

St. Charles Parish Department of Planning & Zoning

Land Use Report

Case Number: 2021-6.1-ORD

Introduced by Matthew Jewell, Parish President

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981 (as amended) Section VI, and Section VII, in order to permit transmission towers in the OL zoning district.

Background

During their discussion of 2021-06-ORD, the Parish Council deleted Section I which would have permitted transmission towers in the OL zoning district as a Special Exception Use, and approved a revised version of the ordinance which adds “transmission towers when accessory to a permitted use,” to the Special Permit Uses in the R-1A, R-1A(M), R-1B, R-1M, and R-2 zoning districts.

The Council asked the Department to prepare an ordinance to add transmission towers as a Special Permit Use, rather than a Special Exception, in the OL zone. The Zoning Ordinance defines a transmission tower as follows:

Transmission tower: A structure or framework, usually of a steel lattice construction, principally intended to support radio, cellular, telecommunications, television, electric utility and/or any other electromagnetic transmissions, and receiving antennas and/or equipment.

In 1997, the Parish Council adopted a cell tower ordinance which added a “Cellular installations and PCS (personal communication service) installations” as a special permit use or structure in the OL zoning district. (Ord. No. 97-7-4, § III, 7-7-97). The Zoning Ordinance defines these in very specific terms, copied below:

Cellular installation: Facility transmitting and receiving electromagnetic frequency transmissions in the 800—900 MHZ ultra-high frequency (UHF) range.

PCS (personal communication service) installation: Facility transmitting and receiving electromagnetic frequency transmissions in the 1,850—2,000 MHZ ultra-high frequency (UHF) range

In order to clarify that a transmission tower is a Special Permit Use/Structure in the OL zoning district no matter what frequency of the installations on it use to broadcast, staff completed this ordinance.

Potential outcomes

Any property owner in the OL district could apply for a Special Permit for a transmission tower.

The Planning and Zoning Commission would have the authority to permit transmission towers in the OL District, subject to building code approval.

Transmission or receiving equipment attached to a permitted structure would not be affected by the amendment—that equipment could continue to be placed without review or approval.

Recommendation

Approval