

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6648

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MS. CAZAUBON

SECONDED BY: MR. DEAN

ON THE 6 DAY OF MAY , 2021

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES CHAPTER 130 - UNIFIED DEVELOPMENT CODE, ARTICLE V - OVERLAYS, DIVISION 2 - PUD PLANNED UNIT DEVELOPMENT OVERLAY, SECTION 130-1674 - PLAN APPROVAL, RELATIVE TO HYDROLOGICAL ANALYSIS AND TRAFFIC IMPACT ANALYSIS.

WHEREAS, SEE ATTACHED

THE PARISH OF ST. TAMMANY HEREBY ORDAINS:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF JUNE , 2021 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: April 28 , 2021

Published Adoption: _____, 2021

Delivered to Parish President: _____, 2021 at _____

Returned to Council Clerk: _____, 2021 at _____

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COUNCIL SPONSOR: LORINO

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MS. CAZAUBON

SECONDED BY: MR. DEAN

ON THE 6TH DAY OF MAY, 2021

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES CHAPTER 130 – UNIFIED DEVELOPMENT CODE, ARTICLE V – OVERLAYS, DIVISION 2 – PUD PLANNED UNIT DEVELOPMENT OVERLAY, SECTION 130-1674 – PLAN APPROVAL, RELATIVE TO HYDROLOGICAL ANALYSIS AND TRAFFIC IMPACT ANALYSIS.

WHEREAS, according to 130-1674(d)(1), Planned Unit Development (PUD) approval by the St. Tammany Parish Zoning Commission may be substituted for tentative plat approval by the St. Tammany Parish Planning Commission; and

WHEREAS, the St. Tammany Parish Council desires to clarify that developments coming before the St. Tammany Parish Zoning Commission for a Planned Unit Development Overlay adhere to the same plat approval requirements as developments appearing before the St. Tammany Parish Planning Commission for tentative approval.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances, Sec. 130-1674(a)(15) and (d)(1) by hereby amended to read as follows: Sec. 130-1674. - Plan approval.

- (a) *Conceptual plan.* Prior to submitting a PUD rezoning petition, an informal pre-application conference with designated staff from the parish department of planning and development shall be required. The purpose of this conference shall be to discuss PUD parameters and to bring the overall petition as nearly as possible into conformity with parish regulations. Following the PUD pre-application conference, a conceptual plan shall be submitted with the rezoning application. This plan shall provide the following information:
- (1) The title of the project and the names of the project planner and developer.
 - (2) A legal description of the property including township, section and range.
 - (3) Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed PUD shall be designated. This plat shall include all existing physical features such as existing streets, buildings, watercourses, easements, soil conditions, vegetative cover and topography.
 - (4) Net density shall be set based upon the underlying zoning classification utilizing one of the following options:
 - a. The number of lots/units may be established in accordance with the maximum net density of the underlying zoning classification as applied to the following formula:
Total area x 0.75 = _____ x maximum net density = _____ lots (units)
 - b. The number of lots/units may be established by a yield plan consisting of conventional street layouts including but not limited to basic topography, soil conditions, drainage, vegetative cover, locations of wetlands, and 100-year floodplains. Said yield plan shall be based upon the standards of the underlying zoning district and comply with all meet all applicable development standards.
 - c. Pending the comprehensive rezoning review of unincorporated St. Tammany Parish, the zoning commission shall have the authority to establish appropriate density levels for all properties zoned R Rural and SA Suburban Agricultural at the time of the PUD request. Once the area in which the subject property is located has

undergone a comprehensive rezoning review the standards of the newly adopted zoning classification shall govern, in accordance with article IV of this chapter.

- (5) Site information including the following criteria shall be provided:
 - a. Boundaries of the property involved;
 - b. Average size and maximum number of lots;
 - c. Parcels or sites to be developed or occupied by buildings;
 - d. The general location and maximum amount of area to be developed for parking;
 - e. The general location of areas to be devoted to open space, including those areas to be dedicated or conveyed for parks, playgrounds or school sites;
 - f. Public buildings and other common use areas;
 - g. The approximate location of ingress, egress and access streets;
 - h. The approximate location of pedestrian and vehicular ways;
 - i. The extent of landscaping and planting;
 - j. Location and/or source of water and sewer facilities; and
 - k. Front, side and rear yard setback lines.
- (6) Tabulation of the maximum square footage of each use.
- (7) The proposed maximum height of any building or structure.
- (8) Maximum total land area, minimum public and private open space, streets, off-street parking and loading areas. Breakdown by percent of total land area devoted to each use such as:
 - a. Residential uses.
 - b. Commercial/institutional uses limited to those permitted in the NC-1, NC-2, NC-3, NC-4, NC-5, MD-1, and ED-1 districts or any uses permitted in the underlying zoning district.
 - c. Open space (as defined in section 130-5).
 1. A minimum of 25 percent of open space is required for all PUDs.
 2. In no case shall required open space along the existing road frontage be less than one-quarter acre in area and less than 100 feet in width.
 3. In no case shall required open space along other boundary lines (without road frontage) be less than one-quarter acre in area and less than 50 feet in width.
 4. No more than 50 percent of the required open space shall be satisfied using limited use land (herein defined). Limited use land shall mean land which is inundated by water for a period of greater than four months within each calendar year. Two acres of limited use land are required to satisfy one acre of required open space.
 5. Active recreation shall include such comparable uses as playgrounds, ball fields, swimming pools, tennis courts, etc.
 6. Passive recreational uses shall include comparable uses such as picnic areas, permeable nature trails, undisturbed habitat, etc.
 - d. Access parking and loading areas
 - e. Location of the existing and proposed easements to the extent they are reasonably ascertainable with the understanding that the future easements may be needed based on more complete engineering studies.
- (9) Restrictive covenants including the assurance of maintenance of common areas and the continued protection of the PUD. The department of planning and development must review and approve the restrictive covenants prior to recordation thereof with the clerk of court.

