

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbgg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted 11/10/16

Tuesday, November 15, 2016

3:00 p.m.

Council Chambers

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Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

- A. Meeting Called to Order and Roll Call
- B. Remind Public that no food or drink is allowed in the Council Chambers
- C. Remind Public of Cell Phone Ordinance **SBPC #815-02-08**
- D. Invocation by Minster Jerry Troxclair with Peace and Prayer Ministries.
- E. Pledge of Allegiance by Councilman McCloskey
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the November 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, November 11, 2016. (Council Chair)

RECOGNITION

2. **Guy McInnis**, President's Report
3. Councilmember's for a District Update

RECOGNIZE THE PUBLIC

4. Recognize the Public
(Those wishing to speak must sign in prior to the start of the meeting. Speakers will be given 2 minutes.)

PUBLIC HEARINGS

5. **Summary No. 3433**
Introduced by: Administration on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

6. **Summary No. 3434**
Introduced by: Administration on 11/2/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

7. **Summary No. 3436**
Planning Commission recommended **APPROVAL** on 10/25/16
Introduced by: Administration on 11/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

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8. Summary No. 3437

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

9. Summary No. 3438

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

RESOLUTIONS

10. Adopt **Resolution SBPC #1655-11-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

Beer and/or Liquor Permit(s)

- Forty Arpent Brewery, LLC dba 40 Arpent Brewing Company 6809 N. Peters Street Arabi, LA 70032 Members: Michael Naquin, Emily Chopin & Carl Doescher (**Renewal**) (**Beer Only**)
- Forty Arpent Brewery, LLC dba 40 Arpent Brewing Company 6809 N. Peters Street Arabi, LA 70032 Members: Michael Naquin, Emily Chopin & Carl Doescher (**Manufacturer permit**)
- El Patron, Inc. dba El Patron Mexican Restaurant 3109 Jean Lafitte Parkway Chalmette, LA 70043 Owners: Adilene Avalos & Irene Sanchez De Avalos (**Renewal**) (**Beer & Liquor**)
- M & P Servicios Hispanos, LLC dba M & P Servicios Hispanos 8823 W. Judge Perez Drive Chalmette, LA 70043 Member: Mena Fahaim (**Renewal**) (**Beer & Liquor**)

Special Event Permit(s)

- Name of Organization: Forty Arpent Brewery Company
Address: 6809 N. Peters Street, Arabi, LA 70032
Name of Event: **40 Arpent Brewing Company's 3rd Annual Christmas Bash**
Location of Event: 6809 N. Peters Street, Arabi, LA 70032
Date and Time: **Saturday, December 10, 2016, 3:00 – 10:00 p.m.**
Contact Person: Michael Naquin

11. Adopt **Resolution SBPC #1656-11-16**, a resolution adopting the RESTORE Act Multiyear Implementation Plan. (Administration)

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12. Adopt **Resolution SBPC #1657-11-16**, a resolution authorizing an application to the GOMESA Infrastructure Funding Program in the amount of \$34,575,491.00 for the Louisiana Highway 300 Coastal Infrastructure Resilience Project. (Administration)
13. Adopt **Resolution SBPC #1658-11-16**, a resolution authorizing Louisiana Capital Outlay Applications for FY2017-2018 for Capital Improvement Projects in the amount of \$20,622,455.00. (Administration)
14. Adopt **Resolution SBPC #1659-11-16**, a resolution authorizing a supplemental grant application to the Deep Water Horizon Economic and Property Damages Trust Agreement Settlement Program in the amount of \$100,000.00 for expansion of St. Bernard Parish Tourism Promotion. (Administration)
15. Adopt **Resolution SBPC #1660-11-16**, a resolution certifying to the Louisiana Department of Transportation and Development that St. Bernard Parish Government has and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2016. (Administration)

ADOPTION OF ORDINANCES

16. **Summary No. 3433**
Introduced by: Administration on 11/2/16
Public hearing held on 11/15/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

17. **Summary No. 3434**
Introduced by: Administration on 11/2/16
Public hearing held on 11/15/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

18. **Summary No. 3436**
Planning Commission recommended **APPROVAL** on 10/25/16
Introduced by: Administration on 11/2/16
Public hearing held on 11/15/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

19. **Summary No. 3437**
Planning Commission recommended **APPROVAL** on 10/25/16

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Introduced by: Administration on 11/2/16
Public hearing held on 11/15/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

20. **Summary No. 3438**

Introduced by: Administration on 11/2/16
Public hearing held on 11/15/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

INTRODUCTION

21. **Summary No. 3435**

Tabled on 11/2/15 prior to introduction
Introduced by: Councilman Gorbaty

AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK.

OTHER MATTERS

22. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

Next Regular scheduled Council Meeting will be held Tuesday, December 6, 2016 @ 7:00 p.m.

Approved by: *Kerri Callais* Time: 2:40 p.m. Date: 11/10/16

#1

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to approve the minutes from the November 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, November 11, 2016.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON WEDNESDAY, **NOVEMBER 3, 2016 AT 7:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on November 3, 2016 at seven o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 7:04p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: None

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Parish President Guy McInnis and CAO, Ronnie Alonzo was present representing Administration.

Pastor Tommy Walker delivered the invocation and Councilman Lewis led the Pledge of Allegiance.

#1 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to approve the minutes from the October 18, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 28, 2016.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#2 On a joint motion of the Council, without objection and by unanimous consent it was moved to proclaim November 7th – November 13th, 2016 as "National Key Club Week" in St. Bernard Parish

#3 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Rickey Robin, Robert Broadhead, Casey Kieff, Sterling Cordon, Timmy Juneau and Brian Clark for their efforts with the Wounded Warriors In Action Foundation.

#4 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize District Chief Kevin M. Zanca on his retirement from the St. Bernard Parish Fire Department with 37 years of service.

#5 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize the St. Bernard Cemetery for their valuable contribution to the Mississippi River Geotourism Program, and their support in sustaining and enhancing the unique geographic character of the region through their commitment to aesthetics, culture, environment heritage and the wellbeing of the regions' residents.

Minutes of the St. Bernard Parish Council Meeting of November 2, 2016

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#6 On motion of the Chair, without objection and by unanimous consent it was moved to recognize Jason Stopa, Director of Community Development, for a department update.

#7 On motion of the Chair, without objection and by unanimous consent it was moved to remove this item.

#8 President's Report

A copy of this report and the Coastal presentation was entered into the official record and is on file with the minutes of this meeting.

#9 Councilmember's District Update

A copy of this update is on file with the minutes of this meeting.

#10 Recognize the Public

- Gail Buckley – Meraux, LA

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #17.

#17 On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1653-11-16

A RESOLUTION DECLARING THE INTENTION OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO ISSUE TAXABLE UTILITIES REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION DOLLARS (\$13,000,000) FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING AND ACQUIRING ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER PORTION OF THE COMBINED WATER AND SEWER SYSTEM OF SAID PARISH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Public hearing will be held on December 6, 2016.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo

NAYS: None

ABSENT: None

DID NOT VOTE: Lewis

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#11 Summary No. 3429

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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#12 Summary No. 3430

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#13 Summary No. 3431

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#14 Summary No. 3432

Introduced by: Administration on 10/18/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#15 On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1651-11-16

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

Beer and/or Liquor Permit(s)

1. EMA Inc. dba South Lake Foods 7532 E. Judge Perez Dr., Violet, LA 70092 Owner: Manuel & Eva Nicosia **(Renewal) (Beer & Liquor)**
2. Frozen Fantasies, LLC dba Frozen Fantasies 3120 E. Judge Perez Dr., Meraux, LA 70075 Owners: Harry Meraux Fisher, III & Herbie Meraux Fisher **(Renewal) (Beer & Liquor)**
3. GTN Convenience, LLC dba Sammy's Discount Express 1609/11 E. St. Bernard Hwy., Chalmette, LA 70043 Owner: Mai Nguyen **(Renewal) (Beer & Liquor)**
4. Guillory, Lura Mae dba Guillory's 8317 E. St. Bernard Hwy., St. Bernard LA 70085 Owner: Lura Mae Guillory **(Renewal) (Beer Only)**
5. Gulf Outlet Marina Boat Launch Inc. dba Gulf Outlet Marina Boat Launch 255 Marina Rd. Chalmette, LA 70043 Owner: Robert C. Berthelot & Raymie B. Anderson **(Renewal) (Beer Only)**
6. Mary Sinh LLC dba Banh Mi Boys 113 E. Judge Perez Dr. Chalmette, LA 70043 Owner: Thoa Nguyen **(Renewal) (Beer Only)**

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

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YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo

NAYS: None

ABSENT: None

ABSTAINED: Lewis

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#16 On motion of Mr. Lewis, seconded by Mr. Alcon, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1652-11-16

A RESOLUTION REQUESTING THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF WILDLIFE AND FISHERIES, TO CONDUCT A SURVEY AND AN ASSESSMENT OF THE REMAINING ANCHORS AND OTHER RELICS OF THE BP OIL SPILL IN THE VICINITY OF ST. BERNARD PARISH; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER ANY AND ALL RELEVANT DOCUMENTS.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#18 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1654-11-16

A RESOLUTION APPOINTING A NEW MEMBER TO THE PLANNING COMMISSION.

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to appoint Ryan Randall to the Planning Commission.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

Summary No. 3429

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

On motion of Mr. Lewis, seconded by Mrs. Alcon, it was moved to amend \$90,000 to read \$75,000.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

ORDINANCE SBPC #1829-11-16

Summary No. 3429

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

ORDINANCE SBPC #1830-11-16

Summary No. 3430

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

ORDINANCE SBPC #1831-11-16

Summary No. 3431

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

ORDINANCE SBPC #1832-11-16

Summary No. 3432

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#23 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

Summary No. 3433

Introduced by: Administration on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#24 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

Summary No. 3434

Introduced by: Administration on 11/2/16

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AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#25 On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

Summary No. 3435

Introduced by: Councilman Gorbaty on 11/2/16

AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK

Discussion ensued;

On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to **table** this item until the November 15, 2016 Council meeting.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#26 On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to **introduce** the following ordinance:

Summary No. 3436

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

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AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#27 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

Summary No. 3437

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#28 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **introduce** the following ordinance:

Summary No. 3438

Introduced by: Administration on 11/2/16

Minutes of the St. Bernard Parish Council Meeting of November 2, 2016

Page -10-

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#29 Coastal Zone Advisory Committee

No official action taken

There being no further business for discussion, the Council Chair declared the meeting adjourned at 5:09 p.m. on the 18th day of October, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, November 15, 2016 @ 3:00 p.m.

COPIES OF ALL RESOLUTIONS AND ORDINANCES IN THEIR ENTIRETY ARE ON FILE AT THE CLERK OF COUNCIL'S OFFICE AND ARE AVAILABLE FOR PUBLIC VIEWING.

Roxanne Adams

ROXANNE ADAMS
CLERK OF COUNCIL

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, NOVEMBER 15, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE NOVEMBER 2, 2016 COUNCIL MEETING:

Summary No. 3433

Introduced by: Administration on 11/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2016 is hereby amended as per attached in Exhibit "A".

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department's specific budget.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government
Summary No. 3433
Ordinance SBPC #XXXX-11-16
Proposed 2016 Budget Amendment 11-02-2016

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
001	4040	0000	440311	Adoption Fees	Revenue	\$ 12,000.00	
001	4040	0000	510461	Supplies - Operating	Expenditure	9,000.00	
001	4040	0000	536460	Professional Services - Vet	Expenditure	3,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

The budget amendment is to increase revenues and offset with additional needed operating and supplies for Animal Control.

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
077	5113	0000	420552	Federal Reimb - CSBG	Revenue	\$ 5,910.00	
077	5113	0000	510130	Supplies - Food & Drink	Expenditure	5,910.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

The budget amendment is to increase grant revenues and offset with an expenditure for additional CSBG funding.

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
060	3425	0000	499010	Transfer in from General Fund	Revenue	\$ 25,000.00	
060	3425	0000	535448	Professional Services	Expenditure	25,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00
001	2015	0000	440342	Rents and Leases	Revenue	\$ 20,500.00	
001	2320	0000	599060	Transfer out to Community Development	Expenditure	25,000.00	
001	2317	0000	535448	Professional Service	Expenditure		2,000.00
001	2320	0000	510460	Stationary & Office Supplies	Expenditure		1,200.00
001	4042	0000	530442	R&M Bldgs.	Expenditure		1,300.00
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
078	6110	0000	440361	Alcohol Slaes - USSSA	Revenue	\$ 7,000.00	
078	6110	0000	440393	Leisure Service Fees	Revenue	3,000.00	
078	6110	0000	440344	Cleaning Fee Collected	Revenue	2,000.00	
078	6110	0000	440345	Security Charges Collected	Revenue	2,000.00	
078	6110	0000	440315	Entrance Fees	Revenue	1,419.00	
078	6110	0000	525428	Utilities - Gas	Expenditure	4,800.00	
078	6110	0000	525429	Utilities - Electric	Expenditure	35,000.00	
078	6110	0000	510160	Concession Product - Food/Drink	Expenditure	4,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$28,381.00

The budget amendment is to increase expenditures associated with utilities at Val Reiss and concession product.

	Budget	Projections		
Utilities - Gas	525428	14,982	19,738	4,756
Utilities - Electric	525429	105,000	139,865	34,865
				96,526
				49,587
				146,113
				117,200 Budget amendment from 10/18/16
				28,913 Fund Balance remaining
				28,381
				532 Needs to be zero or positive

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
078	6110	0091	480392	Donations	Revenue	\$ 5,000.00	
078	6110	0091	510461	Supplies Operating	Expenditure	5,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
001	4040	0000	480392	Donations	Revenue	\$ 1,000.00	
001	4040	0000	510461	Supplies - Operating	Expenditure	1,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

The budget amendment is to acknowledge a donation received from Maddie's Fund to support operations for Animal Control.

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, NOVEMBER 15, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE NOVEMBER 2, 2016 COUNCIL MEETING:

Summary No. 3434

Introduced by: Administration on 11/2/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the Parish considers the equipment listed on the attached Exhibit "A" as surplus and this property is not needed for a public purpose,

WHEREAS, the Parish intends to transfer this equipment in compliance with state law,

SECTION 1. The property on the attached Exhibit "A" is hereby declared surplus and is not needed for any public purpose.

SECTION 2. The President of St. Bernard Parish or his designee is hereby authorized to execute any documents necessary to transfer the equipment listed on the attached Exhibit "A" in compliance with state law.

SECTION 3. 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 4. 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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

**EXHIBIT A
SUMMARY NO. 3434**

Equipment to be Surplus

2007

KME PUMPER

VIN#1GNSCHEC7FR205554



St. Bernard Parish Government

Department of Community Development

8201 West Judge Perez Drive

Chalmette, La. 70043

278-4308

278-4298 (Fax)

**AGENDA OF THE ST. BERNARD PARISH PLANNING COMMISSION
PUBLIC HEARING
October 25, 2016 at 4:00 p.m.
Parish Council Chambers**

I. ITEMS FOR PUBLIC HEARING

- S-2016-044** Requesting a re-subdivision of Lots 1, 2, 7 and L, Square 152, Versailles Subdivision, St. Bernard Parish, LA into Lot 1A, as shown on survey by Tildon Dufrene, Jr., a Louisiana licensed surveyor. Site location: 3201 Paris Road, Chalmette, LA 70043. Petitioner: Michael Fincher.
- S-2016-045** Requesting a re-subdivision of Lot T-1, Toca, St. Bernard Parish, LA into Lots T-1-A and T-1-B, Sections 46 and 48, as shown on survey by John W. Starring, a Louisiana licensed surveyor. Site location: 2133 Bayou Road, St. Bernard, LA 70085. Petitioner: Laurie T. Bergeron.
- S-2016-046** Requesting a re-subdivision of Lots 6 and 7, Square J, Ridgeland Terrace Subdivision, St. Bernard Parish, LA into Lot 7-A, as shown on survey by John W. Starring, a Louisiana licensed surveyor. Site location: 1713 Schnell Drive, Arabi, LA 70032. Petitioners: Barbara Crovetto and Robert Allan Harris.
- Z-2016-018** Petition of Michael Fincher for a Zoning Change from "R-2, (Two Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:
- Two certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, designated as Lots 7 and L.
- Property Location: 3201 Paris Road, Chalmette, LA 70043.

TC-2016-010

An ordinance to amend Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses (to address the definition and use of shipping containers or similar items).

II. OTHER PLANNING COMMISSION BUSINESS

Staff to discuss Arabi Revitalization Plan and the Comprehensive Plan.

III. DISCUSSION ITEMS

The next regular Planning Commission meeting will be held on Tuesday, November 8, 2016.

Clinton Trahan
Planning Commission Chair

October 20, 2016 at 4:47PM
Date



Guy McInnis
Parish President

St. Bernard Parish Government

Department of Community Development

8201 West Judge Perez Drive

Chalmette, La. 70043

(504) 278-4308

(504) 278-4298(Fax)

MEMORANDUM

TO: Roxanne Adams, Clerk of Council

FROM: Jason Stopa, Director Department of Community Development

RE: Planning Commission items for Council agenda

DATE: October 26, 2016

The Department of Community Development is hereby requesting the following petition be placed on the Council's meeting agenda:

Z-2016-018 Petition of Michael Fincher for a Zoning Change from "R-2, (Two Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:

Two certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, designated as Lots 7 and L.

Property Location: 3201 Paris Road, Chalmette, LA 70043.

