

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5170

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. GOULD

SECONDED BY: MR. TANNER

ON THE 6 DAY OF MARCH , 2014

**PLEASE SEE ATTACHED FOR COMPLETE DOCUMENT.**  
ORDINANCE TO AMEND THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE, VOLUME 1 (ZONING)SECTION 5.27 MD-1 (MEDICAL RESIDENTIAL DISTRICT), SECTION 5.28 MD-2 (MEDICAL CLINIC DISTRICT), AND SECTION 5.29 MD-3 (MEDICAL FACILITY DISTRICT) RELATIVE TO BUFFER, SETBACK, AND HEIGHT REGULATION (ZC-14-02-019)

WHEREAS,

THE PARISH OF ST. TAMMANY HEREBY ORDAINS:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 2 DAY OF OCTOBER , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

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R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

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PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: March 20 , 2014

Published Adoption: \_\_\_\_\_, 2014

Delivered to Parish President: \_\_\_\_\_, 2014 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2014 at \_\_\_\_\_

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5170      ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: MR. GOULD      PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. GOULD      SECONDED BY: MR. TANNER

ON THE 6<sup>TH</sup> DAY OF MARCH, 2014.

ORDINANCE TO AMEND THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE, VOLUME 1 (ZONING) SECTION 5.27 MD-1 (MEDICAL RESIDENTIAL DISTRICT), SECTION 5.28 MD-2 (MEDICAL CLINIC DISTRICT), AND SECTION 5.29 MD-3 (MEDICAL FACILITY DISTRICT) RELATIVE TO BUFFER, SETBACK AND HEIGHT REGULATIONS. (ZC 14-02-019)

WHEREAS, the St. Tammany Parish Council considered the possibility that the amendment below may be advantageous to the economic development of St. Tammany Parish; and

WHEREAS, the St. Tammany Parish Council has determined that it is in the best interest of the businesses and citizens of St. Tammany Parish to provide such clarification.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the St. Tammany Parish Unified Development Code, Volume 1 (Zoning) Section 5.27 MD-1 (Medical Residential District), Section 5.28 MD-2 (Medical Clinic District), and Section 5.29 MD-3 (Medical Facility District) relative to buffer, setback, and height regulations be amended as follows:

**SECTION 5.27      MD-1 Medical Residential District**

**5.2704 SITE AND STRUCTURE PROVISIONS**

**D.      Buffer and Height Regulations**

1. No portion of a building or dwelling for residential or business purposes located within 100 feet of a residential zoned property shall exceed thirty-five (35) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.

2. Where MD-1 zoned property abuts a single family residentially zoned property (the "Common Property Line") being hereinafter defined as the boundary line between the MD-1 zoned property and the residential property and the building or dwelling exceeds thirty-five (35) feet in height:

a. The first one hundred (100) feet from the Common Property Line shall be maintained as a no cut buffer, except that diseased and/or dead trees and vegetation may be removed and new trees and/or new vegetation shall be planted. A path not to exceed ten (10) feet in width, with a natural ground or soft or hard surface, may be cleared next to the Common Property Line to allow for the installation and/or maintenance of a fence on the Common Property Line, to facilitate surveillance of the perimeter of the MD-1 zoned property, and installation and/or maintenance of utility lines.

~~2.~~ 3. In no case shall any building or dwelling for residential or business purposes exceed fifty (50) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.

**SECTION 5.28 MD-2 Medical Clinic District**

5.2804 SITE AND STRUCTURE PROVISIONS

D. Buffer and Height Regulations

1. No portion of a building or dwelling for residential or business purposes located within 100 feet of a residential zoned property shall exceed thirty-five (35) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.
2. Where MD-2 zoned property abuts a single family residentially zoned property (the "Common Property Line") being hereinafter defined as the boundary line between the MD-2 zoned property and the residential property and the building or dwelling exceeds thirty-five (35) feet in height:
  - a. The first one hundred (100) feet from the Common Property Line shall be maintained as a no cut buffer, except that diseased and/or dead trees and vegetation may be removed and new trees and/or new vegetation shall be planted. A path not to exceed ten (10) feet in width, with a natural ground or soft or hard surface, may be cleared next to the Common Property Line to allow for the installation and/or maintenance of a fence on the Common Property Line, to facilitate surveillance of the perimeter of the MD-2 zoned property, and installation and/or maintenance of utility lines.
- ~~2.~~ 3.In no case shall any building or dwelling for residential or business purposes exceed fifty (50) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.

**SECTION 5.29 MD-3 Medical Facility District**

5.2904 SITE AND STRUCTURE PROVISIONS

D. Buffer and Height Regulations

1. No portion of a building or dwelling for residential or business purposes located within 100 feet of a residential zoned property shall exceed thirty-five (35) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.
2. Where MD-3 zoned property abuts a single family residentially zoned property (the "Common Property Line") being hereinafter defined as the boundary line between the MD-3 zoned property and the residential property and the building or dwelling exceeds thirty-five (35) feet in height:
  - a. The first one hundred (100) feet from the Common Property Line shall be maintained as a no cut buffer, except that diseased and/or dead trees and vegetation may be removed and new trees and/or new vegetation shall be planted. A path not to exceed ten (10) feet in width, with a natural ground or soft or hard surface, may be cleared next to the Common Property Line to allow for the installation and/or maintenance of a fence on the Common Property Line, to facilitate surveillance of the perimeter of the MD-3 zoned property, and installation and/or maintenance of utility lines.
- ~~2.~~ 3.In no case shall any building or dwelling for residential or business purposes exceed seventy (70) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.

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 4<sup>TH</sup> DAY OF SEPTEMBER, 2014; AND BECOMES ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_.

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R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

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PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: March 20, 2014

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