

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbgg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted 8/12/16

Tuesday, August 16, 2016

3:00 p.m.

Council Chambers

Page 1 of 5

Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

- A. Meeting Called to Order and Roll Call
- B. Remind Public that no food or drink is allowed in the Council Chambers
- C. Remind Public of Cell Phone Ordinance **SBPC #815-02-08**
- D. Invocation by Fr. Augustine with Our Lady of Lourdes Catholic Church
- E. Pledge of Allegiance by Councilmember Gorbaty
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the August 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 12, 2016. (Council Chair)

RECOGNITION

2. Motion to recognize Stephen Morel with Civic Source to discuss the adjudicated property process. (Administration)
3. **Guy McInnis**, President's Report
4. Councilmember's for a District Update

RECOGNIZE THE PUBLIC

5. Recognize the Public (Those wishing to speak must sign in prior to the start of the meeting. Speakers will be given 2 minutes.)

PUBLIC HEARINGS

6. **Summary No. 3400**
Introduced by: Councilmember Gorbaty on 8/2/16

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON NEW HIRES FOR ST. BERNARD PARISH GOVERNMENT.

7. **Summary No. 3401**
Introduced by: Administration on 8/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

8. **Summary No. 3402**
Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-012**, PETITION OF DIONNA RICHARDSON FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-

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FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3408 ANGELIQUE DRIVE, VIOLET, LA 70092.

9. **Summary No. 3403**

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-013**, PETITION OF CATHY MOORE FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3008 ROSETTA DRIVE, CHALMETTE, LA 70043.

10. **Summary No. 3404**

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

11. **Summary No. 3405**

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-016**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2904 JACKSON BLVD., CHALMETTE, LA 70043.

12. **Summary No. 3406**

Introduced by: Councilmember Alcon on 8/2/16

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #1802-07-16, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

RESOLUTIONS

13. Adopt **Resolution SBPC #1617-08-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

Beer and/or Liquor Permit(s)

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1. DePope Launch & Tavern, Inc. dba DePope Launch & Tavern 6201 E. St. Bernard Hwy., Violet, LA 70092 Owner: Lionel J. Alphonso, Sr. **(Renewal) (Beer & Liquor)**

Special Event

1. Name of Organization: Old Arabi Neighborhood Association
Address: 843 Angela Street, Arabi, LA 70032
Event: Sippin' in the Sunset/Old Arabi Sugar Fest
Location: Aycock Barn, 409 Aycock Street, Arabi, LA
Date & Time: September 1st, October 6th, October 8th and November 3, 2016; 6:00 p.m. – 8:00 p.m.
Contact Person: Maegan S. Dobson

14. Adopt **Resolution SBPC #1618-08-16**, a resolution of support for the St. Bernard Parish Priority Coastal Projects. (Administration)

ADOPTION OF ORDINANCES

15. **Summary No. 3400**
Introduced by: Councilmember Gorbaty on 8/2/16
Public hearing held on 8/16/16

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON NEW HIRES FOR ST. BERNARD PARISH GOVERNMENT.

16. **Summary No. 3401**
Introduced by: Administration on 8/2/16
Public hearing held on 8/16/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

17. **Summary No. 3402**
Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16
Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-012**, PETITION OF DIONNA RICHARDSON FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3408 ANGELIQUE DRIVE, VIOLET, LA 70092.

18. **Summary No. 3403**
Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16
Public hearing held on 8/16/16

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AN ORDINANCE TO APPROVE **DOCKET Z-2016-013**, PETITION OF CATHY MOORE FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3008 ROSETTA DRIVE, CHALMETTE, LA 70043.

19. **Summary No. 3404**

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

20. **Summary No. 3405**

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-016**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2904 JACKSON BLVD., CHALMETTE, LA 70043.

21. **Summary No. 3406**

Introduced by: Councilmember Alcon on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #1802-07-16, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

INTRODUCTION

22. **Summary No. 3407**

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 2224 ESTEBAN, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

23. **Summary No. 3408**

Introduced by: Administration on 8/16/16

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AN ORDINANCE TO DECLARE AS SURPLUS 2313 MEHLE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

24. **Summary No. 3409**

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 309 SABLE, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

25. **Summary No. 3410**

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 3024-3026 PACKENHAM, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

26. **Summary No. 3411**

Introduced by: Councilmember Luna on 8/16/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENT IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

OTHER MATTERS

27. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

EXECUTIVE SESSION

28. Motion to discuss Potential Litigation between St. Bernard Parish Government and Dionna Richardson.
29. Motion to discuss Potential Litigation between St. Bernard Parish Government and Cathy Moore.

Next Regular scheduled Council Meeting will be held Tuesday, September 6, 2016 @ 7:00 p.m.

Approved by: *Kerri Callais* Time: 2:43 p.m. Date: 8/12/16

#1

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to approve the minutes from the August 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 12, 2016.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 16, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 2, 2016 COUNCIL MEETING:

Summary No. 3400

Introduced by: Councilmember Gorbaty on 8/2/2016

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON NEW HIRES FOR ST. BERNARD PARISH GOVERNMENT.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to institute a temporary moratorium for six (6) months on new hires for St. Bernard Parish Government; and,

WHEREAS, the St. Bernard Parish Council oversees and develops the budget. New hires have a significant impact on the public fisc, which is directly regulated by the Council; and,

WHEREAS, the Administration may hire for a vacant position at the current salary in the adopted budget, no new positions shall be created.

SECTION 1. The St. Bernard Parish Council hereby enacts a moratorium on new hires, until this moratorium expires six (6) months from the date of adoption.

SECTION 2. The Council shall allow new hires according to the following exception: Any new hire shall be approved by a 2/3 vote of the entire membership of the council.

SECTION 3. 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 4. 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 of this Ordinance with the invalid portions omitted.

BY DIRECTION OF
Kerri Callais
KERRI CALLAIS
COUNCIL CHAIR

PUBLIC HEARING NOTICE

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Summary No. 3401

Introduced by: Administration on 8/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2016 is hereby amended as per attached in Exhibit "A".

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department's specific budget.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

ST. BERNARD PARISH GOVERNMENT
SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
2016 Proposed Capital & Operating Budget

DEPARTMENT	2016 Budgeted Revenues	2016 Budgeted Expenditures	Excess of Revenues Over (Under) Expenditures	Sales Tax Transfers (including reallocation of fund balance)	Other Transfers, net	Excess of Revenues Over (Under) Expenditures After Transfers	Fund Balance, Beginning of Year	Fund Balance, End of Year
GENERAL FUND:								
001 General Fund	\$ 4,834,544	\$ 9,383,978	\$ (4,549,434)	\$ 7,143,449	\$ 2,660,432	\$ 5,254,447	\$ 278,925	\$ 5,533,372
005 34th Judicial Court	111,621	2,669,035	(2,557,414)	3,393,406	-	835,992	(835,992)	-
050 Sales Tax	9,958,822	796,706	9,162,116	(16,506,882)	-	(7,344,766)	7,344,766	-
052 Civic Auditorium	-	71,386	(71,386)	483,176	-	411,790	(411,790)	-
060 Community Development	1,488,813	1,799,280	(310,467)	1,296,601	-	986,134	3,636,990	4,623,124
180 BP - Oil Spill	-	-	-	-	(243,597)	(243,597)	243,597	-
Total General Fund	\$ 16,393,800	\$ 14,720,385	\$ 1,673,415	\$ (4,190,250)	\$ 2,416,835	\$ (100,000)	\$ 10,256,496	\$ 10,156,496
SPECIAL REVENUE FUNDS:								
053 Criminal Court 34th	\$ 118,761	\$ 68,250	\$ 50,511	\$ -	\$ (35,000)	\$ 15,511	\$ 15,819	\$ 31,330
054 Fire Department	9,022,169	10,127,720	(1,105,551)	-	(305,044)	(1,410,595)	3,412,656	2,002,061
059 Council on Aging	285,863	321,863	(36,000)	36,000	-	-	336,111	336,111
061 Recreation	1,004,452	1,886,639	(882,187)	876,157	-	(6,030)	-	(6,030)
062 Public Works	2,274,250	4,454,576	(2,180,326)	1,328,656	851,670	-	-	-
063 Road Lighting	394,237	863,100	(468,863)	344,736	-	(124,127)	124,127	-
064 Sanitation	4,269,552	4,656,215	(386,663)	122,835	-	(263,828)	263,828	-
066 Assessor's Office	82,480	82,480	-	-	-	-	-	-
067 WIA	3,278,900	3,257,781	21,119	-	(5,000)	16,119	20,374	36,493
071 Health	199,048	189,900	9,148	-	-	9,148	818,972	828,120
073 Communications District	370,000	343,450	26,550	-	-	26,550	561,147	587,697
077 Housing & Redevelopment	6,215,186	6,206,484	8,702	-	(7,500)	1,202	747,619	748,821
079 U.M.T.A.	804,321	764,008	40,313	-	(800,000)	(759,687)	1,394,131	634,444
086 Deputy Witness Fees	45,000	80,000	(35,000)	-	35,000	-	-	-
160 CDBG	5,512,556	4,050,830	1,461,726	-	-	1,461,726	(1,461,726)	-
170 HMGP	54,947,465	54,947,465	-	-	-	-	-	-
190 State & Federal Grants	7,695,098	8,466,915	(771,817)	331,866	439,951	-	-	-
829 Hurricane Katrina	32,111,574	30,027,731	2,083,843	-	(1,044,286)	1,039,557	(1,094,557)	(55,000)
901 Hurricane Gustav	668,955	100,000	568,955	-	-	568,955	(568,955)	-
905 Hurricane Isaac	617,252	200,100	417,152	-	-	417,152	(417,152)	-
906 Hurricane Ike	30,000	147,889	(117,889)	-	-	(117,889)	117,889	-
Total Special Revenue Funds	\$ 129,947,119	\$ 131,243,396	\$ (1,296,277)	\$ 3,040,250	\$ (870,209)	\$ 873,764	\$ 4,270,283	\$ 5,144,047

ST. BERNARD PARISH GOVERNMENT
SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE (continued)
2016 Capital & Operating Budget

DEPARTMENT	2016 Budgeted Revenues	2016 Budgeted Expenditures	Excess of Revenues Over (Under) Expenditures	Sales Tax Transfers	Other Transfers, net	Excess of Revenues Over (Under) Expenditures After Transfers	Fund Balance, Beginning of Year	Fund Balance, End of Year
<i>DEBT SERVICE FUNDS:</i>								
212 2012 Sales Tax Refunding Bond	\$ -	\$ 4,282,700	\$ (4,282,700)	\$ 1,150,000	\$ 3,132,700	\$ -	\$ 2,967,602	\$ 2,967,602
454 2014 Fire Sinking Fund	-	270,044	(270,044)	-	270,044	-	201,563	201,563
Total Debt Service Funds	\$ -	\$ 4,552,744	\$ (4,552,744)	\$ 1,150,000	\$ 3,402,744	\$ -	\$ 3,169,165	\$ 3,169,165
<i>CAPITAL PROJECT FUNDS:</i>								
143 Courthouse Capital Fund	\$ -	\$ 80,000	\$ (80,000)	\$ -	\$ -	\$ (80,000)	\$ 294,025	\$ 214,025
554 Fire Capital Project Fund	97,500	424,000	(326,500)	-	35,000	(291,500)	291,500	-
Total Capital Project Funds	\$ 97,500	\$ 504,000	\$ (406,500)	\$ -	\$ 35,000	\$ (371,500)	\$ 585,525	\$ 214,025
<i>INTERNAL SERVICE FUNDS:</i>								
350 Self Insurance	\$ 1,465,141	\$ 1,639,776	\$ (174,635)	\$ -	\$ -	\$ (174,635)	\$ 261,541	\$ 86,906
375 W&S Self Insurance	485,872	550,200	(64,328)	-	64,328	-	571,406	571,406
Total Internal Service	\$ 1,951,013	\$ 2,189,976	\$ (238,963)	\$ -	\$ 64,328	\$ (174,635)	\$ 832,947	\$ 658,312
<i>BUSINESS-TYPE ACTIVITIES:</i>								
400 Water & Sewerage Fund	\$ 12,537,284	\$ 8,988,294	\$ 3,548,990	\$ -	\$ (3,548,990)	\$ -	\$ 219,085,855	\$ 219,085,855
401 W&S 50M Bond Fund	500	-	500	-	-	500	239,625	240,125
429 SF-SW99 1/2 Cent Sales Tax Fund	3,286,274	197,176	3,089,098	-	(3,533,345)	(444,247)	444,247	-
430 50 M Bond Sales Tax Debt Service	-	67,625	(67,625)	-	67,625	-	(661,749)	(661,749)
432 W&S 2008 Refinanced ST Debt Service	-	816,012	(816,012)	-	816,012	-	(3,602,129)	(3,602,129)
457 W&S Capital Projects	-	12,850,000	(12,850,000)	-	1,200,000	(11,650,000)	-	(11,650,000)
Total Water & Sewer	\$ 15,824,058	\$ 22,919,107	\$ (7,095,049)	\$ -	\$ (4,998,698)	\$ (12,093,747)	\$ 215,505,849	\$ 203,412,102
<i>OTHER BUSINESS-TYPE ACTIVITIES:</i>								
Recreational Facilities	\$ 1,147,500	\$ 1,142,358	\$ 5,142	\$ -	\$ (50,000)	\$ (44,858)	\$ 68,019	\$ 23,161
Total Recreational Facilities	\$ 1,147,500	\$ 1,142,358	\$ 5,142	\$ -	\$ (50,000)	\$ (44,858)	\$ 68,019	\$ 23,161
TOTAL ALL FUNDS	\$ 165,360,990	\$ 177,271,966	\$ (11,910,976)	\$ -	\$ -	\$ (11,910,976)	\$ 234,688,284	\$ 222,777,508

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 16, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 2, 2016 COUNCIL MEETING:

Summary No. 3402

Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-012**, PETITION OF DIONNA RICHARDSON FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3408 ANGELIQUE DRIVE, VIOLET, LA 70092.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-012**, Petition of Dionna Richardson for a Zoning Change from "R-1, (Single Family Residential)" to "R-2, (Two-Family Residential)" for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, Angelique Estates, designated as Lot 110-A. Property Location: 3408 Angelique Drive, Violet, LA 70092.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION

FROM: ERIC TOLLE, RECOVERY PLANNER

DATE: JULY 26, 2016

ZONING CHANGE & CONDITIONAL USE REPORT

Case Number: Z- 2016-012

Owner/Representative: Dionna B. Richardson

Property Address: 3408 Angelique Drive, Violet

Property Location: Angelique Estates, Lot 110-A

Current Site Area: 10,487 sq. ft. or 0.241 acres

Present Use: Single-Family Residence

Present Comprehensive Plan Designation: Low Density Residential

Present Zoning: R-1 (Single-Family Residential) District

Proposed Zoning: R-2 (Two-Family Residential) District

Reason For Request: A zoning change to allow an adolescent group home

I. Executive Summary:

Zoning Docket Z-2016-012 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) 100' in width by 104.87' in depth lot with an area of approximately 10,487 sq. ft. or .241 acres. The lot consists of a single-family residence. The applicant is requesting for the zoning change and Conditional Use Permit to allow an adolescent group home in a detached accessory building also located on site.

The request is **inconsistent** with the Land Use/Density description of Low Density Residential in the Comprehensive Plan as the proposed zone district does not align with the intent of the Low Density Residential designation. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. While the subject property is inconsistent with the Comprehensive Plan and considered a spot zone, staff does not put forward a recommendation at this time. However, staff is researching guidelines for reasonable accommodations of group homes for persons with disabilities as defined by ADA and Fair Housing regulations. Because of this, staff presents **NO RECOMMENDATION** of the applicant's request.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Google Street View (05/2011)

B. Site Description:

The subject site consists of one (1) lot of record located on Angelique Drive near the intersection with Florida Avenue in Violet. The subject property is 100' by 104.87' and has a total area of 10,487 sq. ft. or 0.241 acres. The site is currently occupied by a single-family residence and a detached accessory structure.

C. Surrounding Land Uses and Zoning

As shown in Image #3, the subject property is located completely within an R-1 (Single-Family Residential) district. The surrounding area is developed as single-family residential neighborhood.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Design Review of Site Plan:

Section 22-2-4 - Interpretation; Definitions

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A. Small group homes: Up to six (6) residents
- B. Large group homes: Seven (7) to fifteen (15) residents
- C. Congregate group homes: Sixteen (16) or more residents

Per Section 22-5-4 – *Permitted uses in residential districts*, proposed group homes are subject to the following requirements:

- a. Group homes shall be licensed by the State of Louisiana.
- b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
- c. A group home shall encompass the entire structure.
- d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

The applicant's request and provided documents, shown in the appendix of this report, will be assessed under the following criteria:

1. Harmony with the area (*Section 22-8-2.1*):

The petitioned property is immediately adjacent to single-family residential developments. The property is located within a predominate R-1 (Single Family Residential) zone district. The proposed R-2 (Two-Family Residential) zoning district allows a small adolescent group home as proposed via Condition Use Permit. The R-2 district also allows for increased density to two-family residences or a duplex. The staff believes that if the subject property were to be re-zoned to R-2, then the impacts of a small group home to the adjacent residential areas could be mitigated through conditions listed within Section D of this report.

2. Adequate access (*Section 22-8-2.2*):

The applicant proposes use of one (1) ingress/egress point for the development along Angelique Drive, near Florida Avenue. The staff believes that an adolescent group home at this location will not generate additional traffic demands onto Angelique Drive and the adjacent minor roadways. The staff does not expect a significant inconvenience to area residences as a result of daily site operations.

3. Adequate infrastructure (*Section 22-8-2.3*):

The staff believes adequate infrastructure is in place for this activity, subject to operational standards permitted by Local, State and Federal agencies.

4. Natural resource conservation (*Section 22-8-2.4*):

The staff believes there is no natural resource conservation issues associated with this project.

5. Compatible design (*Section 22-8-2.5*):

The applicant is proposing a small adolescent group home to be located in a detached accessory building at the subject property. The accessory building is located behind an existing fence on the property making it mostly unnoticeable from the street.

Section 22-7-3 – Number of Off-Street Parking Spaces The following identifies off-street parking standards associated with Group Homes, as adopted by the Parish Council.

Group Home: 3.0 per 1,000 square feet

No indication has been given to staff illustrating the additional and required off street parking.

If the project were to be approved, the staff recommends the following conditions to the compatible design as a part of the approval:

- The applicant shall submit a site plan consistent with the requirements of **Section 22-7-3. – Number of Off-Street Parking Spaces** or seek waivers for such site improvements through the Board of Zoning Adjustments, subject to the review and approval of the staff of the Department of Community Development.

6. Public health, safety and welfare (*Section 22-8-2.6*):

The staff has not received comment from other municipal, state or federal agencies with regard to public health, safety and welfare as it relates to the petitioned projects. The staff does not believe that public health, safety and welfare would be negatively impacted as result of this project.

7. Residential impact (*Section 22-8-2.7*):

Some area residents may be impacted by a small group home, however, staff does not anticipate significant environmental or operational impacts to adjacent and surrounding residential developments with regard to its proposed use.

E. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a R-2 (Two-Family Residential) district in order to establish an adolescent group home.

The intent of the R-2 (Two-Family Residence) district is to allow low to mid density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested location will not have a significant impact of adjacent land uses in excess of existing conditions.

F. Block-face study

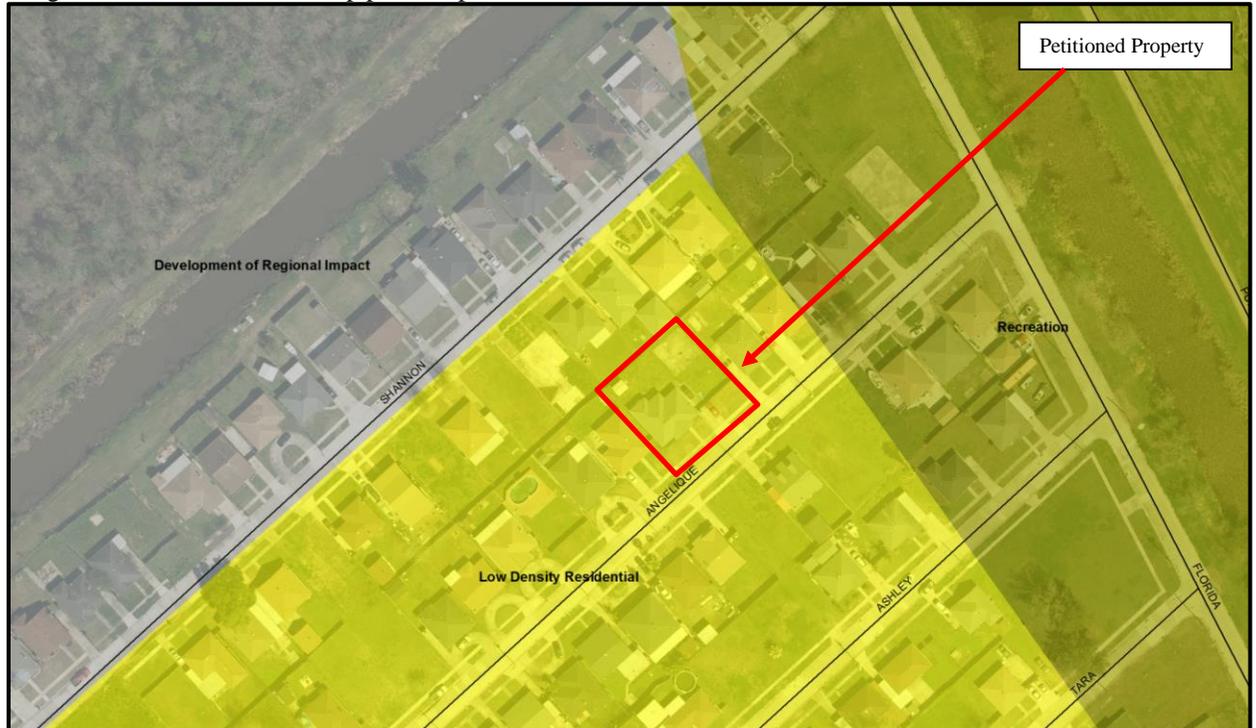
Staff conducted a block-face study of the entirety of the subject square and adjacent lots. The study assessed the area and found it consists of single-family residences.

G. Can the request be considered a spot zone?

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3, the request consists of a property that is located completely within an R-1 (Single-Family Residential). For this reason, the staff considers the request a spot zone.

III. Comprehensive Plan:

Image #4: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Low Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Low Density Residential

Land Use/Density: Single-family @ 2-3 units/acre

The applicant is requesting a zoning change from an R-1 (Single-Family Residential) zoning district to an R-2 (Two-Family Residential) zoning district. The requested zoning change would be **inconsistent** with the Comprehensive Plan as the proposed zone district does not align with the intent of the Low Density Residential designation.

IV. Summary:

Zoning Docket Z-2016-012 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) 100' by 104.87' lot with a single-family residence. The applicant is requesting for the zoning change and Conditional Use Permit to allow an adolescent group home in a detached accessory building also located on site.

The request is **inconsistent** with the Land Use/Density description of Low Density Residential in the Comprehensive Plan as the proposed zone district does not align with the intent of the Low Density Residential designation. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. While the subject property is inconsistent with the Comprehensive Plan and considered a spot zone, staff does not put forward a recommendation at this time. However, staff is researching guidelines for reasonable accommodations of group homes for persons with disabilities as defined by ADA and Fair Housing regulations. Because of this, staff presents **NO RECOMMENDATION** of the applicant's request.

V. Staff Recommendation:

The staff presents **NO RECOMMENDATION** of Z-2016-012, a request for a zoning change from R-1 (Single-Family Residential) district to R-2 (Two-Family Residential) district.

VI. Reason for Recommendation:

1. Staff believes this request could be addressed by means of reasonable accommodations of group homes for the treatment of people with disabilities in lieu of a zoning change. Staff recommends the Parish Council to review how reasonable accommodations for group homes for the disabled could be handled more appropriately through a reasonable accommodation procedure.

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July 10, 2015

Louisiana Still Needs Therapeutic Group Homes for Children

Rick Wheat, President & CEO

Louisiana United Methodist Children and Family Services

7/10/2015 – A year has passed since the June 2014 release of the advocacy paper, “[Louisiana’s Children are Being Placed Out-of-State](#)“. Today I would like to remind you of that paper and provide an update regarding Louisiana’s current ability to care for its own children.

That we are still without a complete child welfare system in Louisiana was driven home to me recently in a conversation with a representative of one of the five Bayou Health plans which, beginning December 1, 2015, will be given responsibility for managing the Medicaid-funded behavioral health needs of Louisiana’s children and adolescents.

The current gaps in services are already influencing the network development activities of the five Bayou Health plans. At least one Bayou Health plan is already touching base with residential providers in their out-of-state network to ensure – if it is required – that there is capacity sufficient in other states for the needs of Louisiana’s children.

If Louisiana had a complete child welfare system, this would not be necessary. As it is, while it’s not a solution, I do applaud the preparatory work the Bayou Health plan is doing.

Louisiana still lacks needed Therapeutic Group Homes. As of July 7, 2015, there are now five (5) licensed Therapeutic Group Homes in Louisiana offering a total of 38 beds. (Oddly, on 7/7/15, two of these facilities were operating at half capacity. At least four had vacancies – which calls into question why we are not effectively using the few resources we DO have available.)

Back in 2011, Mercer, a consulting firm contracted by Louisiana's Department of Health and Hospitals to help design the Louisiana Behavioral Health Partnership, determined Louisiana needs Therapeutic Group Home space for 340 children. Today, after four years, we have beds for only 11% of those children.

I know it's complicated and, with the impending transition from one managed care organization, Magellan of Louisiana, to five, it will soon become even more complicated. I also know this: as long as Louisiana's leaders are willing to accept gaps in services for children and willing to fund out-of-state placements, the child welfare system in Louisiana will continue to languish and our children will pay for it.

There must be sufficient services for children and families in Louisiana. There must be enough staff working with Louisiana's children and families to make the system work for children and families. Without sufficient people, systems fail. It takes people to care for people. (In the four year period from 6/30/10 to 6/30/14, DCFS staff was reduced by 20% [from 4,599 to 3,723] and DHH staff was reduced by 36% [from 11,996 to 7,659]. Together, the two state departments created to care for our state's citizens have lost more than 30% of their employees, a reduction of 5,213 employees.

See http://www.civilservice.louisiana.gov/files/publications/annual_reports/AnnualReport13-14.pdf and http://www.civilservice.louisiana.gov/files/publications/annual_reports/AnnualReport09-10.pdf)

All of this flows from the top. We must have a governor who makes the proper and full care of Louisiana's children his or her priority. See [Advocate for Louisiana's Children and Families](#). In a Request for Proposals released by Louisiana's Department of Health and Hospitals in August of 2014, DHH proposes that the State Management Organization selected to manage the Medicaid-funded behavioral healthcare of Louisiana's citizens will limit the number of youth it may place "in out-of-state facilities for treatment purposes" to 10 per contract year in the second and third year of the contract. In the first year of the three year contract, no corrective action plan will be required for placing more than 10 youth out-of-state during the year. DHH is aware that Louisiana has a shortage of residential treatment options available for children in Louisiana. That a corrective action plan is required only in years two and three seems to indicate DHH expects the Bayou Health companies will – during their first contract year – successfully build a full network of needed residential resources in our state. Based on the previous three years of the Louisiana Behavioral Health Partnership, this is possible, but not probable.

As I wrote more than two years ago in, "[Louisiana Needs Treatment Group Homes for Children](#)", there are steps that can be taken to begin filling Louisiana's gaps in children's services. Ideas include:

- 1. Provide start up funds for Therapeutic Group Homes.** This is important and here's why: before DHH Health Standards can issue a license for a level of care, the potential licensee must be fully staffed and fully operational. There are no startup funds available to cover the cost of staff who must be hired in order to acquire the license.

2. **Create a Provisional Therapeutic Group Home license** for providers who are diligently seeking Therapeutic Group Home licensure. Pay a Provisional TGH the full TGH rate to help defray the costs of startup.

By contract, the Department of Health and Hospitals passes responsibility for recruiting TGH providers to the State Management Organization, Magellan of Louisiana – soon to the five Bayou Health Plans. If DHH cannot assist with startup funds, these Bayou Health plans are large, public corporations designed to generate profit for shareholders. There are funds available.

3. DHH and the Bayou Health plans must **create supportive relationships with potential TGH providers** which facilitate the creation of services. This is a generalization, but in my experience it holds true: by design, the Department of Health and Hospitals focuses more on regulations than on relationships. At the same time, the people who care directly for others – the potential Therapeutic Group Home providers – are relationship-oriented people.

4. Louisiana's Department of Health and Hospitals must regularly and **transparently report the number of Louisiana's children who have been and who are being placed out of state** for treatment purposes. If the number is 0, report it. If the number is 40, report it. Whatever the actual number is, Louisiana's children have been placed in facilities out of state because services that once existed were eliminated before replacement services were available within the Louisiana Behavioral Health Partnership. That replacement services have not become available in Louisiana means children will be placed out-of-state.

Providing residential care for children “in Louisiana” is important, too. The closer a child is to her or his family or foster family, the easier it is for family to participate in treatment. What we know for certain is that the more a family participates in treatment, the greater the chance of a successful outcome.

Also, by reporting all out-of-state placements, the State will create its own motivation to resolve the problem of the missing Therapeutic Group Homes. It will keep the issue visible until it is resolved.

Summary

So, to summarize this year's update, we know the following:

Some number of Louisiana's children are still being placed out-of-state because sufficient services and resources are not available within our own state.

Beginning December 1, 2015, the five Bayou Health plans will be contractually responsible to build their networks of service providers.

We have 11% of the Therapeutic Group Home beds required for Louisiana children.

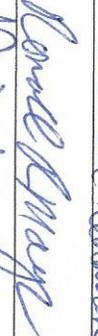
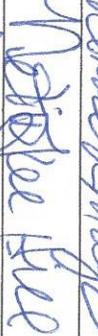
There is still much to do.

Share this:

Printed Name	Signature	Address	Comment	Date
DIANE MOSSES	Diane Mosses	2816 Ashleigh Dr	504-218-5015	6/23/16
Sylvia Morgan	Sylvia Morgan	3007 Hawthorn Ln	813-316-4361	6/23/16
Terrie Whalberg	Terrie Whalberg	3009 Tara Dr.	504-266-5243	6/23/16
Darlene Thompson	Darlene Thompson	2813 Ashley Dr	504-610-4958	6/23/16
Quansha Lewis	Quansha Lewis	2912 Ashley Dr.	504-781-3647	6/23/16
Brianna Dermott	Brianna Dermott	2910 Ashley Dr	(504)-222-4260	6/23/16
Shirley Bailey	Shirley Bailey	3004 W Riley Dr	(504)473-1484	6-23-16
Mrs. Denita Henderson	Mrs. Henderson	3100 Ashly Dr	504-272-0439	6-23-16
STACY FISOLA	STACY FISOLA	3104 Ashley Dr	504-	6/23/16
Shad Davis	Shad Davis	3109 Ashley Dr	(504) 373-8710	6/23/16
Samantha Henderson	Samantha Henderson	2630 Angelique	(504) 288-7625	6/23/16
Darlene Mossey	Darlene Mossey	2921 Ashleigh Dr	504-256-4241	6-23-16
BERNAD BARB	Bernad Barb	3001 Thrane	504-914-2893	6-23-16
Tyrone Smith	Tyrone Smith	3016 Angelique Dr	504-214-2894	

Petition to Open AngelicCare LLC

Petition summary and background	Included on Page 1 (Introduction)
Action petitioned for	We, the undersigned, are citizens who urge our leaders to act now to allow AngelicCare LLC to operate in our community.

