

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 2902 ORDINANCE COUNCIL SERIES NO. 04-

COUNCIL SPONSOR BRISTER/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY _____ SECONDED BY _____

ON THE ____ DAY OF _____ 2004

ORDINANCE TO AMEND APPENDIX B OF THE ST. TAMMANY PARISH CODE OF ORDINANCES, SPECIFICALLY, SECTION 40-041.0 DEVELOPMENTAL AGREEMENTS, OF ST. TAMMANY PARISH SUBDIVISION ORDINANCE NO. 499; AND TO PROVIDE FOR REPEAL, SEVERABILITY AND DATE OF ENACTMENT

WHEREAS, since the Planning Commission has no tangible input relative to the negotiation process for developmental agreements; and

WHEREAS, the Planning Commission, by not being directly involved in the developmental agreement process, feels that it would better serve the public and those individuals involved in the process if the commission were to be excluded in favor of the councils exclusive review of the developmental agreement process.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that Section 40-041.0 Developmental Agreements of St. Tammany Parish Subdivision Ordinance. No. 499 be hereby amended as follows:

Sec. 40-041.04 The Developmental Agreement

(Rescind Item 2.)

~~2. The agreement shall be reviewed by and through the St. Tammany Parish Planning Commission at the time of the tentative subdivision review, wherein said commission and participating parties shall establish the guidelines, criteria and parameters of the agreement to be entered into.~~

(Rename as new Item 2.)

3. ~~Upon completion of the developmental agreement process, wherein the developer voluntarily agrees to enter into a binding contractual agreement with the governing authority of St. Tammany Parish; the St. Tammany Parish Planning Commission shall forward the final agreement for endorsement by said authority~~ Subsequent to the Planning Commission granting tentative subdivision approval, the developer and the Parish may enter into formal negotiations. Once an agreement has been reached, the Parish Council shall adopt said agreement by ordinance, only after the prescribed legal requirements for public notice have been satisfied as set forth in Section 40-040.8.

Sec. 40-041.06 Application and Procurement

~~1. The Department of Development shall furnish the developer of a new subdivision with the necessary documentation for voluntary submission of an application to enter into a developmental agreement. The finalized version of an application must be completed by the applicant and returned to the Department of Development at least ten (10) working days prior to the scheduled tentative subdivision review hearing date before the Planning Commission.~~

The developer of a proposed new subdivision shall submit a completed developmental agreement application form to the Department of Planning in conjunction with tentative subdivision application.

3. Once an application has been filled out and returned by the applicant, the director or his ~~designer~~ designee shall request an informal application pre-agreement conference to discuss the relevant points for the agreement in relationship to the applicant's project or development. After informal negotiations have taken place, the director or his designer shall forward said application and recommendations to the ~~St. Tammany Parish Planning Commission~~ parish administration and council district representative, wherein the subdivision is located, for review and consideration.

(Rescind Item 4.)

~~4. Subsequent to the Planning Commission review, the commission shall forward its recommendations to the St. Tammany Parish Police Jury for their review and final dispensation.~~

Sec. 40-041.08 Public Advertisement

A public hearing on an application for a developmental agreement and notice of intention to consider the adoption of a developmental agreement shall be published three (3) times in the official parish journal at least ten (10) days prior to the actual ~~Planning Commission~~ Parish Council hearing date. ~~This advertising requirement shall also be applicable with respects to a hearing before the Police Jury.~~

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____, 2004; AND BECOMES ORDINANCE COUNCIL SERIES NO. 04-_____.

PATRICIA BRISTER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: _____, 2004
Published adoption: _____, 2004

Delivered to Parish President: _____, 2004 @ _____
Returned to Council Clerk: _____, 2004 @ _____