

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7376

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR MR. TOLEDANO

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MS. O'BRIEN

ON THE 7<sup>TH</sup> DAY OF SEPTEMBER, 2023

ORDINANCE TO 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, 5<sup>TH</sup> 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, 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, 5<sup>th</sup> 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, 5<sup>th</sup> 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, 5<sup>th</sup> 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, 5<sup>th</sup> 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 4, 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 upon final 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 5<sup>TH</sup> DAY OF OCTOBER, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO.       .

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JACOB "JAKE" A. AIREY, COUNCIL CHAIR

ATTEST:

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KATRINA L. BUCKLEY, COUNCIL CLERK

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MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: AUGUST 20, 2023

Published Adoption: \_\_\_\_\_, 2023

Delivered to Parish President: \_\_\_\_\_, 2023 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2023 at \_\_\_\_\_