

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6892

ORDINANCE COUNCIL SERIES NO: 22-4800

COUNCIL SPONSOR: MR. M. SMITH

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. M. SMITH

SECONDED BY: MR. CANULETTE

ON THE 3 DAY OF FEBRUARY , 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 S. MILITARY ROAD, GAUSE BLVD E, AMBER ST, LAKE VILLAGE BLVD, CROSS GATES BLVD, HWY 1090, E. PORTERS RIVER RD, PORTERS RIVER, WEST PEARL RIVER, AND DOUBLOON BRANCH, ALL AS MORE PARTICULARLY DESCRIBED HEREIN AND ON THE ATTACHED MAP, WARD 8, DISTRICT 9.

WHEREAS, an area of unincorporated St. Tammany Parish bounded by S. Military Road, Gause Blvd E, Amber St, Lake Village Blvd, Cross Gates Blvd, Hwy 1090, E. Porters River Rd, Porters River, West Pearl River, and Doubloon Branch, as more fully described below, is experiencing a lack of adequate water and sewerage infrastructure to support further development of large-scale residential and commercial properties; and

WHEREAS, inadequate water and sewerage infrastructure to serve new development of large-scale residential and commercial property within the defined area will adversely impact the health, safety, and general welfare of parish citizens; and

WHEREAS, improvements to the existing water and sewerage infrastructure is necessary to support long term growth and responsible development of the area; and

WHEREAS, the moratorium area has experienced a precipitous increase in traffic due to population growth, especially along the Military Road corridor; and

WHEREAS, it is necessary for the traffic improvement plans of residential developments in progress to be completed before permitting new large-scale residential and commercial projects; and

WHEREAS, the drainage ability of the identified moratorium area is at increased risk due to intensity and frequency of heavy rain events coupled with silting and obstruction of Gum Bayou and the West Pearl River; and

WHEREAS, drainage improvements, including the removal of obstructions from the natural main drainage systems, are necessary to alleviate flooding concerns; and

WHEREAS, further large-scale residential and commercial development needs to be paused to avoid compounding strains on the drainage system; 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 multi-family residential developments in zoning districts A-6 through A-8, planned unit developments ("PUDs"), and commercial property, subject to the exclusions described below, on property bounded by S. Military Road, Gause Blvd E, Amber St, Lake Village Blvd, Cross Gates Blvd, Hwy 1090, E. Porters River Rd, Porters River, West Pearl River, and Doubloon Branch, Ward 8, District 9, pending improvements to water and sewerage infrastructure, the implementation of approved traffic plans, and drainage improvements; 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 prior to adoption of this ordinance; nor the development of property that has received a PUD approval from the St. Tammany Parish Zoning Commission prior to February 3, 2022, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; nor the issuance of single lot residential construction or accessory structure building permits.

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 to commercial zoning and/or planned unit development overlays (PUDS) and/or multi-family residential zoning districts A-6 through A-8; and/or on the issuance of permits for commercial construction or placement of any residential building structures in a multi-family residential district (A-6 through A-8) or PUD; excluding the development of property for which the issuance of permits has already been approved by the Parish Department of Planning & Development prior to adoption of this ordinance; the development of property that has received a PUD approval from the St. Tammany Parish Zoning Commission prior to February 3, 2022, unless said approval was subsequently overturned or not adopted by the St. Tammany Parish Council; and single lot residential construction, on property bounded by S. Military Road, Gause Blvd E, Amber St, Lake Village Blvd, Cross Gates Blvd, Hwy 1090, E. Porters River Rd, Porters River, West Pearl River, and Doubloon Branch, all as more particularly described herein and on the attached map, Ward 8, District 9:

PROPERTY BOUNDED BY S MILITARY RD, GAUSE BLVD E, AMBER ST, LAKE VILLAGE BLVD, CROSS GATES BLVD, Hwy 1090, E PORTERS RIVER RD, PORTERS RIVER, WEST PEARL RIVER, DOUBLOON BRANCH, WARD 8, DISTRICT 9.

