

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. _____ ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR DAVIS/COOPER PROVIDED BY: PARISH PRESIDENT'S OFFICE

INTRODUCED BY: _____ SECONDED BY: _____

ON THE ___ DAY OF _____, 2022

ORDINANCE TO IMPOSE A SIX (6) MONTH MORATORIUM ON RECEIPT OF SUBMISSIONS BY THE PARISH ZONING COMMISSION, THE PARISH PLANNING COMMISSION, OR PARISH ADMINISTRATION FOR REZONING OR SUBDIVISION/RESUBDIVISION OF PROPERTY WHICH WOULD RESULT IN AN INCREASE IN THE ALLOWABLE DENSITY OF A RESIDENTIALLY-ZONED PARCEL GREATER THAN A-2, TO NO GREATER DENSITY THAN ONE (1) UNIT PER ACRE.

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 the submission of major or minor subdivision reviews whether administrative or to the St. Tammany Parish Planning 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, 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 maintain the current allowable densities in residential zoning districts while the parish's studies are performed and plans are formulated; 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/Permits section prior to the adoption of this ordinance.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that, for a period of six (6) months from the effective date of this ordinance, there shall be a moratorium on the receipt of submissions by the Parish Zoning Commission, the Parish Planning Commission or the Parish Administration for rezoning or subdivision/resubdivision of property which would result in an increase in the allowable density of a residentially-zoned parcel greater than A-2, resulting in no greater density than one (1) unit per acre.

BE IT FURTHER ORDAINED that, in addition to applications for traditional zoning changes, the moratorium shall likewise apply to applications for PUD Planned Unit Development Overlays, TND-1 Traditional Neighborhood Development Zoning Districts, and TND-2 Traditional Neighborhood Development Zoning Districts.

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-2, resulting in no greater density than one (1) unit per acre.

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, nor the issuance of commercial building permits, accessory structure building permits, or building permits for single lot residential construction in subdivisions approved prior to the adoption of this ordinance.

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 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, the Parish Planning Commission, or Parish Administration 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 become 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 THE PARISH COUNCIL ON THE ____ DAY OF _____, 2022; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: _____, 2022

Published Adoption: _____, 2022

Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____