

ORD

2005-0107

INTRODUCED: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. 05-5-2

An ordinance to amend the St. Charles Parish Zoning Ordinance to require a six (6) foot high solid wood, vinyl, or masonry fence and a landscaped buffer area where commercial or industrial uses in an M-1 zoning district are permitted abutting residential zoning districts or uses.

WHEREAS, the protection of a six (6) foot high solid fence and a ~~ten (10)~~ feet fifteen foot (15') buffer zone is required where commercial development in CR-1, C-1, C-2, and C-3 zoning districts is permitted abutting residential zoning districts or uses; and,

WHEREAS, the same protection is not required where commercial or light industrial uses are permitted in M-1 zoning districts abutting residential zoning districts or uses; and,

WHEREAS, residential zoning districts and uses abut land zoned M-1 in many areas of St. Charles Parish; and

WHEREAS, the St. Charles Parish Council wishes to protect residential areas from negative impacts that may arise from commercial and light industrial uses,

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS that Appendix A. Section VI. D. [I] *M-1 :Light Manufacturing and industry district* of the St. Charles Parish Code of Ordinances is amended as follows:

4. **Special Provisions**

a. ~~Special Provisions:~~ No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including walkways, driveways and parking areas. All operations must be ~~constructed~~ **conducted** within a building or within an area enclosed **on all sides** by a solid fence or wall no less than six (6) feet in height. (Ord. No. 89-2-13, 2-20-89).

b. **Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip ~~ten feet (10')~~ fifteen feet (15') wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.**

c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraphs shall govern.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: MARINO, FAUCHEUX, HILAIRE, FABRE, WALLS, BLACK, DUHE,
MINNICH
NAYS: NONE
ABSENT: RAMCHANDRAN

And the ordinance was declared adopted this 2nd day of May 2005,
to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: May 3, 2005
APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: May 4, 2005
AT: 10:57 AM RECD BY: BGT, #14