

AGENDA
ST. TAMMANY PARISH PLANNING COMMISSION MEETING
6:00 P.M. - TUESDAY, FEBRUARY 10, 2015
ST. TAMMANY PARISH GOVERNMENT COMPLEX
PARISH COUNCIL CHAMBERS
21490 KOOP DRIVE, MANDEVILLE, LOUISIANA

DRAFT

ROLL CALL

PUBLIC ANNOUNCEMENTS

- Phones and Pagers
- Appeals
- Speaker Cards
- Public Speaking - Ten (10) minutes each side and five (5) minutes for rebuttal
- Please exit the building

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF THE JANUARY 13, MINUTES

PUBLIC HEARINGS

CONSENT CALENDAR

Any items not pulled from the consent calendar are automatically dispensed by vote as approved and/or as per staff comments. Items pulled from the consent calendar shall be discussed and voted upon individually.

ENTERING PARISH RIGHTS-OF-WAY, SERVITUDES, EASEMENTS

Entering Parish Right-of-Way (19th Avenue), Ward 3, District 5

Request to enter Parish right-of-way for the purpose of gaining access to property

Debtor: T, J & C Real Estate Holdings, L.L.C. Parish Council District Representative: Hon. Marty Gould

Entering Parish Right-of-Way (Lake Street), Ward 4, District 5

Request to enter Parish right-of-way for the purpose of gaining access to property and existing improvements

Debtor: Nga Tran and Andrew Johnson Parish Council District Representative: Hon. Marty Gould

MINOR SUBDIVISIONS

MS15-01-003

A 1.04 acre parcel into Parcels A & B, Ward 2, District 6

Owner: Larry E. King Surveyor: Edward J. Murphy, P.E.

Parish Council District Representative: Hon. Richard Tanner

AGENDA
ST. TAMMANY PARISH PLANNING COMMISSION
FEBRUARY 10, 2015
MANDEVILLE, LOUISIANA

MS15-01-004

A 10.35 acre parcel into Parcels A, B & C, Ward 1, District 3
Owner: Susan P. Kerr, at el. Surveyor: John E. Bonneau & Associates, Inc.
Parish Council District Representative: Hon. James "Red" Thompson

MS15-01-005

A 3.5 acre parcel into Parcels A & B, Ward 1, District 1
Owner: Wayne & Jeanie Morlier Surveyor: LS Land Surveying, L.L.C.
Parish Council District Representative: Hon. Marty Dean

[------(End of Consent Calendar)-----]

PETITIONS/REQUESTS

ENTERING THE TAMMANY TRACE

REVOCATION/CLOSINGS REVIEW

REV14-12-002

Revocation of a portion of Algiers Street, Slidell, Louisiana, Ward 8, District 12
Applicant: Own Your Own, L.L.C. Surveyor: J.V. Burkes & Associates, Inc.
Parish Council District Representative: Hon. Jerry Binder
(POSTPONED AT THE JANUARY 13, 2015 MEETING)

RESUBDIVISION REVIEW

RS15-01-004

Town of Mandeville, Southwest 1/4 of Sq. 237, into lots 1 thru 4, Ward 4, District 7
Petitioner: Marigny Land, L.L.C. Surveyor: John Cummings & Associates, Inc.
Owner: Marigny Land, L.L.C. Parish Council District Representative: Hon. Jacob Groby

RS15-01-005

Red Gap Acres, Block 2, lot 25 into lots 25A & 25B, Ward 4, District 5
Petitioner: Noella Thonn Surveyor: LS Land Surveying, L.L.C.
Owner: Noella Thonn, et al. Parish Council District Representative: Hon. Jacob Groby

DORMANT SUBDIVISION REVIEW

TENTATIVE SUBDIVISION REVIEW

AGENDA
ST. TAMMANY PARISH PLANNING COMMISSION
FEBRUARY 10, 2015
MANDEVILLE, LOUISIANA

PRELIMINARY SUBDIVISION REVIEW

SD12-04-002PIV-B

Northpark, Phase IV-B, Ward 3, District 5

Developer/Owner: Green Gate Northpark, L.L.C. Engineer: Deep South Design Group

Parish Council District Representative: Hon. Marty Gould

FINAL SUBDIVISION REVIEW

SD04-08-024FP16

Bedico Creek, Parcel 16, Ward 1, District 1

Developer/Owner: Bedico Creek Preserve, L.L.C. Engineer: Kelly McLin & Associates, Inc.

Parish Council District Representative: Hon. Marty Dean

(POSTPONED AT THE JANUARY 13, 2015 MEETING)

SD12-04-002FIV-B

Northpark, Phase IV-B, Ward 3, District 5

Developer/Owner: Green Gate Northpark, L.L.C. Engineer: Deep South Design Group

Parish Council District Representative: Hon. Marty Gould

PROPOSED AMENDMENTS TO ORDINANCE 499

OLD BUSINESS

NEW BUSINESS

An ordinance to amend and reenact Chapter 18, Articles III & IV of the St. Tammany Parish Code of Ordinances, relative to the St. Tammany Parish Planning and Zoning Commission's rules that they operate under.

ADJOURNMENT

PLANNING
COMMISSION
MINUTES

**MINUTES OF THE
ST. TAMMANY PARISH PLANNING COMMISSION MEETING
6:00 P.M. - TUESDAY JANUARY 13, 2015
ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX, COUNCIL CHAMBERS**

DRAFT

Note: Audio and video tapes of this meeting, produced by Parish employees, are considered part of these minutes. Should any action reflected in these written minutes be in conflict with said tapes, the audio/video tapes shall supercede the written minutes.

CALL TO ORDER

The regular meeting of the St. Tammany Parish Planning Commission was called to order by the Chairman, Dave Mannella.

ROLL CALL

Present: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Absent:

Staff Present: Jeremy Harrison, Lauren K. Davis, Mike Sevante, Ron Keller, Jay Watson

INVOCATION

The Invocation was presented by Mr. Randolph.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by Mr. Doherty.

APPROVAL OF THE DECEMBER 9, 2014 MINUTES

Randolph moved to approve, second by Drumm.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

CONSENT CALENDAR (Performance Obligations & Entering Parish Rights-of-Way)

Any items not pulled from the consent calendar are automatically dispensed by vote as approved and/or as per staff comments. Items pulled from the consent calendar shall be discussed and voted upon individually.

The following items were pulled from the Consent Calendar:

ENTERING PARISH RIGHTS-OF-WAY, SERVITUDES, EASEMENTS

Entering Parish Right-of-Way (Ochsner Boulevard), Ward 1, District 1

Request to enter Parish right-of-way for the purpose of laying fiber optic cable

Debtor: Southern Light, L.L.C. Parish Council District Representative: Hon. Marty Dean

MINUTES OF THE

ST. TAMMANY PARISH PLANNING COMMISSION MEETING

6:00 P.M. TUESDAY, JANUARY 13, 2015

ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX, COUNCIL CHAMBERS

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: **Opposition: none**

Richard moved to approve, second by Willie.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

MINOR SUBDIVISIONS

MS14-11-067

A 4.056 acre parcel into lots JA-1 & JA-2, Ward 9, District 11

Owner: Jessie & Enola Atchley Surveyor: BMF Professional Land Surveyors

Parish Council District Representative: Hon. Steve Stefancik

(POSTPONED AT THE DECEMBER 9, 2014 MEETING)

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Opposition: none

Matthews moved to approve, second by Davis.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

MS14-12-069

A 5.14 acre parcel into lots 1 thru 4, Ward 4, District 5

Owner: C. Herberger, L.L.C. Surveyor: Kelly McHugh & Associates, Inc.

Parish Council District Representative: Hon. Marty Gould

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request:

Paul Mayronne/Jones Fussell	Opposition: none
------------------------------------	-------------------------

Cazaubon moved to approve, second by Randolph.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

MS14-12-070

Tracts A1 & B into Tracts A2, B1 & B2, Ward 7, District 7

Owner: Wesley Dick, et al. Surveyor: John E. Bonneau & Associates, Inc.

Parish Council District Representative: Hon. Jacob Groby

**MINUTES OF THE
ST. TAMMANY PARISH PLANNING COMMISSION MEETING
6:00 P.M. TUESDAY, JANUARY 13, 2015
ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX, COUNCIL CHAMBERS**

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Opposition: none

Davis moved to approve, second by Lorren.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:.

-----**(End of consent calendar)**-----

PETITIONS/REQUESTS

ENTERING THE TAMMANY TRACE

REVOCATION/CLOSINGS REVIEW

REV14-12-002

Revocation of a portion of Algiers Street, Slidell, Louisiana, Ward 8, District 12

Applicant: Own Your Own, L.L.C. **Surveyor: J.V. Burkes & Associates, Inc.**

Parish Council District Representative: Hon. Jerry Binder

(POSTPONED AT THE DECEMBER 9, 2014 MEETING)

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Opposition: none

Doherty made a motion to postpone, second by Matthews.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:.

RESUBDIVISION REVIEW

DORMANT SUBDIVISION REVIEW

TENTATIVE SUBDIVISION REVIEW

PRELIMINARY SUBDIVISION REVIEW

**MINUTES OF THE
ST. TAMMANY PARISH PLANNING COMMISSION MEETING
6:00 P.M. TUESDAY, JANUARY 13, 2015
ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX, COUNCIL CHAMBERS**

FINAL SUBDIVISION REVIEW

SD04-08-024FP16

Bedico Creek, Parcel 16, Ward 1, District 1

Developer/Owner: Bedico Creek Preserve, L.L.C. Engineer: Kelly McHugh & Associates, Inc.

Parish Council District Representative: Hon. Marty Dean

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Paul Mayronne/Jones Fussell Opposition: none

Matthews made a motion to postpone, second by Davis.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

SD05-08-021F1A-6

Terra Bella, Phase 1A-6, Ward 1, District 1

Developer/Owner: Terra Bella Group, L.L.C. Engineer: Kelly McHugh & Associates, Inc.

Parish Council District Representative: Hon. Marty Dean

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Paul Mayronne/Jones Fussell Opposition: none

Matthews moved to grant final approval, second by Randolph.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

SD12-08-004F1

Gardenwalk, Phase 1, Ward 3, District 5

Developer/Owner: Citadel Builders Engineer: Kelly McHugh & Associates, Inc.

Parish Council District Representative: Hon. Marty Gould

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Paul Mayronne/Jones Fussell Opposition: none

Matthews moved to amend the motion to approve subject to completion of developer's unfinished items, including showing the walking path on G-5. Second by Richard.

Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty

Nay:

Abstain:

**MINUTES OF THE
ST. TAMMANY PARISH PLANNING COMMISSION MEETING
6:00 P.M. TUESDAY, JANUARY 13, 2015
ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX, COUNCIL CHAMBERS**

Matthews moved to grant final approval subject to amended motion, second by Lorren.
Yea: Cazaubon, Lorren, Richard, Willie, Matthews, Davis, Mannella, Drumm, Randolph, Doherty
Nay:
Abstain:

DEVELOPMENTAL AGREEMENTS

PROPOSED AMENDMENTS TO ORDINANCE 499

OLD BUSINESS

MS13-05-023, Ward 2, District 6
Owner requesting a waiver of regulations relative to the discharge of water
Owner: Linda Fussell Representative: Hon. Richard Tanner

A Public Hearing was opened for discussion of this case and the following individual(s) provided testimony in favor of this request: Darrell Fussell/Arrow Engineering Opposition: none

Randolph made a motion to approve, second by Willie.
Yea: Cazaubon, Lorren, Richard, Willie, Davis, Mannella, Drumm, Randolph, Doherty
Nay: Matthews
Abstain:

NEW BUSINESS

ADJOURNMENT

Mr. Dave Mannella
Chairman

(CONSENT CALENDAR)

ENTERING PARISH

RIGHTS-OF-WAY, SERVITUDES

AND/OR EASEMENTS

(Draft Date 02/10/15)

ST. TAMMANY PARISH PLANNING COMMISSION

RESOLUTION

RESOLUTION PLANNING COMMISSION SERIES NO. _____

TITLE: A RESOLUTION AUTHORIZING T, J & C REAL ESTATE HOLDINGS, LLC TO ENTER PARISH RIGHT-OF-WAY.

SUB-TITLE: A RESOLUTION GRANTING PERMISSION TO T, J & C REAL ESTATE HOLDINGS, LLC; 995 N. HWY 190; COVINGTON, LA, 70433; TO ENTER PARISH RIGHT-OF-WAY, SPECIFICALLY THE UNOPENED PORTION OF 19TH AVE., ALEXIUSVILLE SUBDIVISION, FOR THE PURPOSE OF GAINING ACCESS TO PROPERTY. WARD 3, DISTRICT 5.

NOW, THEREFORE, BE IT RESOLVED, by the St. Tammany Parish Planning Commission that it hereby grants permission to the aforementioned petitioner to enter Parish right-of-way for the aforementioned purposes, subject to the following conditions:

1. That the improvements that will be undertaken will be at the sole expense of the petitioner.
2. That the petitioner agrees to accept full responsibility, financial and all other, for the damage and /or relocation of utilities currently located within Parish right-of-way.
3. That the petitioner shall submit plans prepared by a licensed engineer to the Department of Engineering for review and approval. The drainage and road design with soil borings must meet the CONCRETE road standards as established under the "Subdivision Regulatory Ordinance." The Parish's engineer may require additional off-site work to minimize the potential impact of the proposed construction with special emphasis regarding drainage. The plans must include sewerage and water systems, where applicable. Upon approval of plans and specifications by the Director of Engineering, the petitioner must notify the Department of Engineering prior to the commencement of any activity.
4. That should the petitioner commence work thereon, petitioner by such act acquiesces and acknowledges thereby that he will hold this Parish, its officials, agents, servants, and employees free and harmless from any liability or responsibility whatsoever in connection with the construction of the project. Petitioner will provide copy of Liability Insurance Policy, including the naming of the Parish as an insured party. The insurance will remain in effect until the Parish takes over the maintenance.
5. That nothing herein shall be construed as a revocation of the dedication of the aforementioned right of way.
6. That no maintenance nor financial nor material nor assistance shall be provided by the Parish for the project nor the maintenance thereof, except for the inspection of the plans and specifications by the Department of Engineering to insure the construction complies with Parish specifications.

7. That the petitioner post a Performance Letter of Credit in the amount of \$22,800 for a period of six (6) months covering the cost of roadway and drainage construction.

8. That the petitioner agree to post a Warranty Obligation upon completion of the project.

9. That the petitioner and any assignees submit a Hold Harmless Agreement in connection with the construction of the project and utilization of the access by (an) individual(s) until the time that the access is upgraded to Parish standards and accepted into the Parish's Selective Road Maintenance System.

10. That the petitioner and any assignees agrees to provide maintenance for this access at his/her own expense until such time as the Parish agrees to accept this portion of right of way into the Parish's Selective Road Maintenance System.

11. That the petitioner agrees to provide the Parish with the necessary drainage and utility servitude along the roadways being constructed.

12. That the petitioner shall submit a copy of the current owner's deed.

13. That the petitioner shall produce proof that the right of way is dedicated to the Parish.

14. That the petitioner shall produce from the U.S. Army Corps of Engineers either: a written statement that the road is not in a wetland area, within the meaning of Section 404 of the Federal "Clean Water Act" or a Section 404 Permit under the Federal "Clean Water Act" authorizing the opening of the portion of the right of way in question.

15. That the petitioner shall submit a site plan of Petitioner's property and the unopened right of way.

16. Permission is valid for the issuance of building permits according to current zoning only, issued to AS INDICATED ABOVE, WARD 3 DISTRICT 5.

17. That the petitioner provide the right of way to be opened meets the current right of way widths as established through the Parish's "Subdivision Regulatory Ordinance". If the petitioner cannot provide the required right of way for two-way access, the petitioner may provide a one-way street if it provides connection to two (2) public roads. The provision allows a one (1) way access as long as the one (1) way access provides an entrance and a different exit to an approved roadway.

18. That the petitioner submit as-built drawings certifying that road is constructed within the Parish right of way.

19.. That the petitioner submit all documentation required within SIX (6) months from date of adoption, additionally petitioner has two (2) years to complete all work on this project, if not completed within two (2) years, approval of this work will be voided and petitioner will be required to reapply for permission.