Commencing at the Point of Beginning, located at the intersection of South Military Road and East Gause Boulevard, proceed in a southwesterly direction along the centerline of East Gause Boulevard for a distance of approximately 4,539 feet to the intersection of East Gause Boulevard and Amber Street;

Thence proceed in a northerly direction along the centerline of Amber Street for a distance of approximately 4,836 feet to a point at the intersection of Amber Street and Lake Village Boulevard;

Thence proceed in a southeasterly direction along the centerline of Lake Village Boulevard for a distance of approximately 4,070 feet to the intersection of Lake Village Boulevard and Cross Gates Boulevard;

Thence proceed in a northeasterly direction along the centerline of Cross Gates Boulevard for a distance of approximately 416 feet to the intersection of Cross Gates Boulevard and Highway 1090;

Thence proceed in a northerly direction along the centerline of Highway 1090 for a distance of approximately 21,313 feet to the intersection of Highway 1090 and East Porters River Road;

Thence proceed in a northeasterly direction along the centerline of East Porters River Road for a distance of approximately 5,119 feet to the intersection of East Porters River Road and Stevens Road;

Thence run North 77 Degrees 18 Minutes 47 Seconds East for a distance of 294 feet to a point located in the center of Porters River;

Thence proceed in a southeasterly direction along the center of Porters River for a distance of approximately 15,832 feet to the point where Porters River intersects with the West Pearl River;

Thence continue to proceed in a southeasterly direction along the center of the West Pearl River for a distance of approximately 37,153 feet to the point where the West Pearl River intersects with Doubloon Branch;

Thence proceed in a westerly direction along the center of Doubloon Branch for a distance of approximately 16,922 feet to a point located at the intersection of Doubloon Branch and South Military Road;

Thence proceed in a northerly direction along the centerline of South Military Road for a distance of approximately 10,229 feet to a Point located at the intersection of South Military Road and East Gause Boulevard, 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 building permits for single lot residential construction in subdivisions approved prior to the adoption of this ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall be effective upon adoption and remain in effect through September 2, 2022.

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 fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: MR. M. SMITH SECONDED BY: MR. T. SMITH

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

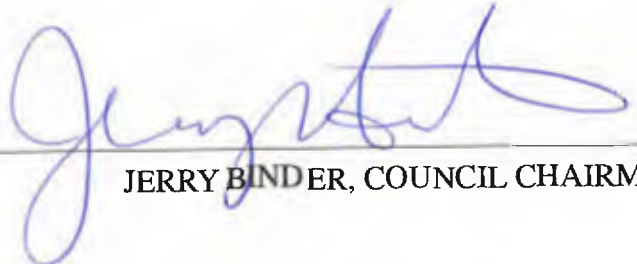
YEAS: FITZGERALD, TOLEDANO, TANNER, DAVIS, M. SMITH, O'BRIEN, DRUMM, BINDER, AIREY, T. SMITH (10)

NAYS: (0)

ABSTAIN: (0)

ABSENT: DEAN, CAZAUBON, LORINO, CANULETTE (4)

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF MARCH, 2022; AND BECOMES ORDINANCE COUNCIL SERIES NO 22-4800.

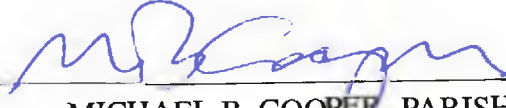


JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:



KATRINA L. BUCKLEY, COUNCIL CLERK



MICHAEL B. COOPER, PARISH PRESIDENT
03/14/2022 @ 2:00 PM

Published Introduction: JANUARY 26 , 2021

Published Adoption: March 23 , 2021

Delivered to Parish President: March 10 , 2021 at 9:40am

Returned to Council Clerk: March 14 , 2021 at 4:08pm