

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7351

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR: MR. LORINO

PROVIDED BY: CIVIL DA

INTRODUCED BY: MS. O'BRIEN

SECONDED BY: MR. CANULETTE

ON THE 3<sup>RD</sup> DAY OF AUGUST, 2023

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART II. LAND DEVELOPMENT CODE, ARTICLE III – PARISH PLANNING COMMISSION AND ARTICLE IV – PARISH ZONING COMMISSION, SEC. 120-47 MEMBERSHIP, SEC. 120-54 MEETINGS, HEARINGS AND PROCEDURES, 120-85 MEMBERSHIP, AND SEC. 120-92, MEETINGS, HEARINGS AND PROCEDURES, TO ADD TWO ALTERNATE MEMBERS TO THE ST. TAMMANY PARISH PLANNING AND ZONING COMMISSIONS.

WHEREAS, it is in the best interests of the parish and its citizens to amend the above referenced sections of the St. Tammany Parish Code of Ordinances in order to more efficiently process applications made to the Planning and Zoning Commissions;

WHEREAS, the addition of two alternate members on the Planning and Zoning Commissions, who shall be referred to as commissioners and members, are necessary when a quorum is not present in a meeting of the commissions; and

WHEREAS, the two alternate commissioners and members shall attend all meetings, have terms concurrent with concurrent with the terms of office of the parish president and parish council, receive a per diem for each meeting of the commission attended, and receive at least four hours of training each year.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that, the St. Tammany Parish Code of Ordinances, PART II. Land Development Code, Article III – Parish Planning Commission and Article IV – Parish Zoning Commission, Sec. 120-47 Membership, Sec. 120-54 Meetings, Hearings, and Procedures, Sec. 120-85 Membership, and Sec. 120-92 Meetings, Hearings, and Procedure, shall be amended as follows:

Sec. 120-47. Membership.

(a) The parish planning commission shall be composed of ~~11~~ 13 members- including 11 members and 2 alternate members, collectively referred to as commissioners or members.

(b) The parish president shall have the unilateral and exclusive right to appoint two members. These exclusive appointments by the parish president do not require action by resolution or ordinance.

(c) The parish council, by resolution, shall have the unilateral and exclusive right to appoint nine members and two alternate members.

(d) All members are expected to attend all meetings. Any member who fails to appear at two consecutive planning commission meetings may be removed by his appointing authority. Members may also be removed at any time with or without cause by the appointing authority. A majority vote of the parish council membership is required to remove members appointed by the parish council.

(e) Any vacancy as specifically to the ~~nine~~ eleven parish council appointments shall be unilaterally and exclusively filled by council resolution within 75 days of notice of the vacancy.

(f) Any vacancy as specifically to the two parish president appointments shall be filled unilaterally and exclusively by the parish president within 75 days of notice of the vacancy.

(g) Terms of all planning commission members shall be concurrent with the terms of office of the parish president and parish council.

(h) ~~All~~ Planning commission members shall receive a per diem of \$50.00 for each meeting of the commission attended, for a maximum of 24 meetings per year.

(i) No member shall seek, qualify for, or hold an elected public office while seated as a planning commissioner.

(j) A person newly appointed and serving on the planning commission shall receive at least four hours of training prior to or within one year of appointment. Each year, all commissioners shall attend a mandatory four hours of continuing education training provided by the department of planning and development. Should a commissioner be unable to attend the mandatory training session, that commissioner will not take part in commission functions until the four-hour training requirement has been met. Should the parish-sponsored training session not be available, an alternative training session approved by the director of planning and development may be substituted. Commissioners newly appointed, and those continuing to serve, on both the planning commission and the zoning commission are required to obtain a combined total of four hours of training and annual continuing education, respectively.

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Sec. 120-54. Meetings, hearings, and procedures.

(a) The regular planning commission meeting shall be held at 6:00 p.m. on the second Tuesday of each month at the St. Tammany Parish Administrative Complex, except where holidays or other conflicts shall require rescheduling.

(b) Special meetings may be called by the chairman, or at the request in writing of any six members of the commission, subject to proper legal notice.

(c) All meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and this article.

(d) The commission shall sit only as a planning commission for all planning applications authorized by chapter 125.

(e) If necessary, the planning commission and the zoning commission may meet on the same day. Separate agendas must be maintained for each commission. If both meetings are held on the same day, one meeting must adjourn before the second is commenced.

(f) The agenda for hearings and meetings of the commission shall be prepared by the secretary with the approval of the chairman.

(g) Applications for amendments to chapter 125 or developmental reviews under this article shall not be considered by the commission unless properly and completely filed for placement on the agenda with the secretary, in accordance with the applicable filing procedures of the department of planning and development and provisions for public notice and the filing deadlines established therein.

(h) Matters that have arisen subsequent to the established filing deadline may be placed on the next appropriate commission meeting agenda by the chairman provided that the request is made to the secretary prior to the deadline for final legal notice of the meeting and that all other requirements for legal notification have been met.

(i) The agenda shall constitute the fixed order of business for the particular public hearing or meeting.

(j) The chairman, without objection from the commission, may arrange individual items on the particular agenda if necessary for the expeditious conduct of business.

(k) Other items of business (discussion items) not requiring action by the commission may be presented at a meeting and placed on the agenda under "New Business" by the chairman with a unanimous vote of the commission members present.