Printed Name	Signature	Address	Comment	Date
Ashante' Harris		35125 Shannon Dr		6/22/16
Danny Webster		3320 Shannon Dr.	504-250-6684	6/22/2016
		3505 Shannon Dr	Vacant -	
		3508		
		3504	Vacant.	
Lesell Williams		3421 Shannon Dr.	# 202	6/22/16
Joseph Sylvestor		3409 Shannon Dr	For	6-22-16
Wanda Reddick-Wanda Reddick		3400 Shannon Dr.	For 504-410 6883	6/22/16
Ronald R. Mays		3312 SHANNON DR	(504) 272-0491	6/22/16
Michelle Hill		3308 Shannon Dr.	(504) 231-1098	6-22-16
Ariel Sims		3304 Shannon Dr.	610-2879	6/22/16
Walt Davids		3208 Shannon Dr	(504) 555-0808	6/22/16
Darlene Gsie		3105 Shannon Dr	(504) 205-9490	6/22/16

*
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Printed Name	Signature	Address	Comment	Date
Fergine Smith	Fergine Smith	3121 Angelique Dr	504-272-0459	5-10-16
Rosetta Gabriel	Rosetta Gabriel	3217 Angelique Dr	504-377-3276	5-10-16
Geoffrey Richard	Geoffrey Richard	3201 Angelique Dr	254-1558	5-16-16
Yvonne Stokes	Yvonne Stokes	3301 Angelique Dr	920-8531	5-10-16
Sandra Langley	Sandra Langley	3313 Angelique Dr.	504-231-3395	5-10-16
Pauline Duster	Pauline Duster	3321 Angelique Dr	504-309-5751	5-10-16
Monica Newman	Monica Newman	3317 Angelique Dr	504-376-5365	5-10-16
LAToya Brown	LAToya Brown	3501 Angelique Dr.	504-756-7471	5-10-16
Theray Silve	Theray Silve	3505 Angelique Dr	504-227-7789	5-10-16
Sarah Thomas	Sarah Thomas	3413 Angelique Dr	504-913-0174	5-10-16
DANIQUE DAVIS	DANIQUE DAVIS	2881 Ashley Dr	504-305-9680	5-23-16
MATASHA SPICER	MATASHA SPICER	2900 Ashley Dr.	504-382-6281	6-10-16
MELISSA HONENSEE	MELISSA HONENSEE	2909 Ashley Dr.	504-272-0639	6-23-16
KARISKA RICHARD	KARISKA RICHARD	3001 Ashley Dr.	504-202-5862	6-23-16
Delpharouch Herbert	Delpharouch Herbert	3005 Ashley Dr.	504-682-1843	6/23/16
Jessica Ruiz	Jessica Ruiz	3105 Ashley Dr.	504-813-1359	6-23-16

Petition to Open AngelicCare LLC

Petition summary and background	Included on Page 1 (Introduction)
Action petitioned for	We, the undersigned, are citizens who urge our leaders to act now to allow AngelicCare LLC to operate in our community.

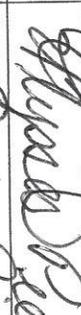
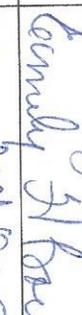
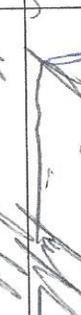
Printed Name	Signature	Address	Comment	Date
Regina Green	<i>Regina Green</i>	3420 Shannon Dr.	504-682-3166	6-22-16
BEVERLY R Beverlyn	<i>Beverlyn R. Beverlyn</i>	3412 Shannon Dr.	504-508-7689	6-21-16
Ulysses Duplessis III	<i>Ulysses Duplessis III</i>	3117 Shannon Dr.	504) 484-2968	6-22-16
Gaynelle Detcher	<i>Gaynelle Detcher</i>	3112 Shannon Dr.	(504) 266-5761	6-22-16
LAURENCE BRIDGEMAN	<i>Lauren Bush</i>	3012 SHANNON DR	504 473-7432	6-22-16
Karl Beards	<i>Karl Beards</i>	2920 SHANNON DR	504-451-4428	6-22-16
Eddie Mills	<i>Eddie Mills</i>	2912 Shannu		
Eddie Mills	<i>Eddie Mills</i>	2908 Shanna Dr	504-261-2033	6-22-2016
Yasha Mills	<i>Yasha Mills</i>	2912-Shannon Dr	504-701-9084	6-22-2016
Karen Walker	<i>Karen Walker</i>	2904 Shannon Dr.	504-812-6446	6-22-2016
Jerry Moore	<i>Jerry Moore</i>	2901 Shann Dr	(504) 564-2442	4/22/16
Kimberly Egan	<i>Kimberly Egan</i>	2817 Shannon Dr	(832) 675-2486	6-22-16
Glenn Higgins	<i>Glenn Higgins</i>	2808 Shannon Dr	(504) 682-2871	6/22/16

*

Printed Name	Signature	Address	Comment	Date
Perry Cosiet		3105 Sherman Dr	(504) 418-5584	6/22/16
Victor McBill		2005 Sherman Dr	(504) 371-5402	6/22
Deetra Major		2921 Sherman Dr	504) 413-0399	6/22/16
Deetra Major	Signature	2914 Sherman Dr	Vacant	6/22/16
Deetra Major	Signature	2913 Sherman Dr	Vacant	6/22/16
Nicholas Ford		2905 Sherman Dr	504) 331-5277	6/22/16
Pollevia Williams		2921 Sherman Dr	(504) 391-2512	6/22/16
Ashante Segue		8400 Sherman Dr.	(504) 564-4897	6/22/16
Tina Jackson		2813 Sherman Dr	504 906-7060	6/22/16
Ms Shona Williams		2804 Sherman Dr	(504) 319-3116	6/22/16
Charles Willey		2718 Sherman	(504) 452-2825	6/22/16
Amelia Wink		2805 Angelique Dr	504-322-9201	6/22/16
Raymond Kete		2820 Angelique Dr	(504) 355-6719	
Sulie Duette		2816 Angelique Dr.	(504) 220-3387	
Imelia Dunblor		2916 Angelique Dr	504 602-4602	6/22/16

Petition to Open AngelicCare LLC

Petition summary and background	Included on Page 1 (Introduction)
Action petitioned for	We, the undersigned, are citizens who urge our leaders to act now to allow AngelicCare LLC to operate in our community.

Printed Name	Signature	Address	Comment	Date
WILLIAM LEFLORE		2813 ANSCHELICE	(504) 239-0985	6/22/16
TRISTOSHUP		2821 ANGELIQUE	114609-3716	6/24/16
ALYSSA		2908 ANGELIQUE	272 0057	6/22/16
DALE FIERRE		2908 ANGELIQUE	419 2230	6/22/16
TRACEY BROCK		1 Ashland Dr.		6/22/16
CONNIE SHAY		3300 Oakley Dr.	678-457-0836	6/23/16
JERRY MOORE			(504) 654-7331	6/23/16
KAVONNA JEFFERSON		3204 Shannon Dr.	520-9698	6-23-16
KEN JEFFERSON		3204 Shannon Dr.	520-0391	6-23-16

3408 Angelique Dr.

Petition to Open Angelicare TGH LLC

Petition summary and background
 We are requesting your participation in allegiance with AngliCare TGH LLC. AngeliCare is a positive environment representing appropriate moral, ethical and professional behavior. Our goal is striving to provide quality services and support to assist the consumers to live as independently, as possible when in the community. AngeliCare is asking for your approval to be operational in our community and would like your support.

Action petitioned for
 We, the undersigned, are citizens who urge our leaders to act now to allow AngeliCare LLC to be operational in our community.

Printed Name	Signature	Address	Comment & Phone #	Date
Vanessa Claverie	Vanessa Claverie	3400 Angelique Dr. Vol 4710095		5/10/16
Nichelle Johnson	Nichelle Johnson	3316 Angelique Dr. Vol 4710095	985-6035-9696	5/10/16
Trenice Jefferson	Trenice Jefferson	3312 Angelique Dr	281.796.3692 yes.	5/10/16
Shony Brown	Shony Brown	3308 Angelique Dr.	682-5353	5/10/16
Wynne Miller	Wynne Miller	3370 Angelique Dr	(504) 355-5710	5/16/16
Tyrene Nelson	Tyrene Nelson	3401 Shannon	(504) 428-9686	5/16/16
Karla Borne	Karla Borne	3100 Shannon	504.617.8952	5/10/16
CATRINE SMITH	CATRINE SMITH	3208 Angelique Dr	504-553-1058	5/10/16
William Leon	William Leon	3120 Angelique Dr	504-682-9846 gas	5-10-16
Dorian Williams	Dorian Williams	3112 Angelique Dr	(504) 287-9838	5-10-16
Jacqueline Taha	Jacqueline Taha	3113 Angelique	(504) 405-6575	5-10-16

Advocating for Louisiana's Children:
Louisiana's Children are Being Placed Out-of-State

June 2014

*1st in a Series of Advocacy Papers with Questions for
Louisiana's 2015 Gubernatorial Candidates*

Louisiana United Methodist Children and Family Services, Inc.
More than 110 Years of Ministry to Louisiana's Children and Families

Advocating for Louisiana's Children: Louisiana's Children are Being Placed Out-of-State

“Unfortunately, current providers of residential care for children are disappearing. Some have reduced the number of children they care for due to the new licensing regulations. With this loss of providers and beds, I fear we are also losing the potential to create what could be an exceptional network of care for children.”¹

Since those words were penned in August 2013, Louisiana has lost additional residential group homes for children.

If residential services for children were not needed in Louisiana, this loss of providers would be reasonable. However, a number of Louisiana's children and adolescents must be placed in treatment programs in other states because sufficient treatment services are not available in Louisiana.

Louisiana's Coordinated System of Care recently celebrated its third anniversary. Created by an Executive Order issued by Governor Jindal on March 3, 2011,² Coordinated System of Care became operational when Magellan of Louisiana began acting under the supervision of Louisiana's Department of Health and Hospitals' Office of Behavioral Health as the State Management Organization on March 1, 2012.³

The three goals of Coordinated System of Care are: “Reduction in the number of targeted children and youth in detention and residential settings; Reduction of the state's cost of providing services by leveraging Medicaid and other funding sources; and Improving the overall outcomes for these children and their caregivers”.⁴ These are worthy goals. However, the immediate needs of child must be met as these goals are attempted.

General Fund dollars from each of the four state departments responsible to care for children were pooled as match to expand Medicaid funded behavioral health services. The plan was to use \$65.8 million in existing state general funds to draw down a total of \$101 million in additional Medicaid dollars, providing the state with an estimated total state savings of \$16.3 million through fiscal year 2013.⁵

Of course, when Medicaid dollars are “pulled down”, those dollars come with significant strings attached. There have been consequences to Louisiana's child welfare system.

Residential services for children which were in place when Louisiana created the Louisiana Behavioral Health Partnership and Coordinated System of Care were reduced or eliminated before sufficient replacement services have been made available.

During the planning period for Louisiana's Coordinated System of Care, Louisiana's Department of Health and Hospitals determined Louisiana needed 275 Therapeutic Group Home beds for children and adolescents.⁶ Today, June 3, 2014, Louisiana has only 16 of the required Therapeutic Group Home beds.

Louisiana is short by 259 of the needed Therapeutic Group Home beds in communities. Another way of describing the shortfall is to note that Louisiana has about 5% of the required Therapeutic Group Home beds for children. Louisiana has licensed 2 of the needed 35 Therapeutic Group Homes for children and adolescents⁷. (275 required beds divided by the 8 bed maximum per group home requires 35 licensed Therapeutic Group Homes.)

Short of the estimated need and as evidenced by the placement of Louisiana's children in other states, Louisiana does not have sufficient residential treatment services available for children who require out-of-home care. This must be corrected.

The reasons for the shortage of services are several and include the creation of two new Department of Health and Hospitals-licensed levels of residential care in Louisiana without a practical transition plan for providers who might have become licensed as Treatment Group Homes and Psychiatric Residential Treatment Facilities; the underfunding of services; the absence of transitional or start-up funds for providers interested in acquiring one of the two new licenses; and a reduction in reimbursement rates for existing residential care providers who continued under Department of Children and Family Services licensure.

Some former child and adolescent group home providers in Louisiana have closed up shop. Some of these former non-profits had the experience, staff and the heart to become Treatment Group Home providers under the new system, but they could not afford the transition.

There have been hurdles.

The first hurdle is that a provider must be fully operational and fully staffed for the new Therapeutic Group Home license before a licensing inspection can occur. These new licenses require a significant investment on the front end which is never recouped.

The unreimbursed costs associated with additional staff (who must be hired prior to receiving a Therapeutic Group Home license), the costs of licenses for evidence-based treatment practices,

and the costs of accreditation were all financial burdens former group home providers were required to shoulder to become licensed to provide Therapeutic Group Home services.

There was a second hurdle. Even for those former residential providers which may have possessed sufficient financial reserves, the initial per diem reimbursement rate was set too low to fund operations under the new minimum licensing standards. Figuratively speaking, former providers determined they would start out in a hole and never climb out.

Third hurdle: at the same time former providers faced the significant financial costs of new licenses, the per diem reimbursement rates they had been receiving for residential services provided to children and adolescents were cut. Even today, the per diem payment for Non-Medical Group Homes is less than the rate residential group home providers received before Coordinated System of Care was created.⁸

Call to Action

Louisiana does not have the residential services necessary for children and adolescents. Today, without sufficient services for children and adolescents whose needs cannot be met in their families or in foster care, children are being placed in other states. Until necessary services for children and adolescents become available in Louisiana, children will continue to be placed in other states at a distance from their families.

An important task of Louisiana's next governor will be to ensure the intensive treatment services required for children and adolescents are available in our own state.

Questions for Louisiana's Next Governor:

1. How will you ensure Louisiana's children receive out-of-home care in Louisiana?
2. How will you ensure Louisiana has a properly balanced array of services for children and adolescents?
3. How will you ensure Louisiana's providers of out-of-home care for children who cannot live with their families are reimbursed the costs of care?
4. How will you fast track the recruitment of residential service providers sufficient to meet the needs of Louisiana's children?

References

1. Louisiana Methodist Children's Home. (2013, August 31). New System has Gaps in Important Services for Louisiana's Children [Blog post]. Retrieved from <http://www.LMCH.org/new-system-has-gaps-in-important-services-for-louisianas-children/>
2. La. Exec. Order No. 2011-5 (2011, March 3). Retrieved from <http://gov.la.gov/assets/docs/5%20BJ%202011%20CSoc%20Governance%20Board.pdf>.
3. (2012, February 24). [PowerPoint slides]. Retrieved from <http://new.dhh.louisiana.gov/assets/docs/BehavioralHealth/LBHP/ProviderFAQs022412.pdf>
4. (2011, September 1). [PowerPoint slides]. Retrieved from <http://new.dhh.louisiana.gov/assets/docs/BehavioralHealth/publications/CSOC/Doucments/CSOCProgDescrip9111.pdf>
5. Governor Jindal Announces New "Coordinated System of Care" to Streamline State Services & Help Louisiana's At-Risk Youth. (2011, March 3). Retrieved from <http://www.dcf.louisiana.gov/index.cfm?md=newsroom&tmp=detail&articleID=336>
6. (2011, April 20). Residential Facilities Transition Technical Assistance Meeting[PowerPoint slides]. Retrieved from http://www.csoc.la.gov/assets/csoc/Documents/20110420_ResidentialFacilitiesTransition_TAM.pdf
7. (2014, June 3). Louisiana Department of Health and Hospitals Provider Directory. Retrieved from <http://new.dhh.louisiana.gov/index.cfm/directory/home#c301>
8. The per diem reimbursement rate for Non-Medical Group Home providers is \$125.63. *LBHP Services Manual Codes, Version 7 - Updated 12/26/2012*, Tab 11 "Non-Medical Group Home", Retrieved from <http://new.dhh.louisiana.gov/assets/docs/BehavioralHealth/LBHP/ServicesManualCodes-Current.xlsx>

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 16, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 2, 2016 COUNCIL MEETING:

Summary No. 3403

Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-013**, PETITION OF CATHY MOORE FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3008 ROSETTA DRIVE, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-013**, Petition of Cathy Moore for a Zoning Change from "R-1, (Single Family Residential)" to "R-2, (Two-Family Residential)" for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, Rosetta Drive Extension, designated as Lot 21A. Property Location: 3008 Rosetta Drive, Chalmette, LA 70043.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION

FROM: ERIC TOLLE, RECOVERY PLANNER

DATE: JULY 26, 2016

ZONING CHANGE & CONDITIONAL USE REPORT

Case Number: Z- 2016-015

Owner/Representative: Demetria Brown

Property Address: 6415 Jules Brown Street, Violet

Property Location: South Bournemouth, Square 10, Lot 4

Current Site Area: 4,800 sq. ft. or 0.111 acres

Present Use: Vacant Lot

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-1(M) (Single-Family Dwelling and Mobile Home Residential) District

Proposed Zoning: C-1 (Neighborhood Commercial) District

Reason For Request: A zoning change to allow a snowball stand

I. Executive Summary:

Zoning Docket Z-2016-015 is a request for a zoning change from an R-1(M) (Single-Family Dwelling and Mobile Home Residential) district to a C-1 (Neighborhood Commercial) district. The lot is approximately 40' by 120' and has a total area of 4,800 sq. ft. or .111 acres. The site is currently a vacant lot. The applicant is requesting for the zoning change and Conditional Use Permit to allow a snowball stand.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to its inconsistency with the Comprehensive Plan and its spot zone nature.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Google Street View (05/2011)

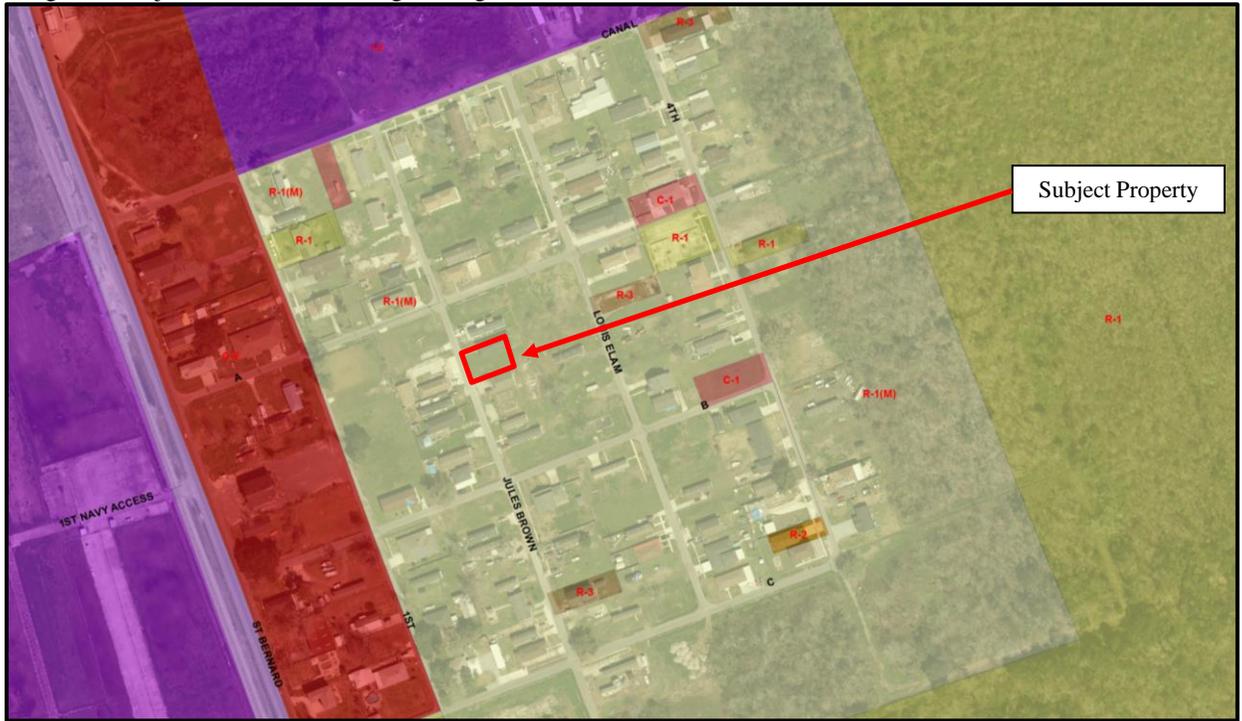
B. Site Description:

The subject site consists of one (1) lot of record located on Jules Brown Drive. The lot is approximately 40' by 120' and has a total area of 4,800 sq. ft. or .111 acres. The site currently sits on a vacant lot between two (2) single-family residences.

C. Surrounding Land Uses and Zoning

As shown in Image #3, the subject property is located completely within an R-1(M) (Single-Family and Mobile Home Residential) district. The surrounding area is developed as a single-family residential neighborhood with some vacant lots. Existing spot zones already exist and dot the neighborhood.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Design Review of Site Plan:

Section 22-2-4 - Interpretation; Definitions - Itinerant Market (Seasonal): The retail sale of any products (including seafood, farmers and pop-up markets as well as snowball/ice-cream stands etc.) for a period of not more than six (6) months of anyone (1) calendar year that are not housed in permanent structures (building with permanent foundations or pilings); excluding produce.

Section 22-6-4 – Permitted uses in business and industrial districts:

Itinerant market (seasonal) shall meet the following conditions:

- a. Itinerant markets shall be located on private property. Market or stand locations and parking within public rights-of-way shall be strictly prohibited.
- b. Permits/business licenses issued on a one (1) calendar year basis.
- c. Shall designate one thousand (1,000) square feet of off-street parking area.
- d. In no event shall the permittee or anyone else be allowed to sell any products within one thousand (1,000) feet of an established retail entity with sales of similar goods or other itinerant markets.
- e. An itinerant market must be approved per conditional use by parish council.

The applicant's request and provided documents, shown in the appendix of this report, will be assessed under the following criteria:

1. Harmony with the area (*Section 22-8-2.1*):

The subject property is immediately adjacent to single-family residential developments. The property is located within a predominate R-1(M) (Single Family and Mobile Home Residential) zone district. The proposed C-1 (Neighborhood Commercial) zoning district allows seasonal itinerant markets via Condition Use Permit. The C-1 district also allows for other commercial uses such as restaurants and retail establishments. The staff believes that if the subject property were to be re-zoned to C-1, the impacts of a snowball stand to the adjacent residential areas could be mitigated through conditions listed within Section D of this report; however the proposed use would be completely isolated on that block the only commercial use.

2. Adequate access (*Section 22-8-2.2*):

The applicant has not submitted a detailed site plan indicating ingress/egress. The staff believes that a snowball stand at this location could generate additional traffic demands onto Jules Brown Street and the adjacent minor roadways.

If the project were to be approved, the staff recommends the following condition to site access as a part of the approval:

- The applicant shall provide a driveway and curb-cut plan, subject to the review and approval of the Department of Public Works.

3. Adequate infrastructure (*Section 22-8-2.3*):

The staff believes adequate infrastructure is in place for this activity, subject to operational standards permitted by Local, State and Federal agencies.

4. Natural resource conservation (*Section 22-8-2.4*):

The staff believes there is no natural resource conservation issues associated with this project.

5. Compatible design (*Section 22-8-2.5*):

The applicant is proposing a seasonal snowball stand at the subject property. The applicant has not submitted a site plan to staff indicating proposed parking. The proposal is subject to the following requirements:

Section 22-7-3.4. - Parking lot design:

- a. All parking spaces, loading facilities, and access roadways shall be paved unless the board of zoning adjustments approves an adequate alternate all-weather surface.
- d. Driveways and traffic aisles shall be at least twenty-four (24) feet wide unless modified by the department of community development.
- f. All parking spaces shall be marked with clearly visible striping at least four (4) inches wide.
- h. All parking spaces and access roadways shall be suitably lighted.
- i. Unless modified by the board of zoning adjustments, all nonresidential parking spaces, loading spaces, driveways, access roadways, and traffic aisles shall be located at least:
 1. Twenty-five (25) feet from a front property line;
 2. Ten (10) feet from any side or rear property line; and
 3. Ten (10) feet from the front, rear or sides of any business structure.

Section 22-7-3 – Number of Off-Street Parking Spaces:

Itinerant Market (Seasonal): **Shall designate 1,000 sq. ft. of off-street parking area (1)**

(1) Parking spaces not subject to the requirements of Section 22-7 – Site Development Standards.

Chapter 22-7-2.4 – Landscape Plan: states that a landscape plan shall be prepared by a Louisiana Licensed Landscape Architect subject to a list of criteria prior to issuance of a building permit.

If the project were to be approved, the staff recommends the following conditions to the compatible design as a part of the approval:

- The applicant shall submit a site plan consistent with the parking and landscape requirements mentioned in this section, or seek a waiver for such site improvements through the Board of Zoning Adjustments, subject to the review and approval of the staff of the Department of Community Development.

6. Public health, safety and welfare (*Section 22-8-2.6*):

The staff has not received comment from other municipal, state or federal agencies with regard to public health, safety and welfare as it relates to the petitioned projects. The staff does not believe that public health, safety and welfare would be negatively impacted as result of this project.

7. Residential impact (*Section 22-8-2.7*):

Some area residents may be impacted by a snowball stand. Staff believes the site can mitigate these perceived impacts through the use of conditions stipulated within the design review section of the report. For this reason, the staff does not anticipate significant environmental or operational impacts to adjacent and surrounding residential developments with regard to its proposed use.

E. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a C-1 (Neighborhood Commercial) district in order to establish a snowball stand.

The intent of the R-2 (Two-Family Residence) district is to allow low to mid density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested location to not have a significant impact of adjacent land uses in excess of existing conditions.

F. Block-face study

Staff conducted a block-face study of the area around the subject property. The study assessed the block as consisting of lots containing single-family residences along with some vacant lots. Some materials were noticeably being stored on a few of these vacant lots.

G. Can the request be considered a spot zone?

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3, the request consists of a property that is located completely within an R-1(M) (Single-Family and Mobile Home Residential) district. It should be noted that this neighborhood consists of several spot zones including three C-1 (Neighborhood Commercial) spot zone districts.

III. Comprehensive Plan:

Image #4: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1(M) (Single-Family and Mobile Home Residential) zoning district to a C-1 (Neighborhood Commercial) zoning district. The requested zoning change would be **inconsistent** with the land use standards of the Comprehensive Plan for Medium Density Residential.

IV. Summary:

Zoning Docket Z-2016-015 is a request for a zoning change from an R-1(M) (Single-Family and Mobile Home Residential) district to a C-1 (Neighborhood Commercial) district. The site consists of a vacant 40' by 120' lot. The applicant is requesting for the zoning change to allow a snowball stand located on-site.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to its inconsistency with the Comprehensive Plan and its spot zone nature.

V. Staff Recommendation:

The staff recommends **DENIAL** of Z-2016-015, a request for a zoning change from R-1(M) (Single-Family and Mobile Home Residential) district to C-1 (Neighborhood Commercial) district subject to the following:

- All recommendations set forth in Section D of this report.

VI. Reason for Recommendation:

1. The proposed C-1 (Neighborhood Commercial) zoning district would be considered inconsistent with the Comprehensive Plan and a spot zone.

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Joshika Addison Robertson

Print Name

Joshika Addison Robertson

Signature

2. Nathaniel Robertson

Print Name

Nathaniel Robertson

Signature

3. Joseph Addison Jr

Print Name

Joseph Addison Jr

Signature

4. Whanne Mullen

Print Name

Whanne Mullen

Signature

5. Earl James

Print Name Roosevelt Walker

Earl James

Signature

6. Rosematt Walker

Print Name

Rosematt Walker

Signature

7. Reynold Hodges

Print Name

Reynold Hodges

Signature

8. Reynold Richards

Print Name

Reynold Richards

Signature

9. Ervin Bourke

Print Name

Ervin Bourke

Signature

10. Ricardo A. Sanchez

Print Name

Ricardo A. Sanchez

Signature

11. Daniel Santiago

Print Name

Daniel Santiago

Signature

12. Marc Bienemy

Print Name

Marc Bienemy

Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Carolyn Biewemy Fernandez
Print Name

Carolyn Biewemy Fernandez
Signature

2. George L. Fernandez
Print Name

George L. Fernandez
Signature

3. Joseph Addison
Print Name

Joseph Addison
Signature

4. Jarrell Johnson
Print Name

Jarrell Johnson
Signature

5. Dennise Bennett
Print Name

Dennise Bennett
Signature

6. JACOBY KING
Print Name

Jacoby King
Signature

7. Anthony Hodges
Print Name

Anthony Hodges
Signature

8. Cathy Moore
Print Name

Cathy Moore
Signature

9. Emile Barkley
Print Name

Emile Barkley
Signature

10. Marcus Moore
Print Name

Marcus Moore
Signature

11. Jerry Moore
Print Name

Jerry Moore
Signature

12. Gwen Brown
Print Name

Gwen Brown
Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Alma Brown

Print Name

Alma Brown

Signature

2. Coat Williams

Print Name

Coat Williams

Signature

3. Genevieve Ross

Print Name

Genevieve Ross

Signature

4. ALMA MULLEN

Print Name

Alma Mullen

Signature

5. Gilston Russell

Print Name

Gilston Russell

Signature

6. Lawrence Williams

Print Name

Lawrence Williams

Signature

7. Rose Mary Jones

Print Name

ROSE MARY JONES

Signature

8. Beverly Sanders

Print Name

Beverly Sanders

Signature

9. Joleen Brown

Print Name

Joleen Brown

Signature

10. Branden Angelety

Print Name

Branden Angelety

Signature

11. Gabriel Angelety

Print Name

Gabriel Angelety

Signature

12. Verdian M. Brown

Print Name

Verdian M. Brown

Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. SHERMAN Brown Sherman Brown
Print Name Signature
2. Anthony Tucker Anthony Tucker
Print Name Signature
3. Violet Tucker Violet Tucker
Print Name Signature
4. Lucille Alveris Lucille Alveris
Print Name Signature
5. Jane Brown Jane Brown
Print Name Signature
6. Sylvia Duplessis Sylvia Duplessis
Print Name Signature
7. Arrendia Brown Arrendia Brock
Print Name Signature
8. LaShonta Brown LaShonta Brown
Print Name Signature
9. Kaylene L Shinn Kaylene L Shinn
Print Name Signature
10. Clifford Brown Clifford Brown
Print Name Signature
11. Bobby Tucker Bobby Tucker
Print Name Signature
12. Samuella Jones Samuella Jones
Print Name Signature

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 16, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 2, 2016 COUNCIL MEETING:

Summary No. 3404

Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-015**, Petition of Demetria Brown for a Zoning Change from "R-1(M), (Mobile Home Single-Family Residential)" to "C-1, (Neighborhood Commercial)" and a Conditional Use to allow an Itinerant Market (seasonal) for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, South Bournemouth, Square 10, designated as Lot 4. Property Location: 6415 Jules Brown Street, Violet, LA 70092.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION

FROM: ERIC TOLLE, RECOVERY PLANNER

DATE: JULY 26, 2016

ZONING CHANGE & CONDITIONAL USE REPORT

Case Number: Z- 2016-015

Owner/Representative: Demetria Brown

Property Address: 6415 Jules Brown Street, Violet

Property Location: South Bournemouth, Square 10, Lot 4

Current Site Area: 4,800 sq. ft. or 0.111 acres

Present Use: Vacant Lot

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-1(M) (Single-Family Dwelling and Mobile Home Residential) District

Proposed Zoning: C-1 (Neighborhood Commercial) District

Reason For Request: A zoning change to allow a snowball stand

I. Executive Summary:

Zoning Docket Z-2016-015 is a request for a zoning change from an R-1(M) (Single-Family Dwelling and Mobile Home Residential) district to a C-1 (Neighborhood Commercial) district. The lot is approximately 40' by 120' and has a total area of 4,800 sq. ft. or .111 acres. The site is currently a vacant lot. The applicant is requesting for the zoning change and Conditional Use Permit to allow a snowball stand.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to its inconsistency with the Comprehensive Plan and its spot zone nature.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Google Street View (05/2011)

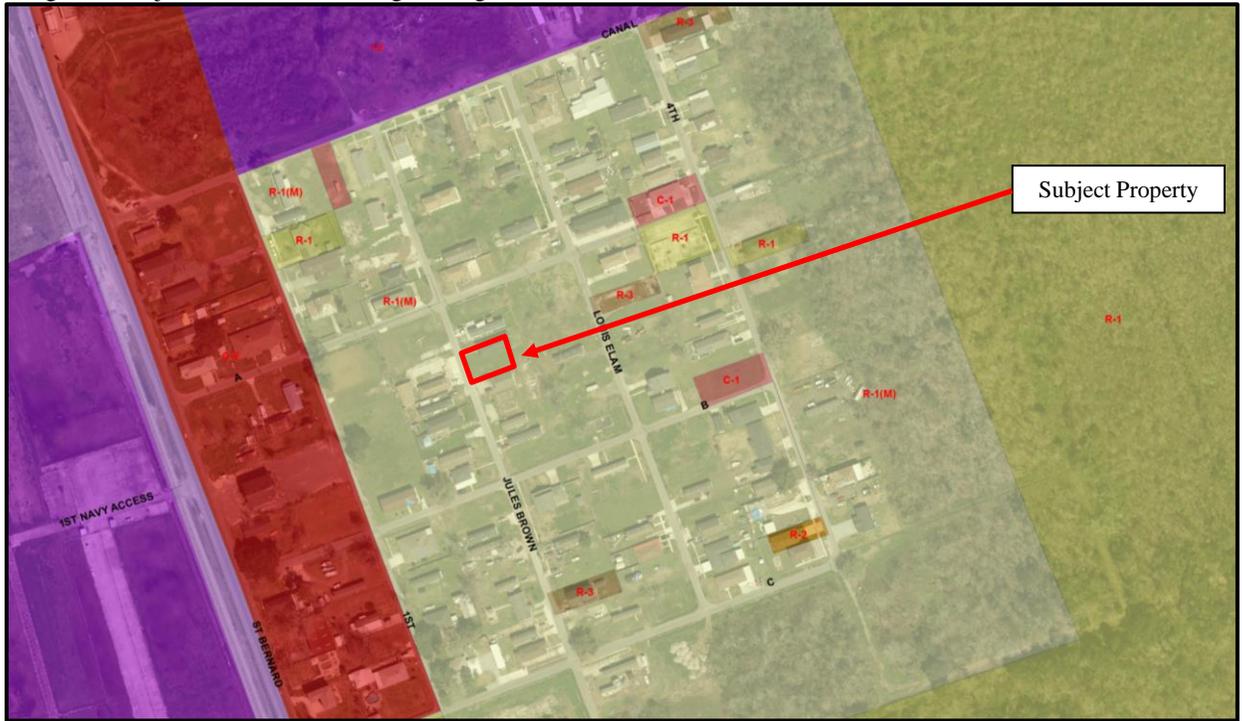
B. Site Description:

The subject site consists of one (1) lot of record located on Jules Brown Drive. The lot is approximately 40' by 120' and has a total area of 4,800 sq. ft. or .111 acres. The site currently sits on a vacant lot between two (2) single-family residences.

