

*Ord.*  
**2013-0430**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV**

**ORDINANCE NO. 13-12-3**

An ordinance to amend the Code of Ordinances, Appendix A, St. Charles Parish Zoning Ordinance of 1981, by deleting Section VI.D.[II.]M-2 Heavy manufacturing and industry 1.a.(10) towing yards and by adding Section VI.D.[II.]M-2. Heavy manufacturing and industry 1.b. Special permit uses and structures to add 6. Towing yards.

**WHEREAS,** there are property owners which have residential uses on their property which abut M-2 properties; and,

**WHEREAS,** the zoning regulations are designed to protect property owners; and,

**WHEREAS,** the allowance of tow yards as a standard permitted use in the M-2 zoning district does not afford protection to the adjacent property owners; and,

**WHEREAS,** it is the desire of the St. Charles Parish Council to allow tow yards in the M-2 zoning district as a special permit use so as to allow adjacent property owners to have input regarding this use.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code, Appendix A, Section VI.D.[II.]M-2 Heavy manufacturing and industry 1.a.(10) towing yards is hereby deleted.

**SECTION II.** That the St. Charles Parish Code, Appendix A, Section VI.D.[II.]M-2 Heavy manufacturing and industry 1.b. Special permit uses and structures is hereby amended by adding 6. Towing yards:

6. Towing Yards. Towing yards upon review and approval by the Planning Commission and supporting Resolution of the Parish Council shall conform to the following regulations:

(1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:

a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;

b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;

c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;

d) All buildings and structures to be located on the site and the required off-street parking layout.

(2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.

(3) Towing yards shall also adhere to state and local licensing requirements.

(4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.

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

**YEAS:** SCHEXNAYDRE, TASTET, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

**NAYS:** NONE

**ABSENT:** NONE

And the ordinance was declared adopted this 2nd day of December, 2013, to become effective five (5) days after publication in the Official Journal.

Amend Code-App A Sec VI M-2 Towing yards (10-10-13)

**CHAIRMAN:** W. Benedetto

**ACTING SECRETARY:** C. Madere

**DLVD/PARISH PRESIDENT:** 12/4/13

**APPROVED:**  **DISAPPROVED:**

**PARISH PRESIDENT:** V. L. ...

**RETD/SECRETARY:** 12/4/13

**AT:** 1:05 pm **RECD BY:** Chm