Planning Commission recommendation: APPROVAL_____ (initial)

TC-2016-010 An ordinance to amend Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses (to address the definition and use of shipping containers or similar items).

Planning Commission recommendation: APPROVAL _____ (initial)

THE PLANNING COMMISSION MADE ITS RECOMMENDATION REGARDING THE ITEMS ABOVE AT ITS REGULAR MEETING HELD ON OCTOBER 25, 2016.

The preceding ____ items are approved for addition to Council agenda:

Date _____

Guy McInnis
Parish President



St. Bernard Parish Government

Department of Community Development

8201 West Judge Perez Drive

Chalmette, La. 70043

278-4308

278-4298 (Fax)

TO: ST. BERNARD PARISH PLANNING COMMISSION

RE: PROPOSED TEXT AMENDMENT (TC-2016-010)

FROM: DALE W. THAYER, ASSISTANT DIRECTOR

MEETING DATE: SEPTEMBER 27, 2016

REFERENCE: **Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses (to address the definition and use of shipping containers or similar items).**

PROPOSED BY: St. Bernard Parish Council

AMENDMENT SUMMARY

This is a text amendment to change **Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses.** The proposed amendment addresses the definition and use of shipping containers or similar items.

PROPOSED TEXT

22-2-4. Definitions.

Accessory building and accessory uses:

- (a) *Accessory building.* A structurally detached building, except by roof, subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building and not used as a place of habitation.

Note: For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.

- (b) *Accessory use.* A subordinate use which is incidental to and customary or necessary in connection with the principally permitted use of a building or a principally permitted use, and which is located on the same lot with such principal building or use.

Shipping Container or similar items:

- (a) **A standardized reusable vessel that was originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities or having a similar appearance to and similar characteristics of cargo containers.**

22-4-2.14. *Accessory buildings and structures.*

- (a) The following provisions shall regulate the location of accessory buildings with respect to required yards:
- (1) Accessory buildings shall be prohibited in any required front yard or side street side yard.
 - (2) Where an accessory building is located in a zone requiring a side yard and such building is entirely to the rear of the principal structure, the accessory building shall be distant at least three (3) feet (sky clearance) from any adjoining lot line.
 - (3) Where any portion of an accessory building projects between a principal structure and the side lot line, the accessory building shall comply with the required side yard restriction for a principal structure in the zone in which it is located.
 - (4) Where a corner lot adjoins in the rear a lot in any residential zone, no part of an accessory building within twenty-five (25) feet of the common lot line shall extend closer to the street than the actual or required depth, whichever is less, of the front yard for the principal structure on the adjoining lot.
- (b) Accessory buildings shall not exceed one (1) story or thirteen (13) feet in height except for barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.
- (c) Where any portion of or entire accessory building in a residential zone occupies the required rear yard, said portion or entire accessory building shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall it exceed the lot coverage nor the total square footage of the building to which it is accessory.
- (d) There shall not be more than one (1) accessory building or structure permitted to cover any part of a required rear or side yard with the following exceptions:
- (1) Dish antennas in any zone.
 - (2) A second accessory storage shed, gazebo, cabana, greenhouse or similar structure shall be permitted so long as the total square footage of all accessory buildings in the required rear yard does not exceed seventy (70) percent of this area.
- (e) Metal accessory buildings shall not exceed one hundred twenty (120) square feet and nine (9) feet in height; and shall not be located closer than fifty (50) feet to a front property line.

- (f) For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.**
- (1) A shipping container or similar items are prohibited from the following zoning districts: R-1, R-2, R-3, R-1(M), R-4, RO, C-1, C-2, C-3 and SBV.**
- (2) Shipping containers or similar items are not subject to variances or waivers by the Board of Zoning Adjustments in zoning districts where prohibited.**
- (3) Shipping containers or similar items may be used for the temporary location of an office, equipment and/or materials storage structure during non-residential construction which is taking place on the property where the shipping container or similar item is located, subject to an active building permit.**
- (4) The temporary placement of portable site storage containers (PODS) not exceeding 150 square feet in total area on residentially zoned properties, or on properties the primary use of which is residential, for a limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year. An extension is subject to the review and approval of the Director of the Department of Community Development.**

22-5-5. *Permitted accessory buildings and structures.* No accessory building or structure shall be constructed or placed in such a manner that it could be used as a dwelling unit. All accessory buildings or structures must be permitted by the department of community development, and such structure must be accompanied by a completed dwelling with a certificate of occupancy unless they are being used for a lawful commercial purpose in the appropriate zone with the exception of barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.

1. The following accessory buildings and structures are permitted in the rear and side yards:
 - a. Storage sheds, detached garages and carports, playhouses, swimming pools, bath houses, antenna, dishes, and other outbuildings or structures.
 - b. Fences, stone walls, and retaining wall. (Retaining walls shall not have to comply with setbacks.)
 - c. Dog houses, runs, kennels, and penned areas.
2. An accessory building or structure that does not comply with the above requirements may be permitted by variance if the board of zoning adjustments finds that such accessory building or structure will be compatible with the location in which it is proposed to be built after considering:
 - a. The character of the neighborhood and area;
 - b. The size and shape of the lot;
 - c. The location of the accessory structure; and
 - d. The proposed use of the accessory structure.

3. Fences are permitted on lots without a dwelling when they share a common property line with a lot with an occupied dwelling (with a certificate of occupancy) under same ownership. The property shall meet the following conditions:
 - a. When a servitude separates adjacent lots under common ownership, the property owner shall submit written approval from the servitude holder to the department of community development prior to the issuance of the fence permit.
Fences shall have at least one (1) latched gate or opening to the lot.
4. All detached residential accessory buildings and structures shall be subject to the following conditions (This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones):
 - a. Residential accessory buildings and structures shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall the size exceed one thousand two hundred (1,200) square feet under roof with the enclosed portion not to exceed five hundred (500) square feet. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - b. Accessory buildings and structures with plumbing improvements shall meet parish requirements for elevated dwellings.
 1. Plumbing improvements shall consist of not more than a toilet, sink, washer and dryer.
 - c. Property owners who have received a variance to build an accessory building or structure with an enclosure exceeding five hundred (500) square feet shall meet the parish's requirements for elevated dwellings.
 - d. Residential accessory buildings and structures shall not exceed thirteen (13) feet in height.
 - e. Residential accessory buildings and structures must be fenced in. Garages may not be fenced in on the front side of a dwelling in instances where there is an impervious driveway leading to the structure. In instances where a garage is located on a lot which has a rear yard that fronts a street, the structure must be fenced in along the width of the rear property setback. A portion of the rear property setback may remain unfenced only for the width of the required rear impervious driveway leading to the garage. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - f. When used as an accessory to a dwelling, metal storage buildings shall not exceed one hundred twenty (120) square feet in area and nine (9) feet in height. Metal storage buildings shall not front a rear property setback when said property has a rear property line which fronts a street. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - g. Portable storage units such as PODS are allowed in any district for a period not to exceed thirty (30) days and shall only be permitted in the rear or side yard in accordance with the provisions outlined in section 22-5-5.4.e of this chapter. Mobile homes, travel trailers, and recreational vehicles may not be used as portable storage units.

5. A shipping container or similar items are prohibited from all residential and commercial zoning districts and not subject to variance or waiver from the Board of Zoning Adjustment.

22-6-5. *Permitted accessory uses.*

22-6-5.1. *Outdoor storage.* Outdoor storage may be permitted in business, **rural** and industrial zones under the following conditions:

a. *Materials.*

1. All outdoor bulk storage items, including recyclable materials, shall be in approved, enclosed containers.
2. No outside storage shall be placed outdoors that will attract animals or insects.
3. No perishable merchandise shall be stored outdoors.

b. *Location requirements.*

1. Any outdoor storage and all structures required for stored materials shall have been shown and designated on an approved site plan as outdoor storage.
2. No outdoor storage shall be allowed in the required front, side, or rear yards, or buffers.
3. No outdoor storage shall be allowed such as will reduce the amount of parking in parking areas below the minimum required for the site.
4. All outdoor storage shall be buffered from residential zones and uses with a twenty-foot-wide landscaped buffer.
5. Outdoor storage shall be screened by a **fence, wall or hedge (subject to district regulations)** ~~minimum six foot privacy fence~~ so as not to be visible from any street, residential, or municipal property.
- 6. Any outdoor storage, including shipping containers or similar items, shall not be considered as a principle use in any zone.**
- ~~6. Maximum height of stored material shall be six (6) feet.~~

c. *Industrial zone requirements.* In the industrial zones, outside storage of materials shall be subject to the following additional provisions:

1. Outside storage shall be located to the rear **or the side** of the principal building.
2. A landscape buffer shall be provided surrounding all storage areas;
- ~~3. Box trailers are permitted provided such storage is screened; and~~
3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed a maximum height of twenty-five (25) feet.
- 4. Shipping Containers or similar items shall be located behind the front façade of any structure and at the rear of the building. A shipping container may be permitted along the side of a building, subject to the review and approval of the Director of the Department of Community Development.**

- a. The shipping container shall be completely screened from view with fencing not to exceed 10' in height.**

- d. Rural zone requirements. In the rural (A-1) zones, outside storage of materials shall be subject to the following additional provisions:**

 - 1. Outdoor storage shall be located to the rear of the principle structure and 100' from the any property line fronting onto a public roadway.**
 - 2. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.**

- e. Commercial zone requirements. In the commercial zones, outside storage of materials shall be subject to the following additional provisions:**

 - 1. Outdoor storage shall be located to the rear or side of the principle structure.**
 - 2. A landscape buffer shall be provided surrounding all storage areas;**
 - 3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.**
 - 4. Shipping Containers or similar items shall be prohibited.**

RECOMMENDATIONS TO THE PLANNING COMMISSION

Staff recommends **approval** of TC-2016-010

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION
FROM: ERIC TOLLE, RECOVERY PLANNER
DATE: OCTOBER 25, 2016

ZONING CHANGE REPORT

Case Number: Z- 2016-018

Owner/Representative: Michael Fincher

Property Address: 3201 Paris Road

Property Location: The property is located on Lots 7 and L of Square 152, Versailles Subdivision

Current Site Area: 15,868.8 sq. ft. or 0.365 acres

Present Use: Undeveloped

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-2 (Two-Family Residential) District

Proposed Zoning: C-1 (Neighborhood Commercial) District

Reason For Request: A zoning change to allow a Sonic Drive-In restaurant. A concurrent subdivision application to combine subject lots is also for consideration at the October 25, 2016 Planning Commission meeting; the front portion of the proposed subdivision is currently zoned C-1 (Neighborhood Commercial) whereas the rear portion is currently zoned R-2 (Two-Family Residential). The applicant is requesting a zoning change of the rear portion to bring entire proposed lot into zoning compliance to allow the fast food drive-in restaurant.

I. Executive Summary:

Zoning Docket Z-2016-018 is a request for a zoning change from an R-2 (Two-Family Residential) district to a C-1 (Neighborhood Commercial) district. The site is located at the corner of Buffon Street and E Prosper Street in Chalmette and consists of two (2) lots of record with a total lot area of 15,868.8 sq. ft. or 0.365 acres. The site is currently vacant. The applicant has a concurrent subdivision application to combine subject lots to the two (2) westerly abutting lots, currently zoned C-1 (Neighborhood Commercial), that front along Paris Road and E Prosper Street to create one continuous lot in order to develop a Sonic Drive-In.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. While the subject property has a residential Future Land Use designation, other nearby parcels are also designated residentially with existing commercial buildings built prior to the Future Land Use Map adoption. Staff believes this area should be studied for the next annual Comprehensive Plan amendment period. The request would not be considered a spot zone as it would be an extension from an existing, adjacent zoning district. For these reasons above, the staff recommends **APPROVAL** of the request.

II. Project Analysis:

A. Images



Image #1: Aerial Photography of Petitioned Property
Source: Google Earth (Image Date 04/06/16)



Image #2: Street View of Petitioned Property (looking from Buffon Street)
Source: Google Earth Street View (05/2016)

B. Site Description:

The petition site consists of two (2) lots of record fronting along Buffon Street and E Prosper Street in Chalmette totaling 15,868.8 sq. ft. or 0.365 acres. This site is currently vacant.

C. Surrounding Land Uses and Zoning

As shown in Image #3 below, the subject property is located completely within an established R-2 (Two-Family Residential) zoning district. A predominate C-1 (Neighborhood Commercial) zoning district is located to the north, south, and west consistent with the Paris Road commercial corridor whereas located across Buffon Street to the east is R-2 (Two-Family Residential) zoning developed residentially.

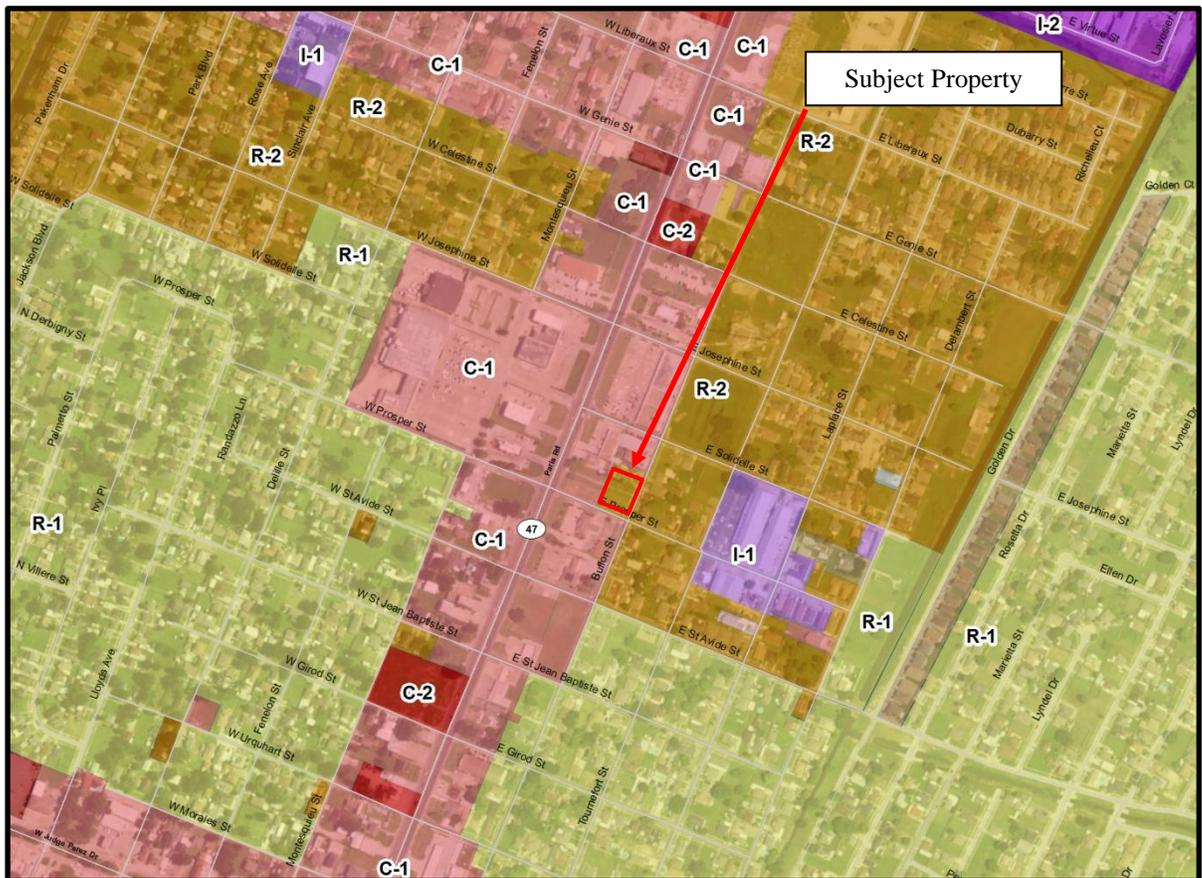


Image #3: Adjacent and Surrounding Zoning Districts
Source: Arc GIS Parish Zoning Map (unofficial)

D. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a C-1 (Neighborhood Commercial) zoning district in order to allow a fast food restaurant on site. The intent of the existing R-2 (Two-Family Commercial) district is to allow medium density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that permitting a zoning change to C-1 (Neighborhood Commercial) at the requested property to allow a fast food restaurant would not have a significant impact as the applicant does not propose any changes to the current conditions experienced along the Paris Road commercial corridor.

E. Can the request be considered a spot zone?

No. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots. As shown in Image #3, the request consists of a property requesting for the zoning change from R-2 (Two-Family Residential) to C-1 (Neighborhood Commercial) to allow a fast food restaurant which would match the immediately adjacent zone district. Therefore, the staff would not consider the request to be a spot zone.

