

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7069

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR TOLEDANO

PROVIDED BY: CIVIL DISTRICT ATTORNEY

INTRODUCED BY: MR. DEAN

SECONDED BY: MS. CAZAUBON

ON THE 4TH DAY OF AUGUST, 2022

ORDINANCE TO IMPOSE A SIX (6) MONTH 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, ALL AS MORE PARTICULARLY DESCRIBED HEREIN AND ON THE ATTACHED MAP, WARD 3, DISTRICT 5.

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, there are engineering concerns 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 temporarily suspend 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, 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, 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 in accordance with the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, the Parish Council imposes a Six (6) Month Moratorium on 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, all as more particularly described herein and on the attached map, Ward 3, District 5:

PROPERTY BOUNDED BY ELEVENTH STREET, HARRISON AVENUE, HIGHWAY 59, FIRETOWER ROAD, 5TH AVENUE, AND HELENBIRG ROAD, WARD 3, DISTRICT 5.

Beginning at the southeast corner of Harrison Avenue and 11th Street, proceed in a southerly direction along the eastern right of way line of 11th Street for a distance of approximately 5,588 feet to its intersection with the south right of way line of Helenbirg Road;

Thence proceed in a southwesterly direction along said right of way line for a distance of approximately 3,165 feet to its intersection with the northeast corner of 5th Avenue and Helenbirg Road;

Thence proceed in a southeast direction along the eastern right of way line of 5th Avenue for a distance of approximately 311 feet to a point at the southwest corner of the Northerly Homes Property subdivision;

Thence proceed in a easterly direction along the south boundary of said subdivision for a distance of approximately 3,749 feet to a point on the centerline of Firetower Road;

Thence proceed in a southeasterly direction along Firetower Road for a distance of approximately 3,604 feet to its intersection with Hwy 59;

Thence proceed in a northerly direction along Hwy 59 for a distance of approximately 5,543 feet to its intersection with the south right of way of Harrison Avenue;

Thence proceed in westerly direction along the south right of way line of Harrison Ave for a distance of approximately 5,390 feet to a point located at the southeast corner Harrison Avenue and 11th Street, said point being the Point of Beginning.

BE IT FURTHER ORDAINED that this moratorium will not affect the development of property for which issuance of permits for construction or placement of any building structures has already been approved prior to the adoption of this ordinance, accessory structure building permits, or the re-zoning or subdivision or re-subdivision or development of commercially-zoned property.

BE IT FURTHER ORDAINED that the moratorium imposed may be vacated, in whole or in part, by resolution of this governing body pursuant to Part I, 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 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 6TH DAY OF OCTOBER, 2022; AND
BECOMES ORDINANCE COUNCIL SERIES NO. 22-_____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JULY 27, 2022

Published Adoption: _____, 2022

Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____