

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 7467

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. IMPASTATO

PROVIDED BY: CIVIL DA

INTRODUCED BY: MR. IMPASTATO

SECONDED BY: MR. BURKE

ON THE 11TH DAY OF JANUARY, 2024

ORDINANCE TO IMPOSE A SIX (6) MONTH MORATORIUM ON THE RECEIPT OF SUBMISSIONS BY THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING AND/OR THE ISSUANCE OF PERMITS BY THE DEPARTMENT OF PERMITS AND INSPECTIONS FOR THE REZONING AND/OR SUBDIVISION/RE-SUBDIVISION AND/OR ANY CONSTRUCTION OR PLACEMENT FOR ANY OF THE FOLLOWING: (1) ANY PARCEL OF LAND TEN (10) ACRES OR LARGER WHICH WOULD RESULT IN AN ALLOWABLE DENSITY OF ANY RESIDENTIALLY-ZONED PARCEL GREATER THAN A-2 SUBURBAN DISTRICT (ONE [1] UNIT PER ACRE); OR (2) ANY RESIDENTIAL PERMITTED USE IN A PLANNED UNIT DEVELOPMENT (PUD); OR (3) ANY RESIDENTIAL PERMITTED USE IN A TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND); OR (4) ANY SINGLE FAMILY DWELLING UNIT AND/OR LODGING PERMITTED USE IN A HIGHWAY COMMERCIAL (HC) ZONING DISTRICT; OR (5) ANY RESIDENTIAL PERMITTED USE IN A PLANNED BUSINESS CAMPUS (PBC) ZONING DISTRICT, WITHIN THE BOUNDARIES OF COUNCIL DISTRICT 7 AS ESTABLISHED BY ORDINANCE COUNCIL SERIES NO. 22-5061 AND WITHIN COUNCIL DISTRICT 11 ABOVE INTERSTATE 12 AND BELOW HWY 36 IN EFFECT AS OF 2023.

WHEREAS, the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-620 provides for the issuances of moratoriums in the Parish when necessary to protect and preserve the health, safety and property interests of residents; and,

WHEREAS, the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-619 specifically allows for a moratorium in the submission of rezoning requests to the St. Tammany Parish Zoning Commission and Planning Commission; and,

WHEREAS, the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-619 specifically allows for a moratorium in the issuance of building permits for the construction and/or placement of structures by the St. Tammany Parish Permits and Inspection Department; and,

WHEREAS, in accordance with the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-620, a copy of this proposed ordinance has been placed on the Parish website for a period of thirty (30) days prior to its introduction, and all other requirements of said section have been met prior to its introduction; and,

WHEREAS, high density residential developments within the Parish are rapidly expanding to outpace the Parish's current infrastructure, including roads, bridges, and highways; drainage; water and sewerage utilities; schools; and fire, law enforcement, and recreational resources; and,

WHEREAS, St. Tammany Parish Government is currently conducting multiple studies and drafting long-range plans in order to accommodate this extensive growth including, but not limited to, revisions to the Unified Development Code (UDC), updates to the St. Tammany Parish Comprehensive Plan (New Directions 2040), development of the Parishwide Comprehensive

Drainage Plan, development of a Parishwide Comprehensive Transportation Plan, and development of a Parish Wetlands Plan, and,

WHEREAS, the State and Federal Governments are currently addressing and planning infrastructure improvements, such as improvements to local, state, and federal highways; improvements in drainage; and improvements to water distribution and sewerage collection and treatment; and,

WHEREAS, the data on which these plans and studies are based must be relatively stable in order to provide the most accurate means to address the parish's infrastructure needs; and,

WHEREAS, in order to maintain such stability, it is necessary to suspend receipt of high density residential rezoning applications while the Parish's studies are performed and plans are formulated.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that, for a period of six (6) months from the effective date of this ordinance, there shall be a moratorium on the receipt of submissions by the Parish Planning and Zoning Commission and/or the issuance of permits by the St. Tammany Parish Department of Permits and Inspections for the rezoning and/or subdivision/resubdivision and/or any construction or placement for any of the following: (1) any parcel of land ten (10) acres or larger which would result in an allowable density of any residentially zoned parcel greater than A-2 suburban District (one [1] unit per acre); or any residential permitted use in a Planned Unit Development Overlay ("PUDs"), or (3) any residential permitted use in a Traditional Neighborhood Development ("TNDs"), or (4) any single family dwelling and/or lodging permitted use in a Highway Commercial (HC) zoning district, or (5) any residential permitted use in a Planned Business Campus ("PBC") zoning district, within the boundaries of Council District 7 as established by Ordinance Council Series No. 22-5061 and within Council District 11 above interstate 12 and below Hwy 36 in effect as of 2023 as further described in the attached map of Council District 11.

BE IT FURTHER ORDAINED that, for a period of six (6) months from the effective date of this ordinance, there shall be a moratorium on the receipt of submissions by the Parish Planning and Zoning Commission and/or the issuance of permits by the St. Tammany Parish Department of Permits and Inspections for the rezoning and/or subdivision/resubdivision and/or any construction or placement for any of the following: (1) any parcel of land ten (10) acres or larger which would result in an allowable density of any residentially zoned parcel greater than A-2 suburban District (one [1] unit per acre); or any residential permitted use in a Planned Unit Development Overlay ("PUDs"), or (3) any residential permitted use in a Traditional Neighborhood Development ("TNDs"), or (4) any single family dwelling and/or lodging permitted use in a Highway Commercial (HC) zoning district, or (5) any residential permitted use in a Planned Business Campus ("PBC") zoning district, within the boundaries of 2023 Council District 7 and within Council District 11 in the area north of Interstate 12 and south of Hwy 36, bounded on the west by Kipp Rd, Beaver Bell Rd, Cypress Bayou and Krentel Rd and on the east by Engineer Rd, CC 19 Rd, CC 33 Rd, Pine Rd Ext, and Hwy 41, Engineer Rd, as further described in the attached map of Council District 11.

BE IT FURTHER ORDAINED that this moratorium shall not apply to property zoned for nonresidential uses.

BE IT FURTHER ORDAINED that any requests to rezone from commercial to residential zoning on tracts of property ten (10) acres or greater shall be limited to an allowable density of any residentially zoned parcel no greater than A-2 suburban District, resulting in no greater density than one (1) unit per acre.

BE IT FURTHER ORDAINED that, prior to the expiration of this moratorium, the Department of Planning and Development shall provide an update on the progress of the Parish Wetlands Plan, revisions to the Unified Development Code (UDC), St. Tammany Parish Comprehensive Plan (New Directions 2040), and Comprehensive Transportation Plan; the Department of Engineering shall

provide an update on the Comprehensive Drainage Plan; the Department of Utilities shall provide an update on water and sewer facilities; and the Office of the President and/or the Office of the CAO shall advise the Parish Council as to whether in its opinion the moratorium should be extended, based on the aforementioned updates provided to Parish Administration.

BE IT FURTHER ORDAINED that nothing in this moratorium shall prevent the Parish Zoning and Planning Commission from considering matters for which an application has been received by the Department of Planning and Development prior to the effective date of this moratorium.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon final adoption and shall remain in effect for six (6) months at which time it may be extended.

BE IT FURTHER ORDAINED that the moratorium herein imposed may be vacated, in whole or in part, either by resolution or ordinance of the governing body pursuant to Chapter 2, Article XVI, Section 2-624 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 be effective upon adoption and signature of the Council Chairman and Parish President.

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; 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 _____