C. Surrounding Land Uses and Zoning

As shown in Image #3, the subject property is located completely within an R-1(M) (Single-Family and Mobile Home Residential) district. The surrounding area is developed as a single-family residential neighborhood with some vacant lots. Existing spot zones already exist and dot the neighborhood.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Design Review of Site Plan:

Section 22-2-4 - Interpretation; Definitions - Itinerant Market (Seasonal): The retail sale of any products (including seafood, farmers and pop-up markets as well as snowball/ice-cream stands etc.) for a period of not more than six (6) months of anyone (1) calendar year that are not housed in permanent structures (building with permanent foundations or pilings); excluding produce.

Section 22-6-4 – Permitted uses in business and industrial districts:

Itinerant market (seasonal) shall meet the following conditions:

- a. Itinerant markets shall be located on private property. Market or stand locations and parking within public rights-of-way shall be strictly prohibited.
- b. Permits/business licenses issued on a one (1) calendar year basis.
- c. Shall designate one thousand (1,000) square feet of off-street parking area.
- d. In no event shall the permittee or anyone else be allowed to sell any products within one thousand (1,000) feet of an established retail entity with sales of similar goods or other itinerant markets.
- e. An itinerant market must be approved per conditional use by parish council.

The applicant's request and provided documents, shown in the appendix of this report, will be assessed under the following criteria:

1. Harmony with the area (*Section 22-8-2.1*):

The subject property is immediately adjacent to single-family residential developments. The property is located within a predominate R-1(M) (Single Family and Mobile Home Residential) zone district. The proposed C-1 (Neighborhood Commercial) zoning district allows seasonal itinerant markets via Condition Use Permit. The C-1 district also allows for other commercial uses such as restaurants and retail establishments. The staff believes that if the subject property were to be re-zoned to C-1, the impacts of a snowball stand to the adjacent residential areas could be mitigated through conditions listed within Section D of this report; however the proposed use would be completely isolated on that block the only commercial use.

2. Adequate access (*Section 22-8-2.2*):

The applicant has not submitted a detailed site plan indicating ingress/egress. The staff believes that a snowball stand at this location could generate additional traffic demands onto Jules Brown Street and the adjacent minor roadways.

If the project were to be approved, the staff recommends the following condition to site access as a part of the approval:

- The applicant shall provide a driveway and curb-cut plan, subject to the review and approval of the Department of Public Works.

3. Adequate infrastructure (*Section 22-8-2.3*):

The staff believes adequate infrastructure is in place for this activity, subject to operational standards permitted by Local, State and Federal agencies.

4. Natural resource conservation (*Section 22-8-2.4*):

The staff believes there is no natural resource conservation issues associated with this project.

5. Compatible design (*Section 22-8-2.5*):

The applicant is proposing a seasonal snowball stand at the subject property. The applicant has not submitted a site plan to staff indicating proposed parking. The proposal is subject to the following requirements:

Section 22-7-3.4. - Parking lot design:

- a. All parking spaces, loading facilities, and access roadways shall be paved unless the board of zoning adjustments approves an adequate alternate all-weather surface.
- d. Driveways and traffic aisles shall be at least twenty-four (24) feet wide unless modified by the department of community development.
- f. All parking spaces shall be marked with clearly visible striping at least four (4) inches wide.
- h. All parking spaces and access roadways shall be suitably lighted.
- i. Unless modified by the board of zoning adjustments, all nonresidential parking spaces, loading spaces, driveways, access roadways, and traffic aisles shall be located at least:
 1. Twenty-five (25) feet from a front property line;
 2. Ten (10) feet from any side or rear property line; and
 3. Ten (10) feet from the front, rear or sides of any business structure.

Section 22-7-3 – Number of Off-Street Parking Spaces:

Itinerant Market (Seasonal): **Shall designate 1,000 sq. ft. of off-street parking area (1)**

(1) Parking spaces not subject to the requirements of Section 22-7 – Site Development Standards.

Chapter 22-7-2.4 – Landscape Plan: states that a landscape plan shall be prepared by a Louisiana Licensed Landscape Architect subject to a list of criteria prior to issuance of a building permit.

If the project were to be approved, the staff recommends the following conditions to the compatible design as a part of the approval:

- The applicant shall submit a site plan consistent with the parking and landscape requirements mentioned in this section, or seek a waiver for such site improvements through the Board of Zoning Adjustments, subject to the review and approval of the staff of the Department of Community Development.

6. Public health, safety and welfare (*Section 22-8-2.6*):

The staff has not received comment from other municipal, state or federal agencies with regard to public health, safety and welfare as it relates to the petitioned projects. The staff does not believe that public health, safety and welfare would be negatively impacted as result of this project.

7. Residential impact (*Section 22-8-2.7*):

Some area residents may be impacted by a snowball stand. Staff believes the site can mitigate these perceived impacts through the use of conditions stipulated within the design review section of the report. For this reason, the staff does not anticipate significant environmental or operational impacts to adjacent and surrounding residential developments with regard to its proposed use.

E. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a C-1 (Neighborhood Commercial) district in order to establish a snowball stand.

The intent of the R-2 (Two-Family Residence) district is to allow low to mid density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested location to not have a significant impact of adjacent land uses in excess of existing conditions.

F. Block-face study

Staff conducted a block-face study of the area around the subject property. The study assessed the block as consisting of lots containing single-family residences along with some vacant lots. Some materials were noticeably being stored on a few of these vacant lots.

G. Can the request be considered a spot zone?

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3, the request consists of a property that is located completely within an R-1(M) (Single-Family and Mobile Home Residential) district. It should be noted that this neighborhood consists of several spot zones including three C-1 (Neighborhood Commercial) spot zone districts.

III. Comprehensive Plan:

Image #4: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1(M) (Single-Family and Mobile Home Residential) zoning district to a C-1 (Neighborhood Commercial) zoning district. The requested zoning change would be **inconsistent** with the land use standards of the Comprehensive Plan for Medium Density Residential.

IV. Summary:

Zoning Docket Z-2016-015 is a request for a zoning change from an R-1(M) (Single-Family and Mobile Home Residential) district to a C-1 (Neighborhood Commercial) district. The site consists of a vacant 40' by 120' lot. The applicant is requesting for the zoning change to allow a snowball stand located on-site.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to its inconsistency with the Comprehensive Plan and its spot zone nature.

V. Staff Recommendation:

The staff recommends **DENIAL** of Z-2016-015, a request for a zoning change from R-1(M) (Single-Family and Mobile Home Residential) district to C-1 (Neighborhood Commercial) district subject to the following:

- All recommendations set forth in Section D of this report.

VI. Reason for Recommendation:

1. The proposed C-1 (Neighborhood Commercial) zoning district would be considered inconsistent with the Comprehensive Plan and a spot zone.

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Joshika Addison Robertson

Print Name

Joshika Addison Robertson

Signature

2. Nathaniel Robertson

Print Name

Nathaniel Robertson

Signature

3. Joseph Addison Jr

Print Name

Joseph Addison Jr

Signature

4. Whanne Mullen

Print Name

Whanne Mullen

Signature

5. Earl James

Print Name Roosevelt Walker

Earl James

Signature

6. Rosematt Walker

Print Name

Rosematt Walker

Signature

7. Reynold Hodges

Print Name

Reynold Hodges

Signature

8. Reynold Richards

Print Name

Reynold Richards

Signature

9. Ervin Bourke

Print Name

Ervin Bourke

Signature

10. Ricardo A. Sanchez

Print Name

Ricardo A. Sanchez

Signature

11. Daniel Santiago

Print Name

Daniel Santiago

Signature

12. Marc Bienemy

Print Name

Marc Bienemy

Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Carolyn Biewemy Fernandez
Print Name

Carolyn Biewemy Fernandez
Signature

2. George L. Fernandez
Print Name

George L. Fernandez
Signature

3. Joseph Addison
Print Name

Joseph Addison
Signature

4. Jarrell Johnson
Print Name

Jarrell Johnson
Signature

5. Dennise Bennett
Print Name

Dennise Bennett
Signature

6. JACOBY KING
Print Name

Jacoby King
Signature

7. Anthony Hodges
Print Name

Anthony Hodges
Signature

8. Cathy Moore
Print Name

Cathy Moore
Signature

9. Emile Barkley
Print Name

Emile Barkley
Signature

10. Marcus Moore
Print Name

Marcus Moore
Signature

11. Jerry Moore
Print Name

Jerry Moore
Signature

12. Gwen Brown
Print Name

Gwen Brown
Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Alma Brown

Print Name

Alma Brown

Signature

2. Coat Williams

Print Name

Coat Williams

Signature

3. Genevieve Ross

Print Name

Genevieve Ross

Signature

4. ALMA MULLEN

Print Name

Alma Mullen

Signature

5. Gilston Russell

Print Name

Gilston Russell

Signature

6. Lawrence Williams

Print Name

Lawrence Williams

Signature

7. Rose Mary Jones

Print Name

ROSE MARY JONES

Signature

8. Beverly Sanders

Print Name

Beverly Sanders

Signature

9. Joleen Brown

Print Name

Joleen Brown

Signature

10. Branden Angelety

Print Name

Branden Angelety

Signature

11. Gabriel Angelety

Print Name

Gabriel Angelety

Signature

12. Verdian M. Brown

Print Name

Verdian M. Brown

Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. SHERMAN Brown Sherman Brown
Print Name Signature
2. ANTHONY TUCKER Anthony Tucker
Print Name Signature
3. VIOLET TUCKER Violet Tucker
Print Name Signature
4. LUCILLE ALVERIS Lucille Alveris
Print Name Signature
5. JANE BROWN Jane Brown
Print Name Signature
6. SYLVIA DUPLESSIS Sylvia Duplessis
Print Name Signature
7. ARRENDIA BROWN Arrendia Brock
Print Name Signature
8. LASHONTA BROWN Lashonta Brown
Print Name Signature
9. KAYLENE L SHANN Kaylene L Shann
Print Name Signature
10. CURTIS D BROWN Curtis Brown
Print Name Signature
11. BOBBY TUCKER Bobby Tucker
Print Name Signature
12. SAMUELLA JONES Samuella Jones
Print Name Signature

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 16, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 2, 2016 COUNCIL MEETING:

Summary No. 3405

Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-016**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2904 JACKSON BLVD., CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-016**, Petition of Petition of Ralph Menesses for a Zoning Change from "R-1, (Single Family Residential)" to "R-2, (Two-Family Residential)" for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, Battleground Subdivision, designated as Lot 4. Property Location: 2904 Jackson Blvd., Chalmette, LA 70043.

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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION
FROM: ERIC TOLLE, RECOVERY PLANNER
DATE: JULY 26, 2016

ZONING CHANGE REPORT

Case Number: Z- 2016-016
Owner/Representative: Ralph Menesses
Property Address: 2904 Jackson Blvd
Property Location: Battleground Subdivision, Lot 4
Current Site Area: 5,000 sq. ft. or 0.115 acres
Present Use: Vacant Lot
Present Comprehensive Plan Designation: Medium Density Residential
Present Zoning: R-1 (Single-Family Residential) District
Proposed Zoning: R-2 (Two-Family Residential) District
Reason For Request: A zoning change to allow a two-family residence

I. Executive Summary:

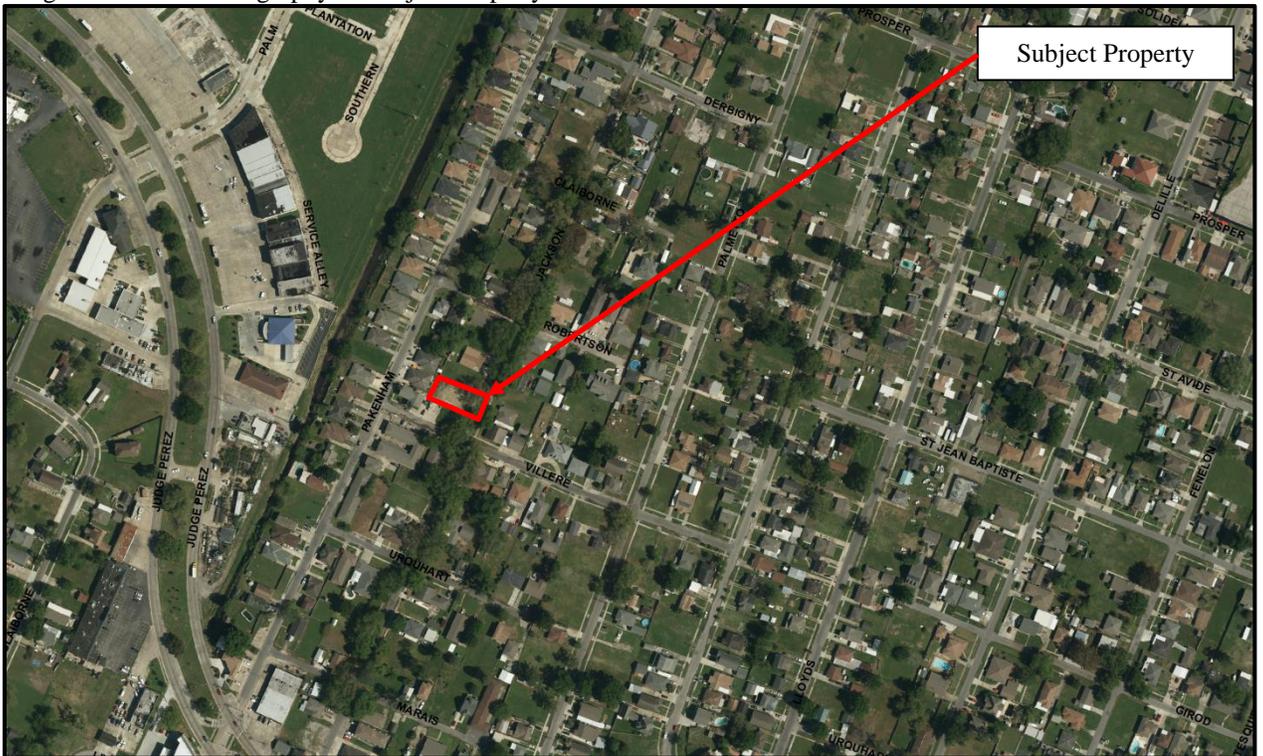
Zoning Docket Z-2016-016 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) lot located on Jackson Boulevard near the corner of N. Villere Street in Chalmette. The lot is approximately 50' by 100' and has a total area of 5,000 sq. ft. or 0.115 acres. The site is currently a vacant lot. The applicant is requesting for the zoning change to allow a two-family residence.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan due to the lot size/density requirement (1 unit per 3,630 sq. ft.). The request would not technically be considered a spot zone as its rear property line borders an existing R-2 (Two-Family Residential) zoning district, however the subject lot would be the only R-2 (Two-Family Residential) zoned lot that fronts on Jackson Boulevard for three (3) blocks in both directions. Staff recommends **DENIAL** of the request due to the proposed low intensity use and existing conditions of the immediate neighborhood.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Subject Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Staff photo (07/15/2016)

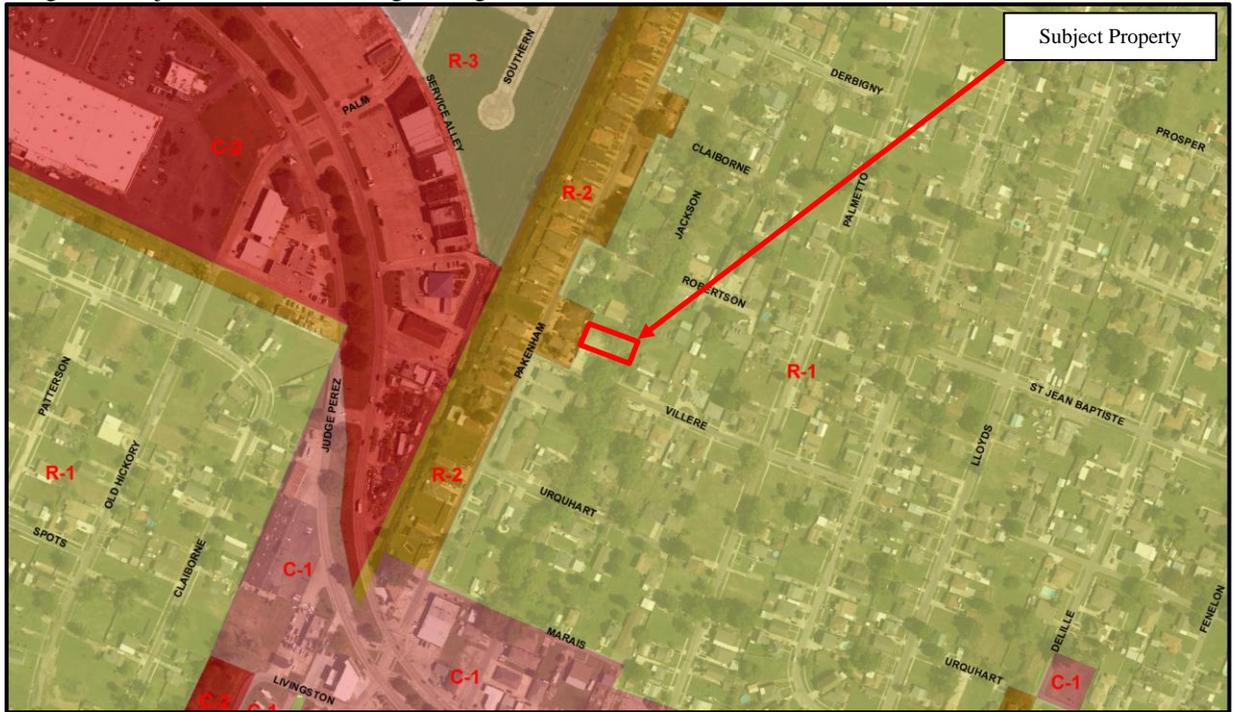
B. Site Description:

The subject site consists of one (1) lot of record located on Jackson Boulevard near the corner of N. Villere Street in Chalmette. The subject property is approximately 50' by 100' and has a total area of 5,000 sq. ft. or 0.115 acres. This site is currently a vacant lot.

C. Surrounding Land Uses and Zoning

As shown in Image #3 below, the subject property is located within an R-1 (Single-Family Residential) district. The surrounding area is developed with single-family, two-family, and multi-family residential structures.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to an R-2 (Two-Family Residential) district in order to erect a two-family residence.

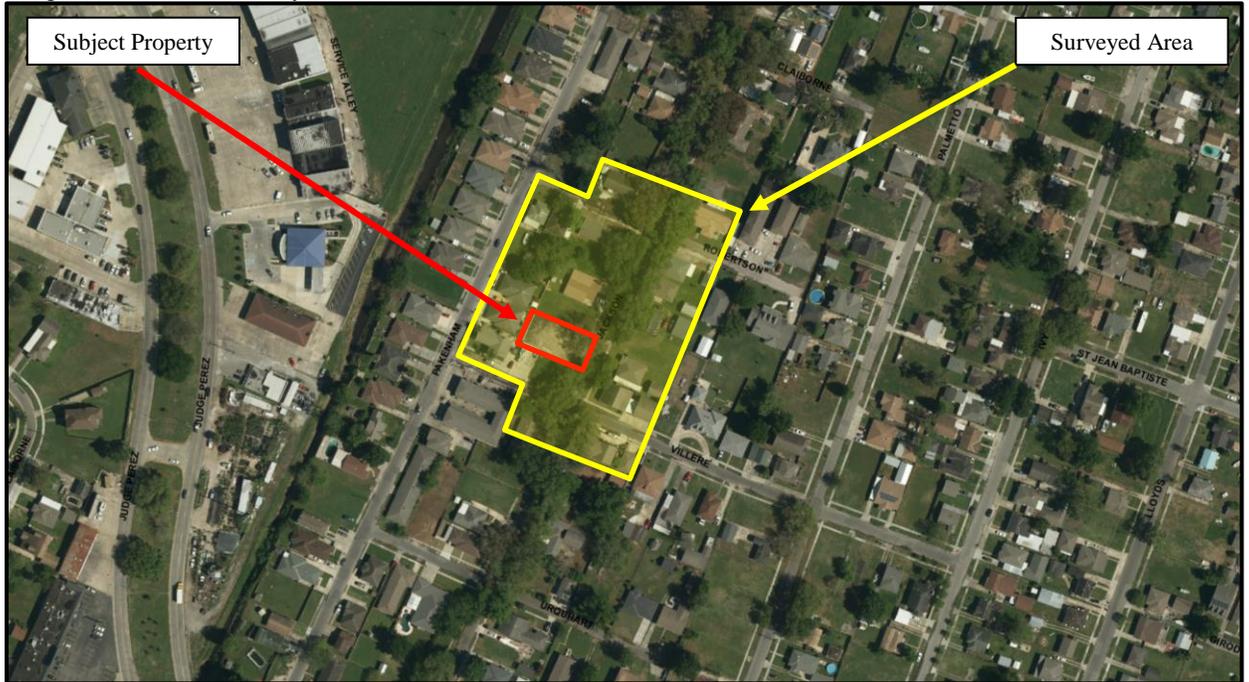
The intent of the R-2 (Two-Family Residence) district is to allow low to medium density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested property to allow a two-family residence would not have a significant impact of adjacent land uses in excess of existing conditions currently experienced in the immediate neighborhood. It should be noted the subject lot would be the only R-2 (Two-Family Residential) zoned lot that fronts on Jackson Boulevard for three (3) blocks in both directions.

E. Block-face study

Staff conducted a block-face study of the area around the subject property. The block study assessed the current use of existing structures of the entire block, the block-face across the street, and all four (4) opposing corners lots. Image #4 indicates the area surveyed while the results are reported on Table #1 below.

Image #4: Block-face study area



Source: Arc GIS Parish Map (unofficial)

Table #1: Block-face field results

Address	Current Use	Current Zoning
807/817 N Villere St	Two-Family Residence	R-2 (Two-Family Residential)
2905/2907 Pakenham Dr	Two-Family Residence	R-2 (Two-Family Residential)
2909/2911 Pakenham Dr	Two-Family Residence	R-2 (Two-Family Residential)
2921 Pakenham Dr	Single-Family Residence	R-1 (Single-Family Residential)
820 N Robertson St	Single-Family Residence	R-1 (Single-Family Residential)
814/816/818 N Robertson St	Multi-Family Residence	R-1 (Single-Family Residential)
3000 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
3001 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2921 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2917 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2915 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2914/2912 Jackson Blvd	Two-Family Residence	R-1 (Single-Family Residential)
2905 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2901 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2820/2822 Jackson Blvd	Two-Family Residence	R-1 (Single-Family Residential)
750 N Villere St	Single-Family Residence	R-1 (Single-Family Residential)

As shown on Image #4 and Table #1 above, there are a total of 16 existing structures in the study area. Of the 16 structures, 13 are zoned R-1 (Single-Family Residential) (81%) while three (3) are zoned R-2 (Two-Family Residential) (19%). Eliminating the three (3) structures zoned R-2 (Two-Family Residential), the 13 remaining structures in the R-1 (Single-Family Residential) consist of:

- Two (2) two-family residences (15%)
- One (1) multi-family residence (8%)
- Ten (10) single-family residences (77%)

Therefore, staff concludes the predominate development pattern in the block-face study area are lots developed with single-family residences.

F. Can the request be considered a spot zone?

No. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3 above, the request consists of a property that is located in an R-1 (Single-Family Residential) sharing a rear border of an existing R-2 (Two-Family Residential) zoning district. It should be noted the subject lot would be the only R-2 (Two-Family Residential) zoned lot that fronts on Jackson Boulevard for three (3) blocks in both directions.

III. Comprehensive Plan:

Image #5: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1 (Single-Family Residential) zoning district to an R-2 (Two-Family Residential) zoning district. Specifically listed, the proposed zoning change to allow a two-family residence aligns with the Land Use/Density description for the Medium Density Residential designation as stated on page 35 of the Comprehensive Plan; however the lot does not meet the size requirements to support the proposed density (1 unit per 3,630 sq. ft.); therefore the requested zoning change is **inconsistent** with the Comprehensive Plan.

IV. Summary:

This is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) zoning district. The site is located on Jackson Boulevard near N Villere Street in Chalmette. The applicant is requesting for a zoning change to allow a two-family residence.

The request consists of one (1) lot that would be zoned the same as an adjacent zoning district, therefore the request would not be considered a spot zone.

The zoning request is **inconsistent** with the Land Use/Density description of Medium Density Residential of the Future Land Use Map due to the lot size requirements to support the proposed density (1 unit per 3,630 sq. ft.).

V. Staff Recommendation:

The staff recommends **DENIAL** of Z-2016-016, a request for a zoning change from R-1 (Single-Family Residential) district to R-2 (Two-Family Residential) zoning district.

VI. Reason for Recommendation:

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential of the Future Land Use Map due to the lot size requirements to support the proposed density (1 unit per 3,630 sq. ft.).

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, AUGUST 16, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 2, 2016 COUNCIL MEETING:

Summary No. 3406

Introduced by: Councilmember Alcon on 8/2/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1802-07-16**, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council does hereby amend Ordinance SBPC #1802-07-16 as described in the attached 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.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

SUMMARY NO. 3406

EXHIBIT "A"

"Film St. Bernard' Incentives Program"

Ordinance SBPC #1802-07-16

1. Purpose and Description of St. Bernard Parish Film Industry Incentive Rebate Program

A. The purpose of this program is to encourage growth and investment in St. Bernard Parish by developing a strong base for motion-picture film, videotape, digital, and television program productions.

B. The St. Bernard Parish film industry incentive offers a rebate for lodging, payroll expenses, and other production expenditures made in St. Bernard Parish, including but not limited to sound stage or location leases and post-production costs.

2. Definitions. The following terms should have the meanings provided, unless the context clearly indicates otherwise.

Completion of production – means that post-production of a film has been finished and a cut negative, video master or other final locked form of the film is ready for striking of prints or electronic copies, and/or ready for broadcast or delivery to a distributor.

Expended by a pre-approved production in St. Bernard Parish –

- a. In the case of tangible property, means property which is acquired from a source within St. Bernard Parish and provided by an individual or entity doing business in St. Bernard Parish which pays St. Bernard Parish sales tax.
- b. In the case of services, means procured from within St. Bernard Parish, performed in St. Bernard Parish and provided by an individual or entity doing business in St. Bernard Parish which has an occupational license in St. Bernard Parish.

Film Incentive Review Panel (FIRP) – a five (5) person panel consisting of the following:

- a. **Two (2) CPA's within the community**
 1. **Parish President will recommend two (2) CPA's to the Council for adoption via resolution.**
- b. **Economic Development Director**
- c. **Council Chair or their appointee**
- d. **Film Director**

St. Bernard Parish-approved production – a production approved by the Film Incentive Review Panel (FIRP). The production must have a viable multimarket commercial distribution plan, and either have its production office located in St. Bernard Parish or use a soundstage facility located within St. Bernard Parish.

Louisiana State-certified production – a production approved by the Louisiana Office of Entertainment Industry Development and the Louisiana Department of Economic Development produced by a motion picture production company domiciled and

SUMMARY NO. 3406
EXHIBIT “A”

headquartered in Louisiana which has a viable multi-market commercial distribution plan.

Non-Allowable Production Expenditures – the following expenses are NOT eligible to qualify as St. Bernard Parish production expenditures:

- a. Overhead and similar expenses do not qualify as production expenditures unless the expenditures were incurred in St. Bernard Parish and directly used in a pre-approved production;
- b. Post-production expenditures for marketing and distribution;
- c. Any amounts that are later reimbursed;
- d. Any amounts that are paid to persons or entities as a result of their participation in profits from the exploitation of the production;
- e. Construction of film or post-production facilities;
- f. Flow-through costs for services not performed in St. Bernard Parish or for goods not procured from within St. Bernard Parish.

Payroll – includes all salary and wages, including related benefits, sourced or apportioned to a St. Bernard Parish resident paid for an approved St. Bernard Parish production.

Payroll expended on St. Bernard Parish residents – means the gross amount of wages and salaries as reflected on Form W-2 (the amount listed on Item 1 of Form W-2 – wages, tips, and other compensation) and the amount listed in Form 1099 that is actually paid to a St. Bernard Parish resident.

Qualified Production – means a nationally distributed feature-length film, video, television movie, television series, television pilot, or commercial made in St. Bernard Parish, in whole or in part, for theatrical or television viewing or as a television pilot. The term does not include the production of a: news or current affairs program, interview or talk program, magazine program, variety or skit program, “how-to” (i.e., instructional) film or program, film or program consisting primarily of stock footage, sporting event or sporting program, award ceremony, film or program intended primarily for industrial, corporate or industrial end-users, fundraising film or program, or daytime drama (i.e., daytime “soap opera”). The term also does not include a production for which records are required under section 2257 of Title 18, United States Code, to be maintained with respect to any performer in such production (reporting of books, films, etc. with respect to sexually explicit content).

Production expenditures – means reasonable and customary preproduction, production, and post-production expenditures directly incurred in St. Bernard Parish in or from an establishment located within St. Bernard Parish which pays occupational license or sales tax in St. Bernard Parish that are used directly in an approved production, including without limitation the following:

- a. Set construction and operation;
- b. Wardrobes, make-up, accessories, and related services;

SUMMARY NO. 3406
EXHIBIT "A"

- c. Costs associated with photography and sound synchronization, lighting, and related services and materials;
- d. Editing and related services;
- e. Rental of facilities and equipment;
- f. Leasing of vehicles;
- g. Costs of food and lodging;
- h. Digital or tape editing, film processing, transfer of film to tape or digital format, sound mixing, special and visual effects (if services are performed in St. Bernard Parish);
- i. Qualified payroll expenses;
- j. Music, if performed, composed, or recorded by a St. Bernard Parish resident, or released or published by a St. Bernard Parish-domiciled and headquartered company;
- k. Insurance costs or bonding, if purchased through a St. Bernard Parish based agency;
- l. Travel expenses, provided that the trip must have a beginning or ending location in St. Bernard Parish, and any travel agency used must be in St. Bernard Parish.

Production Facility – a physical facility functioning as a soundstage that provides the goods and services necessary for completing the major activities of motion picture production.

Production Office- an office from which the routine business activities (such as record storage, secretarial services, telephone and other communication modes), associated with film making are conducted. Cannot be a hotel or residential residence.

Qualified St. Bernard Parish payroll expenses – payroll expenses paid to a natural person who is at the time of production, and for a period of at least six months prior to commencing work on the production or project, was a resident of St. Bernard Parish. Residency will be determined using the residency form required by FIRP, and submission of documentation as required by the form, including picture I.D. and one of the following issued in the employee's name: lease or act of sale or two other forms of identification, such as utility bill, or voter registration.

Qualified Lodging – St. Bernard Parish establishments which pay sales, hotel/motel, occupational license, or ad valorem taxes in St. Bernard Parish.

Qualified lease or rental expenses – lease or rental expenses for sound stage, location or production offices paid for a site in St. Bernard Parish and which pays occupational license or ad valorem tax in St. Bernard Parish, or holds an exemption from payment of such taxes.

3. Requirements for Film Incentive Rebate

A. Production must either:

- 1. Have its principal Louisiana production office located within St. Bernard Parish, or
- 2. Use a soundstage facility located within St. Bernard Parish, and;

SUMMARY NO. 3406
EXHIBIT “A”

- B. Each individual production must have acceptable expenditures of the types listed in section 4, paid within St. Bernard Parish, amounting to at least \$150,000.00.
- C. The production company must agree to include the “Filmed in St. Bernard Parish, Louisiana” logo in its credits, and further to provide St. Bernard Parish with at least 2 still shots to be used in St. Bernard Parish promotional activities, and to reasonably assist St. Bernard in its promotional activities.
- D. In order to receive incentives based on a St. Bernard Parish-located production office, all production office operations must be performed at that location and not at alternative locations within Louisiana.

4. Qualifying Acceptable Expenditures

- A. Lodging Rebate – 3.5% rebate on all lodging expenses for cast and crew incurred in St. Bernard Parish establishments which pay sales, hotel/motel, occupational license, or ad valorem taxes in St. Bernard Parish.
- B. Payroll Rebates – 3.5% rebate on payroll expenses of cast and crew who are, and for a period of at least six months prior to commencing work on the production or project, were residents of St. Bernard Parish.
- C. Lease or Rental Expenses – 3.5% rebate on all lease or rental expenses for sound stage, location or production offices paid for a site in St. Bernard Parish which pays occupational license or ad valorem tax in St. Bernard Parish, or holds an exemption from payment of such taxes.
- D. Other Production Expenses – 3.5% rebate on any other production expense incurred at an establishment located in St. Bernard Parish which pays occupational license or sales tax in St. Bernard Parish.

