ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6375 ORDINANCE COUNCIL SERIES NO: _

COUNCIL SPONSOR: LORINO/COOPER PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. AIREY SECONDED BY: MR. FITZGERALD

ON THE 7 DAY OF MAY , 2020

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF LA HIGHWAY 40, SOUTH OF SHARP CHAPEL ROAD AND NORTH OF FAIRHAVEN ROAD, BEING 22318 HIGHWAY 40, BUSH AND WHICH PROPERTY COMPRISES A TOTAL OF 5 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-1 (SUBURBAN DISTRICT) & RO (RURAL OVERLAY) TO AN NC-5 (RETAIL AND SERVICE DISTRICT) & RO (RURAL OVERLAY) (WARD 2, DISTRICT 6). (2020-1770-ZC)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, <u>Case No. 2020-1770-ZC</u>, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present A-1 (Suburban District) & RO (Rural Overlay) to an NC-5 (Retail and Service District) & RO (Rural Overlay) see Exhibit "A" for complete boundaries; and

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law; and

Whereas, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as NC-5 (Retail and Service District) & RO (Rural Overlay).

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present A-1 (Suburban District) & RO (Rural Overlay) to an NC-5 (Retail and Service District) & RO (Rural Overlay).

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 'FOLLOWING:	WAS SUBMITTED TO A VOTE AND RESULTED IN THE
YEAS:	
NAYS:	

ABSTAIN:	
ABSENT:	
	DULY ADOPTED AT A REGULAR MEETING OF THE $\overline{\text{UNE}}$, 2020 ; AND BECOMES ORDINANCE COUNCIL
	MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN
ATTEST:	
THERESA L. FORD, COUNCIL CLERK	
	MICHAEL B. COOPER, PARISH PRESIDENT
Published Introduction: <u>APRIL 29</u> , <u>2020</u>	
Published Adoption:, <u>2020</u>	
Delivered to Parish President:,	2020 at
Returned to Council Clerk:, 202	<u>20</u> at

EXHIBIT "A"

2020-1770-ZC

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, situated in Section 12, Township 5 South, Range 11 East, St. Tammany Parish, Louisiana, more fully described according to map and plat of survey of Gerald Fussell, C.E., dated May 28, 1970, as follows, to-wit:

From the Quarter Corner on line common to Section 12, Township 5 South, Range 11 East, and Section 7, Township 5 South, Range 12 East, all in St. Tammany Parish, Louisiana measure South 1,080 feet along said section line to an iron post, the point of beginning. FROM THE POINT OF BEGINNING, continue South along the Section line 258.3 feet to an iron post; thence South 89 degs. 31 mins. West 893.1 feet to an iron post in the Southeasterly right of way line of Louisiana State Highway No. 40; thence with said right of way line North 25 degs. 45 mins. East 298.7 feet to an iron post; thence leaving the highway South 89 degs. 45 mins. East 763.0 feet to the point of beginning. Said tract contains 5 acres, all in accordance with the above referred to map and plat of survey.

Case No.: 2020-1770-ZC

PETITIONER: Andrew Albin
OWNER: Mary Lou Albin

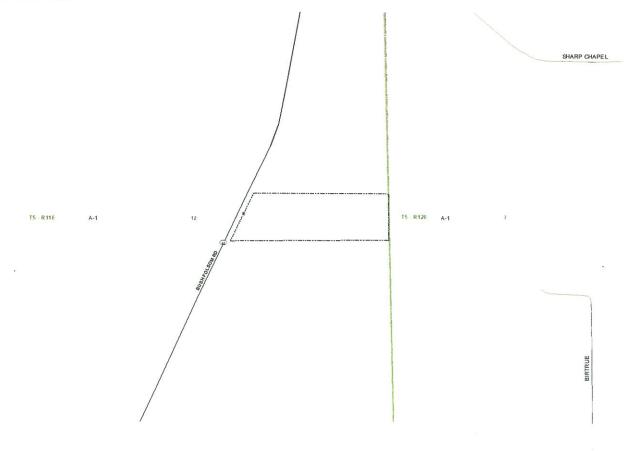
REQUESTED CHANGE: From A-1 Suburban District and RO Rural Overlay to NC-5 Retail and Service District

