

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 14, 2024 a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on March 28, 2024 on Motion of Erin Sandefur and seconded by Billy Taylor:

L.P. ORDINANCE NO. 24-07

AN ORDINANCE TO AMEND THE ONE (1) YEAR MORATORIUM PROHIBITING THE CONSIDERATION OR SUBMITTAL OF PRELIMINARY PLATS OR PRELIMINARY SITE PLANS FOR RESIDENTIAL OR MULTI-FAMILY DEVELOPMENTS IN COUNCIL DISTRICT 5 CREATING MORE THAN THREE (3) LOTS TO ALLOW THE ADOPTION OF A COMPREHENSIVE NEW ZONING PROGRAM AND DEVELOPMENT OF PLANS FOR INFRASTRUCTURE TO ACCOMMODATE ANTICIPATED GROWTH.

WHEREAS, on February 22, 2024 the Livingston Parish Council, as governing authority of the Parish of Livingston, State of Louisiana, adopted L.P. Ordinance No. 24-03 at its regular meeting held in the Governmental Building, in the Council Chambers located at 20355 Government Boulevard, Livingston, Louisiana; and

WHEREAS, L.P. Ordinance No. 24-03 established a one (1) year moratorium prohibiting the consideration or submittal of preliminary plats for residential developments in Council District 5 creating more than three (3) lots; and

WHEREAS, said moratorium will remit time needed for the development of plans for infrastructure and allow the adoption of a Comprehensive New Zoning Program that will accommodate anticipated growth; and

WHEREAS, Council District 5 does not have the infrastructure to support developments which have been proposed and designed, this infrastructure is defined as adequate drainage, sufficient roadways and proper sewage disposal, and

WHEREAS, it is now the desire of the Livingston Parish Council to amend L.P. Ordinance No. 24-03 by removing the wording, "Submittal of Preliminary Plats for Residential Developments", and add the verbiage, "Submittal of Preliminary Plats or Preliminary Site Plans for Residential or Multi-family Developments; and

WHEREAS, the Livingston Parish Council as governing authority of the Parish, State of Louisiana, has contracted expert planning professionals and legal advisors to strengthen and enhance zoning and development regulations in the Parish of Livingston that will protect the public's health, safety and welfare; and

WHEREAS, in order to maintain stability, as well as control the risk of flooding of existing residences from new development, this moratorium will allow the Parish of Livingston's Subdivision, Development and Zoning regulations to be reviewed, improved and adopted; and

WHEREAS this moratorium will not affect the issuance of building permits for constructing residential single-family structures, buildings and/or sheds; and

WHEREAS this moratorium does not apply to the subdivision of an existing lot to allow the construction of less than four (4) houses on the lot if the subdivision is otherwise allowed under existing subdivision regulations.

BE IT ORDAINED AS FOLLOWS, that there is hereby enacted an amendment to the twelve (12) month moratorium prohibiting the consideration or submittal of any preliminary plats for residential subdivisions with Improvements and subdivisions without Improvements or preliminary site plans for multifamily developments in Council District 5. This moratorium includes all stages in the development of a preliminary plat. The moratorium is to allow the adoption of a comprehensive new zoning program and the adoption of plans to develop infrastructure to accommodate anticipated growth. This moratorium shall be effective from the adoption date of this ordinance.

BE IT FURTHER ORDAINED, this moratorium will not affect the issuance of building permits for constructing residential single-family structures, buildings and/or sheds and will not prohibit the subdivision of an existing lot to allow the construction of less than four homes if the subdivision is allowed under existing subdivision regulations.

BE IT FURTHER ORDAINED, that there will be changes to the Livingston Parish Development Code made during the moratorium that will impose additional requirements on future development and all parties are given notice that these changes will be adopted and any development in violation of this moratorium, in addition to other sanctions provided by law, will be refused acceptance of improvements for parish maintenance.

BE IT FURTHER ORDAINED, The process will be as follows: First a readoption of the existing zoning ordinance and maps that is done procedurally in accordance with the statutory uniform zoning procedures. This zoning ordinance is for stability and not intended to end the moratorium. Second adoption of a clean zoning ordinance that will address issues in the present ordinance and maps. Upon completion of this process all land in the parish will have a zoning classification. Third, the development and enactment of new subdivision development regulations. The third item will not necessarily wait for the first two (2) items to finish and will proceed on its own track. Monthly reports submitted to the Council members are required detailing the progress of this project. Within the one (1) year moratorium, the three (3) items set forth above, will be completed and enacted.

BE IT FURTHER ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, that if any provision of this ordinance is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance, which can be given effect without the invalid provisions, or application, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED by the Livingston Parish Council that all ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

The effective date of this ordinance shall be as prescribed by law.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. WASCOM, MR. MANGUS, MR. COATES, MR. CHAVERS, MR. TAYLOR, MS. SANDEFUR, MR. ERDEY, MR. GOFF

NAYS: MR. WATTS

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 28th day of March, 2024.


John Wascom, Council Chairman

ATTEST:


Sandy C. Teal, Council Clerk


Randy Delatte, Parish President