

Section 6.04 MIO - Municipal Interface Overlay District

6.0401 Mandeville Municipal Interface Overlay District

6.0402 Purpose

The purpose of Section 6.0402 through Section 6.0409 of the MIO - Municipal Interface Overlay District is to provide the Planning Department of the City of Mandeville a courtesy right to review and comment with respect to certain specified matters regarding properties which are located near, but outside the City Limits of the Mandeville.

6.0403 Applicability

Sections 6.0402 through Section 6.0409 shall only be applicable to the properties, outside of the City Limits of Mandeville, with frontage along on the following portions of the following highways or roads:

North Approach, from Florida Street North to La. 22.  
US Hwy. 190 East Service Road from US Hwy. 190 North to Marquette Street  
US Hwy. 190 West Service Road from La. 22 North to 7th Street  
La. 22 from Ridgewood Drive East to US Hwy. 190  
US Hwy. 190 from La. 22 East to Bayou Castine  
West Causeway Approach from La. 22 East to North Causeway Approach  
Hwy. 59 from US Hwy. 190 North to Dupard Street.

6.0404 Submittals to Municipality.

- A. Signs, Lighting, and Landscape Variances. Within five business days after application is made to the Parish for a variance from sign, lighting or landscape regulations requiring a hearing before the Board of Zoning Adjustments, the applicant shall transmit, to the Department of Planning of the City of Mandeville (with a copy of the transmittal letter being directed to the Parish Department of Planning), a complete copy of the documents filed with the Board of Zoning Adjustments.
- B. New or Altered Building Construction Not Requiring a Variance. In the event an application is made to the Parish for the construction of a new building or the alteration of an existing building on properties with frontage along highways or roads described in Section 6.0403 which do not require a variance from the Board of Zoning Adjustments from the signs, lighting or landscaping regulations, the applicant shall within two (2) business days transmit, to the Department of Planning of the City of Mandeville (with a copy of the transmittal letter being directed to the Parish Department of Planning), a complete copy of the documents filed with the Parish Department of Permits.

6.0405 Comments of Municipality.

If the Department of Planning of the City of Mandeville so desires, it may transmit written comments to the Director of the Department of Planning or the Director of the Department of Permits of the Parish with respect to such submittals; provided that, a copy of such written comments shall be simultaneously transmitted to the applicant. The comments of the Department of Planning of the City of Mandeville may be considered by the Department of Planning, the Board of Zoning Adjustments and other agencies of the Parish, but shall not be binding on the Department of Planning, the Board of Zoning Adjustments or other agencies of the Parish. At no time shall any action of the Parish, such as the granting of a permit or variance, be delayed to await comments from the Department of Planning of the City of Mandeville.

6.0406 Zoning Regulations Applicable.

Although the Department of Planning of the City of Mandeville is provided a right of review and comment as provided in this Section 6.0405, the zoning and other regulations of the City of Mandeville shall not be applicable to the properties which are the subject of this Section 6.04, and the applicant shall only be required to meet the zoning and other regulations of the Parish with respect to such properties.

6.0407 Special Street Planting Area Rules for U.S. Highway 190 Between La. Highway 22 and Bayou Castine.

A. Applicability, Definitions.

1. Applicability. This Section 6.0407 is applicable to that portion of the MIO District, outside of the City Limits of Mandeville, located along U.S. Highway 190 from La. Highway 22 (the center line of the North Causeway Approach Overpass over La. Highway 22/U.S. Highway 190) to Bayou Castine (currently the eastern City Limits of the City of Mandeville).
2. Definitions for Section 6.0407. The following definitions are applicable to Section 6.0407:

U.S. Highway 190 Widening Project: The highway widening project, by the Louisiana Department of Transportation and Development (DOTD) along U.S. Highway 190 from La. Highway 22 (the center line of the North Causeway Approach Overpass over La. Highway 22/U.S. Highway 190) to Bayou Castine (currently the eastern City Limits of the City of Mandeville). As of the date of the adoption of this Section 6.04, this project currently is described as DOTD State Project No. 700-30-0270, but this definition includes not only that project number, but any other project number that may be used for the widening along U.S. Highway 190 from La. Highway 22 to Bayou Castine.

Present Hwy. 190 Right of Way Line: The right of way line of U.S. Highway 190 from La. Highway 22 to Bayou Castine prior to acquisition of right of way by DOTD for the U.S. Highway 190 widening project.

Subsequent Hwy. 190 Right of Way Line: The right of way line of U.S. Highway 190 from La. Highway 22 to Bayou Castine after the acquisition of right of way by DOTD for the U.S. Highway 190 widening project.