(l) Any person wishing to introduce written materials at the public hearing or meeting shall hand the materials to the secretary for proper recording and distribution to the chairman and commission. In order for this information to be introduced and recorded there must be at a minimum 12 copies of each document to be introduced.

(m) The commission shall review the draft minutes of its meetings as prepared by the secretary and approve or amend said minutes as is necessary to accurately reflect the actions described. Upon adoption, these minutes become part of the public record. When commission meetings are audio and/or video recorded, said recordings shall become a part of the meeting minutes reflecting commission action.

(n) **The Chairperson, or in their absence, the Acting Chairperson, at their discretion, may appoint an alternate commissioner as a temporary voting commissioner or member when a regular commissioner is not present at a meeting of the commission.**

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Sec. 120-85. Membership.

(a) The zoning commission shall be composed of ~~11~~ 13 members- including 11 members and 2 alternate members, collectively referred to as commissioners or members.

(b) The parish president shall have the unilateral and exclusive right to appoint two members. These exclusive appointments by the parish president do not require action by resolution or ordinance.

(c) The parish council, by resolution, shall have the unilateral and exclusive right to appoint nine members and two alternate members.

(d) All members are expected to attend all meetings. Any member who fails to appear at two consecutive zoning commission meetings may be removed by his appointing authority. Members may also be removed at any time, with or without cause, by the appointing authority. A majority vote of the parish council membership is required to remove members appointed by the parish council.

(e) Any vacancy as specifically to the ~~nine~~ eleven parish council appointments shall be unilaterally and exclusively filled by council resolution within 75 days of notice of the vacancy.

(f) Any vacancy as specifically to the two parish president appointments shall be filled unilaterally and exclusively by the parish president within 75 days of notice of the vacancy.

(g) Terms of all zoning commission members shall be concurrent with the terms of office of the parish president and parish council.

(h) All Zoning commission members shall receive a per diem of \$50.00 for each meeting of the commission attended, for a maximum of 24 meetings per year.

(i) No member shall seek, qualify for, or hold an elected public office while seated as a zoning commissioner.

(j) A person newly appointed and serving on the zoning commission shall receive at least four hours of training prior to or within one year of appointment. Each year, all commissioners shall attend a mandatory four hours of continuing education training provided by the department of planning and development. Should a commissioner be unable to attend the mandatory training session, that commissioner will not take part in commission functions until the four-hour training requirement has been met. Should the parish-sponsored training session not be available, an alternative training session approved by the director of planning and development may be substituted. Commissioners newly appointed, and those continuing to serve, on both the planning commission and the zoning commission are required to obtain a combined total of four hours of training and annual continuing education, respectively.

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Sec. 120-92. Meetings, hearings, and procedures.

(a) The regular zoning commission meeting shall be held at 6:00 p.m. on the first Tuesday of each month at the St. Tammany Parish Administrative Complex, except where holidays or other conflicts shall require rescheduling.

(b) Special meetings may be called by the chairman, or at the request in writing of any six members of the commission, subject to proper legal notice.

(c) All meetings shall be open to the public and shall be conducted in accordance with state open meetings laws and this article.

(d) The commission shall sit only as the zoning commission for all zoning applications authorized by the Unified Development Code.

(e) If necessary, the zoning commission and the planning commission may meet on the same day. Separate agendas must be maintained for each commission. If both meetings are held on the same day, one meeting must adjourn before the second is commenced.

(f) The agenda for hearings and meetings of the commission shall be prepared by the secretary with the approval of the chairman.

(g) Applications for amendments to the Unified Development Code under these rules shall not be considered by the commission unless properly and completely filed for placement on the agenda with the secretary, in accordance with the applicable filing procedures of the department of planning and development and provisions for public notice and the filing deadlines established therein.

(h) Matters that have arisen subsequent to the established filing deadline may be placed on the next appropriate commission meeting agenda by the chairman provided that the request is made to the secretary prior to the deadline for final legal notice of the meeting and that all other requirements for legal notification have been met.

(i) The agenda shall constitute the fixed order of business for the particular public hearing or meeting.

(j) The chairman, without objection from the commission, may arrange individual items on the particular agenda if necessary for the expeditious conduct of business.

(k) Other items of business (discussion items) not requiring action by the commission may be presented at a meeting and placed on the agenda under "New Business" by the chairman with a unanimous vote of the commission members present.

(l) Any person wishing to introduce written materials at the public hearing or meeting shall hand the materials to the secretary for proper recording and distribution to the chairman and commission. In order for this information to be introduced and recorded there must be at a minimum 12 copies of each document to be introduced.

(m) The commission shall review the draft minutes of its meetings as prepared by the secretary and approve or amend said minutes as is necessary to accurately reflect the actions described. Upon adoption, these minutes become part of the public record. When commission meetings are audio and/or video recorded, said recordings shall become a part of the minutes reflecting commission action.

(n) The Chairperson, or in their absence, the Acting Chairperson, at their discretion, may appoint an alternate commissioner as a temporary voting commissioner or member when a regular commissioner is not present at a meeting of the commission.

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 7<sup>TH</sup> DAY OF SEPTEMBER, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-\_\_\_\_.

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JACOB "JAKE" A. AIREY, COUNCIL CHAIR

ATTEST:

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KATRINA L. BUCKLEY, COUNCIL CLERK

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MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JULY 26, 2023

Published Adoption: \_\_\_\_\_, 2023

Delivered to Parish President: \_\_\_\_\_, 2023 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2023 at \_\_\_\_\_