

## **SECTION 2.13      C-3 PLANNED COMMERCIAL CENTER DISTRICT**

### **2.1301 Purpose**

The purpose of the C-3 District is to provide for higher intensity commercial uses and developments which provide a mix of commercial, office, miscellaneous service activities, light industrial and multi-family residential uses. This District is located particularly at the intersection of a major arterial and another major or a minor arterial and only by special permit issued in accordance with this Section. Because this District is intended to serve a number of communities, the impact of any proposed development should be carefully studied as to its effect on traffic patterns and surrounding land use. A site large enough to accommodate internal traffic flows, parking, buffer and landscape, and a variety of uses and building types is a characteristic of this District. The C-3 District is intended to provide flexibility in meeting the needs of both the public and private sectors for large scale commercial development.

### **2.1302 Permitted Uses**

At the time application is made for a special permit for the C-3 District, a list of the proposed types of uses shall be submitted. Uses that are permitted in the District shall be determined on a case basis but in general shall include the following:

1. Any use permitted in the C-1 or C-2 Districts, provided the minimum area requirements for the C-3 District are met.
2. Hotels, Motels and Convention Centers.
3. High-rise office and residential buildings.
4. Enclosed light manufacturing, assembly service, repair, and/or warehousing provided they do not exceed 50 percent of the developed floor areas of all structures located in the District.
5. Amusement Parks, Golf Courses and similar recreation facilities.
6. College, Universities, Trade Schools and Research Centers.
7. Public Utility Facilities.
8. Shopping malls.
9. Parking lots and decks.
10. Mixed use centers, including residential uses provided they do not exceed 20 percent of the developed floor area of all structures located in the District .
11. Lounges, nightclub, bars.

### **2.1302A Prohibited Uses**

The following uses are prohibited from operating within a C-3 Planned Commercial Center District:

1. Any seasonal and/or temporary use which has not received all appropriate approvals from St. Tammany Parish through the Conditional Use Process.
2. Fireworks manufacturing, storage or sales.

### **2.1302.01 Conditional Uses (Amended ZC00-054 OCS00-0164 7/6/2000)**

Conditional Uses are prohibited unless application for the use has been processed by the Department of Planning and such use has been favorably approved by the

Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

- A. Adult Uses - Establishments consisting of, including, or having the characteristics of any of the following:

Adult Theaters, Adult Cabarets, Adult Stores, -Massage Parlors, and Escort Agencies, See Section 10 - Definitions.

## 2.1303 Procedure and Regulations

### Plan Approval:

- A. Prior to submitting a C-3 Planned Commercial rezoning petition, an informal pre-application conference with designated staff from the Parish Department of Development shall be required. The purpose of this conference shall be to discuss C-3 parameters and to bring the overall petition as nearly as possible into conformity with Parish regulations.

Following the pre-application conference, a Conceptual Plan shall be submitted with the rezoning application. This plan shall provide the following information:

1. The title of the project and the names of the project planner and developer.
2. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed PUD shall be designated. This plat shall include all existing physical features such as existing streets, buildings, water courses, easements, soil conditions, vegetative cover and topography.
3. Site information including the following criteria shall be provided:
  1. Boundaries of the property involved,
  2. Maximum number of lots,
  3. Parcels or sites to be developed or occupied by buildings,
  4. The general location and maximum amount of area to be developed for parking,
  5. The general location of areas to be devoted to open space, including those areas to be dedicated or conveyed for parks, playgrounds or school sites,
  6. Public building(s) and other common use areas,
  7. The approximate location of ingress, egress and access streets,
  8. The approximate location of pedestrian and vehicular ways,
  9. The extent of landscaping and planting
  10. Total gross floor area.
4. Tabulation of the maximum square footage of each use.
5. The proposed maximum height of any building or structure.
6. Maximum total land area, Minimum public open space, streets, off-street parking and loading areas.

Breakdown by percent of total land area devoted to each use such as:

1. commercial uses
2. industrial uses
3. open-space
4. access parking and loading areas
5. drainage easements
7. If the Planned Commercial Development is proposed to be constructed in phases, indicate proposed development scheduling in detail including:
  1. The approximate date when construction of each phase of the project can be expected to begin; and
  2. The order in which the phases of the project will be built.
  3. A statement of the types of business and uses proposed, the general market area proposed to be served, and such information as may be available concerning anticipated lessees and tenants.
8. Circulation element indicating the proposed principal movement of vehicles, goods and pedestrians.
9. The Zoning Commission or the Police Jury may require additional material such as plans, maps, aerial photographs, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.

B. The Zoning Commission shall forward a recommendation to approve or deny the C-3 Planned Commercial District to the St. Tammany Parish Police Jury after the required public hearing. The Zoning Commission reserves the right to add stipulations and conditions to its approval and shall determine if the applicant has met all or part of the required parameters including:

1. The tract for the proposed zoning is suitable in terms of its relationships to the Parish Comprehensive Plan and that the areas surrounding the proposed zoning can continue to be developed in coordination and substantial compatibility with the proposed C-3 Planned Commercial District.
2. That the desirable modifications of general zoning regulations as applied to the particular case, justify such modifications of regulations and at least an equivalent degree the regulations modified, based on the design and amenities incorporated in the site development plan.
3. That increased open space over conventional development is provided for the occupants of the proposed zoning and the general public, and desirable natural features indigenous to the site and considered in the development plan presented.

