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2012-0233

INTRODUCED BY: CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A
ORDINANCE NO. 12-7-4

An ordinance to amend the Code of Ordinances Appendix A, Section III. Definitions., 1. Accessory building and Appendix A Section VI., Zoning district criteria and regulations; to prohibit the placement of storage containers in residential zoning districts.

WHEREAS, the St. Charles Parish Council desires to protect the public safety and welfare of citizens in residential areas; and,

WHEREAS, the St. Charles Parish Council wishes to regulate the use of storage or cargo containers as accessory buildings in residential areas; and,

WHEREAS, storage containers are a safety concern because they are not built with emergency escape and rescue openings; and,

WHEREAS, significant retrofitting of the structure is required in order to meet Building Code requirements for a residential structure; and,

WHEREAS, storage containers are not residential in character; and,

WHEREAS, the public welfare is served when the character of residential neighborhoods is preserved.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix A, Section III. 1. is modified as follows (add underline, delete strikethrough):

1. *Accessory building:* A subordinate structure, not sharing a common wall with the main structure, the use of which is incidental to that of the main structure. The connection of such a subordinate structure to the main structure via a covered breezeway (unenclosed, not exceeding eight (8) feet in width) shall not be construed as incorporating the subordinate structure into the main structure. Residential Accessory buildings are allowed only in the side and rear yards with proper setbacks on properties developed with a residential dwelling. Reduced setbacks outlined for residential accessory buildings shall only apply when said accessory building is at least three (3) feet from the main structure, measured from any existing overhangs (not including breezeways). Nonresidential accessory buildings shall include storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis or bogie for movement. This definition does not include temporary on-demand rented storage containers with proof of documentation for personal storage for a period not to exceed one (1) year.

SECTION II. Appendix A, Section VI.(A)[I.] O-L Open Land, 1(c) Special Permit Uses and structures is modified as follows (add underline, delete strikethrough):

- (10) Nonresidential accessory buildings

SECTION III. Appendix A, Section VI.(B)(I) R-1A (2)(c) Accessory Buildings is modified as follows (add underline, delete strikethrough):

- c. Accessory buildings:

- (1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
- (2) The accessory building shall not exceed two-story construction.
- (3) Minimum setback of accessory buildings including overhangs, shall be three (3) feet.
- (4) Nonresidential accessory buildings shall not be permitted.

SECTION IV. Appendix A, Section VI.(B)[II] R-1AM (2)(c) Accessory Buildings is modified as follows (add underline, delete strikethrough):

- (3) Nonresidential accessory buildings shall not be permitted.

SECTION V. Appendix A, Section VI.(B)[III] R-1B (2)(c) Accessory Buildings is modified as follows (add underline, delete strikethrough):

- (5) Nonresidential accessory buildings shall not be permitted.

SECTION VI. Appendix A, Section VI.(B)[IV.] R-1M (4)(a.)(6) Accessory Buildings is modified as follows (add underline, delete strikethrough):

- (g) Nonresidential accessory buildings shall not be permitted.

SECTION VII. Appendix A, Section VI.(B)[IV.] R-1M/RV Park (4)(a.)~~(5)~~ Accessory Buildings is modified as follows (add underline, delete strikethrough):

~~(g) Nonresidential accessory buildings shall not be permitted.~~

SECTION VIII. Appendix A, Section VI.(B)[VII.] R-2 (1) Accessory Buildings is modified as follows (add underline, delete strikethrough):

~~(5) Nonresidential accessory buildings shall not be permitted.~~

SECTION IX. Appendix A, Section VI.(B)[VIII.] R-3 (2) (d) Accessory Buildings is modified as follows (add underline, delete strikethrough):

~~(3) Nonresidential accessory buildings shall not be permitted.~~

SECTION X. Appendix A, Section VI(C)[1] CR-1 (1)(c)Special Permit Uses and Structures is modified as follows (add underline, delete strikethrough)

~~(3) Nonresidential accessory buildings.~~

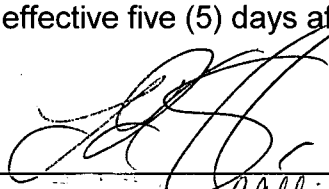
The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, TASTET, BENEDETTO,
HOGAN, COCHRAN, FLETCHER, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 2nd day of July, 2012, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: 

ACTING SECRETARY: Calli Madere

DLVD/PARISH PRESIDENT: July 5, 2012

APPROVED: ✓ DISAPPROVED:

PARISH PRESIDENT: 

RETD/SECRETARY: July 9, 2012

AT: 11:05 am RECD BY: cm