- B. Effect, Purpose of U.S. Highway 190 Widening Project.
1. Effect of U.S. Highway 190 Widening Project. Section 6.0407 is necessitated because the U.S. Highway 190 widening project will affect many properties with frontage along U.S. Highway 190 which already have buildings and improvements constructed thereon and which, in many instances, are limited in depth. Since under the provisions of Section 5.1606, street planting areas are measured 25 feet back (20 feet back in the case of lots with two street frontages) from the street property line, the U.S. Highway 190 widening project, without the provisions of this Section 6.0407, would cause the street planting areas to extend from the subsequent U.S. Highway 190 right of way line into the property a distance of 25 feet (20 feet in the case of lots with two street frontages), thereby resulting in significant problems and/or diminishment of property values for the properties which will be subject to the U.S. Highway 190 widening project.
  2. Purpose of Section 6.0407. The purpose of Section 6.0407 is to minimize the effect of the U.S. Highway 190 widening project on property owners with frontage along this highway and to minimize the land acquisition costs to DOTD for the U.S. Highway 190 widening project, while seeking to maintain as much as possible of the intended landscaping effect of the street planting areas as provided for in Section 7.0106.
- C. Street Planting Area Prior to Land Acquisition for the U.S. Hwy. 190 Widening Project. Prior to land acquisition for the U.S. Highway 190 Widening Project, the street planting areas along U.S. Highway 190 shall be 25 feet wide or deep (20 feet for properties having more than one street frontage) measured from the present U.S. Hwy. 190 right of way line and shall be subject to the other provisions of Section 7.0106.
- D. Street Planting Area after Land Acquisition for the U.S. Highway 190 Widening Project. After the land acquisition for the U.S. Highway 190 Widening Project, the width (depth) of the street planting area after such acquisition shall be reduced by one foot (or fraction thereof) for each foot (or fraction thereof) that the right of way for U.S. Highway 190 is widened by such acquisition. The following are examples of the application of this rule at points along the right of way line of U.S. Highway 190 after such acquisition:

Extended Width of Right of Way  
Street Planting Width or Depth after Land Acquisition

Zero - No widening  
25 feet (20 feet for properties with more than one frontage)

Right of Way widened 5 feet  
20 feet (15 feet for properties with more than one frontage)

Right of Way widened 10 feet  
15 feet (10 feet for properties with more than one frontage)

Right of Way widened 15 feet  
10 feet (5 feet for properties with more than one frontage)

Right of Way widened 20 feet  
5 feet (no front planting area for properties with more than one frontage)

Right of Way widened 25 feet  
No front planting area

Right of Way widened 30 feet  
No front planting area

- E. Planting Requirements in Street Planting Areas after U.S. Highway 190 Widening. After land acquisitions for the U.S. Highway 190 Widening Project, the planting requirements in street planting areas as set forth in Section 7.0106F shall be as follows:
1. Street Planting Area Widths of 15 or More Feet. If the street planting area width (depth) is 15 or more feet after the land acquisition for the U.S. Highway 190 Widening Project, the planting requirements set forth in Section 7.0106F shall be satisfied within such 15 or more feet.
  2. Street Planting Area Widths of Less than 15 Feet. If the street planting area width (depth) is less than 15 feet after the land acquisition for the U.S. Highway 190 Widening Project:
    - a. The applicant shall submit a landscape and tree preservation plan to the Department of Planning which achieves as much of the planting required in Section 7.0106F as is reasonably feasible.
    - b. The Department of Planning shall review such plan and make such additional requirements as it deems appropriate. The Department of Planning's decision shall be final except that it is subject to appeal to the Board of Zoning Adjustments.
- F. Utilities in Street Planting Areas. If, after the acquisition of land for the U.S. Highway 190 Widening Project, a utility easement or servitude is located within the street planting area and is adjacent to and runs along a street or road, the width of the street planting area shall not be increased beyond the width required in Section 6.0407E.
- G. Required Information. In order to receive the benefits of this Section 6.0407, the applicant shall submit to the Department of Planning:

1. A copy of the acquisition (Judgment of expropriation or voluntary sale or grant of right of way) by DOTD for the U.S. Highway 190 Widening Project.
2. A copy of the right of way map of DOTD showing the property acquired for the U.S. Highway 190 Widening Project.
3. A copy of a survey by a licensed surveyor showing the right of way line before and after the acquisition for the U.S. Highway 190 Widening Project.

The Department of Planning may waive submission of one or more of these items required to be submitted, provided that the submitted item or items are sufficient to determine the right of way line before and after the acquisition for the U.S. Highway 190 Widening Project.

- H. Special Street Planting Area Rules Take Precedence. The provisions of Section 6.0407 shall take precedence over other provisions of Section 7.01 relating to street planting areas so that if there is any conflict, the provisions of Section 6.0407 shall prevail.
- I. Intergovernmental Agreement. It is understood that the Parish of St. Tammany may enter into an intergovernmental agreement with DOTD to use part of the extended right of way resulting from the U.S. Highway 190 Widening Project for the purposes of landscaping in order to mitigate the effects of the reduction in width of the street planting areas due to such widening.