

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3967 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR ARTIGUE PROVIDED BY COUNCIL OFFICE

INTRODUCED BY MR. BURKHALTER SECONDED BY MR. BELLISARIO

ON THE 4TH DAY OF DECEMBER, 2008.

ORDINANCE TO AMEND PARISH CODE OF ORDINANCES, APPENDIX C, LAND USE REGULATIONS ORDINANCE NO. 523 AS AMENDED, SECTIONS 2.0205 AND 6.01. TO ADD NEW PROVISIONS FOR DEVELOPMENT OF LAND ON THE SOUTH SIDE OF LAKEVIEW DRIVE, WARD 9, DISTRICT 13.

WHEREAS, in the interest of public safety and the general welfare of citizens, it is necessary to provide for additional regulation for the development of property on Lakeview Drive abutting Lake Pontchartrain, Slidell, Louisiana.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends St. Tammany Parish Code of Ordinances, Appendix C, Land Use Regulatory Ordinance No. 523, Sections 2.0205 and 6.01, to add new provisions as follows, to wit:

**APPENDIX C
LAND USE ORDINANCE**

**SECTION 2.0205 SUBURBAN AGRICULTURAL DISTRICT
SITE AND STRUCTURE PROVISIONS**

2.0205 Site and Structure Provisions

A. Minimum Lot Area

1. The lot area of each zoning lot occupied by a single dwelling unit shall not be less than twenty two thousand five hundred (22,500) square feet, except that public utility facilities may be located on a smaller lot with approval.
2. The lot area of each zoning lot occupied by multiple dwelling units, including garage apartments or guest houses as permitted above, shall have a minimum lot size on no less than twenty two thousand five hundred (22,500) square feet per dwelling unit.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each zoning lot shall not be less than one hundred (100) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of twenty five feet from the front property line, unless abutting a major or minor arterial or collector, in which case the front yard shall be no less than forty (40) feet.
3. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of fifteen (15) feet each, plus one (1) additional foot for each foot in building height over twenty (20) feet above Base Flood Elevation.

4. Rear Yard

a. Standard Requirements. There shall be a rear yard having a depth of not less than twenty-five (25) feet, plus one additional foot for every foot in building height over twenty (20) feet above Base Flood Elevation.

b. Special Requirements.

1. Lakeview Drive, Slidell - All properties fronting the south side of Lakeview Drive shall adhere to the standard rear yard requirements and, in addition, shall not extend the distance of the primary structure on the property more than one hundred thirty-five feet (135') seaward of the front property line adjacent to the Lakeview Drive right-of-way.

C. Maximum Lot Coverage

1. Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed twenty-five (25) percent of the total area of the lot.

2. Non-Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

1. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above Base Flood Elevation as set forth in Flood Ordinance 791.

2. Uses incidental to farming, such as silos, windmills, etc. and any other non-habitable structure (e.g. radio, TV tower) may exceed this height limitation, provided, however, that there be one (1) foot setback for every foot over forty-five (45) feet from any existing dwellings or residences and/or property lines.

E. Off Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

SECTION 6 MODIFICATIONS AND EXCEPTIONS
SECTION 6.01 LOT OF RECORD

The minimum lot size requirement of Section 2 Land Use Schedule notwithstanding, a single-family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a residential district or a commercial/industrial structure may be erected on any lot of record in a commercial/industrial district which shall be documented as legally established and defined by deed or act of sale prior to the adoption of this ordinance. Where applicable the contiguous lot of record regulations apply. (See Subdivision Regulations) The following minimum area setback requirements shall be maintained for residential uses:

1. Front Yard Setback - twenty-five (25) feet

2. Rear Yard Setback -

a. Standard Requirement. 20% of lot depth or twenty five (25) feet, whichever is the lesser.

b. Special Requirement.

1. Lakeview Drive, Slidell - All properties fronting the south side of Lakeview Drive shall adhere to the standard rear yard requirements and, in addition, shall not extend the distance of the primary structure on the property more than one hundred thirty-five feet (135') seaward of the front property line adjacent to the Lakeview Drive right-of-way.

3. Side Yard Setbacks - five (5) feet on each side of the lot. However, for corner lots, there shall be a side yard setback from the side street of not less than ten (10) feet.

Commercial and industrial setbacks shall be as provided in this ordinance.

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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE ___ DAY OF __, 2009 AND BECOMES ORDINANCE COUNCIL SERIES NO. 09-_____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: _____, 2008

Published adoption on: _____, 2009

Delivered to Parish President: _____, 2009 @ _____

Returned to Council Clerk: _____, 2009 @ _____