

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4448

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: PLANNING

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. GOULD

ON THE 2 DAY OF DECEMBER, 2010

ORDINANCE TO AMEND THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE, VOLUME I (ZONING) TO AMEND SECTION 6.05 PLANNED CORRIDOR DISTRICT (ZC10-08-092)

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 regulations relative to properties along the Tammany Trace; 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; and

WHEREAS, the St. Tammany Parish Council considered the possibility that the amendment below may be advantageous to the economic development of St. Tammany Parish.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends those Sections of the Planned Corridor District of the Unified Development Code as set forth in the previously adopted sections of the Code that are attached hereto as:

Exhibit A: SECTION 6.05 PLANNED CORRIDOR DISTRICT

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 1 DAY OF January, 2010; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: NOVEMBER 25, 2010

Published Adoption: _____, 2010

Delivered to Parish President: _____, 2010 at _____

Returned to Council Clerk: _____, 2010 at _____

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Section 6.05 Planned Corridor District

6.0501 Purpose

The purpose of this district is to provide for the preservation of the certain existing special standards for all development, excepting single family residential, along the Louisiana Highway 21 Corridor and the Tammany Trace. The permitted uses are determined by the underlying zoning classification upon which the overlay rests. Minimum standards such as signs and lighting, landscaping, parking, height and setbacks shall as set forth in the other provisions of this Zoning Ordinance, except that the special design standards set forth in this Section 6.05 shall be applicable if they are more restrictive than said minimum standards.

6.0502 History

The Hwy 21 Planned Corridor (1989) and the Tammany Trace Overlay Districts were was created for the protection of the scenic benefits of those corridors. With a revision to the general development regulations in 2002, a desire was expressed by the residents of these areas to maintain the high development standards in these corridors. A determination was made to consolidate these standards into the Planned Corridor District standards found in this Section.

6.0503 Applicability

These sections apply to all lots with frontage along Highway 21 between the Tchefuncte River and Highway 1077; and lots with frontage along the Tammany Trace.

6.0504 General Standards

The Zoning Commission shall have the authority to grant the Plan Review Permit in each planned corridor with the recommendations of the Department of Planning. The plan review permit will be processed in accordance to Subsection 6.0505, Development.

Review Procedures.

A. The Zoning Commission may attach such conditions on the Plan Review Permit as necessary to insure the continuous conformance to all applicable standards and the integrity of the district.

B. The Zoning Commission may approve additional standards as may be recommended by the Department of Planning imposed in the public interest for signage, landscaping, parking, setbacks and fascia appearance standards in the overlay district.

C. Failure to observe the conditions of the Commission imposed pursuant to the issuance of the Plan Review Permit shall be deemed to be grounds for violation and subject to the revocation of the Plan Review Permit.

6.0505 DEVELOPMENT REVIEW PROCEDURES

A. General Review Procedures

Requests for development or redevelopment in the designated Planned Corridor shall be submitted to the St. Tammany Parish Department of Planning. The requirement of a Plan Review shall be determined by the Department of Planning in accordance with Subsection C, Compliance with the established Overlay District. The applicant shall submit fully detailed plans in accordance with Subsection E, Site Plan Submittal.

1. When the subject property is located in the Louisiana Hwy. 21 corridor or along the Tammany Trace, the site plan submittal shall be required to undergo plan review with a public hearing before the Zoning Commission site plan review in accordance with these procedures. The final disposition of which shall be determined by the Zoning Commission of St. Tammany Parish.

Variations in the Planned Corridor regulations may be granted by the St. Tammany Parish Zoning Commission through the plan review process provided the following criteria are met:

a. The granting of the variation is not inconsistent with the general provisions and intent of the Planned Corridor.

b. Harmony and compatibility with adjacent land uses are not adversely affected.

c. Special conditions and circumstances exists peculiar to land, structures or buildings which are not applicable to other land structures or buildings in the same district and which a site related hardship can be demonstrated.

B. Determination

After a decision is rendered by the Zoning Commission, the permit decision shall not become effective for (10) ten days of the decision, during which time an appeal can be made in written form to the Parish Council through the Department of Planning. The procedure for appeals to the Parish Council is contained within Section 18-056.01 of the Parish Code of Ordinances.

