

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6020

ORDINANCE COUNCIL SERIES NO:

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. BELLISARIO

SECONDED BY: MR. CANULETTE

ON THE 6 DAY OF SEPTEMBER , 2018

ORDINANCE TO EXTEND FOR SIX (6) MONTHS THE 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 PERMITS BY THE PARISH DEPARTMENT OF PLANNING AND DEVELOPMENT/PERMITS FOR THE CONSTRUCTION OR PLACEMENT OF ANY BUILDING STRUCTURES ON PROPERTY WITHIN A PORTION OF THE BAYOU DE ZAIRE BASIN AND A PORTION OF THE FLOWERS BAYOU BASIN SOUTH OF I-12 BEING THE STORM SEWER SYSTEM THAT FLOWS INTO THE FLOWERS BAYOU BASIN, ALL AS MORE PARTICULARLY DESCRIBED HEREIN. (WARD 1, DISTRICT 1)

WHEREAS, on April 6, 2017, the Parish Council adopted Ordinance C.S. No. 17-3723 imposing a six-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 permits by the Parish Department of Planning and Development/Permits for the construction or placement of any building structures on property within a portion of the Bayou De Zaire Basin and a portion of the Flowers Bayou Basin south of I-12 being the storm sewer system that flows into the Flowers Bayou Basin; and

WHEREAS, an area of unincorporated St. Tammany Parish known as a portion of the Bayou de Zaire Basin and a portion of the Flowers Bayou Basin south of I-12 being the storm sewer system that flows into the Flowers Bayou Basin, as more fully described below, has some existing drainage issues and has sustained flooding creating an emergency situation; 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, there is an ongoing drainage study inclusive of the area described below and on the attached map; and

WHEREAS, additionally, an assessment of the traffic issues of the area should be conducted to address the above referenced conditions and concerns; and

WHEREAS, it is necessary to extend the suspension of 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 the construction or placement of any building structures on property within the area known as a portion of the Bayou de Zaire Basin and a portion of the Flowers Bayou Basin south of I-12 being the storm sewer system that flows into the Flowers Bayou Basin, Ward 1, District 1, pending completion of the above referenced drainage study and assessment of traffic issues; 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 adoption of this ordinance.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that in accordance with Section 2-14 of the Parish Home Rule Charter, the Parish Council extends for Six (6) Months the 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 permits by the Parish Department of Planning and

Development/Permits for the construction or placement of any building structures on property within a portion of the Bayou de Zaire Basin and a portion of the Flowers Bayou Basin south of I-12 being the storm sewer system that flows into the Flowers Bayou Basin, all as more particularly described herein and on the attached map, Ward 1 , District 1:

A CERTAIN AREA OF LAND SITUATED IN THE STATE OF LOUISIANA, PARISH OF ST. TAMMANY, WARD 1, DISTRICT 1, BOUNDED ON THE NORTH BY THE SOUTHERN BOUNDARY OF I-12, BOUNDED ON THE EAST BY THE WESTERN BOUNDARY OF HWY 21 AND INCLUDING LOTS FRONTING BOTH SIDES OF HWY 21, BOUNDED ON THE SOUTH BY THE NORTHERN BOUNDARY OF DUMMY LINE ROAD, AND BOUNDED ON THE WEST BY THE EASTERN BOUNDARY OF THE BLACK RIVER BASIN TO ITS INTERSECTION WITH HWY 1077 AND INCLUDING LOTS FRONTING BOTH SIDES OF HWY 1077, THEN FROM HWY 1077 NORTH TO I-12, ALL AS INDICATED ON THE MAP IDENTIFIED AS EXHIBIT "A" 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 by the Parish Department of Planning & Development/Permits prior to March 2, 2017.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon final adoption and shall remain in effect through April 5, 2019.

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 2, Article XVI, Section 2-264 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 immediately upon final adoption and remain in effect through April 5, 2019.

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 OCTOBER , 2018 ; AND BECOMES ORDINANCE COUNCIL SERIES NO .

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: AUGUST 29 , 2018

Published Adoption: _____, 2018

Delivered to Parish President: _____, 2018 at _____

Returned to Council Clerk: _____, 2018 at _____