5. Application for the Film Incentive Rebate

- A. An applicant for the St. Bernard Parish film incentive rebate should submit an initial application for pre-approval to the St. Bernard Parish Government, **attn: TBD**, 8201 W. Judge Perez Drive, Chalmette, LA 70043, that includes a detailed preliminary budget, multi-market detailed distribution plan, applicable lease or rental agreement and a script synopsis (including principal creative elements).

6. Approval of Film Incentives Rebate

A. Preliminary Approval: FIRP will issue approval of productions as follows:

- 1. St. Bernard Parish-Approved Production: to obtain the approval from the FIRP for a “parish-approved production,” the applicant must complete the St. Bernard Parish Film Incentive Request Preliminary Questionnaire and submit it to the St. Bernard Parish

SUMMARY NO. 3406
EXHIBIT "A"

Film Office, requesting approval of the production as a "parish-approved production" and setting forth the following information (as may be applicable):

- a. Working title of the production for which approval is requested. Should the title change, the parish-approved production needs to inform the parish as soon as that change is made;
- b. Name of the requesting production company;
- c. Name, telephone number, e-mail address and attesting signature of the requesting production company's contact person;
- d. Approximate beginning and ending date of production in St. Bernard Parish
- e. St. Bernard Parish office address, if applicable;
- f. Telephone number of requesting company's St. Bernard Parish office address, if applicable;
- g. Address of sound stage facility located within St. Bernard Parish, if applicable;
- h. A preliminary budget including the estimated total production-related costs, estimated total of production-related costs to be expended in St. Bernard Parish, and estimated St. Bernard Parish payroll;
- i. List of principal creative elements such as principle cast, producer, director, and music supervisor;
- j. Facts sufficient for FIRP to determine each of the following:
 - i) That the requesting production is a qualified production as defined in these rules, and
 - ii) That the requesting production company has either a viable multi-market distribution plan or a signed distribution agreement with either a major theatrical exhibitor, television network, or cable television programmer for distribution of the production for which approval is requested.

B. Interim Payments and Time Limits

1. Upon reaching the \$150,000.00 threshold of acceptable payments, applicant may apply for an interim payment. The interim payment must be requested no later than six months from the start of occupancy as per the lease or rental agreement.
2. When the production efforts in St. Bernard Parish are completed, applicant may apply for a final payment. Final payment is subject to completion of production and to the final approval and audit requirements listed in subsection C of this section and must be requested no later than twenty four months from the start of occupancy as per the lease or rental agreement. Should production in St. Bernard Parish extend past twenty four months, the production company may petition FIRP for an extension of this time limit.

C. Approval of Expenditures and Audit Requirements

1. Prior to any final approval of the expenditures of a parish-approved production and the issuance of any film incentive rebate, the motion picture production company should submit to the parish a cost report of production expenditures audited and certified by an independent certified public accountant. St. Bernard Parish may audit the cost report submitted by the motion picture production company. The following procedures set forth

SUMMARY NO. 3406
EXHIBIT "A"

minimum standards for acceptability of the audit to be performed by a certified public accountant. The certified public accountant's report should, at a minimum, meet the following requirements:

- a. The auditor auditing the report should be a Certified Public Accountant licensed in the State of Louisiana and should be an independent third party, not related to the production company;
- b. The auditor's opinion must be addressed to the party who has engaged the auditor (e.g. Directors of the production company);
- c. The auditor's name, address, and telephone number must be evident on the report;
- d. The auditor's opinion must be dated as of the completion of the audit fieldwork;
- e. The audit should be performed in accordance with auditing standards generally accepted in the United States of America, and;
- f. The auditor should have demonstrated sufficient knowledge of accounting principles and practices generally recognized in the motion picture industry.

7. Incentive Funding Caps St. Bernard Parish film industry incentives are provided for and capped as follows:

- A. Basic Cap – \$100,000.00 total to any individual qualified project or production.
- B. Payment of incentives is subject to available funding. When all available funding is expended, no new incentives will be paid until additional funds are appropriated and available.

#13

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1617-08-16

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

Beer and/or Liquor Permit(s)

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
1. DePope Launch & Tavern, Inc. dba DePope Launch & Tavern 6201 E. St. Bernard Hwy., Violet, LA 70092 Owner: Lionel J. Alphonso, Sr.	X	X

Special Event(s)

- Name of Organization: Old Arabi Neighborhood Association
Address: 843 Angela Street, Ara, LA 70032
Event: Sippin' in the Sunset/Old Arabi Sugar Fest
Location: Aycock Barn, 409 Aycock Street, Arabi, LA
Date & Time: September 1st, October 6th, October 8th and
November 3, 2016; 6:00 p.m. – 8:00 p.m.
Contact Person: Maegan S. Dobson

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

Page -2-
Extract #13 continued
August 16, 2016

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#14

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mr. xxxx, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1618-08-16

A RESOLUTION OF SUPPORT FOR THE ST. BERNARD PARISH PRIORITY COASTAL PROJECTS.

WHEREAS, the St. Bernard Parish Council does hereby support the "St. Bernard Parish Priority Coastal Projects" as attached in Exhibit "A".

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby support the "St. Bernard Parish Priority Coastal Projects" as attached.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as XXX.

And the motion was declared **XXXX** on the 16th day of August. 2016.

Page -2-
Extract #14 continued
August 16, 2016

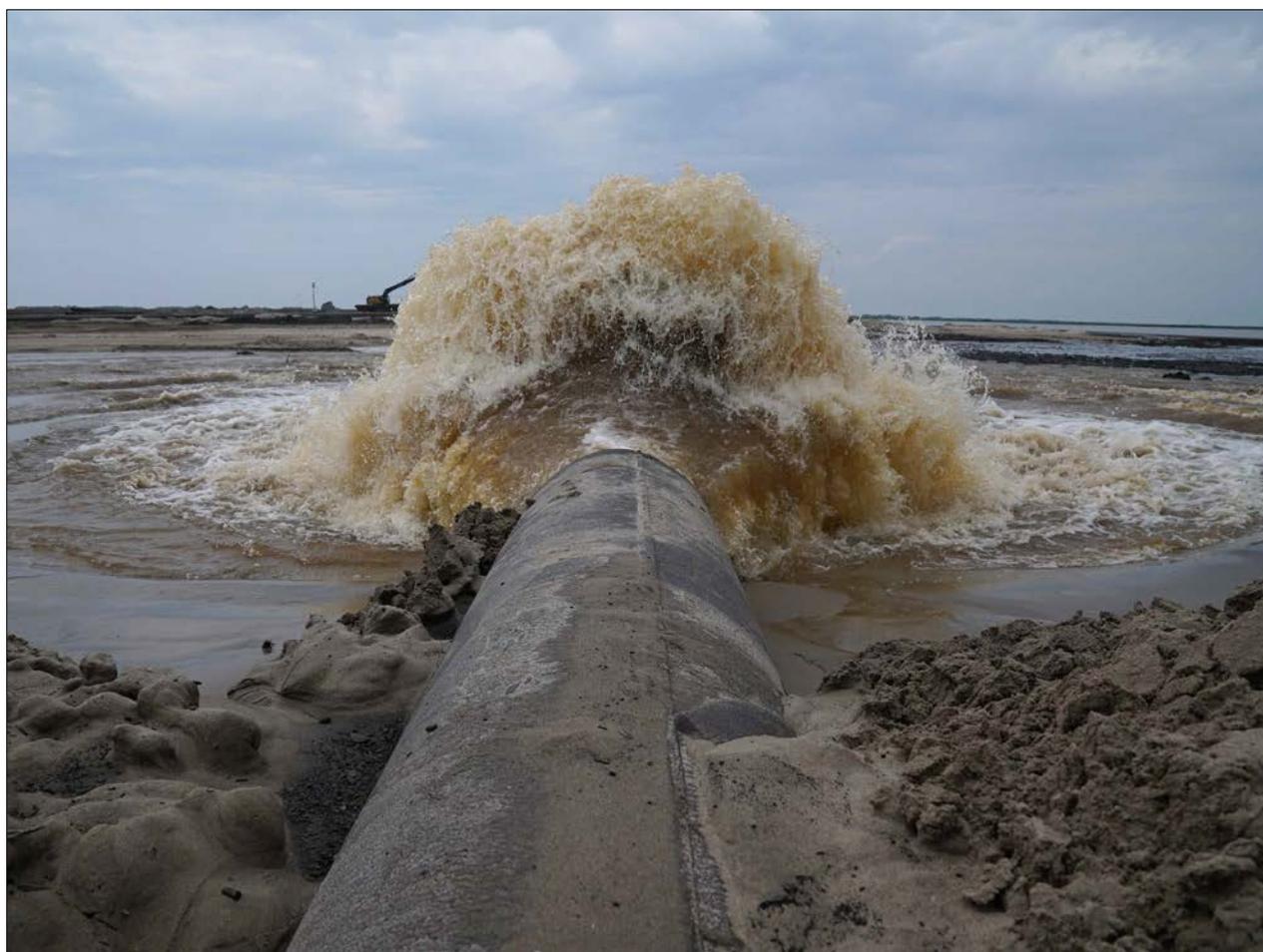
CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

ST. BERNARD PARISH PRIORITY COASTAL PROJECTS



July 2016 Update

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Appendices

Appendix A: CZAC Comments

Introduction

The objective of this document is to provide preliminary feasibility analyses for existing St. Bernard Parish Government (SBPG) coastal projects and develop sufficient information so that the purpose, benefits, location/extent, construction methodology, and cost for each project are clearly defined. Additionally, a number of new projects are proposed in this document and have also been the subject of preliminary feasibility analyses. This robust level of project detail will allow for the complete slate of projects to be prioritized at the local level and be more competitively and strategically advanced, nominated, and/or submitted to a wide variety of funding sources including, but not limited to, the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act (RESTORE Act), the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA), the Coastal Protection and Restoration Authority (CPRA), the United States Army Corps of Engineers (USACE) Continuing Authorities Program (CAP), and the BP Natural Resources Damages (NRD) program. Ultimately, this document will provide SBPG with a project priority list (PPL) of coastal projects and a pathway to project funding and implementation.

The projects included in this document were initially drawn from the existing St. Bernard Coastal Zone Advisory Committee (CZAC) PPL, which was adopted on February 11, 2015. The process of developing detailed information for each of the existing projects, and for the newly-proposed projects, included: (1) reviewing existing documentation (such as existing state- and parish-level master plans, projects identified by the CWPPRA Task Force, and other plans composed by local private and public entities such as the Biloxi Marsh Land Corporation (BMLC) and the Lake Pontchartrain Basin Foundation (LPBF)); (2) developing project details such as cost, scope, alignment, and required permitting activities; and (3) developing funding strategies that would provide SBPG with a pathway to funding and implementation for each project.

Projects identified and prioritized by the CZAC in 2015 were updated and adjusted based on their feasibility, benefits, cost, ability to compete for funding sources, and other ancillary information. Newly-proposed projects were similarly analyzed and added to the PPL. The SBPG Coastal Division subsequently developed an updated draft list of priority projects based on the new information developed.

In the following pages you will find:

- The original CZAC Priority Project List
- Changes (project alterations, additions, and omissions) to the original CZAC Priority Projects
- The updated SBPG Priority Project List
- Fact sheets for each of the updated SBPG Priority Projects, which summarize the identified projects and include the following details:
 - Project Location
 - Problem(s) the Project Addresses
 - Previous Planning Efforts
 - Current Status
 - Recommended Solution(s)
 - Projected Benefits
 - Projected Costs
 - Consistency with CPRA Master Plan and other Ongoing Regional Efforts
 - Potential Risks, Mitigation Measures, and Permitting Requirements
 - Restoration of Areas Impacted by Deepwater Horizon Oil Spill
 - Funding Strategy and Sources

Original CZAC Priority Projects

(as approved on February 11, 2015)

RESTORE PRELIMINARY PROJECT PRIORITIES ST. BERNARD COASTAL ZONE ADVISORY COMMITTEE (unanimously approved by CZAC on February 11, 2015)

Overall Objectives

- ✓ Maximize funding from multiple sources in order to leverage resources to the greatest extent possible
- ✓ Proceed through the planning and approval process as expeditiously as possible in order to implement projects quickly
- ✓ Continue to monitor State objectives regarding large sediment diversion projects affecting St. Bernard

Tier 1

1A Bayou Terre Aux Bouefs Ridge Restoration

1B Bayou La Loutre Ridge Restoration

1C 40 Arpent Canal Ridge Restoration (Caernarvon to the back levee)

1D Enhancing and Armoring the Delacroix Island Back Levee (tidal levee)

Tier 2

2B Lake Lery Marsh Creation and Rim Restoration Project

*Phase 2 completion

*Phase 3

2C Lake Machais Ridge Restoration

2D Lake Athanasio Ridge Restoration

2E Oyster reef installation in accordance with State of Louisiana Coastal Master Plan (Louisiana's Comprehensive Master Plan for a Sustainable Coast, 2012)

Tier 3

3A Central Wetlands

1. Expansion of Wastewater Treatment Plant (WWTP) effluent demonstration project to Central Wetlands Segment A3 (Munster Wastewater Treatment Plant)
2. Reforestation Project (using cypress stumps) for Central Wetlands and other areas outside the levee system
3. Utilize Central Wetlands to expand eco-tourism opportunities including multi-purpose trails (land and water), environmental education, and a recreational park with trail access near E.J. Gore Station
4. Create Paris Road gateway as outlined in the Mississippi River Gulf Outlet (MRGO) ecosystem restoration plan with water-related economic development projects

3B Comprehensive Wetlands Management Program

Develop a comprehensive wetlands management program (backfilling canals to restore hydrology, installing weirs to control salinity, manage Carnarvon diversion outfall including planting freshwater vegetation).

Changes to the Original CZAC Priority Projects

Tier 1

1A Bayou Terre Aux Bouefs Ridge Restoration

This project had not previously been identified in other plans or studies and all information had to be created based on the original CZAC alignment found in Figure 1. A southern phase extending from the CZAC alignment to the Gulf of Mexico entrance was also added.

1B Bayou La Loutre Ridge Restoration

This project had been previously investigated by multiple agencies and henceforth encompassed multiple and different alignments. For this planning effort, the approximate 22 miles of restored ridge from the 2012 CPRA Master Plan was broken into three (3) phases with the Central Phase mirroring the alignment included in the CWPPRA PPL26 project.

1C 40 Arpent Canal Ridge Restoration (Caernarvon to the back levee)

This project had not previously been developed in other plans or studies. A field visit was undertaken to review the status of the surrounding wetlands highlighted on Figure 1. During the field visit, it was found that the area was already thick with healthy vegetation, and it was expected that further restoration measures to the area (such as building a ridge on existing wetlands) would incur high mitigation costs making the project financially infeasible. It was determined that a more worthwhile approach would be to reforest areas immediately adjacent to the federal levee system from Caernarvon to Verret, which would promote some additional level of protection for the levee and help restore the area ecologically. For this reason, the project was reclassified from ridge restoration to reforestation and moved from a Tier 1 project to Tier 3.

1D Enhancing and Armoring the Delacroix Island Back Levee (tidal levee)

Based on forecasted funding sources, anticipated need, and available data, the scope of this project was widened to include several facets of improvement and protection for Delacroix Island, and this project was relabeled as the Delacroix Island Resiliency Plan. It was split up into narrowly-defined components, which should allow for faster implementation and easier constructability, while improving the chance of funding by being under a comprehensive plan for the Island. In this strategy, the resiliency plan was split up in discrete components involving: (1) the existing tidal levee protecting the eastern side of Delacroix Island, (2) Louisiana Highway 300 (LA 300) which connects Delacroix Island to the upper reaches of the Parish, and (3) a component involving growing the economic, tourism, and recreational capabilities of Delacroix Island. Based on the anticipated costs, need, and scope of the project overall this project was moved from a Tier 1 project to Tier 2.

Tier 2

2B Lake Lery Marsh Creation and Rim Restoration Project

This project is a continuation of ongoing restoration efforts located along the shoreline of Lake Lery. New phases were introduced, including marsh creation and shoreline protection measures based on infrastructure protection (Phase 2) and combating high levels of shoreline retreat (Phase 3). Because this project is imminently constructible, affordable, extremely beneficial to the area, and a strong candidate to receive matching funds from other programs, this project was moved to Tier 1.

2C Lake Machais Ridge Restoration

Efforts to locate previous planning efforts regarding the Lake Machais Ridge Restoration measures did not return any results. Due to the expected sea-level rise, immediate settlement of the area, poor load-bearing capacity of the underlying soil, and location, it was determined that ridge restoration efforts are not feasible at this location. From satellite imagery and recent studies, it was determined that oyster barrier reefs would be a better project alternative and would help slow the rate of shoreline retreat for the area. For this reason, the project was grouped with other similar oyster barrier reef applications.

2D Lake Athanasio Ridge Restoration

Efforts to locate previous planning efforts regarding the Lake Athanasio Ridge Restoration measures did not return any results. Due to the expected sea-level rise, immediate settlement of the area, poor load-bearing capacity of the underlying soil, and location, it was determined that ridge restoration efforts are not feasible at this location. From satellite imagery and recent studies, it was determined that oyster barrier reefs would be a better project alternative and would help slow the rate of shoreline retreat for the area. For this reason, the project was grouped with other similar oyster barrier reef applications.

2E Oyster Reef Installation (in accordance with 2012 CPRA Master Plan)

The scope of this project remained unchanged. Lake Machais and Lake Athanasio project areas were also reviewed (in addition to project areas included in the 2012 CPRA Master Plan).

Tier 3

3.A.1 Central Wetlands – Expansion of WWTP effluent demonstration project to Central Wetlands Segment A3

This project is no longer under consideration as it was dependent upon Orleans Parish acting upon a Coastal Impact Assistance Program (CIAP) Grant which has since expired for segment A2 of this project. As such, segment A3 will be on hold indefinitely.

3.A.2 Central Wetlands – Reforestation Project (using cypress stumps) for Central Wetlands and other areas outside the levee system

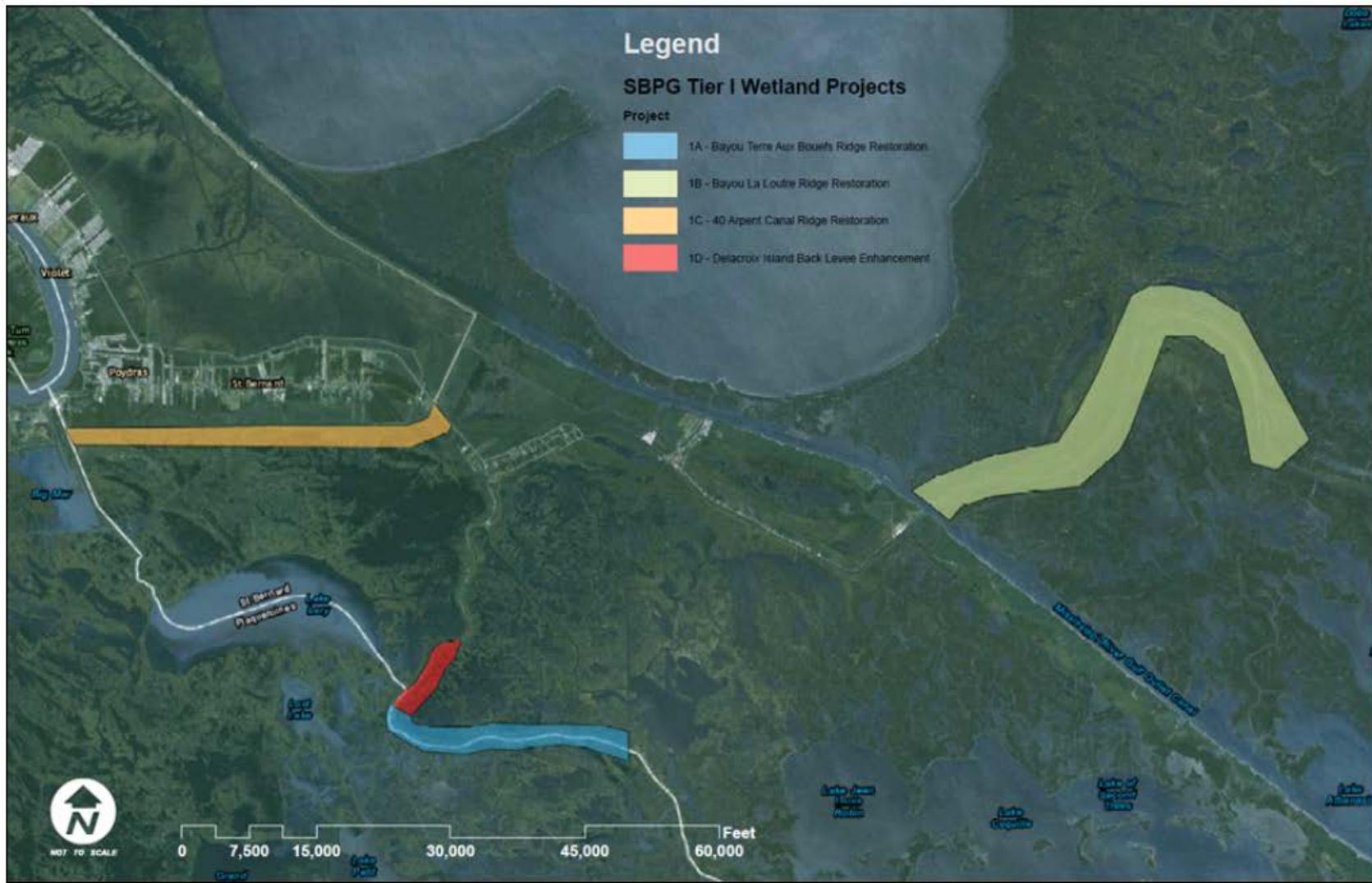
The general scope of this project remained unchanged in regards to the project area, though it is herein recommended to plant healthy tree saplings on existing ridges and other suitable landforms rather than decaying cypress stumps. This change in scope arose out of the concern that the decaying stumps could potentially fail in adverse conditions, thus eradicating the tree saplings before adequate root growth could be accomplished.

3.A.3 Central Wetlands – Expansion of Eco-tourism opportunities

The general scope of this project remained unchanged, though it was split into two distinct programs: the (1) Recreational Fishing Pier and (2) Public Seafood Market/Pavilion. Due to anticipated funding obligations, these projects were moved from Tier 3 project to Tier 2.

3.A.4 Central Wetlands - Paris Road Gateway

The scope of this project remained unchanged, and due to (1) funding the Parish has already set aside for this project, (2) the ability of the project to attract funding via the RESTORE Act (under the provision of contributing to the overall economic recovery to the area, and (3) the anticipated benefits to the Parish, this project was moved from a Tier 3 project to Tier 2.



**ST. BERNARD
PARISH GOVERNMENT**



FIGURE #1

**ORIGINAL CZAC PRIORITY
PROJECTS - TIER 1**

Additions to the PPL

Tier 1

North Shell Beach Marsh Creation via Long Distance Sediment Pipeline – East / Lake Borgne / Beneficial Use of Dredged Material (BUDMAT)

This project was not included among those listed on the initial project priority list, but was added to the Tier 1 category due to the projected benefits (both ecosystem and storm surge), available funding (project is identified for construction funding in NRDA), consistency with CPRA Master Plan, and synergy with Shell Beach South Marsh Creation (PO-168) as approved through CWPPRA.

Tier 2

St. Bernard Parish Harbor of Refuge

The Harbor of Refuge is an ongoing project that is fully funded. It was herein included in case there are future funding opportunities to enhance the current scope of work. Due to the scope and existing funding sources, it was included in the Tier 2 category.

Recreational Fishing Pier and Public Seafood Market / Pavilion

This project is currently in the planning phase and was included due to the expected economic benefits to the Parish and the ability of the project to attract funding via the RESTORE Act (under the provision of promoting tourism via recreational fishing and also promoting the consumption of seafood harvested from the Gulf Coast Region). Due to the scope and anticipated funding sources, it was included in the Tier 2 category.

Tier 3

Black Mangrove Demonstration

The Black Mangrove project was added as a low-cost shoreline protection measure that also has expected storm surge and habitat benefits, with the existence of healthy stands in St. Bernard and the well-documented northern migration of the trees makes this project especially attractive. Due to the scope, scale, and anticipated funding sources, it was included in the Tier 3 category.

Derelict Crab Trap Removal Program

The Derelict Crab Trap Removal was added so that SBPG can capitalize on upcoming mandatory state crabbing closures during which all crab traps must be removed from the water. During this time, all remaining traps are considered derelict and SBP can conduct its own removal operations. Due to the scale and anticipated funding sources, it was included in the Tier 3 category.

Updated SBPG Priority Project List

Tier 1

The following projects listed in Tier 1 are large-scale projects which will require a significant federal/state contribution and will have the greatest net benefit to coastal restoration and protection efforts. These projects are focused on land creation and nourishment, which will serve to protect adjacent levee systems and communities from storm surge, saltwater intrusion, and related land-loss. The location of all Tier 1 projects can be found on Figure 2.

- a. North Shell Beach Marsh Creation via Long Distance Sediment Pipeline – East / Lake Borgne / BUDMAT
- b. Bayou La Loutre Ridge Restoration (West, Central, and East Phases)
- c. Lake Lery Rim Restoration and Marsh Creation (Phases 2 and 3)
- d. Bayou Terre Aux Bouefs Ridge Restoration (North and South Phases)

Tier 2

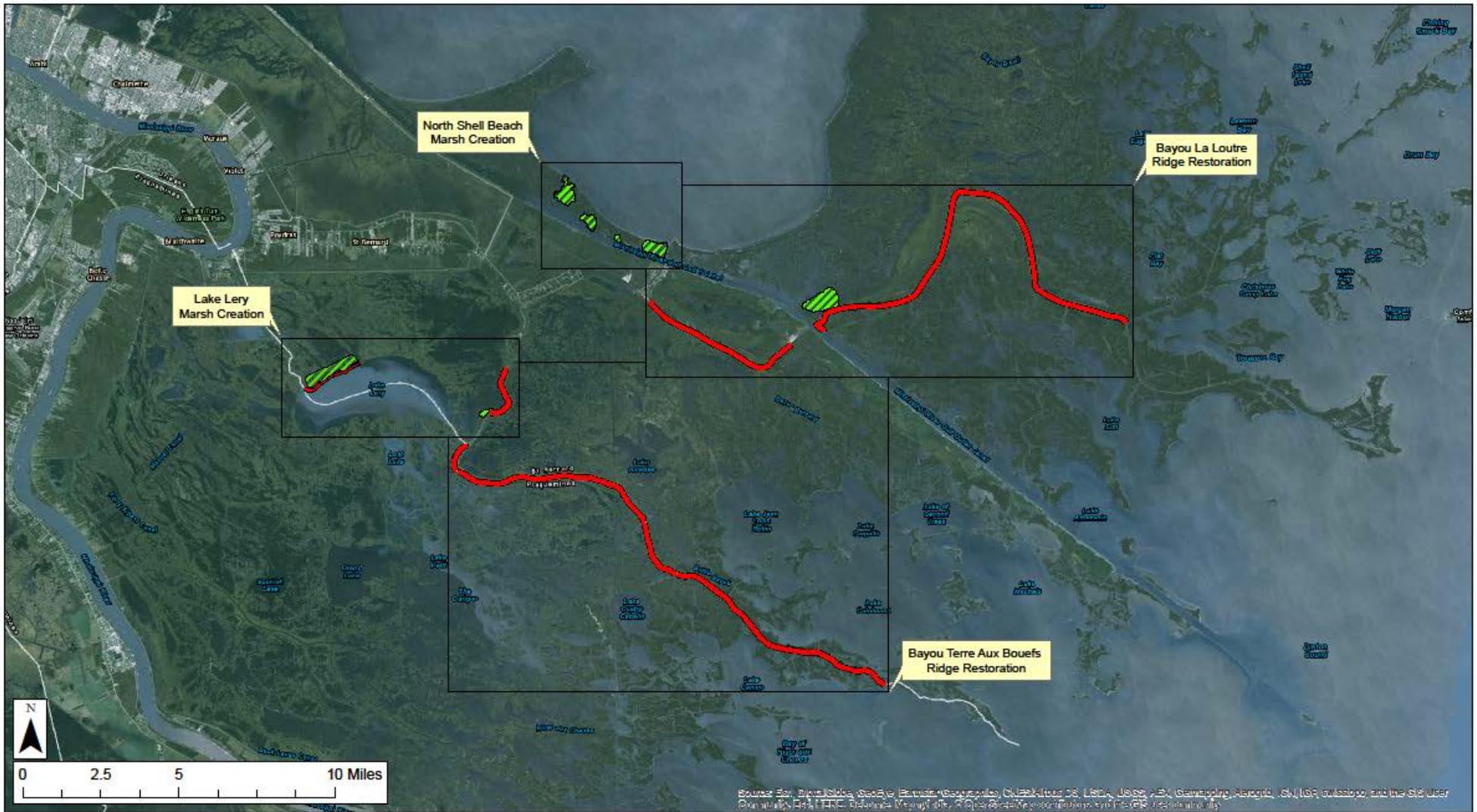
The following projects listed in Tier 2 are mid-sized projects which, based on their varying project scopes, will have different funding sources and strategies than projects found in Tier 1. These projects provide a more local-level of protection, restoration, and community benefits. The location of all Tier 2 projects can be found on Figure 3.

- a. Delacroix Island Resiliency Plan
- b. Oyster Barrier Reef Installations (in accordance with 2012 CPRA Master Plan)
- c. St. Bernard Parish Harbor of Refuge
- d. Recreational Fishing Pier and Public Seafood Market / Pavilion
- e. Paris Road Corridor Welcome Center and Streetscape Enhancement

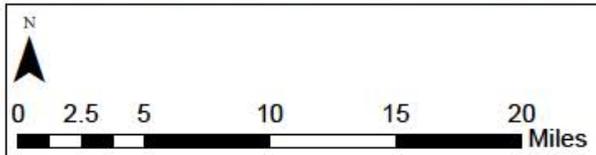
Tier 3

The following projects listed in Tier 3 are smaller projects which may be executable through partnerships, volunteerism, and philanthropy, and should require minimal state/federal investment. The location of all Tier 3 projects can be found on Figure 4.

- a. Central Wetlands Cypress Reforestation
- b. Caernarvon to Verret Floodwall Reforestation
- c. Black Mangrove Demonstration
- d. Derelict Crab Trap Removal Program



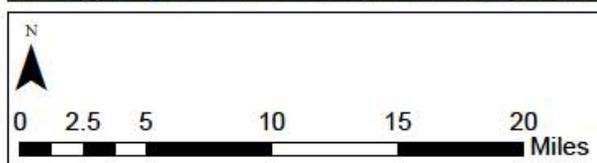
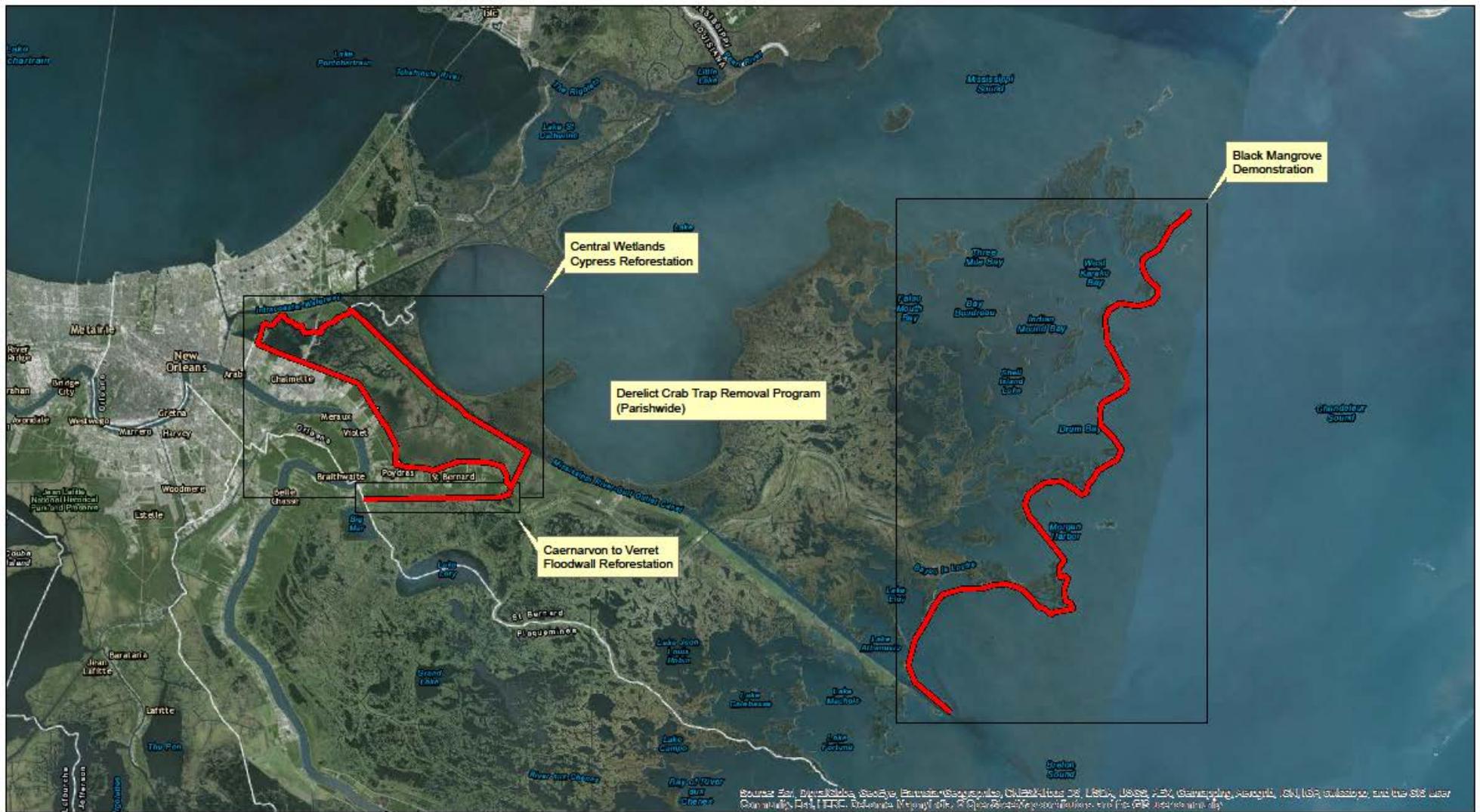
<p>ST. BERNARD PARISH GOVERNMENT</p>		<p>FIGURE #2</p> <p>PRIORITY PROJECT LIST TIER 1</p>
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**ST. BERNARD
PARISH GOVERNMENT**



FIGURE #3
**PRIORITY PROJECT LIST
TIER 2**



**ST. BERNARD
PARISH GOVERNMENT**



FIGURE #4

**PRIORITY PROJECT LIST
TIER 3**

Funding Outline for SBP Priority Projects

Introduction

Coupled with the extensive need to protect our coast, infrastructure, economy, cultural heritage, and property is a need to fund the projects in question. St. Bernard has a unique and unprecedented opportunity to leverage funding from different sources with federal and state entities to maximize benefits and long term positive returns. This analysis is an initial look at some of the key funding sources that should be pursued. The intent is not to have a comprehensive repository or a final strategy but to lay the ground work for a living database of funding sources and plan of action and pursuit for each.

