

ST. TAMMANY PARISH COUNCIL
ORDINANCE

ORDINANCE CALENDAR NO. 3067 COUNCIL ORDINANCE SERIES NO. _____

COUNCIL SPONSOR STEFANCIK/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY _____, SECONDED BY _____, ON THE
_____ DAY OF _____, 2005

AN ORDINANCE TO ADOPT A VOLUNTARY DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND TAMMANY DEVELOPMENT, THE DEVELOPER OF PENN MILL PLACE SUBDIVISION, LOCATED IN WARD 3, DISTRICT 3

WHEREAS, Tammany Development, Inc. developer of Penn Mill Place 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 Penn Mill Place 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 _____, 2005; AND BECOMES COUNCIL ORDINANCE SERIES NO. _____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN C. DAVIS, PARISH PRESIDENT

Published introduction _____, 2005
Published adoption _____, 2005

Delivered to the Parish President on _____, 2005 @ _____
Returned to the Council Clerk on _____, 2005 @ _____

DEVELOPMENTAL AGREEMENTS
Disposition Report for May 5, 2005
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.

Penn Mill Place, Ward 3, District 3

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by offering to donate a \$500.00 per lot cash impact fee to be used for improvements within the council district in which the subdivision is located. This agreement was negotiated between the developer and the parish council district representative; therefore, the staff recommends approval.

(Planning Commission recommended adoption)

Bedico Creek, Ward 1, District 1

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by offering to donate 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 agreement was negotiated between the developer and the parish council district representative; therefore, the staff recommends approval.

(Planning Commission recommended adoption)

Oaklawn Trace, Ward 7, District 7

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by offering to donate \$1,000.00 per lot in a combination of in-kind services and cash totaling \$160,000.00. \$60,000.00 worth of in-kind services shall be performed for the construction of the on-site recreational facilities, adjoining parking lot facilities, concession and restroom buildings, ballfields, and any other incidental structures as needed. And a \$100,000.00 lump sum cash payment shall be made within ninety (90) days after recording the final subdivision plat.

(Planning Commission recommended adoption)

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