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C. Compliance with the Established Overlay

1. Existing Development

Conditions for Compliance

Development and structures existing prior to adoption of the planned corridor shall comply with the planned corridor district regulations and undergo Plan Review before the Zoning Commission in accordance to Subsection 6.0505.A, General Review Procedures when any of the following conditions are met:

a. Change of Permitted Use or Occupancy

Structures utilized by a single business which are not a part of a development with multiple land uses such as a shopping center, and which structures were in existence prior to the adoption of the planned corridor, shall comply with the planned corridor district regulations upon change of permitted use or a change of occupancy that would require an increase in the number of parking and loading spaces needed to service the structure.

b. Vacancy

Any single use development that is vacant for a 6 month period, or a multi-use site where 51% or more of the development is vacant for the same 6 month period, shall comply with the planned corridor district regulations.

c. Additions

Any additions to the development or structures, including construction of parking lots, that adds fifty percent or more to the size of the original development shall comply to the planned corridor district regulations.

d. Signs

Signs existing at the time of the planned corridor designation shall comply with the planned corridor district regulations when there is a change in sign structure, support, or area. The replacement of the face or panels of all non-conforming signs shall be approved by the Director of Planning or designee without need for a Public Hearing so long as the area of the sign face is not increased, illumination is not added and/or the degree of non-conformance (i.e. height, setbacks) is not increased.

2. New Development

New development shall comply fully with the district regulations of the planned corridor. Plan Review with public hearings is required before the Zoning Commission in accordance to Subsection A, General Review Procedures.

D. Plan Review Procedures

1. Pre-Application Conference

Prior to the submission of an application for plan review in a planned corridor, a pre-application conference with a designated representative of the Department of Planning is required. The purpose of the preapplication conference is to thoroughly discuss the proposal and to bring the petition in conformity with the planned corridor district regulations.

2. Application

An application for plan review in a planned corridor shall be filed with the Department of Planning and shall contain the following information:

a. Interest and Ownership

The Petitioner's and the Property Owner's name, address, phone number, and signatures.

b. Zoning Classification

c. Legal Description

d. Fees

Fees for site plan review shall be as required by the St. Tammany Parish Code of Ordinances Section 2-009.00, Parish Fees and Service Charges

e. Site Plan

A site plan shall be submitted in accordance to Subsection E, Site Plan Submittal, of this section.

f. Additional Information

The Zoning Commission may require additional material such as plans, maps, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.

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E. Site Plan Submittal

1. Procedure

Prior to issuance of a building permit, a site plan for the proposal shall be submitted to the Department of Planning as specified in Subsection A, General Review Procedures, for review and determination.

2. Site Plan Requirements

Drawing submissions shall be required to be 24" by 36" or smaller. If the applicant fails to submit such drawings, additional fees may be required. The following minimum information shall be submitted to the Department of Planning in the form of a site plan:

- a. The title of the project and the names of the project planner and developer.
- b. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed development shall be included.
- c. All existing physical features such as existing streets, buildings, water courses, easements, parking spaces, service bays and loading areas, sidewalks, and signs.
- d. Boundaries of the property involved.
- e. Parking layout indicating the number of required and proposed parking spaces, the location of ingress, egress and access streets, and the location of pedestrian and vehicular ways; Circulation element indicating the movement of pedestrians, goods and vehicles.
- f. A landscape plan of the site showing the type, size and number of plants; location of existing trees to be preserved; the location and dimensions of proposed planting beds, barrier curbs, site triangles, fences, buffers and screening; elevations of all fences and type of materials to be used; and total square footage of landscaping.
- g. Tabulation of the maximum square footage of each use.
- h. The proposed height and setback of any building or structure.
- i. Fascia treatment of the buildings or structures including elevations, and type of materials.
- j. The location, dimensions, area, type of materials and elevations of all signs and support structures.
- k. Location of trash disposal system and details of screening, including type, height and elevation of dumpster and fence.
- l. Lighting plan of the site showing location, number, type, height and materials of fixtures.
- m. Illustrative approved Drainage Plan by the Department of Engineering.
- n. If the proposed development is to be constructed in phases, indicate proposed development scheduling in detail including:
 1. The approximate date when construction of each phase of the project can be expected to begin; and
 2. The order in which the phases of the project will be built.
 3. The infrastructure and on-site improvements that will be included in each phase delineated for the development, including but not limited to service areas, access drives, parking, landscaping, buildings and other structures.
 4. If no phasing schedule is provided at the time of application, the project shall be completed as a single unit, or has to go through another site plan review when any changes are proposed.