Within this document there are included the following elements:

- This narrative which provides a brief overview of the agencies who control these entities, the program objectives, application process, and applicability to St. Bernard's objectives as a whole.
- A table matrix outlining each program and a few key specifics.
- A section within each project sheet proposing a course of action and likely funding source pursuits.

Funding Sources

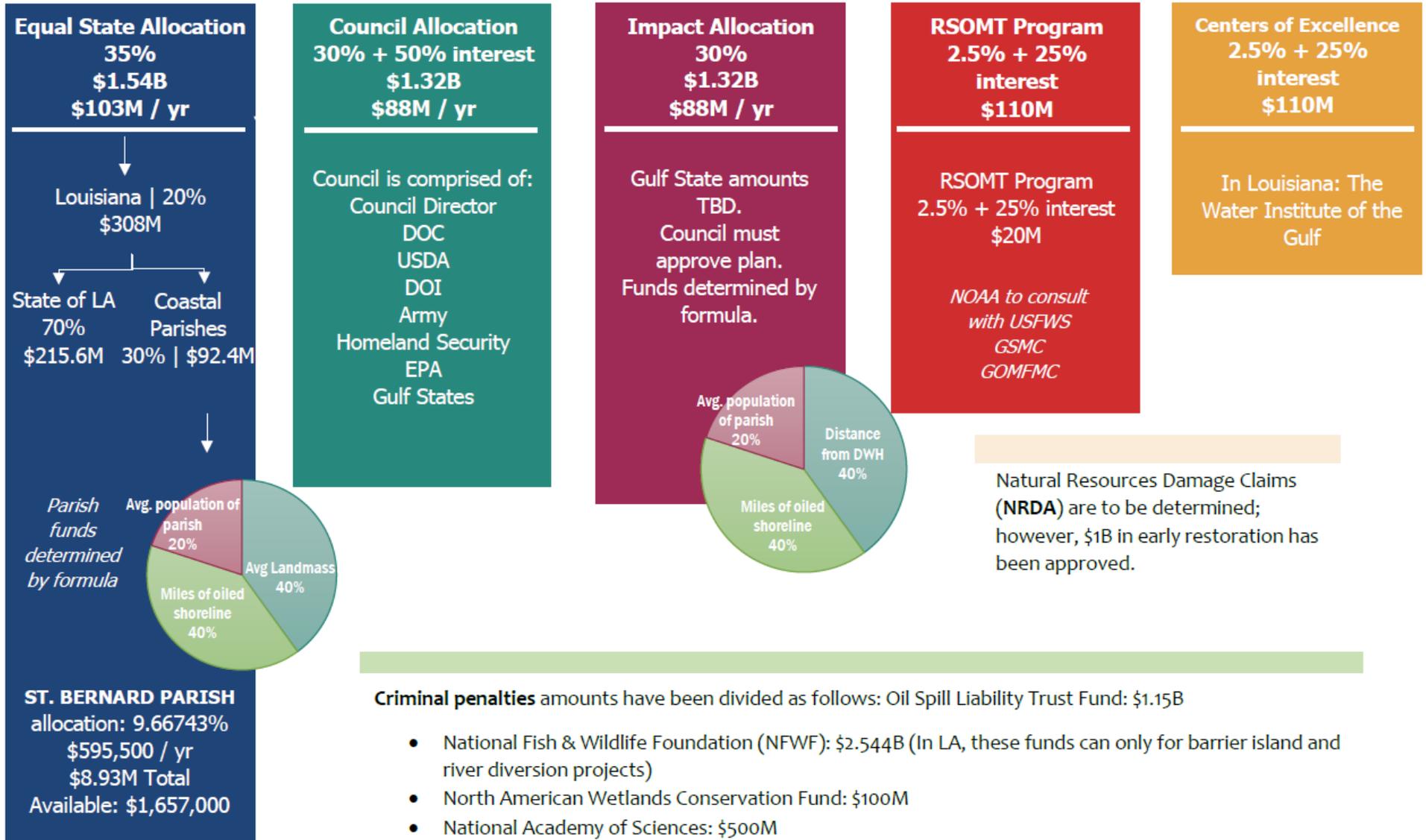
There are easily more than two dozen discrete programs within Federal and State government applicable to coastal restoration and preservation efforts. The following is a brief description of each of the parent agencies approaches, their applicable programs, and some proposed courses of action.

RESTORE Act

The RESTORE Act will provide a significant amount of funding for coastal projects for the next 15 years beginning April 2017 (see graphic on following page), both directly to SBPG and, in large measure, through a competitive process whereby projects are nominated and funded on an annual basis. The State will receive \$44M annually from the RESTORE Act (Pots 1 and 2 combined), while the Parish will receive \$595K annually from Pot 1. The State will focus its investments on Master Plan projects but will also allocate funds annually (~\$10M) to a matching program and solicit projects from coastal parishes seeking additional funding for local coastal projects. The RESTORE Act Council will receive \$88M annually in the RESTORE Act Pot 2 to allocate via a competitive project nomination process. The criteria for project selection (shovel ready, ecosystem restoration, community resilience) favor Louisiana coastal projects; many of the projects identified by SBPG as priorities are ideally suited to be funded via these Pot 2 funds. Of note, however, is that CPRA controls the nomination of Louisiana projects for Pot 2 funding that are advanced to the Gulf Council. As such, it is important to keep in close coordination with CPRA in order to ensure SBPG projects receive all due consideration.

RESTORE ACT

20% of the civil and administrative penalties of the \$5.5 billion settlement are deposited into the Oil Spill Liability Trust Fund. The remaining 80% is deposited into the Gulf Coast Trust Fund, also known as the RESTORE Act.



Natural Resource Damage Assessment (NRDA)

Injuries to the ecosystem from the BP oil spill were settled as part of the NRDA process within the global settlement signed April 2016. The settlement dictates that \$288M/year be allocated to NRDA projects in Louisiana. Many of the projects to be funded via this program have been identified and some are alluded to in the final settlement. Many of the priority projects (N. Shell Beach, Biloxi Marsh, Oyster Reef Shoreline, etc.) in SBP are identified in NRDA documents; others are excellent candidates for NRDA as they seek to restore both ecosystem and human conditions impacted by the spill. As with RESTORE Act Pot 2, NRDA projects will be directed by the CPRA and as such it is critical to maintain close and continuous communication with the CPRA leadership in order to receive appropriate construction funding.

Federal USACE CAP

Under the CAP there are nine discreet programs which could apply to St. Bernard and its coastal communities in one way or another. These programs range from the Section 14 program which applies to emergency protection of facilities along waterways to the Section 1135 program which calls for ecosystem restoration and/or enhancement as a part of or in response to the installation of facilities the Corps participates in. These programs offer funding levels ranging from \$500,000 to \$7 Million and offer matches of 65% to 75%.

The process for application to these programs is very similar for all nine programs and starts with a simple request letter/package to the local Corps official(s) requesting a study and later implementation of a particular project or projects. Should the project have merit in the eyes of the Corps a study is initiated which is typically covered by the Corps at 100% of their cost up to the first \$100,000. Once the study indicates a viable project the project can be funded and design/construction completed.

While several of the programs are directly or indirectly applicable the CAP 204, 205, and 206 programs (details in the below table) are most directly applicable and in fact there is a CAP 206 project in process at the time of this document. The primary drawback with these projects is the time associated with requesting and implementing. From project submittal to actual construction can be upwards of three years when the initial review, study, and design are considered. St. Bernard is highly familiar with the 206 process and has developed a strong set of relationships and trust with local Corps entities. These programs should prove very useful for some of the projects not funded via CPRA or other more expeditious sources.

GOMESA (Gulf of Mexico Energy Security Act, Bureau of Energy Management)

While SBPG will receive \$1.3M annually from GOMESA beginning 2017, the State will be receiving \$144M. Much of those state funds will be used to construct master plan projects, of which many are present in SBP. Additionally, within the GOMESA legislation is a program being implemented this coming fiscal year that applies directly to infrastructure projects.

As part of the state of Louisiana's push to fund the Highway 1 bridge there has been a 10% set aside for infrastructure projects related the following priorities:

- The project's contribution to community resilience (evacuation routes, connection to local businesses, contribution to regional commerce, etc.).
- The community's investment in the project.
- The project's contribution to state, regional and national energy security.
- Opportunities to leverage funding for the project from sources other than those discussed in this resolution.

This program is relatively new and the submittal deadline is set for October of 2016. The particulars of the application package have not been finalized and public comment is slated to remain open through July of 2016.

This pot of funding is useful primarily for projects such as the Delacroix Island Resiliency Plan. The augmentation of state Department of Transportation and Development (LaDOTD) funds and/or the inclusion of drainage pump or levee infrastructure to protect LA 300 would seem a perfect fit for this program.

Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA)

The CWPPRA program, administered by five federal agencies (USACE, NOAA, USFWS, USDA, EPA) and the State of Louisiana, is a competitive program with which St. Bernard is well acquainted. This program provides funding for a wide range of projects and members of the administration and staff have developed strong relationships with pertinent members of the project sponsoring and selection teams. Currently the CWPPRA Program receives ~\$77M/year.

As with other competitive programs, an application package is submitted containing project scope, schedule, budget, and feasibility information. Sponsorship and buy-in from a single advocate appears to be critical to the success of project submitted under this program. It is advised that existing relationships be maintained and further developed so that broad support and multiple sponsoring entities can lend their assistance.

Federal Emergency Management Agency (FEMA)

The FEMA Pre-Disaster Mitigation (PDM) program provides grants for mitigation of future damages. This is a competitive program with emphasis placed on resilience and a favorable benefit cost analysis. The types of projects are diverse so long as damages are prevented. Wind damage mitigation projects are typically most beneficial but flood damages and the alleviation to adverse industry impacts are also of significant importance. During the annual submittal period a package is prepared including scope, schedule, budget, benefit cost, and supporting documentation. Submittals are made to the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) who then routes them to FEMA through their Region 6 office.

Projects such as the protection of Delacroix or other locations which have concentrations of structures, industrial or commercial interest, and recreational properties should be targeted. The Delacroix project should be a good system of projects to apply this avenue to. There could also be some shore line armoring or other types of projects proposed.

Department of Commerce

The Economic Development Agency (EDA) Utilities grant program works to provide infrastructure improvements that will enhance or increase commerce and business activities in certain areas. Emphasis is placed on rural communities. There are some requirements for estimates of additional business/commerce produced which are used in the benefit cost analysis. A package is submitted via grants.gov including scope, schedule, budget, and benefit cost information with letters or documentation from businesses or commercial interests indicating their ability to expand once the project is implemented. This project funding would be most applicable to Delacroix or the Paris Road Corridor projects.

US Department of Transportation (USDOT)

The most recent Transportation and Infrastructure bill included funding for large scale multi modal and freight related projects through the Fast Lane and Transportation Investment Generating Economic Recovery (TIGER) competitive grant programs. Applications including scope, schedule, budget, and benefit cost information are submitted via Grants.gov and DOT personnel score and award projects. Matches are variable and preference is given to projects with higher match levels.

USDOT programs are generally geared towards roadway and potentially rail related projects so applicability to this program are limited, with raising LA 300 proving to be one of the more applicable projects. However, there may be components related to fisheries and other commercial interests that could trigger a portion of a project.

NOAA Coastal Resilience

These grants are competitively selected and intended to assist communities in recovering from, and/or preparing for, “extreme weather events, climate hazards, and changing ocean conditions”. Two rounds of funding totaling \$9 Million have been historically awarded with 12-13 projects out of 130 applications awarded in the latest cycle. Project sizes are typically between \$500K and \$1 Million and must be related to coastal projects.

Once a notice of funding is distributed, a grant application is compiled including narrative, benefit cost, and financial information. A full application is submitted through Grants.gov. Many of the projects noted in the priority plan would fit this program. Should funding opportunities such as CWPPRA, or CAP 206 fall through, this program could/should be pursued as an option.

NOAA Coastal Ecosystem Resiliency Program

This program, administered through NOAA Fisheries, is a competitive national program with an emphasis on ecology and enhancing coastal communities’ resilience in the face of changing climate and extreme weather events. Particular emphasis is placed on “Healthy Oceans” and “Resilient Coastal Communities and Oceans.” The following goals are included in the full description:

- Restore habitat to support healthy fish populations and provide sustainable and lasting ecosystem functions that reduce hazard vulnerability and risks posed to U.S. coastal communities from extreme weather events, changing environmental conditions, and allow for adaptation to known or potential climate change impacts, Federal Funding Opportunity Page 6 of 29;
- Demonstrate collaboration and alignment among multiple stakeholders, including state and federal agencies, by proposing projects that implement ecosystem-based restoration recommendations and site-specific strategies outlined in existing coastal vulnerability or resiliency studies and comprehensive planning efforts;
- Result in socio-economic benefits associated with the restoration of healthy and resilient U.S. coastal ecosystems, such as increased economic activity, enhanced recreation including fishing, changes in human well-being, improved or protected infrastructure, decreased flooding impacts, elimination of safety hazards, and/or reduced maintenance costs;
- Restore habitat within NOAA priority areas, such as Blueprint Habitat Focus Areas, (<http://www.habitat.noaa.gov/habitatblueprint/>) or habitat for Listed species, including Species in the Spotlight (http://www.nmfs.noaa.gov/stories/2015/05/05_14_15species_in_the_spotlight.html);
- Implement on-the-ground restoration actions that will begin within 24 months of the proposed award start date, will result in beneficial impacts, and achieve the stated ecosystem resiliency and habitat goals; and
- Receive approval from the State Governor as evidenced by a letter or other form of documented correspondence, such as a letter from a Governor’s appointee, prior to award (see Section III.C). Before awards are made, NOAA will verify that correspondence from the State Governor has been received.

As with many of the federal programs listed herein, a full application is required including a narrative, costs, availability of match funding, etc. This program would be applicable to any number of the marsh or ridge creation projects, especially those that benefit the commercial and recreational fishing interests in the Parish.

Louisiana CPRA

There are multiple programs and funding sources over which CPRA has control. Planning and implementation funds from GOMESA and the RESTORE Act have provided major infusions of capital, which are naturally focused on projects within the states master plan. Direct requests to leadership are the most likely means of moving specific projects forward. Collaboration on projects that overlap between St. Bernard and CPRA priorities is critical. There are four projects within the Tier 1 priorities that will be requested of CPRA. Those

projects all lie within the priorities of the master plan and will be able to move quickly from planning to design with local input and support leveraged by state and local funding.

Louisiana Capital Outlay

Making Capital Outlay requests and the projects they apply to is a well-documented and understood process which will likely be more beneficial as revenues statewide are increased. Examples of projects that qualify for inclusion in the capital outlay budget are: land acquisition; site development and improvement; acquisition or construction of buildings or other structures; additions or expansion to existing facilities; major repair or renovation of existing facilities; installation, extension, or replacement of utility systems or major building system components; roof replacement; hazardous materials abatement; fixed equipment that is connected to building utility systems; and initial equipment and furnishings for new buildings. All projects are eligible for Capital Outlay, however, applications must be made through State legislators.

For projects other than those funded from self-generated cash, federal funds, or dedicated revenues, it is necessary to limit capital outlay projects to those that have an anticipated useful life of twenty years or more and a value or cost of at least \$50,000.

Funding Matrix

Program	Eligible Scopes	Funding Cap Limits or Typical Levels	Match/Rate/Cost Share	Agency	Dead-lines	Project Applicability	Process/Notes
FEDERAL SOURCES							
RESTORE Act	Primarily Ecosystem Restoration Projects with gulf wide influence, part of Master Plan, and have cost share from local sponsor.	Typically \$15-50M	Variable	CPRA / RESTORE Act Gulf Council	TBD	Projects within the CPRA and/or Local Master Plans	Submitted to CPRA for POT 1 and POT 3 cost share, or to CPRA for POT 2 funding from Gulf Council. Dates TBD.
NRDA	Projects that directly address the impacts of the BP Oil Spill on the natural ecosystem and communities as defined in the Global Settlement	Variable \$500K-\$1B	None Required -Local Match / Shovel-ready Preferred	NRDA Trustee Council NOAA/ USFWS/ CPRA	Annual / TBD	Many of the projects in SBP are directly applicable, if not already identified (e.g., N. Shell Beach) in NRDA documents	Submit projects directly to CPRA and show linkage and synergy with NRDA plans and requirements. Accelerate process by initiating projects to be shovel ready.
USACE - 14	Studies, Canals & Bayous	\$1.5 Million	35%	USACE	Fiscal Year	Emergency protection of public facilities along waterways	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 103	Studies, Breakwaters & Levees	\$5 Million	35%	USACE	Fiscal Year	Beach replenishment to protect public and private properties	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 107	Studies, Canals & Bayous	\$7 Million	10%-50%	USACE	Fiscal Year	Improvements to navigation canals/turning basins etc.	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out

Program	Eligible Scopes	Funding Cap Limits or Typical Levels	Match/Rate/Cost Share	Agency	Dead-lines	Project Applicability	Process/Notes
USACE - 111	Studies, Marsh Wetlands, Canals & Bayous	\$5 Million	Same as Original Project	USACE	Fiscal Year	Repair of shorelines damaged by federal navigation projects or mitigation of future damages	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 204	Drainage, Studies, Marsh Wetlands		35%	USACE	Fiscal Year	Protection, creation, and restoration of aquatic and ecologically related habitats focusing on use of dredge material	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 205	Studies, Breakwaters & Levees	\$7 Million	35%	USACE	Fiscal Year	Small scale flood protection projects with measures ranging from levees to flood warning systems and pumps	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 206	Studies	\$5 Million	35%	USACE	Fiscal Year	Projects related to ecosystem restoration and habitat construction	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 208	Studies	\$500,000	35%	USACE	Fiscal Year	Snagging and clearing of channels for flood control purposes	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
USACE - 1135	Studies	\$5 Million	25%	USACE	Fiscal Year	Ecosystem restoration or augmentation of an existing USACE project or of damages caused by USACE facilities	A letter requesting consideration of a project is submitted to the local authority, once approved a study is initiated, once the study passes the design and construction are carried out
GOMESA Infrastructure	Water, Sewer, Drainage, Roads	Variable	TBD	Bureau of Energy Manage.	16-Oct	Projects related to "infrastructure directly impacted by coastal wetland loss"	A submittal in coordination with CPRA is made and project award based on priority criteria is made on a competitive basis

Program	Eligible Scopes	Funding Cap Limits or Typical Levels	Match/Rate/Cost Share	Agency	Dead-lines	Project Applicability	Process/Notes
CWPPRA	Ridge Restoration, Marsh Creation, Shoreline Protection, Hydrologic Restoration	\$20-40M	15%	Multiple		Coastal restoration projects geared to "acquire, restore, manage, or enhance coastal wetlands"	An application to the competitive program is submitted on an annual basis using a sponsor agency
FEMA - PDM, HMGP (Hazard Mitigation Grant Program), FMA	Facilities	Variable (roughly \$250K to \$1 M)	75%	Dept. of Homeland Security	17-Jun	Flood and wind damage prevention related projects	A package containing benefit cost, project scope, and damage mitigation elements is submitted to GOHSEP and routed to FEMA for the PDM and Flood Mitigation Assistance (FMA) programs. In order to be eligible for 404 assistance the inclusion of potential projects should be added to the Parish accepted hazard mitigation plan in the event of a future declared disaster.
EDA - Public Works	Water, Sewer, Drainage, Roads	\$1-\$3 Million	50%-75%	Dept. of Commerce	Rolling	Grant projects for public utilities and other public works that will create jobs and economic growth	Generation and submittal of a project application including project scope and a benefit cost analysis which places emphasis on generation of new economic development by the project in question
Nationally Significant Corridors	Roads	Over \$5 Million	20%-40%	USDOT	17-Apr	Large scale infrastructure projects related to transportation with an emphasis on freight	A grant application package is completed and submitted via Grants.gov. The package includes benefit cost information, narratives, letters of support, and scope/cost information.
TIGER	Roads	\$5 Million plus	80%-100%	USDOT	17-Apr	Large scale transportation related projects	A grant application package is completed and submitted via Grants.gov. The package includes benefit cost information, narratives, letters of support, and scope/cost information.
NOAA Regional Coastal Resilience	Drainage, Roads, Facilities, Studies, Marsh Wetlands, Breakwaters & Levees, Canals & Bayous	\$500K to \$1M	2:1 Federal to Non Federal	NOAA, NOS	TBD	Projects promoting resilience in coastal regions, communities, and economic sectors specifically targeting severe weather	Completion of a grants package and submittal through grants.gov.

Program	Eligible Scopes	Funding Cap Limits or Typical Levels	Match/Rate/Cost Share	Agency	Dead-lines	Project Applicability	Process/Notes
Coastal Ecosystem Resiliency Grants Program	Studies, Marsh Wetlands	\$250K to \$750K	2:1 Federal to Non Federal	National Marine Fisheries Service, NOAA, Commerce	16-Aug	Projects addressing coastal communities and ecosystems to protect from future hazards and support sustainable fisheries	Completion of grant application per terms of notice of funding opportunity through grants.gov.
STATE SOURCES							
CPRA	Marsh Wetlands	Variable	Variable			Projects fitting within master plan guidelines are advisable	Depending on the funding or desired outcome a variety of requests from formal letters to face to face meetings requesting priority projects is advisable
Capital Outlay	Water, Sewer, Drainage, Roads, Facilities, Studies, Marsh Wetlands, Breakwaters & Levees, Canals & Bayous	Variable	25%		16-Nov	Any project fitting within state guidelines and priorities	A request for Capital Outlay allocation is made and processed via standard procedures
Pre-Scripted Missions	Drainage	\$100,000	0%	GOHSEP	Rolling	GOHSEP has the authority to set in place a plan to deploy National Guard resources including personnel and equipment	GOHSEP adds a specific set of tasks/resources in their disaster response plan
LOCAL SOURCES							
RESTORE Act - Economic Damages (Pot 1)	Water, Sewer, Drainage, Roads, Facilities, Studies, Marsh Wetlands, Breakwaters & Levees, Canals & Bayous	Variable	100%			Virtually any project related to coastal issues can be funded. This is a prime source for matching money.	Documentation of use and project purpose
RESTORE Act - Pot 2	Studies, Marsh Wetlands, Breakwaters & Levees, Canals & Bayous	Variable				Projects aligning with the master plan are advisable	A request is made to the authority having jurisdiction

Program	Eligible Scopes	Funding Cap Limits or Typical Levels	Match/Rate/Cost Share	Agency	Dead-lines	Project Applicability	Process/Notes
Public Private Partnerships	Water, Sewer, Drainage, Roads, Facilities, Studies, Marsh Wetlands, Breakwaters & Levees, Canals & Bayous	Variable	Variable	Industry, Universities, Land Owners, PNPs, etc.		Any project with local buy in and investment could be pursued. Projects such as the black mangrove plantings would be excellent fits.	Identifying a matrix of interested partners and working through Parish relationships the attached list of priority projects could be connected with interested parties.
Bond Funds or Budgeted Items	Water, Sewer, Drainage, Roads, Facilities, Studies, Marsh Wetlands, Breakwaters & Levees, Canals & Bayous	Variable	100%			Parish Discretion	Internal documentation of project intent and agreement by proper internal authorities

Fact Sheets for Updated SBPG Project Priority List

Fact sheets for each of the updated SBPG Priority Projects, which summarize the identified projects include the following details:

- Project Priority
- Current Status
- Project Location
- Problem
- Previous Planning Efforts
- Recommended Solution
- Projected Benefits
- Projected Costs
- Consistency with CPRA Master Plan and other Ongoing Regional Efforts
- Potential Risks, Mitigation Measures, and Permitting Requirements
- Restoration of Areas Impacted by Deepwater Horizon Oil Spill
- Funding Strategy and Sources

North Shell Beach Marsh Creation via Long Distance Sediment Pipeline – East / Lake Borgne / BUDMAT



Project Priority

Tier 1

Current Status

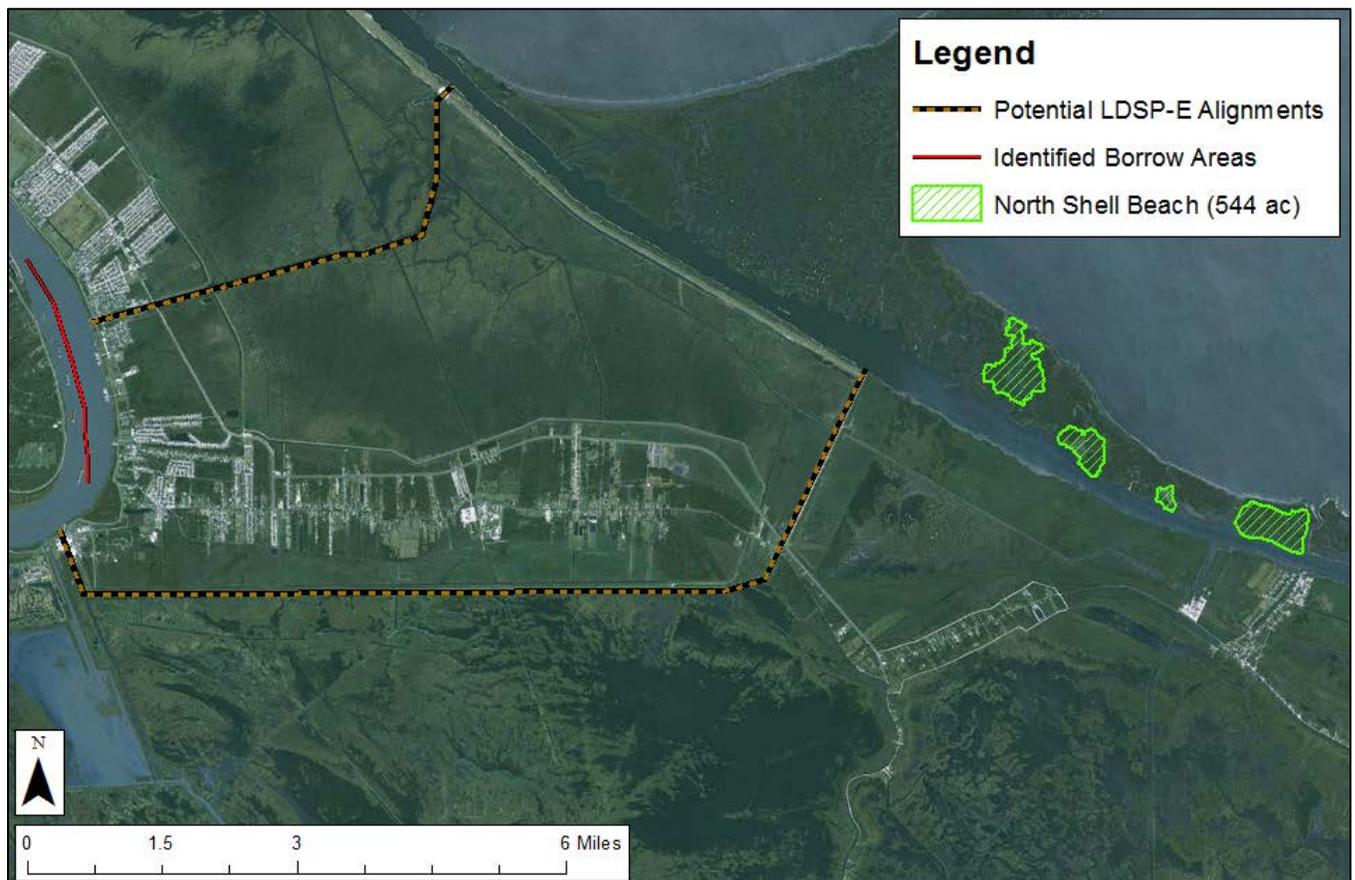
This project is not currently funded in any existing program.

Project Location

St. Bernard Parish, north bank of the MRGO between Proctor's Point and Bayou Yscloskey.

Problem

Much of St. Bernard Parish is composed of emergent wetlands, which are continuing to deteriorate and recede due to factors such as subsidence, sea-level rise, the lack of new inputs of sediment, and erosional forces from seasonal storms. One of these areas, the landform separating Lake Borgne and the MRGO (North Shell Beach), was subject to even greater erosional forces caused by the historic use of the MRGO, and though much of the project area is now protected from edge erosion by rock dike features, interior wetland loss attributed to subsidence continues to cause marsh fragmentation and open water conversion. As these marshes provide the first line of defense from hurricanes to St. Bernard Parish and the Greater New Orleans (GNO) area, and as there has been over \$17B invested in the GNO Hurricane Storm Damage and Risk Reduction System (HSDRRS) since Hurricane Katrina, it is critical that the marshes of St. Bernard stay intact to protect that investment and the surrounding communities.



Previous Planning Efforts

Previous planning efforts related to the restoration of the North Shell Beach include the 2012 CPRA Master Plan (project 001.MC.07a) which designed for the marsh creation and nourishment of approximately 2,230 acres of marsh along the south shoreline of Lake Borgne near Proctors Point, and the PPL26 of CWPPRA which proposed creating and nourishing 544 acres of marsh through dredging sediment from designated borrow sources in Lake Borgne. A project involving Shell Beach South Marsh Creation (PO-168) was also recently approved through CWPPRA and sponsored by the USACE.

Recommended Solution

The proposed project will create and nourish the 544 acres of marsh identified in the PPL25 of CWPPRA by dredging sediment from identified borrow areas found in the Mississippi River, from designated borrow sources in Lake Borgne, or potentially from material generated from the annual dredging of federal navigation channels (BUDMAT).

The ultimate borrow source would be identified in the engineering and design portion of this project and would include, in addition to design of the marsh creation features, an analysis of potential pipeline sediment corridors from the river to the project site. The rationale for studying the feasibility of using the Mississippi River as potential borrow source is as follows:

- Relative to the Long Distance Sediment Pipeline (LDSP) West and Atchafalaya to Terrebonne, a pipeline corridor from the Mississippi River through St. Bernard Parish (herein referred to as LDSP East) may prove to logistically more challenging, however, sufficient investigation has not been done to determine the feasibility of potential alignments.
- Though more costly from a single project perspective, building permanent piping infrastructure and corridors would allow for future cost savings for the over 30,000 acres of marsh creation the Master Plan has already identified for implementation in St. Bernard Parish.
- The state has already provided funds for the Atchafalaya to Terrebonne LDSP and LDSP West projects in support of the renewable sediment source concept.
- Lake Borgne cannot continue to be dredged long term without causing increased wave energy and shoreline erosion in the region, an alternate source of borrow must be found.

