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ORDINANCE NO. 25-11

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING ARTICLE 9, SECTION 9.2.5.2 VEGETATION PROTECTION ZONES, AND AMENDING SECTION 9.2.5.3. VEGETATION PROTECTION ZONE BARRIERS, AND AMENDING SECTION 9.2.5.4 LANDSCAPE REQUIREMENTS IN LOW-DENSITY RESIDENTIAL DISTRICTS, AND AMENDING SECTION 9.2.5.5 LANDSCAPE REQUIREMENTS IN DISTRICTS OTHER THAN LOW-DENSITY, AND SECTION 9.2.5.7, LIVE OAK PROTECTION REQUIREMENTS, AND AMENDING SECTION 9.2.5.16 VIOLATIONS, AND AMENDING ARTICLE 10, SECTION 10.8.1.1 LANDSCAPING REQUIREMENTS FOR FREESTANDING SIGNS, AND AMENDING ARTICLE 12, SECTION 12.5.2 INFORMATION REQUIRED ON THE SITE FEATURES MAP, AND AMENDING SECTION 12.5.4.4. OTHER CONSTRUCTION PLANS CONTENT OF THE COMPREHENSIVE LAND USE REGULATIONS ORDINANCE, AND AMENDING DIVISION 19 OF APPENDIX C OF THE CODE OF ORDINANCES OF THE CITY OF MANDEVILLE, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Mandeville's Comprehensive Land Use Regulations Ordinance (CLURO) was adopted on June 25, 2015, rev. through June 8, 2023, to affect the vision of the Comprehensive Land Use Plan adopted by the City's Planning Commission and supported by resolution of the Council in 2007; and

WHEREAS, Mandeville's distinct character and environmental resilience are intertwined with its native tree species, particularly the Bald Cypress (*Taxodium distichum*) and the Southern Magnolia (*Magnolia grandiflora*). These species provide ecological, environmental, cultural, and aesthetic benefits that are irreplaceable once lost, forming a critical part of our community's natural infrastructure; and

WHEREAS, the Bald Cypress (*Taxodium distichum*), Louisiana's state tree, and the Southern Magnolia, a symbol whose iconic white flower serves as Louisiana's state flower, are vital to Mandeville's ecosystem. Cypress trees provide unique aquatic and nesting habitats, while Magnolias attract and offer crucial cover for wildlife, thereby maintaining local ecosystem health and biodiversity; and

WHEREAS, the City Council, recognizing these significant and irreplaceable contributions, desires to protect the Bald Cypress and the Southern Magnolia for the enduring benefit of Mandeville and its future generations; and

WHEREAS, the City Council recognizes that current penalties for violations of Division 19 of Appendix C, Section 9.2.5.16 of the Code of Ordinances do not adequately deter illegal activity or justly compensate the community for such irreplaceable losses, thereby necessitating revised fines to ensure effective deterrence and proper valuation of these essential natural assets for the enduring benefit of Mandeville, and desires to amend said Code accordingly; and

WHEREAS, current tree protection barriers have proven insufficient in safeguarding Mandeville's protected trees during construction; therefore, more rigid barrier structures are essential to enhance tree preservation and the long-term health of the urban canopy.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 9.2.5.2 Vegetation Protection Zones be amended as follows:

9.2.5.2. Vegetation Protection Zones

1. An area extending at least fifteen (15) feet in all directions from the trunk of any tree required or proposed to be preserved to meet the requirements of this or encompassing a minimum of two-thirds (2/3) of the entire canopy area of the tree, whichever is greater, shall be required to be maintained undisturbed under the provisions of this Article. This area is defined as the Vegetation Protection Zone.
2. Exception: The Vegetation Protection Zone for Live Oaks will be a circle with a radius which is eighty-two (82) percent of the canopy of the tree, measured from the trunk to the drip line. A barrier shall be erected and maintained around this area at all times during construction. No soil deposits, construction materials, equipment, or other materials shall be temporarily or permanently stored in locations within or immediately adjacent to the Vegetation Protection Zone which would cause suffocation of root systems of trees required or proposed to be preserved. No paving with concrete, asphalt, or other impervious material shall be allowed within the Vegetation Protection Zone. No structure shall be placed or constructed at any time within the Vegetation Protection Zone.
3. FEMA elevation exception. Any structure required to be elevated pursuant to application, participation, grant receipt or other involvement in any FEMA elevation program shall be permitted to construct or perform operations within the Vegetation Protection Zone after administrative review and written approval. Structures that are subject to this exception shall not be required to submit for any Vegetation Protection Zone variance and may be permitted for work after review and administrative approval. No work on any structure that asserts an entitlement to elevation within the Vegetation Protection Zone shall commence without written approval of the administration.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 9.2.5.3 Vegetation Protection Zone Barriers be amended as follows:

9.2.5.3. Vegetation Protection Zone Barriers

1. The Vegetation Protection Zone barrier shall be continuous and at least four (4) feet above the ground. The material used to construct the barrier shall be rigid and semi-permanent (such as wire fencing) and must be specified on the landscape plan.
2. This section requires the erection and maintenance of a four-foot-high, 12-gauge metal fencing around the Vegetation Protection Zone of a Protected Tree. This protective fencing shall remain intact and undisturbed throughout the duration of the activity. No equipment,

materials, or debris shall be stored or placed within this protected area.

3. The required tree barriers shall be properly installed and verification of such installation shall be made by the landscape inspector prior to the issuance of a development or clearing permit.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 9.2.5.4 Landscape Requirements in Low-Density Residential Districts be amended as follows:

9.2.5.4. Landscape Requirements in Low-Density Residential Districts

In the R-1, R-1X and R-2 districts, a minimum of 50 percent of all existing trees larger than three (3) inches dbh in the required yard setback areas shall be required to be preserved. The Landscape Inspector shall verify the preservation of all required trees before a Certificate of Occupancy will be issued for the structure. Trees required to be preserved shall be shown on the residential site plan approved in conjunction with the development permit. In addition, the provisions of the Key Native Tree Species Protection Requirements section 9.2.5.7 shall also apply in R-1, R-1X and R-2.

...

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 9.2.5.5 Landscape Requirements in Districts Other than Low-Density Residential be amended as follows:

9.2.5.5. Landscape Requirements in Districts Other than Low-Density Residential

The requirements of this Article shall apply to all zoning districts other than R-1, R-1X and R-2 residential districts, with the exception of the Key Native Tree Species Protection Requirements of section 9.2.5.7, which apply in all zoning districts. ...

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that Section 9.2.5.7 Live Oak Protection Requirements be renamed to Key Native Tree Species Protection Requirements, and shall be amended to read as follows:

Section 9.2.5.7 Key Native Tree Species Protection Requirements

The following tree protection requirements shall be in place:

1. Definition of Protected Tree:

- a. Protected Live Oak: shall include any Live Oak with a diameter at breast height (dbh) of Six (6) inches or more;
- b. Protected Bald Cypress: shall include any Bald Cypress with a diameter at breast height (dbh) of Six (6) inches or more; and
- c. Protected Southern Magnolia: shall include any Southern Magnolia with a diameter at breast height (dbh) of six (6) inches or more.

2. Live Oak Protection Requirements

- a. A tree removal permit shall be obtained from the Landscape Inspector prior to cutting, clearing or removing any Live Oak tree six (6) inches dbh or greater. Unpermitted removal of a qualifying Live Oak tree shall subject the property owner, the responsible contractor, or both, to the violation provisions of Section 9.2.5.16.
- b. The applicant wishing to remove a Live Oak tree must state in writing that such activity will enhance the health, safety and welfare of the public, or otherwise benefit the public interest and the applicant must offer evidence to that effect. The Landscape Inspector is empowered to issue or deny the permit based on the application and the evidence. Prior to the issuance of a tree removal permit the applicant must submit a plan or written statement offering evidence of compliance with the tree replacement provisions of this Article.
- c. Upon submission of a tree removal permit, administrative removal shall only be permitted if both a Louisiana-licensed arborist and the Landscape Inspector jointly determine, in writing, that the tree is dead, terminally diseased, or poses an imminent hazard to public safety or property that cannot be mitigated by other less impactful means. Additionally, administrative approval shall be permitted where site-specific conditions require a tree to be within the proposed building footprint, without alternative building placement, making its preservation unfeasible.
- d. During any construction, development, or land-disturbing activity, all Live Oak trees shall be safeguarded pursuant to the Vegetation Protection Zone Barrier requirements of Section 9.2.5.3.
- e. It shall be unlawful for any person to place soil in such a way that would cause Live Oaks to become diseased or die. If filling with soil is necessary to properly drain the land, all efforts should be made to protect the area within the drip line of a Live Oak from the impact of such activity. Should all efforts fail and a tree removal permit be issued for the removal of the Live Oak the provisions of these regulations regarding replacement of trees shall be required to be met.
- f. If a Live Oak tree is removed or dies due to activities on the property, the property owner shall replace it with one (1) tree per 6 inches dbh of the same species for each Live Oak removed or lost. Replacement trees shall be of a minimum size as established by the Landscape Inspector and planted in a location approved by the City.
- g. A tree removal permit will be required to prune the primary and secondary branches of any Live Oak tree 12" dbh or greater. Such pruning shall be required to be performed by a state licensed arborist or a state forester.
- h. These regulations shall apply in all zoning districts.

3. Bald Cypress and Southern Magnolia Tree Protection Requirements

- a. A tree removal permit shall be obtained from the Landscape Inspector prior to cutting, clearing or removing any Bald Cypress or Southern Magnolia tree six (6)

inches dbh or greater. Unpermitted removal of a qualifying Bald Cypress or Southern Magnolia tree shall subject the property owner, the responsible contractor, or both, to the violation provisions of Section 9.2.5.16.

- b. Upon submission of a tree removal permit, administrative removal shall only be permitted if the Landscape Inspector determines that the tree is dead, terminally diseased, or poses an imminent hazard to public safety or property that cannot be mitigated by other less impactful means. Additionally, administrative approval shall be permitted where site-specific conditions require a tree to be within the proposed building footprint, without alternative building placement, making its preservation unfeasible.
- c. During any construction, development, or land-disturbing activity, all Protected Bald Cypress and Southern Magnolia trees shall be safeguarded pursuant to the Vegetation Protection Zone Barrier requirements of Section 9.2.5.3.
- d. It shall be unlawful for any person to engage in any activity that may damage a Bald Cypress or Southern Magnolia tree, including but not limited to root disturbance, soil compaction, significant grade changes within the drip line, or the attachment of signs, wires, or other objects that may compromise the tree's health or structural integrity.
- e. If a Protected Bald Cypress or Southern Magnolia tree is removed, or dies due to activities on the property, the property owner shall replace it with one (1) tree per 6 inches dbh of the same species removed or lost. Replacement trees shall be of a minimum size as established by the Landscape Inspector and planted in a location approved by the City.
- f. These regulations shall apply in all zoning districts.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 9.2.5.16 Violations be amended as follows:

9.2.5.16. Violations

Each required tree, shrub (non-living screen,) or other plant matter cut, cleared, removed, caused to become diseased or die, or otherwise acted upon in violation of the provision of this article, including but not limited to Section 9.2.5.7, shall constitute a separate offense (subject to the provisions of section 1.9 of this [Code]. Where applicable, each separate day on which a violation occurs or continues shall be considered a separate violation of this article.)

1. Building Permit Denied: Should any tree(s), shrub(s), nonliving screen(s) or other plant matter be cut, cleared, removed, caused to become diseased or die, or otherwise acted upon in violation of this section prior to the issuance of a building permit, no such permit shall be issued until all fines resulting from the violation are paid.
2. Building Permit Suspended: Should any tree(s), shrub(s), nonliving screen(s) or other plant matter be cut, cleared, removed, caused to become diseased or die, or otherwise acted upon in violation of this section after the issuance of a building permit, the permit shall automatically be suspended until all fines resulting from the violation are paid.