RESOLUTION P.C. NO. _____
PAGE NO. 3 OF 3

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON
WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____, A VOTE

THEREON RESULTED IN THE FOLLOWING:

YEA:

NAY:

ABSTAIN:

ABSENT:

AND THIS RESOLUTION WAS DECLARED DULY ADOPTED ON THE _____ DAY OF
_____, 2015 AT A REGULAR MEETING OF THE PLANNING COMMISSION, A
QUORUM OF THE MEMBERS BEING PRESENT.

DAVID G. MANNELLA, CHAIRMAN
ST. TAMMANY PARISH PLANNING COMMISSION

ATTEST:

RON KELLER, SECRETARY
ST. TAMMANY PARISH PLANNING COMMISSION

J.V. Burkes & Associates, Inc.

1805 Shortcut Highway
Slidell, Louisiana 70458

985.649.0075 office
985.649.0154 fax
www.jvburkes.com



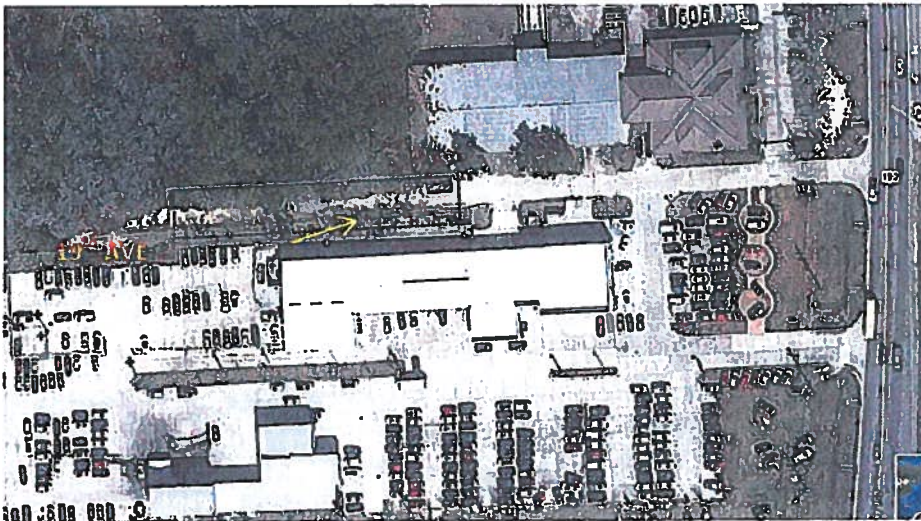
January 13, 2015

Mr. Earl Magner, P.E.
St. Tammany Parish Engineering Department
P.O. Box 828
Covington, LA 70434

**RE: Request to Enter into 19th avenue ✓
St. Tammany Parish Right of Way
Covington, LA**

Dear Mr. Magner:

J.V. Burkes & Associates, Inc. submits this proposal on behalf of the owner, Mr. Eddie Tourelle, to enter into St. Tammany Parish right of way for purposes of installing a drive access into his property.

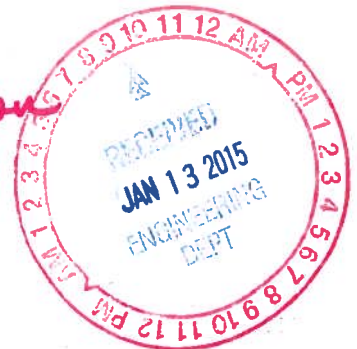


19th Avenue Location – north of Eddie Tourelle

Respectfully,

Sean M. Burkes
J.V. Burkes & Associates, Inc.

Performance Obligation
 $380' \times \$60.00/\text{ft} = \$22,800$
19th Ave.



(Draft Date 02/10/15)

ST. TAMMANY PARISH PLANNING COMMISSION

RESOLUTION

RESOLUTION PLANNING COMMISSION SERIES NO. _____

TITLE: A RESOLUTION AUTHORIZING NGA TRAN WIFE OF/AND ANDREW JOHNSON TO ENTER PARISH RIGHT-OF-WAY.

SUB-TITLE: A RESOLUTION GRANTING PERMISSION TO NGA TRAN WIFE OF/AND ANDREW JOHNSON; 1036 CREEK COURT; MANDEVILLE, LA 70448; TO ENTER PARISH RIGHT-OF-WAY, SPECIFICALLY THE UNOPENED PORTION OF LAKE STREET, MANDEVILLE ANNEX SUBDIVISION, FOR THE PURPOSE OF GAINING ACCESS TO PROPERTY AND ALLOWING EXISTING IMPROVEMENTS TO REMAIN WITHIN THE R.O.W. WARD 4, DISTRICT 5.

NOW, THEREFORE, BE IT RESOLVED, by the St. Tammany Parish Planning Commission that it hereby grants permission to the aforementioned petitioner to enter Parish right-of-way for the aforementioned purposes, subject to the following conditions:

1. That the existing improvements that are shown on the attached drawing by Sean M. Burkes, P.L.S. dated 10-17-2003 be allowed to remain within the R.O.W.
2. That nothing herein shall be construed as a revocation of the dedication of the aforementioned right of way.
3. That the petitioner and any assignees submit a Hold Harmless Agreement in connection with the existing encroachments and utilization of the access by (an) individual(s) until the time that the access is upgraded to Parish standards and accepted into the Parish's Selective Road Maintenance System.
4. That the petitioner and any assignees agrees to provide maintenance for this access at his/her own expense until such time as the Parish agrees to accept this portion of right of way into the Parish's Selective Road Maintenance System.
5. Petitioner acknowledges and accepts full responsibility for the installation and maintenance of drainage, specifically from the sewerage treatment facility on the public right of way he/she seeks permission to use.
6. That the petitioner shall submit a copy of the current owner's deed.
7. That the petitioner shall submit a site plan of Petitioner's property and the unopened right of way.
8. Permission is valid for the issuance of building permits according to current zoning only, issued to AS INDICATED ABOVE, WARD 4 DISTRICT 5.

9. That the petitioner must agree to participate in a front foot assessment in upgrading the road to a hard surface standard meeting Parish requirements, in the future.

10. That the petitioner submit all documentation required within SIX (6) months from date of adoption, if not this approval will be voided and petitioner will be required to reapply for permission.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____, A VOTE THEREON RESULTED IN THE FOLLOWING:

YEA:

NAY:

ABSTAIN:

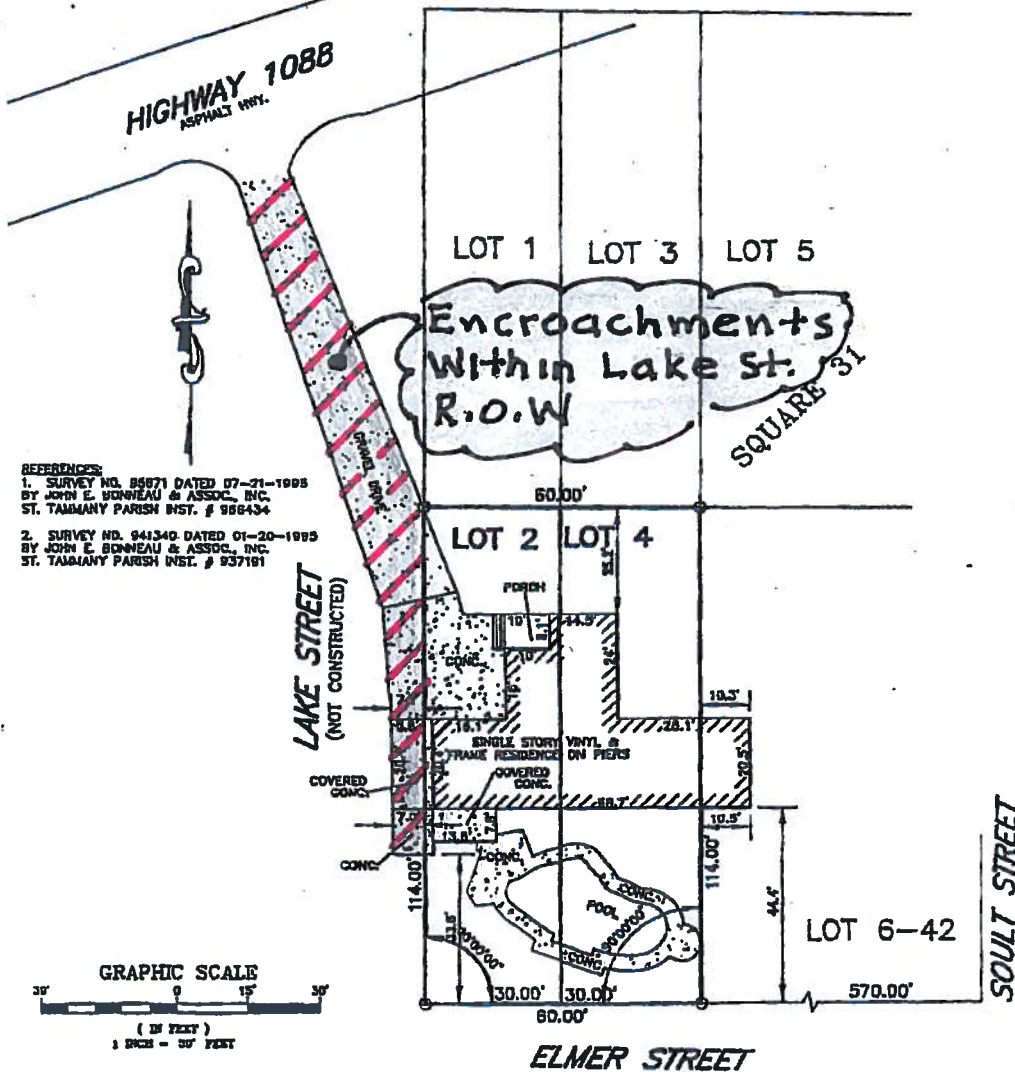
ABSENT:

AND THIS RESOLUTION WAS DECLARED DULY ADOPTED ON THE _____ DAY OF _____, 2015 AT A REGULAR MEETING OF THE PLANNING COMMISSION, A QUORUM OF THE MEMBERS BEING PRESENT.

DAVE MANELA, CHAIRMAN
ST. TAMMANY PARISH PLANNING COMMISSION

ATTEST:

RON KELLER, SECRETARY
ST. TAMMANY PARISH PLANNING COMMISSION



ADDRESS: 1210 HIGHWAY 1088

I CERTIFY THAT THIS PLAT DOES REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS "C" SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.S.B.A. No. 225208 0245 C
 F.S.B.A. Date 10-17-1989
 ZONE C G.F.E. N/A
 * Verify prior to construction with Local Governing Body.

DRAWING NO. 1033479
 DATE 10-17-2003

J.V. Burkes & Associates, Inc.
 SURVEYING
 ENGINEERING & ENVIRONMENTAL
 2990 East Cause Blvd, Suite B
 Slidell, Louisiana 70461
 E-mail: jvbassoc@jvburkes.com
 Phone: 983-849-0075 Fax: 983-849-0154
 Mississippi Phone: 228-438-0800

DRAWN BY: ALK
 CHECKED BY: MD
 SCALE: 1" = 30'



DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

**SURVEY OF LOTS 2 & 4, SQUARE 31
 MANDEVILLE ANNEX SUBDIVISION
 NEAR THE TOWN OF MANDEVILLE
 ST. TAMMANY PARISH, LOUISIANA**

SURVEYED BY:

