



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpgr.net

#11

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, JUNE 6, 2023 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #2497-06-23

Summary No. 4090

Planning Commission recommended APPROVAL on 4/25/23
Introduced by: Administration on 5/16/23
Public Hearing held on 6/3/23

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 2, INTERPRETATION; SUB-SECTION 22-24, DEFINITIONS; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS; SUB-SECTION 22-5-4, PERMITTED USES IN RESIDENTIAL DISTRICTS; SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; SUB-SECTION 22-6-4, PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS; SECTION 22-9, SPECIAL REGULATIONS; SUB-SECTION 22-9-6, DESIGN DEVELOPMENT DISTRICTS – REQUIRED OVERLAYS; SUB-SUBSECTION 22-9-6.9, SCHEDULE USE CHART – REQUIRED OVERLAYS 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 2, Interpretation; Sub-Section 22-24, Definitions; Section 22-5, Residential Zoning Districts; Sub-Section 22-5-4, Permitted Uses In Residential Districts; Section 22-6, Commercial and Industrial Zoning Districts; Sub-Section 22-6-4, Permitted Uses In Business and Industrial Districts; Section 22-9, Special Regulations; Sub-Section 22-9-6, Design Development Districts – Required Overlays; Sub-Subsection 22-9-6.9, Schedule Use Chart – Required Overlays 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.



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Extract #11, continued
June 6, 2023

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.

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

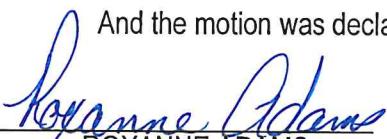
YEAS: McCloskey, Moran, Alcon, Everhardt

NAYS: None

ABSENT: Luna, Lewis

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

And the motion was declared adopted on the 6th day of June, 2023.



ROXANNE ADAMS
CLERK OF COUNCIL

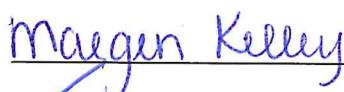


KERRI CALLAIS
COUNCIL VICE CHAIR

Delivered to the Parish President

6/9/23 11:15am
Date and Time

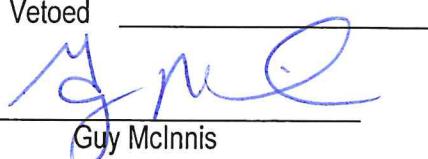
Received by



Approved

Vetoed

Parish President


Guy McInnis

Returned to Clerk of the Council

6/12/23 9:30am
Date and Time

Received by



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Exhibit "A"

Chapter 22 – Zoning
Section 22-2 – Interpretation
Sub-Section 22-2-4 – Definitions

22-2-4. – Definitions

Booking transaction: Any contractual agreement between a guest and an owner/operator relative to a short-term rental.

Short-term rental: The use and enjoyment of a dwelling unit, or any portion thereof, by guests for a period of at least one (1) night and less than thirty (30) consecutive days. Hotels, motels, bed and breakfasts, and other land uses explicitly defined and regulated in this CZO separately from short-term rentals are not considered to be short-term rentals.

Short-term rental guest: Any person who occupies a dwelling unit pursuant to a short-term rental.

Short-term rental operator: A natural person possessing a short-term rental operator's permit.

Short-term rental booking platform: One or more portals, listing services, or websites under common ownership or control through which a person, other than an owner, collects or receives a fee, directly or indirectly, for facilitating booking transactions. A platform shall not include a service, but merely posts advertisements for short-term rentals.

Chapter 22 – Zoning
Section 22-5 – Residential Zoning Districts
Sub-Section 22-5-4 – Permitted Uses in Residential Districts

Sec. 22-5. Residential zoning districts.

22-5-4. *Permitted uses in residential districts.* The following table identifies those uses that are permitted as of right and those permitted by conditional use permit in agricultural and residential zoning districts:

ZONE	R-1 Single-Family(5)	R-2 Two-Family	R-3 (MD) Multiple-Family Medium Density	R-3 Multi-family	R-1(M) Mobile Home Single-family	R-4 Mobile Home Trailer Parks
Single-family dwellings	P	P	P	P	P	
Two-family (two units)		P	P(9)	P		
Multi-family (more than three units)(1)			P(9)	P		
Single-family mobile home					P	

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dwellings						
Mobile home trailer parks						P
Boarding houses and lodging house			P	P		
Convalescent and nursing homes			P	P		
Apartment hotel			P	P		
Home occupation	P	P	P	P	P	
Parks and playgrounds(4)	P	P	P	P	P	P
Police and fire stations	P	P	P	P	P	P
Libraries and museums	CU	CU		CU	CU	CU
Cemeteries, crematories, and mausoleums	CU	CU		CU	CU	CU
Outdoor commercial recreation(2)	CU	CU		CU	CU	CU
Bed and breakfast (for not more than ten (10) guests)		CU				
Kindergartens and nursery schools	CU	CU		CU	CU	CU
Child care centers(3)	CU	CU		CU	CU	CU
Community centers	CU	CU		CU	CU	CU
Churches, temples, Sunday schools, parish house	P	P	P	P	P	P
Public and private schools, academic institutions	CU	CU		CU	CU	CU
Gardens, community or private(4)	P	P	P	P	P	P
Day care home, adult or child(5)	P	P	P	P	P	P
Day care center, adult or child— Small(6)			P	P		
Day care center, adult or child— Large(6)			P	P		
Group home, small(7)	P	P	P	P	P	P
Group home, large 7)			P	P	P	P
Group home, congregate(7)			P	P	P	P

P = Permitted Use; and CU = Conditional Use

P = Permitted Use and CU = Conditional Use

Chapter 22 – Zoning

Section 22-6 – Commercial and Industrial Zoning Districts

Sub-Section 22-6-4 – Permitted Uses in Business and Industrial Districts

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Exhibit "A"

Sec. 22-6. Commercial and industrial zoning districts.