3. Acceptance of Improvements: No acceptance of public improvements shall be authorized until all fines for violations of this section have been paid to the City or otherwise disposed of through the Mayor's Court. No acceptance of public improvements shall be authorized until all replacement trees have been planted or appropriate payments have been made to the Landscape Mitigation Fund.
4. Certificate of Occupancy: No Certificate of Occupancy shall be issued until all fines for violations of this section have been paid to the City or otherwise disposed of through the Mayor's Court. No Certificate of Occupancy shall be issued until all replacement trees have been planted or appropriate payments have been made to the Landscape Mitigation Fund.
5. Failure to maintain the required vegetation protection zone barrier during the construction process shall constitute a violation, shall automatically suspend the development permit for which the tree barrier was required to be erected and shall be subject to the maximum penalty of Section 1.9 of this [Code].
6. Replacement Penalties: For each tree which is removed without a tree removal permit by the property owner, or the property owner's contractor, agent, employee or any individual or entity authorized to be on the property owner's property, the property owner shall plant new replacement trees in accordance with the following:
 - a. Calculation of Replacement Trees: The total of the diameters of the replacement trees shall, at a minimum, equal the total of the diameters of the trees cut inch for inch. The diameter shall be measured on the trunk of a tree four (4) feet from ground level.
 - b. Minimum Size of Replacement Trees: All replacement trees shall have a minimum trunk size of two inches (2") in dbh and ten (10) feet tall when planted. At the discretion of the Landscape Inspector, larger trees may be required.
 - c. In the event the property owner is unable to plant the required number of replacement trees on the affected parcel, the owner has the option of one of the following;
 - (1) The owner may plant the remaining number of required replacement trees, which will not be planted on the affected parcel at a site to be approved by the City.
 - (2) The owner may contribute to the Landscape Mitigation Fund an amount equal to the cost associated with purchasing and planting the remaining replacement trees as outlined in (a) above.
 - d. Following the notice of violation being issued, the City will prepare a Compliance Agreement for the owner of the affected parcel setting forth the terms of replacement penalties as set forth herein. If the owner fails to enter into the Compliance Agreement within twenty (20) days of the notice of violation, the City will take appropriate legal action, including a citation to Mayor's court and an injunction in the 22nd Judicial District Court.
 - e. A property owner who fails to enter into a compliance agreement shall have thirty (30) days from the notice of violation to initiate the required replanting. Each day on which

the replanting does not commence will be a separate violation subject to its own enforcement action.

- f. Fines: In addition to providing or paying for trees, violators of this section will be fined up to the amount set forth in Division 19 of Appendix C of the City of Mandeville Code of Ordinances for violation of any unpermitted removal or pruning and also failure to adhere to the replacement obligations following unpermitted removal.
- g. Enforcement: The Planning Department and the City Attorney shall administer the provisions of this section.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 10.8.1.1 Landscaping Requirements for Free Standing Signs be amended as follows:

10.8.1.1 Landscaping Requirements for Free Standing Signs

...

- 4. Key Native Tree Species Protected. No permit shall be granted on any application or for any activity which would call for the cutting or removal of any key native tree species or which might damage or injure any key native tree species.

...

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 12.5.2 Information Required on the Site Features Map be amended as follows:

12.5.2 Information Required on the Site Features Map

...

- 8. The "general" location of each live oak six (6) inches dbh or greater, each Bald Cypress or Southern Magnolia six (6) inches dbh or greater, existing densely wooded areas plus any isolated hardwood trees outside of densely wooded areas which measures ten (10) inches dbh and/or pines measuring thirty (30) inches dbh or greater.

...

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 12.5.4.4. Other Construction Plans Content be amended as follows:

12.5.4.4. Other Construction Plans Content

...

- 1. Street rights-of-way plans and profiles showing the proposed locations and typical cross sections of:

...

- c. The location of proposed street trees or existing street trees proposed to be preserved, including existing live oak trees six (6) inches dbh, existing Bald Cypress or Southern Magnolia six (6) inches dbh, and other trees twenty-four (24) inches or greater in diameter or greater measured four (4) feet above the ground (dbh).

...

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that Division 19 of Appendix C, Section 9.2.5.16 of the code of Ordinances for the City of Mandeville be amended to read as follows:

Prohibited Act	Penalty
Removal of an unprotected tree without or in violation of a permit.	\$500.00 per tree on any zoned property
Removal of protected tree without or in violation of a permit.	\$500.00 per tree
Failure to enter into Compliance Agreement	\$500.00 per tree required unless replanted within the permitted timeframe
Failure to replant following rejection of Compliance Agreement	\$500.00 per tree, with each day constituting a separate violation

NOW, THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and is hereby and is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

And the ordinance was declared adopted this ____ day of _____, 2025.

Alicia Watts
Clerk of Council

Jason Zuckerman
Council Chairman

Current Regulations

9.2.5.2. *Vegetation Protection Zones*

An area extending at least fifteen (15) feet in all directions from the trunk of any tree required or proposed to be preserved to meet the requirements of this or encompassing a minimum of two-thirds (2/3) of the entire canopy area of the tree, whichever is greater, shall be required to be maintained undisturbed under the provisions of this Article. This area is defined as the **Vegetation Protection Zone**. Exception: The Vegetation Protection Zone for live oaks will be a circle with a radius which is eighty-two (82) percent of the canopy of the tree, measured from the trunk to the drip line. A barrier shall be erected and maintained around this area at all times during construction. No soil deposits, construction materials, equipment, or other materials shall be temporarily or permanently stored in locations within or immediately adjacent to the Vegetation Protection

Zone which would cause suffocation of root systems of trees required or proposed to be preserved. No paving with concrete, asphalt, or other impervious material shall be allowed within the Vegetation Protection Zone. No structure shall be placed or constructed at any time within the Vegetation Protection Zone.

9.2.5.3. *Vegetation Protection Zone Barriers*

1. The Vegetation Protection Zone barrier shall be continuous and at least two (2) feet above the ground. The material used to construct the barrier can be either rigid and semi-permanent (such as lumber) or orange "safety mesh" and must be specified on the landscape plan.
2. The required tree barriers shall be properly installed and verification of such installation shall be made by the landscape inspector prior to the issuance of a development or clearing permit.

9.2.5.4. *Landscape Requirements in Low-Density Residential Districts*

In the R-1, R-1X and R-2 districts, a minimum of 50 percent of all existing trees larger than three (3) inches dbh in the required yard setback areas shall be required to be preserved. The landscape inspector shall verify the preservation of all required trees before a Certificate of Occupancy will be issued for the structure. Trees required to be preserved shall be shown on the residential site plan approved in conjunction with the development permit. In addition, the provisions of the Live Oak Protection section 9.2.5.7 shall also apply in R-1, R-1X and R-2.

In addition to preserving a minimum of 50 percent of all existing trees larger than three (3) inches dbh, all lots shall have a minimum number of trees based on lot size that are either preserved or planted. Trees shall be evenly dispersed in each setback based on the following:

<u>Lot Size</u>	<u>Number of Required Trees</u>	<u>Trees Per Setback</u>
<u>43,560 sf (one acre)</u>	<u>24</u>	<u>6</u>
<u>43,559-21,780 sf</u>	<u>16</u>	<u>4</u>
<u>21,779-10,801 sf</u>	<u>12</u>	<u>3</u>
<u>10,800 sf</u>	<u>8</u>	<u>2</u>
<u>>10,800 sf</u>	<u>6*</u>	<u>2 in front and rear and 1 on sides</u>

*On lots less than 10,800 sf the landscape inspector shall be authorized to reduce the number of required trees if site conditions do not allow for the required number of trees.

Underbrushing Permit Requirements

1. **General.** Unless otherwise provided in this section, no person, corporation, association, public agency, or agent or employee thereof, shall effectively destroy or remove vegetation from any property within the City of Mandeville without first obtaining an underbrushing, clearing, or tree and shrub removal permit from the building official. Underbrushing means the removal of underbrush or vegetation from a lot, tract or parcel of land, that does not involve the removal or cutting of any tree or trees two inches in diameter or greater. Underbrushing shall not allow the use of a bulldozer. Underbrushing equipment is limited to mowing equipment and/or bush hogging equipment attached to a tracked tractor or bobcat. Underbrushing shall include the removal of fallen trees and limbs, lying on the ground.
2. **Objectives of underbrushing permit.** The objectives of the requirement for the issuance of an underbrushing permit for the monitoring of land underbrushing.
 - a. To limit the removal of valuable existing vegetation in advance of the planning and approval of

- land development plans,
 - b. To limit the destruction of roots by limiting the equipment that can be used to perform under brushing.
3. **Requirements of issuance of underbrushing permit.** Prior to the cutting, clearing, or removal of any tree or shrub two (2) inches d.b.h or less on any lot(s) or parcel(s) of land on which there is no existing building, or which has an existing building and additional undeveloped portions of the lot not required to be preserved as landscaped area, a clearing permit for such activity shall be obtained from the building inspector. The submittal requirements are:
- a. An application for clearing permit must be submitted and approved.
 - b. Required Documents: All documents as required in the permit application.
4. **Permit expiration.** An underbrushing permit shall be valid for a period of 180 days from issuance.

9.2.5.5. *Landscape Requirements in Districts Other than Low-Density Residential*

The requirements of this Article shall apply to all zoning districts other than R-1, R-1X and R-2 residential districts, with the exception of the Live Oak Protection requirements in section 9.2.5.7, which apply in all zoning districts. In all zoning districts other than R-1, R-1X and R-2, development sites shall be required to meet the minimum requirements as specified by this Article for Landscaping within the periphery landscape areas, interior planting areas and buffer areas. All required plant materials shall be installed or preserved in accordance with this Article and the landscape inspector shall inspect the required landscaping to verify adherence to code and the landscape plan approved in conjunction with the permit prior to the issuance of a Certificate of Occupancy.

1. Periphery Landscape (Greenbelt) Requirements

- a. **Required Area of Greenbelt** - In all zoning districts other than the R-1, R-1X and R-2 districts, a periphery landscape area, also known as the greenbelt area, shall be required to be located adjacent to the property line of the right-of-way of any public street, road, lane, or other public accessway (excluding an alley) upon which the site fronts. In calculating the required greenbelt area the area of any utility servitude, either existing or proposed as part of the development permit, shall not be included as a part of the greenbelt. The required area of the greenbelt shall be calculated as an area fifteen (15) feet in depth measured at right angles from the property line edge of the street right-of-way or from the interior edge of any utility servitude which is adjacent to and parallel with the street right-of-way less the maximum allowable accessways through the greenbelt. Except in accessways and as prohibited by the utility provider's use of the utility servitude, the servitude shall also be landscaped minimally with a vegetative or decorative ground cover. On corner or through lots 347 with more than one street frontage, the greenbelt shall be required adjacent to each street frontage. The periphery area shall contain trees and vegetative or decorative ground covering material, as specified herein.
- b. **Flexibility of Greenbelt Depth** - The required depth of the greenbelt may be articulated to provide for a depth of greater than or less than the minimum fifteen (15) foot depth so long as the required area of greenbelt on that street frontage is maintained. The depth may be reduced for a portion of the length of the greenbelt to a minimum of ten (10) feet provided that a depth greater than fifteen (15) feet is added to other areas of the greenbelt to maintain the overall required greenbelt area. In addition, the depth of the greenbelt may be reduced to five (5) feet for up to a maximum of twenty (20) percent of the length of the greenbelt so long as the overall required area of the greenbelt on that street frontage is maintained.

