

ST. TAMMANY PARISH COUNCIL
ORDINANCE

ORDINANCE CALENDAR NO. 3483

COUNCIL ORDINANCE SERIES NO. _____

COUNCIL SPONSOR STEFANCIK/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY MR. BURKHALTER

SECONDED BY MS. BRISTER

ON THE 4TH DAY OF JANUARY, 2007

AN ORDINANCE TO ADOPT A VOLUNTARY DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND TERRA BELLA GROUP, L.L.C., THE DEVELOPER OF TERRA BELLA SUBDIVISION, LOCATED IN WARD 1, DISTRICT 1

WHEREAS, Terra Bella Group, L.L.C., developer of Terra Bella 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 Terra Bella 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 _____, 2007; AND BECOMES COUNCIL ORDINANCE SERIES NO. _____.

ATTEST:

COUNCIL CHAIRMAN

DIANE HUESCHEN, COUNCIL CLERK

KEVIN C. DAVIS, PARISH PRESIDENT

Published introduction December 28, 2006

Published adoption _____, 2007

Delivered to the Parish President on _____, 2007 @ _____

Returned to the Council Clerk on _____, 2007 @ _____

DEVELOPMENTAL AGREEMENTS
Disposition Report for January 4, 2007
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.

Terra Bella Subdivision, Ward 1, District 1

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating in three equal installments, a total cash impact fee in the amount of 1.5 million dollars. The first installment of \$500,000.00 shall be paid to the parish upon issuance of a "work order" for Phase 1; the second, a \$500,000.00 payment upon filing of the Phase 1 final subdivision plat; and the third; a \$500,000.00 payment upon the filing of the final plat for Phase 2.

The agreement was successfully negotiated between the administration and the developer.

(The Planning Commission recommend approval at their December 12, 2006 meeting.)

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

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK