



# St. Bernard Parish Council

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

**#16**

**Kerri Callais**  
Councilmember  
at Large

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

**Gillis McCloskey**  
Councilmember  
District A

**Nathan Gorbaty**  
Councilmember  
District B

**Howard Luna**  
Councilmember  
District C

**Wanda Alcon**  
Councilmember  
District D

**Manuel "Monty"  
Montelongo III**  
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, JANUARY 26, 2016 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1725-01-16**

### **Summary No. 3329**

Planning Commission recommended **APPROVAL** on 12/8/15

Introduced by: Administration on 12/15/15

Public hearing held on 1/26/15

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council does hereby amend Chapter 22; Zoning, Section 22-4; General Provisions of the St. Bernard Code of Ordinances as shown on 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.



# St. Bernard Parish Council

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

**Kerri Callais**  
Councilmember  
at Large

Page -2-  
Extract #16 continued  
January 26, 2016

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

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

**Gillis McCloskey**  
Councilmember  
District A

**YEAS:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

**NAYS:** None

**Nathan Gorbaty**  
Councilmember  
District B

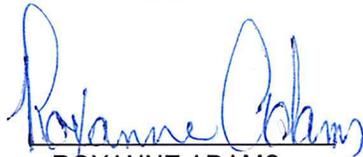
**ABSENT:** None

**Howard Luna**  
Councilmember  
District C

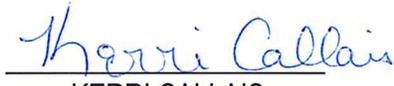
The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 26<sup>th</sup> day of January, 2016.

**Wanda Alcon**  
Councilmember  
District D



ROXANNE ADAMS  
CLERK OF COUNCIL



KERRI CALLAIS  
COUNCIL CHAIR

**Manuel "Monty" Montelongo III**  
Councilmember  
District E

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 1/29/2016 11:15am  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

1/29/2016 1:57pm  
Date and Time

Received by



**SUMMARY NO. 3329**  
**EXHIBIT "A"**  
**ORDINANCE SBPC #1725-01-16**

CHAPTER 22 - ZONING  
SECTION 22-4. - GENERAL PROVISIONS

22-4-1. Applicability. This section shall apply to all properties in all zones. No building or structure shall be erected, reconstructed, structurally altered, or enlarged, nor shall any building, structure or land be used or be designed for any use other than is permitted in the zone in which such building, structure or land is located.

The subdivision of land shall be subject to the appropriate regulations herein contained for the zone shown on the zoning map.

22-4-2. General provisions.

22-4-2.1. Use of building or land. Except as hereinafter provided, no building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located.

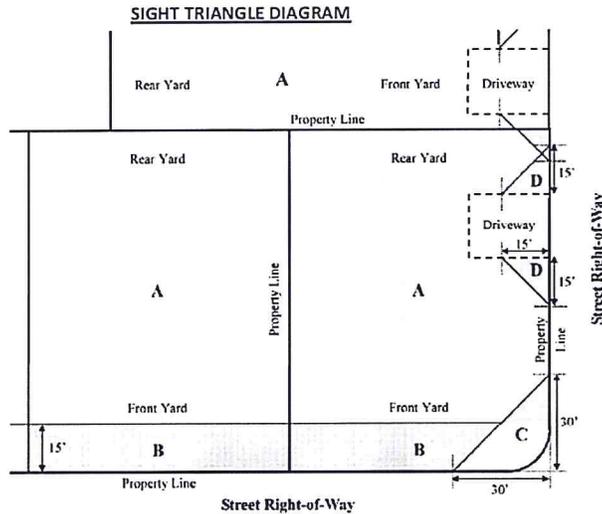
.... *Omitted for brevity*....

22-4-2.15. Residential fences in Arabi, Chalmette, Meraux, Violet and in all R-1 Districts regardless of location.

