

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6048

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: TANNER/BRISTER

PROVIDED BY: CIVIL DIVISION ADA PLANNING

INTRODUCED BY: MR. LORINO

SECONDED BY: MR. BELLISARIO

ON THE 4 DAY OF OCTOBER , 2018

AN ORDINANCE TO AMEND THE ST. TAMMANY PARISH LAND DEVELOPMENT CODE, CHAPTER 125 SUBDIVISION REGULATIONS, SECTION 125-188(B) MINOR SUBDIVISION REVIEW, RELATIVE TO ADMINISTRATIVE APPROVAL OF MINOR SUBDIVISIONS NORTH OF THE URBAN GROWTH BOUNDARY LINE.

WHEREAS, in order to best serve the citizens residing north of the Urban Growth Boundary Line, it is necessary to amend Section 125-188(b) of the St. Tammany Parish Land Development Code regarding minor subdivisions of land and relative to private drives in use prior to the establishment of the Urban Growth Boundary Line.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the following amendments be made to Section 125-188(b) of the St. Tammany Parish Land Development Code:

Sec. 125-188. - Minor subdivision review.

(b) Administrative approval. A public hearing shall not be required, and administrative approval of a minor subdivision is hereby authorized, in those instances set forth in this subsection. For purposes of this subsection, a minor subdivision means the approval or certification of certain plats involving minor modifications of existing parcels of land. The categories of such modifications qualifying for such administrative approval or certification are set forth in subsections (b)(1) and (2) of this section:

(1) Minor subdivisions that consist of the realignment or shifting of lot boundary lines, including removal, alignment, or shifting of interior lot boundary lines, or the designation of lot numbers provided the application meets all of the requirements of this section and the following requirements:

- a. Does not involve the creation of any new street or other public improvement except as otherwise provided in this section.
- b. Does not involve the combining of existing lots that would result in the creation of more than five lots.
- c. Does not reduce a lot size below the minimum area or frontage requirements established by ordinance.
- d. Otherwise meets all the requirements of the subdivision regulations, including all applicable regulations of this section that are set forth hereinbelow, and the applicable zoning ordinances.

(2) Minor subdivision approval may also be granted, when the following criteria are met:

- a. The subdivision will result in the creation of five or less lots.
- b. The subdivision will not result in the creation of any new public streets.
- c. When a single parcel to be subdivided is located south of the urban growth boundary line, all of the lots must have direct public road frontage.
- d. When the single parcel to be subdivided is located north of the urban growth boundary line, said parcel may be divided into no more than five parcels per minor subdivision request. The front parcel must meet the public road frontage requirements, except:
 - i. when it abuts a previously approved minor subdivision which has access to a public road as set forth below; or

ii. when accessed via a private road or private drive that was established and in use prior to the creation of the Urban Growth Boundary Line by Ordinance C.S. No. 10-2390, adopted November 10, 2010.

Other (rear) parcels may be created as a flag lot:

iii. to be when accessed via a strip of land, or may be created to be accessed via a servitude that otherwise meets all other flag lot requirements below: or,

iv. when accessed via a private road or private drive that was established and in use prior to the creation of the Urban Growth Boundary Line by Ordinance C.S. No. 10-2390, adopted November 10, 2010.

1. For purposes of this section, a flag lot is a lot created so that it is accessed via a strip of land with a minimum frontage and width between 30 and 60 feet. The access strip shall maintain said width for the entirety of its length. The minimum lot size for a flag lot, excluding the area of the access strip, is the minimum lot size requirement for the zoning district in which the property is located. The flag lot shall be required to meet all other minimum standards for the underlying district, including but not limited to minimum lot width, setbacks, and other zoning requirements on that portion of the lot not part of the access strip.

2. The combined frontage of the front and rear lot shall meet the minimum lot width of the underlying zoning.

3. The minimum lot size for a rear lot, excluding the area of the access strip, is the minimum lot size requirement for the zoning district in which the property is located.

4. The rear lot shall be required to meet all other minimum standards for the underlying district, including but not limited to minimum lot width, setbacks, and other zoning requirements on that portion of the lot not part of the access strip.

5. For purposes of section 125-189, the access strip shall be considered a private drive accessing one lot or parcel.

6. The common property line between the two parcels shall be considered front yard for the purposes of these regulations.

7. The proposed minor subdivision otherwise meets all of the requirements for administrative approval that are not in conflict with the particular requirements of subsection (b)(2)c of this section.

8. Parcels created, to be accessed via a private road or private drive that was established and in use prior to the creation of the Urban Growth Boundary Line in November 2010 are not subject to Sec. 125-189. - Minimum construction standards for a private drive, except that the private drive or private road shall be given a name and depicted on the survey plat, only after first obtaining approval for said name, in writing, from the 911 addressing officer.

e. All lots created shall meet the minimum lot size and dimension standards for the zoning district in which they are located pursuant to the Unified Development Code, or a minimum of one acre in size, whichever constitutes the greater area. The calculation for the area of a lot shall be exclusive of any public street right of way or private drive.

f. The department of environmental services determines that the proposal is in compliance with section 125-85.

g. The department of engineering Determines that the proposal is in compliance with section 125-88. Properties being reviewed through the minor subdivision process, when located north of the urban growth boundary and where all lots being created are a minimum of one acre in size, are not subject to the requirements of section 125-88 but will be reviewed at the time of permitting for drainage impacts.

h. Does not reduce a lot size below the minimum area or frontage requirements established by ordinance.

i. Otherwise meets all the requirements of the subdivision regulations, including all applicable regulations of this section that are set forth herein below, and the applicable zoning ordinances.

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 NOVEMBER , 2018 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 26 , 2018

Published Adoption: _____ , 2018

Delivered to Parish President: _____ , 2018 at _____

Returned to Council Clerk: _____ , 2018 at _____