



St. Bernard Parish Council

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

#18

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 NOVEMBER 4, 2015 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #1706-11-15

Summary No. 3295

Introduced by: Administration on 10/6/15

Planning Commission recommended **APPROVAL** on 9/29/15

Public hearing held on 10/20/15

Tabled on 10/20/15 until 11/4/15

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 9; SPECIAL REGULATIONS 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 9; Special Regulations 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 #18 continued
November 4, 2015

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

YEAS: Lauga, Lewis, Montelongo

NAYS: None

ABSENT: Gorbaty, McInnis, Cavignac

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

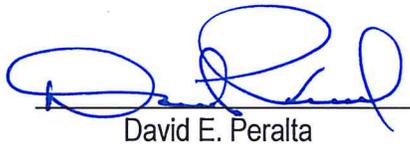
And the motion was declared **adopted** on the 4th day of November, 2015.


ROXANNE ADAMS
CLERK OF COUNCIL


CASEY HUNNICUTT
COUNCIL CHAIRMAN

Delivered to the Parish President 11-9-15 1:54pm
Date and Time

Approved ✓ Vetoed _____

Parish President 
David E. Peralta

Returned to Clerk of the Council 11/10/2015 12:15pm
Date and Time

Received by 

EXHIBIT "A"
SUMMARY NO. 3295
ORDINANCE SBPC #1706-11-15

Chapter 22 – Zoning
Section 9 - Special Regulations

22-9-6 Design Development Districts – Required Overlays

1. St. Claude Arts, Culture, and Entertainment District

a. Purpose

1. The purpose of the St Claude Arts, Culture, and Entertainment District is to encourage the development of a fully integrated, mixed use, pedestrian-oriented historic commercial corridor which promotes both standard uses in Design Development Districts and specific arts, culture, and entertainment uses. The St Claude District is created as an overlay zone that shall be applied to all properties within the district.
2. The St. Claude Arts, Culture, and Entertainment District is designated a Design Development District and shall conform to standards listed in Chapter 22-9-1 Design Development District and 22-9-2 Traditional neighborhood design standards.

b. Boundaries

1. All commercial and industrial zoned lots fronting on to or within two hundred (200) feet of St Claude Ave (LA 46) from the St Bernard Parish line to Center St., except Sheriff's Substation (Refer to Appendix E – Maps)

c. Special Standards

1. Uses

- a. Permitted, Conditional, and Restrictive Uses. Uses that are permitted, conditional, or restricted are listed within the schedule of use chart. Refer to Chapter 22-9-6.9.
2. Development Standards. The design standards listed in 22-9-2 shall apply to the St Claude Arts, Cultural, and Entertainment District along with the following standards:
 - a. Buildings. Drive-thru facilities are permitted for pharmacies and banks when located in the rear of the building and minimally obtrusive.
 - b. Parking. When a building exists on the site, parking shall be grandfathered to the most intensive permitted use for the district. Permitted uses shall comply with parking regulations listed in Chapter 22-9-2.5.4. Uses not listed in Chapter 22-9-2.5.4 shall conform to the standards in Chapter 22-7-3.2 and shall have a fifty (50) percent parking reduction.
 - c. Best Management Practices for stormwater management is encouraged onsite.
 - d. Existing parking spaces in state or parish road rights-of-way (ROW) shall not be considered permissible for required parking.

2. Old Arabi Mixed Use & Riverfront District

a. Purpose

1. The purpose of the Old Arabi Mixed Use & Riverfront District is to encourage the development of a fully integrated, mixed use, pedestrian-oriented neighborhood which promotes views of the Mississippi River. The Old Arabi Mixed Use & Riverfront District is created as an overlay zone that shall be applied to all properties within the district.
 2. The Old Arabi Mixed Use & Riverfront District is designated a Design Development District and shall conform to standards listed in Chapter 22-9-1 Design Development District and 22-9-2 Traditional neighborhood design standards.
- b. Boundaries
1. The area bounded by the centerline of Angela Street, the Mississippi River, the western boundary of the old Ford Motor Plant parcel (address 7200 North Peters Street), Bienvenue Street including the industrial zoned lots (Lot K-1 & F-B-1 SQ. F-1 Arabi Sub.) north of Bienvenue Street between Mehle Street and Aycock Street, and Pontalba Street between Angela Street and Mehle Street. (Refer to Appendix E – Maps)
- c. Special Standards
1. Uses
 - a. Permitted, Conditional, and Restrictive Uses. Uses that are permitted, conditional, or restricted are listed within the schedule of use chart. Refer to Chapter 22-9-6.9.
 2. Development Standards. The design standards listed in 22-9-2 shall apply to the Old Arabi Riverfront District along with the following standards:
 - a. Buildings. Drive-thru facilities are prohibited for food establishments. Drive-thru facilities are permitted for pharmacies and banks when located in the rear of the building and minimally obtrusive.
 - b. Parking. When a building exists on the site, parking shall be grandfathered to the most intensive permitted use for the district. Permitted uses shall comply with parking regulations listed in Chapter 22-9-2.5.4. Uses not listed in Chapter 22-9-2.5.4 shall conform to the standards in Chapter 22-7-3.2 and shall have a fifty (50) percent parking reduction.
 - c. Best Management Practices for stormwater management is encouraged onsite.
 - d. Existing parking spaces in state or parish road rights-of-way (ROW) shall not be considered permissible for required parking.
 3. Development Standards – Height Limit Increases.
 - a. Purpose. The purpose is to encourage development that promotes views of the river.
 - b. Height Limit. The boundary shall include all lots within two (200) hundred feet of the edge of right of way of North Peters Street in the Old Arabi Mixed Use & Riverfront District, excluding parcels between Angela Street and Mehle Street. On eligible lots, the portion of land on the riverside of Pontalba St. (between Aycock St. and Friscoville St.), drawing a line along the centerline of the street from the eastern to the western boundary of the district, buildings may be constructed not to exceed six (6) stories and ninety (90) feet. Buildings, in the remainder of the District, shall not exceed three (3) stories and fifty-five (55)' in height.