- c. Reduction in Greenbelt Area - When a utility servitude which occurs between the street right-of-way and the required greenbelt exceeds ten (10) feet in depth measured from the street right-of-way, the required depth of the adjacent greenbelt may be reduced by one (1) foot for every additional five (5) feet of servitude in excess of ten (10) feet.
 - d. Access Through Greenbelts - For street frontage up to one hundred fifty (150) linear feet, no more than two (2) one-way accessways a maximum of 17.5 feet in width or one (1) two-way accessway a maximum of 35 feet in width shall be permitted through the greenbelt. For more than one hundred fifty (150) feet of street frontage, one (1) additional two-way accessway or two (2) additional one-way accessways of the maximum width specified may be permitted for each additional one hundred fifty (150) feet of frontage or major fraction (seventy-six [76] feet or greater) thereof.
 - e. Preservation of Trees in Greenbelts - Except in accessways as described above, all trees and shrubs shall be preserved or replaced if diseased or dead. In addition, if the number of trees six (6) inches or more dbh which are in the front periphery do not equal the required number of Class A and Class B trees (one (1) per twenty-five (25) linear feet), then Class A and Class B trees must be planted to the extent necessary to comply with the requirements of this Article. In addition to the above, the following requirements will apply:
 - (1) Dead trees and shrubs may be removed and shall be replaced from the list of native plants that has been approved by the Zoning Commission and is available from the City of Mandeville Department of Planning and Development.
 - (2) Invasive species may be removed subject to the approval from the Landscape Inspector.
 - f. Planting in Greenbelts - Each required greenbelt shall contain a minimum of one (1) Class A tree (see definitions) and one (1) understory Class B tree for every twenty-five (25) linear feet of lot frontage or fraction thereof. In addition a ground covering material shall be established in the required greenbelt area. Vegetative ground covering material may include turf or other material that forms a consistent vegetative cover. Ground covering material may include pine straw or other mulches, including those of mineral composition.
 - g. Applicability of Greenbelt Requirements - The periphery landscape requirements shall apply as a condition for the issuance of all new construction building permits in all zoning districts except the R-1, R-1X, and R-2 low density residential districts. These provisions also apply for existing structures or uses when there is a change in use classification which requires an increase in the number of off-street parking spaces from the number of such spaces required in connection with the preceding use of the development site, or when a new building permit is required for new or additional construction on the development site.
2. **Screening of Vehicular Use Areas** - When a vehicular use area is visible from a public street right-of-way, the vehicular use area shall be screened from view from the adjacent street with an opaque vegetative screen as part of the interior planting requirements. The screen shall be of living material that is opaque from ground height to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet. This screen shall be planted in a prepared planting area no less than twenty-four inches wide immediately adjacent to the vehicular use area or may be located within the required greenbelt area. This requirement applies to all street frontages of lots if the vehicular use area is visible from the adjacent street.
3. **Site Interior Planting Regulations.** Site interior planting is required in order to provide for groundwater recharge, to mitigate the effects of storm water runoff over impervious surfaces in on-site vehicular use areas, to provide shade and reduce heat and glare reflected from paved areas, to purify the air in intensely developed areas, and to screen visibility of vehicular use areas from adjacent street corridors.

- a. Site interior landscaped area shall be provided in the interior of vehicular use areas larger than eight (8) parking spaces or 3,000 square feet. The total of all interior landscaped areas shall occupy a minimum of eight (8) percent of the vehicular use areas, including associated service drives and loading areas. For each two (2) percent of parking spaces provided in excess of the minimum off-street parking spaces required by use in accordance with section 9.1.4, the site interior landscape area shall be increased by one (1) percent.
- b. Although smaller areas may be provided, interior planting areas shall be a minimum of 100 square feet in size with a minimum side dimension of five (5) feet to count towards the eight (8) percent total. The minimum planting area for an interior tree is twenty-five (25) square feet per tree.
- c. The interior landscaped areas shall be raised and curbed with permanently anchored material at least six (6) inches in height. Curb material may be concrete, natural stone, asphalt, railroad ties or landscape timbers.
- d. A required site interior landscaped area may be connected with a required greenbelt or buffer area so long as the area of the interior planting area is in addition to the area of the required greenbelt or buffer.
- e. All interior landscaped areas must be planted with a vegetative ground covering material.
- f. Interior landscaped areas must be planted with trees according to the following ratios:
 - (1) A minimum of one tree per 2,000 square feet (approximately 5.5 parking spaces) of vehicular use area shall be required to be preserved or planted within a site interior landscaped area provided the distance and shading requirements specified below are complied with by the selection of tree species.
 - (2) The required trees shall be evenly distributed throughout the vehicular use area to maximize infiltration of stormwater and the beneficial effects of the shade provided. No parking space shall be located more than forty (40) feet from any tree within the periphery greenbelt or the interior landscape areas.
 - (3) A minimum of 50 percent of the trees provided within the interior planting areas shall be "Class A" trees.
 - (4) A minimum of thirty (30) percent of the vehicular use area must be shaded by tree canopies of trees located within the required interior landscape areas.
- g. Major Shopping Centers and buildings with more than 100,000 square feet of gross floor area shall provide the following landscaping:
 - (1) A minimum of twelve (12) percent of the area within the boundaries of the parking lot shall be landscaped.
 - (2) A landscape strip, located between the vehicular use area and the building, measuring a minimum depth of six (6) feet and extending along the entire length of the facade of the buildings shall be required. Pedestrian access points are allowed utilizing no more than twenty (20) percent of the total required landscape area.
- h. For buildings of 100,000 square feet or less of gross floor area, a landscape strip, located between the vehicular use area and the building, measuring a minimum depth of five (5) feet and extending along the entire length of the facade of the buildings shall be required. Pedestrian access points are allowed utilizing no more than twenty (20) percent of the total required landscape area.

4. Buffer Zone Requirements

a. Requirements Within Required Buffer Zones

- (1) The buffer zone shall contain one (1) Class A tree for each twenty-five (25) linear feet and one (1) Class B tree for each ten (10) linear feet of buffer zone.
- (2) The buffer zone shall contain a minimum six (6) foot high visual screen (see section 9.2.3.17) of living and/or non-living landscape material. If only living material is used, plantings shall be of a form, size, and type which will provide a seventy (70%) percent or more opaque screen within no longer than twelve (12) months of the date planted. Plantings shall be a minimum of four (4) feet in height from the ground immediately after planting.
- (3) If a six (6) foot high non-living opaque screen is used it shall be placed a minimum of two (2) feet from the property line and a minimum of one (1) shrub or vine for each ten (10) linear feet of screen shall be planted abutting the non-living screen on the side adjacent to the more restrictive zoning district. These need not be evenly spaced at ten (10) feet apart but may be grouped. They shall be planted along the outside of the non-living barrier unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier. The remainder of the buffer zone shall be landscaped with turf and vegetative or decorative ground covering materials.
- (4) No vehicular parking, utility servitude or structure of any kind shall be allowed in the required buffer zone.
- (5) The buffer zone shall consist of an area not less than the required depth measured at right angles to the property line(s) along the entire length of and contiguous to the property line adjacent to the more restrictive zoning district.
- (6) The required depth of a buffer zone on a development site 200 feet in depth or greater, measured at right angles from the property line along which the buffer is required to be located, shall be expanded by an additional one (1) foot for each additional twenty (20) feet of site depth up to a maximum additional buffer of ten (10) feet.
- (7) The landscape buffer zone shall be required to be provided in conjunction with the issuance of a building permit for new construction on a development site or when a change in use classification from the preceding use of the site renders the development site subject to the provisions of the buffer zone requirements of this section.
- (8) Preservation of Trees and Vegetation in Buffers - Except in accessways as described above, all vegetation which is in the area of a required buffer shall be preserved. All trees shall be preserved or replaced if diseased or dead. In addition, if the number of trees three (3) inches or more DBH that are in the required buffer do not equal the required number of Class A trees (one (1) per twenty-five (25) linear feet), and Class B trees (one (1) for every (10) linear feet), then Class A and Class B trees must be planted to the extent necessary to comply with the requirements of this Article.

- b. **When Buffer Zones are Required.** Buffer zones shall be required between different uses and/or districts in accordance with Table 9.2.5.5.3(2). The table indicates the minimum width of required buffer zones between proposed development and existing development. The minimum width listed in the table indicates the total required buffer between the properties. Provision of the buffer is the sole responsibility of the applicant for the proposed development. A buffer is required on the site of the proposed development except when a written agreement, approved in form by the City Attorney, is provided that:

- (1) Establishes and/or maintains a buffer meeting the minimum requirements on the abutting property, or
- (2) Establishes a total buffer between the two properties that meets the minimum requirements

Table 9.2.5.5.3(2)

Adjacent Land Use ¹ or Zoning when property is undeveloped	Proposed Development				
	Detached Single-family and Duplexes (6.2.1-6.2.4)	Other Residential (6.2.5-6.2.10)	Civic (6.3) and Office (6.3.1)	Commercial (6.4) except Office (6.3.1) and Major Shopping Center (6.4.67.3)	(6.5) Industrial and Major Shopping Center (6.4.67.3)
Detached Single Family & Duplexes (6.2.5-6.2.10) R-1, R-1X, R-2	Not required	15'	20'	20'	25'
Other Residential; R-3, MH, B-3, O-R., PM-1, PM-2, PD	15'	Not required	20'	20'	25'
Civic Uses (6.3), Office (6.3.1); All Districts	20'	20'	Not required	15'	15'
Commercial (6.4) except Office (6.3.1) and Shopping Center – Major (6.4.67.3); B-1, B-2, B-4	20'	20'	15'	Not Required	15'
Industrial (6.5) and Major Shopping Center (6.4.67.3); B-4, M-1, M-2	25'	25'	15'	15'	Not required
Arterial Street	See Section 13.2.4.3.1	25' ²	Not required	Not required	Not required
Agricultural (6.6)	25'	25'	15'	15'	Not required

Notes:

- (1) Numbers in parentheses in the column and row headings refer to the existing land use type within the listed district.
- (2) Depth requirements for this use are to include the required Greenbelt. Required landscaping for this area shall include the planting requirements of the Buffer Zone.

9.2.5.7. *Live Oak Protection Requirements*

In all zoning districts, including the R-1, R-1X and R-2 districts, all live oak trees 6" dbh shall be protected as follows:

1. A tree removal permit shall be obtained from the Building Inspector prior to cutting, clearing or removing any live oak tree.
2. The applicant wishing to remove a live oak tree must state in writing that such activity will enhance the health, safety and welfare of the public, or otherwise benefit the public interest and the applicant must offer evidence to that effect. The Building Inspector is empowered to issue or deny the permit based on the application and the evidence. Prior to the issuance of a tree removal permit the applicant must submit a plan or written statement offering evidence of compliance with the tree replacement provisions of this Article.
3. It shall be unlawful for any person to place soil in such a way that would cause live oaks to become diseased or die. If filling with soil is necessary to properly drain the land, all efforts should be made to protect the area within the drip line of a live oak from the impact of such activity. Should all efforts fail and a tree removal permit be issued for the removal of the live oak the provisions of these regulations regarding replacement of trees shall be required to be met.
4. A tree removal permit will be required to prune the primary and secondary branches of any live oak tree 12" dbh or greater. Such pruning shall be required to be recommended in writing and supervised by a licensed arborist or a state forester.

9.2.5.16. *Violations*

Each required tree, shrub, (nonliving screen,) or other plant matter cut, cleared, removed, caused to become diseased or die, or otherwise acted upon in violation of the provision of this article shall constitute a separate offense (subject to the provisions of section 1.9 of this [Code]. Each separate day on which a violation occurs or continues shall be considered a separate violation of this article.)

