



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
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www.sbpg.net

#8

Fred Everhardt, Jr.
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
at Large*

Patrice Cusimano
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

Cindi Meyer
*Councilmember
District C*

Ryan Randall
*Councilmember
District D*

Amanda Mones
*Councilmember
District E*

Roxanne Adams
Clerk of Council

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, JANUARY 7, 2025 AT SEVEN O'CLOCK P.M.

On motion of Mr. Moran, seconded by Ms. Meyer, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2632-01-25

Summary No. 4219

Introduced by: Councilmember Moran on 10/1/24

Planning Commission recommended **TABLED** on 10/22/24

Public Hearing held on 11/6/24

Tabled on 11/6/24 until 12/3/24

Planning Commission recommended **APPROVAL** on 11/26/24

Tabled on 12/3/24 until 12/17/24

Tabled on 12/17/24 until 1/7/25

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-9, SPECIAL REGULATIONS; TO CREATE AND ADD SUBSECTION 22-9-9, INFRASTRUCTURE AND IMPACT FEES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 22, Zoning; Section 22-9, Special Regulations; to create and add Subsection 22-9-9, Infrastructure and Impact Fees of the St. Bernard Parish Code of Ordinances as attached in Exhibit "A".

SECTION 2. 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 3. 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.



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Extract #8, continued
January 7, 2025

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

YEAS: Cusimano, Moran, Meyer, Randall, Mones, Everhardt

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 7th day of January, 2025.

ROXANNE ADAMS
CLERK OF COUNCIL

GILLIS MCCLOSKEY
COUNCIL CHAIR

Delivered to the Parish President

1/9/25 3:30pm
Date and Time

Received by

Approved

Vetoed

Parish President

Louis Pomes

Returned to Clerk of the Council

1/13/25 9:08am
Date and Time

Received by

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Exhibit "A"

Chapter 22 – Zoning
Section 22-9 – Special Regulations
Section 22-9-9 – Infrastructure and Impact Fees

22-9-9: INFRASTRUCTURE AND IMPACT FEES

22-9-9.1: *Purpose and Intent:* The purpose of this section is to establish an impact fee to fund future infrastructure requirements in response to anticipated growth and development in the specified area of St. Bernard Parish, ensuring that adequate infrastructure is maintained to support the community.

22-9-9.2: *Applicability and Boundaries.* This impact fee applies to all commercial, industrial, and undeveloped properties located within the defined impact zone, as described in this section, and as indicated on the attached map labeled "Exhibit B."

(a) The impact fee zone shall encompass all properties from Paris Rd. east to the intersection of LA 39 and LA 46, and E St. Bernard Highway North to the parish line .

(b) Starting at the intersections of LA HWY 39 (East Judge Perez Drive) and Bayou Road, headdue South for approximately 4.9 miles to the intersection of the St. Bernard Parish and Plaquemines Parish boundary in Lake Lery, then traverse Northwesterly along the St. Bernard Parish and Plaquemines Parish boundary to its intersections with the centerline of the Mississippi River, also the St. Bernard Parish and Orleans Parish boundary, then travel Northeasterly and Northwesterly along the centerline of the Mississippi River to the intersection with the centerline extension of Paris Road, then travel Northeasterly along the centerline of Paris Road (LA Hwy 47) to its intersection with the centerline of Bayou Bienvenue, also the St. Bernard Parish and Orleans Parish boundary, then Westerly along the centerline of Bayou Bienvenue to its intersection with the straight line extension of LA HWY 39 (East Judge Perez Drive) approximately at the latitude/longitude coordinates of 89.8686925°W/29.9926052°N, then head due south approximately 8.6 miles to its intersection with the intersection of LA HWY 39 (East Judge Perez Drive) and Bayou Road, the point of beginning.

22-9-9.3: Fee Structure

- a. Tier 1: Properties located within the map attached as "Exhibit B" are assessed a fee as follows:
 1. Industrial Properties: \$2.50 per square foot
 - b. The fee rates for specific property types shall be as follows:
 - 1 Industrial Properties: Full base fee rate per tier as listed above.
 2. Undeveloped Land: A flat fee of \$1,000 per acre.
 - c. The following properties shall be exempt from the impact fee:
 1. Government-owned properties
 2. Non-profit organizations registered and operating within St. Bernard Parish
 3. Properties used for religious purposes

22-9-9.4: Use and Management of Impact Fees

- a. All impact fees collected under this ordinance shall be deposited into a dedicated fund known as the "St. Bernard Parish Impact Fee Fund."
- b. Funds shall be used exclusively for infrastructure improvements within the impact zone, including but not limited to:

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Exhibit "A"

1. Road and bridge maintenance and construction
2. Drainage system improvements
3. Public safety facilities and equipment
4. Utilities and public works upgrades
5. Funds may also be used for planning, design, and administrative expenses directly related to the implementation of infrastructure projects.

22-9-9.5: *Applicability of Impact Fees*

- a. The impact fee shall apply to all commercial, industrial, and undeveloped properties that meet any of the following criteria:
 1. **New Development:** Properties that were previously undeveloped and are now being developed with new buildings or structures to accommodate high-impact commercial or industrial operations that significantly increase traffic, infrastructure usage, or require substantial logistical and transportation support.
 2. **Redevelopment or Expansion of Existing Buildings:** Properties that have existing buildings or structures being redeveloped, renovated, expanded, or modified in any way to support operations that create increased infrastructure demands, including activities such as large-scale storage, distribution, or operational facilities that involve substantial goods movement, transportation activities, or increased heavy vehicle traffic.
 3. **Change in Use of Existing Buildings:** Properties where the existing building's operations are changing in a way that leads to an increased need for road access, transportation infrastructure, utility connections, or other public services, thereby placing a greater demand on parish infrastructure.

22-9-9.6: *Calculation and Timing of Payment*

- a. The impact fee shall be calculated based on the total square footage of the building or structure being developed, expanded, or modified, in accordance with the fee structure for Tier 1.
- b. Payment of the impact fee shall be due at the following stages:
 1. **New Building Development:** Prior to the issuance of building permits.
 2. **Redevelopment or Expansion:** Upon approval of permits for renovation, expansion, or change of use of the existing building, or at the time of issuance of certificates of occupancy, whichever occurs first.

22-9-9.7: *Compliance Certification*

- a. Developers, property owners, or operators must submit a detailed development plan to the Department of Community Development outlining how the proposed redevelopment or change in use of the building will impact infrastructure, traffic, and utility demands.
- b. The Department of Community Development shall assess the submission to determine the appropriate fee tier based on the projected infrastructure impact.

22-9-9.8: *Annual Review of Property Use*

- a. The Department of Community Development shall conduct an annual review of properties subject to the impact fee to ensure that the property's use remains consistent with the criteria outlined in this section. Any significant changes in infrastructure demand may result in an adjustment or reassessment of the impact fee.

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Exhibit "A"

22-9-9.9: *Penalties for Non-Compliance*

a. Failure to comply with the payment requirements or the submission of accurate development plans shall result in the suspension of building permits, certificates of occupancy, or other necessary approvals until full payment of the impact fee and associated penalties are received.

22-9-9.10: *Administration and Enforcement*

- a. The Department of Community Development shall oversee the administration, collection, and management of the impact fees
- b. Failure to pay the impact fee within 60 days of notification shall result in a penalty of 10% of the outstanding amount, plus interest accruing at the rate of 6% per annum until paid.

22-9-9.11: *Review and Adjustments*

- a. The impact fee rates and boundaries shall be reviewed by the Parish Council every five (5) years from the date of this ordinance's adoption, to ensure the fees accurately reflect the cost of infrastructure demands and changes in the area.

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Exhibit "B"