3. Food Trucks – Secondary Use

- a. Hours of operation shall be Thursday 5:00pm to Sunday 9:00pm

- b. Food truck owners shall obtain an itinerant vendor permit and occupational license
- c. Food trucks shall only be located on North Peters street between Mehle St. to Friscoville Ave.

22-9-6.4. Reserved

22-9-6.5. Reserved

22-9-6.6. Reserved

22-9-6.7. Reserved

22-9-6.8. Reserved

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 |

| General Commercial Uses | St. Claude Arts, Culture and Entertainment District | Old Arabi Mixed Use and Riverfront District |
|-----------------------------------|--|--|
| Adult Oriented Businesses | R | R |
| Amusement Places | CU | CU |
| Art Gallery | P | P |
| Art Studio | P | P |
| Bakery | P | P |
| Bar (1) | CU | CU |
| Catering Kitchen | CU | P |
| Check Cashing Establishment | R | R |
| Clubs or Lodges - Private | P | CU |
| Communication Tower | CU | CU |
| Educational Facility - Vocational | CU | CU |
| Micro-Brewery | CU | CU |
| Micro-Distillery | CU | CU |
| Pawn Shops | R | R |
| Reception Facility | CU | CU |
| Temporary Commercial Amusements | CU | CU |

| General Industrial Uses | St. Claude Arts, Culture and Entertainment District | Old Arabi Mixed Use and Riverfront District |
|--|--|--|
| Contractor Storage Yard | R | R |
| Explosives, Ammunitions, Fireworks and Storage | R | R |
| Heavy Industrial | R | R |
| Light Industrial | R | CU |
| Manufacturing - Heavy | R | R |
| Manufacturing - Light | R | CU |
| Pharmaceutical Products | R | R |
| Refining and Storage –Petroleum | R | R |
| Research and Experimental Laboratories | R | R |
| Scrap or Salvage Yard | R | R |
| Stockyards | R | R |
| Warehouse Storage | R | CU |
| Warehousing and Distribution | R | CU |
| Wholesale Establishments | R | CU |

| General Automotive Uses | St. Claude Arts, Culture and Entertainment District | Old Arabi Mixed Use and Riverfront District |
|--|--|--|
| Car Wash | R | R |
| Gas Station | R | R |
| Junk Yard (Automotive) | R | R |
| Motor Vehicle Dealerships (New or Used) | R | R |
| Motor Vehicle Service and Repair – Major | R | R |
| Motor Vehicle Service and Repair - Minor | R | R |
| Parking Structure | CU | CU |
| Truck Marshalling | R | R |
| Truck Repair | R | R |
| Vehicle Impound Lot | R | R |
| Vehicle Operations Facility | R | R |
| Vehicle Storage Lot | R | R |

| General Office Uses | St. Claude Arts, Culture and Entertainment District | Old Arabi Mixed Use and Riverfront District |
|--|--|--|
| Animal Hospital / Clinic | CU | P |
| Business and Professional Office Buildings (<15,000 sq. ft.) | CU | P |
| Business and Professional Office Buildings (>15,000 sq. ft.) | CU | P |
| Medical/Dental Clinic or Office | P | P |
| Office – General Business and Professional Services | P | P |
| Urgent Care Clinic | CU | CU |

| Retail and Service Uses | St. Claude Arts, Culture and Entertainment District | Old Arabi Mixed Use and Riverfront District |
|---|--|--|
| Book Store | P | P |
| Coffee Shop | P | P |
| Convenience Store (< 2,500 sq. ft.) | P | P |
| Day Care Centers / Nursery Schools | R | P |
| Delicatessen | P | P |
| Financial Institutions | P | P |
| Grocery Store (7,500 to < 30,000 sq. ft.) | CU | CU |
| Hotel | P | P |
| Personal Services | P | P |
| Professional Services | P | P |
| Restaurant - Fast Food | P | P |
| Restaurant - Fast Food (Drive Thru) | R | R |
| Restaurant - Standard | P | P |
| Restaurant - Standard (Drive Thru) | R | R |
| Retail Establishments (> 30,000 sq. ft.) | CU | R |
| Retail Establishments – Non Food (< 15,000 sq. ft.) | P | P |
| Retail Establishments – Non Food (> 15,000 sq. ft.) | CU | CU |
| Retail Goods / Food Store | P | P |

