

ST. TAMMANY PARISH COUNCIL
ORDINANCE

ORDINANCE CALENDAR NO. 2957 COUNCIL ORDINANCE SERIES NO. _____

COUNCIL SPONSOR BRISTER/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY MR. BAGERT, SECONDED BY MR. IMPASTATO, ON THE
4TH DAY OF NOVEMBER, 2004

AN ORDINANCE TO ADOPT A VOLUNTARY DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND AUTUMN CREEK, L.L.C., THE DEVELOPER OF AUTUMN CREEK SUBDIVISION, LOCATED IN WARD I, DISTRICT I

WHEREAS, Autumn Creek, L.L.C., developer of Autumn Creek 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 Autumn Creek 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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. _____.

ATTEST:

PATRICIA BRISTER, COUNCIL CHAIRMAN

DIANE HUBSCHEN, 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 @ _____

**DEVELOPMENTAL AGREEMENTS
Disposition Report for November 4, 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.

Autumn Creek, Ward 1, District 1

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process. However, as of this writing, the developer has not submitted or conveyed to the staff any specific proposal. Therefore, the staff recommends tabling.
(Planning Commission recommended adoption.)

Ord. 295'1

The Plantation, Ward 5, District 2

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating a \$1,000.00 per lot cash impact fee to be used for improvements within the council district in which the subdivision is located. This proposal was successfully negotiated between the developer and the councilman for the district, therefore the staff recommends approval.
(Planning Commission recommended adoption.)

295'8

Madison Villas, Ward 1, District 1

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating a \$500.00 per lot cash impact fee to be used for improvements within the council district in which the subdivision is located. This proposal was successfully negotiated between the developer and the councilman for the district, therefore the staff recommends approval.
(Planning Commission recommended adoption.)

295'9

Autumn Haven, Ward 4, District 7

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating a one-time \$40,000.00 cash impact fee. Additionally, the developer has agreed to perform in-kind services to improve drainage within the area, specifically, at Koo Koo's Nest, Rising Sun and Raymond at Rising Sun. This agreement was successfully negotiated between the developer, council district representative and the administration; therefore the staff recommends approval.
(Planning Commission recommended adoption.)

296'0

The Fountains, Ward 4, District 5

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating a \$1,000.00 per lot cash impact fee to be used for improvements within the council district in which the subdivision is located. This proposal was successfully negotiated between the developer and the councilman for the district, therefore the staff recommends approval.
(Planning Commission recommended adoption.)

296'1

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