

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3106 AS AMENDED ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. IMPASTATO PROVIDED BY: COUNCIL OFFICE

RE-INTRODUCED BY: MR. THOMPSON SECONDED BY: MR. CANULETTE

ON THE 4TH DAY OF AUGUST 2005

ORDINANCES TO AMEND PARISH CODE, APPENDIX C, LAND USE ORD. 523, SECTION 3.03 MINIMUM STANDARDS, PARAGRAPH "R" MANUFACTURED HOMES OR MOBILE HOMES, SUBPARAGRAPH "5" WAIVER OF PUBLIC HEARING, TO ENACT A NEW SUBPARAGRAPH "5b", TO AUTHORIZE ADMINISTRATIVE APPROVAL OF CONDITIONAL USE PERMITS FOR MOBILE HOMES IN A SUBDIVISION THAT HAS RECEIVED PRIOR COUNCIL CONSIDERATION AND APPROVAL FOR ISSUANCE OF AN ADMINISTRATIVE PERMIT, TO REENACT EXISTING SUBPARAGRAPH "5b" AS SUBPARAGRAPH "5c", AND FURTHER PROVIDE WITH RESPECT THERETO.
(ZC05-08-054)

WHEREAS, in October 2002, the Council approved an ordinance that requires a conditional use permit approval of the St. Tammany Parish Zoning Commission in order to place a mobile home on property that is zoned SA (Suburban Agricultural) District and located within the Growth Management Area of St. Tammany Parish; and

WHEREAS, Forest Glen Subdivision (in Lacombe, Louisiana, in Section 48, Township 8 South, Range 12 East, Ward 4 & 7, District 7) is located in a SA (Suburban Agricultural) Zoning District and is situated within the Growth Management Area of St. Tammany Parish;

WHEREAS, there are a large number of mobile homes in the Forest Glen Subdivision, a considerable number of conditional use permit applications to place mobile homes in this subdivision have been submitted to the Planning Department for review, and all of the conditional use permits that were submitted for review since October 2002 have been approved by the Zoning Commission;

WHEREAS, the Department of Planning and the Zoning Commission have recommended approving a blanket conditional use procedure, waiving the public hearing process for conditional use permit applications to place a mobile home in Forest Glen Subdivision, the Council having concurred with the recommended approval of such procedure; and

WHEREAS, the Council recognizes that there may be other subdivisions that also have large numbers of mobile homes, which may warrant the utilization of such a blanket conditional use procedure, following the Zoning Commission's recommendation and Council's consideration and approval of the particular subdivision.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code, Appendix C, Land Use Ordinance 523, is amended to enact a new Subparagraph 5b of Paragraph R, Section 3.03 Minimum Standards, and to reenact the existing Subparagraph 5b as Subparagraph 5c, as follows:

SECTION 3.03 MINIMUM STANDARDS

5. WAIVER OF PUBLIC HEARING AND FEE:

a. The Department of Development shall waive the requirements of approval by the Zoning Commission, public hearing, notice and part of the fee for the application if the applicant presents a petition of "no objection", executed by 100% of the property owners on both sides of the street or road, within 500 feet of said property and all abutting property owners. Should the property be situated on a corner of intersection of two or more streets, then in this event, the said petition shall be executed and obtained from 100% of the property owners, on both sides of said streets and/or roads, within a radius of 500 feet thereof and all abutting property owners; and the site of the manufactured home or mobile home is located in a residential subdivision or residential neighborhood consisting of (1/2) one-half or more occupied manufactured homes or mobile homes, and:

i. The manufactured home or mobile home is attached to and installed on a permanent foundation and the provisions of the Louisiana Revised Statutes 9:1149.4 are complied with and/or the structure meets the minimum standards for tie-downs as per the St. Tammany Parish Police Jury Ordinance No. 89-1099, As Amended St. Tammany Parish Building Code; and

ii. The minimum floor area of the manufactured home or mobile home is not less than 720 square feet; and

iii. Appropriate skirting is affixed to the manufactured home or mobile home; and

iv. The applicant meets the minimum requirements for the manufactured home or mobile home evaluation prepared and determined by the Department of Development.

v. Screening by landscaping or opaque fence is required when the property abuts or adjoins site built housing or a pattern has been established along a developed block.

~~b. In the event that the administrative determination of approval is dissatisfactory to the petitioner, applications may be forwarded to the Zoning Commission, for a public hearing in accordance with the provisions of Section 3.2 Conditional Uses.~~

b. In lieu of the procedures set forth in Subparagraph 5a, an applicant for a conditional use permit, to place a mobile home in a subdivision that has received prior *Zoning Commission consideration and Council consideration and approval for utilization of the blanket conditional use procedure* for administrative issuance of such permits, may be issued a permit through the administrative process, without the necessity of public hearing and approval of the permit by the Zoning Commission, provided the applicant meets the requirements set forth in i through v, which are set forth immediately herein above, and the following requirements:

i. Only one habitable structure per lot is allowed. A mobile home or a site built structure, which is intended to be used as a second residence, or guest house/garage apartment, is prohibited.

ii. The mobile home shall be less than two years old, prior to the issuance of the building and administrative permit, or it has been determined by the department to be in excellent condition. The windows, siding, roof and doors must not be in need of repair. A photograph must be submitted prior to the issuance of the permit;

iii. If the lot size does not meet the minimum requirements of 22,500 square feet, the lot of record setback requirements apply: a 25' setback from the front, a rear setback of 20% of the lot depth or 25 feet, whichever is the lesser, and a 5-foot setback on each side of the lot. However, on corner lots, there shall be a side yard setback from the side street of not less than 10 feet;

iv. All site grading must be completed, including the installation of a driveway with a wearing surface of gravel, limestone, asphalt, concrete or other materials which may be of higher quality;

v. The conditions of the administrative permit will be incorporated in and become part of the approved building permit. The Parish reserves the right to deny occupancy or disconnect temporary electric service based on the failure to meet the requirements of the administrative permit.

vi. Prior to releasing the occupancy of the structure, the applicant must provide written notice, certifying that all of the requirements of the administrative permit have been met.

vii. The applicant may request an extension of up to 60 days to complete the required skirting and/or landscaping requirements.

c. In the event that the administrative determination of approval is dissatisfactory to the petitioner, applications may be forwarded to the Zoning Commission, for a public hearing in accordance with the provisions of Section 3.2 Conditional Uses.

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 Ordinances are hereby declared to be severable.

DATE OF ENACTMENT: 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 _____ DAY OF _____, 2005 AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: June 9, 2005

Published adoption: _____, 2005

Delivered to Parish President: _____, 2005 at _____

Returned to Council Clerk: _____, 2005 at _____