- (10) Circulation element indicating the proposed principal movement of vehicles, goods and pedestrians.
 - (11) Environmental assessment data form (signed and dated).
 - (12) Initial wetland delineation as determined by a qualified wetlands consultant.
 - (13) Flood zone demarcation lines (indicate FIRM map and panel number).
 - (14) Documents indicating ultimate disposal of surface drainage.
 - (15) The zoning commission or the parish council may require additional material such as plans, maps, aerial photographs, studies and reports, including hydrological analysis and traffic impact analysis, which may be needed in order to make the necessary findings and determinations that the applicable parish standards and guidelines have been achieved. Hydrological analysis shall be required in critical drainage areas.
- (b) *Formal review.* The planning staff shall hold a formal review of the PUD submission two weeks prior to the public hearing by the zoning commission and note areas of concern to the applicant in writing within one week of the review. The purpose of this review is to provide constructive feedback to the developer on compliance with the PUD requirements.
- (c) *Public hearing.* The zoning commission shall hold the formal public hearing on the zoning overlay request and forward a recommendation to approve or deny the PUD to the parish council after the required public hearing. The zoning commission reserves the right to add stipulations and conditions to its approval and shall determine if the applicant has met all or part of the PUD parameters including:
- (1) The tract for the proposed PUD is suitable in terms of its relationships to the parish comprehensive plan and that the areas surrounding the proposed PUD can continue to be developed in coordination and substantial compatibility with the PUD proposed.
 - (2) That the desirable modifications of general zoning regulations as applied to the particular case, justify such modifications of regulations and at least an equivalent degree the regulations modified, based on the design and amenities incorporated in the site development plan.
 - (3) That increased open space over conventional development is provided for the occupants of the proposed PUD and the general public, and desirable natural features indigenous to the site in accordance with the open space parameters as follows:
 - a. Open spaces shall be required within the PUD and should be devoted to active and/or passive recreational purposes.
 - b. Protects all floodplains and wetlands in accordance with parish regulations pertaining to fill.
 - c. Preserves and maintain to the extent possible mature woodlands and buffers.
 - d. Protects rural roadside character and improves public safety by minimizing development fronting and accessing directly onto the public road.
 - e. Provides for pedestrian circulation between properties and features of the site and continuity of open spaces where possible.
 - (4) Internal planned unit development parameters:
 - a. The density of the proposal shall not exceed the density permitted in accordance with the requirements of article IV of this chapter.
 - b. Every dwelling unit or other use within the PUD shall have direct access to a public or private street via pedestrian ways, courts or other access related easements. It should not be construed that access for permitted uses must front on a dedicated street.
 - c. If lots and or parcels are created within the boundaries of the PUD, no minimum size or yards shall be required, except as approved as part of the individual PUD proposal.
 - (5) Central sewerage and water systems shall be provided to all uses within this overlay. Septic tanks and individual water wells are prohibited in PUD developments.

- (d) *Binding nature of approval for PUD.* All terms, conditions, safeguards, and stipulations made at the time of approval for PUD shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of these zoning regulations.
 - (1) Tentative-preliminary-final development plans. Plans for development of land approved for PUD shall be processed in accordance with the procedures established by chapter 125, pertaining to subdivisions, ~~if required~~. The PUD approval may be substituted for the tentative plat approval required by said chapter 125 only when all tentative approval requirements as set forth in chapter 125 have been satisfied and when the Department of Planning and Development designates in writing that PUD overlay approval shall be substituted for tentative subdivision review by the Planning Commission.
 - (2) Final development plan. After approval of the conceptual development plan by the parish council the applicant shall submit a final plan to the department of planning and development indicating all terms, conditions, safeguards and stipulations required by the zoning commission and the parish council.
 - (3) Review and approval of a PUD overlay is a multi-step process, requiring zoning commission and planning commission approval (except in those cases where minor subdivision approval is authorized, or an exemption applies). Approval of a PUD overlay does not change the underlying zoning classification of the property until approval of the preliminary plat. PUD overlay approvals that have been granted approval by the parish council, after consideration by the zoning commission, shall remain in effect for a period of not more than two years from the date of approval by the parish council, unless a portion or phase of the proposed development has been granted preliminary plat approval by the planning commission in accordance with chapter 125, pertaining to subdivisions.
 - (4) If no portion or phase of the original PUD, which has been granted zoning approval by the parish council, is granted preliminary approval within two years of the date of the parish council's original approval of the PUD, the owner/developer shall be required to submit an application for a new PUD overlay review and approval by the zoning commission and parish council, and pay all applicable fees.

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 3RD DAY OF JUNE, 2021; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

MICHAEL R. LORINO, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published introduction: April 28, 2021

Published adoption: _____, 2021

Delivered to Parish President: _____, 2021 @ _____

Returned to Council Clerk: _____, 2021 @ _____