III. Comprehensive Plan:

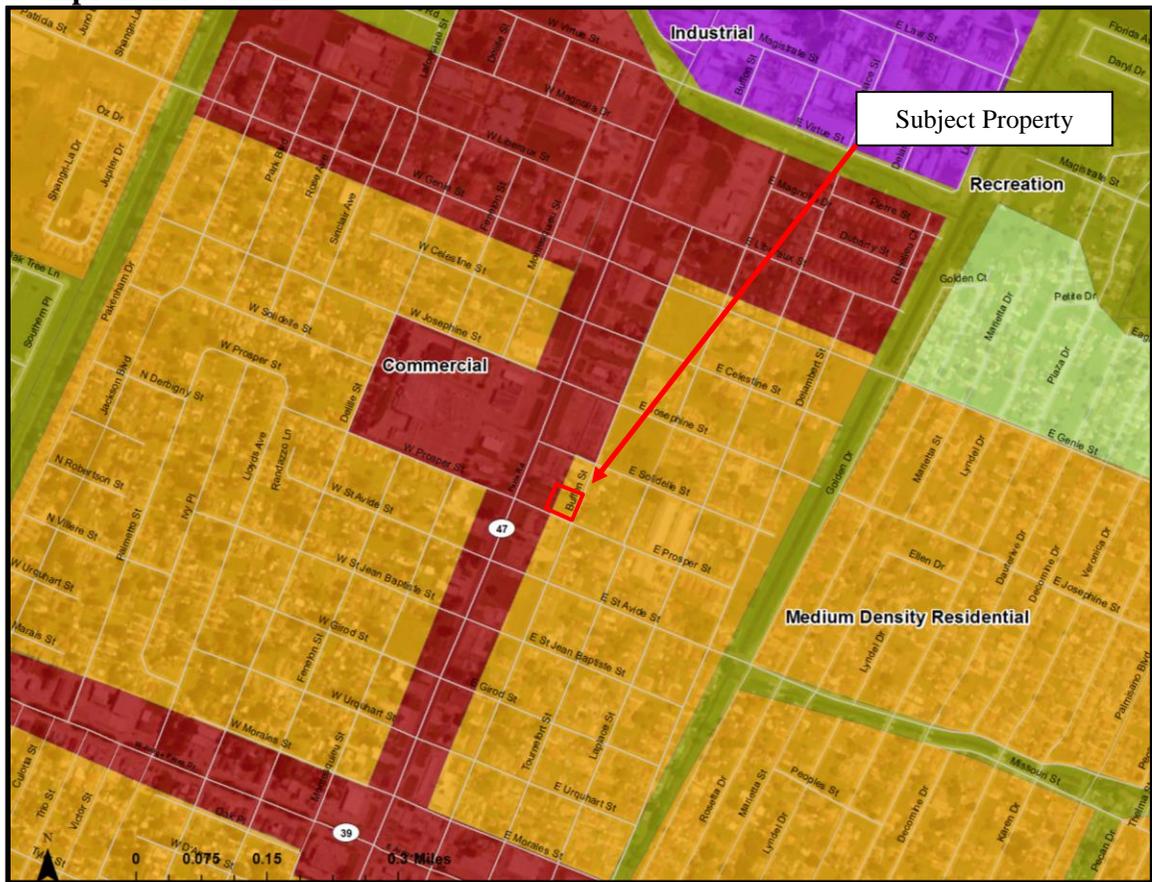


Image #4: Future Land Use Map per Comprehensive Plan
Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development
(1 unit per 3,630 sq. ft.)

The applicant is requesting a zoning change from an R-2 (Two-Family Residential) district to C-1 (Neighborhood Commercial) district. See Image #5 below for current zoning and Future Land Use designation compatibility issues in the area.

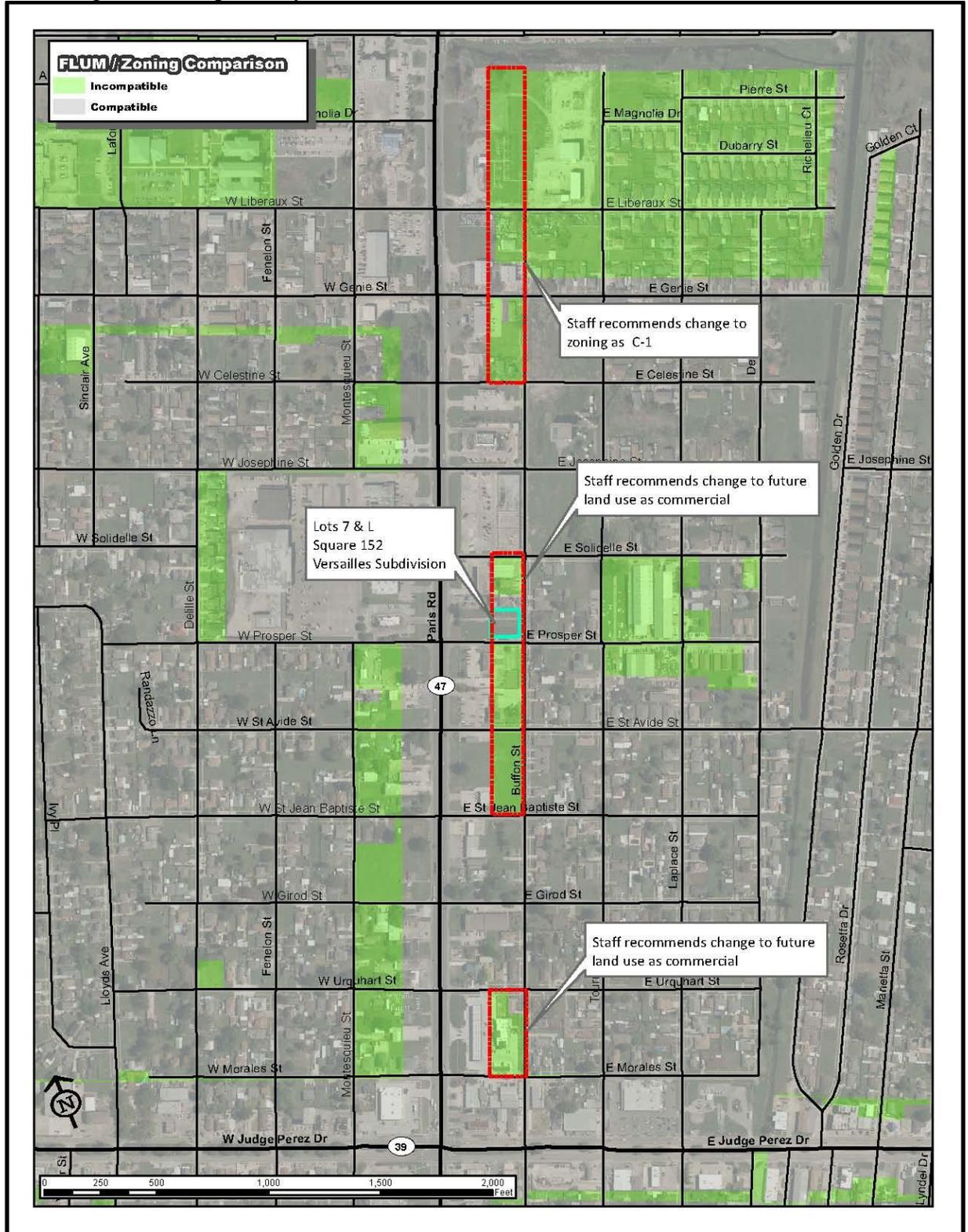


Image #5: Current Zoning and Future Land Use Map per Comprehensive Plan Compatibility
Source: Arc GIS Parish Map (unofficial)

IV. Summary:

Zoning Docket Z-2016-018 is a request for a zoning change from an R-2 (Two-Family Residential) district to a C-1 (Neighborhood Commercial) district. The site is located at the corner of Buffon Street and E Prosper Street in Chalmette and consists of two (2) lots of record with a total lot area of 15,868.8 sq. ft. or 0.365 acres. The site is currently vacant. The applicant has a concurrent subdivision application to combine subject lots to the two (2) westerly abutting lots, currently zoned C-1 (Neighborhood Commercial), that front along Paris Road and E Prosper Street to create one continuous lot in order to develop a Sonic Drive-In.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. While the subject property has a residential Future Land Use designation, other nearby parcels are also designated residentially with existing commercial buildings built prior to the Future Land Use Map adoption. Staff believes this area should be studied for the next annual Comprehensive Plan amendment period. The request would not be considered a spot zone as it would be an extension from an existing, adjacent zoning district. For these reasons, the staff recommends **APPROVAL** of the request.

V. Staff Recommendation:

The staff recommends **APPROVAL** of Z-2016-018, a request for a zoning change from R-2 (Two-Family Residential) district to C-1 (Neighborhood Commercial) district.

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, NOVEMBER 15, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE NOVEMBER 2, 2016 COUNCIL MEETING:

Summary No. 3436

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-018**, Petition of Michael Fincher for a Zoning Change from "R-2, (Two Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:

Two certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, designated as Lots 7 and L. Property Location: 3201 Paris Road, Chalmette, LA 70043.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, NOVEMBER 15, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE NOVEMBER 2, 2016 COUNCIL MEETING:

Summary No. 3437

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES 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 2; Interpretation, Subsection 4; Definitions, Section 4; General Provisions, Subsection 2.14; Accessory Buildings and Structures, Section 5; Residential zoning districts, Subsection 5; Permitted accessory buildings and structures and Section 6; Commercial and industrial zoning districts, Subsection 5; Permitted accessory uses to 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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR



St. Bernard Parish Government

Department of Community Development

8201 West Judge Perez Drive

Chalmette, La. 70043

278-4308

278-4298 (Fax)

TO: ST. BERNARD PARISH PLANNING COMMISSION

RE: PROPOSED TEXT AMENDMENT (TC-2016-010)

FROM: DALE W. THAYER, ASSISTANT DIRECTOR

MEETING DATE: SEPTEMBER 27, 2016

REFERENCE: **Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses (to address the definition and use of shipping containers or similar items).**

PROPOSED BY: St. Bernard Parish Council

AMENDMENT SUMMARY

This is a text amendment to change **Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses.** The proposed amendment addresses the definition and use of shipping containers or similar items.

PROPOSED TEXT

22-2-4. *Definitions.*

Accessory building and accessory uses:

- (a) *Accessory building.* A structurally detached building, except by roof, subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building and not used as a place of habitation.

Note: For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.

- (b) *Accessory use.* A subordinate use which is incidental to and customary or necessary in connection with the principally permitted use of a building or a principally permitted use, and which is located on the same lot with such principal building or use.

Shipping Container or similar items:

- (a) **A standardized reusable vessel that was originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities or having a similar appearance to and similar characteristics of cargo containers.**

22-4-2.14. *Accessory buildings and structures.*

- (a) The following provisions shall regulate the location of accessory buildings with respect to required yards:
- (1) Accessory buildings shall be prohibited in any required front yard or side street side yard.
 - (2) Where an accessory building is located in a zone requiring a side yard and such building is entirely to the rear of the principal structure, the accessory building shall be distant at least three (3) feet (sky clearance) from any adjoining lot line.
 - (3) Where any portion of an accessory building projects between a principal structure and the side lot line, the accessory building shall comply with the required side yard restriction for a principal structure in the zone in which it is located.
 - (4) Where a corner lot adjoins in the rear a lot in any residential zone, no part of an accessory building within twenty-five (25) feet of the common lot line shall extend closer to the street than the actual or required depth, whichever is less, of the front yard for the principal structure on the adjoining lot.
- (b) Accessory buildings shall not exceed one (1) story or thirteen (13) feet in height except for barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.
- (c) Where any portion of or entire accessory building in a residential zone occupies the required rear yard, said portion or entire accessory building shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall it exceed the lot coverage nor the total square footage of the building to which it is accessory.
- (d) There shall not be more than one (1) accessory building or structure permitted to cover any part of a required rear or side yard with the following exceptions:
- (1) Dish antennas in any zone.
 - (2) A second accessory storage shed, gazebo, cabana, greenhouse or similar structure shall be permitted so long as the total square footage of all accessory buildings in the required rear yard does not exceed seventy (70) percent of this area.
- (e) Metal accessory buildings shall not exceed one hundred twenty (120) square feet and nine (9) feet in height; and shall not be located closer than fifty (50) feet to a front property line.

- (f) For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.**
- (1) A shipping container or similar items are prohibited from the following zoning districts: R-1, R-2, R-3, R-1(M), R-4, RO, C-1, C-2, C-3 and SBV.**
- (2) Shipping containers or similar items are not subject to variances or waivers by the Board of Zoning Adjustments in zoning districts where prohibited.**
- (3) Shipping containers or similar items may be used for the temporary location of an office, equipment and/or materials storage structure during non-residential construction which is taking place on the property where the shipping container or similar item is located, subject to an active building permit.**
- (4) The temporary placement of portable site storage containers (PODS) not exceeding 150 square feet in total area on residentially zoned properties, or on properties the primary use of which is residential, for a limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year. An extension is subject to the review and approval of the Director of the Department of Community Development.**

22-5-5. *Permitted accessory buildings and structures.* No accessory building or structure shall be constructed or placed in such a manner that it could be used as a dwelling unit. All accessory buildings or structures must be permitted by the department of community development, and such structure must be accompanied by a completed dwelling with a certificate of occupancy unless they are being used for a lawful commercial purpose in the appropriate zone with the exception of barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.

1. The following accessory buildings and structures are permitted in the rear and side yards:
 - a. Storage sheds, detached garages and carports, playhouses, swimming pools, bath houses, antenna, dishes, and other outbuildings or structures.
 - b. Fences, stone walls, and retaining wall. (Retaining walls shall not have to comply with setbacks.)
 - c. Dog houses, runs, kennels, and penned areas.
2. An accessory building or structure that does not comply with the above requirements may be permitted by variance if the board of zoning adjustments finds that such accessory building or structure will be compatible with the location in which it is proposed to be built after considering:
 - a. The character of the neighborhood and area;
 - b. The size and shape of the lot;
 - c. The location of the accessory structure; and
 - d. The proposed use of the accessory structure.

3. Fences are permitted on lots without a dwelling when they share a common property line with a lot with an occupied dwelling (with a certificate of occupancy) under same ownership. The property shall meet the following conditions:
 - a. When a servitude separates adjacent lots under common ownership, the property owner shall submit written approval from the servitude holder to the department of community development prior to the issuance of the fence permit.
Fences shall have at least one (1) latched gate or opening to the lot.
4. All detached residential accessory buildings and structures shall be subject to the following conditions (This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones):
 - a. Residential accessory buildings and structures shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall the size exceed one thousand two hundred (1,200) square feet under roof with the enclosed portion not to exceed five hundred (500) square feet. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - b. Accessory buildings and structures with plumbing improvements shall meet parish requirements for elevated dwellings.
 1. Plumbing improvements shall consist of not more than a toilet, sink, washer and dryer.
 - c. Property owners who have received a variance to build an accessory building or structure with an enclosure exceeding five hundred (500) square feet shall meet the parish's requirements for elevated dwellings.
 - d. Residential accessory buildings and structures shall not exceed thirteen (13) feet in height.
 - e. Residential accessory buildings and structures must be fenced in. Garages may not be fenced in on the front side of a dwelling in instances where there is an impervious driveway leading to the structure. In instances where a garage is located on a lot which has a rear yard that fronts a street, the structure must be fenced in along the width of the rear property setback. A portion of the rear property setback may remain unfenced only for the width of the required rear impervious driveway leading to the garage. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - f. When used as an accessory to a dwelling, metal storage buildings shall not exceed one hundred twenty (120) square feet in area and nine (9) feet in height. Metal storage buildings shall not front a rear property setback when said property has a rear property line which fronts a street. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - g. Portable storage units such as PODS are allowed in any district for a period not to exceed thirty (30) days and shall only be permitted in the rear or side yard in accordance with the provisions outlined in section 22-5-5.4.e of this chapter. Mobile homes, travel trailers, and recreational vehicles may not be used as portable storage units.

5. A shipping container or similar items are prohibited from all residential and commercial zoning districts and not subject to variance or waiver from the Board of Zoning Adjustment.

22-6-5. *Permitted accessory uses.*

22-6-5.1. *Outdoor storage.* Outdoor storage may be permitted in business, **rural** and industrial zones under the following conditions:

a. *Materials.*

1. All outdoor bulk storage items, including recyclable materials, shall be in approved, enclosed containers.
2. No outside storage shall be placed outdoors that will attract animals or insects.
3. No perishable merchandise shall be stored outdoors.

b. *Location requirements.*

1. Any outdoor storage and all structures required for stored materials shall have been shown and designated on an approved site plan as outdoor storage.
2. No outdoor storage shall be allowed in the required front, side, or rear yards, or buffers.
3. No outdoor storage shall be allowed such as will reduce the amount of parking in parking areas below the minimum required for the site.
4. All outdoor storage shall be buffered from residential zones and uses with a twenty-foot-wide landscaped buffer.
5. Outdoor storage shall be screened by a **fence, wall or hedge (subject to district regulations)** ~~minimum six foot privacy fence~~ so as not to be visible from any street, residential, or municipal property.
- 6. Any outdoor storage, including shipping containers or similar items, shall not be considered as a principle use in any zone.**
- ~~6. Maximum height of stored material shall be six (6) feet.~~

c. *Industrial zone requirements.* In the industrial zones, outside storage of materials shall be subject to the following additional provisions:

1. Outside storage shall be located to the rear **or the side** of the principal building.
2. A landscape buffer shall be provided surrounding all storage areas;
- ~~3. Box trailers are permitted provided such storage is screened; and~~
3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed a maximum height of twenty-five (25) feet.
- 4. Shipping Containers or similar items shall be located behind the front façade of any structure and at the rear of the building. A shipping container may be permitted along the side of a building, subject to the review and approval of the Director of the Department of Community Development.**

- a. The shipping container shall be completely screened from view with fencing not to exceed 10' in height.**

- d. Rural zone requirements. In the rural (A-1) zones, outside storage of materials shall be subject to the following additional provisions:**

 - 1. Outdoor storage shall be located to the rear of the principle structure and 100' from the any property line fronting onto a public roadway.**
 - 2. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.**

- e. Commercial zone requirements. In the commercial zones, outside storage of materials shall be subject to the following additional provisions:**

 - 1. Outdoor storage shall be located to the rear or side of the principle structure.**
 - 2. A landscape buffer shall be provided surrounding all storage areas;**
 - 3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.**
 - 4. Shipping Containers or similar items shall be prohibited.**

RECOMMENDATIONS TO THE PLANNING COMMISSION

Staff recommends **approval** of TC-2016-010

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, NOVEMBER 15, 2016 AT THREE (3:00) O’CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE NOVEMBER 2, 2016 COUNCIL MEETING:

Summary No. 3438

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE 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 5; Buildings; Construction and related activities, Section 23; Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee to 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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

EXHIBIT "A"
SUMMARY NO. 3438
ORDINANCE SBPC #XXXX-XX-XX

CHAPTER 5 - BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES

SECTION 23 - APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED
STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE.

