

**Staff Comments for Annexation request SL2023-03**

**February 8, 2024 Council Meeting**

Civil DA – (Joseph Alphonse) Annexation was previously pursued under SL2006-06, which ultimately was denied by City of Slidell. This SL2023-03 effort should be treated as a new annexation attempt. The City's contiguous property to the subject parcel is the I-10 Service Road.

St. Tammany Parish Government (the "Parish") executed an agreement entitled "Sales Tax Enhancement Plan By and Between the Parish, Sales Tax District No. 3, and the City of Slidell" (hereafter the "Agreement") December 1, 2006 with the City of Slidell (the "City"). The Agreement expires November 30, 2031.

The property that is proposed to be annexed appears to have had no recent use. Pictometry images indicate that, except for a billboard lease, the site was vacant for at least two (2) years prior to the date of the Petition for Annexation.

Article 1 of the Agreement addresses annexation. Per Section B, "undeveloped" means, among other things, vacant land.

Article 1, Section B (2) of the agreement states that:

"In all cases where undeveloped properties as annexed in accordance with state law, following the effective date of this agreement, dealers in retail sales shall collect only the District's 2% sales tax and remit the entire amount to the District. An amount equal to fifty (50%) percent of the net proceeds of these taxes shall be paid to the City in the manner hereinafter specified. The net sales tax revenues shall be those received by the District after accounting for all expenses of collection and as set forth in Article 3.

a) In cases of undeveloped property being annexed subsequent to this agreement, the Parties agree that either the Parish's drainage and traffic impact regulations shall apply to the development of the property or the City's drainage and traffic impact regulations shall apply, whichever is the most restrictive. If, in the opinion of the Parish and City Engineers, a different application of regulations should apply to the property, modifications to the applicable regulations may be made upon the written concurrence of the Engineering Departments. In this regard, the Parties agree to cooperate in the review and approval of any drainage plans and traffic impact analysis, in order to ensure the least amount of adverse drainage impacts and traffic on surrounding areas and on existing and future drainage and traffic infrastructure."

Therefore, STD#3 proceeds shall be divided 50/50 Parish/City.

Article 4, Zoning of Annexed Properties, states in part that:

A. If City, after the adoption of this agreement, annexes developed (non-commercial) or undeveloped property into the municipality and proposes actions, within two (2) years of the annexation, to enact a zoning classification for that property that permits more intense commercial, industrial or other land uses than the zoning classification adopted for the property by the Parish prior to the annexation, the following shall apply:

1. Upon application by the City, the Parish Council may concur with the proposed change in zoning and, if it does concur, the District shall retain fifty (50%) percent of the net proceeds and fifty (50%) percent shall be paid to the City at the time and in the manner previously specified.

2. in the event that the Parish Council does not concur with the proposed change in zoning, the District shall retain all net proceeds for a period of two (2) years following annexation of the property by the City. Following the two (2) year period, the District shall retain fifty (50%) percent of the net proceeds and fifty (50%) percent of the net proceeds shall be paid to the City in the manner previously specified.

Any request for a zoning change that permits a more intense land use shall be forwarded to the Parish Council Office and Parish Director of Planning by certified mail, return receipt requested.

If the Parish Council does not deny the request within 75 days of receipt of the request, it shall be deemed approved by the Parish.

The provisions of this Article shall not apply to properties ninety (90%) percent surrounded by the City, exclusive of roads.

Therefore, if the proposed change in zoning from Parish HC-2 to City C4 represents an intensification, Parish Council concurrence will result in a STD#3 proceeds division 50/50 Parish City. If the Parish Council does not concur, the Parish shall retain all STD#3 proceeds for two years following annexation, and then STD#3 proceeds shall be divided 50/50 Parish/City.

Environmental Services – (Tim Brown) - No DES issues

Public Works – (Joey Lobrano) – No Public Works Issues

Engineering (Theodore Reynolds) - The property being annexed is an existing undeveloped property. There is a provision in the annexation agreement that defines the engineering requirements for Article 1. Collection of Sale Taxes, B. Undeveloped Commercial Properties, (2) Subsequently Annexed Property, Section a) In cases of undeveloped property being annexed subsequent to this agreement the Parties agree that either the Parish's drainage and traffic impact regulations shall apply to the development of the property or the City's drainage and traffic impact regulations shall apply, whichever is the most restrictive.

Any renovations, remodels, site work, etc. performed on the property shall be permitted and reviewed by the City of Slidell, and shall not cause an adverse impact to adjacent properties, right of way(s), and/or drainage features located within Unincorporated St. Tammany Parish.

Finance - (Regina Dufor) - No sales tax revenue has been generated by this property.

Planning & Development (Ross Liner) - The proposed change in zoning from Parish HC-2 to City C4 DOES NOT represent an intensification, Parish Council concurrence will result in a STD#3 proceeds division 50/50 Parish City. If the Parish Council does not concur, the Parish shall retain all STD#3 proceeds for two years following annexation, and then STD#3 proceeds shall be divided 50/50 Parish/City.