SEAN M. BURKES
 LA REG. No. 4785

**Mandeville Annex S/D
 Enter Parish R.O.W.
 LAKE ST. (Encroachments)
 Feb. 10, 2015**

THE SILVERSTEIN LAW FIRM
A PROFESSIONAL LAW CORPORATION
635 LAFAYETTE STREET
GRETN, LOUISIANA 70053
~~~~~  
TELEPHONE 504 362-3692  
FACSIMILE 504 362-3693



Irl R. Silverstein  
irl@silversteinlawplc.com

David A. Silverstein  
david@silversteinlawplc.com

August 20, 2014

Mr. Eddie Williams  
Director of Engineering  
P.O. Box 628  
Covington, LA 70434

Re: My Clients: Nga Tran wife of/and Andrew Johnson  
Property: 1210 Highway 1088 Mandeville, LA  
My File # 14157

Dear Mr. Williams:

I am writing this letter on behalf of the above referenced owners asking that their request for an "after the fact" right-of-way entry unto the parish roadway adjacent to their property be placed on the agenda for the Planning Commission.

I attach herewith a copy of their Deed to the subject property along with a copy of a Survey dated October 17, 2003 by Sean M. Burkes which indicates that a portion of the concrete driveway for their residence encroaches upon a gravel driveway maintained by the Parish apparently for Lake Street.

*Not maintained by STP.*

I would suggest that these encroachments are protected by the two year prescriptive period set forth in La. R.S.9:5627, but we are seeking this right-of-way agreement to avoid any future litigation.

Please advise if you need anything further.

Yours very truly,

IRL R. SILVERSTEIN

IRS/mm  
Enclosures: as stated

cc: Nga Tran, via e-mail

AUG 25 2014

(CONSENT CALENDAR)

MINOR

SUBDIVISIONS

**MINOR SUBDIVISION STAFF ANALYSIS REPORT**  
*(As of February 3, 2015)*

CASE NO.: MS15-01-003

OWNER/DEVELOPER: Larry E. King

ENGINEER/SURVEYOR: Edward J. Murphy, P.E.

SECTION: 20 & 21

WARD: 2

TOWNSHIP: 5 South

PARISH COUNCIL DISTRICT: 6

RANGE: 11 East

TYPE OF DEVELOPMENT:        N/A    SUBURBAN (Residential lots between 1-5 acres)  
                                             —        RURAL (Low density residential lots 5 acres or more)  
                                             —        OTHER (PUD, Multi-family, commercial or industrial)

GENERAL LOCATION:        The property is located on the east side of LA Highway 40 and south of Dawsey Road, north of Covington, Louisiana.

SURROUNDING LAND USES:    North - rural residential  
                                             South - rural residential  
                                             East - rural residential  
                                             West - rural residential

TOTAL ACRES IN DEVELOPMENT:        1.03

NUMBER OF LOTS/PARCELS:        2        TYPICAL LOT SIZE: 0.65 acres

ZONING:        A-3 Suburban

REASONS FOR PUBLIC HEARING:    Both proposed parcels do not meet the minimum one (1) acre lot size requirement.

**STAFF COMMENTARY:**

**Department of Development - Planning**

The owner is proposing to create two parcels from a 1.03 acre tract. Parish code requires that each lot created must be at least one (1) acre in size, while both proposed lots will be only 0.65 acres each.

However, due to the existing circumstances where there are already two existing homes on the 1.03 acre parcel, and the owner simply wants to separate the two houses for resale purposes; and the fact that the property is currently zoned A-3 Suburban which would permit the current resubdivision proposal if not for the minor subdivision's one acre per lot minimum standard, the staff has no objections to the proposed minor subdivision request.

However, since a waiver of the regulations are required in order to approve this minor subdivision

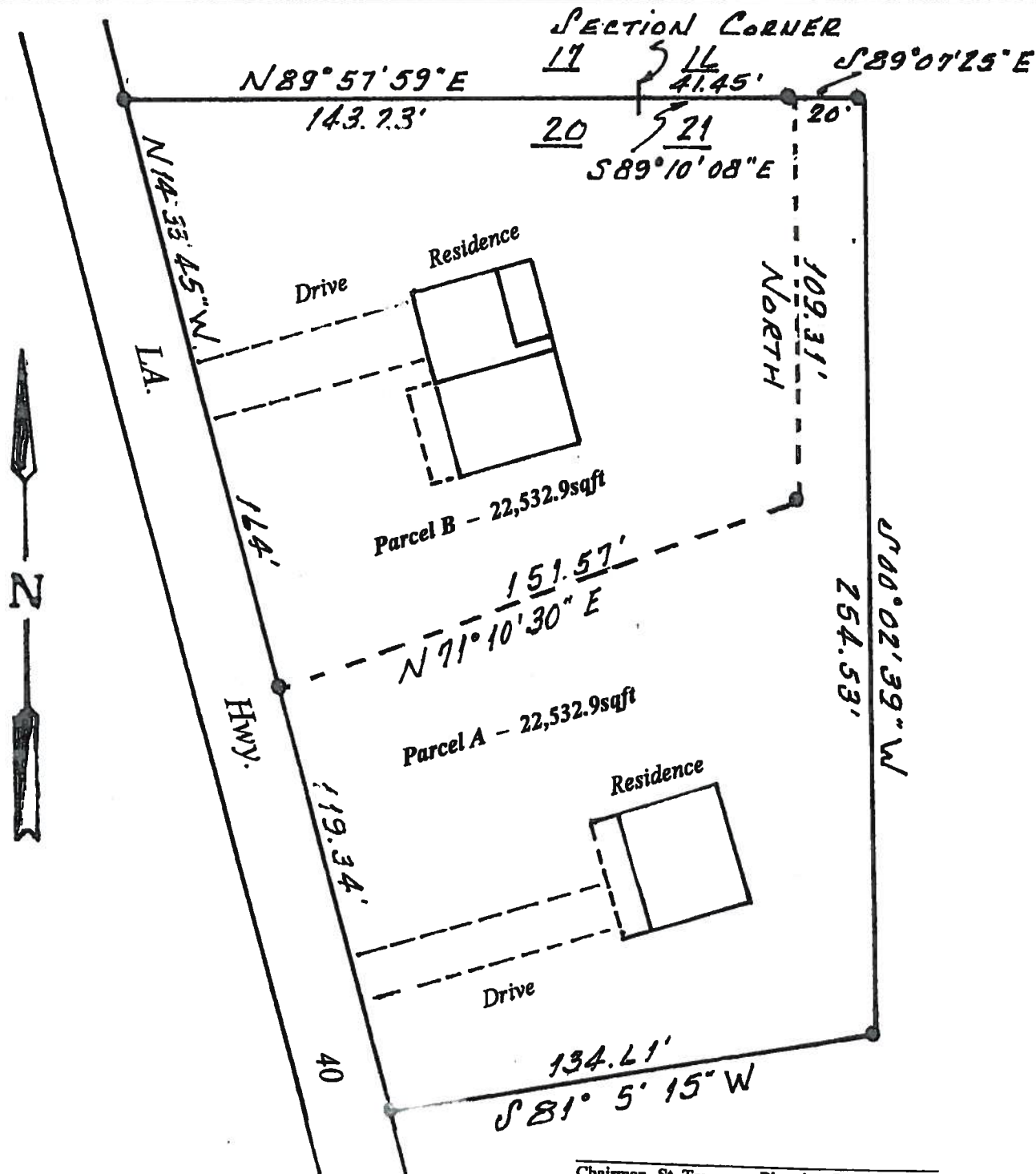
request relative to the lot size issue, a 2/3rds majority vote of the full membership of the commission (8 members) is needed to approve pursuant to Section 40-100.0 Waiver of Regulations, of Subdivision Regulatory Ordinance No. 499.

**Department of Engineering**

None

**Department of Environmental Services**

None



Approvals:

Chairman - St. Tammany Planning Commission

Director of Department of Engineering

Secretary - St. Tammany Planning Commission

Date Filed / Map file Number

St. Tammany Parish Clerk of Court

**EDWARD J. MURPHY, P.E.**

**MINOR SUBDIVISION STAFF ANALYSIS REPORT**  
*(As of February 3, 2015)*

CASE NO.: MS15-01-004

OWNER/DEVELOPER: Susan P. Kerr, et al.

ENGINEER/SURVEYOR: Kelly McHugh & Associates, Inc.

SECTION: 33

WARD: 1

TOWNSHIP: 6 South

PARISH COUNCIL DISTRICT: 3

RANGE: 10 East

TYPE OF DEVELOPMENT:          x      SUBURBAN (Residential lots between 1-5 acres)  
                                                   RURAL (Low density residential lots 5 acres or more)  
                                                   OTHER (PUD, Multi-family, commercial or industrial)

GENERAL LOCATION:        The property is located on the west side of Bunny Lane and south of Joiner-Wymer Road, west of Covington, Louisiana.

SURROUNDING LAND USES:    North - rural residential  
                                         South - rural residential  
                                         East - rural residential  
                                         West - rural residential

TOTAL ACRES IN DEVELOPMENT:        10.35

NUMBER OF LOTS/PARCELS:        3        TYPICAL LOT SIZE: Varies

ZONING:        A-2 Suburban

REASONS FOR PUBLIC HEARING:    One parcels is being accessed by a private drive.

**STAFF COMMENTARY:**

**Department of Development - Planning**

The owner is proposing to create three (3) parcels from one parent parcel; and since the private drive will only provide access to one (1) lot/parcel within the minor subdivision, said drive is not required to be built to a parish standard pursuant to Section 40-045.01 Minimum Standards for a Private Drive, of Subdivision Regulatory Ordinance No. 499. Therefore, the staff has no objections to the proposed minor subdivision request.

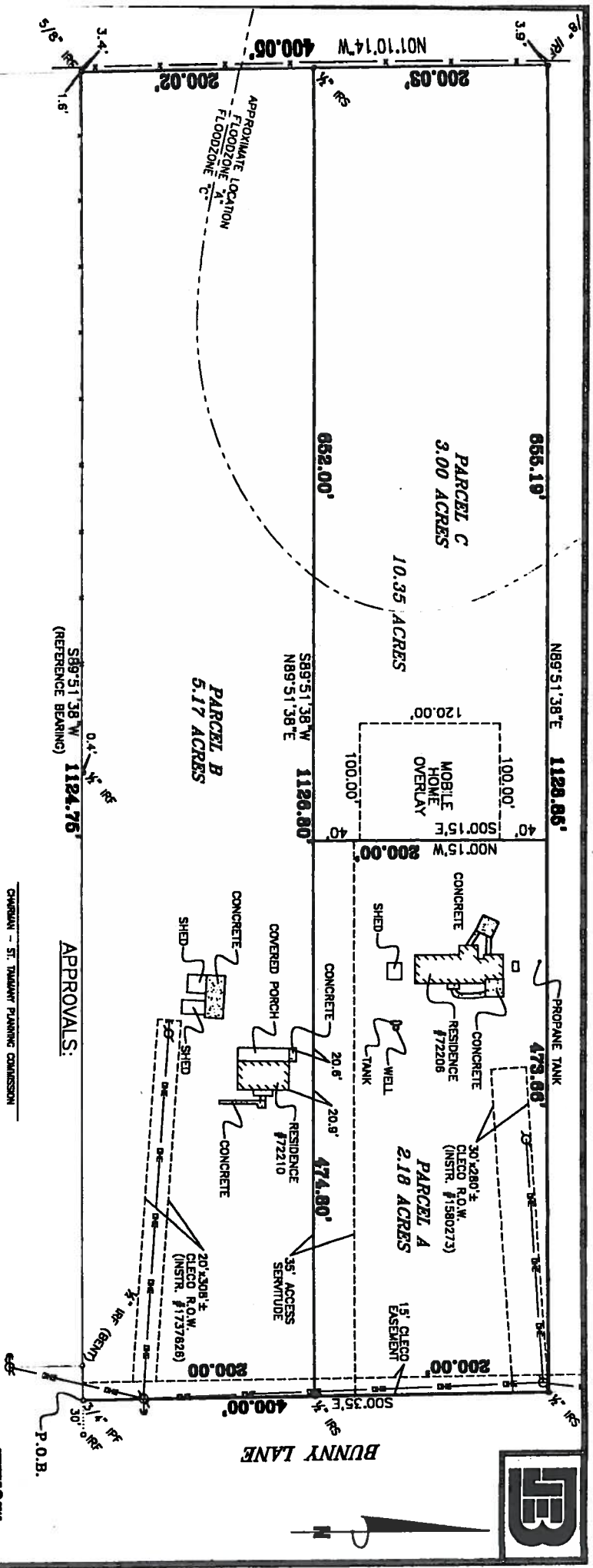
**Department of Engineering**

None

**Department of Environmental Services**

None





## LEGEND

- = ANCHOR
- X— = FENCELINE
- OHE— = OVERHEAD UTILITY LINE
- ⌒ = POWER POLE

POINT OF BEGINNING:  
SHOWN HEREON IS LOCATED  
S88°55'10"W, 1046.34'; N85°40'02"W, 480.33';  
N00°34'13"W, 1342.80'; AND S88°51'38"W, 30.0'  
FROM THE SOUTHEAST CORNER OF SECTION 33,  
T8S-R10E, ST. TAMMANY PARISH, LOUISIANA.

**A MINOR SUBDIVISION MAP OF  
A 10.35 ACRE PARCEL OF LAND**

**PARCELS A, B & C**

Situated in Section 33, T6S-R10E in  
St. Tammany Parish, Louisiana  
for

## SUCCESSION OF JUDITH PREVOUT

Survey No. 2012385 Drawn by: LFR Scale: 1" = 80'  
Date: JULY 20, 2012 Revised: 02/04/14(3.00 & 7.35 ACRES); 07/24/14(RESUBDIVISION)

**JOHN E. BONNEAU & ASSOCIATES, INC.**  
Professional Land Surveyors • Planners and Consultants

420 HWY. 1085, EXT. #57 • MADISONVILLE, LA. 70447  
(985) 845-1012 • (985) 845-1013 • (985) 845-1351 • FAX NO. (985) 845-1778  
www.IEBCoilandSurveying.com • e-mail: jebco11@bellsouth.net

**PLANNING NOTE:** This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "A & C" with a Base Flood Elevation of 27.5' in accordance with Community Parcel No. 225205 0805 C : Revised: OCTOBER 17, 1980

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL, AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

**CHAIRMAN - ST. THOMAS PLANNING COMMISSION**

**SECRETARY - ST. THOMAS PLANNING COMMISSION**

**DIRECTOR OF THE DEPARTMENT OF ENGINEERING**

CLERK OF COURT

---

DATE FILED \_\_\_\_\_ WAP FILE NO. \_\_\_\_\_

**BUILDING SERVICES**  
**FRONT:** N/A  
**SIDE:** N/A  
**SIDE STREET:** N/A  
**REAR:** N/A

**NOTE:** This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.

**REFERENCE SURVEY:**  
Survey of 10.35 Acres in Sec. 33, T8S-R10E;  
By: Fentuberda Surveyors, Inc.; Dated: 8/17/04

**BASIS FOR BEARINGS/ANGLES:**  
The Reference Survey.

**NOTE:** Subtask lines shall be verified by owner and/or contractor prior to any construction, as an abstract has not been performed by the undersigned.

**NOTE:** Services shown herein are not necessarily exclusive. Services of record shown in this opinion or this policy will be added hereto upon request as long as they have not been performed any time heretofore or thereafter.

This Survey is Certified  
True and Correct By  
  
John E. Borkdick  
Professional Land Surveyor  
Registration No. 4423

**MINOR SUBDIVISION STAFF ANALYSIS REPORT**  
*(As of February 3, 2015)*

CASE NO.: MS15-01-005

OWNER/DEVELOPER: Wayne & Jeanie Morlier

ENGINEER/SURVEYOR: LS Land Surveying, L.L.C.

SECTION: 12 & 13                      WARD: 1  
TOWNSHIP: 7 South                  PARISH COUNCIL DISTRICT: 1  
RANGE: 10 East

TYPE OF DEVELOPMENT:          x        SUBURBAN (Residential lots between 1-5 acres)  
                                                     RURAL (Low density residential lots 5 acres or more)  
                                                     OTHER (PUD, Multi-family, commercial or industrial)

GENERAL LOCATION:          The property is located on the south side of Brewster Road, west of LA Highway 21, and south of Covington, Louisiana.

SURROUNDING LAND USES:      North - single family residential  
                                         South - single family residential  
                                         East - single family residential  
                                         West - single family residential

TOTAL ACRES IN DEVELOPMENT:              3.5

NUMBER OF LOTS/PARCELS:              2              TYPICAL LOT SIZE: 1.5 & 2.0 acres

ZONING:              A-2 Suburban

REASONS FOR PUBLIC HEARING:    One of the lots is being accessed by a private drive.

**STAFF COMMENTARY:**

**Department of Development - Planning**

The owner is proposing to create two (2) parcels from one parent parcel; and since the private drive will only provide access to one (1) parcel within the minor subdivision, said drive is not required to be built to a parish standard pursuant to Section 40-045.01 Minimum Standards for a Private Drive, of Subdivision Regulatory Ordinance No. 499. Therefore, the staff has no objections to the proposed minor subdivision request.

**Department of Engineering**

None

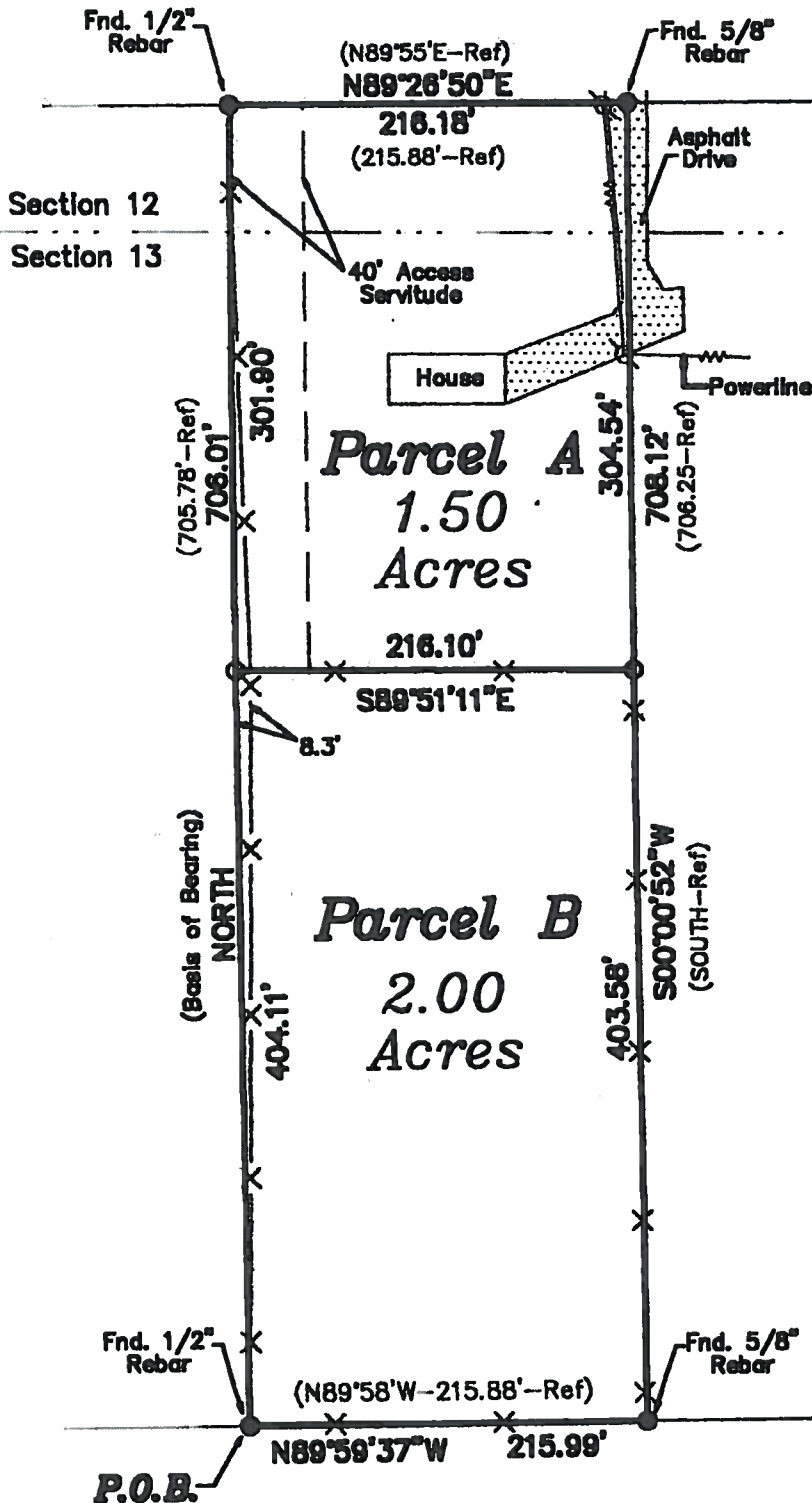
**Department of Environmental Services**

None



(Asphalt)  
**Brewster Road**

A Minor Subdivision Map  
of a 3.50 Acre Parcel of  
Land, into Parcel A & B,  
Located in Sections 12  
& 13, T-7-S, R-10-E, St.  
Tammany Parish, La.



Reference: A Survey Map by Jeron R.  
Fitzmorris, Dated 8-9-82, Job #2753  
(Basis of Bearing)

\*Building Setbacks (If Any) should be  
verified prior to construction

The P.O.B. is Reported to be  
S89°21'E-1358.98; North-  
402.80'; from the Section  
Corner common to Sections  
13, 14 & 41, T-7-S, R-10-E,  
St. Tammany Parish, La.

Legend  
● = Indicates Set 1/2" Rebar  
X = Fence  
□ = Power Pole

This property is located in Flood Zone  
C, per FEMA Map No. 225205 0210 C  
Dated 10-17-89

FINAL APPROVAL

CHAIRMAN, PLANNING COMM.

DIR. DEPT. OF ENGINEERING

SECRETARY PLANNING COMM.

CLERK OF COURT

DATE

FILE NO.

SERVITUDES SHOWN HEREON (IF ANY) ARE NOT NECESSARILY EXCLUSIVE.  
SERVITUDES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY  
WILL BE ADDED HERETO UPON REQUEST AS THE UNDERSIGNED HAS  
PERFORMED NO ABSTRACT OR TITLE SEARCH. THE UNDERSIGNED HAS  
MADE NO ATTEMPT TO LOCATE ANY BURIED UTILITIES OR ASSOCIATED  
PEDESTALS.

THIS MAP IS IN ACCORDANCE WITH THE STANDARD DETAILED  
REQUIREMENTS PURSUANT TO THE ACCURACY STANDARDS OF A C SURVEY  
AND THE APPLICABLE STANDARDS OF PRACTICE CITED IN LAC 48:LX1.

**WAYNE C. & JEANIE A. MORLIER**

REVOCATION/CLOSINGS

REVIEW

## REVOCATION STAFF ANALYSIS REPORT

CASE NO.: REV14-12-002

NAME OF STREET OR ROAD: ALGIERS AVENUE

NAME OF SUBDIVISION: CENTRAL PARK

WARD: 8 PARISH COUNCIL DISTRICT: 12

PROPERTY LOCATION: The property is located in the northwest quadrant of Interstate 10 and LA Highway 433, southeast of Slidell, Louisiana,

SURROUNDING ZONING: Commercial & Single Family Residential

PETITIONER/REPRESENTATIVE: Own Your Own, L.L.C.

### **STAFF COMMENTARY:**

*(This case cannot proceed until the owner involves the property owner on the north side of the right-of-way in the revocation process.)*

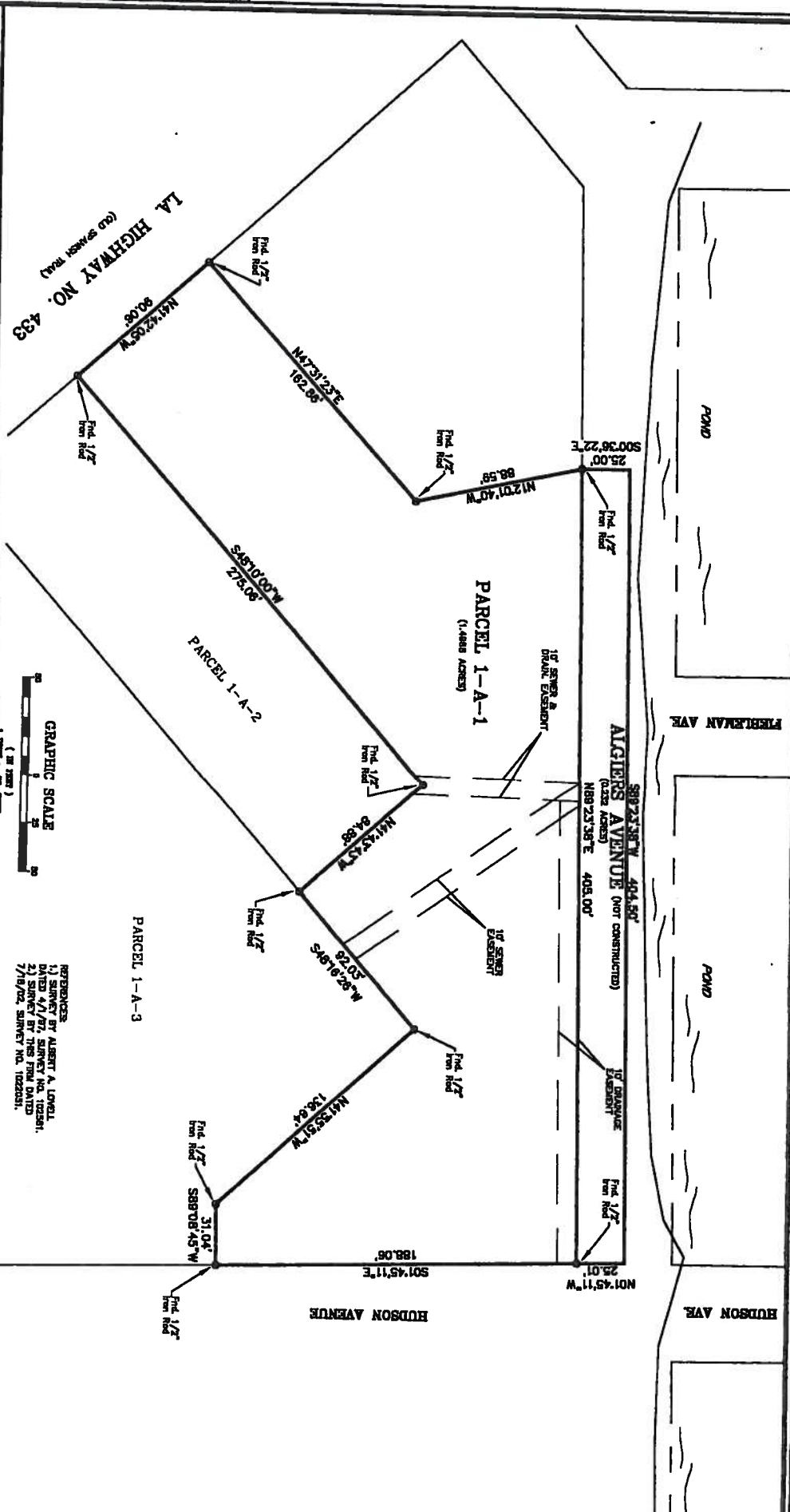
The applicant wishes to revoke an approximate 25' wide strip of Algiers Avenue to use for his business. Portions of said right-of-way have been revoked previously and the right-of-way abuts detention ponds to the north.

### **Recommendation:**

The staff has reviewed the applicant's request and believes that the proposal is consistent relative to the Louisiana Revised Statutes governing the revocation of immovable property since the right-of-way does not appear to serve any public use or benefit, other than to the applicant. Therefore, the staff has no objections to the proposed revocation request subject to the survey being amended to reflect the following:

- "City of Slidell" needs to be removed from the legend and replaced with "St. Tammany Parish".
- A notation needs to be placed on the survey indicating that the 25' wide strip of Algiers Avenue will be assimilated into parcel 1-A-1 to the south.
- The surveyor needs to determine if there is any additional right-of-way between the 25' wide strip and the detention ponds to the north.





RESUBDIVISION

REVIEW

## RESUBDIVISION STAFF ANALYSIS REPORT

CASE FILE NO: RS15-01-004

NAME OF SUBDIVISION: TOWN OF MANDEVILLE, S.W. Qtr. of Square 237

LOTS BEING DIVIDED: S.W. Qtr. of Square 237 into lots 1 thru 4

SECTION: 38

WARD: 4

TOWNSHIP: 8 South

PARISH COUNCIL DISTRICT: 7

RANGE: 11 East

PROPERTY LOCATION: The property is located on the northeast corner of Marigny Avenue and Destin Street, north of Mandeville, Louisiana.

ZONING: A-4 Single Family Residential

PROPERTY OWNER: Marigny Land, L.L.C.

### **STAFF COMMENTARY:**

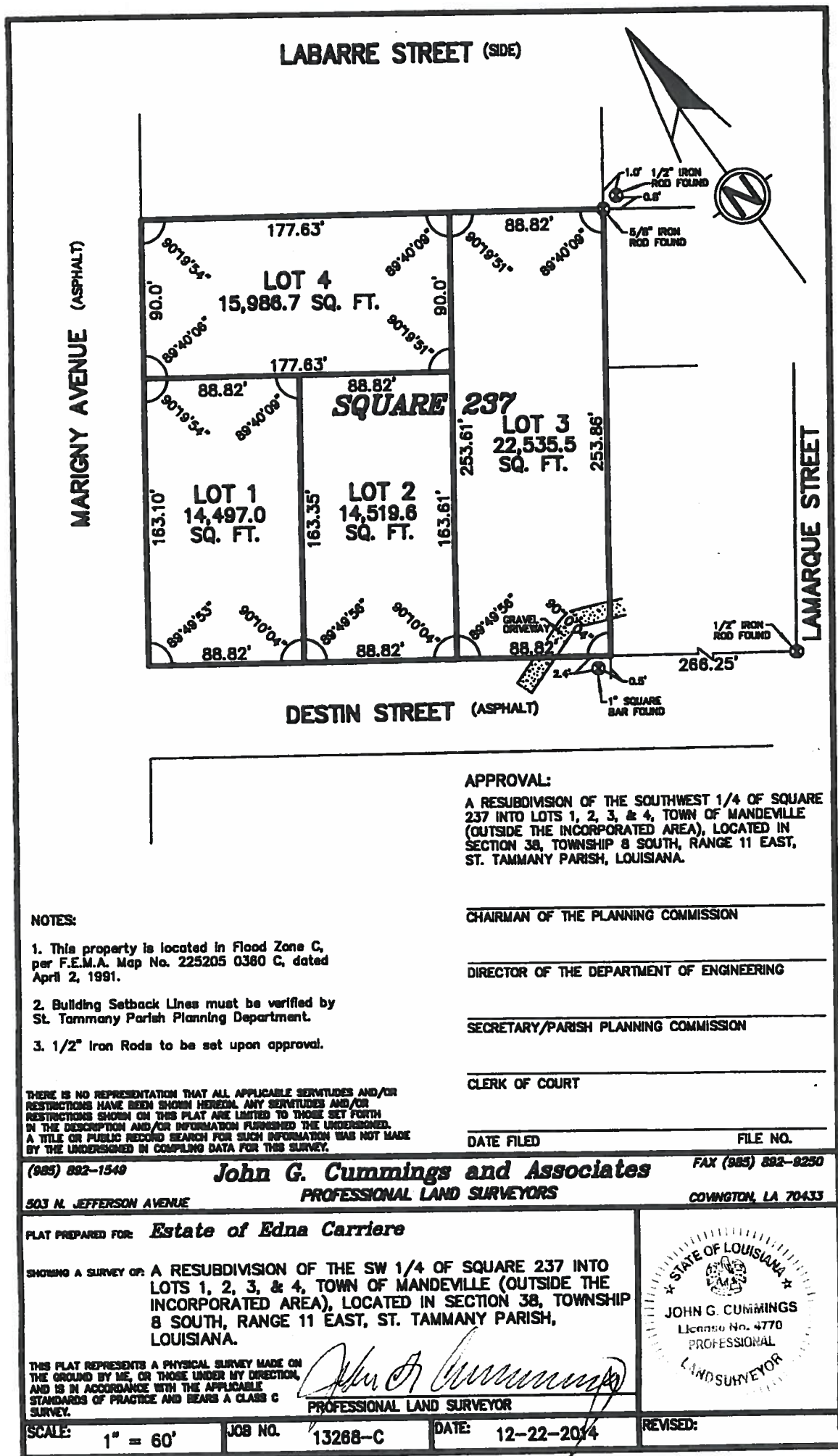
The owner is proposing to resubdivide a quarter square into four (4) lots measuring 88.82' in width. The lots meet parish code insofar as meeting the minimum lot size requirements and the fact that the lots shall be connected to community sewerage and water facilities; however the minimum lot width is just short of the required 90' minimum. But since the lots meet all other aspects of parish code with the exception of being less than 1 ½' feet short of the minimum lot width standard of 90', the staff has no objection to the proposed resubdivision request.

However, if the commission decides to grant the resubdivision request, a waiver of the Parish regulations is required for the proposed lot frontages pursuant to Section 40-100.0 Waiver of Regulations, of Subdivision Regulatory Ordinance No. 499, which requires a two-thirds (2/3rds) majority vote of the commission (8 members) in order to grant said waiver.

### **Recommendation:**

The staff has no objections to the proposed resubdivision request.





## **RESUBDIVISION STAFF ANALYSIS REPORT**

CASE FILE NO: RS15-01-005

NAME OF SUBDIVISION: RED GAP ACRES, BLOCK 2

LOTS BEING DIVIDED: Lot 25 into lots 25A and 25B

SECTION: 12

WARD: 4

TOWNSHIP: 7 South

PARISH COUNCIL DISTRICT: 5

RANGE: 11 East

PROPERTY LOCATION: The property is located on the west side of Ravine Drive and south of Harrison Avenue, south of Covington, Louisiana.

ZONING: A-2 Suburban

PROPERTY OWNER: Noella Thonn, et al.

### **STAFF COMMENTARY:**

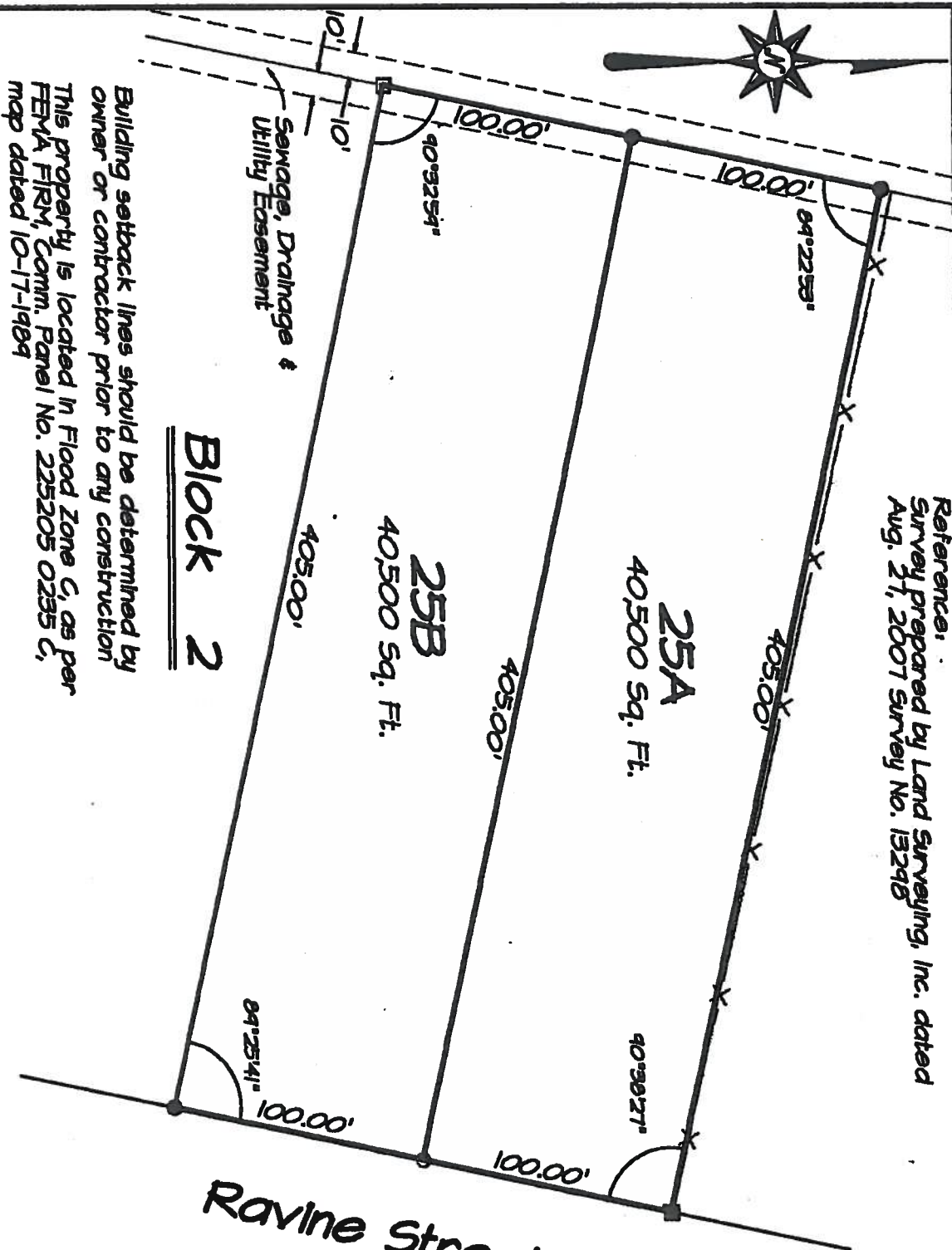
The owner is proposing to resubdivide a lot into two (2) substandard lots of record. The property is zoned A-2 Suburban which requires a minimum lot frontage of 150' and a minimum lot size of one acre (43,560 sq. ft.). The owner wants to create two lots with only a 100' wide frontage for each lot and 40,500 sq. in lot area.