Sec. 5-23. - Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee.

In addition to any other requirement that may be in any other sections of the St. Bernard Code of Ordinances, the following requirements shall apply to any raised or elevated structure:

- (1) Exterior perimeter columns or pilings that support a raised structure and which have more than five (5) feet of exposed height from the ground contact point to the bottom edge of the exterior perimeter of the main structure support beams or support members shall be covered on all sides, or their entire circumference, using one or more of the follow finishing treatment(s):
 - a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
 - b. A finished brick or masonry veneer surface.
 - c. A finished and stained, painted or colored stucco or patterned masonry surface.
 - d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
 - e. A finished and stained or painted solid wood siding.
 - f. The design and construction of all support columns and/or pilings shall meet the acceptable ASCE standards for load bearing supports, all applicable International Building Code requirements and all applicable fire code regulations for elevated structures.
- (2) Additionally, the exterior space between columns shall be enclosed with non-support bearing walls as follows:
 - a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
 - b. A finished brick or masonry veneer surface.
 - c. A finished and stained, painted or colored stucco or patterned masonry surface.
 - d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
 - e. A finished and stained or painted wood siding or other commercially available siding material.
 - f. All doors or windows in the forgoing wall construction must be in conformance with the building codes of St. Bernard Parish.

EXHIBIT "A"
SUMMARY NO. 3438
ORDINANCE SBPC #XXXX-XX-XX

- g. The design and construction of such exterior walls shall meet the acceptable ASCE standards and all applicable International Building Code requirements, including standards for break away walls and appropriate venting of solid walls.
- (3) If the finished surface is painted or otherwise finished with a coating or colored in any manner, the color of said coating or coloring agent shall be the same as the predominant color of the exterior painted portions of the elevated structure.
- (4) All covered wood support columns shall have removable inspection access areas sufficient in size to allow for visual inspection for infestation of termite or other wood destroying pests. The top edge of the inspection access area(s) shall not be more than eighteen (18) inches above the support column ground contact point.
- (5) For structures elevated five (5) feet or below, the following requirement shall be followed:
- a. Structures shall be skirted **across the entire front and ten (10) feet on both sides, starting from the front corner of the structure.** ~~to enclose the open air area below the floor of the elevated structure.~~
 - b. Finishing treatments of structures elevated five (5) feet or below shall be consistent with the guidelines enumerated in subsection (1) of this section.
 - c. Venting shall be in place in the surrounding exterior materials to meet at least a one (1) square inch vented space for every one (1) square foot of enclosed material or meet the established building code requirements of the International Building Code, whichever requires greater venting capacity at the time of the construction.
- (6) Slab built homes which are not elevated, and which are rebuilt or repaired after experiencing exterior damage due to fire, flood, or other natural disaster shall be repaired to a level that is consistent with the design, quality, and structure of the predominant existing and compliant homes in the immediate neighborhood as defined as being within five hundred (500) feet of the structure in question.
- (7) Any relief or variance of this section shall require a petition to the Board of Building Standards and Appeals. The Board of Building Standards and Appeals shall have the power to give an interpretation or grant a variance under this section.

#10

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1655-11-16

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

Beer and/or Liquor Permit(s)

1. Forty Arpent Brewery, LLC dba 40 Arpent Brewing Company 6809 N. Peters Street Arabi, LA 70032 Members: Michael Naquin, Emily Chopin & Carl Doescher **(Renewal) (Beer Only)**
2. Forty Arpent Brewery, LLC dba 40 Arpent Brewing Company 6809 N. Peters Street Arabi, LA 70032 Members: Michael Naquin, Emily Chopin & Carl Doescher **(Manufacturer permit)**
3. El Patron, Inc. dba El Patron Mexican Restaurant 3109 Jean Lafitte Parkway Chalmette, LA 70043 Owners: Adilene Avalos & Irene Sanchez De Avalos **(Renewal) (Beer & Liquor)**
4. M & P Servicios Hispanos, LLC dba M & P Servicios Hispanos 8823 W. Judge Perez Drive Chalmette, LA 70043 Member: Mena Fahaim **(Renewal) (Beer & Liquor)**

Special Event Permit(s)

1. Name of Organization: Forty Arpent Brewery Company
Address: 6809 N. Peters Street, Arabi, LA 70032
Name of Event: **40 Arpent Brewing Company's 3rd Annual Christmas Bash**
Location of Event: 6809 N. Peters Street, Arabi, LA 70032
Date and Time: **Saturday, December 10, 2016, 3:00 – 10:00 p.m.**
Contact Person: Michael Naquin

Page -2-
Extract #10 continued
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#11

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, NOVEMBER 15, 2016 AT THREE O’CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1656-11-16

A RESOLUTION ADOPTING THE RESTORE ACT MULTIYEAR IMPLEMENTATION PLAN.

THEREFORE BE IT RESOLVED that the St. Bernard Parish Council, does hereby adopt Restore Act Multiyear Implementation Plan as attached in Exhibit “A”

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal of the Parish of St. Bernard on this 15th day of November, 2016.

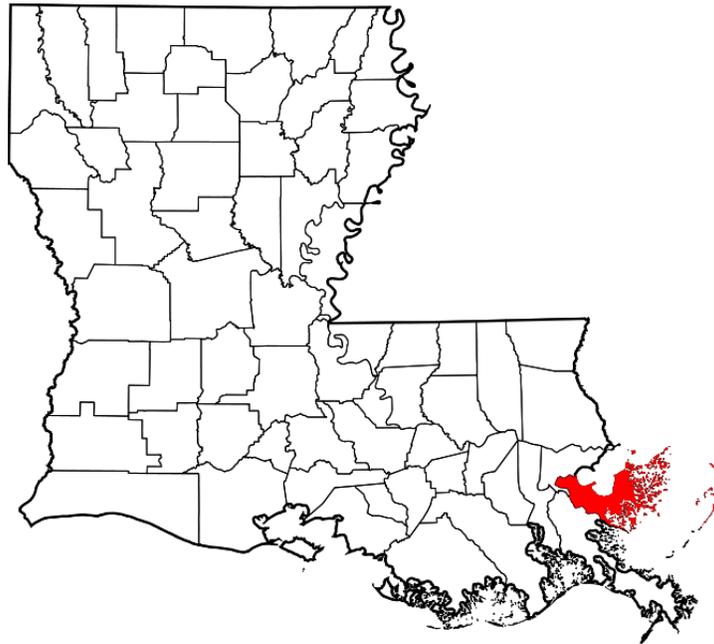
ROXANNE ADAMS
CLERK OF COUNCIL



St. Bernard Parish Government

Coastal Division

RESTORE Act Multiyear Implementation Plan



September November 2016



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I. Executive Summary

On April 20, 2010, a series of explosions on the *Deepwater Horizon* oil rig caused the Macondo well to blowout and release what would ultimately be nearly five million barrels of crude oil (Austin et al. 2014). The incident occurred in the Gulf of Mexico approximately forty miles off the coast of Louisiana. Eleven crewmembers perished during the initial explosions and the resulting oil spill would continue until the well was capped on July 15, 2010. The Deepwater Horizon incident (hereafter referred to as the "BP Oil Spill") was the deadliest and most environmentally devastating oil spill in US history.

The economic impacts of the BP Oil Spill were also significant and far-reaching. All deep water drilling activities in the US ceased within five days of the incident and would remain suspended by the US Department of Interior until October 2010 (Austin et al. 2014). This period of inactivity resulted in significant consequences for the petroleum industry. The fishing and ecotourism industries along the Gulf Coast were also devastated by the BP Oil Spill, and the environmental impacts of the incident would continue to adversely affect these sectors into the future.

St. Bernard Parish, Louisiana was particularly devastated by the BP Oil Spill due to the prominence of the fishing industry in the community. According to the National Oceanographic and Atmospheric Agency (NOAA), marine-related businesses accounted for 19% of all employment in St. Bernard Parish as of 2009 (NOAA 2012). Approximately 68% of all marine-related industry in St. Bernard Parish provided goods and services relative to commercial and recreational fishing prior to the BP Oil Spill (Small Business Association 2013). The annual economic impact of marine-related activities in the parish was approximately \$198 million before the incident occurred (NOAA 2012).

In July 2012, President Barack Obama signed into law the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act), which was passed by Congress as a means of creating a mechanism by which a portion of the civil penalties associated with the BP Oil Spill would be utilized to mitigate the impacts of the incident. The *Direct Component* of the RESTORE Act makes 35% of all penalty funds available to four Gulf States (Louisiana, Mississippi, Alabama, and Florida); twenty-three (23) Florida counties; and twenty (20) Louisiana parishes for eligible activities, programs, and projects as per the 31 CFR, Part 34. As an eligible applicant for Direct Component funding, St. Bernard Parish Government (SBPG) is required to submit a *multiyear implementation plan* (MIP) outlining and prioritizing eligible program activities in preparation for RESTORE funding requests.



II. Previous Planning Efforts

Restoring Louisiana's coast was a top priority for the State of Louisiana and SBPG prior to the BP Oil Spill. However, the incident exacerbated many existing challenges and created new challenges for coastal communities throughout the state, ultimately providing the impetus for a greater level of commitment and a heightened sense of urgency amongst stakeholders. Consequently, there are a number of recent coastal restoration planning documents that SBPG was able to take into consideration as the organization crafted its RESTORE MIP.

Louisiana's Comprehensive Master Plan for a Sustainable Coast (2012)

The Louisiana Coastal Protection and Restoration Authority (CPRA) is a State agency that was established as the single authority for coastal restoration in Louisiana. The CPRA has initiated a comprehensive planning and implementation strategy for protecting the environment and economy in the state's coastal region, as documented in *Louisiana's Comprehensive Master Plan for a Sustainable Coast (2012 State Master Plan)*. Two of the primary **goals objectives** outlined in the 2012 State Master Plan are to sustain *cultural heritage* and promote a *working coast*. The CPRA defines these two **goals-objectives** as follows:

Cultural Heritage: Sustain, to the extent practicable, the unique cultural heritage of coastal Louisiana by protecting historic properties and traditional living cultures and their ties and relationships to the natural environment.

Working Coast: Promote a viable working coast to support regionally and nationally important businesses and industries. (CPRA 2012)

SBPG share's the CPRA's vision for sustaining cultural heritage and promoting a viable economy in coastal Louisiana. This vision is reflected in the activities included in the parish's RESTORE MIP.

St. Bernard Parish Coastal Zone Management Program Document (2012)

The *St. Bernard Parish Coastal Zone Management Program Document (CZMPD)* was presented to the St. Bernard Parish Council in 2012 for the purpose of providing guidance on local coastal program implementation and restoration project selection. The document also highlighted the abundance of natural resources in St. Bernard Parish and the economic significance of the parish's



natural environment. Goals set forth in this document include:

Promoting recreational facilities in the wetlands through the development of facilities such as parks and boat launches; and

Supporting environmentally sound economic uses with special emphasis on sustainable multiple-use of waterfront areas. (Coastal Environments, Inc. 2012)

The framework provided in the CZMPD was utilized in identifying projects during subsequent planning efforts, including the *St. Bernard Parish Project Priority List* (2015) and the *St. Bernard Parish Coastal Priority Projects Strategy Document* (2016). Similarly, the SBPG RESTORE MIP was devised with the CZMPD framework and goals in mind.

St. Bernard Parish Project Priority List (2015)

The St. Bernard Parish Coastal Zone Advisory Committee (CZAC) presented the St. Bernard Parish Council with a suite of proposed coastal restoration projects in 2015. The projects were listed in order of priority and were adopted by the St. Bernard Council. Several of the projects included on the list were subsequently submitted to the CPRA and are now being considered for inclusion in the 2017 State Master Plan. However, many of the projects required further scoping and feasibility analysis in order to be given serious consideration for funding. This list of projects would become the foundation of the *St. Bernard Parish Coastal Priority Projects Strategy Document* (2016), which included a preliminary scope of work; projected budget; feasibility analysis; and funding matrix for each project.

St. Bernard Parish Coastal Priority Projects Strategy Document (2016)

The *St. Bernard Parish Coastal Priority Strategy Document* (2016 Strategy Document) includes an updated list of proposed projects that were ranked using a three-tier priority system. The document also includes a funding matrix which outlines potential funding sources for proposed projects. Several projects included in the 2016 Strategy Document were specifically identified as potential RESTORE Act Direct Component candidates, including the following:



Recreational Fishing Piers and Public Seafood

Market/Pavilion: This project was included in the 2016 Strategy Document due to the projected economic benefits of investing in additional recreational and commercial fishing infrastructure in St. Bernard Parish; and

Paris Road Corridor Welcome Center and Streetscape

Enhancement: This project was included in the 2016 Strategy Document In order to promote ecotourism in St. Bernard Parish by accentuating the natural environment along Paris Road and providing a suitable space for a new welcome center.

The 2016 Strategy Document was adopted by the CZAC in July 2016 and the St. Bernard Parish Council in August 2016. The two aforementioned 2016 Strategy Document projects, along with a workforce development and job creation component, have formed the basis of the parish's RESTORE MIP and pending initial RESTORE funding requests.

III. RESTORE Multiyear Implementation Planning Process

An initial draft of the SBPG RESTORE MIP was presented to the St. Bernard Parish CZAC for review and comment on August 31, 2016 (see Appendix A for meeting [agenda, sign-in sheet, and minutes details](#)). Pursuant to the 31 CFR, Part 34, the document was subsequently made available for public comment via www.sbpbg.net (electronic version) and in hard copy at 8201 West Judge Perez Drive, Chalmette, Louisiana 70043 (~~hard copy~~) from September 1, 2016 through October 17, 2016. [SBPG issued a press release on September 1, 2016 announcing the availability of the plan and instructions for submitting public comments \(see Appendix A for press release\). This information was also shared via social media \(SBPG Facebook and Twitter\).](#)

[SBPG later published public notices in the parish's official journal on October 14, 2016 and October 28, 2016, announcing that the public comment period had been extended through November 15, 2016 and providing instructions on how to submit comments \(see Appendix A for public notice\). This information was also shared via social media \(SBPG Facebook and Twitter\).](#) Comments from the CZAC and the public were compiled into a ~~single document~~ [memo](#) and presented to the St. Bernard Parish Council at its regular meeting on [November 15, 2016](#) (see Appendix B for ~~meeting agenda, minutes, and public comments memo and~~ Council resolution). A final draft of the document was completed and submitted to the US Department of the Treasury on _____.



Image III-1

St. Bernard Parish has been a commercial fishing hub since the area was first settled by Canary Islanders in the 1790's



IV. RESTORE Direct Component Allocation and Budget Overview

According to the US Department of the Treasury, Office of Gulf Coast Restoration, the net RESTORE Direct Component allocation available to St. Bernard Parish as of May 13, 2016 was **\$1,898,511.72**. This RESTORE MIP will account for how SBPG intends to utilize these funds for eligible program activities. Table IV-1 (below) provides a summary of activities proposed by SBPG.

Table IV-1
RESTORE Direct Component Budget Overview

RESTORE Activity	Scope of Work	Budget
Recreational Piers and Public Market/Pavilion	Engineering/Design (100%) + Phase 1	\$550,000.00
Paris Rd Corridor Welcome Center/Streetscape	Streetscape Design + Installation (100%)	\$1,000,000.00
Nunez CC Fisheries Workforce Development	Program Funding (2 years)	\$275,000.00
SBPG Administrative Costs	Program/Grant Management (2 years)	\$54,750.00
INITIAL RESTORE MIP TOTAL:		\$1,879,750.00
REMAINING BALANCE:		\$18,761.72



V. Proposed Activities

The RESTORE Act contains eleven categories of activities eligible for funding under the Direct Component:

1. Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast region.
2. Mitigation of damage to fish, wildlife, and natural resources.
3. Implementation of a federally-approved marine, coastal or comprehensive conservation management plan, including fisheries monitoring.
4. Workforce development and job creation.
5. Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill.
6. Infrastructure projects benefiting the economy or ecological resources, including port infrastructure.
7. Coastal flood protection and related infrastructure.
8. Planning assistance.
9. Administrative costs of complying with the Act.
10. Promotion of tourism in the Gulf Coast region, including recreational fishing.
11. Promotion of the consumption of seafood harvested from the Gulf Coast region.

Each activity proposed in the SBPG RESTORE MIP may be categorized according to one or more of the above RESTORE activity categories.



Image V-1

The New Orleans skyline, as seen from Paris Road near Bayou Bienvenue
(Source: The New Orleans Advocate)



SBPG is in the process of pursuing funding for a number of coastal restoration projects outside of what is being proposed here in the RESTORE MIP. A complete list of non-RESTORE activities and their current status has been included in Appendix C.

