

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7487

ORDINANCE COUNCIL SERIES NO.: 24-

COUNCIL SPONSOR: ROLLING/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. IMPASTATO

SECONDED BY:

ON THE 11TH DAY OF JANUARY, 2024

ORDINANCE TO ADOPT A SECOND AMENDMENT TO A (VOLUNTARY) DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND ADVANCE MORTGAGE COMPANY, LLC, THE DEVELOPER OF A PORTION OF TAMMANY HILLS SUBDIVISION, SQUARES OR PORTIONS OF SQUARES 13, 14, 15, 16, 21, 22, 23, 24, 31, 32, 33, 34, 35, 36 AND 37, LOCATED IN WARD 3, DISTRICT 2.

WHEREAS, Advance Mortgage Company, LLC, developer of Squares or portions of Squares 13, 14, 15, 16, 21, 22, 23, 24, 31, 32, 33, 34, 35, 36 AND 37 of Tammany Hills Subdivision, has agreed in principle to enter into a Second Amendment to 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 amendment to 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 said Second Amendment to Developmental Agreement with Advance Mortgage Company, LLC as developer of Squares or portions of Squares 13, 14, 15, 16, 21, 22, 23, 24, 31, 32, 33, 34, 35, 36 AND 37 of Tammany Hills Subdivision; and

BE IT FURTHER ORDAINED: that St. Tammany Parish Government, through the Office of the Parish President, is authorized to proceed with the execution of the Second Amendment to Developmental Agreement; and

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to exercise its discretion in entering into the Second Amendment to Developmental Agreement, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

BE IT FURTHER ORDAINED: that any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly.

BE IT FURTHER ORDAINED: that the Second Amendment to Developmental Agreement shall be recorded within the records of the Clerk of Court for the Parish of St. Tammany, and a copy of 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 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 8TH DAY OF FEBRUARY, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-
_____.

ARTHUR LAUGHLIN, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JANUARY 03, 2024

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____

ADMINISTRATIVE COMMENT

January 11, 2023

Civil Division – 22nd District Attorney’s Office

ORDINANCE TO ADOPT A SECOND AMENDMENT TO A (VOLUNTARY) DEVELOPMENTAL AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND ADVANCE MORTGAGE COMPANY, LLC, THE DEVELOPER OF A PORTION OF TAMMANY HILLS SUBDIVISION, SQUARES OR PORTIONS OF SQUARES 13, 14, 15, 16, 21, 22, 23, 24, 31, 32, 33, 34, 35, 36 AND 37, LOCATED IN WARD 3, DISTRICT 2.

Advance Mortgage Company, LLC has an existing (voluntary) Developmental Agreement dated effective September 25, 2003 and as amended by the Amendment to Developmental Agreement dated effective June 23, 2020. Advance seeks approval for a second amendment to modify the property included within the Developmental Agreement. More specifically, lots previously included are being exchanged for other lots.

Planning Commission has or will have approved the Amendment at their January 9, 2024 meeting as required by LSA R.S. 33:4780.28. Following Planning Commission approval, approval by Ordinance is required (LSA R.S. 33:4780.29), including when dealing with an amendment (LSA R.S. 33:4780.30).

Because the Developmental Agreement was effective as of September 25, 2003, the properties are exempt from the mandatory impact fee provisions (Code of Ordinances, Section 2-773(6)).