1. Building Permit Denied: Should any tree(s), shrub(s), nonliving screen(s) or other plant matter be cut, cleared, removed, caused to become diseased or die, or otherwise acted upon in violation of this section prior to the issuance of a building permit, no such permit shall be issued until all fines resulting from the violation are paid.
2. Building Permit Suspended: Should any tree(s), shrub(s), nonliving screen(s) or other plant matter be cut, cleared, removed, caused to become diseased or die, or otherwise acted upon in violation of this section after the issuance of a building permit, the permit shall automatically be suspended until all fines resulting from the violation are paid.
3. Acceptance of Improvements: No acceptance of public improvements shall be authorized until all fines for violations of this section have been paid to the City or otherwise disposed of through the Mayor's Court. No acceptance of public improvements shall be authorized until all replacement trees have been planted or appropriate payments have been made to the Landscape Mitigation Fund.
4. Certificate of Occupancy: No Certificate of Occupancy shall be issued until all fines for violations of this section have been paid to the City or otherwise disposed of through the Mayor's Court. No Certificate of Occupancy shall be issued until all replacement trees have been planted or appropriate payments have been made to the Landscape Mitigation Fund.
5. Failure to maintain the required vegetation protection zone barrier during the construction process shall constitute a violation, shall automatically suspend the development permit for which the tree barrier was required to be erected and shall be subject to the maximum penalty of Section 1.9 of this [Code].
6. Replacement Penalties: For each tree which is removed without a tree removal permit by the property owner, or the property owner's contractor, agent, employee or any individual or entity authorized to be on the property owner's property, the property owner shall plant new replacement trees in accordance with the following:
 - a. Calculation of Replacement Trees: The total of the diameters of the replacement trees shall, at a minimum, equal the total of the diameters of the trees cut inch for inch. The diameter shall be measured on the trunk of a tree in inches five feet (5') above the ground.
 - b. Minimum Size of Replacement Trees: All replacement trees shall have a minimum trunk size of two inches (2") in diameter and ten (10) feet tall when planted. At the discretion of the City, larger trees may be required.

10.8.1.1. *Landscaping Requirements for Free Standing Signs*

1. **Signs Requiring Tree Removal.** If the application involves a freestanding sign, monument sign in the greenbelt or freestanding sign outside of the greenbelt or calls for the cutting or removal of any tree of a height in excess of twenty (20) feet or trunk diameter in excess of six (6) inches (dbh), the Planning Director shall not approve the application or issue the requested permit until a landscaping plan for the proposed activity is submitted to and approved by the Landscape Inspector.
2. **Application Requirements.** Such landscaping plan shall consist of a design to transition from the monument sign structure to a decorative ground cover and low planting.
3. **Review Criteria.** In reviewing such a plan, the Landscape Inspector shall consider such factors as the location, type, number and size of the trees to be removed or cut, any other vegetation which would be damaged or destroyed by the proposed activity, the size and nature of the proposed activity, the character of the premises on which the activity is proposed and of the area surrounding said premises, the obtrusiveness or non-obtrusiveness of the proposed activity on the surrounding area, and the avoidance of the creation or continuation of more or less denuded areas within view of adjacent properties or public ways.
4. **Live Oaks Protected.** No permit shall be granted on any application or for any activity which would call for the cutting or removal of any live oak tree or which might damage or injure any live oak tree.

12.5.2. Information Required on the Site Features Map

The following information shall be required to be included on the Site Features Map, entitled as such and with the same subdivision name as the accompanying plat, to be drawn at a scale no smaller than 1" = 1000' and submitted in conjunction with all Tentative Approval applications for Major or Minor Subdivisions or Resubdivisions:

1. Contour lines at five foot intervals approximated from USGS Quadrangle maps or a more accurate source acceptable to the Planning Commission such as a City or Drainage District Comprehensive Drainage Study when available, of the area to be subdivided;
2. Identification and highlighting of all areas below the five (5) foot Mean Sea Level contour, all areas determined by the Corp of Engineers to be wetlands subject to permitting under Section 404 of the Clean Water Act or any other permitting procedures, and all areas subject to periodic inundation;
3. Direction of flow of surface water in existing and proposed drainage ways and canals;
4. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high-and-low water elevations of such water bodies. All elevations shall be referenced to the USGS Datum Plane;
5. Written and/or graphically shown description of route of surface water runoff to ultimate disposal point;
6. Approximate location, size and type of drainage structures and drainage easements, including the identification of any dedication to be made to the City;
7. The location of any known or suspected historic, cultural, archaeological or architectural sites of local, state, or national importance;
8. The "general" location of each live oak six (6") inches dbh or greater, existing densely wooded areas plus any isolated hardwood trees outside of densely wooded areas which measures ten (10") inches dbh and/or pines measuring thirty inches (30") dbh or greater.
9. The location of temporary stakes or other markers which will enable official inspectors to find and appraise features of the Conceptual Sketch Plat in the field;
10. Any proposed rerouting of existing canals or natural drainageways or draining and/or filling of any water bodies or wetlands and date of filing and disposition and identification number of any wetland fill permit application submitted to the coastal area management agency or Corp of Engineers; and
11. Required floor elevations of structures under FEMA regulations.

12.5.4.4. *Other Construction Plans Content*

In general construction plans and details for streets, drainage, sanitary sewer, water facilities and other utilities shall include the following:

1. Street rights-of-way plans and profiles showing the proposed locations and typical cross sections of
 - a. Street pavements including curbs and gutters, sidewalks and bike paths;
 - b. Street lighting standards and street signs;
 - c. The location of proposed street trees or existing street trees proposed to be preserved, including existing live oak trees six (6) inches in diameter or greater measured four (4) feet above the ground (dbh) and other trees twenty-four (24) inches or greater in diameter or greater measured four (4) feet above the ground (dbh).
2. Plan and profile sheets showing all existing and proposed drainage and other utility easements and/or rights-of-way; manholes and catch basins; the locations, size and invert elevation of existing and proposed sanitary sewers, storm water drains and fire hydrants, showing connections to any existing or proposed utility systems; and the exact location and size of all water, gas or other underground utilities or structures; surface water elevations of adjoining lakes or streams and, if adjacent to a lake, river bayou or stream, the distances and bearings of the required meander line and five foot contour line.
3. Elevations shall be tied to a Bench Mark (USGS Bench Mark) and shall be shown on profiles.
4. One soil boring five (5) feet in depth for every 300 linear feet of street with a minimum of two (2) borings for each project when the project is less than 500 feet in length. The boring log and soil classification shall be shown on the plans together with appropriate Atterburg limits, and referenced to the location where they were made. Classification shall be in accordance with the A.A.S.H.T.O. Soils Classification System.

CASE SUMMARY SHEET

CASE NUMBER: SUP25-09-04
DATE RECEIVED: August 22, 2025
DATE OF MEETING: September 9, 2025 and September 23, 2025

Address: 214 Girod
Subdivision: Old Town of Mandeville, Square 10 Lot 2A
Zoning District: B-3 Old Mandeville Business District
Property Owner: OMS Center Mandeville, LLC

REQUEST: SUP25-09-04 – OMS Center Mandeville, LLC, represented by Demoran Custom Homes, requests Special Use Approval to allow paved parking per CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, Old Town of Mandeville, Square 10 Lot 2A, B-3 Old Mandeville Business District, 214 Girod

PREVIOUS CASE: V23-08-30 – Setback Encroachment and Parking Reduction

CASE SUMMARY: Change the driveway and parking lot from limestone to concrete

The property at 214 Girod Street is located on the west side of Girod St., north of Claiborne St., and south of Jefferson St. The property is irregular in shape and measures 129’ along Girod St, 150’ along the north side, 61’ along the rear, then east for 83’, south for 66’ and then east for 108’ per a survey prepared by John G. Cummings and Associates and dated 9.09.2013. The property contains 19,215 sqft. and a new oral surgery center is currently under construction.

A permit to renovate the existing structure on the property into a new oral surgery center was issued in February 2024. As part of the approved site plan a limestone driveway and parking area were proposed. The owner is now requesting to change the limestone to concrete in order to meet ADA requirements. The application included the following statement: *“To meet ADA requirements, we are requesting to be heard to change the limestone requirements to concrete in the driveway and parking areas. Patients leaving the office after sedation will not be able to navigate the terrain of limestone”.*

The City Engineer has reviewed the proposed changes and stated that *“If the concrete pavement is granted then a new drainage study and drainage plan will be required to be submitted and reviewed since the surface runoff will increase due to the change of surface condition”.*

The pervious/impervious ratio would remain the same as the two limestone areas were used for vehicular access and use.

CLURO SECTIONS:
5.2.3.2. Drainage Overlay District and Fill Sub-Area A

The following standards shall apply to all development falling within the mapped boundaries of the drainage overlay district as established in section 7.6.1 of this CLURO and fill sub-area A, which includes the areas located between Monroe Street, Bayou Castain, Lakeshore Drive and Galvez Street. Where the DO district overlaps with other areas described in this section 5.2.3, the provisions of the DO district shall apply.

- 4. **Parking Lots.** No paved parking lot is allowed within the DO district without approval of a Special Use Permit. No portion of the surface of a parking lot, regardless of whether the surface is aggregate or paved, shall be elevated more than six (6) inches above natural grade.



NEIGHBORING OFFICE BUILDING
(OLD FOOTPRINT)

EXIST.
STREET PARKING

NEW 9' LIMESTONE DRIVE

20' REAR SETBACK _____

15' FRONT SETBACK _____

20' SIDE YARD
SETBACK

h/c sign

EXISTING
PORCH

NEW STAIRS

EXIST. SIDEWALK

EXIST.
CONC.
APRON

EXIST. SIDEWALK



LIGHT

PP ○

GIROD STREET

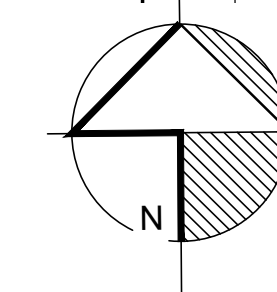
[illegible]

3 CONC. CURB DETAIL

20' SIDE YARD SETBACK

108.36' P.L.