The activities currently being proposed for RESTORE Act Direct Component funding include:

- A. Recreational Fishing Piers and Public Seafood Market/Pavilion
- B. Paris Road Corridor Welcome Center and Streetscape Enhancement
- C. Nunez Community College Fisheries Workforce Development Program

Each of the proposed activities is profiled below.



A. Recreational Fishing Piers and Public Seafood Market/Pavilion

RESTORE Category:	Infrastructure project benefiting the economy or ecological resources Promotion of tourism in the Gulf Coast region, including recreational fishing
Total Estimated Cost:	\$3,000,000
Initial RESTORE Request:	\$550,000 (\$300,000 for Design/Engineering + \$250,000 for Phase 1)
Project Timeline:	Design/Engineering (Oct. 2017); Phase 1 Construction (May 2018)

Map V-1

SBPG proposes to construct two recreational fishing piers and a public seafood market/pavilion complex in eastern St. Bernard Parish





Need: Recreational fishing piers are needed in eastern St. Bernard Parish in order to provide a space for locals and tourists to safely fish and/or enjoy the natural environment while remaining at a safe distance from area highways. Additionally, the parish is currently lacking available space for commercial fishermen to engage in the direct sale of fresh seafood or to dry dock their vessels. These infrastructure deficiencies have had the effect of limiting economic opportunities in eastern St. Bernard Parish.

Purpose: The proposed project includes the construction of two recreational fishing piers and a public seafood market/pavilion complex. Preliminary site selection for the improvements has been based on the location and availability of property on the water and the likelihood of public utility and economic benefits. However, site selection has not been finalized. Once establishedconstructed, SBPG believes these improvements would be invaluable tools for the promotion of ecotourism and the consumption of Gulf seafood in eastern St. Bernard Parish.

Objectives: The objectives of the proposed project are to design and construct two recreational fishing piers ~~(Shell Beach and Delacroix)~~ and one public seafood market/pavilion complex ~~(near the confluence of the Mississippi River Gulf Outlet and Bayou La Loutre)~~ at sites to be determined. The public seafood market/pavilion complex would include a dock, covered pavilion, and parking lot. A hoist, ~~and~~ dry dock facility, and parking lot would also be constructed near the recreational fishing pier in Delacroix at one of the recreational pier sites. Once constructed, the facilities would be operated and maintained by SBPG in perpetuity for the purpose of enhancing economic opportunities in eastern St. Bernard Parish.

Funds Requested: SBPG's initial RESTORE Direct Component request for this project would be \$550,000. The breakdown of this proposed request is as follows:

- \$300,000 for designing/engineering the entire project; and
- \$250,000 for Phase 1 construction, which is projected to include the public seafood market pavilion, dock, and parking lot.

Subsequent project phases include the installation of the hoist, ~~and~~ dry dock, and parking lot (Phase 2) and the construction of the recreational fishing piers (Phase 3). SBPG intends on requesting additional RESTORE Direct Component funds for ~~phases~~ Phases 2 and 3 at a later date.

Project Milestones: 100% design/engineering (October 2017); completion of Phase 1 construction (May 2018)



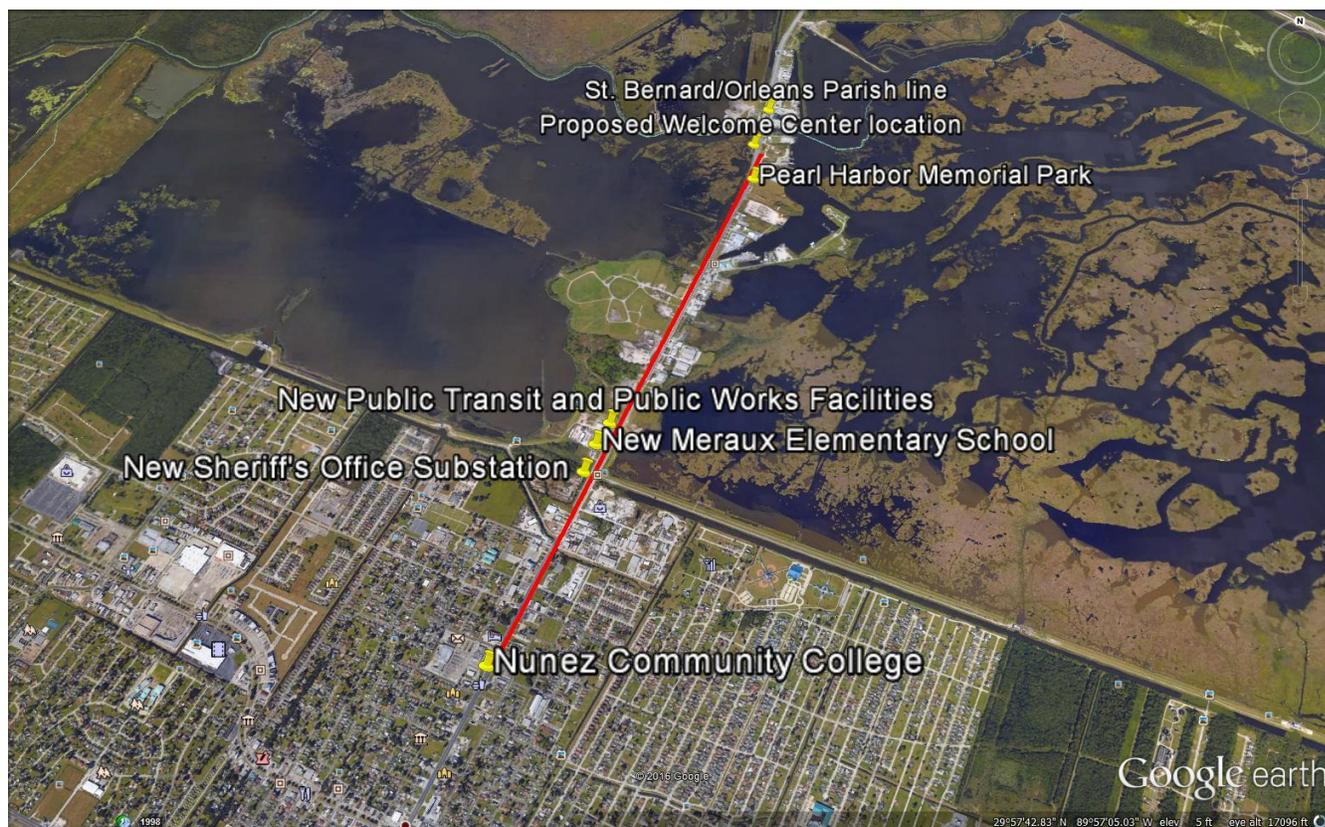
Performance Measures: Facility utilization and economic impact will be used to gauge project performance.

B. Paris Road Corridor Welcome Center and Streetscape Enhancement

RESTORE Category:	Infrastructure project benefiting the economy or ecological resources Promotion of tourism in the Gulf Coast region, including recreational fishing
Total Estimated Cost:	\$2,200,000
Initial RESTORE Request:	\$1,000,000 for 100% design and installation of streetscape features
Project Timeline:	Design (August 2017); Installation (December 2017)

Map V-II

SBPG proposes to construct a welcome center near the parish line and to enhance the streetscape from Bayou Bienvenue to Nunez Community College





Need: Paris Road runs through the Central Wetlands Unit (CWU) and over Bayou Bienvenue, and is one of only three thoroughfares connecting St. Bernard Parish to New Orleans. While the other two major thoroughfares in the parish have been enhanced since Hurricane Katrina, the Paris Road corridor remains unimproved. SBPG has already acquired ~~property and~~ funding for the design and construction of a welcome center on Paris Road near the parish line. However, funds to enhance the streetscape and capitalize on the natural features along Paris Road are currently unavailable.

Purpose: SBPG proposes to design and install a suite of streetscape enhancements, including new lighting, landscaping, trees, and interpretive signage, in order to accentuate the natural environment along Paris Road and compliment the new welcome center, ~~which will be constructed in 2017~~. Additionally, SBPG proposes to remove all visible marine debris from the CWU and Bayou Bienvenue within one-hundred (100) feet of the western shoulder of Paris Road. The proposed project will enhance the natural environment along Paris Road and promote ecotourism and economic opportunity in St. Bernard Parish.

Objective: The objective of the proposed project is to design and install a suite of streetscape enhancements that will complement the pending welcome center project, improve aesthetics along the Paris Road corridor, and increase public awareness of the natural environment and ecotourism opportunities in St. Bernard Parish.

Funds Requested: SBPG's initial RESTORE Direct Component request for this project would be \$1,000,000. The breakdown of this proposed request is as follows:

- \$100,000 for streetscape enhancement design; and
- \$900,000 for streetscape enhancement installation.

The welcome center component of the proposed project (\$1,200,000) is already funded.

Project Milestones: 100% design (August 2017); installation (December 2017)

Performance Measures: SBPG will gauge the success of the project by surveying residents and visitors when the project is complete. Additionally, welcome center utilization will be used to assess project performance.



C.Nunez Community College Fisheries Workforce Development Program

RESTORE Category:	Workforce Development and Job Creation Promotion of the consumption of seafood harvested in the Gulf region
Total Estimated Cost:	\$275,000
Initial RESTORE Request:	\$275,000 (2-year program)
Project Timeline:	April 2017 through May 2019

Image V-1

*Nunez Community College, located in St. Bernard Parish, is one of only ten community colleges in the state of Louisiana
(Source: Nunez Community College)*





Need: Nunez Community College (Nunez) recently commissioned a study to explore the potential of establishing the school as a *fisheries hub of excellence*. The study identified a number of workforce development gaps and resources that fisheries-oriented businesses need in order to start and thrive. Specifically, the study addressed the challenges associated with the emerging ecotourism, charter fishing, and direct to market sales sectors. An opportunity exists to utilize existing curriculum and develop new curriculum at Nunez for the purpose of establishing a comprehensive fisheries program that would address unmet workforce development needs relative to the aforementioned emerging sectors.

Purpose: SBPG proposes to collaborate with Nunez and other community partners to design, fund, and administer a comprehensive workforce development program that is focused on emerging fisheries-oriented sectors. The target audience for the program would be current commercial fishermen and their families, mid-career workers, and high school students. The program would be supported by the other projects included in this RESTORE MIP, such as the welcome center and the public seafood market/pavilion complex.

Objective: The objective of the proposed program is to design, fund, and administer a fisheries-oriented workforce development program that addresses unmet workforce development needs relative to emerging fisheries-oriented sectors. The ultimate goal of the program is to enhance the local economy by providing a degree program that is tailored to providing local residents with the best opportunity to capitalize on St. Bernard Parish's natural resources and environment.

Funds Requested: SBPG's initial RESTORE Direct Component request for this project would be \$275,000. The breakdown of this proposed request is as follows:

- \$137,500 for program design, outreach, staffing, and scholarship awards during year 1; and
- \$137,500 for program outreach, staffing, and scholarship awards during year 2.

Project Milestones: Program Design (Spring 2017); Program Outreach and Year 1 Scholarship Awards (Summer 2017); Year 1 Session (Fall 2017 through Spring 2018); Year 2 Scholarship Awards (Spring 2018); and Year 2 Session (Fall 2018 through Spring 2019).

Performance Measures: SBPG will gauge the success of the program by utility and economic impact.



VI. St. Bernard Parish Government Coastal Division Staff

SBPG has dedicated a total of 3% of all proposed RESTORE activity funds to reimbursing the parish for the administrative costs associated with complying with the RESTORE Act. This figure will also be attached to all subsequent RESTORE funding requests. Based on the activities included in this iteration of the SBPG RESTORE MIP, the parish has included a total of **\$54,750** for administrative costs.

The current SBPG Coastal Division staff members are as follows:

Executive Director of Coastal Affairs

John Lane
jlane@sbsp.net

Coastal Zone Management Administrator

William McCartney
wmccartney@sbsp.net

Coastal Advisor

Jerry Graves, Ph.D.
jgraves@sbsp.net

Coastal Advisor

Capt. George Ricks
gricks@sbsp.net



References

- Austin, Diane; Marks, B.; McClain, K., McGuire, T., McMahan, B., Phaneuf, V., Prakash, P., Rogers, B., Ware, C., Whalen, J. 2014. *Offshore oil and Deepwater Horizon: Social Effects on Gulf Coast Communities*, Volume I. U.S. Dept. of the Interior, Bureau of Ocean Energy Management, Gulf of Mexico OCS Region, New Orleans, LA. OCS Study BOEM 2014-617. 266 pp.
- Coastal Environments, Inc. 2012. St. Bernard Parish Coastal Zone Management Program Document. Retrieved from: <http://data.dnr.louisiana.gov/ABP-GIS/ABPstatusreport/StBCZMReport11052012.pdf>
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- Small Business Administration. 2013. Small Business Impacts Associated with the 2010 Oil Spill and Drilling Moratorium in the Gulf of Mexico. Small Business Administration, Office of Advocacy. 148 pp.



Appendix A: ~~Coastal Zone Advisory Committee Review~~ Public Outreach and Comments

CZAC Meeting (8/31/2016)



St. Bernard Parish Government

*8201 West Judge Perez Drive
Chalmette, Louisiana 70043*

**Coastal Zone Advisory Committee Meeting
Los Islenos Center, St. Bernard Parish
August 31, 2016**

Members in Attendance: Nicky Alphonso; Robbie Campo; Raymond Couture; Fabian Guerra; Charles Leon; Bobby Lovell; Philip Livaudais; Ryan Miller; Monty Montelongo, Sr.; Mark Munson; Arnold Rodriguez; Brad Robin

Guests: William McCartney (Non-Voting Secretary/Chairman); Jerry Graves (SBPG)

Item #4: New Business (RESTORE Act Multiyear Implementation Plan)

Discussion:

- I am concerned about how the proposed public seafood market and direct-to-market sales concept might impact the existing local docks (Campo).
- The presence of sandflies and other insects may deter patronage of the proposed public seafood market (Campo).
- Motion to Adopt the RESTORE Act Multiyear Implementation Plan (Alphonso)
- Motion seconded (Livaudais)
- Motion passed UNANIMOUSLY



Initial Press Release (9/1/2016)



St. Bernard Parish News

**FOR IMMEDIATE RELEASE
September 1, 2016**

CONTACT:
Lenor W. Duplessis
Public Information Officer
lduplessis@sbsp.net
www.sbsp.net
www.Facebook.com/StBGov

**St. Bernard Parish Government Office of Coastal Affairs
Seeking public comment on the
Restore Act Multiyear Implementation Plan**

The St. Bernard Parish Government Office of Coastal Affairs is seeking public comment on its Restore Act Multiyear Implementation Plan. The public can view the document and submit comments beginning today, September 1st through October 17, 2016.

Those wishing to view the document can go to www.sbsp.net or pick up a copy in the St. Bernard Parish Government Building located at 8201 W. Judge Perez Drive in Chalmette.

Comments should be submitted by email to jlane@sbsp.net or mail to St. Bernard Parish Government in care of John Lane.



Initial Public Comment Instructions (9/1/2016)



St. Bernard Parish Government
Coastal Division

RESTORE Act
Multiyear Implementation Plan

*****INSTRUCTIONS FOR SUBMITTING PUBLIC COMMENTS*****

In accordance with the 31 CFR, Section 34.303(a)(8), St. Bernard Parish Government has made the attached draft RESTORE Act multiyear implementation plan available for public comment beginning September 1, 2016 through October 17, 2016 (45 days).

The document has been made available online at www.sbpbg.net/coastal/ and in hard copy at the front desk in the St. Bernard Parish Government Complex at 8201 West Judge Perez Drive, Chalmette, LA 70043. Comments may be submitted via email to John Lane at jlane@sbpg.net or in writing to St. Bernard Parish Government (Attn: John Lane) at 8201 West Judge Perez Drive, Chalmette, LA 70043.



Public Comment Period Extension Notice (10/28/2016)



St. Bernard Parish Government
Coastal Division

RESTORE Act
Multiyear Implementation Plan

*****INSTRUCTIONS FOR SUBMITTING PUBLIC COMMENTS*****

In accordance with the 31 CFR, Section 34.303(a)(8), St. Bernard Parish Government made its RESTORE Act multiyear implementation plan available for public comment from September 1, 2016 through October 17, 2016 (45 days).

The document is still available online at www.sbpj.net/coastal/ and in hard copy at the front desk in the St. Bernard Parish Government Complex at 8201 West Judge Perez Drive, Chalmette, LA 70043. Comments may still be submitted via email to John Lane at jlane@sbpg.net or in writing to St. Bernard Parish Government (Attn: John Lane) at 8201 West Judge Perez Drive, Chalmette, LA 70043.

The final deadline for submission of written comments is November 15, 2016. The public is also encouraged to provide comments in-person at the November 15th St. Bernard Parish Council meeting. This will be the final opportunity to comment on the document.



