



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpj.net

Guy McInnis

*Councilman
at Large*

George Cavignac

*Councilman
at Large*

Ray Lauga, Jr.

*Councilman
District A*

Nathan Gorbaty

*Councilman
District B*

Richard "Richie" Lewis

*Councilman
District C*

Casey W. Hunnicutt

*Councilman
District D*

**Manuel "Monty"
Montelongo III**

*Councilman
District E*

Roxanne Adams

Clerk of Council

#20

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, DECEMBER 15, 2015 AT THREE O'CLOCK P.M.

On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1721-12-15

Summary No. 3326

Planning Commission recommended **APPROVAL** on 11/10/15

Introduced by: Administration on 12/1/15

Public Hearing held on 12/15/15

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 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 Parish Council hereby amends Chapter 22; Zoning, Section 6; Commercial and Industrial Zoning Districts, Subsection 4; Permitted uses in business and industrial districts of the St. Bernard Parish Code of Ordinances as attached in "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
December 15, 2015

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

YEAS: Lauga, Lewis, Hunnicutt, Montelongo

NAYS: None

ABSENT: None

DID NOT VOTE: Gorbaty, McInnis

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of December, 2015.

ROXANNE ADAMS
CLERK OF COUNCIL

GEORGE CAVNAC
COUNCIL CHAIRMAN

Delivered to the Parish President

12/18/2015 9:45am

Date and Time

Approved

Vetoed _____

Parish President

David E. Peralta

Returned to Clerk of the Council

1/4/16 10:27am

Date and Time

Received by

EXHIBIT "A"
SUMMARY NO. 3326
ORDINANCE NO. 1721-12-15

Section 22 - Zoning
Section 6 - Commercial and Industrial Zoning Districts
Subsection 4 - Permitted uses in business and industrial 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. 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							
Bed and breakfast (for not more than ten (10) people)		CU						CU	CU
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
Mobile home dwelling		P			P	P		P	
Two-family dwelling	P	P	P	P	P	P		P	P
Garage apartment or guest house (6)								P	P
Multi-family dwelling units	P	P	P	P	P	P			
Agricultural ponds, fish or shellfish ponds								CU	

P = Permitted Use - CU = Conditional Use

Other Uses	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
Libraries and museums		P	P	P	P			P	P
Golf courses		P						P	P
Barrooms					P				
Nightclubs					P				
Lounges					P				

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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 rail roads		P	P	P		P	P		
Temporary commercial amusements		P	P	P		P	P		
Recreation developments		P	P	P		P	P		
Airports		P	P	P		P	P		
Transmitter towers		CU	CU	CU	CU	CU	CU	CU	
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					CU				
Sound stage/movie studio				CU(8)	CU(8)	CU(8)	CU(8)		
Micro-brewery		CU		CU	P	P	P		
Food Truck (Accessory) (12)	CU	CU	CU	CU	CU	CU	CU	CU	CU

P = Permitted Use - CU = Conditional Use

Notes to business and industrial district uses:

- (1) Individual retail stores under nine thousand (9,000) square feet.
- (2) Retail stores limited to one thousand five hundred (1,500) square feet of retail floor area, but no pawn shops or package liquor stores or sales of any alcoholic beverages.
- (3) See section 22-6-7.1 below for additional requirements.

