

ST. TAMMANY PARISH COUNCIL
ORDINANCE

ORDINANCE CALENDAR NO. 3618

COUNCIL ORDINANCE SERIES NO. _____

COUNCIL SPONSOR BAGERT/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BURKHALTER

ON THE 2ND DAY OF AUGUST, 2007

AN ORDINANCE TO ADOPT A VOLUNTARY DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND SUMMERFIELD, L.L.C., THE DEVELOPER OF SUMMERFIELD ESTATES SUBDIVISION, LOCATED IN WARD 8, DISTRICT 9

WHEREAS, Summerfield, L.L.C., developer of Summerfield Estates 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 Tuscan West Estates 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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:

3618

DEVELOPMENTAL AGREEMENTS
Disposition Report for the August 2, 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, on a voluntary basis, 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.

Summerfield Estates Subdivision, Ward 8, District 9

The developer has agreed in principle to participate in the Parish's voluntary developmental agreement process by donating a one-time \$17,500.00 cash impact fee, which represents a \$500.00 per lot fee for the thirty-five (35) lots within the subdivision.

The developer has stated that this amount was negotiated with the councilman for the area, Mr. Barry Bagert, prior to the initial zoning hearing; however, not with the administration. Therefore, the staff recommends approval of the proposal subject to review and agreement by the administration relative to the amount to be donated.

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