Public Comments Memo (11/10/2016)



St. Bernard Parish Government

*8201 West Judge Perez Drive
Chalmette, Louisiana 70043*

MEMORANDUM

DATE: 11/10/16

TO: Richie Lewis; Kerri Callais; Gillis McCloskey; Nathan Gorbaty; Howard Luna; Wanda Alcon; Monty Montelongo

CC: Guy McInnis; Ronnie Alonzo

FROM: John Lane

RE: RESTORE Act Multiyear Implementation Plan Public Comments

The following public comments have been received in reference to the above noted document through 11/10/2016:

- I am concerned about how the proposed public seafood market and direct-to-market sales concept might impact the existing local docks (Robbie Campo, Coastal Zone Advisory Committee (CZAC) member, received at the 8/31/2016 CZAC meeting).
- The presence of sandflies and other insects may deter patronage of the proposed public seafood market (Robbie Campo, CZAC member, received at the 8/31/2016 CZAC meeting).
- I would like to make it known that I fully support the RESTORE Act Multiyear Implementation Plan for St. Bernard Parish. By connecting seafood and tourism the parish is strengthening two of its economic sectors, thus balancing the diversification of its economic portfolio. This is a great day for the parish (Blaise Pezold, CZAC member and Louisiana Department of Agriculture and Forestry employee, received via email on 10/11/2016).

Please note that the draft document you received today includes a number of proposed edits made in track changes. We will also provide you with an update on any additional public comments received between today and the 11/15/2016 deadline.

Thank you.



Appendix B: Council Adoption

(To be completed following Council Adoption)



Appendix C: Other Coastal Restoration Activities

Planning

- The *Caernarvon Reforestation* and *Central Wetlands Reforestation* projects are both currently being scoped.

Design

- The *South Shell Beach Marsh Creation* project (\$28.1 million) has been funded for design through the CWPPRA program. This project will create and nourish over 600 acres of marsh. Design will be completed by late 2017.

Construction

- The *Lake Lery Marsh Creation* project (\$8 million) has been enhanced with a shoreline protection product and will be completed by the end of 2016. This project has created approximately 65 acres of marsh.
- The *Living Shoreline Demonstration* project (\$23.5 million) will test four different artificial reef and wave attenuation products in St. Bernard. This project is scheduled to be completed by the end of 2016.
- Sonar scanning for the *Violet Canal Safe Harbor* is complete. The marine debris removal portion of the project is going up for bid in September.

Pending Project Funding Requests

- The *Bayou La Loutre Ridge Restoration and Marsh Creation* project (\$25 million) was voted the #1 CWPPRA project in the Lake Pontchartrain Basin (February 2016). The CWPPRA Technical Committee subsequently voted the project #6 in the state (April 2016). The federal agencies involved in preparing this project have given mostly positive feedback thus far. The final vote for Phase 1 (Design) funding is on 12/7.
- The *Bayou Terre Aux Boeufs Ridge Restoration* project (\$10 million) was submitted to the US Corps of Engineers (USACE) for consideration through the Continuing Authorities Program (CAP 206). The USACE Mississippi Valley Division has since conducted a field visit and submitted the project to the Department of the Army for review. SBPG has also submitted a request for support from the Deputy Secretary of the Army.
- *Delacroix Highway Resilience* project (\$2 million) will be considered for state GOMESA funding in November 2016.
- *St. Bernard Parish Black Mangrove Planting Program* (\$260k) is pending a NOAA Coastal Resiliency Grant application.
- *Derelict Crab Trap Removal Program* (\$100k) is pending a NOAA Marine Debris Removal Grant application.



Appendix D: RESTORE Act Multiyear Implementation Plan Matrix and Narrative Forms

(To be completed following Council Adoption)

#12

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1657-11-16

A RESOLUTION AUTHORIZING AN APPLICATION TO THE GOMESA INFRASTRUCTURE FUNDING PROGRAM IN THE AMOUNT OF \$34,575,491.00 FOR THE LOUISIANA HIGHWAY 300 COASTAL INFRASTRUCTURE RESILIENCE PROJECT.

WHEREAS, in 2006 the U.S. Congress passed the Gulf of Mexico Energy Security Act (GOMESA) which provides enhanced revenue sharing of Outer Continental Shelf oil and gas revenues with Gulf producing states and the Land and Water Conservation Fund for coastal restoration projects; and

WHEREAS, the Louisiana Coastal Protection and Restoration Authority (CPRA) has established the Infrastructure Funding Program with GOMESA funding in order to encourage grants for infrastructure projects directly impacted by coastal wetland loss; and

WHEREAS, CPRA has established priorities for evaluating projects under this grant program based on consistency with the CPRA Master Plan, the critical nature of the project, contributions to resiliency based on existing and future environmental conditions, and the project's beneficial economic impact, among others; and

WHEREAS, St. Bernard Parish is eligible to apply for this funding; and

WHEREAS, potential projects that fit this program were discussed and prioritized by the St. Bernard Parish Coastal Zone Advisory Committee; and

WHEREAS, Louisiana Highway 300 (Delacroix Highway) was determined to be our highest priority for funding due to the impact natural and man-made forces have had on the highway's condition and the critical role the highway plays in the safety and economy of local residents and businesses; and

Page -2-
Extract #12 continued
November 15, 2016

WHEREAS, the Louisiana Department of Transportation and Development's proposed plan to elevate LA 300 presents a unique opportunity for St. Bernard Parish and the State of Louisiana to partner together to install improvements that will expand shoreline protection and provide a more resilient highway design.

NOW THEREFORE BE IT RESOLVED that the St. Bernard Parish Council, does hereby authorize the submission of an application to the GOMESA Infrastructure Funding Program for the Louisiana Highway 300 Coastal Infrastructure Resilience Project in the amount of \$ 34,575,491.00 (no local matching funds required); and

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council does hereby authorize the President of St. Bernard Parish Government to sign and submit all required applications, Cooperative Endeavor Agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with the GOMESA Infrastructure Funding Program.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

Page -3-
Extract #12 continued
November 15, 2016

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL



St. Bernard Parish Government

Grants Department

Guy McInnis
Parish President

8201 West Judge Perez Drive Chalmette, LA 70043
Phone: (504) 278-4236 Fax: (504) 278-4330
www.sbpbg.net

GRANT APPLICATION SCREENING FORM

Grant Name: GOMESA Infrastructure Funding Program

Proposed Project Name: Louisiana Highway 300 Coastal Infrastructure Resilience Project

Funding Agency/Pass-through Agency: CPRA

Grant Application Deadline: November 1, 2016

Estimated Grant Award Date if successful: Fall 2017

Grant Completion Deadline, if known: TBD

Competitive, Direct Allocation or Set Aside: Competitive

Total Project Dollars: \$34,575,491

Total Grant Dollars: \$34,575,491

Total Local Match Dollars Required and Percentage (by fiscal year for projects expected to exceed one year): NA

Other Local Match: NA

Source of Local Match Dollars, if identified: NA

Other Financial and/or Programmatic Requirements and Considerations (e.g., staffing, long term commitments, pre-studies, etc.): Transfer of improvements to LA DoTD for perpetual maintenance (see attached)

Non-Covered Costs and Estimated Dollar Amount, if known: NA

Is this a Single-Purpose Grant or a Recurring Grant? Single Purpose

Grant Drawdowns (upfront advance, reimbursed as expended, or paid fully by Parish and reimbursed later by grantor): TBD

Other Comments: Please see attachments for additional details

Proposed Home Department and Project Manager: Keith LaGrange, Department of Public Works

GRANTS DEPARTMENT USE ONLY:	Approval to Apply: YES _____ or NO _____
Administration Approval: _____	Finance Approval: _____



St. Bernard Parish Government

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4227 Fax (504) 278-4330
www.sbp.gov.net

Guy McInnis
Parish President

November 1, 2016

Re: GOMESA Infrastructure Funding Program: Louisiana Highway 300 Coastal Infrastructure Resilience Project

Dear CPRA Board Members:

St. Bernard Parish Government is eager to work with the Coastal Protection and Restoration Authority and the Louisiana Department of Transportation and Development (DoTD) on increasing the resilience of our coastal infrastructure. The attached proposal provides an excellent opportunity for an interagency partnership that would ultimately increase the long-term sustainability of Louisiana Highway 300 (LA 300) while decreasing future highway maintenance costs for the State of Louisiana. We respectfully request your support for this critical project.

The scope of work for the proposed project includes adding the installation of sheet pilings and driveway aprons to an upcoming DoTD highway elevation project on LA 300. The total probable construction cost is \$24,125,917 and the cost of securing a 20-year bond for the project is an additional \$10,449,574, bringing the grand total of our request to **\$34,575,491** (\$1,728,775/year for twenty years beginning in 2017). The proposed project has been endorsed by the primary landowner along the highway (please see the attached letter of support from the Meraux Foundation). DoTD is also currently processing a letter of support for the project.

Please contact John Lane (jlane@sbpg.net) or Jerry Graves (jgraves@sbpg.net) if you have any additional questions regarding our proposal.

Thanks again for your continued support.

Sincerely,
A handwritten signature in black ink, appearing to read "Guy McInnis".

Guy McInnis
Parish President
St. Bernard Parish Government



St. Bernard Parish Government
Coastal Division

Louisiana Highway 300 Coastal Infrastructure Resilience Project

Social and Economic Context

Delacroix was originally settled by immigrants from the Canary Islands (*Isleños*) in 1779. The settlement was one of the earliest examples of Louisiana's *working coast*, as ranchers from as far away as Texas would herd cattle to the area to have their livestock domesticated by *Isleño* cattlemen. The *Isleño* community would later become well-known for its proficiency in farming, trapping, fishing and other endeavors. Delacroix now functions as one of the most vibrant commercial and recreational fishing hubs in Louisiana. The area is also critical to the inland oil and gas industry and the servicing of offshore wells.

The first major transportation route to Delacroix was the Mexican Gulf Railway, which was constructed through St. Bernard Parish in the 1840's. Louisiana Highway 300 (LA 300) was not constructed until 1955. The highway has since become a critical evacuation route and major commercial artery in eastern St. Bernard Parish. LA 300 also served as one of the main access roads during the response to the BP Oil Spill, and remains an important transportation route for future offshore emergency response efforts in the Gulf of Mexico.

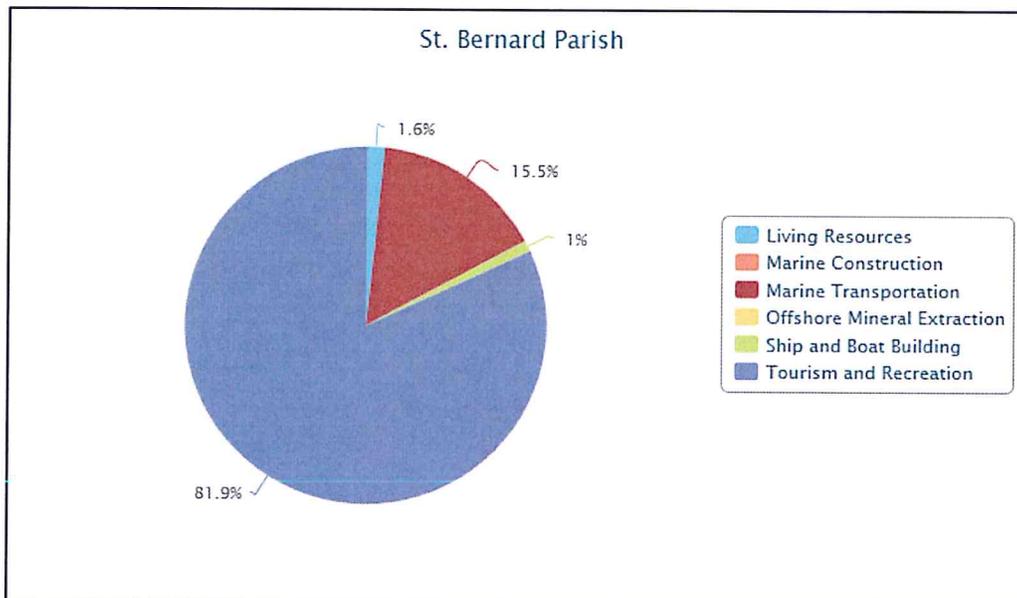
Saltwater intrusion, erosion, and subsidence have devastated the marine environment near the Delacroix community. Such impacts have been exacerbated by oil and gas activities in the area, including the excavation of miles of pipeline canals. LA 300 is now frequently flooded by Bayou Terre Aux Boeufs during high tide and storm events, placing both the community and local economy at risk. The highway is the only means of ingress/egress for residents, fishermen and others. Residents of Delacroix are essentially trapped in their homes when the highway is flooded. Commercial and recreational fishermen are also unable to access their boats or transport their landings when there is water on LA 300. It is therefore critical that the State of Louisiana and St. Bernard Parish Government (SBPG) work together to preserve life and commerce in Delacroix by increasing the resilience of the highway.

Select Commercial Fisheries Landings in St. Bernard Parish, 2014

	St. Bernard Parish	Louisiana	% of Total
Oyster Producers	170	905	19%
Total Sacks	289,484	1,435,207	20%
Gross Value	\$8,000,788	\$36,707,762	22%
Shrimp Producers	319	4,970	6%
Total Pounds	3,026,576	96,863,816	3%
Gross Value	\$5,461,154	\$178,402,762	3%
Crab Producers	315	10,066	3%
Total Pounds	7,623,254	38,578,367	20%
Gross Value	\$10,196,865	\$50,784,752	20%

(Source: www.lsuagcenter.com/agsummary)

As the above table indicates, commercial fisheries in St. Bernard Parish are a vital component of the seafood industry in Louisiana. Fisheries-related employment accounted for over 1,100 jobs (\$23 million in total wages) and the production of more than \$43 million in goods and services in St. Bernard Parish during 2013 (www.coast.noaa.gov). The tourism/recreational fishing industry, which accounted for 81.9% of all fisheries-related jobs in St. Bernard Parish as of 2013 (please see the below graph), also continues to thrive and grow.



(Source: www.coast.noaa.gov)

Project Description

In an effort to increase the resilience of LA 300, the Louisiana Department of Transportation and Development (DoTD) recently devised a plan to elevate the highway from Reggio to Delacroix (please see the below map). To complement this effort, SBPG is proposing that DoTD, the Coastal Protection and Restoration Authority (CPRA), and SBPG work together to enhance the current DoTD project and exponentially increase the resilience of LA 300 by strategically installing interlocking sheet pilings in Bayou Terre aux Boeufs along the western shoulder of the highway. Additionally, SBPG proposes that funds be allocated for the replacement of driveway aprons on the eastern shoulder of LA 300, where access may be adversely impacted by the highway elevation project. This set of interventions offers an excellent opportunity for an interagency partnership that would ultimately increase the long-term sustainability of LA 300 while decreasing future highway maintenance costs for the State of Louisiana.



The proposed project would maximize resilience against future environmental conditions by stabilizing the banks of Bayou Terre aux Boeufs and the shoulder of LA 300, thus decreasing the likelihood and severity of future flood events and highway inaccessibility. Additionally, the proposed project would mitigate the impacts of the planned DoTD elevation project by providing the funds necessary to ensure that driveway aprons along the eastern side of the highway remain accessible. This effort is consistent with the following objectives of *Louisiana's 2012 Coastal Master Plan*:

Flood Protection: Reduce economic losses from storm surge based flooding to residential, public, industrial, and commercial infrastructure.

Cultural Heritage: Sustain the unique heritage of coastal Louisiana by protecting historic properties and traditional living cultures and their ties and relationships to the natural environment.

Working Coast: Promote a viable working coast to support regionally and nationally important businesses and industries.

Permitting, Land Ownership, and Maintenance

All project features would be designed and constructed in accordance with DoTD standards. The proposed project would require a Coastal Use Permit, and the primary landowners impacted by the project would be the State of Louisiana and the Meraux Foundation (please see the attached letter of support). SBPG intends on transferring ownership of all sheet pile installations to DoTD when the project is complete (a letter of support is currently being processed by the DoTD legal staff). SBPG will work closely with DoTD to ensure ongoing monitoring of all project components.

Probable Construction Cost

Item	Quantity	Unit	Cost	Total
Surveying/Geotechnical	NA	NA	NA	\$60,000
Design (6% of Construction)	NA	NA	NA	\$1,163,151
25' Coated Interlocking Sheet Piles (21,850 LF)	546,250	SF	\$35	\$19,118,750
6" Portland Cement Pavement (Aprons)	2,671	SY	\$100	\$267,100
Mobilization/Layout (10% of Construction)	NA	NA	NA	\$1,938,585.0
SBPG Admin. (7% of Design/Construction)	NA	NA	NA	\$1,578,331.0

TOTAL: \$24,125,917

SBPG estimates that securing a 20-year bond for the total probable construction cost would add \$10,449,574 to the total project cost, bringing the grand total to **\$34,575,491**. Since it is critical that the proposed resilience measures are constructed concurrent with the DoTD elevation project, the parish would like to request that the CPRA commit \$1,728,775 each year for twenty years beginning in 2017. SBPG is prepared to immediately start coordinating with DoTD in order to ensure that the resilience measures are designed in a manner consistent with agency standards and that the project schedule is appropriately coordinated.

Project Map

The below map illustrates those portions of the LA 300 shoulder along Bayou Terre aux Boeufs (highlighted in yellow) where SBPG is proposing to install interlocking sheet pilings.



#13

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1659-11-16

A RESOLUTION AUTHORIZING LOUISIANA CAPITAL OUTLAY APPLICATIONS FOR FY2017-2018 FOR CAPITAL IMPROVEMENT PROJECTS IN THE AMOUNT OF \$20,622,455.00.

WHEREAS, the State of Louisiana has established a Capital Outlay Program which is presented annually to the Louisiana Legislature by the Governor of Louisiana for funding consideration; and

WHEREAS, the purpose of the Capital Outlay Program is to fund state and local public facilities or infrastructure projects not eligible for funding under a dedicated State program; and

WHEREAS, the Capital Outlay Program allows applications from State and Local agencies and typically awards an estimated 20-30% of Capital Outlay funding to non-state entities like St. Bernard Parish Government; and

WHEREAS, the capital needs and requirements of the Parish Government were reviewed and prioritized in order to prepare applications for Capital Outlay funding consideration.