### **Recommendation:**

Since the parish is under a mandate by the DEQ to eliminate individual sewage systems on substandard lots in favor of community facilities, this proposal would be in direct conflict with said mandate; however, it should be noted that the parish planning commission has approved a few resubdivisions of similar nature in the past within this subdivision.

Therefore, if the commission decides to grant the resubdivision request, a waiver of the Parish regulations is required for the proposed lot frontages and lot widths pursuant to Section 40-100.0 Waiver of Regulations, of Subdivision Regulatory Ordinance No. 499, which requires a two-thirds (2/3rds) majority vote of the commission (8 members) in order to grant said waiver.

Reference:  
Survey prepared by Land Surveying, Inc. dated  
Aug. 27, 2007 Survey No. 13295



Ravine Street

FINAL APPROVAL

CHAIRMAN, PLANNING COMM.

DIR. DEPT. OF ENGINEERING

SECRETARY, PLANNING COMM.

SERVITUDES SHOWN HEREON (IF ANY) ARE NOT NECESSARILY EXCLUSIVE. SERVITUDES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST AS THE UNDERSIGNED HAS PERFORMED NO ABSTRACT OR TITLE SEARCH. THE UNDERSIGNED HAS MADE NO ATTEMPT TO LOCATE ANY BURIED UTILITIES OR ASSOCIATED PEDESTALS.

THIS MAP IS IN ACCORDANCE WITH THE STANDARD DETAILED REQUIREMENTS PURSUANT TO THE ACCURACY STANDARDS OF A C SURVEY AND THE APPLICABLE STANDARDS OF PRACTICE CITED IN LAC 46: LXI. THIS MAP IS IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE SUPERVISION OF THE UNDERSIGNED.

Building setback lines should be determined by owner or contractor prior to any construction

This property is located in Flood Zone C, as per FEMA FIRM, Comm. Panel No. 225205 0235 C, map dated 10-17-1989

**Block 2**

**25B**  
40,500 sq. ft.

**25A**  
40,500 sq. ft.

- Legend:
- 1/2" Rebar Set
  - 3/4" Iron Pipe Found
  - 1" Iron Pipe Found
  - X- Fence

RESUBDIVISION OF LOT 25 INTO LOTS 25A & 25B BLK. 2 RED GAP ACRES SUBDIVISION, ALSO IN SECTION 12 T6S R11E, ST. TAMMANY PARISH, LOUISIANA FOR CELESTINE W. PRAETORIUS REV. LIVING TRUST

PRELIMINARY  
SUBDIVISION  
REVIEW

**PRELIMINARY SUBDIVISION STAFF ANALYSIS REPORT**  
**(As of February 3, 2015)**

CASE NO.: SD12-04-002PIV-B

SUBDIVISION NAME: Northpark, Phase IV-B

DEVELOPER: Greengate Northpark, LLC  
2555 Severn Ave.  
Metairie, LA 70002

ENGINEER/SURVEYOR: Deep South Design Group

SECTION 48  
TOWNSHIP 7South  
RANGE 11 East

WARD: 3  
PARISH COUNCIL DISTRICT: 5

TYPE OF DEVELOPMENT:        ☐ URBAN (Residential lots less than 1 acre)  
                                         ☐ SUBURBAN (Residential lots between 1-5 acres)  
                                         ☐ RURAL (Residential Farm Tract lots 5 acres plus)  
                                         ☒ OTHER (Multi family, commercial or industrial)(PUD)

TOTAL ACRES IN DEVELOPMENT: 6.148

NUMBER OF LOTS: 1                      LOT SIZE: 5.1 Ac.

SEWER AND WATER SYSTEMS: Central

ZONING: PBC-1 and HC-1

FLOOD ZONE DESIGNATION: C

TENTATIVE APPROVAL GRANTED: April 10, 2012

**STAFF COMMENTARY:**

**Department of Engineering**

1. The Preliminary plans and hydrologic study have been reviewed by this office and an inspection was made of the site.
2. It is recommended that Preliminary submittal be approved subject to the following:

**Subdivision Plat Comments:**

- a. Remove sidewalk from typical roadway section;

Drainage Comments:

- b. Remove lot drainage arrows;
- c. Add note stating, "LOT TO DRAIN TO POND";
- d. Add note stating, "36" PIPE STUBOUT FOR LOT 8 TO BE PLUGGED TILL FUTURE DEVELOPMENT";
- e. Remove sidewalk from typical roadway section;

Sheet D 3

- f. Revise drainage trench bedding and backfill detail in accordance with Sec. 40-032.03 Subsection 8;

Watershed Comments:

- g. Need copy of LDEQ Stormwater Permit Letter with Agency Interest Number (AI#) or Notice of Intent (NOI);

Sewer & Water Comments:

- h. Plans and specifications for the construction of the project's water distribution lines and sewage collection lines have not yet been approved by the Department of Health and Hospitals as required;

General Comments:

- i. GDD #5 approval is needed.
- 3. No Maintenance Obligation is required since this is an extension of a private road.
  - 4. Mandatory Developmental fees will be required at Final Submittal in accordance with Ordinance No. 04-0990 since no public hearing was held prior to January 1, 2005.

**Department of Development - Planning**

None

---

**From:** [alex@deepsouthdesign.com](mailto:alex@deepsouthdesign.com) [mailto:[alex@deepsouthdesign.com](mailto:alex@deepsouthdesign.com)]

**Sent:** Wednesday, January 14, 2015 10:51 AM

**To:** Ron Keller

**Cc:** Barry Spizer; Jeff Schoen

**Subject:** Northpark Phase IV-B

Ron,

On behalf of Barry Spizer I will be submitting a preliminary/final subdivision application for Phase IV-B of the Northpark development this week. I was hopeful you could confirm that our desire to submit preliminary and final concurrently was acceptable, and also request that the necessary performance bond amount be set to match the attached estimate of probable cost.

I have attached copies of the subdivision applications, environmental assessment data form, Interstate land sales compliance letter, written legal, and estimate of probable cost for your review. I will also follow up this email with another that includes a full set of the construction documents. The file for these documents is fairly large and may exceed the limits of the STP email server, but could hand deliver the electronic file if necessary.

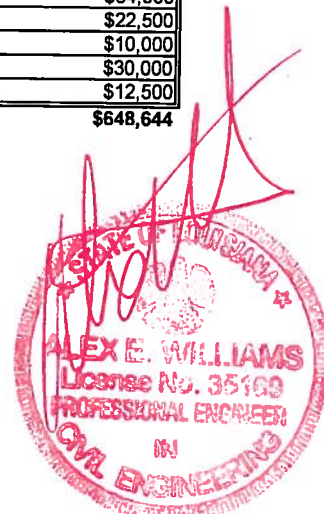
I greatly appreciate the help, and look forward to your response.

Alex E. Williams, P.E.  
(985)705-4696

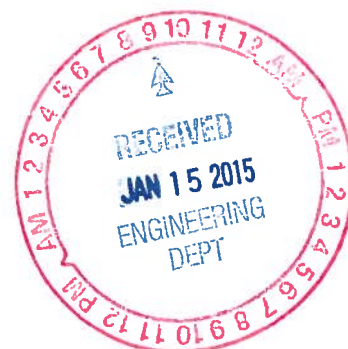


**DEEP SOUTH DESIGN GROUP**  
Civil/Environmental Engineering Firm

| North Park Phase IV-B Engineer's Estimate of Probable Cost |          |             |           |
|------------------------------------------------------------|----------|-------------|-----------|
|                                                            | Quantity | Unit Cost   | Cost      |
| Mobilization, @ 3.5% Base Bid, Is                          | 1.0      | \$22,702.52 | \$22,703  |
| Stakeout, Is                                               | 1.0      | \$5,000.00  | \$5,000   |
| Erosion Control, Is                                        | 1.0      | \$4,500.00  | \$4,500   |
| Clear and Grub - Pond and Roadway, acres                   | 2.4      | \$5,000.00  | \$11,900  |
| Strip Roadway, cu.yd.                                      | 2,053.0  | \$9.00      | \$18,477  |
| Pond Excavation, cu.yd.                                    | 10,185.0 | \$4.00      | \$40,740  |
| Build-Up & Compact Road Sub-Base, cu.yd.                   | 3,293.0  | \$10.00     | \$32,930  |
| Base, cu.yd.                                               | 1,197.0  | \$12.00     | \$14,364  |
| Concrete Streets, sq.yd.                                   | 2,200.0  | \$65.00     | \$143,000 |
| 8" Water Main, l.f.                                        | 600.0    | \$20.00     | \$12,000  |
| 8" Water Tie-In, ea                                        | 1.0      | \$1,500.00  | \$1,500   |
| 8" Gate Valve, ea                                          | 2.0      | \$1,450.00  | \$2,900   |
| Fire Hydrants, ea                                          | 2.0      | \$4,000.00  | \$8,000   |
| 10" Gravity Sewer 10-12 l.f.                               | 925.0    | \$50.00     | \$46,250  |
| Sewer Manholes, ea                                         | 6.0      | \$2,900.00  | \$17,400  |
| Tie-In @ Existing Manhole, ea                              | 1.0      | \$1,000.00  | \$1,000   |
| 36" A-2000, l.f.                                           | 80.0     | \$75.00     | \$6,000   |
| 2-36" A-2000, l.f.                                         | 743.0    | \$140.00    | \$104,020 |
| 2-24" RCPA, l.f.                                           | 64.0     | \$155.00    | \$9,920   |
| 24" RCPA, l.f.                                             | 32.0     | \$80.00     | \$2,560   |
| 18" RCPA, l.f.                                             | 64.0     | \$70.00     | \$4,480   |
| Curb Inlets, ea                                            | 8.0      | \$8,000.00  | \$64,000  |
| Drain Manholes, ea                                         | 3.0      | \$7,500.00  | \$22,500  |
| Overflow Structure, ea                                     | 1.0      | \$10,000.00 | \$10,000  |
| All Testing, Clean-up, Misc., Is                           | 1.0      | \$30,000.00 | \$30,000  |
| Signage & Lighting, Is                                     | 1.0      | \$12,500.00 | \$12,500  |
| Construction Cost                                          |          |             | \$648,644 |



1/15/2015





FINAL  
SUBDIVISION  
REVIEW

**FINAL SUBDIVISION STAFF ANALYSIS REPORT**  
*(As of February 3, 2015)*

CASE NO.: SD04-08-024FP16

SUBDIVISION NAME: Bedico Creek, Parcel 16

DEVELOPER: Bedico Creek Preserve, LLC

ENGINEER/SURVEYOR: Kelly McHugh & Associates, Inc.

SECTION 6  
TOWNSHIP 7 South  
RANGE 10 East

WARD: 1  
PARISH COUNCIL DISTRICT: 1

TYPE OF DEVELOPMENT:

|                                     |                                                     |
|-------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/>            | URBAN (Residential lots less than 1 acre)           |
| <input type="checkbox"/>            | SUBURBAN (Residential lots between 1-5 acres)       |
| <input type="checkbox"/>            | RURAL (Residential Farm Tract lots 5 acres plus)    |
| <input checked="" type="checkbox"/> | OTHER (Multi family, commercial or industrial)(PUD) |

TOTAL ACRES IN DEVELOPMENT: 14.13

NUMBER OF LOTS: 32                      AVERAGE LOT SIZE: Varies

SEWER AND WATER SYSTEMS: Central

ZONING: PUD

FLOOD ZONE DESIGNATION: A

**STAFF COMMENTARY:** This project was postponed at the January 13, 2015 meeting.

**Department of Engineering**

1. Periodic inspections have been made by this office during construction and the final inspection was made on 1/29/2015. The inspection disclosed that all of the concrete roadways are paved, the road shoulders need to be constructed and the roadside ditches need final dressing.
2. The following uncompleted items existed at the time of the final inspection and will be completed before the plats are signed.
  - a. Subdivision Plat
    - 1) Need Bench Mark and Geoid;
    - 2) Need municipal addresses (9-1-1);
    - 3) Show As-Built Base used on the typical street X-section;
    - 4) Show revision date.

b. Paving and Drainage Plan

- 1) Need engineer's stamp;
- 2) Need ditch invert elevations at each property corner and roadway elevations;
- 3) Show surface drainage arrows on lots 731, 732 & 733;
- 4) Show As-Built used on the typical street x-section;
- 5) Show revision date;

c. Sewer and Water

- 1) A negative bacteriological report relative to the construction of the project's water system has not been issued by the LA DH&H/OPH as required by Section 40-070.0 of the Subdivision Regulatory Ordinance No 499;
- 2) A letter of acceptance and responsibility for the perpetual maintenance and operation of the water and sewer system has not been issued by the utility provider as required.

d. General

- 1) Need As-Built signage plan;
  - 2) Need base test results;
  - 3) Need concrete test results;
  - 4) Need floppy disk or current format;
  - 5) Need street name signs and traffic signs;
  - 6) Need blue reflectors.
3. Should the Planning Commission approve the request for final approval a Warranty Obligation will be required for the infrastructure in the amount of 1750 linear feet x \$25.00 per linear foot = \$43,800 for a period of five (5) years.
4. The staff recommends approval of the proposed final subdivision request subject to the developer complying with all comments and no plats to be signed until all items are satisfactorily completed.
5. No Mandatory Developmental Fees are required since a public hearing was held prior to 1/1/05.

**Department of Development - Planning**

None

**FINAL SUBDIVISION STAFF ANALYSIS REPORT**  
*(As of February 3, 2015)*

CASE NO.: SD12-04-002FIV-B

SUBDIVISION NAME: Northpark, Phase IV-B

DEVELOPER: Greengate Northpark, LLC  
2555 Severn Ave.  
Metairie, LA 70002

ENGINEER/SURVEYOR: Deep South Design Group

SECTION 48  
TOWNSHIP 7South  
RANGE 11 East

WARD: 3  
PARISH COUNCIL DISTRICT: 5

TYPE OF DEVELOPMENT:      ☐ URBAN (Residential lots less than 1 acre)  
                                         ☐ SUBURBAN (Residential lots between 1-5 acres)  
                                         ☐ RURAL (Residential Farm Tract lots 5 acres plus)  
                                         ☒ OTHER (Multi family, commercial or industrial)(PUD)

TOTAL ACRES IN DEVELOPMENT: 6.148

NUMBER OF LOTS: 1                      AVERAGE LOT SIZE: 5.1Ac.

SEWER AND WATER SYSTEMS: Central

ZONING: PBC-1 and HC-1

FLOOD ZONE DESIGNATION: C

**STAFF COMMENTARY:**

**Department of Engineering**

1. No work has commenced at the site.
2. Since the infrastructure has not been completed the developer is requesting that a Performance Obligation be established for a period of six (6) months. See attached email dated January 14, 2015 from the developer's engineer Mr. Alex E. Williams, P.E., Deep South Design Group.
3. Should the Planning Commission approve the request for final approval a Performance Obligation will be required for the infrastructure in the amount of \$648,644.00 for a period of six (6) months. See attached Estimate of Probable Cost.

4. The staff has reviewed the engineers cost estimate and agrees with the contents. Subdivision plats can be signed upon issuance of a work order.
5. No Warranty Obligation is required at this time and will be established upon completion of the infrastructure and release of the Performance Obligation.
6. Since the developer has no “end users”, the mandatory developmental fees are not due prior to signing the subdivision plat, but are due upon building permit application.

**Department of Development - Planning**

None

# NEW BUSINESS

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.

ORDINANCE COUNCIL SERIES NO.

COUNCIL SPONSOR:

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY:

SECONDED BY:

ON THE \_\_\_ DAY OF \_\_\_\_ 201 5.

ORDINANCE TO AMEND AND REENACT CHAPTER 18, ARTICLES III  
& IV OF THE ST. TAMMANY PARISH CODE OF ORDINANCES,  
RELATIVE TO THE ST. TAMMANY PARISH PLANNING COMMISSION  
AND ZONING COMMISSION.

WHEREAS, the St. Tammany Parish Planning Commission is charged with the responsibility of holding the legally required public hearings on behalf of the St. Tammany Parish Government for review of all proposed subdivision plats and amendments to the Parish Subdivision Development Regulations; and

WHEREAS, the St. Tammany Parish Zoning Commission is charged with the responsibility of holding the legally required public hearings on behalf of the St. Tammany Parish Government for all proposed amendments to the Parish Land Use Map and Regulations; and

WHEREAS, the St. Tammany Parish Council deems it appropriate and necessary to amend the rules by which the St. Tammany Parish Planning Commission and Zoning Commission conduct such hearings to assure fair and proper consideration of all petitions which are presented to the Commissions.

**THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances, Chapter 18, Article III, be amended as follows:**

Section 18-036.00 Planning Commission Membership

- a. The membership shall be composed of eleven (11) members.
