

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: _____ ORDINANCE COUNCIL SERIES NO: _____
COUNCIL SPONSOR: _____ PROVIDED BY: CIVIL DA
INTRODUCED BY: _____ SECONDED BY: _____

ON THE 11 DAY OF JANUARY, 2024

ORDINANCE TO IMPOSE A SIX (6) MONTH MORATORIUM WITHIN THE BOUNDARIES OF COUNCIL DISTRICT 9, AS ESTABLISHED BY ORDINANCE COUNCIL SERIES NO. 22-5061, ON THE RECEIPT OF SUBMISSIONS BY THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING & DEVELOPMENT AND/OR THE ISSUANCE OF PERMITS BY THE ST. TAMMANY PARISH DEPARTMENT OF PERMITS AND INSPECTIONS FOR THE REZONING AND/OR SUBDIVISION/RESUBDIVISION AND/OR ANY CONSTRUCTION OR PLACEMENT FOR ANY OF THE FOLLOWING: (1) ANY PARCEL OF LAND TEN (10) ACRES OR LARGER WHICH WOULD RESULT IN AN ALLOWABLE DENSITY OF ANY RESIDENTIALLY ZONED PARCEL GREATER THAN OR MORE DENSE THAN A-2 SUBURBAN DISTRICT (ONE [1] SINGLE FAMILY UNIT PER ACRE); OR (2) ANY PARCEL OF LAND LESS THAN OR SMALLER THAN TEN ACRES (10) WHICH WOULD RESULT IN AN ALLOWABLE DENSITY GREATER THAN OR MORE DENSE THAN A-3 SUBURBAN DISTRICT (TWO (2) SINGLE FAMILY UNITS PER ACRE); OR (3) ANY RESIDENTIAL PERMITTED USE IN A PLANNED UNIT DEVELOPMENT OVERLAY ("PUDS") OR; (4) ANY RESIDENTIAL PERMITTED USE IN A TRADITIONAL NEIGHBORHOOD DEVELOPMENT ("TNDS"); OR (5) ANY SINGLE FAMILY DWELLING AND/OR LODGING PERMITTED USE IN ANY HIGHWAY COMMERCIAL ZONING DISTRICT OR; (6) ANY RESIDENTIAL PERMITTED USE IN A PLANNED BUSINESS CAMPUS ("PBC") ZONING DISTRICT OR; (7) ANY RESIDENTIAL PROPERTIES ONE ACRE OR GREATER ON ALL ROADS WITHOUT A LAND CLEARING PERMIT.

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 on the submission of rezoning requests to the St. Tammany Parish Zoning Commission; and,

WHEREAS, the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-619 specifically allows for a moratorium on the submission of subdivision/resubdivision requests to the St. Tammany Parish Planning Commission; and,

WHEREAS, the St. Tammany Parish Code of Ordinances, Chapter 2, Article XVI, Section 2-619 specifically allows for a moratorium in the issuance of building permits for the construction and/or placement of structures by the St. Tammany Parish Permits and Inspection Department; 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 to outpace the Parish's current infrastructure, including roads, bridges, and highways; drainage;

water and sewerage utilities; schools; and fire, law enforcement, and recreational resources; 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, and development of a Parish Wetlands Plan, 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 applications for rezoning or subdivision/resubdivision and/or construction or placement of structures on certain lot/parcels while the Parish's studies are performed and plans are formulated; and,

WHEREAS, in order to maintain such stability, it is necessary to suspend receipt and/or issuance of certain clear cutting permits on a lot or parcel greater than one-half (1/2) acre, where such a tree has a diameter greater than 6 inches at the height of six feet or more above existing grade, while the Parish's studies are performed and plans are formulated.

BE IT FURTHER ORDAINED 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 Planning and Zoning Commission and/or the issuance of permits by the St. Tammany Parish Department of Permits and Inspections for the rezoning and/or subdivision/resubdivision and/or any construction or placement for any of the following: (1) any parcel of land ten (10) acres or larger which would result in an allowable density of any residentially zoned parcel greater than or more dense than A-2 suburban District (one [1] unit per acre; or (2) any parcel of land less than or small than ten acres (10) which would result in an allowable density of any residentially zoned parcel, suburban or suburban agricultural, greater than or more dense than A-3 suburban district [two (2) single family units per acre]; or (3) any residential permitted use in a Planned Unit Development Overlay ("PUDs"); or (4) any residential permitted use in a Traditional Neighborhood Development ("TNDs"); or (5) any single family dwelling and/or lodging permitted use in a Highway Commercial (HC) zoning district; or (6) any residential permitted use in a Planned Business Campus ("PBC") zoning district; or (7) any residential properties one acre or greater on all roads without a land clearing permit, within the boundaries of Council District 9 as established by Ordinance Council Series No. 22-5061.

BE IT FURTHER ORDAINED that this moratorium shall not apply to any property under the jurisdiction and boundaries of the Township of Pearl River, Louisiana.

BE IT FURTHER ORDAINED that any requests to rezone from commercial to residential zoning on tracts of property ten (10) acres or greater shall be limited to an allowable density of any residentially zoned parcel no greater than A-2 suburban District, resulting in no greater density than one (1) single family unit 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; 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 and Planning 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 this ordinance shall be effective immediately upon final adoption and shall remain in effect for six (6) months at which time it may be extended.

BE IT FURTHER ORDAINED that the moratorium herein imposed may be vacated, in whole or in part, either by resolution or ordinance of the governing body 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 THE PARISH COUNCIL ON THE ____ DAY OF _____, _____ ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____ .

COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction:_____, 2023

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____