1 SITE PLAN
1/8" = 1'-0"



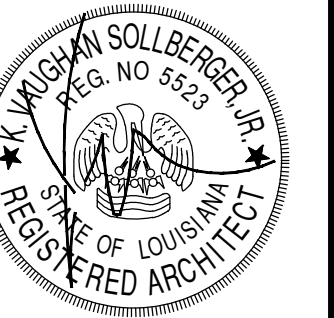
214 GIROD RENOVATION

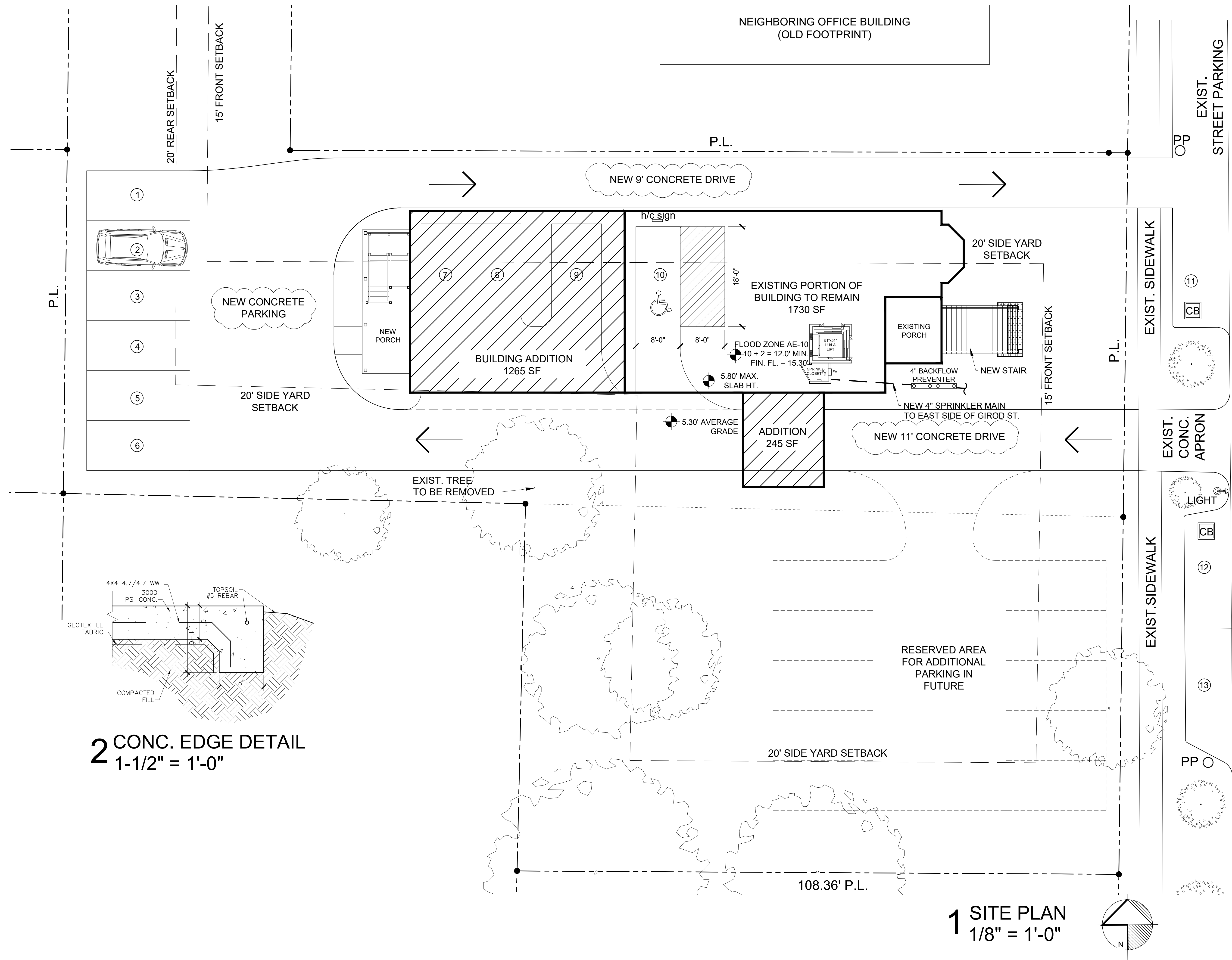
214 GIROD ST. MANDEVILLE, LA /0448

DRAWING:

A1.0

KVS
arc
235 Girod Street
985.674.3077 www.kvsarc.com





2 CONC. EDGE DETAIL
1-1/2" = 1'-0"

1 SITE PLAN
1/8" = 1'-0"

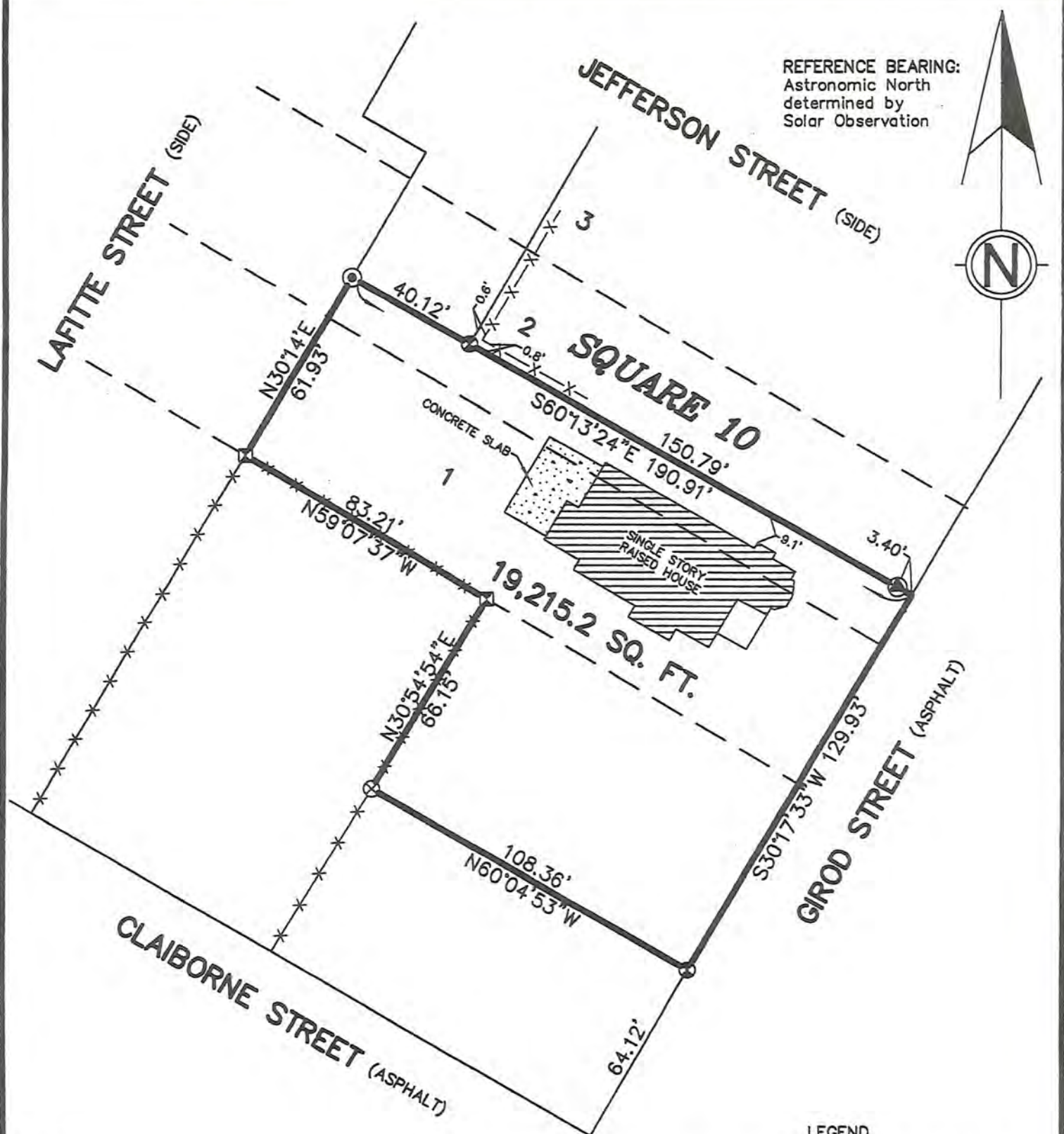
GIROD STREET



214 GIROD RENOVATION
214 GIROD ST. MANDEVILLE, LA 70448

REVISIONS:
2.1.24
8.20.25
DATE:
10.19.23
PROJECT No:
23004
DRAWING:

A1.0



REFERENCE BEARING:
Astronomic North
determined by
Solar Observation



NOTES:

1. This property is located in Flood Zone AE, per F.E.M.A. Map No. 2202020427D, dated May 16, 2012.

2. Building Setback Lines must be verified by City of Mandeville Planning Department.

THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND/OR RESTRICTIONS HAVE BEEN SHOWN HEREON. ANY SERVITUDES AND/OR RESTRICTIONS SHOWN ON THIS PLAT ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION AND/OR INFORMATION FURNISHED THE UNDERSIGNED. A TITLE OR PUBLIC RECORD SEARCH FOR SUCH INFORMATION WAS NOT MADE BY THE UNDERSIGNED IN COMPILING DATA FOR THIS SURVEY.

REFERENCE SURVEY:

Survey for Prieto/Jackson by John G. Cummings, Surveyor, dated September 5, 2007, Job No. 07115A.

LEGEND

- ☒ = FENCE CORNER POST FOUND
- ⊙ = CRIMPED PIPE FOUND
- ⊗ = 1-1/4" IRON PIPE FOUND
- ⊕ = 1/2" IRON PIPE FOUND
- ⊙ = 1/2" IRON ROD SET

(985) 892-1549

John G. Cummings and Associates

FAX (985) 892-9250

503 N. JEFFERSON AVENUE

PROFESSIONAL LAND SURVEYORS

COVINGTON, LA 70433

PLAT PREPARED FOR: **Don Prieto**

SHOWING A SURVEY OF: A PARCEL OF LAND AND A PORTION OF LOTS 1 & 2, SQUARE 10, CITY OF MANDEVILLE, ST. TAMMANY PARISH, LOUISIANA.



THIS PLAT REPRESENTS A PHYSICAL SURVEY MADE ON THE GROUND BY ME, OR THOSE UNDER MY DIRECTION, AND IS IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF PRACTICE AND BEARS A CLASS C SURVEY.

PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 40'

JOB NO. 07115-B

DATE: 9-9-2013

REVISED:

Becky Rohrbough, 2525 Lakeshore: They had the same situation at their house. When you elevate you are still going to have a door and you need to do something with it, either a long staircase or a porch. They chose the porch when they elevated. It is attractive and able to be seen from the front street. This house was like this when the neighbors on the other side of them bought their house. They also have an accessory building next to it. She does not know of any objection from them.

Mr. Rhinehart asked if the porch was 16' in width. Mr. Sollberger said it was 8' deep.

V23-08-29 – Carolyn Schultz requests a variance to CLURO Section 7.5.4.3. R-3 Site Development Regulations and to resubdivide a portion of Square 102 into lots 1,2,3, and 4, Old Town of Mandeville, Square 102, R-3 Multi-Family Residential District, 1099 Villere Street

This case was heard along with R23-08-01

V23-08-30 – Joshua Brandner requests a variance to CLURO Section 7.5.10.3. B-3 Site Development Regulations and Section 9.1.4. Minimum Off-Street Parking Requirements by Use, Old Town of Mandeville, Square 10 Lot 2A, B-3 Old Mandeville Business District, 214 Girod Street

Mr. Rhinehart asked if 22 spaces were required. Ms. Bartholomew said that was the number with a straight calculation. The applicants submitted a split calculation. Ms. Bartholomew said she showed both, but the CLURO required 22.

Ms. Durio asked if medical services have administrative space included in the calculation. Ms. Bartholomew said the parking calculation is not always perfect, but the intent is to mix uses. Some are better than others.

Mr. Adams asked how many parking spaces were available on site? Ms. Bartholomew said that 10 spaces were offered on site, with 3 on street spaces that were adjacent to the property.

Mr. Adams said they have been flexible in the past, an operation like this would be by appointment only. He would imagine that they calculate how much they need.

Ms. Durio said there would also be staff as well.

Vaughan Sollberger, 235 Girod, Architect: The building got a Demo by Neglect citation last year. The owners hired some architects to do some designs for the building, which was done without any plans for who the tenant would be or the function. The goal was to elevate the building and make it look good. The property then changed hands and the new owners came to him and asked him to mimic the other two clinics that he already owned. Mr. Sollberger said they looked at the other businesses and the spaces that they use. There are 6 employees and 1 doctor. There is not a fast turnover, and the owner will still be operating out of the other locations and will only be here 2-3 times a week. The other locations have 10 and 12 spots.

They initially submitted with the 13 spaces as the number needed for the building. The owner also owns the property next door, the property behind this one, and the property on the other side of the property to the north. They did not want to develop a parking lot if it was not needed. There are currently no plans for the other properties yet. They want to avoid the construction of a parking lot. In the parking analysis all shared space is medical services. 1500 sqft is storage and private offices and support spaces. This is not going to be an Ochsner clinic, but a neighborhood clinic.