If the analysis shows the LDSP East to be infeasible (due to infrastructure concerns, land ownership, cost, etc.) the project will continue by using the existing identified and permitted Lake Borgne borrow areas as the source of sediment. In addition, analysis of the LDSP option of the project, while adding some cost (~\$500K), would not slow project implementation as it would be done concurrently with project design.

Projected Benefits

By initiating the preliminary engineering and design of the LDSP East, there would finally be an avenue to implement much needed, and long-planned marsh creation in St. Bernard Parish. The conveyance pipeline would be used for multiple projects and would result in faster, and ultimately cheaper, project implementation due to use of existing infrastructure and savings through economies of scale. Additionally, this type of project would bring new sediment to a sediment-starved system, and ultimately, the marsh created would benefit from the State's sediment diversion projects.

In addition, the proposed project would benefit those communities that lie outside of the HSDRRS (Reggio, Shell Beach, Yscloskey, etc.) which will be increasingly exposed as loss of the landform continues through subsidence and interior marsh loss. The project would also benefit the immediate non-critical infrastructure (i.e., minor oil and natural gas facilities).

Projected Costs

Based on recent estimates composed for Bayou Dupont (BA-39) (marsh creation via LDSP) and Golden Triangle (marsh creation via Lake Borgne dredging and transport), total estimated project costs can be created based on the amount of desired restored acres. Ultimately, project costs will be driven by the selected source and location of the borrow area as determined in the feasibility analysis portion of this project. It is projected that the total project costs should fall between approximately \$32M to \$50M.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

This project is consistent with the objectives and approach utilized in the 2012 CPRA Master Plan in which fresh water and sediment from rivers were utilized to nourish existing marshes and provide sediment for building new land for a variety of projects. If the river is determined to be feasible as a source of borrow material, depending on the location of the borrow source and corresponding pipeline corridor, this project would coincide well with several Master Plan projects including the Upper Breton Sediment Diversion (001.DI.17) or the Central Wetlands Sediment Diversion (001.DI.18), in addition to providing sediment for a multitude of marsh creation projects also included in either implementation period (Hopedale, New Orleans East Landbridge, Lake Borgne – Component A, Central Wetlands – Component A, Biloxi Marsh, and the Golden Triangle).

Regardless of the borrow material source, the marsh creation component of this project would likely be synergistic with shoreline protection projects implemented under the CWPPRA program, and Corps of Engineers' MRGO 4th Supplemental Study, as well as marsh creation efforts recently approved in the Shell Beach South Marsh Creation Project.

Potential Risks, Mitigation Measures, and Permitting Requirements

Due to the nature of this project, assessment of environmental and cultural impacts will need to be performed. It is likely jurisdictional wetland determinations will be required for pipeline placement, work zones, and potential project fill areas when they are identified. Permitting actions will require drafting coastal use permit (CUP) applications, with emphases on avoiding and minimizing impacts to waterbottoms and wetlands, that address all requirements for the borrow area(s), pipeline placement, and fill areas. Utilizing existing bayous, canals, natural ridges, and spoil banks for pipeline placement and building upon previous permits in place for established pipeline conveyances and the Mississippi borrow area should minimize mitigation costs and overall project scheduling. Also, the 408 permitting process will be necessary as the LDSP-East would affect a federally authorized project(s) (Mississippi River and Tributaries project). Finally, because of the nature of the pipeline corridor, many landowners will likely be involved which will require extensive coordination and communication.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

Though North Shell Beach was not directly affected by the Deepwater Horizon Oil Spill, the potential LDSP produced during this project would provide a cost-effective source and means of transport of suitable sediment for a multitude of other project locations impacted by the Deepwater Horizon oil spill, helping to restore the natural resources, ecosystems, fisheries, estuarine and wildlife habitats, beaches, and coastal wetlands of those areas.

***Funding Strategy and Sources** – This project would seem a perfect match for CPRA. The intent and project scope is included in their master plan and the use of a sediment pipeline creates multiple current and future benefits. It is proposed that the request to CPRA include a match of funding for initial soft costs from the RESTORE Act economic damages to CPRA funds to start the design process. Construction funding should be requested from CPRA as a cost share component once the design phase is completed.*

Project Name
Bayou La Loutre Ridge Restoration
(West, Central, and East Phases)



Project Priority

Tier 1

Current Status

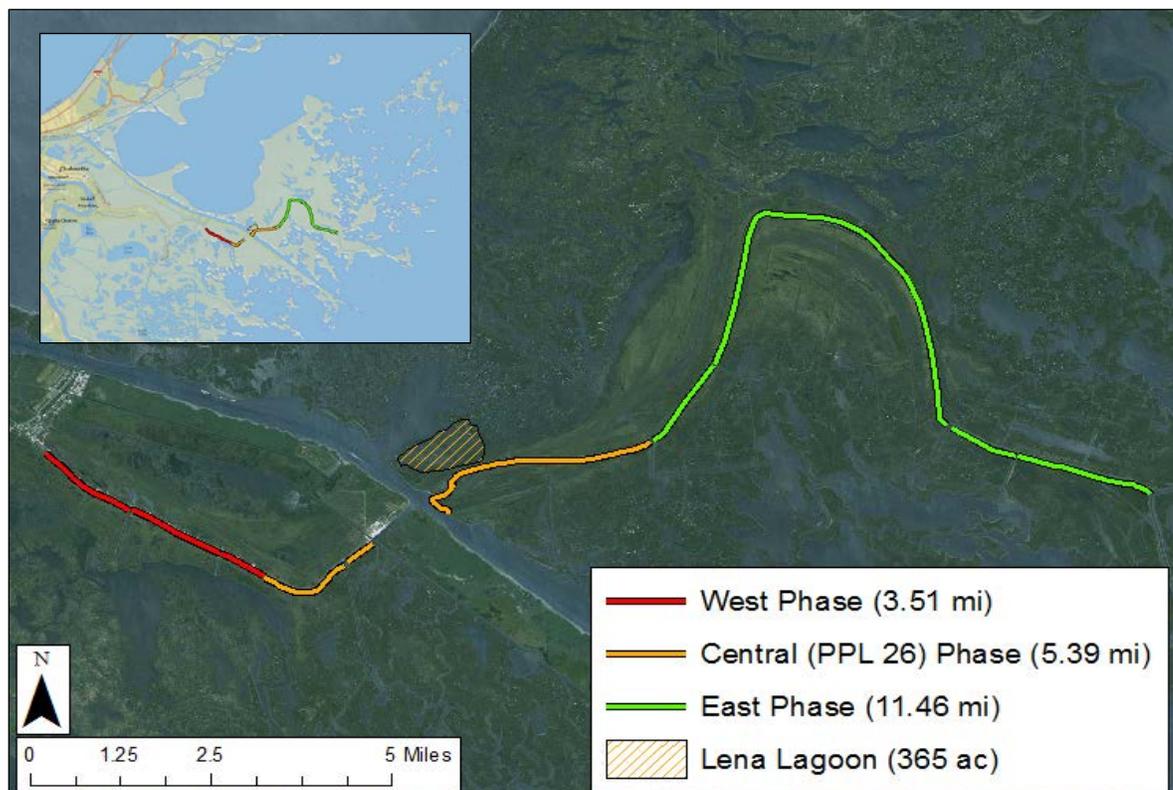
The Central Phase is pending CWPPRA funding via the USACE PPL 26

Project Location

Bayou La Loutre, St. Bernard Parish

Problem

The historic La Loutre Ridges occurring alongside Bayou La Loutre, elevated areas of land eight (8) to ten (10) feet high and lined with small oaks and marsh elder, are fading through natural subsidence; subjected to shoreline erosion due to increased boat traffic after the closure of the MRGO; and experiencing increases in salinity levels brought about the construction of the MRGO. Historically, the elevated ridges and its vegetation have provided natural protection for areas further inland by dampening storm surge energy; however, gaps have formed in the ridges in many places creating open water ponds and streams due to tidal exchange and scouring. Without restoration measures, these open water areas will continue to expand further exposing the inland areas to greater flooding and scour from storm events.



Previous Planning Efforts

Previous planning efforts related to the restoration of the Bayou La Loutre ridges date back to 2006. In addition to inclusion in the 2012 CPRA Master Plan, the project has also been submitted for federal funding through

CWPPRA and has been suggested as a coast-wide need by the LPBF. This project is also a component of the BMLC's Master Plan. The length of proposed ridge restoration measures has differed between these previous planning efforts, as well as the anticipated marsh creation benefits and cost estimates.

Recommended Solution

Based on field data, it was recommended in CWPPRA's PPL26 that the ridges be built up an elevation of four (4) feet using material from bucket dredging the bayou, with the ridges having a 3:1 slope on the bayou side and 2:1 slope on the marsh side. To minimize impacts on existing healthy marsh, it was proposed to build the ridges in the shallow water of the bayou rather than building atop existing ridges. Following construction, 50% of the newly created ridge would include vegetative plantings. Due to funding constraints, it is recommended to split the project into distinct phases, with cost, need, and projected benefits dictating the order of construction. Based on previous planning efforts and geography, the project was broken down into three (3) distinct phases described below, with an additional amendment for marsh creation in Lena Lagoon included.

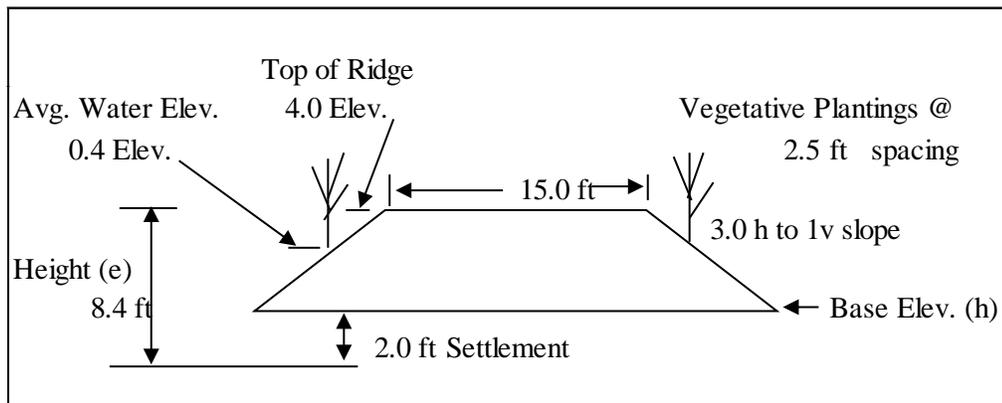


Figure amended from CWPPRA design

West Phase - The West Phase runs along the western shore of Bayou La Loutre from Yscloskey to south of Hopedale. It aligns with the northern extent of ridge restoration measures outlined in the 2012 CPRA Master Plan and terminates at the northern extent of the plans submitted in CWPPRA's PPL26. It is 3.51 miles in length and is segmented where canals are present.

It is anticipated this reach would provide storm surge protection for the Yscloskey, Hopedale, and Shell Beach areas and would protect northern interior marshlands from further degradation and saltwater intrusion. It would bolster the western and southern shores and reduce erosion impacts of boat traffic from further spreading southward. At the end of construction activities, 22.7 acres of marsh including 6.4 acres of ridges should be created in this phase.

Funding Strategy and Sources - Currently this project is being requested under the CWPPRA program. Should this fail, a request will be made to CPRA to handle this phase of the project.

Central Phase - The Central phase follows the alignment proposed in CWPPRA's PPL26 and runs along the western and southern shore of Bayou La Loutre from the end of the West Phase until the canal exiting Bayou Saint Malo. It is 5.39 miles in length and is segmented where canals are present. It includes 0.36 miles along the now closed MRGO.

Due to its west-east lateral orientation, it is anticipated this reach would provide storm surge protection from southern storms; protect northern interior marshlands from further degradation and salinity intrusions; and would rebuild the western and southern shorelines eroded by boat traffic. At the end of construction activities, 34.9 acres of marsh and 9.8 acres of ridges should be created in this phase.

Lena Lagoon Marsh Creation Amendment – Included in the Central Phase is an additional amendment outlined in CWPPRA’s PPL26 which calls for marsh creation in Lena Lagoon from sediment dredged from Lake Borgne or possibly via LDSP if an existing corridor and infrastructure is in place at time of construction. The amendment would create 129 acres of marsh and nourish an additional 254 acres and is expected to protect Bayou La Loutre from future storm events.

Funding Strategy and Sources - As with the West phase this segment can and will be requested from CPRA as a project should CWPPRA fall through as a funding source.

East Phase – The East Phase runs along the western and southern shore of Bayou La Loutre and aligns with the Central Phase to the west and continues for 11.31 miles until Bayou La Loutre forks near the Gulf of Mexico. It aligns with the southern edge of ridge restoration measures outlined in the 2012 CPRA Master Plan and is segmented where canals are present.

It is anticipated this reach would provide the greatest benefit to the northern interior marshlands and would help prevent further fragmentation as a result of storm surge and wave action. It would rebuild the western and southern shorelines, with 73.2 acres of marsh and 20.6 acres of ridges created at the end of construction activities.

Funding Strategy and Sources - This project will be one of the first four requested of CPRA. In order to proceed expeditiously the design, management, and other upfront costs can be shared between CPRA and the Parish using the Parish’s allocation of economic damages funding from the RESTORE Act. Once the design is complete more of the cost share can be moved to CPRA to be executed under their standard process.

Projected Costs

Preliminary construction costing was performed based on recent field data collected for the Bayou La Loutre Ridge Restoration project found in CWPPRA’s PPL 26 and professional judgement. Planning, engineering, and design (P/E&D), construction management (CM), and operation and maintenance (O&M) costs were derived based on estimated construction costs and were prepared using methodologies outlined in the 2012 CPRA Master Plan. It is important to note construction costs for the West and East phases were built upon field data collected for the Central phase and future planning efforts may be required to further refine these details.

Phase	Length [mi]	Average Width [ft]	Construction	w/25% Contiguency	P/E&D	Construction Management	O&M	\$/LF	Total
West	3.51	133.37	\$ 2,404,000	\$ 3,005,000	\$ 240,000	\$ 120,000	\$ 480,000	\$129.74	\$ 3,845,000
Central	5.39	261.53	\$ 3,687,000	\$ 4,609,000	\$ 369,000	\$ 184,000	\$ 740,000	\$129.55	\$ 5,902,000
East	11.31	244.54	\$ 7,725,000	\$ 9,656,000	\$ 772,000	\$ 386,000	\$ 1,540,000	\$129.37	\$ 12,354,000
Lena Lagoon	364.76 ac	-	\$ 13,281,000	\$ 15,937,000	\$ 1,328,000	\$ 664,000	\$ 2,660,000	\$36,410 / ac	\$ 20,589,000
Total Ridge Restoration									\$ 22,101,000
Total w/ Lena Lagoon									\$ 42,690,000

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

This project is included in the Master Plan and synergizes with the Lake Borgne rim project Shell Beach South Marsh Creation (PO-168) which was approved in PPL24 and is designed based upon projects 001.RC.01 and 001.MC.07a (Lake Borgne MC) presented in the State’s 2012 Master Plan and components of the MRGO Ecosystem Restoration Plan.

Potential Risks, Mitigation Measures, and Permitting Requirements

Before construction, pipelines will have to be identified and due to the high probability of encountering archaeological sites, it is likely a cultural resource survey will have to be performed. In addition, required permits will include a CUP and section 404 Permit. It is not anticipated this project would incur any adverse impacts to local hydrology as existing gaps along the ridges would be maintained, and it also expected that this project would not pose a problem for future modifications to the MRGO.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A

Project Name

**Lake Lery Rim Restoration and Marsh Creation
(Phases 2 and 3)**



Project Priority

Tier 1

Current Status

Phase 1 is under construction

Project Location

Lake Lery, St. Bernard Parish

Problem

Much of the shoreline of Lake Lery and the surrounding wetlands were heavily damaged in 2005 by Hurricane Katrina. In the years following this storm, wind-induced waves within the lake have begun to cause further damage to the lake’s already eroded shorelines with the northwestern edge seeing the greatest rate of shoreline retreat. Currently, the northwestern shoreline has become so damaged that the interior emergent marshes that are still intact are being exposed to damaging waves, further exacerbating increased losses of emergent marsh habitat. Even with the benefits of the Caernarvon Diversion Structure, without some type of restoration in this area these marshes may not be able to fully recover.

In addition, the most eastern reaches of Lake Lery near the western levee of Bayou Terre Aux Bouefs and Delacroix have faded throughout the years and nourishment is required to protect vital infrastructure behind the area.



Previous Planning Efforts

Recent restorations efforts include the South Lake Lery Shoreline and Marsh Restoration project (BS-16) as well the Lake Lery East Shoreline and Marsh Restoration project (BS-17), which are both currently undergoing construction. Initially, BS-17 was intended to include two restoration sites, with the southern site totaling approximately 68 acres (herein referred to as Phase 1) and the northern site totaling approximately 30 acres. However, due to unforeseen construction difficulties, only the southern site has been under construction to date.

Recommended Solution

Building from the methodologies incorporated in BS-16 and BS-17, this project proposes to dredge material from the Lake Lery water bottom and pump that material into contained marsh creation cells along the northwest and eastern reaches of the Lake Lery shorelines.

Due to funding and need (based on erosion rates), it is recommended to split the projects into distinct phases, with cost, need, and projected benefits dictating the order of construction. Based on design elements and projected costs, the project was broken down into the following phases.

Phase 2 - Phase 2 would restore areas near the western natural levee of Bayou Terre Aux Boueufs and continues from the northern extent of BS-17. It extends the northern area of restoration of BS-17 to coincide with the current tidal levee found on the eastern side of Bayou Terre Aux Boueufs and would create 29 acres of marsh while nourishing another 10 acres. Unlike Phase 3, it is not anticipated a shoreline embankment or alternative shoreline protection scheme would be required due to the relatively-sheltered location of the area.

Another benefit associated with this phase, from a constructability standpoint, is that geotechnical surveys, planning, and engineering design have already been performed for the majority of this site, and usable borrow areas and piping corridors have already been approved in the past (P20141578).

Phase 3 – Phase 3 encompasses the northwestern part of Lake Lery that has been subject to the greatest extent of shoreline retreat recently. The shoreline embankment of the phase, required to prevent damage to the proposed marsh creation cell, runs parallel to the shoreline for 1.75 miles from the Plaquemines and St. Bernard Parish boundary line and stops at the Gulf South Pipelines canal. The embankment would be created out of material dredged from the water bottom of Lake Lery and have a 50-ft crown width and be built to 3 ft. The lake side shoreline would have a gentle 5:1 embankment side slope which will provide a broader surface to establish and support smooth cordgrass and bullwhip plantings and also reduce wave impact erosion on the embankment. The backside marsh-side slope of the shoreline embankment would be 4:1 to reduce the volume of fill material required and still provide adequate slop stability and bearing capacity. A cross-section of the embankment is found below.

Included in Phase 3 is the marsh creation of 177 acres and the marsh nourishment of an additional 209 acres from near the edge of the embankment to approximately 2000 ft behind the existing shoreline.

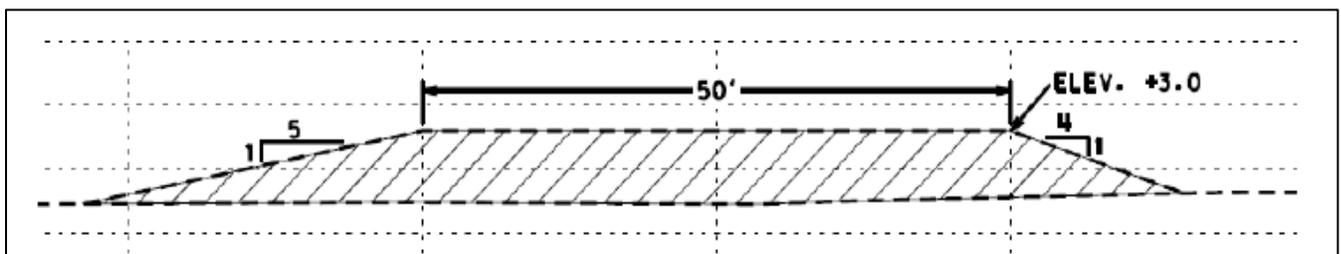


Figure taken from NRCS design

Projected Costs

Preliminary construction costing was performed based on recent field data and project bids collected for projects BS-16 and BS-17. P/E&D, CM, and O&M costs were derived based on estimated construction costs and were prepared using methodologies outlined in the 2012 CPRA Master Plan.

Phase	Acreage	Construction	w/25% Contingency	P/E&D	Construction Management	O&M	Total
Phase 2	38.89	\$ 2,404,000	\$ 3,005,000	\$ 240,000	\$ 120,000	\$ 480,000	\$ 3,845,000
Phase 3	386.35	\$ 13,564,000	\$ 16,955,000	\$ 1,356,000	\$ 678,000	\$ 2,710,000	\$ 21,699,000
Total							\$ 25,544,000

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

This project is congruent with project BS-16 (South Lake Lery Shoreline and Marsh Restoration), which restored the shorelines and created marsh along the western and southern boundaries of Lake Lery; and project BS-17 (Lake Lery Rim Establishment and Marsh Creation), which was designed to provide net benefits to the southeastern portion of the Lake Lery shoreline. It is similar in scope to project 001.CO.01 (South Lake Lery Marsh Creation) of the 2012 CPRA Master Plan.

Potential Risks, Mitigation Measures, and Permitting Requirements

Geotechnical concerns relative to the ability of the borrow to stack and hold in place to contain the slurry will have to be addressed as part of the design process. There are pipelines in the immediate vicinity of the projects so pipeline right-of-way agreements will need to be performed for all respective companies. In addition, required permits will include a CUP and section 404 Permit and cultural resources survey.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A

Funding Strategy and Sources – This project constitutes a reasonable request to CPRA. Given that there is a large scale ongoing project this scope should dovetail well with the ongoing program.

**Bayou Terre Aux Bouefs Ridge Restoration (North and South Phases)
and Armoring of Bayou Gentilly**



Project Priority

Tier 1

Current Status

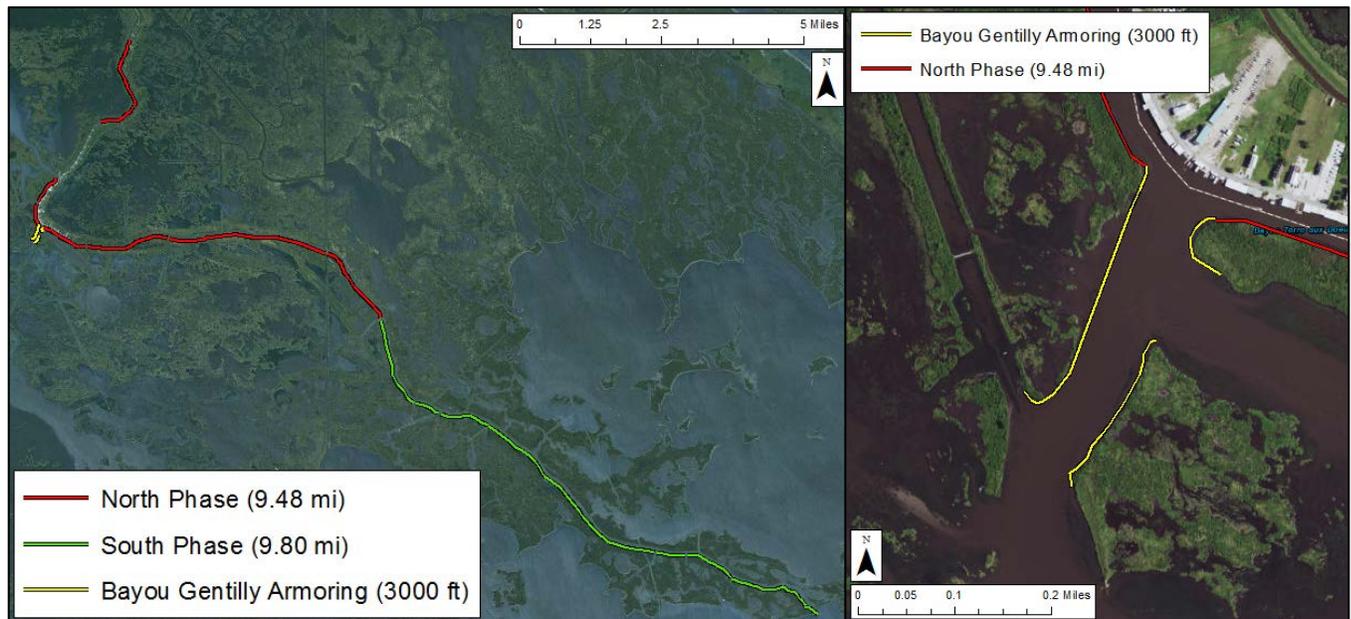
The North Phase is pending a CAP 206 request via the USACE

Project Location

Bayou Terre Aux Bouefs, St. Bernard and Plaquemines Parishes

Problem

The historic Terre Aux Bouefs Ridges occurring alongside Bayou Terre Aux Bouefs, are fading through natural subsidence and shoreline erosion due to boat traffic and may have been adversely impacted by the MRGO channel. Historically, the elevated ridges and its vegetation have provided natural protection for areas further inland such as Delacroix by damping storm surge energy; however, gaps have formed in the ridges in many places, creating open water ponds and streams due to tidal exchange and scouring. Without restoration measures, these open water areas will continue to expand as the bayou continues to widen, exposing the further inland areas to greater risks associated with highly erosional storm events.



Previous Planning Efforts

This project was screened in the 2012 MRGO Ecosystem Restoration Plan, where the proposed ridge restoration measures included stacking sediment along existing ridges to a height conducive to the propagation of upland habitat, but was removed from further consideration as it was determined the negative impacts to existing upland and marsh habitats were greater than the ecosystem benefits created. Though solicited in the past, it has never been selected for further evaluation by the CWPPRA Task Force. It was submitted as a new project for inclusion in the 2017 CPRA Master Plan and is currently being evaluated. There are also concerns that raising the Bayou Terre Aux Bouefs ridges may create a hydrologic barrier inhibiting the movement of

freshwater and sediment to areas targeted for benefit from CPRA planned and current diversions. However, designing the ridges to be segmented where hydrologic exchange nodes are present should allow for hydrologic continuity.

Recommended Solution

Though no engineering field data has recently been collected regarding the current conditions of the ridges, it is recommended to follow similar construction methodologies proposed in CWPPRA's PPL26 for the ridge restoration of Bayou La Loutre. Following this methodology, the ridges would be built up an elevation of four (4) feet using material from bucket dredging the bayou, with a 3:1 slope on the bayou side and 2:1 slope on the side facing the marsh. To minimize impacts on existing healthy marsh, it is proposed to build into the shallow water of the bayou. Following construction, 50% of the newly created ridge is to include vegetative plantings. Protecting the shoreline from erosion where there are gaps in the existing ridge, such as exists at Bayou Terre Aux Bouefs and Bayou Gentilly, is also recommended. Due to funding, it is recommended that the project be split into distinct phases, with cost, priority need, and projected benefits dictating the order of construction. Based on previous planning efforts and professional judgement, the project was broken down into the following two (2) distinct phases.

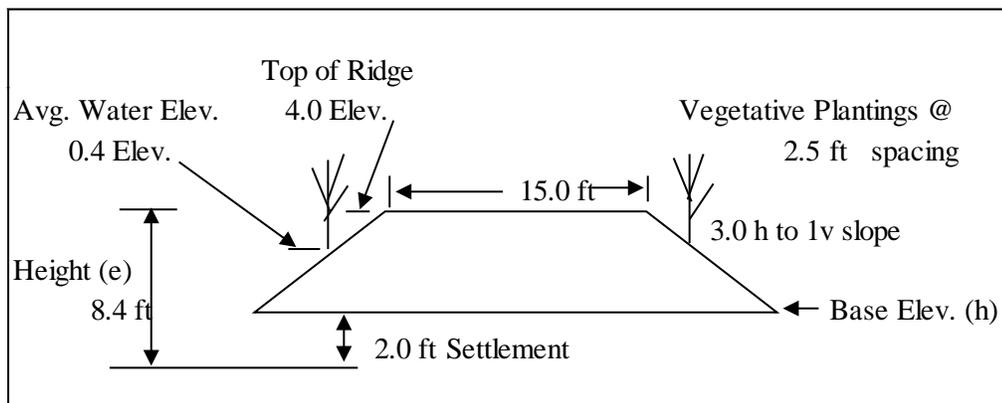


Figure amended from CWPPRA design

North Phase - The North Phase runs along the western shore of Bayou Terre Aux Bouefs from south of Reggio, bypasses the Lake Lery East Shoreline and Marsh Restoration project (BS-17), and terminates near the entrance to Petain Lagoon. It is 9.48 miles long and is segmented where canals are present, allowing for hydrologic continuity.

As project BS-17 bisects the North phase, it creates two mini-reaches which both promote different benefits. The smaller segment above Delacroix would widen and restore broken marshland occurring to the west of Bayou Terre Aux Bouefs (similar in scope to BS-17) and would provide additional erosion protection and reduce potential flooding events along Delacroix Highway. The northern reach would provide the greatest storm surge protection from southern storms for Delacroix; protect northern interior marshlands from further degradation and salinity intrusions; and would rebuild the eroding western and southern shoreline.

At the end of construction activities, 61.4 acres of marsh including 17.2 acres of ridges would be created in this phase.

Funding Strategy and Sources - This project would be a reasonable complement to the CAP 206 request in the South Phase. CPRA will be difficult to approach given the lack of inclusion in the recent master plan. However, an additional request under 206 or one of the other USACE programs or a request under CWPPRA under a future round sponsored by the USACE would be advisable.

South Phase – The South Phase runs along the western and southern shore of Bayou Terre Aux Boueufs and aligns with the Central Phase to the west and continues until the ridge begins to become noticeably less pronounced near Pumpkin Bay and Drum Bay. It is 9.80 miles long and is segmented where canals are present, allowing for hydrologic continuity.

It is anticipated this reach would provide the greatest benefit to the northern interior marshlands and would help prevent further fragmentation as a result of storm surge and wave action. It would rebuild the eroding western and southern shoreline, with 63.4 acres of marsh including 17.8 acres of ridges created at the end of construction activities.

Funding Strategy and Sources - This project is currently included in the CAP 206 request. CPRA will be asked to lend support to this project in the form of follow up with USACE representatives. Should the 206 project prove fruitless future CWPPRA rounds would be a good match.

Bayou Gentilly Armoring – It is also recommended that the shoreline erosion measures (e.g., rock armoring) be installed at the intersection of Bayou Terre Aux Boueufs and Bayou Gentilly to prevent any additional erosion. Currently, that area has eroded and is subjecting Delacroix Island to significant wave energies.

Funding Strategy and Sources – This project is a good fit to attract funding via GOMESA, due to its resiliency component, and would also compete well for NRDA and RESTORE Act funding.

Projected Costs

Preliminary construction costing was performed based on recent field data collected for the Bayou La Loutre Ridge Restoration project found in CWPPRA’s PPL26 and professional judgement. P/E&D, CM, and O&M costs were derived based on estimated construction costs and were prepared using methodologies outlined in the 2012 CPRA Master Plan. It is important to note construction costs were built upon recent bathymetry depths collected along Bayou La Loutre and future planning efforts may be required to further refine these details.

Phase	Length [mi]	Average Width [ft]	Construction	w/25% Contignecy	P/E&D	Construction Management	O&M	\$/LF	Total
North	9.48	262.64	\$ 6,477,000	\$ 8,097,000	\$ 648,000	\$ 324,000	\$ 1,295,000	\$129.40	\$ 10,364,000
South	9.80	382.47	\$ 6,696,000	\$ 8,369,000	\$ 670,000	\$ 335,000	\$ 1,339,000	\$129.41	\$ 10,713,000
								Total Ridge Restoration	\$ 21,077,000

Phase	Length [ft]	Construction	w/25% Contignecy	P/E&D	Construction Management	O&M	Total
Bayou Gentilly	3000	\$ 4,650,000	\$ 5,812,500	\$ 465,000	\$ 232,500	\$ 697,500	\$ 7,207,500

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

This project was not included in the 2012 CPRA Master Plan, though it is being evaluated for inclusion in the 2017 update. The footprint of this project connects with CIAP project BS-17, abutting the boundaries of BS-17 to the north and south along Bayou Terre Aux Boueufs and is consistent with ridge restoration concepts found in the CPRA Master Plan (such as 001.RC.01- Bayou La Loutre Ridge Restoration), the LPBF Multiple Lines of Defense Strategy, and the MRGO Restoration Plan.

