

S.T. TAMMANY PARISH COUNCIL  
ORDINANCE

ORDINANCE CALENDAR NO. 4146

ORDINANCE COUNCIL SERIES NO. \_\_\_\_

COUNCIL SPONSOR BINDER/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

ORDINANCE TO AMEND THE ST. TAMMANY PARISH  
UNIFIED DEVELOPMENT CODE, VOLUME I (Zoning) TO ADD  
A NEW ZONING CLASSIFICATION: SECTION 6.06  
RO - RURAL OVERLAY. (ZC09-08-025)

WHEREAS, during the comprehensive re-zoning process citizens expressed a desire to assure the protection of traditional rural activities and lifestyle in the largely undeveloped areas of St. Tammany Parish; and

WHEREAS, the citizens of St. Tammany Parish also recognized the necessity of establishing regulations and standards through the creation of a standard zoning designation to establish a baseline for land use and density should development pressures increase in rural St. Tammany Parish; and

WHEREAS, the St. Tammany Parish Council considered the amendment below to establish a permissive overlay that would expressly permit the traditional uses of rural St. Tammany Parish; and

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

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 6.06 RO - Rural Overlay be created as outlined below:

**SECTION 6.06 RO - RURAL OVERLAY**

**6.0601 Purpose**

**The RO-Rural Overlay is established to permit agriculture uses, to encourage the maintenance of the rural countryside, to preserve forests and other undeveloped lands away from areas of population growth, and to allow residents to retain their traditional ways of life. The preferred land use in the district is agricultural, either active in the form of crops or passive in the form of forest management or pasture lands. Permitted uses would include single-family residences and certain accessory structures and uses for the conduct of agriculture support and related business.**

**6.0602 Permitted Uses**

**Only the following permitted uses shall be allowed in the RO- Rural Overlay and no structure or land shall be devoted to any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance;**

**A. Agriculture Uses**

- 1. Farming, and any other agricultural use as defined in Section 2 of this ordinance.**
- 2. Agricultural buildings.**
- 3. Limited commercial and industrial uses supporting the agricultural production limited to buildings no larger than 5000 square feet.**
- 4. Wholesale/Retail Greenhouses and Nurseries.**
- 5. Roadside Farm Stands.**
- 6. Dirt Hauling Equipment storage, including operable, licensed bobtail dump trucks, tractor trailers, and excavation equipment when stored on a operable, licensed transport vehicle, where the area utilized for storage is not more than 10% of the property.**

**B. Residential Uses -when located on property that is zoned for non-residential uses.**

- 1. Single-family dwelling unit(s).**
- 2. Private Garages and Accessory Structures.**
- 3. One Garage Apartment or Guest House under 1,000 square feet of habitable floor space.**
- 4. Accessory single or multi-family farm tenant dwellings on un-subdivided farm land when residents are employed on the property and when gross density does not exceed one family per acre.**
- 5. Private landing strips or heliports.**

**6.0603 Administrative Permits**

The following uses are permitted through the Administrative Permit process in addition to those already permitted in the underlying zoning. The purpose of an Administrative Permit is to provide for a Staff review and approval of certain uses as set forth below:

- A. Religious uses including churches, temples, synagogues, camps, convents and monasteries.**
- B. One Garage Apartment or Guest house under 1000 square feet of habitable floor space on lots of less than 40,000 square feet.**
- C. Seasonal Seafood Peddlers using temporary structures. State of Louisiana inland waters shrimping season(s) shall be considered as the seasons during which the regulations shall apply and inspectors may periodically check for conformance; including temperature of seafood storage and waste disposal.**
- D. Seasonal Produce stands other than seafood peddlers and Christmas tree sales, provided that the use is temporary and valid for a period not greater than 6 months. Concurrent permits for a single site may not extend this six month limit. For occupancy of a site on a permanent basis a conditional use permit is required. Signs are allowed provided they are professionally rendered and approved by the Department of Development.**
- E. Fireworks sales using temporary structures during periods established by ordinance of the Police Jury except where prohibited by ordinance. Signs are allowed provided all are professionally rendered and approved by the Department of Development.**
- F. Snowball Stands between April 1 and September 30.**
- G. Non-profit/Family Cemeteries.**
- H. Bed & Breakfast**
- I. Excavations for the purpose of creating a decorative or farm pond of not to exceed one acre in area and when located on a parcel of at least five acres in area.**
- J. Similar and Compatible Uses**  
Other administrative uses which are similar and compatible with the administrative uses of the Rural District as determined by the Director of Development acting in the capacity of Zoning Administrator.

**6.0604 Site and Structure Provisions**

When property is located with a residentially zoned district, the Site and Structure Provisions of the underlying zoning district apply. This section shall apply to residential uses when located in a non-residential zoning district.

- A. Minimum Lot Area - The minimum lot area for any use other than agricultural uses shall be one acre in size.**

**B. Minimum Area Regulations (Amended 8/24/2000 OCS# 00-0181)**

1. **Minimum Lot Size** - The density shall be established as 1 dwelling unit per acre unless it is within an established subdivision of record, commonly referred to as older paper subdivision, established prior to the enactment of Subdivision Ordinance No. 499 dated May 21, 1970.
2. **Minimum Lot Width** - The width of each zoning lot shall not be less than one hundred (100) feet.
3. **Front Yard** - Residential structures shall be set back a minimum of forty (40) feet from the right-of-way of adjoining major or minor arterial and thirty (30) feet from the right-of-way of any public road. Agricultural uses require no front yard.
4. **Side Yard** - Side yards shall be not less than thirty (30) feet from the right-of-way of any public road and fifteen (15) feet in all other instances. This setback shall apply to structures only.
5. **Rear Yard** - All structures shall have a rear yard of not less than thirty (30) feet; however, agricultural uses require no rear yard.

**C. Maximum Lot Coverage**

The lot coverage of all principle and accessory buildings on a zoning lot shall not exceed twenty-five (25) 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 the base flood elevation as set forth in Flood Hazard 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 one foot over forty-five (45) feet from existing dwellings and/or residences or property lines.

**E. Off Street Parking and Loading Requirements**

Off-street parking and loading shall be provided as put forth in Section 7.

REPEAL: All Resolutions, 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2009; AND BECOMES  
ORDINANCE COUNCIL SERIES NO. 09-\_\_\_\_\_.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: SEPTEMBER 24, 2009

Published Adoption: \_\_\_\_\_, 2009

Delivered to Parish President: \_\_\_\_\_, 2009 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2009 at \_\_\_\_\_