a PUD overlay the dedicated open space as per the PUD plan. land and/or water area retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that it amends the St. Tammany Unified Development Code, Volume I (Zoning), Section 6.01 Planned Unit Development Overlay, specifically Section 6.0103 A. 8. c. Maximum total land area, Minimum public and private open space, streets, off-street parking and loading areas.

c. Green Open space (as defined in Article 2 - Definitions)

1. A minimum of 25% of open space is required for all PUD's.

2. In no case shall required open space along the existing road frontage be less than 1/4 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 1/4 acre in area and less than 50 feet in width.

4. No more than fifty percent (50%) 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 (4) months within each calendar year. Two (2) acres of Limited Use Land are required to satisfy one (1) acre of required open space.

4. 5.Active recreation shall include such comparable uses as playgrounds, ball fields, swimming pools, tennis courts, etc.

5. 6. Passive recreational uses shall include comparable uses such as picnic areas, permeable nature trails, undisturbed habitat, etc.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that it amends the St. Tammany Unified Development Code, Volume I (Zoning), Section 6.01 Planned Unit Development Overlay, specifically Section 6.0104 Amendment to the Planned Unit Overlay as follows:

6.0104 AMENDMENT TO THE PLANNED UNIT DEVELOPMENT

Amendments to the PUD shall be classified as either major or minor in character.

A. Major amendments to the PUD shall require the developer to submit revised plans to the Department of Development Planning. Upon review of the proposed amendments to the PUD by the staff, a public hearing shall be established for the review of the major changes by the Zoning Commission.

The Zoning Commission shall have the authority to review and approve all major changes to the PUD. Public advertisement shall be required at least fifteen (15) days prior to the meeting date and shall run in the official journal of the Parish at least twice during that time period.

Furthermore, the developer shall pay ~~additional~~ the processing fees according to the St. Tammany Parish Code of Ordinances, Section 1-0212.063 for ~~procurement of his~~ the proposed major PUD changes. ~~The additional fees shall be established by the Department of Planning upon initial review of the proposed amendments.~~

Major changes to the PUD plan include changes to:

1. The use of the land,
2. ~~The use, bulk and~~ location of significant buildings and structures,
3. ~~The location of open spaces~~ 4. 3. A cumulative reduction in the quantity or quality of open space and, the total of the originally approved overall acreage of open space by more than 5% and/or below the minimum of 25% of required open space,
5. 4. An cumulative increase in the intensity of use and/or in the density of a development by more than 5% of the total of the originally approved overall acreage and/or,
5. A setback adjustment for an entire phase and/or section of a subdivision of 10 lots or more. All other request of setback adjustment affecting less than 10 lots will have to be appealed to the Board of Adjustments.

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 6 DAY OF NOVEMBER , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 25 , 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

Administrative Comment

ZC14-08-075

The objectives of the text change are to provide a definition for open space, to allow for a certain percentage of open space to be satisfied by using limited use land, and to clarify the criteria of an amendment to the PUD, to be classified as major.