and RO Rural Overlay

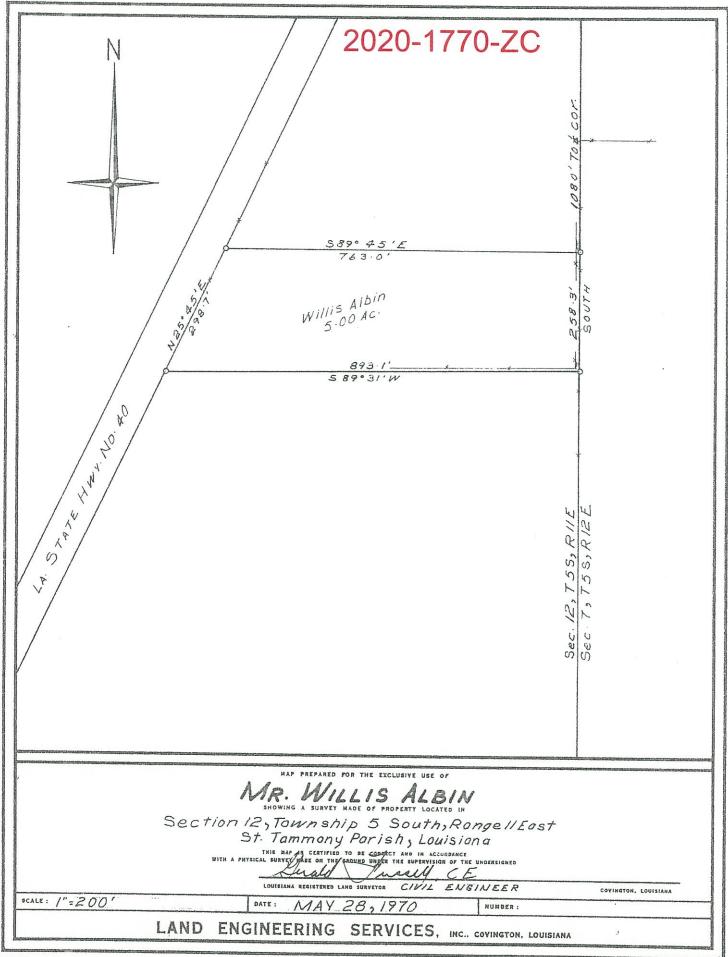
LOCATION: Parcel located on the east side of LA Highway 40, south of Sharp Chapel Road and north of Fairhaven

Road, being 22318 Highway 40, Bush

SIZE: 5 acres







ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 2/21/2020 M Case No.: 2020-1770-ZC De

Posted: 2/21/2020

Meeting Date: 3/3/2020 Determination: Approved

GENERAL INFORMATION

PETITIONER: Andrew Albin OWNER: Mary Lou Albin

REQUESTED CHANGE: From A-1 Suburban District and RO Rural Overlay to NC-5 Retail and Service District

and RO Rural Overlay

LOCATION: Parcel located on the east side of LA Highway 40, south of Sharp Chapel Road and north of Fairhaven

Road, being 22318 Highway 40, Bush

SIZE: 5 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: State

Road Surface: 2 Lane Asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

DirectionSurrounding UseSurrounding ZoneNorthResidentialA-1 Suburban District and RO Rural OverlaySouthCommercialA-1 Suburban District and RO Rural Overlay

East Undeveloped A-1 Suburban District, RO Rural Overlay, and MHO Manufactured

Housing Overlay

West Undeveloped A-1 Suburban District and RO Rural Overlay

EXISTING LAND USE:

Existing development: Food Store Multi occupancy development: No

COMPREHENSIVE PLAN:

Residential/ Agricultural - Agricultural and related or other active or passive uses that use or preserve the countryside, forests and other areas and rural residential uses - widely ranging in dwelling size or type, siting and organization; both of which are generally located some distance from more intense land uses. Permitted uses include single-family residential, and uses ancillary to either of these primary uses. Other uses require a change in zoning.

STAFF COMMENTS:

The petitioner is requesting to change the zoning classification from A-1 Suburban District and RO Rural Overlay to NC-5 Neighborhood Commercial and RO Rural Overlay. The site is located on the east side of LA Highway 40, south of Sharp Chapel Road and north of Fairhaven road, being 22318 Highway 40, Bush. The 2025 Future Land Use plan designates the site to be developed with residential and agricultural uses. The purpose of the NC-5 zoning classification is to provide for the location of small-scale retail services near residential neighborhoods.

Note that the objective of the request is to allow for the existing food store to become a legal conforming use.