- b. The Parish President shall have the unilateral and exclusive right to ~~nominate and~~ appoint two (2) members to be considered At-Large members. These exclusive appointments by the Parish President do not require action by resolution or ordinance.
- c. The Parish Council, by resolution, shall have the unilateral and exclusive right to ~~nominate and~~ appoint nine (9) members.
- d. Any member who fails to appear at two (2) consecutive Planning Commission meetings ~~shall~~ may be automatically removed by his/her appointing authority. Members ~~appointed by the Parish Council~~ may also be removed at any time with ~~or without~~ cause by the appointing authority. A majority vote of the Parish Council is required to remove members appointed by the Parish Council.
- e. Any vacancy created herein, and as specifically to the nine (9) Parish Council appointments, shall be unilaterally and exclusively filled by Council resolution within 100 days of notice of the vacancy.
- f. Any vacancy created by the death or resignation ~~or replacement~~ of an at-large member ~~may~~ shall be filled unilaterally and exclusively by the Parish President ~~at any time~~ within 100 days of notice of the vacancy.
- g. Terms of all Planning Commission members shall be concurrent with the terms of office of the Parish President and Parish Council.
- h. Planning Commission members shall receive a per diem of FIFTY DOLLARS (\$50.00) for each meeting of the commission attended, for a maximum of twenty-four (24) meetings per year.
- i. No member shall ~~run~~ publicly campaign for, qualify for, or hold an elected public office while seated as a Planning Commissioner.



ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- j. ~~Each~~ A person newly appointed and serving on the Planning and/or Zoning Commission(s) shall receive at least four (4) hours of training continuing education credits prior to or within one (1) year of appointment. Each year, ~~thereafter, the~~ all Commissioners shall attend ~~a the~~ mandatory four hours (4) of continuing education training session provided by the St. Tammany Parish Government. Department of Development. Should a Commissioner be unable to attend the mandatory training session(s), that Commissioner will not take part in Commission functions until the 4-hour training requirement has been met. Should the Parish sponsored training session not be available, an alternative training session approved ~~as determined by the~~ Director of Planning Development with concurrence of the Parish President and Chairman of the Parish Council may be substituted. Commissioners newly appointed, and those continuing to serve, on both the Planning Commission and the Zoning Commission are required to obtain a combined total of four hours (4) of training and annual continuing education, respectively.

Section 18-036.01 Chairman and Vice-chairman

- a. At the first regular meeting of each calendar year, the members of the Commission shall elect one of their number as Chairman and one of their number as Vice- Chairman, and the terms shall commence at that meeting.
- b. In the absence of the Chairman, the Vice Chairman shall act as Chair and shall have all the powers of the Chairman.
- c. In the absence of both the Chairman and the Vice Chairman, a quorum may select a ~~an~~ additional member to preside over the meeting.
- d. The Chairman may appoint committees, comprised of no more than five (5) members of the Commission, as well as other persons, to serve the Commission as deemed necessary.
- e. The Chairman may engage in discussion and vote in the same manner as any other member of the Commission, at his or her discretion. However, the Chairman must cast a vote to break a tie, or abstain from voting while verbally stating the reason for the abstention. Except in the case of an abstention, if the Chairman does not declare a vote, and is not otherwise required to do so in order to break a tie vote, it is assumed, but not recorded, that the Chairman has voted with the majority.
- f. The Chairman may suggest motions but may neither make nor second motions.

Section 18-036.02 Secretary

- a. The Director of the Department of Development Planning, or his designated representative, shall serve as the Secretary to the Commission.
- b. The Secretary shall keep the minutes of the proceedings of the Commission, and maintain all records of the Commission meeting, hearings and proceedings. The minutes shall show the vote of each member upon each question, or if absent or failing to vote, indicating that fact. A copy of the minutes and actions of the Commission shall be filed with the Parish Council.
- c. The Secretary shall provide notices of hearings and meetings as may be required by law, and shall prepare all agendas.
- d. The Secretary shall receive, determine the completeness of, and review all applications.
- e. The Secretary shall serve as the point of contact for all applicants, and shall collect and compile information and report recommendations to the Commission. Said recommendation shall be considered and ruled upon by the Commission following the required public hearing.

Section 18-036.03 Planning Staff

The staff of the Departments of Development Planning, Engineering, and Environment Services shall serve as the support staff of the Commission and may be requested called upon to provide assistance in the performance of the duties of the Commission by the Chairman on behalf of for the entire Commission. or upon the request of any member of the Commission. Staff members shall also be designated as needed from the Department of Engineering and the Department of Environmental Services.

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

Section 18-036.04 Powers and Duties

The Planning Commission shall have the following powers and duties:

- a. To hear, review and propose amendments to the adopted St. Tammany Parish Subdivision Regulatory Ordinance No. 499, as amended;
- b. To hear, review and approve or disapprove all plats of subdivision, as required in the St. Tammany Parish Subdivision Regulatory Ordinance No. 499, as amended. No plat of a subdivision of land within St. Tammany Parish, or a part thereof, requiring Commission approval shall be filed or recorded until it has been approved by the Planning Commission, all regulatory requirements have been completed, and the approval entered in writing on the plat bearing the signatures of the Planning Commission Chairman, Secretary and Parish Engineer.

The Planning Commission shall approve or disapprove a final subdivision plat within sixty (60) days after the submission thereof, by the third consecutive monthly meeting of the Commission wherein the subdivision plat has appeared on its agenda; otherwise said plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Commission upon request.

An applicant may request the Planning Commission to postpone its final subdivision plat review, upon written notice, no later than forty-eight (48) hours before the meeting date. In that event, or if the Commission grants the applicant a postponement at the meeting, the time constraints for the Commission to approve or disapprove the final subdivision plat shall begin again and follow the same procedures as set forth above.

- c. To adopt a master or comprehensive plan or elements thereof, including graphics, narrative description and policies to guide and accomplish the coordinated, adjusted and harmonious development of St. Tammany Parish;
- d. To make careful and comprehensive surveys and studies of present and future growth of St. Tammany Parish and to make periodic reviews and updates to the master plan or comprehensive plan or portions thereof;
- e. To review and report on any matter referred to it by the Parish President or the Parish Council (i.e. Transportation Improvement Plan, Capital Improvement Program).
- f. To make its special knowledge and expertise as a Commission available, upon reasonable written request to any official, department or board.
- g. To exercise all of the powers and duties conferred by Louisiana Revised Statutes 33:102 through 33:119 inclusive, where applicable, and as may be amended by the La. State Legislature.

Section 18-036.05 St. Tammany Parish Council ~~As Final~~ Authority on Appeal

A. Appeal to the Parish Council. Any person claiming to be aggrieved by a decision of the Parish Planning Commission, except an approval in final subdivision review, may appeal to the Parish Council, through the Parish Department of Planning Development, in written form within ten (10) days following the Commission's hearing. The appeal may be heard by the Parish Council at its next regularly scheduled meeting following the ten-day appeal period. The Parish Council shall have the exclusive right to overturn any Planning Commission decision by a majority vote of the membership of the Parish Council, with the exception of overturning a Planning Commission denial in subdivision review which shall require a 2/3 vote of the membership of the Parish Council.

B. Review of Council Appeal Decisions. Any person or persons jointly or severally aggrieved by any decision of the Parish Council relative to a Planning Commission appeal may file a petition to the Twenty-Second Judicial District Court in and for the Parish of St. Tammany for the issuance of a writ of certiorari or for other appropriate legal proceedings. The petition shall be filed within thirty days after the decision of the Council becomes final, which shall commence on the day following the effective date of the Council's resolution or, when the adoption of an ordinance is required, the day following the effective date of the ordinance. The actions of the Parish Council shall be subject to review on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of powers granted to the Council, or the denial of the right to due process. However, the right to petition for judicial review shall not be limited to the foregoing grounds.

Section 18-036.06 Quorum and Necessary Vote

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- a. No business shall be conducted by the Commission without a quorum being present. Unless otherwise herein specified, a quorum shall consist of eight (8) six (6) members (2/3 majority).
- b. To constitute final action on any matter before it, at minimum, a majority vote of the membership of the Commission is required, unless a larger vote is required by law.

Section 18-036.07 Meetings, Hearings, and Procedures

- a. The regular Planning Commission Meeting shall be held at 6:00 P.M. on the second Tuesday of each month at the St. Tammany Parish Administrative Complex, except where holidays or other conflicts shall require rescheduling.
- b. Special Meetings may be called by the Chairman, or at the request in writing of any six (6) members of the Commission, subject to proper legal notice.
- c. All meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.
- d. The Commission shall sit only as a Planning Commission for all Planning applications authorized by St. Tammany Parish Subdivision Regulatory Ordinance No. 499.
- e. If necessary, the Planning Commission and the Zoning Commission may meet on the same day. Separate agendas must be maintained for each Commission. If both meetings are held on the same day, one meeting must adjourn before the second is commenced.
- f. The Agenda for hearings and meetings of the Commission shall be prepared by the Secretary with the approval of the Chair.
- g. Applications for amendments to the Subdivision Regulatory Ordinance No. 499 or developmental reviews under these rules ordinances shall not be considered by the Commission unless properly and completely filed for placement on the Agenda with the Secretary, in accordance with the applicable filing procedures of the Department of Development and provisions for public notice and the filing deadlines established therein herein.
- h. Matters that have arisen subsequent to the established filing deadline may be placed on the next appropriate Commission meeting agenda by the Chairman provided that the request is made to the Secretary prior to the deadline for final legal notice of the meeting and that all other requirements for legal notification have been met.
- i. The agenda shall constitute the fixed order of business for the particular public hearing or meeting, and items shall be considered in the order of their appearance on the Agenda.
- j. The Chair, without objection from the Commission, may arrange individual items on the particular Agenda if necessary for the expeditious conduct of business. however, items shall not be transferred from one Agenda to another.
- k. Other items of business (discussion items) not requiring action by the Commission may be presented at a meeting introduced under "Approval of the Agenda" and placed on the Agenda under "New Business" Discussion Items by the Chair with majority a unanimous vote of the Commission members present.
- l. Any person wishing to introduce and/or distribute written or graphic materials at the public hearing or meeting shall hand materials to the Secretary for proper recording and distribution to the Chair and Commission. In order for this information to be introduced and recorded there must be at a minimum eleven (11) copies of each document to be introduced.
- m. The Commission shall review the draft minutes of their meetings as prepared by the Secretary and approve or amend said minutes as is necessary to accurately reflect the actions described. Upon adoption, these minutes become part of the public record. When Commission meetings are audio and/or video recorded, said recordings shall supersede the minutes in authority reflecting Commission action and shall also be a part of the public record.

Consent Calendar—Items on the Commission's meeting agenda that are not expected to require discussion before acted upon are included on the Consent Calendar. Any item(s) may be removed from the Consent Calendar for individual consideration prior to the adoption of the Consent Calendar. Any items not removed shall be adopted on consent by one motion and vote.

Consent Calendar:

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- ~~1. Performance Obligations~~
- ~~2. Entering Parish Rights Of Way~~
- ~~3. Minor Subdivision Review~~
- ~~4. Road Reversion/Closings~~

#### Section 18-036.08 Parliamentary Rules

- a. The latest edition of Robert's Rules of Order is hereby designated as the official Manual of the Commission. If the Manual is in conflict with these Rules of Policy and Procedure, the Rules shall govern.
- b. A Parliamentarian shall be appointed by the Chair.
- c. The Chair shall be familiar with the contents of the manual and may consult with the Parliamentarian of the Commission and to answer parliamentary inquiries directed to the Chair.
- d. The Chair shall determine when a motion, person or remark is out of order and shall use the following procedure following such a determination:
  1. Declare the motion, person or remark as "Out of Order"
  2. Explain why the motion, person or remark is "Out of Order"
  3. Tell the Commission what is now "In Order"

#### Section 18-036.09 Voting

- a. The usual method of voting will be by machine vote. Should any confusion arise or should this method be unavailable, then a roll call vote shall be taken.
- b. Once the vote of the Commission is announced by the Chair, it shall be considered final until and unless a motion to reconsider (~~in accordance with the Manual of the Commission~~) is carried and a new vote is ordered by the Chair.