Ms. Bartholomew said the parking calculations are uniform for the entire City. They are not

exactly fit for each function.

Mr. Adams asked if the other locations had four operating rooms as well, Mr. Sollberger said they did.

Mr. Sollberger said this was a single doctor working with two patients at a time. Once the patients are finished the other rooms are used while the previous rooms get cleaned.

Mr. Rhinehart asked if it would be raised. Mr. Sollberger said it would be elevated. They will put parking under the building as neat as possible. The driveway is also a one-way loop.

Ms. Durio said it looks great and the idea of not being open on the weekends makes sense. She wanted to know what would happen if this became an Urgent Care clinic. Ms. Bartholomew said that the variance would run with the property.

Ms. Gautreaux put forth the possibility of getting a partner and the dynamic changing.

Ms. Duiro asked if the intent was to keep the area between the building and LaLou as greenspace? Mr. Sollberger said it was. They would look at that space in the future. He suggested it could be a contingency area for overflow parking. Ms. Durio said then they would be paving a space on Girod St.

Mr. Rhinehart suggested that the applicant could contribute to the parking mitigation fund.

Mr. Adams said it is located in the B-3 district and could be converted to a residence or another business. If it changed it would have to come back. Ms. Durio said that the variance would follow the medical service use.

Mr. Pierce asked if the upcoming parking ordinance would affect the on-street parking spaces on Girod St. that they are counting. Ms. Bartholomew said those are established spaces and she does not see the ordinance affecting them.

Mr. Sollberger said he does not foresee any parking problems. Parking is tough on the weekends with all the other businesses. He said it is best to keep greenspace.

Ms. Gautreaux said that 228 Girod also received a Demo by Neglect citation as well and it is still there. Is anything going on with it?

Mr. Sollberger said they are working on it. The same owner who purchased this lot also purchased that property as well.

Ms. Bartholomew added that the previous owner had said they were wanting to do something with the property, so they knew it was moving along.

Ms. Fulton asked if the three on street spaces were dedicated to this business. Ms. Bartholomew said they were not dedicated, but they could count them. Mr. Sollberger added that since they were adjacent to the property they could count them, but other people could use them on the weekends and at night.

Ms. Fulton asked if they could ever become dedicated. Ms. Bartholomew said they could not. Ms. Fulton asked even if the business changed, Ms. Bartholomew said the City would not want to do it.

Skelly Kreller, 280 Dona: He is an expert on oral surgery and wondered if this would be ADA compliant. He does not see a ramp or elevator, and there is no way that a sedated patient will come down the stairs. He has built 6 offices and fired 4 architects. He does not see where the medical gasses will be stored, they will have to be downstairs.

Mr. Sollberger said that there is an elevator, it is located by the handicap parking spot. Ms. Durio added that it is shown on the floorplan.

Mr. Sollberger said they have a covered drop off area, which the addition on the side is serving as. The medical gasses are being stored in a one hour fire separated room. He would have to look at the floorplan but it is on the second floor.

Ms. Bartholomew added that the State Fire Marshal does commercial plan reviews and would catch things like this. Mr. Kreller said he is not sure if the State Fire Marshal would approve this.

With all new business concluded for the zoning agenda, at 7:21pm Mr. Rhinehart moved back to the Planning Commission to hear case P23-08-03.



Alex Weiner, Secretary

Brian Rhinehart, Chairman
Zoning Commission

Brian Rhinehart commenced the Zoning Commission Meeting.

Announcement that written notice of decisions regarding zoning variances will be filed in the Commission's office the following day of this meeting at which time applicable appeal time will begin to run.

New Business

V23-08-28 – Owen and Diana Farris request a variance to CLURO Section 7.5.1.3. R-1 Site Development Regulations, Old Town of Mandeville, Square 29A Lot 91A, R-1 Single Family Residential District, 2529 Lakeshore Drive

Mr. Rhinehart said this was discussed at length at the last meeting and said he did not believe there were any complaints from the neighbors on either side. Ms. Bartholomew confirmed there was not.

Ms. Durio moved to approve the request as submitted, Mr. Quillin seconded, and the motion passed unanimously.

V23-08-29 – Carolyn Schultz requests a variance to CLURO Section 7.5.4.3. R-3 Site Development Regulations and to resubdivide a portion of Square 102 into lots 1,2,3, and 4, Old Town of Mandeville, Square 102, R-3 Multi-Family Residential District, 1099 Villere Street

This case was heard along with R23-08-01

V23-08-30 – Joshua Brandner requests a variance to CLURO Section 7.5.10.3. B-3 Site Development Regulations and Section 9.1.4. Minimum Off-Street Parking Requirements by Use, Old Town of Mandeville, Square 10 Lot 2A, B-3 Old Mandeville Business District, 214 Girod Street

Mr. Rhinehart said that the CLURO requires 22 parking spaces, and the applicant is asking for a variance of 9. Ms. Bartholomew said that the CLURO requires 22 spaces, the applicant provided a calculation that would only be 17 spaces, but yes the variance is for 9 spaces.

Mr. Rhinehart said this would also run with the property if he should sell it and this becomes an urgent care instead of an oral surgery center. The concern was that if it was sold down the line.

Ms. Durio said that they indicated that this would not be open nights or weekends, so this variance would run with the use, another use would have to come back. Is there any restrictions on operating hours for another business at this location?

Ms. Bartholomew said that a variance runs with the property. She said this use was permitted by right, so if there was a Special Use or Conditional Use then it would run with that, but since this is permitted by right, it runs with the property.

Ms. Durio said that different uses have different parking requirements. If it was a higher intensive use with a higher parking requirement. Ms. Bartholomew said that if the use was permitted by right, then they would get the variance. Ms. Durio said that only if it was a Special Use or Conditional Use would they have to come back.

Ms. Durio said the concern is not with this particular business, it is that it runs with the land.

Vaughan Sollberger, 235 Girod: As far as he can tell, this is the most intensive requirement for parking, minus an event center, that is listed in the CLURO. It is the same formula used for a restaurant with a bar. Having been located on Girod Street he has seen that there has been an issue with parking on weekends and on nights. He also said they need to be

cognizant of having diverse businesses coming into the B-3 area as not many are coming in. The projects they have worked on are mostly restaurants and bars. This use is permitted by right, more intensive uses are usually reserved for Special or Conditional Uses which come back in front of the Commission. This doctor also has two other practices, so they will be operating only 2-3 days a week at this location. He understands the concern about the variance running with the land.

Mr. Adams asked if there were four rooms, Mr. Sollberger said there was.

Mr. Adams asked if the idea was to have the rooms full, with people waiting as well. Mr. Sollberger said he has worked on projects with quick turnover, and they are usually pain management clinics. The procedures are different for an oral surgery center with prep and recovery times.

Ms. Durio said the parking variance makes sense for the business that was described, but there is no way to know that in two years it will not be a pain management clinic. There is no way to know that the use will continue, and the variance runs with the land. Nine is a big number in that area when it runs with the land.

Mr. Quillin asked if it was possible to add more under the structure? Mr. Sollberger said they could but it would have to be done in such a way that it would mimic what is going on and the problems with the building next door.

Mr. Quillin said that looking by where the handicapped spot is, towards the front is there room for two more spots? Mr. Sollberger said that what is not shown is that there is an elevator located there. They are also trying to avoid having parking going into the architectural features at the front of the building.

Mr. Quillin asked if it was possible to use the flag part of the lot as a bank for parking? Mr. Sollberger said the owner had requested that they not use that piece of property.

Mr. Quillin said he is thinking of it, as nothing else, as a green parking bank.

Mr. Adams asked how many spots that would hold? Mr. Sollberger said it could hold a good bit, but there is no access from the street as there are two parking spaces in front of it.

Mr. Quillin said you could come in on the driveway and go left.

Mr. Sollberger said there are no plans for dealing with that part of the lot at the moment, but that is a possibility.

Mr. Rhinehart said that the staff would be six people, Mr. Sollberger said it would be seven with the surgeon.

Mr. Sollberger said that he owns additional land other than that flag area. There is some to the rear and there was no physical way of getting more parking there as well.

Rebecca Rohrbough, 2525 Lakeshore: She has no connection to the owner but would like to point out that she has a passionate interest in seeing this house progress as planned because she is passionate about the Historic District. She has been involved with the District since the beginning. It was done after losing so many structures after Katrina. This structure has been deteriorating for the past three years. There is an interested owner and an architect has put together a great plan to save the house and essence and appearance and make it viable. That is an overriding issue far exceeding the need for parking. She does recognize that a future occupant might want a business that dictates more parking. By that time, the parking issue will be all over Old Town. That is a broader subject to be addressed by the administration. This place needs to be saved.

Mr. Rhinehart said he would also like to see it progress forward, but there are a couple of alternatives that can help that. There is the lot next to it that could be used, and there is always the mitigation fund.

Leonard Rohrbough, 2525 Lakeshore: Does the parking variance stay with the property should this owner sell and move, Ms. Durio said that is correct. Mr. Rohrbough said it was limited to nine, so if someone wanted 10 then they would need to start over? Ms. Durio said that was correct.

Mr. Quillin clarified that if this variance was approved it would only need 9 regardless of the use, as long as it was a permitted use.

Jeff Lyons, 515 Lamarque: The parking issue and the Old Town is tough. It highlights the fact that we need to come up with some better answers than we have now. He loves the fact that this is a dental office. His opinion is to go with this. It highlights the fact that something needs to be done.

Ms. Bartholomew said that all the restaurant and bar uses are Special Use so it would come back before the commission.

Ms. Durio asked if there was a way to put up the permitted uses. Ms. Bartholomew said she could not do it quickly.

Ms. Durio asked if the Special Use and Conditional Uses could be read, if that was a shorter list.

Ms. Durio asked if there was a more intensive permitted use. Ms. Bartholomew said the more intensive uses would require a Special Use. Ms. Durio asked if a coffee shop was permitted, Ms. Bartholomew said that all restaurants are Special Use.

Mr. Quillin asked if it was a possibility to look at the flag lot portion as a parking bank? It would remain green for now but would have the required parking. He asked Ms. Bartholomew if this was something they could do? Ms. Bartholomew said the Commission could require them to bank those required spaces on the greenspace.

Mr. Adams asked if they come back and want to develop that property?

Ms. Durio said they would have to come back before the Commission to see if there was adequate parking for the business at the time.

Ms. Bartholomew said if they mitigate parking to that area if for any reason they could no longer bank their parking they would have to come before the Commission.

Mr. Rhinehart said if they wanted to clear it up tonight there was the parking mitigation fund.

Mr. Sollberger said if they banked the spaces onto the lot they would be able to get the right number so they would not need a variance for the parking, but would for the addition. Ms. Bartholomew said the Commission still needs to allow the bank.

Ms. Durio said she would rather not see that lot have parking on it but there is already a parking problem that is significant.

Mr. Quillin moved to approve the request with the condition that there are nine parking spaces put into a bank in the greenspace in the flag portion of the lot for future additional parking if needed. Ms. Durio seconded, and the motion passed unanimously.

Before the roll was called Mr. Rhinehart asked if the parking bank would run with the land

if it was sold, Ms. Bartholomew said it would as it was a condition of the variance.

Public Comment

A presentation to commemorate the time Mr. Adams served on the Commission was shown.

Mr. Adams motioned to adjourn the meeting, Mr. Rhinehart seconded, and all were in favor. The meeting was adjourned at 8:31pm.