NOW THEREFORE BE IT RESOLVED the St. Bernard Parish Council, does hereby authorize the submission of the following Capital Outlay Program applications for fiscal year 2017-2018 to Governor John Bel Edwards for funding consideration:

St. Bernard Master Drainage Plan	\$ 715,000
St. Bernard Parish Jail Renovation	\$ 3,268,855
LED Lighting Conversion St. Bernard Parish	\$ 3,651,700
St. Bernard 40 Arpent Nature Trail and Trail Bridge over LA47	\$ 2,645,000
St. Bernard Lake Lery Marsh Creation Phase II	\$ 3,000,000
St. Bernard Village Square Revitalization Plan	\$ 600,000
Shell Beach Fishing Pier	\$ 379,500
St. Bernard Special Needs Center	\$ 4,500,000
St. Bernard Government Complex Campus Improvement Plan	\$ 204,000

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Extract #13 continued
November 15, 2016

St. Bernard Parish Government Complex Air Conditioning (HVAC) Upgrade	\$ 870,000
St. Bernard Civic Center New Roof	\$ 555,100
<u>St. Bernard Drainage Canal Maintenance Equipment</u>	<u>\$ 233,300</u>
Total	\$ 20,622,455

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council does hereby authorize the distribution of these requests to State Senators Sharon Hewitt and J.P. Morrell and State Representative Ray Garofalo for their support.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#14

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1659-11-16

A RESOLUTION AUTHORIZING A SUPPLEMENTAL GRANT APPLICATION TO THE DEEP WATER HORIZON ECONOMIC AND PROPERTY DAMAGES TRUST AGREEMENT SETTLEMENT PROGRAM IN THE AMOUNT OF \$100,000.00 FOR EXPANSION OF ST. BERNARD PARISH TOURISM PROMOTION.

WHEREAS, a settlement agreement was reached as a result of the Deep Water Horizon incident that approved the Deep Water Horizon Economic and Property Damages Trust Agreement and Settlement Program Fund; and

WHEREAS, St. Bernard Parish was previously awarded funds under this program for tourism promotion; and

WHEREAS, the Parish received notification that additional funds were available under this program and the Parish was eligible to apply for a supplemental grant to expand tourism promotion.

NOW THEREFORE BE IT RESOLVED that the St. Bernard Parish Council, does hereby authorize the submission of an application to the Deep Water Horizon Economic and Property Damages Trust Fund for supplemental grant funding in the amount of \$100,000.00 (no local matching funds required) to expand the St. Bernard tourism marketing program through December, 2017; and

BE IT FURTHER RESOLVED, that St. Bernard Parish will implement the approved marketing plan that includes print, broadcast, and internet media advertisements and attendance at the Louisiana Travel Promotion Association Summit; and

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council, does hereby authorize the President of St. Bernard Parish Government to sign and submit all required applications, Cooperative Endeavor Agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with the Deep Water Horizon Economic and Property Damages Trust Settlement program process.

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Extract #14 continued
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#15

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1660-11-16

A RESOLUTION CERTIFYING TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT ST. BERNARD PARISH GOVERNMENT HAS AND WILL CONTINUE TO COMPLY WITH ALL FHWA/DOTD REQUIREMENTS REGARDING PERFORMANCE OF INTERIM INSPECTIONS, CALCULATING THE LOAD CARRYING CAPACITY AND LOAD POSTING DEFICIENT BRIDGES UNDER THEIR JURISDICTION FOR 2016.

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of St. Bernard Parish Government in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to St. Bernard Parish Government; therefore,

WHEREAS, this resolution was sponsored for administration by Mr. Guy McInnis, St. Bernard Parish Councilman at Large; and

WHEREAS, it is recommended by the Administration of the St. Bernard Parish Government that the Council approve said resolution.

BE IT RESOLVED, by the governing authority of St. Bernard Parish that the St. Bernard Parish Council, convened in regular session on _____, 2016, does hereby certify to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2016.

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Extract #15 continued
November 15, 2016

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Louisiana Department of Transportation and Development, Attn: Mr. John Guidry, District Maintenance Engineer, P.O. Box 9180, Bridge City, Louisiana 70096-9180; St. Bernard Parish Department of Public Works; and the Office of the Parish President.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

Official Listing of Off-System Bridges
Sorted by District - Parish - Owner - Structure Number

=====
NOTICE
<=====

This list must be certified correct and returned to LA DOTD

Failure to check and correct the information on this list
may result in your being found in non-compliance and you will
be prohibited from participating in the program for one year

District = 02 Parish = St. Bernard

Structure Number	Report Number	Owner of Bridge	Maintenance Responsibility	Number of Bridges
P4429565895571	020098	Parish of St. Bernard	Parish of St. Bernard	15
P4429564895591	104014	Parish of St. Bernard	Parish of St. Bernard	15
P4429566895641	104013	Parish of St. Bernard	Parish of St. Bernard	15
P4429566895651	104012	Parish of St. Bernard	Parish of St. Bernard	15
P4429573895781	020085	Parish of St. Bernard	Parish of St. Bernard	15
P4429562895541	104007	Parish of St. Bernard	Parish of St. Bernard	15
P4429566895681	104006	Parish of St. Bernard	Parish of St. Bernard	15
P4429566895711	104005	Parish of St. Bernard	Parish of St. Bernard	15
P4429567895721	104004	Parish of St. Bernard	Parish of St. Bernard	15
P4429568895661	104011	Parish of St. Bernard	Parish of St. Bernard	15
P4429568895671	104010	Parish of St. Bernard	Parish of St. Bernard	15
P4429573895801	104003	Parish of St. Bernard	Parish of St. Bernard	15
P4429574895831	104001	Parish of St. Bernard	Parish of St. Bernard	15
P4429577895921	104002	Parish of St. Bernard	Parish of St. Bernard	15
P4429566895661	020099	Parish of St. Bernard	Parish of St. Bernard	15
OWN TOTAL				15
OFFPAR TOTAL				15

PARISH _____
OFFICIAL LIST/LOCALLY OWNED BRIDGES
This is to certify that all data listed hereon
has been reviewed and is correct except as
noted _____
Date _____
Sec./Treasurer _____

#16

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-11-16

Summary No. 3433

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2016 is hereby amended as per attached in Exhibit "A".

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department's specific budget.

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.

Page -2-
Extract #16 continued
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government
Summary No. 3433
Ordinance SBPC #XXXX-11-16
Proposed 2016 Budget Amendment 11-02-2016

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
001	4040	0000	440311	Adoption Fees	Revenue	\$ 12,000.00	
001	4040	0000	510461	Supplies - Operating	Expenditure	9,000.00	
001	4040	0000	536460	Professional Services - Vet	Expenditure	3,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

The budget amendment is to increase revenues and offset with additional needed operating and supplies for Animal Control.

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
077	5113	0000	420552	Federal Reimb - CSBG	Revenue	\$ 5,910.00	
077	5113	0000	510130	Supplies - Food & Drink	Expenditure	5,910.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

The budget amendment is to increase grant revenues and offset with an expenditure for additional CSBG funding.

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
060	3425	0000	499010	Transfer in from General Fund	Revenue	\$ 25,000.00	
060	3425	0000	535448	Professional Services	Expenditure	25,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00
001	2015	0000	440342	Rents and Leases	Revenue	\$ 20,500.00	
001	2320	0000	599060	Transfer out to Community Development	Expenditure	25,000.00	
001	2317	0000	535448	Professional Service	Expenditure		2,000.00
001	2320	0000	510460	Stationary & Office Supplies	Expenditure		1,200.00
001	4042	0000	530442	R&M Bldgs.	Expenditure		1,300.00
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
078	6110	0000	440361	Alcohol Slaes - USSSA	Revenue	\$ 7,000.00	
078	6110	0000	440393	Leisure Service Fees	Revenue	3,000.00	
078	6110	0000	440344	Cleaning Fee Collected	Revenue	2,000.00	
078	6110	0000	440345	Security Charges Collected	Revenue	2,000.00	
078	6110	0000	440315	Entrance Fees	Revenue	1,419.00	
078	6110	0000	525428	Utilities - Gas	Expenditure	4,800.00	
078	6110	0000	525429	Utilities - Electric	Expenditure	35,000.00	
078	6110	0000	510160	Concession Product - Food/Drink	Expenditure	4,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$28,381.00

The budget amendment is to increase expenditures associated with utilities at Val Reiss and concession product.

	Budget	Projections		
Utilities - Gas	525428	14,982	19,738	4,756
Utilities - Electric	525429	105,000	139,865	34,865
				96,526
				49,587
				146,113
				117,200 Budget amendment from 10/18/16
				28,913 Fund Balance remaining
				28,381
				532 Needs to be zero or positive

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
078	6110	0091	480392	Donations	Revenue	\$ 5,000.00	
078	6110	0091	510461	Supplies Operating	Expenditure	5,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

FUND	G/L ACCOUNT CODE		LEDGER CODE	ACCOUNT TITLE	ACCOUNT TYPE	ENTRY AMOUNT	
	COST CENTER	PROJECT				INCREASE	DECREASE
001	4040	0000	480392	Donations	Revenue	\$ 1,000.00	
001	4040	0000	510461	Supplies - Operating	Expenditure	1,000.00	
			391000	Net Effect on Fund Balance		\$0.00	\$0.00

The budget amendment is to acknowledge a donation received from Maddie's Fund to support operations for Animal Control.

#17

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-11-16

Summary No. 3434

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the Parish considers the equipment listed on the attached Exhibit "A" as surplus and this property is not needed for a public purpose,

WHEREAS, the Parish intends to transfer this equipment in compliance with state law,

SECTION 1. The property on the attached Exhibit "A" is hereby declared surplus and is not needed for any public purpose.

SECTION 2. The President of St. Bernard Parish or his designee is hereby authorized to execute any documents necessary to transfer the equipment listed on the attached Exhibit "A" in compliance with state law.

SECTION 3. 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 4. 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 #17 continued
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

**EXHIBIT A
SUMMARY NO. 3434**

Equipment to be Surplus

2007

KME PUMPER

VIN#1GNSCHEC7FR205554

#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 TUESDAY, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-11-16

Summary No. 3436

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-018**, Petition of Michael Fincher for a Zoning Change from "R-2, (Two Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:

Two certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, designated as Lots 7 and L. Property Location: 3201 Paris Road, Chalmette, LA 70043.

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.

Page -2-
Extract #18 continued
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

#19

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-11-16

Summary No. 3437

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES 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 2; Interpretation, Subsection 4; Definitions, Section 4; General Provisions, Subsection 2.14; Accessory Buildings and Structures, Section 5; Residential zoning districts, Subsection 5; Permitted accessory buildings and structures and Section 6; Commercial and industrial zoning districts, Subsection 5; Permitted accessory uses to 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.

Page -2-
Extract #19 continued
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

EXHIBIT "A"
SUMMARY NO. 3437
ORDINANCE SBPC #XXXX-XX-XX

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

Accessory building and accessory uses:

- (a) *Accessory building.* A structurally detached building, except by roof, subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building and not used as a place of habitation.

Note: For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.

- (b) *Accessory use.* A subordinate use which is incidental to and customary or necessary in connection with the principally permitted use of a building or a principally permitted use, and which is located on the same lot with such principal building or use.

Shipping Container or similar items:

- (a) **A standardized reusable vessel that was originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities or having a similar appearance to and similar characteristics of cargo containers.**

Chapter 22 – Zoning
Section 4 – General Provisions
Subsection 2.14 - Accessory Buildings and Structures

- (a) The following provisions shall regulate the location of accessory buildings with respect to required yards:
- (1) Accessory buildings shall be prohibited in any required front yard or side street side yard.
 - (2) Where an accessory building is located in a zone requiring a side yard and such building is entirely to the rear of the principal structure, the accessory building shall be distant at least three (3) feet (sky clearance) from any adjoining lot line.
 - (3) Where any portion of an accessory building projects between a principal structure and the side lot line, the accessory building shall comply with the required side yard restriction for a principal structure in the zone in which it is located.
 - (4) Where a corner lot adjoins in the rear a lot in any residential zone, no part of an accessory building within twenty-five (25) feet of the common lot line shall extend closer to the street than the actual or required depth, whichever is less, of the front yard for the principal structure on the adjoining lot.

EXHIBIT "A"
SUMMARY NO. 3437
ORDINANCE SBPC #XXXX-XX-XX

- (b) Accessory buildings shall not exceed one (1) story or thirteen (13) feet in height except for barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.
- (c) Where any portion of or entire accessory building in a residential zone occupies the required rear yard, said portion or entire accessory building shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall it exceed the lot coverage nor the total square footage of the building to which it is accessory.
- (d) There shall not be more than one (1) accessory building or structure permitted to cover any part of a required rear or side yard with the following exceptions:
- (1) Dish antennas in any zone.
 - (2) A second accessory storage shed, gazebo, cabana, greenhouse or similar structure shall be permitted so long as the total square footage of all accessory buildings in the required rear yard does not exceed seventy (70) percent of this area.
- (e) Metal accessory buildings shall not exceed one hundred twenty (120) square feet and nine (9) feet in height; and shall not be located closer than fifty (50) feet to a front property line.
- (f) For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.**
- (1) A shipping container or similar items are prohibited from the following zoning districts: R-1, R-2, R-3, R-1(M), R-4, RO, C-1, C-2, C-3 and SBV.**
 - (2) Shipping containers or similar items are not subject to variances or waivers by the Board of Zoning Adjustments in zoning districts where prohibited.**
 - (3) Shipping containers or similar items may be used for the temporary location of an office, equipment and/or materials storage structure during non-residential construction which is taking place on the property where the shipping container or similar item is located, subject to an active building permit.**
 - (4) The temporary placement of portable site storage containers (PODS) not exceeding 150 square feet in total area on residentially zoned properties, or on properties the primary use of which is residential, for a limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year. An extension is subject to the review and approval of the Director of the Department of Community Development.**
-

EXHIBIT "A"
SUMMARY NO. 3437
ORDINANCE SBPC #XXXX-XX-XX

No accessory building or structure shall be constructed or placed in such a manner that it could be used as a dwelling unit. All accessory buildings or structures must be permitted by the department of community development, and such structure must be accompanied by a completed dwelling with a certificate of occupancy unless they are being used for a lawful commercial purpose in the appropriate zone with the exception of barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.

1. The following accessory buildings and structures are permitted in the rear and side yards:
 - a. Storage sheds, detached garages and carports, playhouses, swimming pools, bath houses, antenna, dishes, and other outbuildings or structures.
 - b. Fences, stone walls, and retaining wall. (Retaining walls shall not have to comply with setbacks.)
 - c. Dog houses, runs, kennels, and penned areas.
2. An accessory building or structure that does not comply with the above requirements may be permitted by variance if the board of zoning adjustments finds that such accessory building or structure will be compatible with the location in which it is proposed to be built after considering:
 - a. The character of the neighborhood and area;
 - b. The size and shape of the lot;
 - c. The location of the accessory structure; and
 - d. The proposed use of the accessory structure.
3. Fences are permitted on lots without a dwelling when they share a common property line with a lot with an occupied dwelling (with a certificate of occupancy) under same ownership. The property shall meet the following conditions:
 - a. When a servitude separates adjacent lots under common ownership, the property owner shall submit written approval from the servitude holder to the department of community development prior to the issuance of the fence permit.
Fences shall have at least one (1) latched gate or opening to the lot.
4. All detached residential accessory buildings and structures shall be subject to the following conditions (This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones):
 - a. Residential accessory buildings and structures shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall the size exceed one thousand two hundred (1,200) square feet under roof with the enclosed portion not to exceed five hundred (500) square feet. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - b. Accessory buildings and structures with plumbing improvements shall meet parish requirements for elevated dwellings.
 1. Plumbing improvements shall consist of not more than a toilet, sink, washer and dryer.
 - c. Property owners who have received a variance to build an accessory building or structure with an enclosure exceeding five hundred (500) square feet shall meet the parish's requirements for elevated dwellings.
 - d. Residential accessory buildings and structures shall not exceed thirteen (13) feet in height.
 - e. Residential accessory buildings and structures must be fenced in. Garages may not be fenced in on the front side of a dwelling in instances where there is an impervious driveway leading to the structure. In instances where a garage is located on a lot which

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SUMMARY NO. 3437
ORDINANCE SBPC #XXXX-XX-XX

has a rear yard that fronts a street, the structure must be fenced in along the width of the rear property setback. A portion of the rear property setback may remain unfenced only for the width of the required rear impervious driveway leading to the garage. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.