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.

P = Permitted Use - CU = Conditional Use

Agriculture and Residential Uses	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
Farming and agriculture		P				P	P	P	P
Convalescent and nursing homes				P	P			P	
Roadside Stand (Produce) (9)		P	P	P				P	P
Dockside Stand (Seafood) (10)		P							
Itinerant Market (Seasonal) (11)		CU	CU	CU				CU	CU
Trailer courts and parks		P							
Dwellings—Resident watchman and caretakers		P				P	P		
Farm dwellings and accessory farm buildings		P				P	P	P	P
Agriculture and farm implements		P				P	P	P	
Animal, poultry, and bird raising—Commercial		P				P	P		
Single-family dwelling	P	P	P		P	P		P	P
Mobile home dwelling		P			P	P		P	
Two-family dwelling	P	P	P	P	P	P			P
Garage apartment or guest house (6)								P	P
Multifamily dwelling units	P	P	P	P	P	P			
Short-term rentals		P(17)	P(17)	P(17)	P(17)	P(17)	P(17)		
Agricultural ponds, fish or shellfish ponds		P						P	
Garden, community or private (13)		P	P	P				P	P
Agricultural storage yard		P(21)							

P = Permitted Use - CU = Conditional Use

Notes to business and industrial district uses:

(17) Short-term rentals (STR) shall conform to the regulations in Sec. 22-9-8.

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Chapter 22 – Zoning

Section 22-9 – Special Regulations

Sub-Section 22-9-6 – Design Development Districts – Required Overlays

Sub-Subsection 22-9-6.9 – Schedule Use Chart – Required Overlays

Sec. 22-9. Special regulations.

22-9-6. *Design development districts - Required overlays.*

22-9-6.9. *Schedule use chart - Required overlays.*

Residential Use	St. Claude Arts, Culture and Entertainment District	Old Arabi Mixed Use and Riverfront District
Bed and breakfast	R	CU
Mixed-use residential	P	P
Multi-family (> three units)	R	CU
Single-family dwellings	R	P
Single-family mobile home dwellings	R	R
Two-family (two units)	R	P
Townhomes (row House)	R	P
Short-term rental (3)	P	P

P = Permitted

CU = Conditional Use

R = Not Permitted (Restrictive Use)

Notes:

(3) *Short-term rentals (STR) shall conform to the regulations in Sec 22-9-8.*

22-9-8. *Short-term rentals.*

22-9-8.1. *Short-term rentals (STR) shall conform to the following standards.*

- a. *Short-term rentals may comprise of the entire house, a dwelling unit, or a single room.*
- b. *Short-term rentals guests shall not host events, receptions, or parties where other individuals are invited. A short-term rental is limited to twelve (12) guests.*
- c. *Short-term rentals shall conform to the site development standards in Sec. 22-7.*
- d. *Buffer areas for short-term rentals: When a short-term rental shares a lot line with a property zoned R-1, R-2, R-3(MD), or SA, a fifty (50) foot buffer shall be provided along the shared boundary and the following shall apply:*
 1. *The buffer shall include a ten (10) foot landscaped area along a fence.*

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2. The buffer area shall not include swimming pools, balconies, pavilions, grills, playgrounds, tables or chairs, or any other recreational use.
3. The remaining buffer area may include parking, dumpsters, main buildings and accessory buildings.
- e. Permit required. All short-term rentals shall be permitted by the department of community development.
 1. The permit fee shall be a yearly fee of five hundred dollars (\$500.00) and shall expire on February 1. The initial fee shall be pro-rated. The property may be inspected annually.
 2. Any permit issued is non-transferable.
 3. Any change in ownership requires a new short-term rental owner permit.
 4. Existing and permitted short-term rentals, located outside of an approved zoning district, are considered grandfathered. These properties are listed in Exhibit "A" of Ordinance SBPC #2497-06-23.
 5. If a property listed in Exhibit "A" is sold or transferred it will no longer be eligible for a short-term rental permit.
- f. Permit revocation. Short-term rentals, with a history of excessive noise, unruly behavior, or illegal activity, documented by the sheriff's department or the department of community development, may have their permit revoked.
 1. The director of community development may request to revoke the permit after three (3) verified complaints. The request for a hearing shall be sent to the bureau of administrative adjudication (BAA). If revoked, the property owner must wait 1 (one) year before applying for a new permit. Any application for a permit that has been revoked, shall be reviewed and approved by the board of zoning adjustments.
 - g. Penalties. In addition to all other available penalties, any person operating a short-term rental without a permit may be fined five hundred dollars (\$500.00) per day by the bureau of administrative adjudication (BAA). Unpaid fines shall be placed as a lien against the property. Unpaid liens shall be placed on the annual ad valorem tax bill.
- h. Short-term rentals shall pay the hotel, motel and camping facilities occupancy tax. Refer to chapter 13, occupational license, taxes and regulations; article IX.
 1. Online platforms, that facilitate short-term rentals, shall charge, collect, and remit the tax directly to the parish.

Active Short Term Rental Permits

Exhibit "A"

ADDRESS

722 Friscoville
714 Mehle St
420 Friscoville
3402 Montesque
441 Angela
702 Community St
423 Mehle
431 Lebeau
914/916 Friscoville
819 LeBeau
710 Friscoville
549 Angela
549 Mehle
6701 Chartres
601 Lebeau