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission



MANDEVILLE

A Historic Lakefront Community

Planning and Zoning Commission

KAREN GAUTREUX, CHAIRWOMAN
PLANNING COMMISSION

BRIAN RHINEHART, CHAIRMAN
ZONING COMMISSION

CARA BARTHOLOMEW, AICP
DIRECTOR, DEPT. OF PLANNING & DEVELOPMENT

MEMBERS
SCOTT QUILLIN
ANDREA FULTON
NIXON ADAMS
CLAIRE DURIO
MIKE PIERCE

August 23, 2023

Joshua Brandner
149 Coffee Street
Mandeville, LA 70448

RE: V23-08-30 – Joshua Brandner requests a variance to CLURO Section 7.5.10.3. B-3 Site Development Regulations and Section 9.1.4. Minimum Off-Street Parking Requirements by Use, Old Town of Mandeville, Square 10 Lot 2A, B-3 Old Mandeville Business District, 214 Girod Street

Dear Mr. Brandner:

On Tuesday, August 22nd, 2023, the Planning & Zoning Commission held a public hearing regarding the variance to CLURO Section 7.5.10.3. B-3 Site Development Regulations to encroach into the north side setback by 9'-2½" to construct an addition measuring 38'-8" in length and Section 9.1.4. Minimum Off-Street Parking Requirements by Use to reduce the number of required parking spaced by 9. The Commission unanimously voted to approve your request with the condition that there are nine parking spaces put into a bank in the greenspace in the flag portion of the lot for future additional parking if needed. This approval is per the site plan prepared by KVS architecture and dated 3.16.23. Should you have any questions regarding this matter, please do not hesitate to contact me at 624-3103.

Sincerely,

Cara Bartholomew, AICP
Director - Dept. of Planning & Development

CASE SUMMARY SHEET

CASE NUMBER: V25-09-20
DATE RECEIVED: August 19, 2025
DATE OF MEETING: September 9, 2025 and September 23, 2025

Address: 3653 Monroe
Subdivision: New Golden Shores, Square 21 Lot 37
Zoning District: R-1 Single Family Residential District
Property Owner: Judith & Nash Bono

REQUEST: V25-09-20 – Judith & Nash Bono request a variance to CLURO Section 7.5.1.3 R-1 Site Development Regulations, New Golden Shores, Square 21 Lot 37, R-1 Single Family Residential District, 3653 Monroe

CASE SUMMARY: Request to use the setback requirements in place when the lot was purchased

The applicant owns the property at 3653 Monroe Street, located on the north side of Monroe St., east of Marilyn Dr., south of Joyce Dr., and West of Cambronne St. The property measures 100’ x 150’ and contains 15,000 sqft per a survey prepared by John Bonneau & Associates and dated 3.23.1992. The property is currently unimproved.

The applicant purchased the property in March of 2015 and began working on plans for a new single-family residence. When they purchased the property the setback regulations in place were that both side yards had to add up to be a total of 15’, with the interior side yard being minimum of 5’. In May 2018 the City Council adopted Ordinance 18-09 which changed the side setbacks to be on a sliding scale based on the frontage of the lot. The lot has a frontage of 100’ requiring 16’ side setbacks on each side.

	Required	Proposed	Difference
Front Setback	25’	25’	0’
Rear Setback	30’	30’	0’
West Side Setback	16’	5’	11’
East Side Setback	16’	16’	0’

The applicant is requesting to encroach into the west side setback by 11’ in order to use the current design of the house, which was started under the previous setback requirements, and not have to redesign the layout.

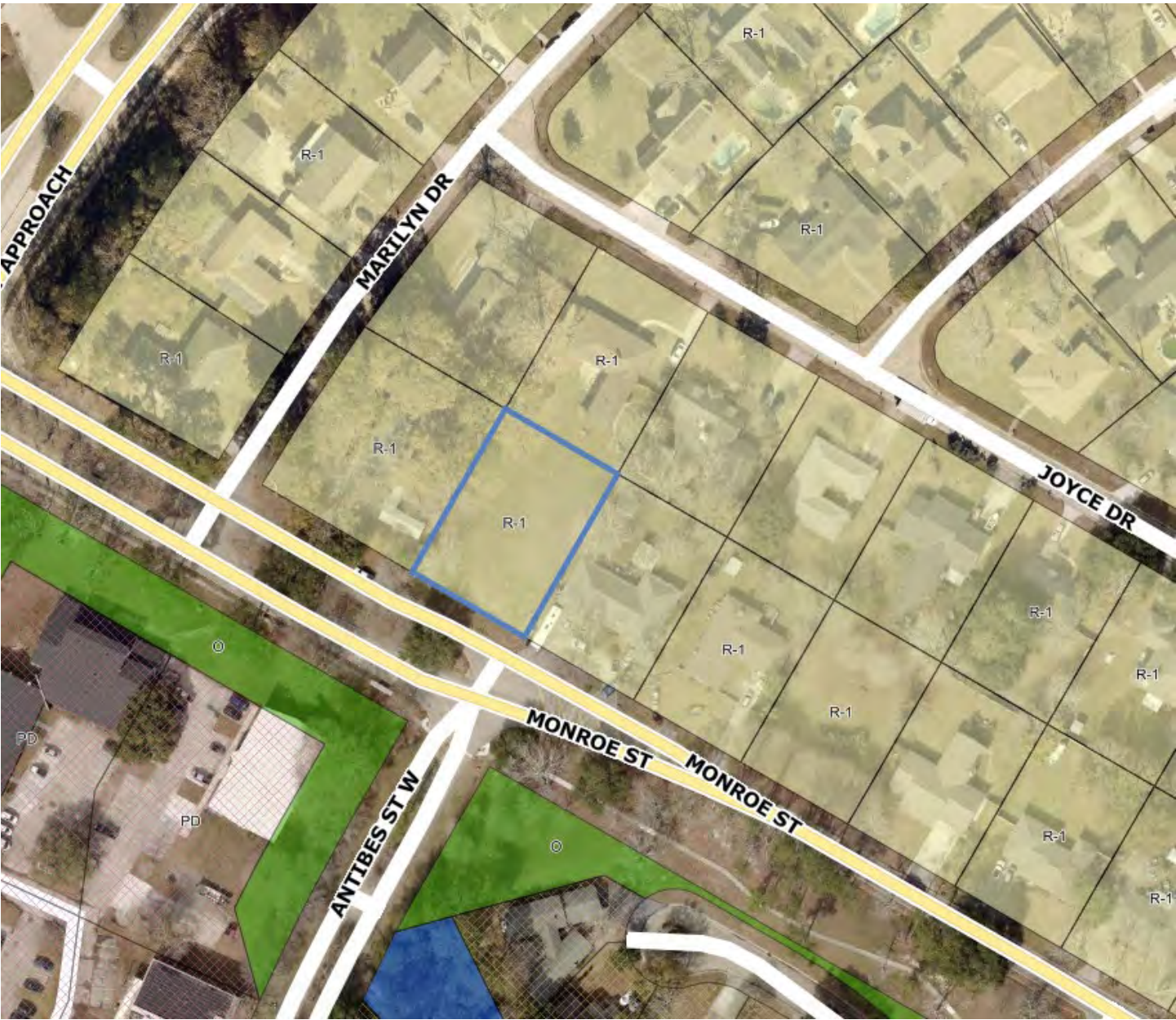
CLURO SECTIONS:

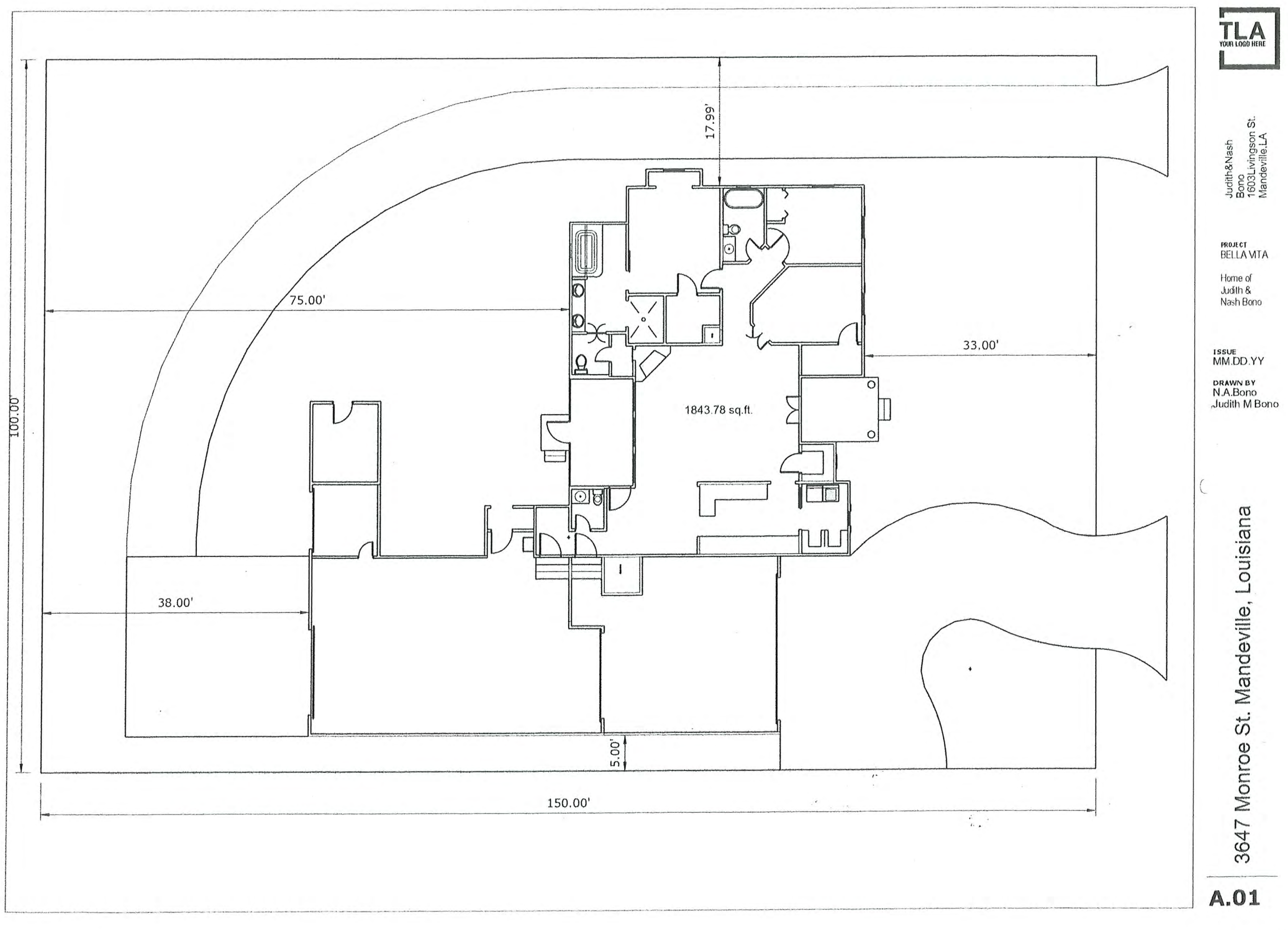
7.5.1.3. R-1 Site Development Regulations

