

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7699

ORDINANCE COUNCIL SERIES NO. 24-

COUNCIL SPONSOR: MR. SMITH

PROVIDED BY: CIVIL DA/COUNCIL OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 5TH DAY OF SEPTEMBER, 2024

ORDINANCE TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS THE EMERGENCY ORDINANCE TO CONTINUE PERMITTED USES ON CERTAIN DEVELOPED PARCELS AFFECTED BY AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE UNTIL REZONING OF SAID PARCELS IS EFFECTUATED.

WHEREAS, St. Tammany Parish Government has undertaken a review, reorganization, and revision of the Unified Development Code ("UDC"), which became effective on August 2, 2024; and

WHEREAS, certain permitted uses that were allowed in the HC-2 and HC-2A Highway Commercial zoning districts, particularly "lodging (apartments)" and/or "dwelling, multiple-family residential," are no longer permitted in those zoning districts in the revised UDC; and,

WHEREAS, certain properties in HC-2 and HC-2A zoning districts were used and/or permitted as apartments or multi-family residential have become non-conforming uses upon the implementation of the revised UDC, which may create impediments related to insurance coverage or rebuilding limitations in the event of a disaster; and,

WHEREAS, St. Tammany Parish Government intends to rezone the identified properties to an appropriate, conforming zoning district under the revised UDC, but as the rezoning will not be accomplished until at least October 2024, and as these properties would otherwise be considered non-conforming uses during hurricane season, it is necessary to extend the current permitted use of these parcels to the extent that they would be permitted to re-construct and re-use the properties as allowed prior to the implementation of the revised UDC, even if such damage exceeds 50% of the replacement valuation and/or if more than six (6) months has elapsed since the damage was sustained; and

WHEREAS, the St. Tammany Parish Council adopted Ordinance Council Series No. 24-5514, which was a thirty (30) day emergency ordinance to extend existing permitted use of certain parcels of land in HC-2 and HC-2A Highway Commercial zoning districts pending rezoning; and

WHEREAS, it is necessary to extend said thirty (30) day emergency ordinance for an additional thirty (30) days until necessary changes can be finalized by adoption of an ordinance incorporating the necessary changes to the revised UDC.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that pursuant to Home Rule Charter Sec. 2-14, the permitted use(s) of parcels of land in HC-2 and HC-2A zoning districts allowed at the time of the initial adoption of this ordinance shall be extended to allow the reconstruction and/or reuse of those parcels in the event of damage which exceeds 50% of the replacement valuation of the property and/or if more than six (6) months has elapsed since damage has occurred, notwithstanding the amendments to such permitted uses in the revised Unified Development Code.

THE PARISH OF ST. TAMMANY FURTHER ORDAINS that this emergency ordinance be in effect for thirty (30) days from the implementation of the revised UDC, and may be extended by Parish Council in accordance with Home Rule Charter Sec. 2-14(C).

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 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 EMERGENCY ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 5TH DAY OF SEPTEMBER, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-_____.

ARTHUR A. 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 _____