- c. In the event of a conflict of interest which does not require a resignation in accordance with the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended, the involved Commissioner shall announce the conflict and shall recuse himself from voting on ~~or~~ and participating in the discussion of the matter giving rise to the conflict.
- d. Voting by Proxy will not be allowed.
- e. ~~The Chairman may engage in discussion and vote in the same manner as any other member of the Commission. If the Chairman does not declare a vote, it is assumed that the Chairman has voted with the majority.~~
- f. ~~The Chairman may suggest motions but may neither make nor second motions.~~

#### Section 18-036.10 General Rules of Public Participation

- a. Any person may appear at the public hearing and give testimony or submit written materials, either individually or as a representative of an organization. Each person who appears at the public hearing or who submits written materials shall provide their name, address, and, if applicable, the name of the organization which they represent.
- b. Prior to the introduction of agenda items, the Chair shall inform the assembly of the order of business at hand and the order of the presentation in consideration of agenda items, and shall instruct the assembly on the appropriate procedures for addressing the Commission.

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- c. The following order of presentation will normally be observed at public hearings after the introduction of an agenda item by the Chair. Members of the Commission may pose questions only after being recognized by the Chair. Unless otherwise impractical, members should hold all questions until the conclusion of the presentation and the hearing.

1. Presentation of staff report and recommendations
2. Comments by applicant and proponents (Ten minutes)
3. Comments by opponents and interested citizens (Ten minutes)
4. Additional comments by applicant and proponents (Five minutes)
5. Additional comments by opponents (Five minutes)
6. Hearing closed
7. Commission questions, discussion, consideration and action, if necessary.

The Commission may extend the public hearing, by majority vote, to accommodate larger crowds or complex cases. Notwithstanding the expiration of time, any person who desires to be heard and who has not previously been recognized, may be accorded the opportunity to be heard once for a period of no more than two minutes at the discretion of the Chair.

- d. The public is invited to speak on any item under discussion by the Commission in a public hearing after receiving recognition by the Chair, and in accordance with the instructions given by the Chair.
- e. When recognized by the Chair, speakers shall walk to the podium and state their name, address and purpose for appearance before addressing the Commission.
- f. Speakers shall confine their comments and arguments to the essential points relative to the item of business addressed, and shall refrain from repetitious information. They shall also refrain from making abusive remarks or indulging in any offensive behavior. The Chair shall caution speakers who do not comply and may ask them to leave the podium or the auditorium.
- g. All comments and requests for information shall be directed through the Chair.
- h. Written comments, documents, photographs, plans, drawings, reports, petitions, letters and written argument and questions are encouraged to be submitted to the Commission at or prior to the hearing by delivery to the Secretary.
- i. Items which have been the subject of a public hearing shall not receive further comment by the public or applicants at the time the public hearing is closed by the Chair or the items are acted upon by the Commission, unless the Chair so orders, or there is a majority vote of the Commission to do so.
- j. Members of the audience at public hearings and meetings shall observe the following rules of conduct and decorum while the meeting is in progress;
1. Refrain from talking to other members of the audience in a loud or otherwise disruptive manner.
  2. Refrain from initiating private conversations with Commission members, staff or legal counsel.
  3. Refrain from approaching the podium unless invited to do so by the Chair.
  4. Refrain from engaging in any behavior which is not in keeping with proper and courteous conduct.
  5. Refrain from cheers, jeers, applause, or any expressions of approval or disapproval of comments made by any speakers or any actions taken by the Commission.
  6. Refrain from discussing matters not on the published agenda, unless the proper procedures have been followed in adding the item to the agenda.
  7. Refrain from posting any signs in or around the planning commission offices or auditorium where the Commission meetings are to take place.
  8. Refrain from carrying, wearing, or otherwise bringing in any objects, clothing, handheld signs or placards, or message in to the building and auditorium where the planning meeting is to take place in a manner disruptive to the meeting as determined by the Commission Chairman.

The Chair shall take whatever action is necessary to insure that these rules are observed and the meeting proceeds in an orderly fashion. Including warning the audience member to refrain from continuing the conduct, warning the audience member that they will be ejected if they continue the conduct, ejecting the audience member with or without the

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

assistance of police personnel, and pursuing criminal penalties against the audience member for disturbing the peace consistent with La. R.S. 14:103 or other applicable statute.

Section 18-036.011      Seminars and Retreats

- a. From time to time the Commission may schedule informal study/work sessions designated as seminars or retreats.
- b. ~~Workshops~~ Sessions shall be open to the public and the rules of proper notice of ~~regular commission~~ meetings shall apply.
- c. The only order of business at a workshop session shall be the presentation, familiarization and discussion of the particular agenda study topics. No application for a subdivision review shall be considered at a workshop session meeting.
- d. The Planning staff and/or guest presenters shall moderate the discussions and observe the following order of presentation:
  1. Presentation of study item
  2. Discussion interaction between the Commission members
  3. Public input (if scheduled as part of the seminar)
  4. Concluding remarks
- e. No official action shall be taken by the Commission on items presented at the seminar or retreat.
- f. Public comment at the seminar, if scheduled, shall be limited based upon the topic and agenda. Interested parties are welcome to listen and learn from the presentation and discussion with no participation in the discussion unless scheduled as an agenda item.

Section 18-036.012      Committees

- a. In fulfilling its various charges, the Commission shall utilize committees at its discretion.
- b. The Commission may appoint committees, comprised of no more than ~~three (3)~~ five (5) Commission members and may include other persons as deemed necessary.
- c. Staff personnel will be made available upon reasonable request to provide any assistance required by the committee.
- d. At the time of the creation and appointments, the Commission shall provide the committee with a ~~written~~ scope of work to include the following:
  1. ~~A statement of~~ specific purpose and objective
  2. Approximate length of term
  3. Authorized activities / actions
  4. Required number and timing of status reports, if any
  5. Required final report/deadline

The committee may supplement the scope of work with a work plan should it choose to develop one.
- e. Committees shall not take any action, which may be construed as an official act of the Commission, but instead may make recommendations for action by the Commission. Committees shall not publically advocate or promote committee recommendations as an official position of the Commission, unless the Commission has first acted on the matter.
- f. Committees shall conduct business by an agenda and keep minutes of all proceedings as a matter of public record.
- g. All Committee meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.
- h. Committees shall forward the minutes of their proceedings to all Commission members and the Secretary of the Commission as a part of the regular monthly submission. The general public shall have access to committee records upon request.



ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- i. Committees shall present ~~orally and file written~~ interim and final reports with to the Commission as required in the scope of work. The Secretary shall place reports on the agenda of the first regularly scheduled meeting subsequent to the report.
- j. The Commission shall act upon committee recommendations within sixty-four (64) days of its receipt of the committee's final report. The final report shall be considered received at the regularly scheduled meeting at which it is presented.
- k. The Commission shall have the authority to dissolve committees after the Commission has taken action with respect to the final committee report or when it is determined that a committee is unable to fulfill its charge.
- l. Following the first hearing on a matter before the Commission, a "community meeting" may be called by the Chair and have up to five (5) commissioners in attendance. Community meetings are intended for dissemination of information and for promoting dialogue among applicants and persons interested in matters being brought before the Commission only, and shall not be considered a committee of the Commission.

Section 18-036.013      Executive Session

- a. ~~For~~ From time to time, the Commission may find it necessary to discuss matters of personnel or litigation pertaining to the business of the Commission and shall enter Executive Session to do so.
- b. When an Executive Session is allowed by the applicable State Law, the following rules shall apply:
  - 1. The Commission shall enter into Executive Session only from a regularly convened meeting.
  - 2. The motion to enter into Executive Session must carry a two-thirds vote of Commission members in attendance.
  - 3. No action may be taken in Executive Session.
  - 4. After leaving an Executive Session, the Chair shall reconvene the regularly scheduled meeting so that all scheduled items, including any considered in Executive Session, may be disposed of and the meeting may be properly adjourned.

Section 18-036.014      Rules of Conduct for Commissioners

- a. Each member of the Commission shall abide by the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended. Each member shall certify in writing that they have read and understand the "Louisiana Code of Governmental Ethics" located on the Louisiana Board of Governmental Ethics (LBGE) website at <http://ethics.la.gov> , prior to being seated as a Planning Commissioner. Each member is responsible to register and participate in at least one (1) hour of ethics training annually through the LBGE website at <http://ethics.la.gov/SeminarRegistration/> . Should a Commissioner not complete the ethics training in any calendar year, that Commissioner will not take part in Commission functions until the ethics training requirement has been met.
- b. A Commission member shall not meet or communicate in any fashion with any applicant, proponent, opponent or other interested party, excepting members of the Parish Administration, Parish Council and/or the Commission staff, to discuss any matter before the Commission prior to the legal public hearing on that matter. When more than six (6) months have elapsed since the last legal public hearing of a particular matter, no commissioner shall meet or communicate in any fashion with any applicant, proponent, opponent or other interested party until a new legal hearing is again held on that matter. the legal hearing requirements shall reapply. Violation of this section may be cause for dismissal of the offending Commission member.
- c. Each member may visit the site in question, but may not have discussions concerning the site or project with any interested party prior to the legal hearing, except as outlined in Section 18-036.014b .



ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- d. Following the initial required public hearing, the Commission may form a Committee for the expressed purpose of attempting to better understand the issues raised in the review of the Application, in accordance with Section 18-036.012 of these Rules.
- e. Commission members shall not in any way pledge himself or herself to any party on a matter before the Commission, prior to the legal public hearing.
- f. Any Commission member who has knowledge of the fact that he/she will not be able to attend one or more a scheduled meeting(s) or hearing(s), shall notify the Secretary at the earliest possible opportunity, and in any event before 4:00 P.M. on the day of the first missed meeting.
- g. Once a meeting is called to order by the Chair, the Commission members shall take special care to conduct themselves in a professional and courteous manner and remain attentive to the members of the public testifying before the Commission.
- h. Commission members requesting information or clarification relative to an application or business item that is before them for consideration may directly contact the Secretary for assistance.
- i. The Commission may request information or specific actions from the Secretary and such request will be reflected in the minutes.
- j. Each Commissioner will sign an acknowledgment of having received and fully read the rules of conduct prior to serving as member of the commission.

Section 18-036.015 Representation

- a. The Chair shall serve as the official spokesman and representative of the Commission in all matters that have been acted upon by the Commission. The Chair may appoint a member of the Commission to serve as spokesperson or representative. Any member who officially represents or speaks for the Commission shall report to the Commission on any statements made or actions taken while serving in that capacity at its next regularly scheduled meeting.
- b. In the absence of an official spokesman as described above, the Secretary shall act on behalf of the Commission before the Parish Council and shall inform the Council of all final decisions and recommendations, along with supporting records and documentation, rendered by the Commission.
- c. Commission members shall refrain from making statements or taking action which may be identified as or construed to be an official act or position of the Commission ~~unless the Commission has first acted upon the matter and the member is acting as the official spokesperson or representative.~~
- d. Commission members shall not publically advocate or promote individual positions or opinions ~~as an official position of the Commission,~~ unless the Commission has first acted on the matter.

Section 18-036.016 Violation Of Rules

Any violation of these rules may be deemed as cause for removal of the offending member by the appointing authority.

Section 18-036.017 Rules of Policy and Procedure Amendments

All Commission Rules of Policy and Procedure are established by ordinance and may only be amended by the Parish Council according to the following applicable procedures:

- a. Proposed amendments may be initiated by any member of the Commission who shall file a written copy of the proposal with the Secretary.
- b. The Secretary shall place the proposed amendment on the Commission agenda for the next available public meeting.