- f. When used as an accessory to a dwelling, metal storage buildings shall not exceed one hundred twenty (120) square feet in area and nine (9) feet in height. Metal storage buildings shall not front a rear property setback when said property has a rear property line which fronts a street. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - g. Portable storage units such as PODS are allowed in any district for a period not to exceed thirty (30) days and shall only be permitted in the rear or side yard in accordance with the provisions outlined in section 22-5-5.4.e of this chapter. Mobile homes, travel trailers, and recreational vehicles may not be used as portable storage units.
- 5. A shipping container or similar items are prohibited from all residential and commercial zoning districts and not subject to variance or waiver from the Board of Zoning Adjustment.**
-

Chapter 22 – Zoning
Section 6 – Commercial and industrial zoning districts
Subsection 5 - Permitted accessory uses

22-6-5.1. *Outdoor storage.* Outdoor storage may be permitted in business, rural and industrial zones under the following conditions:

- a. *Materials.*
 - 1. All outdoor bulk storage items, including recyclable materials, shall be in approved, enclosed containers.
 - 2. No outside storage shall be placed outdoors that will attract animals or insects.
 - 3. No perishable merchandise shall be stored outdoors.
- b. *Location requirements.*
 - 1. Any outdoor storage and all structures required for stored materials shall have been shown and designated on an approved site plan as outdoor storage.
 - 2. No outdoor storage shall be allowed in the required front, side, or rear yards, or buffers.
 - 3. No outdoor storage shall be allowed such as will reduce the amount of parking in parking areas below the minimum required for the site.
 - 4. All outdoor storage shall be buffered from residential zones and uses with a twenty-foot-wide landscaped buffer.
 - 5. Outdoor storage shall be screened by a **fence, wall or hedge (subject to district regulations)** ~~minimum six-foot privacy fence~~ so as not to be visible from any street, residential, or municipal property.
 - 6. Any outdoor storage, including shipping containers or similar items, shall not be considered as a principle use in any zone.**

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SUMMARY NO. 3437
ORDINANCE SBPC #XXXX-XX-XX

~~6. Maximum height of stored material shall be six (6) feet.~~

- c. *Industrial zone requirements.* In the industrial zones, outside storage of materials shall be subject to the following additional provisions:
1. Outside storage shall be located to the rear or the side of the principal building.
 2. A landscape buffer shall be provided surrounding all storage areas;
 - ~~3. Box trailers are permitted provided such storage is screened; and~~
 3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed a maximum height of twenty-five (25) feet.
 4. Shipping Containers or similar items shall be located behind the front façade of any structure and at the rear of the building. A shipping container may be permitted along the side of a building, subject to the review and approval of the Director of the Department of Community Development.
 - a. The shipping container shall be completely screened from view with fencing not to exceed 10' in height.
- d. *Rural zone requirements.* In the rural (A-1) zones, outside storage of materials shall be subject to the following additional provisions:
- ~~1. Outdoor storage shall be located to the rear of the principle structure and 100' from the any property line fronting onto a public roadway.~~
 - ~~2. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.~~
- e. *Commercial zone requirements.* In the commercial zones, outside storage of materials shall be subject to the following additional provisions:
- ~~1. Outdoor storage shall be located to the rear or side of the principle structure.~~
 - ~~2. A landscape buffer shall be provided surrounding all storage areas;~~
 - ~~3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.~~
 - ~~4. Shipping Containers or similar items shall be prohibited.~~



St. Bernard Parish Government

Department of Community Development

8201 West Judge Perez Drive

Chalmette, La. 70043

278-4308

278-4298 (Fax)

TO: ST. BERNARD PARISH PLANNING COMMISSION

RE: PROPOSED TEXT AMENDMENT (TC-2016-010)

FROM: DALE W. THAYER, ASSISTANT DIRECTOR

MEETING DATE: SEPTEMBER 27, 2016

REFERENCE: **Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses (to address the definition and use of shipping containers or similar items).**

PROPOSED BY: St. Bernard Parish Council

AMENDMENT SUMMARY

This is a text amendment to change **Section 22-2-4- Definitions, Section 22-4-2.14- Accessory Buildings and Structures, Section 22-5-5- Permitted Accessory Buildings and Structures, and Section 22-6-5- Permitted Accessory Uses.** The proposed amendment addresses the definition and use of shipping containers or similar items.

PROPOSED TEXT

22-2-4. Definitions.

Accessory building and accessory uses:

- (a) *Accessory building.* A structurally detached building, except by roof, subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building and not used as a place of habitation.

Note: For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.

- (b) *Accessory use.* A subordinate use which is incidental to and customary or necessary in connection with the principally permitted use of a building or a principally permitted use, and which is located on the same lot with such principal building or use.

Shipping Container or similar items:

- (a) **A standardized reusable vessel that was originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities or having a similar appearance to and similar characteristics of cargo containers.**

22-4-2.14. *Accessory buildings and structures.*

- (a) The following provisions shall regulate the location of accessory buildings with respect to required yards:
- (1) Accessory buildings shall be prohibited in any required front yard or side street side yard.
 - (2) Where an accessory building is located in a zone requiring a side yard and such building is entirely to the rear of the principal structure, the accessory building shall be distant at least three (3) feet (sky clearance) from any adjoining lot line.
 - (3) Where any portion of an accessory building projects between a principal structure and the side lot line, the accessory building shall comply with the required side yard restriction for a principal structure in the zone in which it is located.
 - (4) Where a corner lot adjoins in the rear a lot in any residential zone, no part of an accessory building within twenty-five (25) feet of the common lot line shall extend closer to the street than the actual or required depth, whichever is less, of the front yard for the principal structure on the adjoining lot.
- (b) Accessory buildings shall not exceed one (1) story or thirteen (13) feet in height except for barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.
- (c) Where any portion of or entire accessory building in a residential zone occupies the required rear yard, said portion or entire accessory building shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall it exceed the lot coverage nor the total square footage of the building to which it is accessory.
- (d) There shall not be more than one (1) accessory building or structure permitted to cover any part of a required rear or side yard with the following exceptions:
- (1) Dish antennas in any zone.
 - (2) A second accessory storage shed, gazebo, cabana, greenhouse or similar structure shall be permitted so long as the total square footage of all accessory buildings in the required rear yard does not exceed seventy (70) percent of this area.
- (e) Metal accessory buildings shall not exceed one hundred twenty (120) square feet and nine (9) feet in height; and shall not be located closer than fifty (50) feet to a front property line.

- (f) For purposes of this chapter, shipping containers, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.**
- (1) A shipping container or similar items are prohibited from the following zoning districts: R-1, R-2, R-3, R-1(M), R-4, RO, C-1, C-2, C-3 and SBV.**
- (2) Shipping containers or similar items are not subject to variances or waivers by the Board of Zoning Adjustments in zoning districts where prohibited.**
- (3) Shipping containers or similar items may be used for the temporary location of an office, equipment and/or materials storage structure during non-residential construction which is taking place on the property where the shipping container or similar item is located, subject to an active building permit.**
- (4) The temporary placement of portable site storage containers (PODS) not exceeding 150 square feet in total area on residentially zoned properties, or on properties the primary use of which is residential, for a limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year. An extension is subject to the review and approval of the Director of the Department of Community Development.**

22-5-5. *Permitted accessory buildings and structures.* No accessory building or structure shall be constructed or placed in such a manner that it could be used as a dwelling unit. All accessory buildings or structures must be permitted by the department of community development, and such structure must be accompanied by a completed dwelling with a certificate of occupancy unless they are being used for a lawful commercial purpose in the appropriate zone with the exception of barns, boat docks and other such agricultural and fishing-related accessory structures in an A-1 Rural Zone.

1. The following accessory buildings and structures are permitted in the rear and side yards:
 - a. Storage sheds, detached garages and carports, playhouses, swimming pools, bath houses, antenna, dishes, and other outbuildings or structures.
 - b. Fences, stone walls, and retaining wall. (Retaining walls shall not have to comply with setbacks.)
 - c. Dog houses, runs, kennels, and penned areas.
2. An accessory building or structure that does not comply with the above requirements may be permitted by variance if the board of zoning adjustments finds that such accessory building or structure will be compatible with the location in which it is proposed to be built after considering:
 - a. The character of the neighborhood and area;
 - b. The size and shape of the lot;
 - c. The location of the accessory structure; and
 - d. The proposed use of the accessory structure.

3. Fences are permitted on lots without a dwelling when they share a common property line with a lot with an occupied dwelling (with a certificate of occupancy) under same ownership. The property shall meet the following conditions:
 - a. When a servitude separates adjacent lots under common ownership, the property owner shall submit written approval from the servitude holder to the department of community development prior to the issuance of the fence permit.
Fences shall have at least one (1) latched gate or opening to the lot.
4. All detached residential accessory buildings and structures shall be subject to the following conditions (This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones):
 - a. Residential accessory buildings and structures shall not occupy more than seventy (70) percent of the required rear yard, and in no case shall the size exceed one thousand two hundred (1,200) square feet under roof with the enclosed portion not to exceed five hundred (500) square feet. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - b. Accessory buildings and structures with plumbing improvements shall meet parish requirements for elevated dwellings.
 1. Plumbing improvements shall consist of not more than a toilet, sink, washer and dryer.
 - c. Property owners who have received a variance to build an accessory building or structure with an enclosure exceeding five hundred (500) square feet shall meet the parish's requirements for elevated dwellings.
 - d. Residential accessory buildings and structures shall not exceed thirteen (13) feet in height.
 - e. Residential accessory buildings and structures must be fenced in. Garages may not be fenced in on the front side of a dwelling in instances where there is an impervious driveway leading to the structure. In instances where a garage is located on a lot which has a rear yard that fronts a street, the structure must be fenced in along the width of the rear property setback. A portion of the rear property setback may remain unfenced only for the width of the required rear impervious driveway leading to the garage. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - f. When used as an accessory to a dwelling, metal storage buildings shall not exceed one hundred twenty (120) square feet in area and nine (9) feet in height. Metal storage buildings shall not front a rear property setback when said property has a rear property line which fronts a street. This provision shall not apply to accessory buildings and structures in A-1 Rural, SA Suburban Agricultural, or the SBV St. Bernard Village zones.
 - g. Portable storage units such as PODS are allowed in any district for a period not to exceed thirty (30) days and shall only be permitted in the rear or side yard in accordance with the provisions outlined in section 22-5-5.4.e of this chapter. Mobile homes, travel trailers, and recreational vehicles may not be used as portable storage units.

5. A shipping container or similar items are prohibited from all residential and commercial zoning districts and not subject to variance or waiver from the Board of Zoning Adjustment.

22-6-5. *Permitted accessory uses.*

22-6-5.1. *Outdoor storage.* Outdoor storage may be permitted in business, **rural** and industrial zones under the following conditions:

a. *Materials.*

1. All outdoor bulk storage items, including recyclable materials, shall be in approved, enclosed containers.
2. No outside storage shall be placed outdoors that will attract animals or insects.
3. No perishable merchandise shall be stored outdoors.

b. *Location requirements.*

1. Any outdoor storage and all structures required for stored materials shall have been shown and designated on an approved site plan as outdoor storage.
2. No outdoor storage shall be allowed in the required front, side, or rear yards, or buffers.
3. No outdoor storage shall be allowed such as will reduce the amount of parking in parking areas below the minimum required for the site.
4. All outdoor storage shall be buffered from residential zones and uses with a twenty-foot-wide landscaped buffer.
5. Outdoor storage shall be screened by a **fence, wall or hedge (subject to district regulations)** ~~minimum six foot privacy fence~~ so as not to be visible from any street, residential, or municipal property.
- 6. Any outdoor storage, including shipping containers or similar items, shall not be considered as a principle use in any zone.**
- ~~6. Maximum height of stored material shall be six (6) feet.~~

c. *Industrial zone requirements.* In the industrial zones, outside storage of materials shall be subject to the following additional provisions:

1. Outside storage shall be located to the rear **or the side** of the principal building.
2. A landscape buffer shall be provided surrounding all storage areas;
- ~~3. Box trailers are permitted provided such storage is screened; and~~
3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed a maximum height of twenty-five (25) feet.
- 4. Shipping Containers or similar items shall be located behind the front façade of any structure and at the rear of the building. A shipping container may be permitted along the side of a building, subject to the review and approval of the Director of the Department of Community Development.**

- a. The shipping container shall be completely screened from view with fencing not to exceed 10' in height.**
- d. Rural zone requirements. In the rural (A-1) zones, outside storage of materials shall be subject to the following additional provisions:**
- 1. Outdoor storage shall be located to the rear of the principle structure and 100' from the any property line fronting onto a public roadway.**
 - 2. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.**
- e. Commercial zone requirements. In the commercial zones, outside storage of materials shall be subject to the following additional provisions:**
- 1. Outdoor storage shall be located to the rear or side of the principle structure.**
 - 2. A landscape buffer shall be provided surrounding all storage areas;**
 - 3. Outside storage may include storage of vehicles and storage of materials. Vehicles shall not be stacked and storage of materials shall not exceed fence height standards for the district, when permitted.**
 - 4. Shipping Containers or similar items shall be prohibited.**

RECOMMENDATIONS TO THE PLANNING COMMISSION

Staff recommends **approval** of TC-2016-010

#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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-11-16

Summary No. 3438

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE 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 5; Buildings; Construction and related activities, Section 23; Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee to 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
November 15, 2016

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

EXHIBIT "A"
SUMMARY NO. 3438
ORDINANCE SBPC #XXXX-XX-XX

CHAPTER 5 - BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES

SECTION 23 - APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED
STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE.

Sec. 5-23. - Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee.

In addition to any other requirement that may be in any other sections of the St. Bernard Code of Ordinances, the following requirements shall apply to any raised or elevated structure:

- (1) Exterior perimeter columns or pilings that support a raised structure and which have more than five (5) feet of exposed height from the ground contact point to the bottom edge of the exterior perimeter of the main structure support beams or support members shall be covered on all sides, or their entire circumference, using one or more of the follow finishing treatment(s):
 - a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
 - b. A finished brick or masonry veneer surface.
 - c. A finished and stained, painted or colored stucco or patterned masonry surface.
 - d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
 - e. A finished and stained or painted solid wood siding.
 - f. The design and construction of all support columns and/or pilings shall meet the acceptable ASCE standards for load bearing supports, all applicable International Building Code requirements and all applicable fire code regulations for elevated structures.
- (2) Additionally, the exterior space between columns shall be enclosed with non-support bearing walls as follows:
 - a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
 - b. A finished brick or masonry veneer surface.
 - c. A finished and stained, painted or colored stucco or patterned masonry surface.
 - d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
 - e. A finished and stained or painted wood siding or other commercially available siding material.
 - f. All doors or windows in the forgoing wall construction must be in conformance with the building codes of St. Bernard Parish.

EXHIBIT "A"
SUMMARY NO. 3438
ORDINANCE SBPC #XXXX-XX-XX

- g. The design and construction of such exterior walls shall meet the acceptable ASCE standards and all applicable International Building Code requirements, including standards for break away walls and appropriate venting of solid walls.
- (3) If the finished surface is painted or otherwise finished with a coating or colored in any manner, the color of said coating or coloring agent shall be the same as the predominant color of the exterior painted portions of the elevated structure.
- (4) All covered wood support columns shall have removable inspection access areas sufficient in size to allow for visual inspection for infestation of termite or other wood destroying pests. The top edge of the inspection access area(s) shall not be more than eighteen (18) inches above the support column ground contact point.
- (5) For structures elevated five (5) feet or below, the following requirement shall be followed:
- a. Structures shall be skirted **across the entire front and ten (10) feet on both sides, starting from the front corner of the structure.** ~~to enclose the open air area below the floor of the elevated structure.~~
 - b. Finishing treatments of structures elevated five (5) feet or below shall be consistent with the guidelines enumerated in subsection (1) of this section.
 - c. Venting shall be in place in the surrounding exterior materials to meet at least a one (1) square inch vented space for every one (1) square foot of enclosed material or meet the established building code requirements of the International Building Code, whichever requires greater venting capacity at the time of the construction.
- (6) Slab built homes which are not elevated, and which are rebuilt or repaired after experiencing exterior damage due to fire, flood, or other natural disaster shall be repaired to a level that is consistent with the design, quality, and structure of the predominant existing and compliant homes in the immediate neighborhood as defined as being within five hundred (500) feet of the structure in question.
- (7) Any relief or variance of this section shall require a petition to the Board of Building Standards and Appeals. The Board of Building Standards and Appeals shall have the power to give an interpretation or grant a variance under this section.

#21

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, NOVEMBER 15, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mrs. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3435

Tabled on 11/2/15 prior to introduction

Introduced by: Councilman Gorbaty

AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK

WHEREAS, the Parish acquired ownership of property in the former Village Square Area with grant funds that require that the property be used as green space; and

WHEREAS, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to empower the Park and Parkway Commission to raise funds for the development of a public park bearing the name "St. Bernard Town Center Park", that would include such green space amenities as a dog park, a pitch and putt course, a soccer field, a softball field and other green space amenities at the site of the former Village Square area.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Park and Parkway Commission (hereinafter "the Commission") is hereby empowered to raise private and public funds for the development of a public park bearing the name "St. Bernard Town Center Park", (hereinafter "the Park"), that would include such green space amenities as a dog park, a pitch and putt course, a soccer field, a softball field and other green space amenities at the site of the former Village Square area. The Commission is further empowered to recruit volunteers to assist in the project.

SECTION 2. That the development will be based upon the St. Bernard Parish Planning Commission Economic Development Plan previously adopted by the Planning Commission. The green space amenities to be developed at the Park must be approved by a majority vote of the Parish President or his written designee, Council Member, District B, and Planning Commission Member, District B, taken at a Public Meeting held in compliance with the Louisiana Open Meetings Law.

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Extract #21 continued
November 15, 2016

SECTION 3. Any funds collected for the Park shall be deposited with the St. Bernard Parish Government Finance Department which funds will be solely used for the Park.

SECTION 4. 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 5. 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:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 15th day of November, 2016.

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Extract #21 continued
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CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, November 15, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of November, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL