



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpj.net

#18

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 21, 2019 AT THREE O'CLOCK P.M.

On motion of Mrs. Alcon, seconded by Mr. McCloskey, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2163-05-19

Summary No. 3711

Introduced by: Councilmember McCloskey on 5/7/19

Public Hearing held on 5/21/19

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2043-03-18**, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM WITH BUILDER BUNDLE III DESIGN STANDARDS.

WHEREAS the purpose of this ordinance is to encourage the redevelopment of vacant lots into new homes utilizing former Louisiana Land Trust properties. The St. Bernard Parish Council finds that using former Louisiana Land Trust properties in this way will promote the public health, safety and welfare of the people of St. Bernard Parish in the following ways:

- a. It will promote the comprehensive master plan.
- b. It will make St. Bernard Parish more attractive for former residents to return and for new residents to locate in the parish.
- c. It will aid in the prevention and elimination of slum and blight conditions by returning properties to commerce.
- d. It will promote the economic recovery of the parish by increasing the tax base.
- e. It will promote infill development.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to convey the former Louisiana Land Trust properties listed in Exhibit "A" to interested owners in accordance with the Buy and Build program established by this ordinance.

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Nathan Gorbaty
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

Manuel "Monty" Montelongo III
Councilmember
District E

Roxanne Adams
Clerk of Council



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SECTION 2. The Parish President and the Chief Administrative Officer each is hereby authorized to execute all instruments necessary to effectuate the conveyances authorized by this ordinance, and are further authorized to execute any and all additional instruments necessary to implement the program, including instruments necessary to enforce the requirements of the Buy and Build program or to reacquire, claw back, or accept a reversion of any property on behalf of the St. Bernard Parish in the event that a purchaser under the program fails to comply with its requirements. It is recognized and agreed the Parish President and/or Chief Administrative Officer may nominate a designee by use of a power of attorney to transfer, sell, or auction, the properties in Exhibit "A" in accordance with the laws of Louisiana.

SECTION 3. The Buy and Build program shall be administered by the Department of Community Development, which shall seek the cooperation of Louisiana Land Trust to assist the Parish based on its experience with other disposition plan programs.

SECTION 4. The Buy and Build program shall observe the following minimum standards:

- I. Qualified Properties: Parcels of property eligible for inclusion in the St. Bernard Parish Government (SBPG) Buy and Build program shall meet the following minimum criteria:
 1. The property shall not be classified as Public Use or Builder Bundle in the SBPG inventory. All other properties are eligible.
 2. The property shall be zoned residential (R-1), agriculture (A-1) or suburban agriculture (SA).
 3. The property shall be conveyed to the transferees directly by SBPG.
 4. Properties, listed in Exhibit "A", will be made available.
- II. Qualified Buyers: The following are the requirements for buyers to purchase a property in the Buy and Build Program:
 1. An individual or business entity is limited to one (1) property at a time, and the individual or business entity shall not create multiple corporations to circumvent this requirement. Business entities or contractors building through the program shall only have one (1) active



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building permit related to the program. The Director of Community Development shall reserve the right to prevent a sale if it has been determined that an individual is attempting to circumvent this requirement.

2. Potential buyers shall provide a pre-approval letter from a lending institution or proof of funds prior to closing.
3. Potential buyers shall provide stamped building plans prior to closing.
4. To purchase a property, a potential buyer shall place a deposit for the property. Properties, listed in Exhibit "A", shall be made available for the program.

III. Transfer Of Property:

1. Upon sale through the Buy and Build program, the purchaser shall be required to obtain a building permit within one (1) month of the closing date and must complete construction within one (1) year from the time the permit was issued.
2. An individual shall be limited to one (1) Buy and Build property at a time. Once the purchaser completes construction and receives a Certificate of Occupancy, the purchaser is then eligible to purchase an additional property through the program.
3. The purchaser shall not transfer an incomplete Buy and Build property without approval from the Department of Community Development.
4. The transferee shall not own any real property in the parish that is subject to any non-remediated citation of violation of the state and/or local codes, covenants and/or ordinances. Remediation of any violations must occur before the transferee will be eligible for a Buy and Build parcel.
5. The transferee shall not own any real property in the parish that is tax delinquent at the time of the Buy and Build purchase.
6. Properties shall be conveyed at fair market value, as determined in accordance with the Community Development Block Grant program requirements and Action Plan Amendments.



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- IV. Deed Restrictions: Deed restrictions will be placed on the lot establishing the date a building permit will be required and the construction completion date. The restriction will not be in effect after the Certificate of Occupancy is issued.
1. A clear statement of the restrictions on lot use shall be provided in the initial letter of notification, the agreement to purchase document and at the act of sale.
- V. Design Standards:
1. The first floor shall have at a minimum ten (10) foot ceiling.
 2. Houses shall be constructed on piers or chain wall foundations, not slab on grade, with zero net fill.
 3. Finish grade shall be 18" above the Area Base Flood Elevation or 3' above highest adjacent ground, whichever is greater.
 4. The main roof shall have at a minimum 8:12 pitch, with roofing materials meeting or exceeding 25 year Architectural asphalt shingles or approved standing seam metal roof (silver/gray finish) – 12"-18" spacing with seam height not to exceed 1.5".
 5. All exterior wall coverings shall be approved by SBPG Office of Community Development – preferred are brick, Hardie board or wood weather board
 6. Vinyl siding is prohibited.
 7. Solid wood doors are required. Glass inlay is acceptable upon approval of SBPG
 8. Windows may be recessed mounted or surface mounted, but should appear recessed. All windows shall have a minimum 4" trim with 5/4" thickness
 9. Windows shall be simulated or true divided light. Grilles must be permanently bonded to the inside and outside of the glass.
 10. The crawl space in the front of the house and 10' from the front of the house on any side shall be covered with brick or similarly attractive finish approved by SBPG
 11. Landscaping is required, including one (1) tree with a minimum 3" caliper near the street. If an existing tree is present, a new tree is not required



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SECTION 5. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 6. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

SECTION 7. Other Ordinances and Codes Unaffected. Nothing herein shall be interpreted to repeal or otherwise diminish the powers of the Parish or its employees, officers, or agents under any other ordinance or code, including but not limited the Zoning Ordinance, the Building Code, and the Minimum Housing Code, all of which shall apply to Buy and Build properties in addition to the provisions of this ordinance.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:


YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: Gorbaty

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of May, 2019.


ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD "RICHIE" LEWIS
COUNCIL CHAIR



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at Large

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Richard "Richie" Lewis
Councilmember
at Large

Delivered to the Parish President 5/24/19 9:00am
Date and Time

Gillis McCloskey
Councilmember
District A

Received by Margen Campu

Nathan Gorbaty
Councilmember
District B

Approved ✓

Vetoed _____

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

Parish President

Guy McInnis
Guy McInnis

Manuel "Monty" Montelongo III
Councilmember
District E

Returned to Clerk of the Council

5/28/19 4:10pm
Date and Time

Roxanne Adams
Clerk of Council

Received by

Elva Melton

EXHIBIT "A"
SUMMARY NO. 3711
ORDINANCE SBPC #2163-05-19

ID	BER #	Address	City
1	BER-400801	1966 BENJAMIN ST	ARABI
2	BER-093977	1701 CENTER ST	ARABI
3	BER-400800	1808 SCHNELL DR	ARABI
4	BER-400340	605 COUGAR DR	ARABI
5	BER-400341	517 COUGAR DR	ARABI
6	BER-400348	405 COUGAR DR	ARABI
7	BER-400355	204 GENET DR	ARABI
8	BER-400371	8512 CREOLE DR	CHALMETTE
9	BER-400414	3929 JEAN LAFITTE PKWY	CHALMETTE
10	BER-009558	2001 CENTER ST	ARABI
11	BER- 400802	1946 & 1948 BENJAMIN ST	ARABI
12	BER- 400803	1950 & 1952 BENJAMIN ST	ARABI
13	BER-030014	801 COUGAR DR	ARABI

** 1946 Benjamin St. is a double lot combined with 1948 Benjamin St.
The municipal address will be 1946 Benjamin St. **

** 1950 Benjamin St. is a double lot combined with 1952 Benjamin St.
The municipal address will be 1950 Benjamin St. **