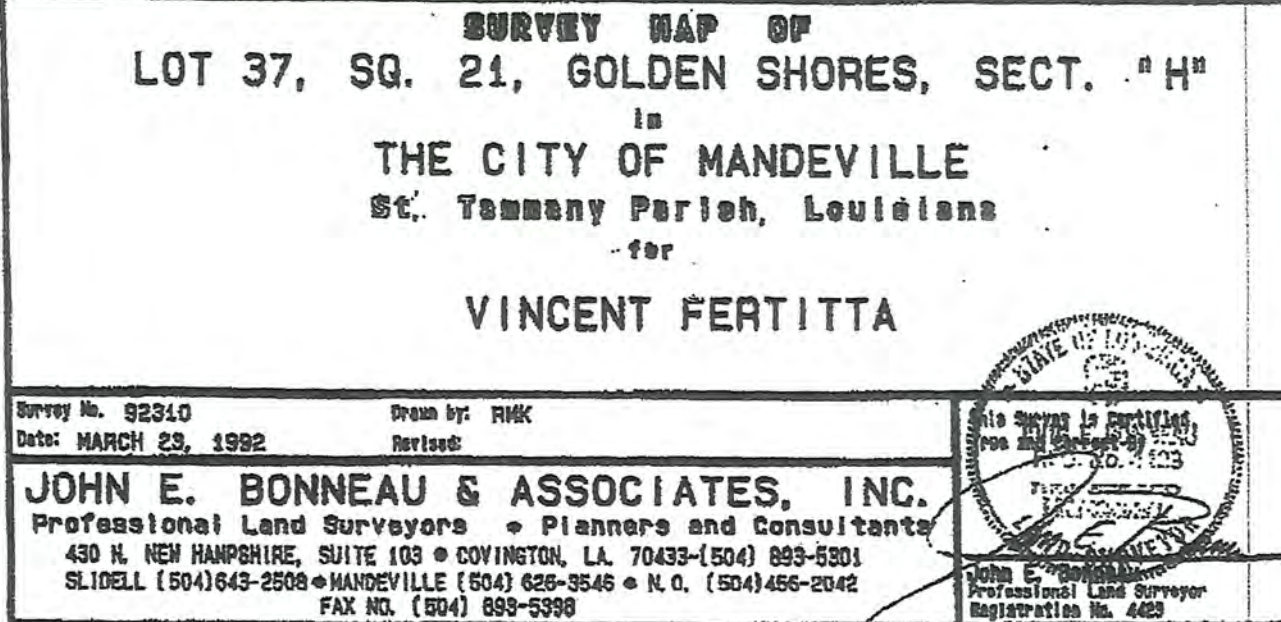
Each development site in the R-1 Single-Family Residential Zoning District shall be subject to the following site development regulations in addition to any regulations applicable under the provisions of Article 8. The Planning Director may grant exceptions to the following standards pursuant to section 4.3.5.

1. Minimum lot area	10,800 Square feet (except for legal non-conforming lots as provided)
2. Minimum building area (Square feet per unit)	1,200 Square feet
3. Minimum lot width	90'
4. Minimum lot depth	120'
5. Minimum Yard Setback Requirements	
a. Front yard	25'
b. Interior side yard*	
i. Frontage up to 50’	8’ each side
ii. Frontage between 51’ – 60’	10’ each side
iii. Frontage between 61’ – 75’	12’ each side
iv. Frontage between 76’ – 80’	13’ each side
v. Frontage between 81’ – 90’	15’ each side
vi. Frontage between 91’ – 100’	16’ each side
vii. Frontage between 101’ – 110’	18’ each side
viii. Frontage between 111’ +’	20’ each side
c. Street side yard	15'
d. Rear yard	30'
6. Maximum Height of Structures	35'
7. Maximum Impervious Site Coverage	45%

*The side yard setbacks of the site may be shifted into the opposite yard up to 30% so long as the area lost in one required side yard is provided in the opposite side yard and the total minimum setback of the site is provided.







CASE SUMMARY SHEET

CASE NUMBER: V25-09-21
DATE RECEIVED: August 21, 2025
DATE OF MEETING: September 9, 2025 and September 23, 2025

Address: 615 N. Causeway Blvd
Subdivision: Poitevent Tract G – Section 2, Square 2 Lot 1A-1-1
Zoning District: B-2 - Highway Business District
Property Owner: Mandeville Retail Center, LLC

REQUEST: V25-09-21 – Let’s Rock, LLC, represented by Scott Massa, requests a variance to CLURO Section 10.8.2.6. Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts, Poitevent Tract G – Section 2, Square 2 Lot 1A-1-1, 615 N. Causeway Blvd

CASE SUMMARY: Add a second sign to a corner unit

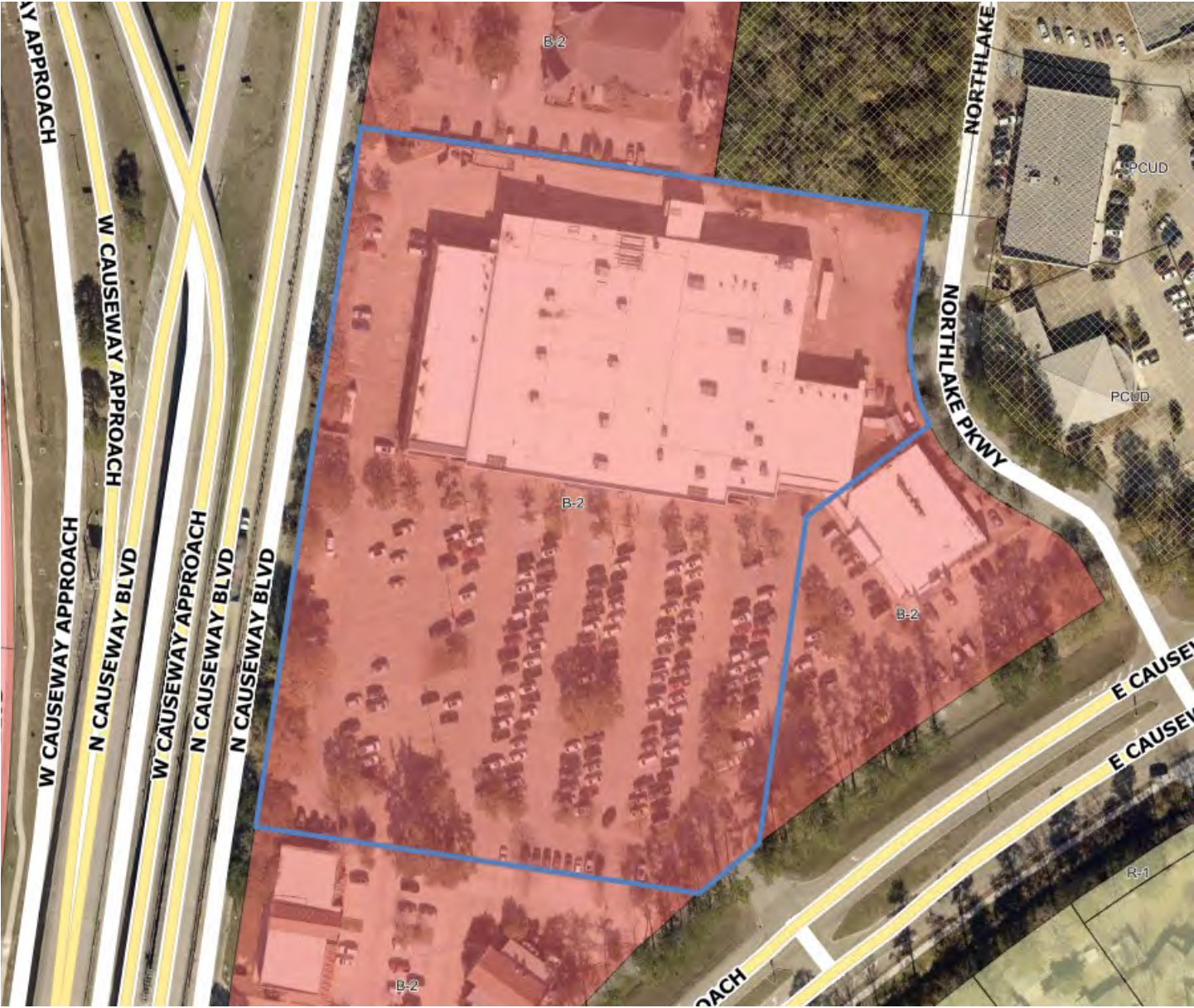
The property at 615 N Causeway Blvd is located within a shopping center along N Causeway Blvd. The tenant is currently renovating the unit on the corner to open a kid’s gym.

The applicant is requesting to have two signs located on the unit. The unit is a corner unit and contains an entrance on each side, with one side measuring 50’ and the other measuring 100’. The sign code adopted in June 2023 limits one sign per unit. Under the previous code, a sign was allowed per façade with a customer entrance.

A sign permit has been approved and issued for the 50’ façade of the unit. The maximum wall sign area is calculated at 1.25 square feet per linear foot of the unit facade. The linear façade length of the remaining side is 100’ allowing for a maximum sign area of 125 sqft. The total square footage of the two signs is 120 sqft.

CLURO SECTIONS:
10.8.2.6. Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts:

Permitted Signs Allowed by District and Use: Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts.		
Land Use	Attached (wall or blade) Signs, Canopy (or awning) Signs, and Hanging Signs	Monument Signs or Free-Standing Signs with Wooden Posts
All land uses occupying complex sites	One (1) wall, canopy, hanging, or blade sign is permitted per unit, subject to all the following: - Wall and blade maximum sign area is calculated at one and one-fourth (1.25) square feet per linear foot of the unit facade. The linear footage shall be measured along the wall of the facade on which the sign will be located. For units with less than twenty-five (25) linear feet the maximum size is thirty-two (32) square feet. - Canopy sign maximum sign area is twelve (12) square feet per unit. - Hanging sign maximum sign area is six (6) square feet per unit. Hanging signs must have a minimum clearance height of eight (8) feet above grade. - Sign may be externally or internally illuminated but may not cause any uplight or glare	One (1) monument or free-standing sign is permitted per street frontage provided the maximum sign area is calculated at one half (0.5) square feet per linear foot of street frontage up to a maximum of 120 square feet per sign. Sign may be externally or internally illuminated but may not cause any uplight or glare. If a free-standing sign is used, two-posts measuring four inches by four inches or larger must be used. Posts must be composed of wood and must be incorporated as a visual design element of the sign.

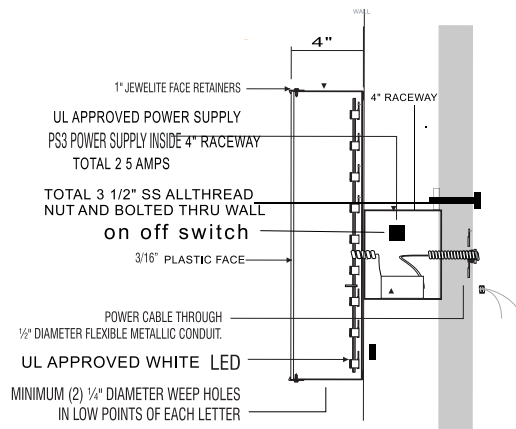




1695 Hwy 190 Mandeville, LA

985-264-5840

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Quantity: 1

Overall Height:

Overall Length:

Total Sq Ft:

Returns: .040 Aluminum

Backs: .063 Aluminum

Trimcap: 1"

Face: 3/16 Plastic



ALL COMPONENTS LISTED

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

TITLE 24 COMPLIANT

ALL MATERIAL WILL BE



SIGN TO WITH STAND 150 MPH WIND LOAD

CHANNEL LETTERS ON RACEWAY



Sign = 60 sq ft Store Front = 100 LF



Job No.:	Date:
	9/2/2025
Order Date:	
Comments:	

SIGN MANUFACTURE

AAA BUSINESS SIGNS JAMES RIZZUTO
220 LIVINGSTON AVE 504-722-1152
ARABI, LA 70032 LICENSE 5112188

ARCHITECT

LOUIS KONG 504 837-0764
5726 ST CHARLES REQ NO 4324
NO. LA 70015