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- c. The Commission shall review the proposed amendment, comments from the public, and recommendations from the Secretary and Legal Counsel prior to taking a vote. A two-thirds (2/3) vote of the Commission as a whole (8 votes) is required to recommend an amendment to these rules.
- d. If approved, the Secretary shall forward the recommended amendment to the Parish Council for consideration of an amending ordinance.

**BE IT FURTHER ORDAINED** that the St. Tammany Parish Code or Ordinances, Chapter 18, Article IV, be amended as follows:

Section 18-051.00 Zoning Commission Membership

- a. The membership shall be composed of eleven (11) members
- b. The Parish President shall have the unilateral and exclusive right to ~~nominate and~~ appoint two (2) members to be considered At-Large members. These exclusive appointments by the Parish President do not require action by resolution or ordinance.
- c. The Parish Council, by resolution, shall have the unilateral and exclusive right to ~~nominate and~~ appoint nine (9) members.
- d. Any member who fails to appear at two (2) consecutive Zoning Commission meetings ~~shall~~ may be automatically removed by his/her appointing authority. Members ~~appointed by the Parish Council~~ may also be removed at any time, with or without cause, by the appointing authority. A majority vote of the Parish Council is required to remove members appointed by the Parish Council.
- e. Any vacancy created herein, and as specifically to the nine (9) Parish Council appointments shall be unilaterally and exclusively filled by Council resolution within 100 days of notice of the vacancy.
- f. Any vacancy created by the death or resignation ~~or replacement~~ of an at-large member ~~may~~ shall be filled unilaterally and exclusively by the Parish President ~~at any time~~ within 100 days of notice of the vacancy.
- g. Terms of all Zoning Commission members shall be concurrent with the terms of office of the Parish President and Parish Council.
- h. Zoning Commission members shall receive a per diem of FIFTY DOLLARS (\$50.00) for each meeting of the commission attended, for a maximum of twenty-four (24) meetings per year.
- i. No member shall ~~run~~ publicly campaign for, qualify for, or hold an elected public office while seated as a Zoning Commissioner.
- j. ~~Each~~ A person newly appointed and serving on the Zoning and/or Planning Commission(s) shall receive at least four (4) hours of training continuing education credits prior to or within one (1) year of appointment. Each year, ~~thereafter,~~ the all Commissioners shall attend a the mandatory four hours (4) of continuing education training session provided by the St. Tammany Parish ~~Government.~~ Department of Development. Should a Commissioner be unable to attend the mandatory training session(s), that Commissioner will not take part in Commission functions until the 4-hour training requirement has been met. Should the Parish sponsored training session not be available, an alternative training session approved ~~as determined by the Director of Planning Development with concurrence of the Parish President and Chairman of the Parish Council~~ may be substituted. Commissioners newly appointed, and those continuing to serve, on both the Planning Commission and the Zoning Commission are required to obtain a combined total of four hours (4) of training and annual continuing education, respectively.

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

Section 18-051.01 Chairman and Vice-chairman

- a. At the first regular meeting of each calendar year, the members of the Commission shall elect one of their number as Chairman and one of their number as Vice-Chairman, and the terms shall commence at that meeting.
- b. In the absence of the Chairman, the Vice Chairman shall act as Chair and shall have all the powers of the Chairman.
- c. In the absence of both the Chairman and the Vice Chairman, a quorum of the Commission may select a ~~an additional~~ member to preside over the meeting.
- d. The Chairman may appoint committees, comprised of no more than five (5) members of the Commission, as well as other persons, to serve the Commission as deemed necessary.
- e. The Chairman may engage in discussion and vote in the same manner as any other member of the Commission, at his or her discretion. However, the Chairman must cast a vote to break a tie, or abstain from voting while verbally stating the reason for the abstention. Except in the case of an abstention, if the Chairman does not declare a vote, and is not otherwise required to do so in order to break a tie vote, it is assumed, but not recorded, that the Chairman has voted with the majority.
- f. The Chairman may suggest motions but may neither make nor second motions.

Section 18-051.02 Secretary

- a. The Director of the Department of Development Planning, or his designated representative, shall serve as the Secretary to the Commission.
- b. The Secretary shall keep the minutes of the proceedings of the Commission, and maintain all records of the Commission meeting, hearings and proceedings. The minutes shall show the vote of each member upon each question, or if absent or failing to vote, indicating that fact. A copy of the minutes and actions of the Commission shall be filed with the Parish Council.
- c. The Secretary shall provide notices of hearings and meetings as may be required by law, and shall prepare all agendas.
- d. The Secretary shall receive, determine the completeness of, and review all applications.
- e. The Secretary shall serve as the point of contact for all applicants, and shall collect and compile information and report recommendations to the Commission. Said recommendation shall be considered and ruled upon by the Commission following the required public hearing.

Section 18-051.03 ~~Planning~~ Zoning Staff

The staff of the Departments of Development Planning, Engineering and Environmental Services shall serve as the support staff of the Commission and may be requested called upon to provide assistance in the performance of the duties of the Commission by the Chairman on behalf of for the entire Commission. or upon the request of any member of the Commission. Staff members shall also be designated as needed from the Department of Engineering and the Department of Environmental Services.

Section 18-051.04 Powers and Duties

The Zoning Commission shall have the following powers and duties:

- a. To hear, review and propose amendments to the adopted St. Tammany Parish ~~Land Use Regulation Ordinance No. 523~~ Unified Development Code, as amended;

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- b. ~~To adopt a master or comprehensive plan or elements thereof, including graphics, narrative description and policies to guide and accomplish the coordinated, adjusted and harmonious development of St. Tammany Parish; To adopt a comprehensive plan designed to promote health and the general welfare, and to encourage the most appropriate use of land throughout the Parish.~~
- c. To make careful and comprehensive surveys and studies of present and future ~~growth of land use in~~ St. Tammany Parish and to make recommendations, periodic reviews and updates to the ~~master plan or comprehensive plan~~ Parish Zoning Map, or portions thereof;
- d. To review and report on any matter referred to it by the Parish President or the Parish Council. ~~(i.e. Transportation Improvement Plan, Capital Improvement Program).~~
- e. To make its special knowledge and expertise as a Commission available, upon reasonable written request to any official, department or board.
- f. To exercise all of the powers and duties conferred by Louisiana Revised Statutes Title 33, Chapter 14, where applicable, and as may be amended by the La. State Legislature.

#### Section 18-051.05 Review of Zoning Decisions

- a. Appeal to the Parish Council. Any person claiming to be aggrieved by a decision of the Parish Zoning Commission may appeal to the Parish Council, through the Parish Department of Planning Development, in written form within ten (10) days following the Commission's hearing. The appeal may be heard by the Parish Council at its next regularly scheduled meeting following the ten-day appeal period. The Parish Council shall have the exclusive right to overturn any Zoning Commission decision by a majority vote of the membership of the Parish Council.
- b. Review of Council Decisions. Any person or persons jointly or severally aggrieved by any decision of the Parish Council relative to a request for amendment, supplement, or change to the regulations, restrictions, zoning district, land use category, or boundaries may file a petition to the Twenty-Second Judicial District Court in and for the Parish of St. Tammany for the issuance of a writ of certiorari or for other appropriate legal proceedings. The petition shall be filed within thirty (30) days after the decision of the Council becomes final, which shall commence on the day following the effective date of the Council's resolution or, when the adoption of an ordinance is required, the day following the effective date of the ordinance. The actions of the Parish Council shall be subject to review on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of powers granted to the Council, or the denial of the right of due process. However, the right to petition for ~~of~~ judicial review shall not be limited to the foregoing grounds.

#### Section 18-051.06 Quorum and Necessary Vote

- a. No business shall be conducted by the Commission without a quorum being present. Unless otherwise herein specified, a quorum shall consist of eight (8) ~~six (6)~~ members (2/3 majority).
- b. To constitute final action on any matter before it, at minimum, a majority vote of the membership of the Commission is required, unless a larger vote is required by law.

#### Section 18-051.07 Meetings, Hearings, and Procedures

- a. The regular Zoning Commission Meeting shall be held at 6:00 P.M. on the first Tuesday of each month at the St. Tammany Parish Administrative Complex, except where holidays or other conflicts shall require rescheduling.
- b. Special Meetings may be called by the Chairman, or at the request in writing of any six (6) members of the Commission, subject to proper legal notice.

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- c. All meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.
- d. The Commission shall sit only as the Zoning Commission for all Zoning applications authorized by the St. Tammany Parish Land Use Regulations Ordinance No. 523 Unified Development Code.
- e. If necessary, the Zoning Commission and the Planning Commission may meet on the same day. Separate agendas must be maintained for each Commission. If both meetings are held on the same day, one meeting must adjourn before the second is commenced.
- f. The Agenda for hearings and meetings of the Commission shall be prepared by the Secretary with the approval of the Chair.
- g. Applications for amendments to the ~~Land Use Regulatory Ordinance No. 523 or developmental reviews~~ Unified Development Code under these rules this ordinance shall not be considered by the Commission unless properly and completely filed for placement on the Agenda with the Secretary, in accordance with the applicable filing procedures of the Department of Development and provisions for public notice and the filing deadlines established therein. ~~herein.~~
- h. Matters that have arisen subsequent to the established filing deadline may be placed on the next appropriate Commission meeting agenda by the Chairman provided that the request is made to the Secretary prior to the deadline for final legal notice of the meeting and that all other requirements for legal notification have been met.
- i. The agenda shall constitute the fixed order of business for the particular public hearing or meeting. ~~and items shall be considered in the order of their appearance on the Agenda.~~
- j. The Chair, without objection from the Commission, may arrange individual items on the particular Agenda if necessary for the expeditious conduct of business. ~~however, items shall not be transferred from one Agenda to another.~~
- k. Other items of business (discussion items) not requiring action by the Commission may be presented at a meeting introduced under "Approval of the Agenda" and placed on the Agenda under "New Business" Discussion Items by the Chair with majority a unanimous vote of the Commission members present.
- l. Any person wishing to introduce and/or distribute written or graphic materials at the public hearing or meeting shall hand materials to the Secretary for proper recording and distribution to the Chair and Commission. In order for this information to be introduced and recorded there must be at a minimum eleven (11) copies of each document to be introduced.
- m. The Commission shall review the draft minutes of their meetings as prepared by the Secretary and approve or amend said minutes as is necessary to accurately reflect the actions described. Upon adoption, these minutes become part of the public record. When Commission meetings are audio and/or video recorded, said recordings shall supersede the minutes in authority reflecting Commission action and shall also be a part of the public record.

#### Section 18-051.08 Parliamentary Rules

- a. The latest edition of Robert's Rules of Order is hereby designated as the official Manual of the Commission. If the Manual is in conflict with these Rules of Policy and Procedure, the Rules shall govern.
- b. A Parliamentarian shall be appointed by the Chair.

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- c. The Chair shall be familiar with the contents of the manual and may consult with the Parliamentarian of the Commission and to answer parliamentary inquiries directed to the Chair.
- d. The Chair shall determine when a motion, person or remark is out of order and shall use the following procedure following such a determination:
  - 1. Declare the motion, person or remark as "Out of Order"
  - 2. Explain why the motion, person or remark is "Out of Order"
  - 3. Tell the Commission what is now "In Order"

#### Section 18-051.09 Voting

- a. The usual method of voting will be by machine vote. Should any confusion arise or should this method be unavailable, then a roll call vote shall be taken.
- b. Once the vote of the Commission is announced by the Chair, it shall be considered final until and unless a motion to reconsider (~~in accordance with the Manual of the Commission~~) is carried and a new vote is ordered by the Chair.
- c. In the event of a conflict of interest which does not require a resignation in accordance with the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended, the involved Commissioner shall announce the conflict and shall recuse himself from voting on and ~~or~~ participating in the discussion of the matter giving rise to the conflict.
- d. Voting by Proxy will not be allowed.
- e. ~~The Chairman may engage in discussion and vote in the same manner as any other member of the Commission. If the Chairman does not declare a vote, it is assumed that the Chairman has voted with the majority.~~
- f. ~~The Chairman may suggest motions but may neither make nor second motions.~~

#### Section 18-051.10 General Rules of Public Participation

- a. Any person may appear at the public hearing and give testimony or submit written materials, either individually or as a representative of an organization. Each person who appears at the public hearing or who submits written materials shall provide their name, address, and, if applicable, the name of the organization which they represent.