| | | |
|---|---|----|
| Establishment (2,500 to < 7,500 sq. ft.) | | |
| Smoke Shop | P | CU |
| Sundry Store | R | R |

| Other Uses | St. Claude Arts, Culture and Entertainment District | Old Arabi Mixed Use and Riverfront District |
|--|--|--|
| Animal Boarding Facility | R | R |
| Artist Community | P | P |
| Art Markets | CU | CU |
| Churches, Temples, Sunday Schools and Parish House | P | P |
| Community Center | P | P |
| Conference Centers | CU | P |
| Cultural Facility | P | P |
| Farmers Market | P | P |
| Food Truck – Secondary Use | R | P |
| Food Truck Lot | R | R |
| Gaming Facility – Primary Use | R | R |
| Gaming Facility – Secondary Use (2) | P | P |
| Garden, Community | R | CU |
| Garden, Private (Commercial) | R | CU |
| Libraries and Museums | P | P |
| Live Entertainment – Secondary Use | P | P |
| Live Performance Venue | CU | CU |
| Movie Studios | CU | CU |
| Open or Green Space | P | P |
| Parking Lots | P | P |
| Parking Lots (Shared) | P | P |
| Private/Public Schools, Academic Institutions | P | P |
| Public Market | P | P |
| Tattoo Parlors | R | R |
| Theater (< 15,000 sq. ft.) | P | P |
| Theater (> 15,000 sq. ft.) | CU | CU |

Notes:

P = Permitted

CU = Conditional Use

R = Not Permitted (Restrictive Use)

(1) Bars.

- a. Only one (1) bar (primary use) per blockface.
- b. Not to exceed six (6) bars per district.

(2) Gaming Facility – Secondary Use.

- a. Video poker. Not to exceed three (3) machines per establishment.

22-9-6.10 Legally Nonconforming Development Standards, Structures, and Uses Located in Required Overlays

a. Purpose

- 1. The purpose of this section is to efficiently and effectively address those pre-existing conditions that do not conform to the requirements set forth by the adoption date of Section 22-9-6, while holding true to the purpose and intention of Section 22-9. All nonconforming uses are subject to Section 22-3 unless expressly superseded herein.

b. Development Standards, Structures, and Uses

- 1. Pre-existing site development standards, structures, and uses located within the overlay and deemed nonconforming after the date of adoption of Section 22-9-6 shall be considered exempt from Section 22-3-11: Amortization of Nonconforming Uses which states "Any use that becomes nonconforming as a result of a zoning district changed after January 1, 2010 shall be required to conform to the new zoning designation within two (2) years from the effective date of the zone change".

c. Development Standards

- 1. Pre-existing development standards, such as parking, signage, and landscaping, shall be legally nonconforming.

d. Existing Structures

- 1. Structures that are pre-existing and located within boundaries defined in Section 22-9-6 by the date of adoption of Section 22-9-6 shall be grandfathered.
- 2. Any aesthetic alteration to a grandfathered structure shall be subject to the development standards set forth in Section 22-9 and may not be permitted to be altered in a way to further its nonconforming design or condition.
- 3. The structure's grandfathered status shall run with the land, except mobile homes and/or commercial trailers.

e. Uses

- 1. Existing uses deemed nonconforming at the date of adoption of Section 22-9-6 shall be considered legally nonconforming and grandfathered.

f. Loss of Legal Nonconforming/Grandfather Status

1. Relinquishment of grandfather status of a legal nonconforming use shall be subject to Section 22-3-9, which states "Whenever a building or land used in whole or in part for a nonconforming purpose becomes and remains vacant for a continuous period of six (6) months, or when the operations normally carried on in such a building or on such land have been discontinued for a period of six (6) months, such nonconforming use shall not thereafter be re-established and any future use shall be in conformity with the provisions of this chapter."

22-9-6.11 Permitting Process

- a. General Development Plan (GDP). A GDP is required for conditional use listed in the schedule of uses table in 22-9-6.9.
 1. Applications and Procedure. Applications shall be submitted to the department of community development and shall follow the procedure in Chapter 22-10-1.1 through 22-10-1.4
 2. Approval. The Parish Council with a recommendation from the Planning Commission shall approve the plan.
- b. Design Review. A design review through the department of community development shall be required for all development in the overlay.
 1. Applications and Procedure. Applications shall be submitted to the department of community development. Applications shall include but are not limited to site plans, building elevations, and material specification documentation.
 2. Approval. The director of community development shall approve the plan.
 3. Appeal. Noncompliant plans may be appealed to the Board of Zoning Adjustment.
- c. When a General Development Plan or Design Review is required.
 1. New construction
 2. Addition to an existing building
 3. Substantial Improvement consisting of 50% or greater of assessed building value
 4. Reoccupation of an existing building which has been vacant for six (6) months or longer
 5. Expansion of legally non-conforming uses and/or site standards.
 6. Change to a more intensive use