Potential Risks, Mitigation Measures, and Permitting Requirements

The largest risk to this project is potential for resource agencies to require mitigation for any existing wetlands that may be impacted by rebuilding the ridge. Before construction, pipelines will have to be identified, and due to the high probability of encountering archeological sites, a cultural resource survey will have to be performed. In addition, required permits will include a CUP and section 404 Permit. Depending on the dredging and filling approach, costs associated with mitigation may also be incurred. It is not anticipated this project would incur any adverse impacts to local hydrology as existing gaps along the ridges would be maintained and as the hydrologic connections will remain open, sediment and freshwater from the Caernarvon Diversion will still be able to reach the area.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A



Project Priority

Tier 2

Current Status

Improvements to LA 300 are set to begin before the end of 2016

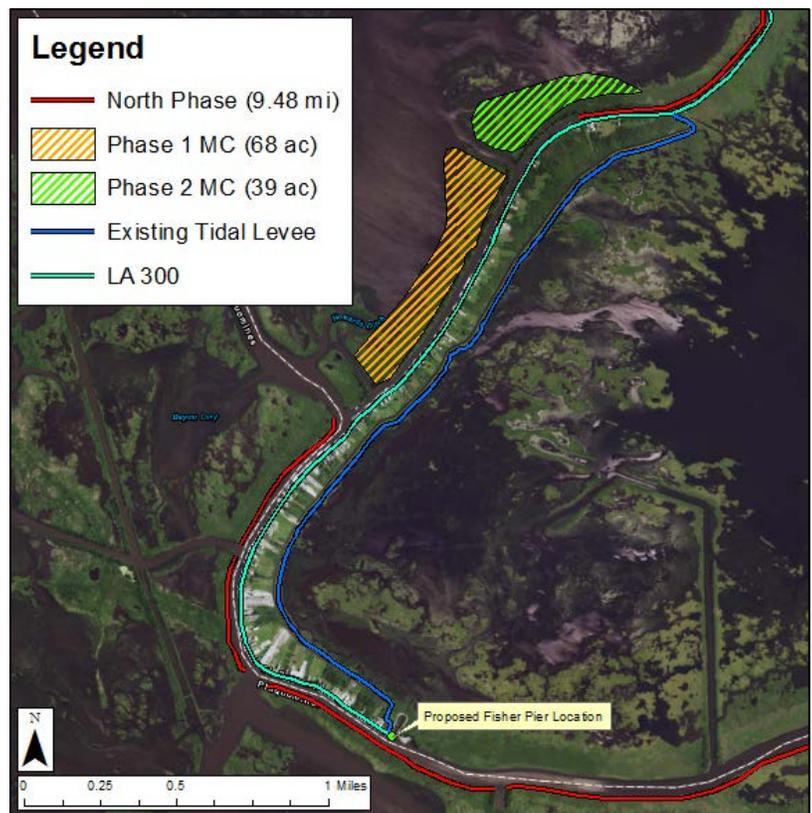
Project Location

Delacroix Island, St. Bernard Parish

Problem

As noted in the 2012 St. Bernard Master Plan, Delacroix Island is an important resource to the future of St. Bernard Parish.

It is a critical economic, cultural and social component of the parish, serving as a link between the levee-protected centralized business centers, where most of the parish's population, businesses and commercial and industrial development is concentrated, and the outer marshes and bayous, whose renewable and non-renewable resources contribute greatly to the economy of the parish, state and nation. In addition, it is also well suited as a strategic staging area for rapid and sustained response to emergency situations, such as boating accidents, petroleum well blowouts and oil and hazardous materials spills in the surrounding estuarine marsh environment, the Chandeleur Sound, the Breton Sound, and nearshore Gulf east of the Chandeleur Islands.



The area is also subject to flooding from storm surge and will require management, restoration, and flood protection measures if the area is to remain viable. Land loss and rising sea level will challenge the future viability of Delacroix Island and necessitate on-going adjustments in local coastal and flood protection measures and implementation of best management for infrastructure development.

With its configuration of boat launching and docking facilities, seafood off-loading areas, intricate network of tidal channels, and close proximity to prime natural resource harvesting areas and inshore oil and gas fields, Delacroix Island already possesses important infrastructure and assets, and further economic development and coastal protection activities, would prove to enhance services available for the area's inhabitants as well as provide additional revenue streams for the parish.

Previous Planning Efforts

The importance of overall protection and restoration measures regarding Delacroix Island has been called out in previous reports and plans such as the 2012 St. Bernard Master Plan.

Recommended Solution

Based on forecasted funding sources, anticipated need, and available data, it is recommended to split up the overall Delacroix Island protection and restoration scheme into narrowly-defined components, which should allow for faster implementation and easier constructability. In this strategy, the resiliency plan was split up in discrete components involving: (1) the existing tidal levee protecting the eastern side of Delacroix Island, (2) LA 300, the state highway which connects Delacroix Island to the upper reaches of the Parish, and (3) a component involving growing the economic, tourism, and recreational capabilities of Delacroix Island.

LA 300 Component - LA 300 connects the upper reaches of the Parish to local fishing villages and is the only vehicular route which provides access to Delacroix Island. As such, protection and maintenance of this thoroughfare is critical, both for protecting the livelihoods and industry built out of Delacroix Island and for providing a means of egress in the event of emergency.

Abutting Bayou Terre Aux Bouefs to the western side, select portions of LA 300 sit dangerously low, often times becomes inundated after large rain or storm events, and various sections suggest that existing bulkheads are no longer functioning properly at adequately preventing erosional forces from further eroding away at the road foundation. The LaDOTD currently has plans to renovate specific sections of road that have been identified. SBPG is interested in coordinating with the LaDOTD to raise sections of LA 300 where needed.

Projected Benefits - This component would raise low-lying sections of LA 300 to prevent flooding and further erosional impacts.

Projected Costs – This project should not have any associated costs required of the Parish.

Potential Risks, Mitigation Measures, and Permitting Requirements – As LaDOTD is acting as the lead, it is not expected that SBPG will be incurring any potential risks or will have to produce relevant permits for this component.

***Funding Strategy and Sources** - This component will be funded via LaDOTD.*

Economic, Tourism, and Recreational Component - The Louisiana coast, in general, is very popular for recreation, especially activities such as fishing, sight-seeing, boating, camping, and bird watching. Continued redevelopment of marinas, overnight accommodations, boat ramps and bait shops, fishing charter boat operations, ecotourism guide operations, and other water-oriented activities in St. Bernard Parish will further provide opportunities for residents from the parish, the GNO Metropolitan Area, and tourists to access the wetlands and waterways for recreation and education.

With Louisiana currently experiencing one of the higher wildlife-associated recreation participation rates of the nation according to periodic surveys published by the U.S. Fisheries and Wildlife Service, Delacroix Island, with its unique position as one of the southernmost boat launches, is a prime candidate where further development of the existing infrastructure, facilities, and programs could return immediate economic benefits for the Parish and its citizens.

In this submittal, a plan detailing the implementation of a proposed fishing pier in Delacroix is described herein, as part of the “Recreational Fishing Pier and Public Seafood Market/Pavilion” project.

Projected Benefits - This component would serve to bring in additional money, job opportunities, and traffic into the Parish, and depending on the development strategy, could also serve to restore local environmental issues.

Projected Costs - Project costs would be dictated by the location and nature of the development scheme proposed in a more comprehensive planning effort.

Potential Risks, Mitigation Measures, and Permitting Requirements - Risks, mitigation measures, and permitting requirements would be dictated by the location and nature of the development scheme proposed in a more comprehensive planning effort.

***Funding Strategy and Sources** - Given the oyster fishery, recreational opportunities, and historical context, this component would candidate to compete for funding via the RESTORE Act.*

Tidal Levee Component - The existing back levee located on the eastern side of Delacroix Island, constructed mainly as a tidal surge barrier, may be experiencing the effects of subsidence and sea-level rise, in addition to coastal erosion effects, causing the levee to lose its effectiveness in protecting Delacroix Island from inundation.



Upon inspection, the back levee appears to be in very good condition as (1) there are no apparent washouts or erosional areas on the flood or protected sides of the levee, (2) the toe

of the flood side has significant mixed scrub-shrub vegetation growth present, and (3) most of the adjacent area is marsh. In the past armoring the front edge of the flood side via placement of rock or rubble stone has been proposed, but due to the current healthy condition of the levee and extensive and prohibitive wetland mitigation costs that would likely result, other protective measures may warrant consideration.

Many times armoring is done on the back side of the levee to prevent erosion to the levee when an over-topping event is incurred, as seen with Hurricane Katrina; however, any placement of material on the levee, be it flood side, protected side, or crown, is problematic as it increases the cost of future lifts as the armoring must be removed in order to do so. Furthermore, armoring can cause levee failures if the soils are too weak to support the additional weight of the rocks/rubble.

At this time, it is expected the most economical, readily available, and beneficial method would be maintaining the flood side toe of the levee with robust vegetation and through possible implementation of utilizing living shoreline products in areas of adjacent open water. Should armoring the back levee be desired, it would need to be initiated with a comprehensive geotechnical, wave/surge modeling, and engineering analysis to ensure that such a project does not do more harm than good.

Projected Benefits - This component would make the back levee more resilient in the face of severe erosional events and could reduce the inundation of Delacroix Island during future storm events.

Projected Costs - After identifying the conditions of the flood side toe and surveying the existing vegetation, it is expected that the plantings should not have large associated costs and would be a good candidate for volunteering opportunities. At an estimated cost of \$300/ft, projected costs for providing adequate protection

for the entirety of the 2.75 mile levee via living shoreline products could be expected to near \$4.5M. The cost for a comprehensive engineering evaluation such as this in in the \$750K range, which would inform the ultimate advisability, feasibility, and cost of any armoring effort.

Potential Risks, Mitigation Measures, and Permitting Requirements - There are no known risks associated with the additional plantings of this component; however, work on the flood side of the levee, be it armoring the levee or installing living shoreline products, would require permits and may incur mitigation costs depending on the impact to wetlands during installation and construction.

Funding Strategy and Sources – It is expected that this component may be eligible for funding via the Direct Component of the RESTORE Act under the scope of coastal flood protection and related infrastructure. Another good fit for the levee component would be the NOAA Regional Coastal Resilience program.

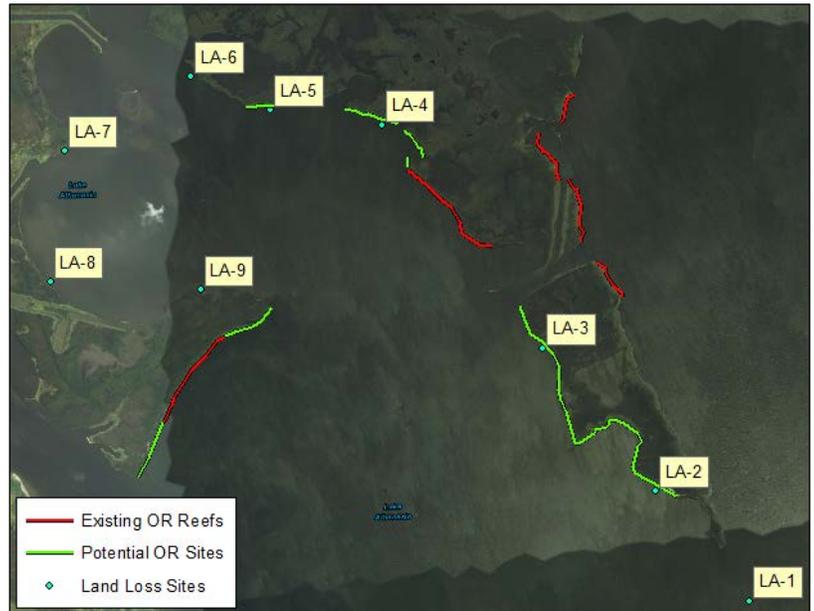
Consistency with CPRA Master Plan and other Ongoing Regional Efforts

The armoring of the tidal back levee was submitted for inclusion into the 2017 Master Plan, but will not be included in the update due to inconsistencies in scope with the principles and objectives of the master plan. The components proposed herein for Delacroix Island interplay well with some of the other proposed projects, namely the Armoring of Bayou Gentilly, the North Phase of the Bayou Terre Aux Bouefs Ridge Restoration, Phases 1 and 2 of the Lake Lery Rim Restoration and Marsh Creation, and the Recreational Fishing Pier and Public Seafood Market/Pavilion projects.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

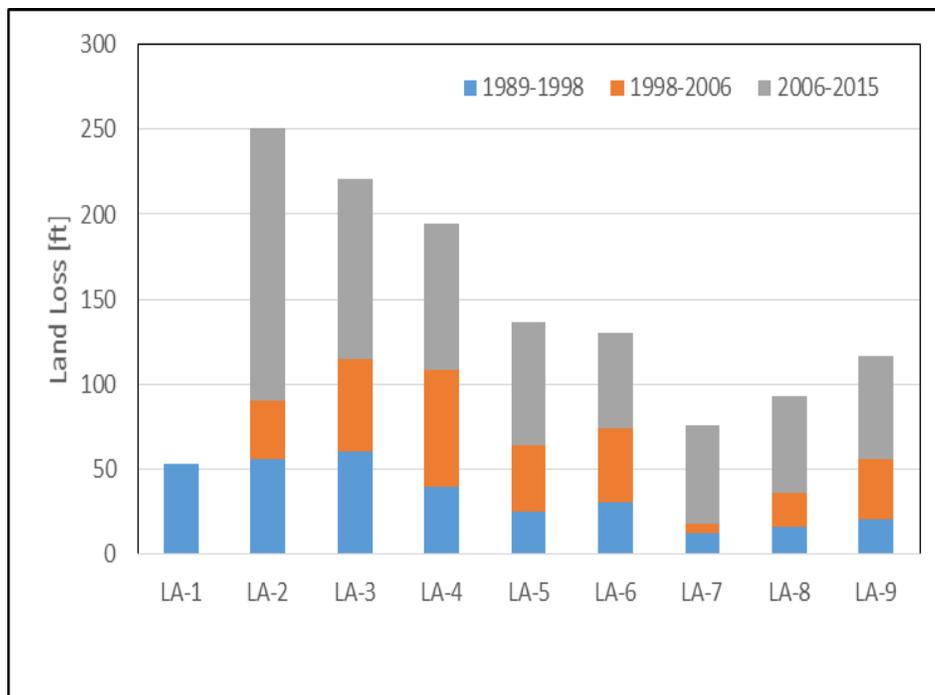
It can be safely be said that Delacroix Island was one of the areas most impacted by the Deepwater Horizon oil spill. Due to its overwhelming reliance on the Gulf for much of its revenue, much of the area became financially burdened until well after the cleanup efforts were completed. In addition, many of the wetlands that protect Delacroix Island and serve as a buffer for strong storm events were irreconcilably affected, thus threatening the future well-being of Delacroix Island. These components would allow Delacroix Island to financially recover some of its lost revenue and bolster the existing defenses of the area, providing a positive outlook for its overall viability.

Lake Athanasio / Lake Eloi – Various undertakings by numerous agencies utilizing different oyster barrier reef methodologies have been undertaken for the Lake Athanasio and Lake Eloi areas, though recording, monitoring, and sufficient documentation may be lacking and unreported. Below is a table listing the well-documented projects by project lead, date of construction, reef technology, location, and length. In all projects The Nature Conservancy (TNC) acted as project lead.



An imagery review of the shoreline from 1989 to 2016 illustrates the limits and extent of the shoreline retreat seen in the Lake Athanasio area with the southern and eastern shorelines showing the greatest rates of land loss. Though subsidence and sea-level rise have some factor in the erosion rates, these southern and eastern shorelines also receive more wave energy than the relatively sheltered western and northern reaches of Lake Athanasio; therefore, these areas would likely be good candidates for oyster barrier reef projects. Recent salinity values suggest these areas would also be feasible for oyster viability and propagation as well. The figure and table below show the existing oyster reef projects, land loss sites and corresponding rates used in the desktop analysis, and suitable sites for further oyster reef implementation.

Project Lead	Date Constructed	Reef Technology	Approximate Location	Length [mi]
TNC	Mar-12	ReefBlk	29°45'23.8"N, 89°26'25.8"W	1.11
TNC	May-14	OysterBreak	29°44'40.9"N, 89°28'06.4"W	0.50
CRCL, TNC	TBD-16	Bagged Oyster Shells	29°45'21.1"N, 89°26'56.6"W	0.50

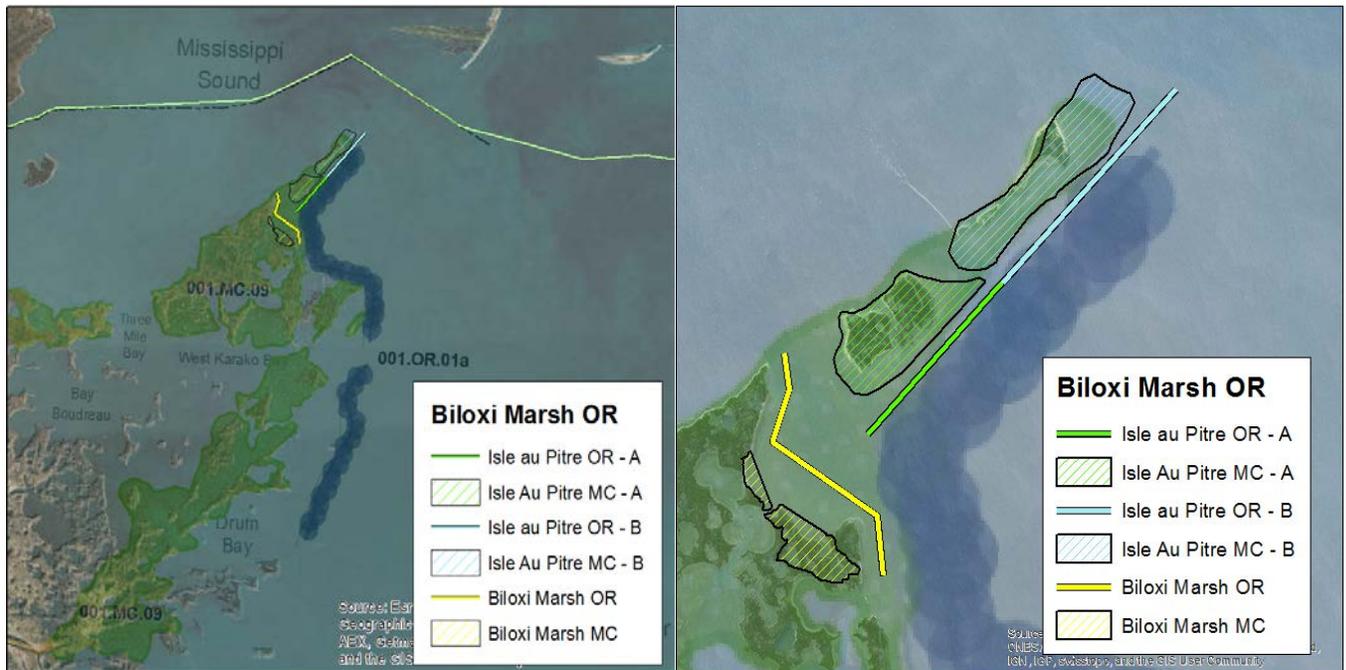


Lake Machais / Lake Fortuna – To date, the only documented oyster barrier reef project constructed in the Lake Machais and Lake Fortuna region was constructed by TNC in March 2012 and consists of 1.89 miles of protection via ReefBlk technology at approximately 29°40'25.9"N, 89°31'42.2"W.

In a study comparing the effectiveness of current oyster reef barriers in the Gulf of Mexico region, several sites in the Lake Machais and Lake Fortuna areas were modeled for feasibility and effectiveness of utilizing oyster barrier reefs (La Peyre et al., 2015). In the study, it was determined sites along the eastern shores of Lake Machais and Lake Fortuna would likely be suitable for project implementation due to higher shoreline exposures (which would corresponding with the greatest reduction in marsh edge erosion) and favorable oyster habitats of those areas. The most suitable areas found in the study were sites located on the eastern shoreline of Lake Machais and Lake Fortuna though select sites located along the western boundaries were also found to be fair locations.



Biloxi Marsh – Previous planning efforts related to the restoration of the Biloxi Marsh/Oyster Bay have been undertaken. In addition to inclusion in the 2012 CPRA Master Plan, related projects have also been submitted for inclusion to federal funding through the CWPPRA Task Force. The length and location of proposed oyster barrier reefs have differed in these previous planning efforts, in addition to the anticipated marsh creation benefits and cost estimates. The main details of the previous planning efforts can be found in the table below, and the location of the proposed efforts (superimposed over corresponding 2012 CPRA Master Plan projects) can be found in the below figures.



Source Material	Date	Agency	Proposed Features	Cost
CWPPRA PPL26 (Biloxi Marsh Oyster Reef and Marsh Creation: Option A)	2016	EPA	-Creation of 2.8 miles of oyster barrier reef substrate along the northern top portion of Biloxi Marsh -Creation and nourishment of 263 acres of emergent marsh with dredged material from Chandeleur Sound	\$21.00M
CWPPRA PPL26 (Isle au Pitre Oyster Reef and Marsh Creation: Option A)	2016	EPA	-Creation of 1.80 miles of oyster barrier reef along the southern half of Isle Au Pitre -Creation and nourishment of 535 acres of emergent marsh with dredged material from an offshore borrow site.	\$25.00M
CWPPRA PPL26 (Isle au Pitre Oyster Reef and Marsh Creation: Option B)	2016	EPA	-Creation of 2.51 miles of oyster barrier reef along the northern half of Isle Au Pitre -Creation and nourishment of 617 acres of emergent marsh with dredged material from an offshore borrow site.	\$30.00M
2012 CPRA Master Plan (001.OR.01a)	2012	CPRA	-Creation of 22.40 miles of oyster barrier reef along the eastern shore of Biloxi Marsh -Anticipated creation of between 231-257 acres of marsh after 50 years.	\$83.75M

Recommended Solution

More monitoring on the long-term effects of already-built structures is needed to properly assess the feasibility and effectiveness of the variety of different oyster reef structures that currently exist, but recent research illustrates that oyster barrier reefs, as a whole, reduced shoreline retreat by an average of 1 m yr⁻¹ for shorelines in moderate- and high-exposed areas (La Peyre et al., 2015). It is important to note shoreline retreat was only reduced and not reversed (due to subsidence and sea-level rise), hence, oyster barrier reefs may need to be implemented in conjunction with other restoration approaches to prevent no land loss rates.

Projected Costs

Based on previous projects and recent bid submittals, a price of \$300/ft is a reasonable estimate to cost out future oyster reefs projects. As such, a one mile stretch of constructed oyster reefs for protection could be expected to cost near \$1.6M and a five mile stretch of protection could be expected to cost near \$8M.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

In the 2012 CPRA Master Plan, five oyster barrier reef projects were considered for inclusion, but only one (1) project (001.OR.01a) was selected for implementation. The recent CWPPRA projects found in the Biloxi Marsh are all designed based upon the Biloxi Marsh Oyster Reef project (001.OR.01a) presented in the State's 2012 Master Plan and synergize with the Biloxi Marsh Creation project (001.MC.09) to create new wetland habitat, restored degraded marsh, and reduce wave erosion. No projects regarding the Lake Athanasio or Lake Machais areas were found in the 2012 CPRA Master Plan, though oyster barrier reef projects in those areas may be able to coincide with the Biloxi Marsh Living Shoreline and Living Shoreline Demo projects.

Potential Risks, Mitigation Measures, and Permitting Requirements

It is critical that any project of this nature use the correct product and place it in the correct location otherwise the project will not be successful. There will have to be significant review of ongoing efforts by the design team to ensure the correct solution is applied for each area of concern. Drawing from permits for the living shoreline demonstration project (PO-0148), pipelines and existing oyster leases will need to be identified. In addition, dredging and sub-sequent backfilling operations will likely need to be enacted and permitted for based on the water bottom depths of the selected project sites.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

Although the Biloxi marsh, Lake Athanasio, and Lake Machais areas not receive the heaviest impact of oil contamination as a result of the oil spill, it is expected this project would help reduce erosion rates to select areas where vegetation was inhibited.

Funding Strategy and Sources – There are several funding options that this particular set of projects could fall under. Included in this list are the Section 14, Section 103, Section 111, and Section 206 Army Corps CAPs. Inclusion in a CWPPRA project request would also be a possibility. In addition to public funds there are several private programs as well as USFWS programs and potential partnerships with local oyster interests which should be explored.

Literature Cited

La Peyre et al. (2015), Assessing shoreline exposure and oyster habitat suitability maximizes potential success for sustainable shoreline protection using restored oyster reefs. PeerJ 3:e1317; doi 10.7717/peerj.1317.



Project Priority

Tier 2

Current Status

Side sonar is complete and debris removal is going up for bid in 60 days. It is expected this project should be completed by early 2017.

Project Location

The Violet Canal from L.A. Hwy. 46 (St. Bernard Highway) at the Mississippi River to the Bayou Dupre Flood Control Structure located at the Gulf Outlet on Lake Borgne (approximately 28,000’).

Problem

Hurricanes Katrina and Rita flooded, destroyed, damaged, and floated an estimated half a million boats, trucks, busses and aircraft in Louisiana along with thousands of docks, piers, boathouses and pilings. While several hundred thousand vessels have been removed by insurance companies, other large boats and Coast Guard registered vehicles were left as abandoned and submerged where they currently still cause unsafe nautical navigational conditions for pleasure and commercial boaters in the Violet Canal.



Previous Planning Efforts

N/A

Recommended Solution

Prepare plans and specifications for the SBPG to administer public advertisement and bid for the removal of such debris including designated damaged piers, docks, boathouses, piles, crab traps and abandoned/wrecked vessels from the said canal limits and based on the survey/side scan sonar results of above and below water surface and actual field observations from above water. Plans and specifications will include: spatial locations and photos of said debris/removal vessels, coordination with legal and the Louisiana Department of Wildlife and Fisheries (LDWF) on vessel abandonment, cross-sections of canal, removal methods, disposal methods and sites, environmental requirements, permit requirements, estimated quantities of all debris, and project specifications.

Projected Benefits

Once completed, this project would allow for safe navigational conditions along the entirety of Violet Canal, which would reduce the likelihood of vessel accidents while also increasing tourist and recreational traffic.

Projected Costs

From gathered estimates of probable costs from contractors, it is estimated this project would cost between \$500K to \$1M to clear the canal of all posed hazards.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

N/A

Potential Risks, Mitigation Measures, and Permitting Requirements

It is not expected the Parish would incur any significant risks or require mitigation measures or permits for this project.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A

Funding Strategy and Sources - United States Department of Housing and Urban Development is providing project funding through the Community Development Block Grant (CDBG) program.

Project Name
**Recreational Fishing Pier and
Public Seafood Market/Pavilion**



Project Priority

Tier 2

Current Status

This project is currently in the early planning phase

Project Location

Shell Beach and Delacroix

Problem

St. Bernard Parish is home to some of the most dynamic recreational fishing in the state of Louisiana. However, there are very few areas available for the public to safely fish from the shore. There is also limited available space for commercial fishermen to engage in the sale of fresh seafood or for the general public to congregate near the water for family gatherings or other events.



Previous Planning Efforts

N/A

Recommended Solution

The proposed project includes the construction of two fishing piers (one at Shell Beach and one at Delacroix). These sites were selected near popular fishing destinations where citizens will be able to enjoy a good fishing experience while remaining safely onshore. Additionally, the project includes the construction of a public

seafood market and pavilion at the opposite end of Shell Beach, where citizens would have an opportunity to purchase seafood directly from commercial fishermen or have family gatherings and other events near the water.

Projected Benefits

This project would bring tourism to the furthest extents of the Parish, highlighting the strengths of St. Bernard's fishing industry while also providing expected economic benefits.

Projected Costs

A preliminary estimate of \$1M has been proposed for this project.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

N/A

Potential Risks, Mitigation Measures, and Permitting Requirements

This project would not be expected to incur any significant risks or require mitigation measures or permits.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

Following the oil spill, the seafood industry of the Parish, from recreational to industrial to commercial components, was immediately decimated, with some areas taking years to recover. In that time period, St. Bernard Parish (in addition to Louisiana as a whole) saw a sizeable loss in its overall business share of the seafood industry, as both fish stocks and trust in the decontaminated product faced a slow recovery. This project would help illustrate that the seafood industry of the Parish is once again thriving and would spur economic growth to the areas hardest hit from the spill.

***Funding Strategy and Sources** - As an economic driver in a rural area this project would be a good fit for Economic Development Agency and USDA rural development program funding. This project would also be able seek via funding under the Direct Component of the RESTORE Act as it promotes tourism via recreational fishing and also promotes the consumption of seafood harvested from the Gulf Coast Region.*

Paris Road Corridor Welcome Center and Streetscape Enhancement



Project Priority

Tier 2

Current Status

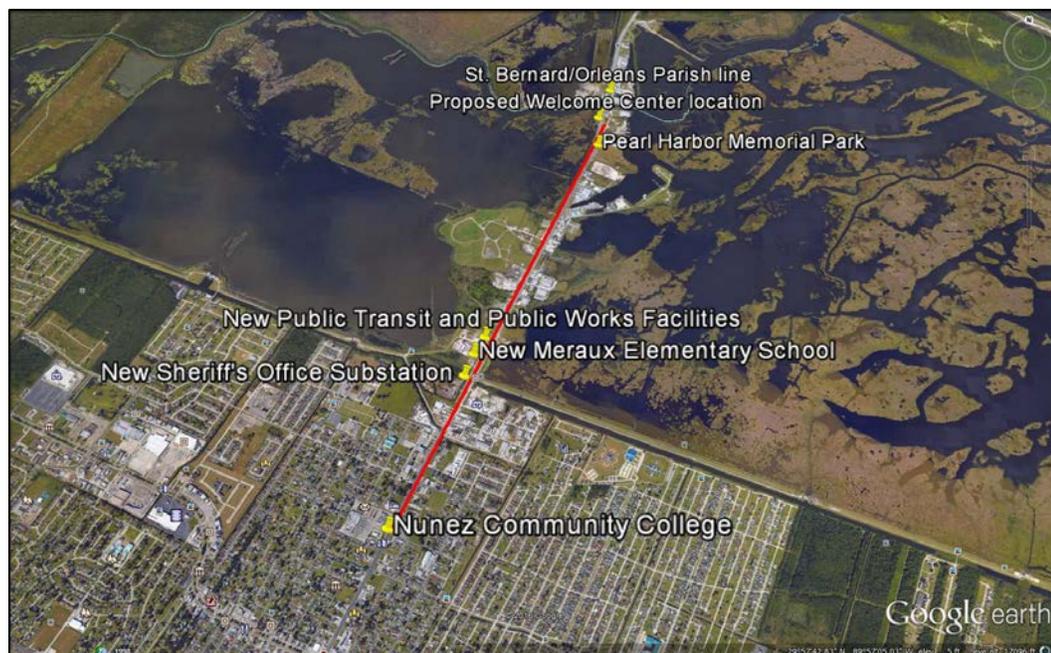
This project is currently in the early planning phase, though the Parish has secured a site for the new welcome center

Project Location

Paris Road between the St. Bernard/Orleans Parish line and Nunez Community College

Problem

Paris Road runs through the Central Wetlands Unit (CWU) of St. Bernard Parish and connects Chalmette to the federal interstate system, and is one of only three thoroughfares connecting St. Bernard Parish to New Orleans with the other two entrances including St. Claude Avenue and Judge Perez Drive. While the other two entrances have been enhanced in some way (a significant streetscape enhancement project is currently underway along St. Claude and both the St. Claude and Judge Perez Drive entrances are located near the Jackson Barracks Louisiana National Guard facility which has recently undergone renovations. However, the Paris Road entrance remains the only point of entry in St. Bernard Parish that has not been enhanced in some way during the Hurricane Katrina recovery, and the current presence of industrial and commercial facilities accentuated along the route illustrate the area has been developed in the absence of a well-conceived plan.



In different respects, the geographic location of Paris Road is both an asset and a liability. The thoroughfare was constructed through the marshes of the CWU and across Bayou Bienvenue, officially designated a part of the Louisiana Natural and Scenic Bayous System, allowing drivers a skyline view of the downtown New Orleans through the marsh on the western side of the CWU. A number of newly-constructed public facilities line the Paris Road corridor, including a Sheriff's Office substation and state-of-the-art elementary school, and

Nunez Community College also recently completed construction of its new administration building along Paris Road. In addition, the Pearl Harbor Memorial Park, one of the few Pearl Harbor memorials in the lower 48 states, is also located on the eastern side of Paris Road.



Rendering of the St. Claude Avenue Streetscape Enhancement Project

However, despite its scenic location and the significant amount of public investment that has occurred along Paris Road since Hurricane Katrina, the overall appearance of the thoroughfare remains substandard, largely due to the predominance of industrial and commercial facilities along the corridor. Such facilities include concrete recycling facilities, mechanic shops, scrap metal yards, and the like. Marine debris from the 2005, 2008, and 2012 hurricane seasons is scattered throughout the marshes adjacent to the thoroughfare, detracting from the natural beauty of the CWU and Bayou Bienvenue. The SBPG also maintains its waste transfer station on the west side of Paris Road.

To move the corridor forward and help promote the coastal resources available within the Parish, the SBPG is interested in accentuating the natural features and updated public facilities along Paris Road while also mitigating some of the unsightly consequences associated with industrial and commercial activity in the area. The purpose of this endeavor will be to beautify this entrance into the Parish and provide a suitable space for a welcome center. Ideally, existing public spaces and rights-of-way would be utilized to the extent possible. The SBPG is interested in engaging a number of public and private partners along Paris Road in order to scope, fund, and execute the project.