- b. Prior to the introduction of agenda items, the Chair shall inform the assembly of the order of business at hand and the order of the presentation in consideration of agenda items, and shall instruct the assembly on the appropriate procedures for addressing the Commission.
- c. The following order of presentation will normally be observed at public hearings after the introduction of an agenda item by the Chair. Members of the Commission may pose questions only after being recognized by the Chair. Unless otherwise impractical, members should hold all questions until the conclusion of the presentation and the hearing.
  - 1. Presentation of staff report and recommendations
  - 2. Comments by applicant and proponents (Ten minutes)
  - 3. Comments by opponents and interested citizens (Ten minutes)
  - 4. Additional comments by applicant and proponents (Five minutes)
  - 5. Additional comments by opponents (Five minutes)
  - 6. Hearing closed
  - 7. Commission questions, discussion, consideration and action, if necessary.



The Commission may extend the public hearing, by majority vote, to accommodate larger crowds or complex cases. Notwithstanding the expiration of time, any person who desires to be heard and who has not previously been recognized, may be accorded the opportunity to be heard once for a period of no more than two minutes at the discretion of the Chair.

- d. The public is invited to speak on any item under discussion by the Commission in a public hearing after receiving recognition by the Chair, and in accordance with the instructions given by the Chair.
- e. When recognized by the Chair, speakers shall walk to the podium and state their name, address and purpose for appearance before addressing the Commission.
- f. Speakers shall confine their comments and arguments to the essential points relative to the item of business addressed, and shall refrain from repetitious information. They shall also refrain from making abusive remarks or indulging in any offensive behavior. The Chair shall caution speakers who do not comply and may ask them to leave the podium or the auditorium.
- g. All comments and requests for information shall be directed through the Chair.
- h. Written comments, documents, photographs, plans, drawings, reports, petitions, letters and written argument and questions are encouraged to be submitted to the Commission at or prior to the hearing by delivery to the Secretary.
- i. Items which have been the subject of a public hearing shall not receive further comment by the public or applicants at the time the public hearing is closed by the Chair or the items are acted upon by the Commission, unless the Chair so orders, or there is a majority vote of the Commission to do so.
- j. Members of the audience at public hearings and meetings shall observe the following rules of conduct and decorum while the meeting is in progress;
  - 1. Refrain from talking to other members of the audience in a loud or otherwise disruptive manner.
  - 2. Refrain from initiating private conversations with Commission members, staff or legal counsel.
  - 3. Refrain from approaching the podium unless invited to do so by the Chair.
  - 4. Refrain from engaging in any behavior which is not in keeping with proper and courteous conduct.
  - 5. Refrain from cheers, jeers, applause, or any expressions of approval or disapproval of comments made by any speakers or any actions taken by the Commission.
  - 6. Refrain from discussing matters not on the published agenda, unless the proper procedures have been followed in adding the item to the agenda.
  - 7. Refrain from posting any signs in or around the Zoning commission offices or auditorium where the Commission meetings are to take place.
  - 8. Refrain from carrying, wearing, or otherwise bringing in any objects, clothing, handheld signs or placards, or message into the building and auditorium where the zoning meeting is to take place in a manner disruptive to the meeting as determined by the Commission Chairman.

The Chair shall take whatever action is necessary to insure that these rules are observed and the meeting proceeds in an orderly fashion. Including warning the audience member to refrain from continuing the conduct, warning the audience member that they will be ejected if they continue the conduct, ejecting the audience member with or without the assistance of police personnel, and pursuing criminal penalties against the audience member for disturbing the peace consistent with La. R.S. 14:103 or other applicable statute.



ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

- a. From time to time the Commission may schedule informal study/work sessions designated as seminars or retreats.
- b. ~~Workshops~~ Sessions shall be open to the public and the rules of proper notice of ~~regular Commission~~ meetings shall apply.
- c. The only order of business at a ~~workshop~~ session shall be the presentation, familiarization and discussion of the particular agenda study topics. No application for a zoning change shall be considered at a ~~workshop~~ session meeting.
- d. The ~~Planning~~ Zoning staff and/or guest presenters shall moderate the discussions and observe the following order of presentation:
  1. Presentation of study item
  2. Discussion interaction between the Commission members
  3. Public input (if scheduled as part of the seminar)
  4. Concluding remarks
- e. No official action shall be taken by the Commission on items presented at the seminar or retreat.
- f. Public comment at the seminar, if scheduled, shall be limited based upon the topic and agenda. Interested parties are welcome to listen and learn from the presentation and discussion with no participation in the discussion unless scheduled as an agenda item.

#### Section 18-051.12 Committees

- a. In fulfilling its various charges, the Commission shall utilize committees at its discretion.
- b. The Commission may appoint committees, comprised of no more than ~~three (3)~~ five (5) Commission members and may include other persons as deemed necessary.
- c. Staff personnel will be made available upon reasonable request to provide any assistance required by the committee.
- d. At the time of the creation and appointments, the Commission shall provide the committee with a ~~written~~ scope of work to include the following:
  1. A ~~statement~~ of specific purpose and objective
  2. Approximate length of term
  3. Authorized activities / actions
  4. Required number and timing of status reports, if any
  5. Required final report/deadline

The Committee may supplement the scope of work with a work plan should it choose to develop one.

- e. Committees shall not take any action, which may be construed as an official act of the Commission, but instead may make recommendations for action by the Commission. Committees shall not publically advocate or promote committee recommendations as an official position of the Commission, unless the Commission has first acted on the matter.
- f. Committees shall conduct business by an agenda and keep minutes of all proceedings as a matter of public record.
- g. All Committee meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.
- h. Committees shall forward the minutes of their proceedings to all Commission members and the Secretary of the Commission as a part of the regular monthly submission. The general

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

public shall have access to committee records upon request.

- i. Committees shall present ~~orally and file written~~ interim and final reports with the Commission as required in the scope of work. The Secretary shall place reports on the agenda of the first regularly scheduled meeting subsequent to the report.
- j. The Commission shall act upon committee recommendations within sixty-four (64) days of its receipt of the committee's final report. The final report shall be considered received at the regularly scheduled meeting at which it is presented.
- k. The Commission shall have the authority to dissolve committees after the Commission has taken action with respect to the final committee report or when it is determined that a committee is unable to fulfill its charge.
- l. Following the first hearing on a matter before the Commission, a "community meeting" may be called by the Chair and have up to five (5) commissioners in attendance. Community meetings are intended for dissemination of information and for promoting dialogue among applicants and persons interested in matters being brought before the Commission only, and shall not be considered a committee of the Commission.

#### Section 18-051.13 Executive Session

- a. ~~For~~ From time to time, the Commission may find it necessary to discuss matters of personnel or litigation pertaining to the business of the Commission and shall enter Executive Session to do so.
- b. When an Executive Session is allowed by the applicable State Law, the following rules shall apply:
  1. The Commission shall enter into Executive Session only from a regularly convened meeting.
  2. The motion to enter into Executive Session must carry a two-thirds vote of Commission members in attendance.
  3. No action may be taken in Executive Session
  4. After leaving an Executive Session, the Chair shall reconvene the regularly scheduled meeting so that all scheduled items, including any considered in Executive Session, may be disposed of and the meeting may be properly adjourned.

#### Section 18-051.14 Rules Of Conduct For Commissioners

- a. Each member of the Commission shall abide by the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended. Each member shall certify in writing that they have read and understand the "Louisiana Code of Governmental Ethics" located on the Louisiana Board of Governmental Ethics (LBGE) website at <http://ethics.la.gov>, prior to being seated as a Zoning Commissioner. Each member is responsible to register and participate in at least one (1) hour of ethics training annually through the LBGE website at <http://ethics.la.gov/SeminarRegistration/>. Should a Commissioner not complete the ethics training in any calendar year, that Commissioner will not take part in Commission functions until the ethics training requirement has been met.
- b. A Commission member shall not meet or communicate in any fashion with any applicant, proponent, opponent or other interested party, excepting members of the Parish Administration, Parish Council and/or the Commission staff, to discuss any matter before the Commission prior to the legal public hearing on that matter. When more than six (6) months have elapsed since the last legal public hearing of a particular matter, no commissioner shall meet or communicate in any fashion with any applicant, proponent, opponent or other interested party until a new legal hearing is again held on that matter. the legal hearing requirements shall reapply. Violation

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

of this section may be cause for dismissal of the offending Commission member.

- c. Each member may visit the site in question, but may not have discussions concerning the site or project with any interested party prior to the legal hearing, except as outlined in Section 18-051.14b.
- d. Following the initial required public hearing, the Commission may form a Committee for the expressed purpose of attempting to better understand the issues raised in the review of the Application, in accordance with Section 18-051.12 of these Rules.
- e. Commission members shall not in any way pledge himself or herself to any party on a matter before the Commission, prior to the legal public hearing.
- f. Any Commission member who has knowledge of the fact that he/she will not be able to attend a scheduled meeting or hearing, shall notify the Secretary at the earliest possible opportunity, and in any event before 4:00 P.M. on the day of the meeting.
- g. Once a meeting is called to order by the Chair, the Commission members shall take special care to conduct themselves in a professional and courteous manner and remain attentive to the members of the public testifying before the Commission.
- h. Commission members requesting information or clarification relative to an application or business item that is before them for consideration may directly contact the Secretary for assistance.
- i. The Commission may request information or specific actions from the Secretary and such requests will be reflected in the minutes.
- j. Each Commissioner will sign an acknowledgment of having received and fully read the rules of conduct prior to serving as member of the commission.

#### Section 18-051.15 Representation

- a. The Chair shall serve as the official spokesman and representative of the Commission in all matters that have been acted upon by the Commission. The Chair may appoint a member of the Commission to serve as spokesperson or representative. Any member who officially represents or speaks for the Commission shall report to the Commission on any statements made or actions taken while serving in that capacity at its next regularly scheduled meeting.
- b. In the absence of an official spokesman as described above, the Secretary shall act on behalf of the Commission before the Parish Council and shall inform the Council of all final decisions and recommendations, along with supporting records and documentation, rendered by the Commission.
- c. Commission members shall refrain from making statements or taking action which may be identified as or construed to be an official act or position of the Commission. ~~unless the Commission has first acted upon the matter and the member is acting as the official spokesperson or representative.~~
- d. Commission members shall not publically advocate or promote individual positions or opinions ~~as an official position of the Commission~~, unless the Commission has first acted on the matter.

#### Section 18-051.16 Violation Of Rules

Any violation of these rules may be deemed as cause for removal of the offending member by the appointing authority.

#### Section 18-051.017 Rules of Policy and Procedure Amendments

ORDINANCE CALENDAR NO. \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

All Commission Rules of Policy and Procedure are established by ordinance and may only be amended by the Parish Council according to the following applicable procedures:

- a. Proposed amendments may be initiated by any member of the Commission who shall file a written copy of the proposal with the Secretary.
- b. The Secretary shall place the proposed amendment on the Commission agenda for the next available public meeting.
- c. The Commission shall review the proposed amendment, comments from the public, and recommendations from the Secretary and Legal Counsel prior to taking a vote. A two-thirds (2/3) vote of the Commission as a whole (8 votes) is required to recommend an amendment to these rules.
- d. If approved, the Secretary shall forward the recommended amendment to the Parish Council for consideration of an amending ordinance.

**BE IT FURTHER ORDAINED** that any and all Rules of and for the Parish Planning Commission and Zoning Commission previously established or adopted are hereby repealed.

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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015; AND BECOMES ORDINANCE COUNCIL SERIES NO. 15-\_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
, COUNCIL CHAIRMAN

\_\_\_\_\_  
, COUNCIL CLERK

\_\_\_\_\_  
, PARISH PRESIDENT

Published introduction: \_\_\_\_\_, 2015

Published adoption on: \_\_\_\_\_, 2015

Delivered to Parish President: \_\_\_\_\_, 2015 @ \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2015 @ \_\_\_\_\_