

ST. TAMMANY PARISH COUNCIL
ORDINANCE

ORDINANCE CALENDAR NO. 2903 COUNCIL ORDINANCE SERIES NO. _____

COUNCIL SPONSOR BRISTER/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY _____, SECONDED BY _____, ON THE _____

DAY OF _____, 2004

AN ORDINANCE TO ADOPT A VOLUNTARY DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND ABITA RIVER, L.L.C., THE DEVELOPER OF RIVER HIGHLANDS SUBDIVISION, LOCATED IN WARD 3, DISTRICT 1

WHEREAS, Abita River, L.L.C., developer of River Highlands Subdivision, has agreed in principle to enter into a voluntary developmental agreement with the Parish of St. Tammany; and

WHEREAS, the St. Tammany Parish Planning Commission and Council have held public hearings concerning said agreement and do hereby concur and conclude that said agreement is mutually acceptable, binding on all parties, and shall derive benefits for the development and to the Parish.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it hereby accepts and enters into said voluntary developmental agreement with the developer of River Highlands Subdivision, as well as any other boards, commissions, organizations or districts duly created or endorsed by the Parish Council that may be a party hereto.

BE IT FURTHER ORDAINED, that this agreement shall be recorded within the records of the St. Tammany Parish Clerk of Courts Office, if applicable, and this ordinance shall serve as an attachment thereto.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance is held to be invalid, such invalidity shall not affect other parts or provisions 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:

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

PATRICIA BRISTER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN C. DAVIS, PARISH PRESIDENT

Published introduction _____, 2004
Published adoption _____, 2004

Delivered to the Parish President on _____, 2004 @ _____
Returned to the Council Clerk on _____, 2004 @ _____

2903 + 2904

DEVELOPMENTAL AGREEMENTS
Disposition Report for the August 5, 2004
Parish Council Meeting

Developmental agreements are essentially a contract between the developer and the Parish which specifies what a developer is willing to provide, in terms of improving the infrastructure within a given area, in order to mitigate the impact of his new development. This may include a cash impact fee per lot, in-kind services, or a combination of both. Typically, each developmental agreement is recorded in the Parish Courthouse prior to the recordation of the final subdivision plats. If the agreement involves the collection of impact fees to satisfy the terms of the contract, the funds collected can be used for improvements within the respective Council District where the development is located. Typical projects whereby the funds can be allocated and expended are, but not limited to: road and drainage improvements, recreation, lighting, beautification, Tammany Trace enhancements and donations to non-profit organizations such as the Economic Development Foundation and St. Tammany Parish Animal Control.

River Highlands, Ward 3, District 1

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating cash impact fees based on a per square foot basis of "useable space".

Tammany Middle, L.L.C., Ward 3, District 1

The developer has agreed in principle to donate in-kind services to repair, upgrade and dedicate to St. Tammany Parish a portion of Holiday Square Boulevard.

Note: All developmental agreements are subject to additional negotiations and or amendment prior to the final agreements being recorded for public record, if applicable.