

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7677

ORDINANCE COUNCIL SERIES NO. 24-

COUNCIL SPONSOR: PHILLIPS/LAUGHLIN

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 5TH DAY OF SEPTEMBER, 2024

ORDINANCE TO AMEND AND EXTEND FOR SIX (6) MONTHS THE MORATORIUM ON RECEIPT OF SUBMISSIONS BY THE PARISH PLANNING AND ZONING COMMISSION FOR THE RE-SUBDIVISION OR RE-ZONING OF CERTAIN PROPERTY AND/OR ON THE ISSUANCE OF CERTAIN PERMITS BY THE PARISH DEPARTMENT OF PLANNING AND DEVELOPMENT/PERMITS FOR THE CONSTRUCTION OR PLACEMENT OF CERTAIN BUILDING STRUCTURES ON PROPERTY IN THE AREA BOUNDED BY ELEVENTH STREET, HARRISON AVENUE, HIGHWAY 59, FIRETOWER ROAD, 5TH AVENUE, AND HELENBIRG ROAD TO BECOME THE PROPERTY IN THE AREA BOUNDED BY LINCOLN STREET, 11TH STREET, NORTH STREET, 11TH AVENUE, SOELL DRIVE, PARKER DRIVE, HIGHWAY 59, PONCHITALAWA CREEK, NORTHERLY HOMES PROPERTY SUBDIVISION, 5TH AVENUE, AND HELENBIRG ROAD, ALL AS MORE PARTICULARLY DESCRIBED HEREIN AND ON THE ATTACHED MAP. (WARD 3, DISTRICT 5)

WHEREAS, on October 06, 2022, the Parish Council adopted Ordinance C.S. No. 22-4979, imposing a six (6) month moratorium, and subsequently, adopted Ordinance C.S. No. 23-5126, 23-5278, and 24-5410, extending for an additional six (6) months the moratorium on receipt of submissions by the Parish Planning and Zoning Commission for the re-subdivision or re-zoning of certain property and/or on the issuance of certain permits by the Parish Department of Planning and Development/Permits for the construction or placement of certain building structures on property in the area bounded by Eleventh Street, Harrison Avenue, Highway 59, Firetower Road, 5th Avenue, And Helenbirg Road in Council District 5; and

WHEREAS, an area of unincorporated St. Tammany Parish bounded by Eleventh Street, Harrison Avenue, Highway 59, Firetower Road, 5th Avenue, and Helenbirg Road, including the Northerly Homes Property subdivision and surrounding area, has experienced steady growth and is likely to see further development of lots of record; and

WHEREAS, the previous engineering concerns remain regarding the traffic and drainage infrastructure that services the moratorium area; and

WHEREAS, improvements to the existing traffic and drainage infrastructure are necessary to support long term growth and responsible development of the area; and

WHEREAS, multiple projects are planned by St. Tammany Parish Government in the vicinity of the moratorium area which should relieve traffic and drainage impacts of current and future development; and

WHEREAS, roadway and drainage improvements in the vicinity of the moratorium area include road improvements to Harrison Avenue and Emerald Forest Boulevard, the placement of cross culverts under Harrison Avenue, drainage servitude acquisition and improvement along Eleventh Street, Casril Drive drainage improvements, and the Harrison Avenue urban stormwater pond project; and

WHEREAS, these improvements are necessary to alleviate flooding and traffic concerns and further residential development needs to be paused to avoid compounding strains on the drainage and road systems; and

WHEREAS, it is necessary to continue the temporary suspension on the receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for residential developments, planned unit developments (“PUDs”), and traditional neighborhood developments (“TNDs”), subject to the exclusions described below, on property bounded by Eleventh Street, Harrison Avenue, Highway 59, Firetower Road, 5th Avenue, and Helenbirg Road, pending improvements to drainage and road infrastructure; and

WHEREAS, the extension of this moratorium will not affect the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development or Department of Permits prior to adoption of this ordinance; nor the development of property that has received PUD or TND approval from the St. Tammany Parish Zoning Commission prior to September 1, 2022, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; nor to commercially-zoned property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it extends for six (6) months the moratorium on the receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for residential developments, planned unit developments (“PUDs”), and traditional neighborhood developments (“TNDs”), on property bounded by Eleventh Street, Harrison Avenue, Highway 59, Firetower Road, 5th Avenue, and Helenbirg Road; excluding the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development or Department of Permits prior to adoption of this ordinance; nor the development of property that has received a PUD or TND approval from the St. Tammany Parish Zoning Commission prior to September 1, 2022, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; nor to commercially-zoned property.

BE IT FURTHER ORDAINED, that the ordinance shall be effective immediately upon final adoption and shall remain in effect through April 03, 2025.

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 upon final adoption.

MOVED FOR ADOPTION 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 3RD DAY OF OCTOBER, 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: AUGUST 28, 2024

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____

Revised Helenbirg Area Moratorium Boundary

Beginning at the intersection of Lincoln Street and 11th Street, proceed in a westerly direction along Lincoln Street for a distance of approximately 1,604 feet to the intersection of Lincoln Street and North Street;

Thence proceed in a northeasterly direction along the centerline of North Street for a distance of approximately 900 feet to a point at its intersection with 11th Ave;

Thence proceed in a southeasterly direction along 11th Ave. for a distance of approximately 1,033 feet to its intersection with Soell Drive;

Thence proceed in a southwesterly direction along Soell Drive for a distance of approximately 376 feet to its intersection with Parker Drive;

Thence proceed in a southeasterly direction along Parker Drive for a distance of approximately 2,571 feet to its intersection with Highway 59;

Thence proceed in a southerly direction along the centerline of Hwy 59 for a distance of approximately 2,627 feet to its intersection with Ponchitalawa Creek;

Thence proceed in a westerly direction along Ponchitalawa Creek for a distance of approximately 5,651 feet to a point where Ponchitalawa Creek intersects with the southern boundary of the Northerly Homes Property subdivision;

Thence proceed in a westerly direction along the south boundary of said subdivision for a distance of approximately 2,633 feet to a point at the intersection of said boundary line and 5th Avenue;

Thence proceed in a northwesterly direction along the centerline of 5th Avenue for a distance of 337 feet to its intersection with Helenbirg Road;

Thence proceed in a northeasterly direction along the centerline of Helenbirg Road for a distance of 3,204 feet to its intersection with 11th Street;

Thence proceed in a northerly direction along the centerline of 11th Street for a distance of approximately 1,749 feet to a point at the intersection of said street and Lincoln Street, said point being the Point of Beginning.

