

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3164 AS AMENDED ORDINANCE COUNCIL SERIES NO. 05-

COUNCIL SPONSOR: MR. SINGLETARY PROVIDED BY: COUNCIL OFFICE

RE-INTRODUCED BY MR. SINGLETARY SECONDED BY MR. BURKHALTER

ON THE 6TH DAY OF OCTOBER, 2005.

ORDINANCE TO AMEND ORDINANCE COUNCIL SERIES NO. 05-1162, ADOPTED AUGUST 04, 2005, AND APPENDIX B OF THE ST. TAMMANY PARISH CODE OF ORDINANCES, SUBDIVISION REGULATORY ORDINANCE NO. 499, SPECIFICALLY, SECTION 40-020.0 EXEMPTIONS, AND TO PROVIDE FOR REPEAL, SEVERABILITY AND DATE OF ENACTMENT.

WHEREAS, Ordinance C.S. No. 05-1162 was adopted by this Parish Council to address instances where the spirit and intent of the exemption section of the parish subdivision regulations has been exploited by individuals in an attempt to circumvent the parish's subdivision process; and

WHEREAS, since the parish has adopted a new ordinance, commonly referred to as the "Minor Subdivision Ordinance" where a total of five (5) lots can be created on a private drive, said new ordinance lessens the need for certain aspects of the exemption section to remain in effect; and

WHEREAS, further review of the combined effects of the minor subdivision review and exemptions provisions indicate an adjustment is warranted in the permitted tract size within the exemption section; and

WHEREAS, the St. Tammany Parish Planning Commission reviewed proposed changes to Section 40-020.0 of Subdivision Regulatory Ordinance No. 499 and made its recommendation at its June 14, 2005 meeting.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that Section 40-020.0 Exemptions, of Subdivision Regulatory Ordinance No. 499 be hereby amended as follows:

**SECTION 40-020.0 EXEMPTIONS**

Provided that streets are not to be constructed and the drainage is not significantly altered, the following subdivision of land is exempt from the requirements of the subdivision ordinance:

1. The isolated sale of a portion of a larger tract of land with the condition that not more than three (3) sales from the original tract of land on a dedicated parish or state road occur in one (1) calendar year, and that each tract created must be a minimum of twenty (20) acres in size and have a minimum road frontage of 300', except in Council Districts 6 and 14.

Properties subject to the exemption status in Council Districts 6 and 14 shall only be required to maintain the width and area (size) requirements as established within their respective zoning districts.

2. As per Section 40-045.0 Minor Subdivision Review, Item 4. Exemption.

A resubdivision of property shall be exempt from the minor subdivision review process if an original tract of land is being resubdivided into only two parcels, with one parcel having direct access to a public road or street and the other a private drive.

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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 \_\_\_\_\_, 2005; AND BECOMES ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_.

\_\_\_\_\_  
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
DIANE HUESCHEN, COUNCIL CLERK

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published introduction: \_\_\_\_\_, 2005  
Published adoption: \_\_\_\_\_, 2005

Delivered to Parish President: \_\_\_\_\_, 2005 @ \_\_\_\_\_  
Returned to Council Clerk: \_\_\_\_\_, 2005 @ \_\_\_\_\_