6.0506 Special Design Standards for the Highway 21 planned corridor overlay

A. The minimum standards for the Highway 21 planned corridor overlay will be the same as the standards for all commercial development unless otherwise stated below:

1. Site and Structure Provisions

- a. Minimum Lot Area
- b. Minimum Area Regulations
- c. Height Regulations
- d. Off-Street Parking and Loading Requirements

The parking area shall be located no less than fifty (50) feet from the property line nor shall it encroach on the required street planting area.

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e. Landscaping Regulations

Landscape regulations shall be the same as for other commercial properties, except that the following additional standards shall apply:

1. Planting Requirements

a. Street Planting Area Requirements

1) The street planting area shall be a minimum of twenty-five (25) feet in depth. The calculation of the street planting area shall be the same as for the Planned Corridor District.

2) The street planting area shall contain a minimum of one (1) Class A tree per every three hundred (300) square feet of the street planting area and one (1) Class B tree per every two hundred (200) square feet of the street planting area.

3) Planting beds near signage and structures are recommended.

4) Grass or groundcover are recommended for areas without trees.

b. Buffer Planting Area Requirements

A non-residential property abutting a residential district shall have a minimum side yard and rear yard requirement of thirty (30) feet.

c. Parking Area Requirements

1) The parking area shall be screened from view when the parking area is oriented to the side and/or the front of the structure to reduce visibility of the parking area from the Highway using one of the following methods:

i. Seventy (70) percent sight obscuring screen of living material.

ii. One hundred (100) percent sight obscuring screen six (6) feet in height of non-living material.

iii. Earth berm with a minimum height of three (3) feet.

2) Planting areas shall be a minimum of ten (10) percent of the paved parking area.

2. Protection of Landscape Areas

The placement of barrier curbs or wheel stops to protect landscape areas from vehicular damage shall be required.

f. Sign Regulations

Sign regulations shall be the same as for other commercial properties, except that the following additional standards shall apply:

1) Area and Height Provisions For Ground Signs

SINGLE OCCUPANCY	
Area Allowed 25 Square Feet	Height Allowed 6 Feet

MULTIPLE OCCUPANCY	
Area Allowed 50 Square Feet	Height Allowed 8 Feet

2) No internal illumination.

3) White light only, No colored lighting.

4) Spectrum colors only, no iridescent colors permitted.

5) Personal Identification signs with any dimensions exceeding 24" shall require an Administrative Permit. Such signs shall not exceed 4 Square Feet.

g. Lighting Requirements

h. Utility Requirements

I. Setback Requirements

For lots with frontage along Hwy. 21 only, the following setback requirements shall be applied:

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Principle Buildings:
One Hundred (100) feet from the property line.

Accessory Structures:
One Hundred (100) feet from the property line

6.0507 Special Design Standards for the Tammany Trace Overlay

A. The minimum standards for the Tammany Trace overlay will be the same as the standards for all commercial development unless otherwise stated below:

1. Site and Structure Provisions

a. Minimum Lot Area

b. Minimum Area Regulations

c. Height Regulations

No portion of a building for business purposes located 25 feet from the Tammany Trace shall exceed Thirty-five (35) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher. Where a building is taller than 35 feet in height, one additional foot of setback shall be required for each one (1) foot in building height over thirty five feet (35).

d. Off-Street Parking and Loading Requirements.

e. Landscaping Regulations

Landscape regulations shall be the same as for other commercial properties, except that the following additional standards shall apply:

1. Planting Requirements

a. Planting Area Requirements along the Tammany Trace

1. The planting area abutting the Tammany Trace shall be a minimum of twenty-five (25) feet in depth. If the site has not been previously cleared, all trees and underbrush shall be preserved wherever they may be located, within the twenty (25) foot planting area.

2. Only trees that are unsound, hazardous, diseased or infested with insects as determined by a licensed arborist, located within the buffer planting area, can be removed.

3. Trees and Shrubs Required. In the case where the site has previously been cleared or the trees that are unsound, hazardous, diseased or infested with insects have to be removed, the required minimum number of trees shall be provided in the planting area or areas as set under Section 7.01.

4. As required under Section 7.01, the location, dimensions, depth and description of any retention/detention ponds or retention/detention areas on, or to be placed on the site, shall be shown on the site plan. However, the required retention/detention pond shall be located outside the required 25 foot planting area.

5. A path or trail can be provided through the required planting area to access the Tammany Trace. The width of the cleared area for the construction of the path shall not exceed 10' and the width of the pavement shall not exceed 5'.

f. Facade

Facades of the buildings having frontage on the Tammany Trace shall maintain the same standard of design as the front facade. The finish of the facades shall be limited to Cement Plaster (stucco), Brick or wood.