ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 7180

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: DAVIS/COOPER

PROVIDED BY: PARISH PRESIDENT'S OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 5th DAY OF January, 2023

ORDINANCE TO EXTEND A MORATORIUM ON RECEIPT OF SUBMISSIONS BY THE PARISH ZONING COMMISSION FOR REZONING OF PROPERTY WHICH WOULD RESULT IN AN INCREASE IN THE ALLOWABLE DENSITY OF A RESIDENTIALLY-ZONED PARCEL GREATER THAN A-4 (FOUR [4] UNITS PER ACRE), A PLANNED UNIT DEVELOPMENT OVERLAY ("PUD"), OR A TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT ("TND") (PARISHWIDE)

WHEREAS, on May 5, 2022, the Parish Council adopted Ordinance C.S. No. 22-4832, imposing a three (3) month parishwide moratorium, which was renewed and extended on August 4, 2022, and November 3, 2022, on the receipt of submissions by the Parish Zoning Commission for rezoning of property which would result in an increase in the allowable density of a residentially-zoned parcel greater than A-4 (four [4] units per acre), a planned unit development overlay ("PUD"), or a traditional neighborhood development district ("TND"); and,

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,

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 and threaten to outpace the parish's current infrastructure, including roads, bridges, and highways; drainage; and water and sewerage utilities; 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, development of a Parish Wetlands Plan, and development of a Sustainable Growth Pilot Study; 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; and,

WHEREAS, in order to preserve the health, safety and welfare of residents, a three (3) month extension of the parishwide moratorium is necessary to allow sufficient time to complete the aforementioned studies.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that, it extends for a period of three (3) months the parishwide moratorium on the receipt of submissions by the Parish Zoning Commission for rezoning of property which would result in an increase in the allowable density of a residentially-zoned parcel greater than A-4 (four [4] units per acre), Planned Unit Development Overlays ("PUDs"), or Traditional Neighborhood Developments ("TNDs").

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 shall be limited to densities of no greater than A-4, resulting in no greater density than four (4) units 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 and the Sustainable Growth Pilot Study; 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 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 the moratorium herein imposed may be vacated, in whole or in part, 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 THEPARISH COUNCIL ON THE 2ND DAY OF FEBRUARY, 2023; AND BECOMES ORDINANCE
COUNCIL SERIES NO. 22-

_____
JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN

ATTEST:

_____
KATRINA L. BUCKLEY, COUNCIL CLERK

_____
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: DECEMBER 28,2023

Published Adoption:_____, 2023

Delivered to Parish President:_____, 2023 at _____

Returned to Council Clerk:_____, 2023 at _____

ADMINISTRATIVE COMMENT

January 5, 2023

Parish President's Office

Ordinance to impose a three (3) month moratorium on receipt of submissions by the parish zoning commission, the parish planning commission, or parish administration for rezoning or subdivision/resubdivision or property which would result in an increase in the allowable density of a residentially-zoned parcel greater than A-4 (four [4] units per acre), a planned unit development overlay (PUD), or a traditional neighborhood development district (TND). (Parishwide)