

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3371 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. IMPASTATO PROVIDED BY COUNCIL OFFICE

INTRODUCED BY _____ SECONDED BY _____

ON THE _____ DAY OF _____ 2006

ORDINANCE TO AMEND THE PARISH CODE OF ORDINANCES,
APPENDIX C, LAND USE REGULATIONS ORDINANCE NO. 523,
SECTIONS 2.12 AND 3.03 RELATIVE TO AUTOMOTIVE SALES.

WHEREAS, the Parish Council is concerned with the safety, health and welfare of the citizens of this parish, together with the rights of all people in the peaceable enjoyment, use and development of their property; and

WHEREAS, the Parish Council recognizes the necessity of affording business interests an opportunity to conduct their operations; and

WHEREAS, it is deemed necessary to establish appropriate regulations and standards for automotive sales in furtherance of these concerns.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the St. Tammany Parish Land Use Regulations (Zoning Ordinance No. 523, As Amended), Sections 2.12 and 3.03 relative to automotive sales as follows, to wit:

Section 2.12 C-2 Highway Commercial District

2.1202 Permitted Uses

A. Retail and Service Uses

2. Automotive Service, Stations, Centers and New Vehicle Sales

2.1203 Conditional Uses

A. Retail and Service Uses

16. Automotive Used Vehicle Sales

Section 3.03 Minimum Standards

AV. Automotive Used Vehicle Sales

1. The following activities shall not be conducted in conjunction with any automotive used vehicle sales; a violation of which will result in the revocation of the permit:

- a. Outdoor repairs, including changing of oil and lubrication of automobiles;
- b. Outdoor painting and body work on automobiles;
- c. Outdoor storage of wrecked or inoperable vehicles. Wrecked means any vehicle that is so damaged as to be a total loss. Inoperable means any vehicle that is otherwise incapable of being lawfully moved upon the highways and streets under its own power;
- d. Outdoor storage of any automotive parts.

2. No permit shall be issued unless the lot size for used vehicle sales is a minimum of forty thousand (40,000) square feet. Twenty (20) percent of each site must be landscaped open space. For purposes of establishing required set backs, building lines shall include the positioning of vehicles for sale on the property; no vehicle shall be positioned within the set back area.
3. A site plan must be approved by the Zoning Commission prior to the issuance of a building permit. At a minimum, this plan must demonstrate and conform to all applicable regulations on the following:
 - a. Location of any structures, in relation to required setbacks and landscaping.
 - b. Location of vehicle display areas, which must be outside of the required set backs.
 - c. Proposed traffic movements and points of ingress and egress.
 - d. Landscape plan, in accordance with all applicable regulations.
 - e. Location and coverage of lighting, location and design of signage, and finishes and colors to be used on all structure surfaces.
4. Where automotive used vehicle sales is allowed as a conditional use, evidence must be presented to the Zoning Commission in support of the following criteria:
 - a. That there is a public need for the proposed facility based upon location of existing facilities and market demand.
 - b. That the proposed use will not create traffic or safety hazards, nor adversely affect existing development or future land use plans in the neighborhood in which the use will be located.
 - c. That the proposed use does not abut any residential or other non-compatible adjacent use.
 - d. That the placement and design of all structures and signage, and all materials, textures and colors are harmonious with the surrounding neighborhood and uses.
5. A minimum of six (6) customer parking spaces is required.

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 effect 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.