

Ord.

2007-0207

**INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 07-7-3

An ordinance to amend the St. Charles Parish Code of Ordinances, Zoning Regulations 1981, to modify the M-2 Zoning district to allow the open storage of solid fuels associated with energy generating facilities.

- WHEREAS,** St. Charles Parish is a major energy producing community in South Louisiana; and,
- WHEREAS,** the energy generating industry has changed much since the passage of the Zoning Regulations of 1981; and,
- WHEREAS,** the use of solid fuels in modern energy generating facilities is considered both economically and environmentally beneficial; and,
- WHEREAS,** the current St. Charles Parish Zoning Ordinance severely limits the use of solid fuels for energy generation by restricting the handling, transfer and storage of "coal"; and,
- WHEREAS,** the purpose of this ordinance is to encourage the continued development of low cost, environmentally friendly energy generation in St. Charles Parish.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. Section VI. D. [II.] 1. a. (3) and (4) shall read as follows:

- 1. Use Regulations:
 - (3) **Solid Fuel Coal** handling, transfer, and storage facilities **not associated with energy generation facilities.**
 - (4) **Energy Electrical generating plants facilities**

SECTION II. Section VI. D. [II.] 4. shall read as follows:

- 4. Special Provisions:
 - a. Must maintain a buffer zone to insure the protection and well-being of neighboring areas.
 - b. Major operations must be located two thousand (2,000) feet from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments. Accessory uses of lesser intensity may be developed in this buffer area. Examples include office buildings, parking facilities, substations, and storage areas **(including open storage of solid fuels for energy generating facilities)** as well as uses identified in the M-1 District and subject to any required restrictions established in that M-1 District.
 - c. New construction within the confines of existing industrial developments shall provide adequate buffer areas near R and C Districts in accordance with industry standards, national fire code regulations, and those standards established in the M-1 District under "Other Industrial Uses."

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

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

And the ordinance was declared adopted this 23rd day of July, 2007, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: July 24, 2007
 APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: Albert D. Laque
 RETD/SECRETARY: July 24, 2007
 AT: 12:20 pm RECD BY: [Signature]