

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6149 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: TOLEDANO/BRISTER PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: _____ SECONDED BY: _____

ON THE 7 DAY OF MARCH , 2019

AN ORDINANCE AMENDING THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE SECTION 130-55 NOTICE REQUIREMENTS TO INCLUDE ADDITIONAL ABUTTER NOTICE PROVISIONS (2018-1134-ZC)

WHEREAS, from time to time property owners in St. Tammany Parish request amendments to the zoning classification of their properties; and

WHEREAS, currently notices of requested changes are published in the official journal and a newspaper of general circulation, together with physical notice signs placed in designated areas by the Department of Planning and Development; and

WHEREAS, in order to further provide notice in addition to that noted above for property owners directly abutting or surrounding the property which will appear on the St. Tammany Parish Zoning Commission agenda for a requested zoning amendment, the St. Tammany Parish Council desires to implement a notice requirement commonly referred to as "abutter notice", requiring additional notice provisions in certain cases.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the following amendments be made to the St. Tammany Parish Unified Development Code Section 130-55: (As per attached Exhibit "A")

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given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 4 DAY OF APRIL , 2019 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: FEBRUARY 27 , 2019

Published Adoption: _____ , 2019

Delivered to Parish President: _____ , 2019 at _____

Returned to Council Clerk: _____ , 2019 at _____

EXHIBIT “A”

2018-1134-ZC

Sec. 130-55. Notice Requirements.

(a) Posted Notice. For all proposed changes, except comprehensive zoning changes and text changes, a printed notice in bold type shall be posted for not less than ~~15~~ *ten (10)* consecutive days prior to the public hearing conducted by the parish zoning commission on signs not less than one square foot in area, prepared, furnished, and placed by the director of planning and development or his designated appointee upon the principal and accessible rights of way adjoining the area proposed for a zoning change. Said signs shall contain the case number, the time and place of the public hearing as provided above. The parish council shall take no action until it has received the final reports of the zoning commission.

(b) No such posting is required of the area within or adjoining an area to be affected by any proposed changes provided there is compliance with the publication requirement set above.

(c) Comprehensive rezoning proposals need be posted under the requirements set out above only within the area to be affected in general geographic terms and need not list the specific zone proposed for all land within that area. The Zoning Commission may then adopt the final map after a public hearing on a ward of comprehensive rezoning area zoning change.

(d) Mailed “abutter notice”.

(1) In addition to the above posted notice, notice setting forth the date, time, place and purpose of the public hearing, a general description of the proposal, and location of the subject property shall be mailed to all property owners by regular mail within three hundred (300) feet, measured radially from the lot lines of the subject property (as depicted in the figure below), as listed in the official online GIS Parcel Viewer records of the parish assessor, at least twenty (20) calendar days before the public hearing by the Department of Planning and Development. Mailed notice of a public hearing shall be sent by the applicant at the applicant's cost and the applicant shall provide the director of planning and development with a notarized list of names and addresses of the property owners notified and copies of delivery confirmation.



~~(2) For those properties requiring mailed abutter notice as set out in section (d)(1) above for which no delivery confirmation was received within ten (10) calendar days prior to the public meeting, A a door hanger type notice setting forth the date, time, place and purpose of the public hearing, a general description of the proposal, and location of the subject property shall be placed at said property *at least ten (10) business days prior to the public meeting on all properties located within one hundred (100) feet measured radially from the lot lines of the subject property as listed in the online GIS Parcel Viewer records of the parish assessor* by the applicant at the applicant's cost. The applicant shall provide the director of planning and development with a notarized list of names and addresses of the property owners notified in this manner and a sworn statement that such notice was provided.~~

~~(3) No amendment, supplement, or change to any zoning classification, regulation, map, district or boundary or denial by the *St. Tammany Parish planning or zoning commission or Parish Council council* of any application, petition or other matter requiring notice shall be declared invalid by reason of any defect in the mailed abutter notice described above. No further research, other than that provided for *within this section by the property owner requesting a zoning change* shall be necessary, and no mistake in the assessor's records shall cause any action by the *St. Tammany Parish planning or zoning commission or Parish Council council* to be declared invalid. ~~It shall be the duty of abutting property owners to ensure that the official records of the assessor are up to date and include correct ownership and mailing information for all parcels of property located in St. Tammany Parish.~~~~

Administrative Comments

2018-1134

An Ordinance amending the St. Tammany Parish Unified Development Code Section 130-55 "Notice Requirements" to include additional abutter notice provisions.