C. Binding Nature of approval for the C-3 Planned Commercial District

All terms, conditions, safeguards, and stipulations made at the time of approval for the zoning shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of these zoning regulations.

1. Tentative-Preliminary-Final Development Plans  
Plans for development of land approved for zoning shall be processed in accordance with the procedures established by the St. Tammany Parish Subdivision Regulations (Ordinance No. 499) - if required.
2. Final Development Plan  
After approval of the Conceptual Development Plan by the Police Jury the applicant shall submit a Final Plan to the Department of Development indicating all terms, conditions, safeguards and stipulations required by the Zoning Commission and the Police Jury.

2.1304 Appeals

Any applicant or owner of property may appeal to the Police Jury from any recommendation of the Zoning Commission or from any conditions the Commission imposes or fails to impose in its recommendations, by filing a written notice of appeal with the Department of Development within fifteen (15) days after the date of the close of the public hearing on the requested zoning. If the applicant files a notice of appeal; a conceptual site plan incorporating any and all conditions that are not being appealed shall be filed with the Department of Development within thirty (30) days after the date of the close of the public hearing on the requested planned development or the application shall be deemed withdrawn. Upon receipt of the revised plan, the appeal shall be placed on the next Police Jury regarding the appeal shall be incorporated into the ordinance enacting this planned district.

2.1305 Amendment to the Planned Commercial District

Amendments to the C-3 Planned Commercial District shall be classified as either major or minor in character.

- A. Major amendments to the zoning shall require the developer to submit revised plans to the Department of Development. Upon review of the proposed amendments to the zoning by the staff, a public hearing shall be established for the review of the changes by the Zoning Commission. The Zoning Commission shall have the authority to review and approve all major changes to the C-3 Planned Commercial District.

Public advertisement shall be required at least fifteen (15) days prior to the meeting date and shall run in the official journal of the Parish at least twice during that time period.

Furthermore, the developer shall pay additional fees for procurement of his proposed zoning changes. The additional fees shall be established by the Department of Development upon initial review of the proposed amendments.

Major changes to the zoning plan include:

1. The use of the land,
2. The use, bulk and location of significant buildings and structures,
3. The quantity, quality and location of open spaces; and

- 4. Intensity of use and or the change or density.
- B. Minor amendments to the zoning shall be construed as all other changes not considered major amendments. Minor amendments change shall be submitted for review by the Department of Development and may be put into effect only after a letter of no objection is filed and submitted from the Department of Development to the Chairman of the Zoning Commission.

2.1306 Site and Structure Regulations

- A. Minimum Lot Area  
The minimum area for each C-3 District zoning district shall be not less than five (5) acres. The minimum allowable width for each District site shall be two hundred and fifty (250) feet, which must front a major arterial or service road of a controlled access freeway. In addition, each site must also have a frontage width of not less than two hundred and fifty (250) feet on a minor arterial.
- B. Front, Side, and Rear Yards
  - 1. No building or structure shall be within fifty (50) feet of the right-of-way of any arterial highway and no roadway or parking area shall be erected or maintained within twenty-five (25) feet of the outside edge of the nearest paved traffic land of any arterial highway.
  - 2. No building shall be erected within fifty (50) feet of any residential boundary line and a buffer strip not less than twenty-five (25) feet wide shall be provided along any residential boundary line abutting and boundary line of a C-3 District. Such buffer strip shall be sodded, planted and shrubbed in such a manner as to form a green area.
  - 3. All setbacks apply to structures of forty-five (45) feet in height or less and set back requirements shall increase one (1) foot for each two (2) feet in building height over forty-five (45) feet.
- C. Maximum Lot Coverage  
Not less than twenty-five (25) percent of the gross area of the District shall be common open space. Each zoning lot in the District must have not less than thirty (30) percent of the footprints of all buildings on the lot devoted to private open space, except that the amount of private open space may be reduced below the required thirty (30) percent if the equivalent amount of reduced private open area is provided as common open area contiguous to the same lot.
- D. Off-Street Requirements  
Off-street parking and loading zones shall be provided as put forth in Section 4 except that there shall be at a minimum five (5) spaces for every one-thousand (1,000) square feet of gross floor area for the entire zoning district.

2.1306 District Standards

- A. Design

A Planned Commercial Center shall be laid out and developed as a unit in accordance with an integrated overall design. The location, arrangement, size and number of buildings, parking areas, walks, lighting, signs and appurtenant facilities shall be adjusted to the surrounding land uses, and any part of a planned business center not used for buildings, other structures, parking and loading areas, or access ways shall be landscaped with grass, trees, shrubs, or pedestrian walks.

B. Environmental Quality

Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.

C. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

D. Fire Marshall Approval

A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

E. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.

- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.