

2022-0018

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 22-2-3

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981 (as amended) Section VI. - Zoning district criteria and regulations. H. Historic preservation districts. to remove item [2.].

WHEREAS, Section VI of the Zoning Ordinance of 1981, as amended, contains an H- Historic preservation zoning district; and,

WHEREAS, the Parish has four (4) Historic Preservation Districts (Home Place Plantation, Labranche Dependency, Destrehan Plantation, St. Charles Borromeo campus); and,

WHEREAS, this H zoning district has a special provision that calls for a 1000 ft. "zone of protection"; and,

WHEREAS, regardless of the zoning district within this 1000 ft. zone of protection, no use more intense than a C-2, General Commercial-Retail Sales is allowed without a Special Use Permit; and,

WHEREAS, the Special Provision does not require the zone of protection within the H, but rather restricts the use of adjacent properties; and,

WHEREAS, the Special Provision also requires the zone of protection in favor "any property registered with a recognized historic society," something that is not recognized by zoning; and,

WHEREAS, this 1,000 ft. zone of protection is not depicted in any way on the Official Zoning Map of St. Charles Parish; and,

WHEREAS, property owners may not be able to use their property with the full set of rights and permitted uses allowed in the zoning district if they are within 1000 ft. of an H-zoning district; and,

WHEREAS, the St. Charles Parish Council wishes to maintain the integrity of zoning within the Parish by removing this restriction on properties that are within 1000 ft. of an Historic District.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix A, Section VI.H.[2.] Special Provisions is amended as follows with new text in underline and deleted text in ~~strikethrough~~:

~~[2.] Special Provisions: Zone of Protection: Any proposed use or expansion of an existing use of a C-3 or more intensive nature within one thousand (1,000) feet, as measured from property line to property line, of any historic preservation district, or any property registered with a recognized historic society must be authorized by special permit of the Planning and Zoning Commission. This provision shall not apply to residential uses or C-2 or less intensive uses within the zone of protection.~~

Reserved.

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

YEAS: FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS, DUFRENE, BELLOCK, FISHER

NAYS: NONE

ABSENT: BILLINGS, FISHER-PERRIER

And the ordinance was declared adopted this 7th day of February, 2022, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Bob Fisher
SECRETARY: Michelle Dupontato
DLVD/PARISH PRESIDENT: February 8, 2022
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: February 10, 2022
AT: 9:10am RECD BY: (Signature)