



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**#20**

**Kerri Callais**  
*Councilmember  
at Large*

**Richard "Richie" Lewis**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
District A*

**Joshua "Josh" Moran**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

**Wanda Alcon**  
*Councilmember  
District D*

**Fred Everhardt, Jr.**  
*Councilmember  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 20, 2020 AT THREE O'CLOCK P.M.

On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to adopt the following ordinance:

## **ORDINANCE SBPC# 2273-10-20**

### **Summary No. 3844**

Planning Commission recommended **APPROVAL** on 9/22/20

Introduced by: Administration on 10/6/20

Public Hearing held on 10/20/20

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-2, INTERPRETATION; SUB-SECTION 22-2-4, DEFINITIONS AND SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; SUB-SECTION 2-6-4 PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council, the Governing Authority, does hereby ordain that Chapter 22, Zoning; Section 22-2, Interpretation; Sub-Section 22-2-4, Definitions and Section 22-6, Commercial and Industrial Zoning Districts; Sub-Section 2-6-4 Permitted Uses Un Business And Industrial Districts of the St. Bernard Parish Code of Ordinances is hereby amended as per attached Exhibit "A".

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**SECTION 3.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.



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Extract #20 continued  
October 20, 2020

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:


**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

**NAYS:** None

**ABSENT:** None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of October, 2020.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President 10/22/2020 3:45pm  
Date and Time

Received by Margen Kelley

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council 10/23/2020 10:35am  
Date and Time

Received by Touya Talony

**Summary No. 3844**  
**Exhibit "A"**  
**Ordinance SBPC #2273-10-20**

**Chapter 22 - Zoning**  
**Sec. 22-2. - Interpretation**  
**Sub-section 22-2-4 – Definitions**

*22-2-4. Definitions*

Small cell telecommunications facility. A facility, excluding a satellite television dish antenna, established for the purpose of providing wireless voice, data and/or image transmission within a designated service area. A small cell telecommunications facility must not be staffed, and consists of one or more antennas attached to a support structure. An antenna or wireless antenna base station may not be larger than a maximum height of three (3) feet and a maximum width of two (2) feet. A small cell telecommunications antenna may be installed on existing rooftops, structures or support structures where permitted. A small cell telecommunications facility also consists of related equipment which may be located within a building. If support structures, such as wooden utility poles, do not exist in a subdivision, new non-wood poles that match the neighborhood character may be constructed if the applicant receives a resolution from the Planning Commission. The applicant shall submit engineered plans with elevations for the structures and a \$500 application fee.

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**Sec. 22-6. – Commercial and Industrial Zoning Districts**  
**Sub-section 22-6-4 – Permitted Uses**

*22-6-4. Permitted uses in business and industrial districts.* The following table identifies those uses permitted by zoning district. All business and industrial uses, developments, and new construction, except for minor changes in use, require site plan approval by the commission, subject to the site development standards of section 22-6-7. Any use not expressly permitted by the commission shall be prohibited unless the commission determines that a use fits into the established use groups. In addition, the commission has the right to determine if any use meets the intent of the regulations.

Other Uses	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
Library and museums		P	P	P	P			P	P
Golf courses		P						P	P

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**Exhibit "A"**  
**Ordinance SBPC #2273-10-20**

Barrooms					P				
Nightclubs					P				
Lounges					P				
Drive-in theaters		P		P	P				
Amusement places		P		P	P	P	P		
Kennel, boarding, or otherwise		P				P	P	P	P
Business schools			P	P	P				CU
Mini-warehouses		P	P	P	P	P	P		
Animal pound		P				P	P		
Riverboat gaming						CU	CU		
Heliports and private landing strips		P				P	P	CU	
Borrows or excavation pits		CU						CU	
Oil and gas exploration and development		CU					CU	CU	
Private utilities and railroads		P	P	P		P	P		
Temporary commercial amusements		P	P	P		P	P		
Recreation developments		P	P	P		P	P		

**Summary No. 3844**  
**Exhibit "A"**  
**Ordinance SBPC #2273-10-20**

Airports		P	P	P		P	P		
Communication towers		P(22)	P(22)	P(22)	P(22)	P(22)	P(22)	P(22)	
Cemeteries, crematories, and mausoleums		P							CU
Outdoor commercial recreation (2)									CU
Kindergartens and nursery schools		P	P	P	P			P	CU
Child care centers (3)		P	P						CU
Community centers		P	P	P	P				CU
Clubs and lodges		P						CU	CU
Churches, temples, Sunday schools, parish house		P	P	P	P	P	P	P	P
Public/private schools, academic institutions		P	P	P	P			CU	CU
Pain management/urgent care clinics/abuse addiction treatment facility			CU	CU	CU				
Sound stage/movie studio				CU(8)	CU(8)	CU(8)	CU(8)		
Micro-brewery		CU		CU	P	P	P		

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**Exhibit "A"**  
**Ordinance SBPC #2273-10-20**

Food truck, enclosed food trailer, (accessory) (12)	CU	CU	CU	CU	CU	CU	CU	CU	CU
Open food trailer	NP	NP	NP	NP	NP	NP	NP	NP	NP
Recreational vehicles (personal use) (18)		P(18)							
Recreational vehicle parks (19)		CU(19)						CU(19)	
Motor vehicle dealerships (new or used)		P		P		P	P		

P = Permitted Use - CU = Conditional Use

Notes to business and industrial district uses:

(22) Communication towers shall meet the following standards when located in C-1, C-2, C-3, I-1, I-2, SA, and A-1 zoning districts. Property located outside of the federal levee protection system is exempt from the standards in (22) c&d. The following site standards shall apply:

a. Setbacks. The lot where the tower is proposed shall be setback 200' from the state highway, and there shall be a lot with a minimum area of 6500 sq. ft. between the highway and the proposed lot. Any tower constructed for communications or cellular phone purposes shall be set back a distance equal to or greater than its height from: (1) Any property used for residential purposes. (2) Any road or highway that is the sole ingress or egress. (3) Any navigable waterway.

b. Tower Design. The tower itself must be of such design and treated with an architectural material so that it is concealed to resemble a tree with a single trunk and branches on its upper part, a flagpole, a clock tower, or something similar approved by the director of the department of community development. Towers shall not be greater than one hundred twenty (120) feet in height. A traditional tower or communications equipment located on a building's roof shall be concealed.

c. Walls. Walls shall be constructed of decorative block or stuccoed masonry block. Barbed wire or razor wire fencing is prohibited. Walls shall conceal equipment and be at least eight (8) in height.

d. Landscape. At least one (1) row of evergreen shrubs or trees shall be located within twenty (20)

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**Exhibit "A"**  
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feet of the tower's base. Trees and shrubs shall be a minimum of four (4) feet high when planted and spaced not more than fifteen (15) feet apart. All driveways and parking areas shall be concrete.

e. Submittal. A submittal shall include a survey, a site plan, a landscaping plan, a wall detail, and engineered plans with elevations for the tower.

f. Fees. The fee for a communication tower shall be \$1000 dollars.

g. Nonconforming communication towers. Any communication tower that is being upgraded or repaired at a cost exceeding \$100,000 shall meet the site standards listed in (22)c-f.