

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7464

ORDINANCE COUNCIL SERIES NO. 24-_____

COUNCIL SPONSOR: MR. BINDER

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. BINDER

SECONDED BY: MR. LAUGHLIN

ON THE 7TH DAY OF DECEMBER, 2023

ORDINANCE TO AMEND AND EXTEND FOR AN ADDITIONAL SIX (6) MONTHS THE MORATORIUM ON THE SUBMISSIONS OF SUBDIVISIONS TO THE PARISH PLANNING AND ZONING COMMISSION FOR THE REZONING OF MULTI-FAMILY PROPERTY AND/OR ON THE ISSUANCE OF CERTAIN PERMITS BY THE PARISH DEPARTMENT OF PLANNING AND DEVELOPMENT/PERMITS FOR THE CONSTRUCTION OR PLACEMENT OF NEW MULTI-FAMILY BUILDING STRUCTURES ON PROPERTY ZONED A-6, A-7, OR A-8 AND/OR ANY MULTIPLE-FAMILY STRUCTURE/DWELLING ON PROPERTY WITH THE FOLLOWING ZONING CLASSIFICATIONS: (1) ANY HIGHWAY COMMERCIAL DISTRICT WITH LODGING (INCLUDING APARTMENTS, HOTELS, MOTELS), OR (2) ANY PLANNED BUSINESS CAMPUS DISTRICT OR ANY PLANNED UNIT DEVELOPMENT (PUD), OR (3) ANY TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) DISTRICT, IN COUNCIL DISTRICT 12.

WHEREAS, on August 04, 2023, a moratorium was established by the adoption of Ordinance Council Series No. 22-4945, which was subsequently extended by Ordinance Council Series No. 23-5078 and Ordinance Council Series No. 23-5198, imposing a six (6) month moratorium on the receipt of submissions by the Parish Planning and Zoning Commission for the rezoning of multi-family property and/or on the issuance of certain permits by the Parish Department of Planning and Development/Permits for the construction or placement of new multi-family building structures on property zoned A-6, A-7, or A-8 in Council District 12; and

WHEREAS, the above-referenced ordinance should be amended to add to the moratorium 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 new construction or placement of any new multiple-family structure/dwelling on property with the following zoning classifications: (1) any Highway Commercial zoning classifications with lodging (including apartments, hotels, motels), or (2) any Planned Business Campus or Planned Unit Development (PUD), or (3) any Traditional Neighborhood Development (TND) zoning district in Council District 12; and

WHEREAS, there are a large number of multi-family dwellings, which are defined under St. Tammany Parish Code of Ordinances, Sec. 130-5 as three or more dwelling units on a lot, throughout District 12; and

WHEREAS, the City of Slidell, which abuts District 12, has had in place since August of 2020 a moratorium on the review, construction, permitting, and approval of new multi-family dwellings within its municipal limits in order to develop a comprehensive master plan and ensure responsible development throughout the City and to further evaluate the impact of additional multi-family dwellings on City roads, drainageways, water and sewerage infrastructure, and the ability of City government to meet demand for service.

WHEREAS, similarly, St. Tammany Parish Government is in the process of developing a comprehensive plan for the Parish entitled New Directions 2040, as well comprehensive drainage and transportation plans; and

WHEREAS, these studies will help guide public and private decisions about future growth and necessary infrastructure improvements, especially in high density residential areas; and

WHEREAS, additional traffic created by the high density of multi-family developments disproportionately impacts the already overburdened roads in the moratorium area; and

WHEREAS, traffic improvement plans of residential developments in progress in District 12 should be completed before permitting new high density residential projects; 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 Planning and Zoning 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, it is necessary to temporarily suspend receipt of submissions by the Parish Planning and Zoning Commission for the re-zoning of property to multi-family residential zoning districts (A-6 through A-8), or in Highway Commercial zoning classifications with lodging (including apartments, hotels, motels), or any Planned Business Campus or Planned Unit Development (PUD), or any Traditional Neighborhood Development (TND) zoning district in Council District 12, pending completion of the St. Tammany Parish Comprehensive Plan and the implementation of traffic plan improvements; and

WHEREAS, this moratorium will not affect the development of property for which the issuance of permits has been approved by the Parish Department of Planning & Development prior to adoption of this ordinance; nor the development of property that has received multi-family zoning approval from the St. Tammany Parish Zoning Commission prior to July 7, 2022, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; nor the development of multi-family structure/dwelling on property that has received approval in a Highway Commercial zoning classification with lodging (including apartments, hotels, motels), or Planned Business Campus District zoning classification or Planned Unit Development (PUD), or Traditional Neighborhood Development (TND) zoning classification prior to January 11, 2024 unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; nor the rezoning or development of single or two-family residential properties (A-1 through A-5) or non-residential commercial properties; 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.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it extends for six (6) months the moratorium on the submissions of subdivisions to the Parish Planning Commission for the rezoning of multi-family property and/or on the issuance of certain permits by the Parish Department of Planning and Development/Permits for the construction or placement of new multi-family building structures on property zoned A-6, A-7, or A-8, or any Highway Commercial zoning classifications with lodging (including apartments, hotels, motels), or (2) any Planned Business Campus or Planned Unit Development (PUD), or (3) any Traditional Neighborhood Development (TND) zoning district in Council District 12.

BE IT FURTHER ORDAINED, that the ordinance shall be effective immediately upon final adoption and shall remain in effect through July 11, 2024.

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 after adoption.

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 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 11TH DAY OF JANUARY, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-_____.

, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: NOVEMBER 29, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____