

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6817

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TOLEDANO

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 4 DAY OF NOVEMBER , 2021

ORDINANCE TO EXTEND A SIX (6) MONTH MORATORIUM ON RECEIPT OF SUBMISSIONS BY THE PARISH PLANNING AND ZONING COMMISSION FOR THE RE-SUBDIVISION OR RE-ZONING OF PROPERTY AND/OR ON THE ISSUANCE OF CERTAIN PERMITS BY THE PARISH DEPARTMENT OF PLANNING AND DEVELOPMENT/PERMITS FOR THE CONSTRUCTION OR PLACEMENT OF CERTAIN BUILDING STRUCTURES ON PROPERTY IN THE AREA BOUNDED BY INTERSTATE 12, HIGHWAY 59, SHARP ROAD, AND HIGHWAY 190, BEING A PORTION OF THE LITTLE CREEK/PONCHITOLAWA CREEK, BAYOU TETE L OURS AND BAYOU CHINCHUBA DRAINAGE BASINS, ALL AS MORE PARTICULARLY DESCRIBED HEREIN AND ON THE ATTACHED MAP, WARD 4, DISTRICT 5.

WHEREAS, an area of unincorporated St. Tammany Parish bounded by Interstate 12, Highway 59, Sharp Road, and Highway 190 being a portion of the Little Creek/Ponchitolowa Creek, Bayou Tete L’Ours, and Bayou Chinchuba Drainage Basins, as more fully described below, has sustained flooding and is experiencing a lack of adequate infrastructure to support further development; and

WHEREAS, continued development of property within the defined area will worsen drainage problems and place an increasing burden on the drainage and already heavily impacted road infrastructure, adversely impacting the health, safety, and general welfare of parish citizens; and

WHEREAS, a study is necessary to determine what kinds of improvements are necessary to support long term growth and responsible development of the area; and

WHEREAS, it is necessary to temporarily suspend receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for residential construction or placement of any residential building structures, subject to the exclusions described below, on property bounded by Interstate 12, Highway 59, Sharp Road, and Highway 190 being a portion of the Little Creek/Ponchitolowa Creek, Bayou Tete L’Ours, and Bayou Chinchuba Drainage Basins, Ward 4, District 5, pending completion of the above referenced study; and

WHEREAS, on December 3, 2020, the Parish Council adopted Ordinance C.S. No. 20-4445, imposing a six (6) month moratorium on the receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for residential construction or placement of any residential building structures, excluding the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development prior to adoption of this ordinance; the development of property that has received a PUD approval from the St. Tammany Parish Zoning Commission prior to October 1, 2020, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; commercially zoned construction; and single lot constructions, on property bounded by Interstate 12, Highway 59, Sharp Road, and Highway 190 being a portion of the Little Creek/Ponchitolowa Creek, Bayou Tete L’Ours, and Bayou Chinchuba Drainage Basins, all as more particularly described herein and on the attached map, Ward 4, District 5; and

WHEREAS, it is necessary to extend for six (6) months the moratorium on the receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for residential construction or placement of any residential building structures, excluding the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development prior to adoption of this ordinance; the development

of property that has received a PUD approval from the St. Tammany Parish Zoning Commission prior to October 1, 2020, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; commercially zoned construction; and single lot constructions, on property bounded by Interstate 12, Highway 59, Sharp Road, and Highway 190 being a portion of the Little Creek/Ponchitolowa Creek, Bayou Tete L'Ours, and Bayou Chinchuba Drainage Basins, all as more particularly described herein and on the attached map, Ward 4, District 5 pending completion of the above referenced study; and

WHEREAS, in accordance with the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-620, a copy of this proposed ordinance has been placed on the parish website for a period of thirty (30) days prior to its introduction, and all other requirements of said section have been met prior to its introduction; and

WHEREAS, this moratorium will not affect the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development/Permits section prior to the adoption of this ordinance.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that in accordance with the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, the Parish Council imposes a Six (6) Month Moratorium on receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for residential construction or placement of any residential building structures, excluding the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development prior to adoption of this ordinance; the development of property that has received a PUD approval from the St. Tammany Parish Zoning Commission prior to October 1, 2020, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; commercially zoned construction; and single lot constructions, on property bounded by Interstate 12, Highway 59, Sharp Road, and Highway 190 being a portion of the Little Creek/Ponchitolowa Creek, Bayou Tete L'Ours, and Bayou Chinchuba Drainage Basins, all as more particularly described herein and on the attached map, Ward 4, District 5:

A CERTAIN AREA OF LAND SITUATED IN THE STATE OF LOUISIANA, PARISH OF ST. TAMMANY, WARD 4, DISTRICT 5, DESCRIBED AS THE AREA BOUNDED BY INTERSTATE 12, HIGHWAY 59, SHARP ROAD, AND HIGHWAY 190, ALL AS INDICATED ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF.

BE IT FURTHER ORDAINED that this moratorium will not affect the development of property for which issuance of permits for construction or placement of any building structures has already been approved prior to the adoption of this ordinance, nor the issuance of commercial building permits, accessory structure building permits, or building permits for single lot residential construction in subdivisions approved prior to the adoption of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon final adoption and shall remain in effect until June 2, 2022.

BE IT FURTHER ORDAINED that the moratorium imposed may be vacated, in whole or in part, by resolution of this governing body pursuant to Chapter 5, Article II, Section 5-056.00 of the Parish Code of Ordinances.

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 2 DAY OF DECEMBER, 2021; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: OCTOBER 27, 2021

Published Adoption: _____, 2021

Delivered to Parish President: _____, 2021 at _____

Returned to Council Clerk: _____, 2021 at _____