

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3900

ORDINANCE COUNCIL SERIES NO. _____

SPONSORED BY BINDER/DAVIS

PROVIDED BY COUNCIL OFFICE

INTRODUCED BY MR. STEFANCIK

SECONDED BY MR. ARTIGUE

ON THE 7TH DAY OF AUGUST, 2008.

ORDINANCE TO AMEND ST. TAMMANY PARISH LAND USE REGULATORY ORDINANCE NO. 523, SECTION 5.1606.D.1, RELATIVE TO LANDSCAPING WITHIN A UTILITY EASEMENT WHEN THE UTILITY EASEMENT IS LOCATED WITHIN THE STREET PLANTING AREA. (ZC08-07-038)

WHEREAS, the Parish of St. Tammany has determined that it is within the best interest of the citizens of St. Tammany Parish to amend the landscaping regulations relative to utility easement.

WHEREAS, all public hearings and advertisement requirements having been held and done pursuant to St. Tammany Parish Land Use Ordinance 523, Section 8, and in accordance with law; 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 amendment;

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Land Use Regulatory Ordinance No. 523, specifically, Section 5.1606 D.1 Landscaping and Tree Preservation Regulations, be amended as follow:

Section 5.1606 D.1 Street Planting Areas

D. Utilities In Street Planting Areas.

~~1. Utilities Along Streets. If a utility easement or servitude is located within the street planting area and is adjacent to and runs along a street or road, the width of the street planting area shall not be increased beyond the width required in Section 5.1606A, except that the width of the street planting area shall be increased as necessary so that ten (10) feet of the street planting area shall be unencumbered by a utility easement or servitude, which shall be accomplished as follows:~~

Street Planting Area Width	Servitude Width	Increase in Street Planting Area Width
25 feet	Greater than 15 feet	One (1) foot for each foot of servitude width in excess of 15 feet
20 feet	Greater than 10 feet	One (1) foot for each foot of servitude width in excess of 10 feet.

1. If a utility easement or servitude is located within a street planting area, no Class A trees will be planted within the utility easement. If the street planting area is not of sufficient depth to accommodate all required Class A trees, the street planting area shall be expanded to permit the planting of all required Class A trees. This additional planting area need not be of a consistent depth but may be in the form of islands and/or side buffer landscape areas. In no case shall the trees required to be located in the street planting area be located more than 20 feet from the inside edge of the street planting area required in Section 5.1606.A.

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 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 ADOPTED AT A REGULAR MEETING OF THE
PARISH COUNCIL ON THE _____ DAY OF _____ 2008; AND BECOMES
ORDINANCE COUNCIL SERIES NO. _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: July 31, 2008
Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____
Returned to Council Clerk: _____, 2008 @ _____