- (a) Residential fences, walls and hedges measuring up to thirty-six (36) inches in height shall be no closer to the inside edge of any sidewalk than one (1) foot. In instances where there is no sidewalk, or where a front property boundary is otherwise difficult to determine, residential fences, walls and hedges measuring up to thirty-six (36) inches in height shall be no closer than twenty-one (21) feet to the center line of the street or eleven (11) feet to the edge of pavement. Fences, walls and hedges on corner lots must conform to the guidelines in item (c) and (d) below.
- (b) Residential fences, walls and hedges exceeding thirty-six (36) inches shall be subject to the front setback for the property upon which it is erected.
- (c) On corner lots, residential fences, walls and hedges exceeding thirty-six (36) inches in height and erected in the side yard facing the street shall be no closer to the side property boundary than half the distance of the side setback for the property as determined in accordance with section 22-4-3.3(j), and must also conform to the guidelines in item (d) below.
- (d) On corner lots, no opaque fence, wall or hedges (i.e., fencing that cannot be seen through, such as solid wood plank, etc.) shall be erected within the sight triangles depicted in the diagram below or as determined by measuring distances from the center of the intersection (see chart below). Opaque fencing, wall or hedge may be "angled in" to avoid encroaching into a sight triangle. (Non-opaque fencing, wall or hedge may be erected within the sight triangle, but must still conform to the guidelines in items (a), (b), and (c) above.)

**SUMMARY NO. 3329**  
**EXHIBIT "A"**  
**ORDINANCE SBPC #1725-01-16**

- (e) Solid metal fencing is prohibited on areas adjacent to public rights-of-way. Metal fencing in residential districts shall be pre-finished and painted.



Sight Triangle Distances Chart

Street Width	Distances From Center of Intersection
15 feet	65 feet
20 feet	70 feet
25 feet	75 feet
30 feet	80 feet

Note: If the two streets are different widths, use the measurement for the narrower street.

On corners where the guidelines cannot easily be applied, the sight triangle may be approximated in accordance with the building setbacks at said corner. Subject to the guidelines in items 1—3, no opaque fence may be placed closer to either property boundary such that it obstructs more visibility than would a residence built in conformance with the setbacks.

*Section 22-4-2.16 – Fences, walls and hedges in Commercial Districts*

- (a) Commercial fences or walls may not exceed seven (7) feet in height unless otherwise permitted or restricted by this ordinance. A fence or wall may be erected along the boundary between a commercial district and an industrial district to a height not exceeding ten (10) feet. Fences, walls or hedges on corner lots and driveway areas must conform to the site triangle guidelines of Section 22-4-2.15 (c) and (d).

**SUMMARY NO. 3329**  
**EXHIBIT "A"**  
**ORDINANCE SBPC #1725-01-16**

- (b) No fence or wall shall be erected on vacant commercial district lots (without a main use).
- (c) Solid metal fencing is prohibited on areas adjacent to public rights-of-way and residential districts.

Section 22-4-2.17. *Fences or walls in Industrial Districts*

- (a) Industrial fences or walls may not exceed ten (10) feet in height unless otherwise permitted or restricted by this ordinance. Fences on corner lots and driveway areas must conform to the site triangle guidelines of Section 22-4-2.15 (c) and (d).
- (b) No fencing or walls shall be erected on vacant industrial district lots (without a main use).
- (c) All industrial fences or walls shall be opaque, solid or sufficiently screened from adjacent public right-of-ways, subject to site triangle guidelines. Not more than two (2) foot of barbed wire shall be permitted atop of fences or walls in Industrial Districts and not exceeding a total of ten (10) feet in height. Razor wire or similar materials shall be prohibited. These conditions may be waived by the Director of Community Development when required as part of safety protocols by a governmental agency.

22-4-2.18. *Limitation on pavement in the required yard area.*

The pavement of a required front yard shall be limited to forty (40) percent of the required front yard area. The pavement of the side yard required on the side street of a corner lot shall be limited to forty (40) percent of the required yard area. Pavement includes the placement of impermeable material on the surface of the land such as brick, stone, asphalt or concrete. A green area of living planted materials shall be provided within all other areas of the required front yard area that are not paved. The area(s) utilized for a fence, chain wall or masonry fence shall be excluded.

.... *Omitted for brevity*....