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- (4) An office containing an area of not more than five (5) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.
- (5) See section 22-6-8.3 below for additional requirements.
- (6) One (1) garage apartment or guest home under one thousand (1,000) square feet of habitable floor space on lots of at least twelve thousand (12,000) square feet.
- (7) Gasoline service stations, lubricating and oil change services, convenience markets, services centers or functions:
 - a. Shall not include the following:
 - Any outdoor service operations (other than the dispensing or installation of gasoline, oil, antifreeze, headlights, wiper blades and other similar products and the performance of minor services for customers as related to such dispensing or installation);
 - The sale, rental, display or storage of vehicles, trailers, tractors, machinery or other similar equipment;
 - Commercial parking of vehicles;
 - Major servicing or motor or body repair such as, but not limited to, body or fender work, motor overhaul, major transmission repair, auto glass work, tire recapping, muffler repair or installation, auto body painting or trim shops; or
 - Dismantling or wrecking of any vehicles, or the storage of inoperable, damaged or wrecked vehicles, other than those awaiting immediate repair.
 - b. Shall have a maximum of three (3) indoor service bays.
 - c. The exterior display, sale or storage of antifreeze, batteries, tires, oil, and other merchandise or products is permitted, provided such display or storage is:
 - Accessory to the primary use;
 - Located immediately adjacent to the primary structure, but not within any required yard or required transitional yard;
 - Not more than two hundred (200) square feet in total area;
 - Maintained in an orderly manner; and
 - Not illuminated.
 - d. A maximum of two hundred (200) square feet of inoperable vehicles that can be stored on site. All vehicles to be left overnight must be in a fenced in perimeter.
- (8) Movie studios must meet the following conditions:
 - a. Sound stages shall be soundproofed.
 - b. Sound stages shall total more than twenty thousand (20,000) square feet of gross floor area.
 - c. Movie studios shall be located on at least one (1) acre of land.
 - d. All buildings shall have a related design in terms of exterior materials, style, and color.
 - e. Fences and walls may be up to ten (10) feet in height with conditional use approval.
- (9) Roadside Stand (Produce) shall meet the following conditions:
 - a. Roadside Stands shall be located on private property. Stand locations and parking within public rights-of-way shall be strictly prohibited.
 - b. Permits/Business Licenses issued on a one (1) calendar year basis.
 - c. Shall designate 1,000 sq. ft. of off-street parking area.
 - d. In no event shall the permittee or anyone else be allowed to sell produce within one thousand feet (1,000 ft.) of an established roadside stand or retail entity (grocery) with produce sales.
 - e. Any person with a farmer's license or employee of a licensed farmer shall be exempt from these restrictions.

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- (10) Dockside Stand (Seafood) shall meet the following conditions:
- a. Dockside Stands shall be located on the dock for which the marine vessel is moored. Stand locations within public rights-of-way shall be strictly prohibited.
 - b. Permits/Business Licenses issued on a one (1) calendar year basis.
 - c. Required off-street parking areas shall not apply to this use.
 - d. In no event shall the permittee or anyone else be allowed to sell seafood within one thousand feet (1,000 ft.) of an established Seafood Market, restaurant or retail entity (grocery) with fresh seafood sales.
- (11) Itinerant Market (Seasonal) shall meet the following conditions:
- a. Itinerant Markets shall be located on private property. Market or stand locations and parking within public rights-of-way shall be strictly prohibited.
 - b. Permits/Business Licenses issued on a one (1) calendar year basis.
 - c. Shall designate 1,000 sq. ft. of off-street parking area.
 - d. In no event shall the permittee or anyone else be allowed to sell any products within one thousand feet (1,000 ft.) of an established retail entity with sales of similar goods or other itinerant markets.
 - e. An Itinerant Market must be approved per conditional use by Parish Council.
- (12) Food Trucks shall meet the following conditions:
- a. A food truck shall be located on private property with a primary use (no vacant lots), subject to permission from the property's owner. A food truck shall be strictly prohibited from parking within public rights-of-way, except for the Old Arabi Mixed Use and Riverfront Districts.
 - b. Permits/Business Licenses shall be issued to each individual food truck on a one (1) calendar year basis.
 - c. Food Trucks shall only operate on Monday thru Saturday from 7:00 a.m. to 9:00 p.m. and must vacate premises during non-hours of operation.
 - d. In no event shall the permittee or anyone else be allowed to operate a food truck within one thousand feet (1,000 ft.) of an established restaurant or other food truck (excluding special events).
 - e. Each individual food truck may petition to use multiple locations and allowed to operate within all non-residentially zoned districts, per conditional use approval by Parish Council.
 - f. A food truck permit shall be issued only to vendors operating in conjunction with a St. Bernard Parish licensed food establishment for state mobile vendor permit purposes in accordance with applicable state statutes. Vendors in Old Arabi Mixed Use and Riverfront Districts are exempt from this requirement.