

ASCENSION PARISH COUNCIL
ORDINANCE
ORDINANCE TO ADOPT A TEMPORARY MORATORIUM
REGARDING NEW DEVELOPMENTS

WHEREAS, the population of the Parish of Ascension is increasing rapidly ~~and the number of new developments is expanding density and negatively impacting drainage in the Parish~~; and due to the continued severe weather events that cause local flooding across Ascension Parish, BE IT RESOLVED AS FOLLOWS:

THAT THERE IS HEREBY ENACTED A MORATORIUM on future subdivision of property, both residential and commercial development, for ~~twelve months~~ to further evaluate the following needs:

~~1) Assessment of a potential Drainage Impact Fee – The money produced can only be spent to offset the drainage impact of new developments and can go only to projects identified in advance. While we recognize that our drainage ordinance is written in such a way that new developments are supposed to be designed to reduce the flow of water off site; evidence suggest that this isn't enough, and more needs to be done to improve the capacity of our drainageways.~~

2) Density Adjustments - Consideration of reducing residential density across all zoning classifications - Understanding that a base density of 3, 2 or 1 unit per acre is easier to calculate, parish government will explore alternatives to determine development density by considering all of the factors that affect each piece of property (road width, flood zone, wetlands, servitudes and easements, etc.)

3) Address Subdivision Construction Specifications - These specifications were adopted in June of 2017 and need to be reviewed and improved. Consideration will be given to addressing off-site drainage through a subdivision by increasing the stormwater detention requirements, upstream and downstream impacts and site design.

~~4) Regional Stormwater Detention – Other communities have figured out ways to purchase properties to expand the capabilities of detaining excess flood waters. Ascension Parish has potential locations that could benefit from this type of drainage feature and we should understand the ramifications and possibilities of implementing this type of system.~~

~~5) Review of the fill ordinance - In Sept 2019, the fill ordinance was revised and it was understood at that time, that work still needed to be done.~~

NOW THEREFORE BE IT ORDAINED, by the Ascension Parish Governing Authority, as of the effective date of this ordinance, a ~~twelve month moratorium~~ on any future subdivision of property, both residential and commercial development. This includes the acceptance, approval, and completion of pre-applications for the submission for acceptance of any Preliminary Plat(s) for subdivision.

SEVERABILITY: In the event that any portion of this Ordinance is ever held invalid or unconstitutional for any reason by any court of competent jurisdiction over it, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions of the Ordinance.

EFFECTIVE DATE: This ordinance shall be in full effect as permitted by law. This ordinance having been submitted to a vote, the vote thereon was as follows:

Yeas: _____

Nays: _____

Not Voting: _____

Absent: _____

And this ordinance was passed on this ____ day of _____, 2021.

Secretary

President

Amended Version:

ORDINANCE

TO ADOPT A TEMPORARY MORATORIUM ON THE EAST BANK OF THE PARISH REGARDING **SUBDIVISION OF PROPERTY**

WHEREAS, the population of the Parish of Ascension is increasing; and due to the continued severe weather events that cause local flooding across Ascension Parish and in consideration of the health, safety, and welfare of the Ascension Parish citizens, BE IT RESOLVED AS FOLLOWS:

THAT THERE IS HEREBY ENACTED A MORATORIUM on future subdivision of property, for **six months** to further evaluate the following needs:

* **Engineering Firm to review the Drainage Impact Study and make recommendations to Council for consideration.**

* **Engineering Firm to review drainage requirements for Family Partitions and make recommendations to Council for consideration.**

* **Planning Firm to consider** reducing residential density across all zoning classifications – Parish Government will explore alternatives to determine development density by considering all factors that affect each piece of property (road width, flood zone, wetlands, servitudes and easements, etc.) and make recommendations to Council for consideration.

* **Engineer/Architectural Firm to investigate alternative construction in flood zones and make recommendations to Council for consideration.**

* **Engineering Firm to determine feasibility of regional stormwater detention and make recommendations to Council for consideration.**

* **Engineering Firm to review Fill Ordinance (Drainage Ordinance) and make recommendations to Council for consideration.**

* **Administration shall conduct a Budget Review for Drainage and provide formal ordinances to Council within 6 months.**

* **Planning Commission will begin process of revising the Master Plan relevant to the completion of listed items above**

* **Revise the Unified Land Development Code to comply with the latest adopted Master Plan.**

The Parish President and administration shall be required to provide monthly status updates on all aspects of the moratorium, including substantive answers to Citizen and Council questions.

NOW THEREFORE BE IT ORDAINED, by the Ascension Parish Governing Authority, as of the effective date of this ordinance, **six month** moratorium on any future subdivision of property to include all divisions of land that have not been submitted to the Planning Department by the effective date of this ordinance. This includes the acceptance, approval, and completion of pre-applications for the submissions for acceptance of any Preliminary Plat(s) for subdivision of property.

**** Subdivision of property shall mean any simple division, family partition, minor subdivision, or major subdivision. This shall exclude subdivision of property zoned light, medium, or heavy industrial.**

SEVERABILITY: In the event that any portion of this ordinance is ever held invalid or unconstitutional for any reason by any court of competent jurisdiction over it, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions of the ordinance.

EFFECTIVE DATE: This ordinance shall be in full effect as permitted by law. This ordinance having been submitted to a vote, the vote thereon was as follows:

Yeas: _____

Nays: _____

Not Voting: _____

Absent: _____

And this ordinance was passed on this ____ day of _____, 2021.

Secretary

President