Previous Planning Efforts

The Paris Road Gateway, in which the corridor would become the focal point for marketing coastal related assets of the St. Bernard – Orleans Parish region to tourists and the public at large, was first proposed in the St. Bernard Coastal Restoration Plan (2012). In the Restoration Plan, multiple strategies were suggested, including a visitor center and museum complex describing the history of the area and the resiliency of its people. Also included was waterfront development such as restaurants and docking for commercial and recreational fishing boats, in addition to other businesses that would serve and promote recreational interests.

Currently, SBPG has set aside over \$1 million in FEMA Public Assistance (PA) funds for the construction of a welcome center. A site for the new facility has since been identified and secured. Additionally, streetscape enhancement along Paris Road was included in the 2014 SBPG Comprehensive Master Plan.

Recommended Solution

SBPG proposes to leverage FEMA PA funds and utilize the site it has already secured along Paris Road to construct a welcome center. The streetscape enhancement component of the project would include new lighting, landscaping, trees, and signage, as suggested in the 2014 SBPG Comprehensive Master Plan. This portion of the project would be consistent with what is currently being installed along the St. Claude corridor.

Finally, SBPG proposes a complete sweep of all marine debris within one-hundred (100) feet of the western shoulder of Paris Road.

Projected Benefits

With its construction, it is anticipated the project will increase awareness that St. Bernard Parish is a fun outdoor destination with an abundance of safe seafood, water and nature based activities to be enjoyed by the entire family, promote St. Bernard Parish as a unique and authentic coastal Louisiana destination, and assist in elevating the positive images of the state and Parish from a visitor perspective.

Projected Costs

A preliminary estimate of \$4M has been proposed for this project.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

The 2012 CPRA Master Plan did not include any land development projects in either implementation period, but this project does align with other similar projects located within the Parish including the CWU and Forty Arpent Canal Access and Enhancement Project.

Potential Risks, Mitigation Measures, and Permitting Requirements

Risks, mitigation measures, and permitting requirements would be dictated by the location and nature of the development scheme proposed in a more comprehensive planning effort.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

Following the oil spill, much of the Parish suffered economically as St. Bernard's overall revenue fell, due mainly to its reliance on water-related activities as a sizable percentage of its overall capital-generation stream. The Parish was forced to engage in the cleanup efforts and saw a drop in the normal tourism dollars as people travelled elsewhere. This project would help increase awareness of the activities and industries offered by St. Bernard Parish, helping to spur the overall economic recovery of the area while also highlighting the coastal issues currently affecting not just the Parish, but also the entire Gulf.

***Funding Strategy and Sources** – This project will create a number of benefits ranging from multi modal and non-vehicular traffic access to roadway beautification. Transportation Alternative Program (TAP) funds through the state, as well as funding through some of the USDA and EDA programs, should be explored. This project may also be a good fit for several components of the RESTORE Act, namely the Spill Impact Component, as it is anticipated this project would contribute to the overall economic recovery to the area.*

Project Name
Central Wetlands
Cypress Reforestation



Project Priority

Tier 3

Current Status

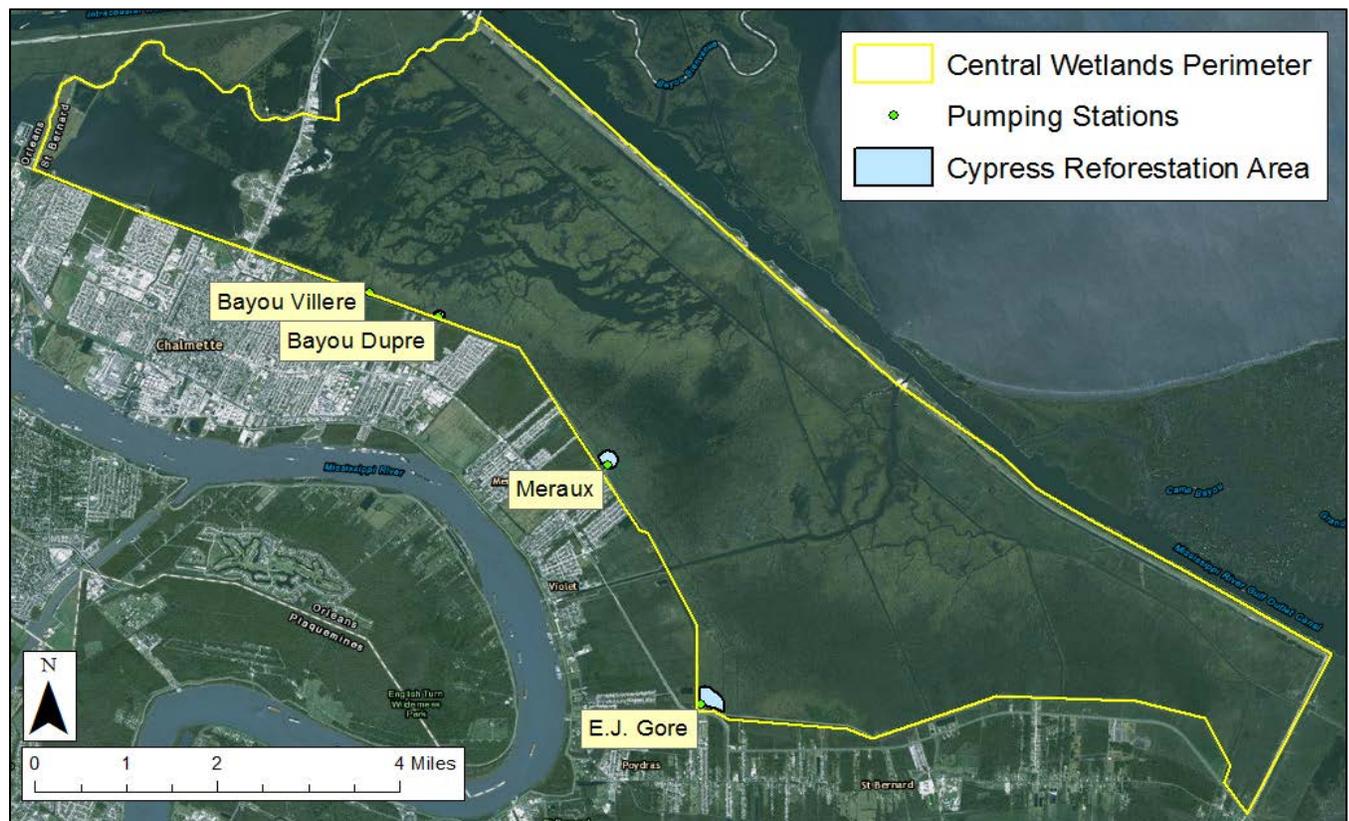
Efforts to reforest favorable sections of the CWU are ongoing including reintroducing freshwater via the effluent of several wastewater treatment plants such as the Riverbend Treatment Facility (PO-0073-1)

Project Location

CWU, St. Bernard Parish

Problem

Before the construction of the MRGO, the CWU, a 29,140-acre semi-impounded unit, was made up of a combination of bald cypress and water tupelo swamps, in addition to fresh marsh and bottomland hardwood forests, which provided natural storm surge protection. However, as a result of the MRGO construction, sea-level rise, subsidence of the land, and recent storm events, much of the area has turned into open water and ghost swamps, with increased salinities in the surface water and soil proving to be the largest factor in wetland loss.



Previous Planning Efforts

A two-year study (Recommendations for Restoration: CWU, Louisiana) was recently concluded in July 2015 where the LPBF collected bathymetric, surface salinity, soil salinity and vegetation data, and developed a series of recommendations for the restoration of the CWU, including swamp reforestation.

A partnership with between the Coalition to Restore Coastal Louisiana, the Restore the Earth Foundation, and the LPBF recently celebrated success planting 10,000 baldcypress trees in the Caernarvon Freshwater Diversion Outfall Coastal Forest. This project, mostly manned through volunteers, provided valuable lessons learned throughout the restoration process, including the need for nutria protection tubes with young saplings and the importance of replanting on stable, vegetated land.

Recommended Solution

As per the recommendations produced in the LPBF study, cypress reforestation projects should only be conducted where the soil salinities of less than 2 ppt can be sustained, due to adverse effects to bald cypress growth and survival at higher salinities. Recent data suggests that surface water salinity levels may be decreasing after the closure of the MRGO, but soil salinities continue to lag behind. In regards to the CWU, the western edge of the CWU generally measured fresher soil salinity levels than the eastern edge, due to fresh surface water availability at the Violet Siphon and levee pump stations. Owing to the fresher salinities near the pump stations along the western edge of the CWU, this area is recommended for possible swamp forest restoration projects to occur near the Bayou Dupre, Meraux, and E.J. Gore pump stations, with a possibility of restoring 5 acres, 17 acres, and 31 swamp forest acres at those locations, respectively.

Projected Benefits

This project would increase the biodiversity and ecological value of the surrounding areas and restore parts of the CWU to previous providing limited storm surge protection and flood water storage during storm events. In addition, this project could help promote awareness for coastal issues.

Projected Costs

It is anticipated this project should not have large associated costs and would be a good candidate for volunteering opportunities. Similar undertaken projects have utilized volunteers for the plantings using donated cypress saplings by the St. Bernard Wetlands Foundation as well as the Restore the Earth Foundation.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

This project was not analyzed for or included in the Master Plan due to its small scale nature. The 2012 CPRA Master Plan did not include any reforestation projects in either implementation period, but this project does align with other cypress reforestation projects including the aforementioned Caernarvon Freshwater Diversion Outfall Coastal Forest and recent efforts of the LPBF and Restore the Mississippi River Delta Coalition which recently planted cypress saplings next to the HSDRRS levee wall in St. Bernard State Park.

Potential Risks, Mitigation Measures, and Permitting Requirements

Due to the low impactful nature of this project, it is not anticipated this project would entail costly potential risks to plan for, necessitate mitigation measures, or require extensive permits.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A

Funding Strategy and Sources – This project presents the opportunity to couple public input with private volunteer and foundation efforts and resources. Partnering with the LPBF and other local and national private nonprofits would seem to be a good fit in generating volunteer labor, funding, and resources.

Project Name
Caernarvon to Verret
Floodwall Reforestation



Project Priority

Tier 3

Current Status

The LBPF has been planting cypress trees in the immediate floodwall area since winter of 2013

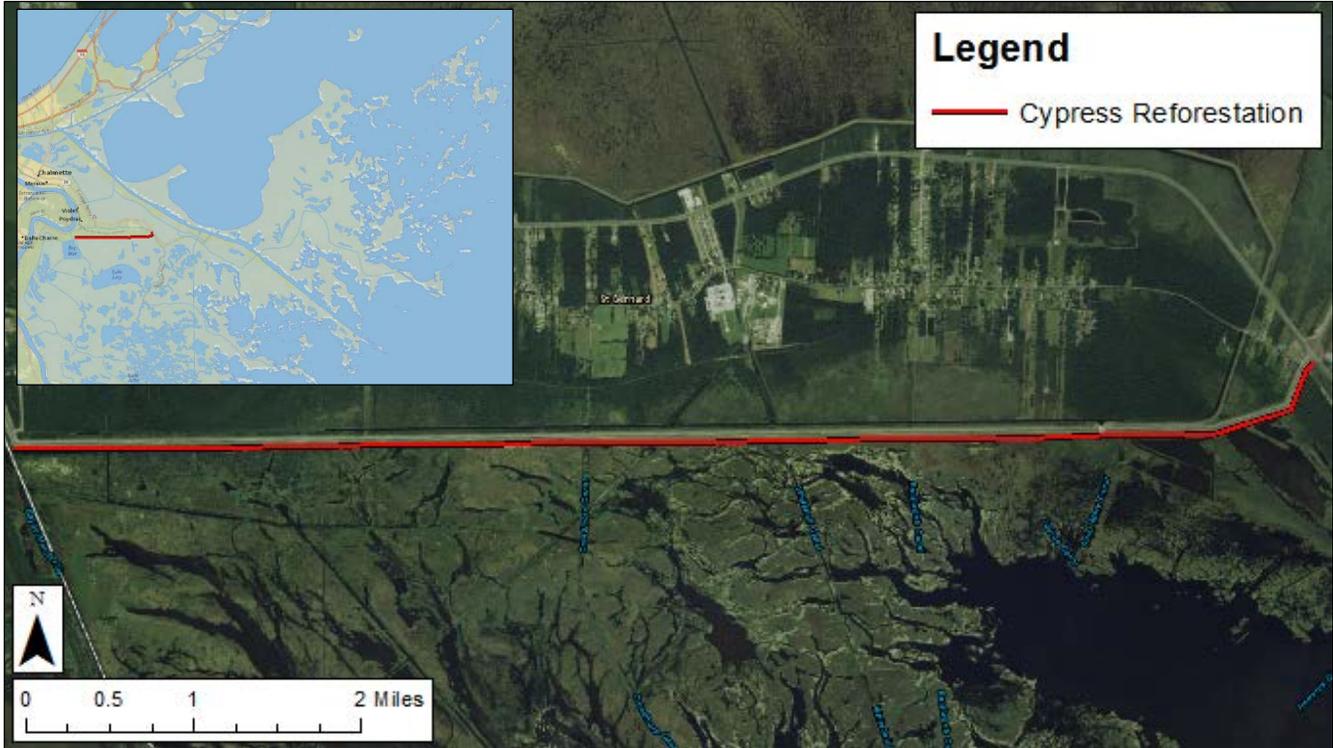
Project Location

Outside of the HSDRRS levee system from Caernarvon to Verret, St. Bernard Parish.

Problem

The hurricane and storm damage risk reduction system (HSDRRS) in St. Bernard Parish, often referred to as the Chalmette Loop or the St. Bernard System, consists of approximately 23 miles of floodwall, from Bayou Bienvenue's intersection with the MRGO in the northeast to the Caernarvon Canal's confluence with the Mississippi River near the Plaquemines Parish line. Completed in 2012, this system currently defends against a storm surge that has a 1 percent chance of occurring in any given year, or a 100-year storm surge.

However, this HSDRRS itself has protection itself from the marshes located directly north of Lake Lery which serve as a storm surge buffer for the 8-mile southern portion of HSDRRS levee from Caernarvon to Verret. These marshlands seem to have been richly established with species of willow and cypress on the interior, thus requiring little need for further reforestation which would incur high mitigation costs for little further protection. However, various outer sections of the marsh, which directly abut the toe of the levee system, currently are unforested, potentially exposing the HSDRRS levees to scour from storms. The mere potential for establishing and propagating natural barriers to wave and surge transgression, as well as the multitude of other benefits provided by coastal forested wetlands, suggest that restoration efforts for this area should focus on reforestation of the HSDRRS levee toe in this area.



Previous Planning Efforts

Assessing the protective surge benefits provided by forested wetlands has been difficult to quantify, though it has been the topic of several high profile, recent reports from other regions of the world (Danielsen et al. 2005; Dahdouh-Guebas et al. 2005). It has been shown in the past that mangroves can reduce normal wave height by 1/5 over a distance of 100 m (Mazda et al. 1997) and 150 m of *Rhizophora* – dominated forest has been shown to dissipate wave energy by 50% (Brinkman et al. 1997) and recent evidence suggests that complexes of forested wetlands and marsh suppress surge by at least 4.2–9.4 cm/km (Krauss et al. 2009). In addition, a recent modeling effort that replaced the wetlands destroyed by the Mississippi River Gulf Outlet demonstrated that flooding of Orleans and St. Bernard Parishes by Hurricane Katrina would have been reduced by 80% in the presence of those wetlands (Shaffer et al. 2009a; van Heerden et al. 2009).



Recommended Solution

The relative hardiness of cypress trees compared to other upland and bottomland hardwood forest species, with respect to resisting hurricane-force winds, has been studied extensively, (Gresham et al. 1991; Hook et al. 1991; Putz and Sharitz 1991; Duever and McCollom 1993; Sharitz et al. 1993; Loope et al. 1994; Doyle et al. 1995; Chambers et al. 2007; Shaffer et al. 2009b) illustrating the importance this species has for coastal Louisiana applications. In addition, cypress trees provide habitat for insects and animals, and as their tangled root masses grow, the plants establish themselves in the soil, limiting erosion while filtering water in the swamp.

In general, successful establishment of baldcypress wetlands in coastal Louisiana is only achievable when projects are coupled with reliable freshwater sources, as studies have shown that cypress trees do not fare well in salinities greater than 2 parts per thousand (ppt). One such reliable source of freshwater is the St. Mary Pump Station (29°51'14.2"N, 89°47'44.5"W) located approximately one mile southwest of Verret and south of Jourdan Canal which now provides the majority of drainage within the incorporated limits of St. Bernard Parish. Recent surface water salinity values obtained from the Coastwide Reference Monitoring System (CRMS), Hydrocoast maps constructed by the LPBF, and recent field excursions suggest that much of the marsh area in question should be suitable for cypress reforestation, as the surface water salinity values are lower than 2 ppt, meeting the recommendations of the LPBF.

The first step in this project should be the identification of prime candidate areas for reforestation (in addition to areas immediately adjacent and downstream of the St. Mary Pump Station) via field excursions. Following this, reforestation should occur utilizing lessons learned from previous cypress reforestation projects, such as planting spacing, using protective sleeves to prevent damage from nutria, and other proven successful measures.

Projected Benefits

This project would minimize future scour erosion of the toe of the HSDRRS levee, help restore the area ecologically to historic levels of cypress forestation, and provide some level of added storm surge protection once the trees reach maturity.

Projected Costs

The associated costs for this project would be mostly driven by whether the project is implemented by volunteer or commercial means and whether the trees for planting are purchased or donated. Similar undertaken projects have found success in lowering costs by utilizing volunteers and using donated cypress saplings by the St. Bernard Wetlands Foundation as well as the Restore the Earth Foundation. However, planting via volunteer means would likely add several additional years to project completion, as opposed to using commercial entities for conducting the plantings.

Depending on the method of project implementation, delineated areas of need, and the required amount of trees required for proper tree densities, the project costs could range from \$100K (10% project completion) to \$1.5M (100% project completion) using volunteer and commercial means respectively.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

The 2012 CPRA Master Plan did not include any reforestation projects. However, this type of project was below the large-scale level of analysis used to evaluate projects. Additionally, the Master Plan does recognize the benefit of multiple lines of defense and supports creating wetlands adjacent to protection systems. The proposed project does align with other cypress reforestation projects in the area including the Caernarvon Freshwater Diversion Outfall Coastal Forest and recent efforts of the LPBF and Restore the Mississippi River Delta Coalition, which recently planted cypress saplings next to the HSDRRS levee wall in St. Bernard State Park.

Potential Risks, Mitigation Measures, and Permitting Requirements

Due to the low impactful nature of this project, it is not anticipated this project would entail costly potential risks to plan for, necessitate mitigation measures. However, because the plantings would occur on and/or adjacent to a federally authorized project there would need to be significant coordination with the USACE.

As described in ETL 1110-2-583, the USACE has standards regarding the guidelines for landscape planting and vegetation management measures for federal levees which dictates the requirements for a vegetation-free zone (for access requirements and preventing roots from encroaching on the levee system). Before beginning this project, consultation with USACE should occur in which the exact dimensions of the vegetation-free zone are specified as to verify the plantings would reside within acceptable boundaries.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A

Funding Strategy and Sources – As with other re-forestation related projects and as noted above, the partnership with local non-profit entities and volunteer organizations should be explored.

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Black mangroves are sensitive to freezing temperatures and require certain soil and hydrological conditions in order to thrive. This has historically made the establishment of black mangrove stands in the Biloxi Marsh area challenging. However, the plants have adapted to conditions further north than in previous decades, and some stands have already naturally grown along the exterior of the Biloxi Marsh. The range expansion of the black mangrove in coastal Louisiana has been the subject of various studies (Alleman & Hester 2011; Pickens & Hester 2010). The proposed project involves engaging some of the leading experts on black mangroves and scoping a large-scale planting effort along the eastern exterior of the Biloxi Marsh. Additionally, the project involves utilizing volunteers to collect propagules and establishing a local greenhouse for growing black mangroves to an ideal size for use in future plantings,



A healthy black mangrove stand at Gardner Island, St. Bernard Parish

Projected Costs

Based on a previous project conducted by the Coalition to Restore Coastal Louisiana at Port Fourchon, it is anticipated this project would entail a budget between \$50K to \$100K.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

The project is consistent with the 2012 Master Plan and other similar regional projects, including the ongoing Living Shoreline project (PO-148) and the forthcoming Biloxi Marsh Living Shoreline project (PO-174).

Potential Risks, Mitigation Measures, and Permitting Requirements

Due to the low impactful nature of this project, it is not anticipated this project would entail costly potential risks to plan for, necessitate mitigation measures, or require extensive permits.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

Depending on the location of plantings, this project has the potential to restore areas where oil washed ashore and reduced healthy stands of vegetation.

Funding Strategy and Sources - Continued partnership with LPBF and other organizations as well as discussions with LDWF should be critical in pressing this project forward.

Literature Cited

- Alleman, L.K., Hester, Mark W. 2011. Reproductive Ecology of Black Mangrove (*Avicennia germinans*) Along the Louisiana Coast: Propagule Production Cycles, Dispersal Limitations, and Establishment Elevations. *Estuaries and Coasts*. doi: 10.1007/s12237-011-9404-8.
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Project Name
Derelict Crab
Trap Removal Program



Project Priority

Tier 3

Current Status

It is anticipated a NOAA Marine Debris Removal Grant will be applied to for this project around September 2016

Project Location

Parish-wide

Problem

The Magnuson-Stevens Act defines essential fish habitat as “those waters and substrate necessary to fish for spawning, feeding, breeding, or growth to maturity” (Gulf of Mexico Fishery Management Council 1998, 4). Given the importance of essential fish habitat to various protected species and managed stocks, including the diamondback terrapin, red drum, and grouper, it is critical that stakeholders mitigate potential adverse impacts where possible. The purpose of the proposed St. Bernard Parish Comprehensive Ghost Trap Removal Program is to sustain essential fish habitat by removing derelict crab traps from coastal estuaries in St. Bernard Parish, Louisiana.

The blue crab is one of the most abundant and lucrative fisheries in Louisiana. According to the LDWF, the average annual landing of blue crabs in the state is 44.8 million pounds (\$34.7 million value) (Bourgeois, Marx & Semon 2014, 15). Louisiana has accounted for 62% of all blue crab landings in the Gulf of Mexico region since 1968 (Bourgeois, et al. 2014, 16). The abundance of blue crabs in Louisiana has enticed an average of over 8,000 commercial and recreational crab fishers to obtain crab gear licenses each year (Bourgeois, et al., 20 and 25).

It is estimated that crab fishers in Louisiana lose as many as 45,000 crab traps per year (Guillory & Perret 1998). Such “ghost” crab traps are typically lost due to weather conditions or equipment malfunctions. Ghost traps are spread throughout essential fish habitat and have the capacity to trap and kill various protected species and managed stocks while “ghost” fishing. Recent studies of ghost traps in Louisiana have indicated that 65% of all ghost traps are actively ghost fishing and that the diamondback terrapin, 19 different species of finfish (including red drum and grouper), and other aquatic wildlife are all subject to being trapped and killed by ghost traps (Anderson & Alford 2014; Bourgeois, et al. 2014, 28).

Ghost traps are a significant threat to essential fish habitat in the estuaries of coastal Louisiana. The proposed program will mitigate the potential adverse impacts associated with ghost traps by actively facilitating their removal. SBPG will work closely with LDWF and the LPBF, a local nongovernmental organization that has extensive experience with ghost trap identification and removal, to ensure that the program is implemented in the most effective and efficient manner possible.

Previous Planning Efforts

Small scale sweeps have been completed by teams of researchers, but a large-scale sweep of the Parish has yet to be performed and hosted by the SBPG.

Recommended Solution

LDWF, SBPG, and the LPBF will share existing data and engage stakeholders in order to identify ghost trap target sites throughout St. Bernard Parish and develop a schedule (including closure dates) for conducting sweeps. The team will subsequently engage stakeholders and volunteers to perform ghost trap removal in accordance with the established schedule and target areas. Previous ghost trap sweeps conducted by LDWF and LPBF will be used as models for all program sweeps.

Projected Costs

Based on forecasted costs completed by the LPBF, it is anticipated this program would cost around \$50K per sweep. Depending on the number of sweeps required, this program would likely run from a low estimate of \$50K to a more conservative estimate of \$150K.

Consistency with CPRA Master Plan and other Ongoing Regional Efforts

(1) Protected species such as the diamondback terrapin have been threatened by ghost traps for decades (Davis 1942). In fact, most terrapin specialists believe that ghost traps are the single greatest threat to the species (Butler & Heinrich 2005). Managed stocks such as red drum and grouper are also threatened by the presence of ghost traps. The proposed program will mitigate the potential adverse impacts associated with ghost traps by facilitating their removal. (2) The program will consist of multiple ghost trap removal sweeps conducted over the course of three years. Such sweeps will be based on ghost trap surveys conducted by LDWF, SBPG, and the LPBF. Local stakeholders, including commercial and recreational fishers, will also be engaged for the purpose of identifying and removing ghost traps. (3) The measurable impacts of the project will be based on the total number of ghost traps removed from local waterways. The goal of the program is to remove at least 5,000 traps per year over the course of three years.

Potential Risks, Mitigation Measures, and Permitting Requirements

Due to the low impactful nature of this project, it is not anticipated this project would entail costly potential risks to plan for, necessitate mitigation measures, or require extensive permits.

Restoration of Areas Impacted by Deepwater Horizon Oil Spill

N/A

Funding Strategy and Sources - Continued partnership with LDWF as well as LPBF should be prioritized. In addition the possibility of utilizing economic/job creation funds from CDBG as well as LWCF should be explored.

Literature Cited

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- Bourgeois, M., Marx, J. & Semon, K. (2014). Louisiana Blue Crab Fisheries Management Plan. Retrieved from <http://www.wlf.louisiana.gov/sites/default/files/pdf/page/37762-fishery-management-plans-marine/finalbluecrabfmp11-7-14.pdf>.
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List of Abbreviations

BMLC	Biloxi Marsh Land Corporation
BOEM	Bureau of Energy Management
BUDMAT	Beneficial Use of Dredged Material
CAP	Continuing Authorities Program
CDBG	Community Development Block Grant
CIAP	Coastal Impact Assistance Program
CM	construction management
CUP	Coastal Use Permit
CWPPRA	Coastal Wetlands Planning, Protection and Restoration Act
CWU	Central Wetland Unit
CZAC	Coastal Zone Advisory Committee
EDA	Economic Development Administration
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FMA	Flood Mitigation Assistance
GNO	Greater New Orleans
GOHSEP	Governor's Office of Homeland Security and Emergency Preparedness
GOMESA	Gulf of Mexico Energy Security Act
HMGP	Hazard Mitigation Grant Program
HSDRRS	Hurricane Storm Damage and Risk Reduction System
LA 300	Louisiana Highway 300
LaDOTD	Department of Transportation and Development
LDSP	Long Distance Sediment Pipeline
LDWF	Louisiana Department of Wildlife and Fisheries
LPBF	Lake Pontchartrain Basin Foundation
MRGO	Mississippi River Gulf Outlet
NOAA	National Oceanic and Atmospheric Administration
NRDA	Natural Resource Damage Assessment
O&M	operation and maintenance
P/E&D	planning, engineering, and design
PA	Public Assistance
PDM	Pre-Disaster Mitigation
PPL	project priority list
RESTORE Act	Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act
SBPG	St. Bernard Parish Government
TIGER	Transportation Investment Generating Economic Recovery
TNC	The Nature Conservancy
USACE	United States Army Corps of Engineers
USDA	U.S. Department of Agriculture
USDOT	U.S. Department of Transportation
USFWS	U.S. Fish and Wildlife Service
WWTP	Wastewater Treatment Plant

Appendix A: CZAC Comments



St. Bernard Parish Government

*8201 West Judge Perez Drive
Chalmette, Louisiana 70043*

MEMORANDUM

DATE: 7/29/16

TO: Guy McInnis

CC: Ronnie Alonzo; John Lane; William McCartney; George Ricks; Alex Boudreau

FROM: Jerry Graves

RE: CZAC comments

A number of comments were received at the CZAC meeting last night. Board members were also given until Thursday, August 4th to submit written comments prior to the coastal strategy document going to the Council for review and approval on August 16th. The comments have been provided below:

- Point Aux Marchettes shoreline protection (previously proposed by the Fish and Wildlife Service as a CWPPRA project in 2016) should be added as a priority project (Monty Montelongo, III)
- Bayou Grande shoreline protection should be added as a priority project (Monty Montelongo, III)
- It is critical that all oyster leases are carefully considered during proposed dredge and fill activities (Robbie Campo)
- The central section of the northern bank of Lake Lery is prime for cypress reforestation and should be included in the *Caernarvon Reforestation* project (Jim Hasik)
- The west phase of *Bayou La Loutre Ridge Restoration* project should be considered a higher priority than the other two phases (Robbie Campo)

I don't anticipate that we will receive many more CZAC comments, but I will send a follow-up email after the August 4th deadline has passed.

Thanks.

#15

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3400

Introduced by: Councilmember Gorbaty on 8/2/2016

Public hearing held on 8/16/16

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON NEW HIRES FOR ST. BERNARD PARISH GOVERNMENT.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to institute a temporary moratorium for six (6) months on new hires for St. Bernard Parish Government; and,

WHEREAS, the St. Bernard Parish Council oversees and develops the budget. New hires have a significant impact on the public fisc, which is directly regulated by the Council; and,

WHEREAS, the Administration may hire for a vacant position at the current salary in the adopted budget, no new positions shall be created.

SECTION 1. The St. Bernard Parish Council hereby enacts a moratorium on new hires, until this moratorium expires six (6) months from the date of adoption.

SECTION 2. The Council shall allow new hires according to the following exception: Any new hire shall be approved by a 2/3 vote of the entire membership of the council.

SECTION 3. 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.

Page -2-
Extract #15 continued
August 16, 2016

SECTION 4. 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 of this Ordinance with the invalid portions omitted.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

#16

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3401

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2016 is hereby amended as per attached in Exhibit "A".

WHEREAS, each department shall be treated as a separate fund for the purpose of the five percent (5%) budgetary compliance in accordance with the state law; and,

WHEREAS, no monies shall be moved from one fund or department without official action taken by the Parish Council; and,

WHEREAS, all revenues generated by a specific department shall be budgeted as a revenue within that department's specific budget.

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.

Page -2-
Extract #16 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

ST. BERNARD PARISH GOVERNMENT
SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
2016 Proposed Capital & Operating Budget

DEPARTMENT	2016 Budgeted Revenues	2016 Budgeted Expenditures	Excess of Revenues Over (Under) Expenditures	Sales Tax Transfers (including reallocation of fund balance)	Other Transfers, net	Excess of Revenues Over (Under) Expenditures After Transfers	Fund Balance, Beginning of Year	Fund Balance, End of Year
GENERAL FUND:								
001 General Fund	\$ 4,834,544	\$ 9,383,978	\$ (4,549,434)	\$ 7,143,449	\$ 2,660,432	\$ 5,254,447	\$ 278,925	\$ 5,533,372
005 34th Judicial Court	111,621	2,669,035	(2,557,414)	3,393,406	-	835,992	(835,992)	-
050 Sales Tax	9,958,822	796,706	9,162,116	(16,506,882)	-	(7,344,766)	7,344,766	-
052 Civic Auditorium	-	71,386	(71,386)	483,176	-	411,790	(411,790)	-
060 Community Development	1,488,813	1,799,280	(310,467)	1,296,601	-	986,134	3,636,990	4,623,124
180 BP - Oil Spill	-	-	-	-	(243,597)	(243,597)	243,597	-
Total General Fund	\$ 16,393,800	\$ 14,720,385	\$ 1,673,415	\$ (4,190,250)	\$ 2,416,835	\$ (100,000)	\$ 10,256,496	\$ 10,156,496
SPECIAL REVENUE FUNDS:								
053 Criminal Court 34th	\$ 118,761	\$ 68,250	\$ 50,511	\$ -	\$ (35,000)	\$ 15,511	\$ 15,819	\$ 31,330
054 Fire Department	9,022,169	10,127,720	(1,105,551)	-	(305,044)	(1,410,595)	3,412,656	2,002,061
059 Council on Aging	285,863	321,863	(36,000)	36,000	-	-	336,111	336,111
061 Recreation	1,004,452	1,886,639	(882,187)	876,157	-	(6,030)	-	(6,030)
062 Public Works	2,274,250	4,454,576	(2,180,326)	1,328,656	851,670	-	-	-
063 Road Lighting	394,237	863,100	(468,863)	344,736	-	(124,127)	124,127	-
064 Sanitation	4,269,552	4,656,215	(386,663)	122,835	-	(263,828)	263,828	-
066 Assessor's Office	82,480	82,480	-	-	-	-	-	-
067 WIA	3,278,900	3,257,781	21,119	-	(5,000)	16,119	20,374	36,493
071 Health	199,048	189,900	9,148	-	-	9,148	818,972	828,120
073 Communications District	370,000	343,450	26,550	-	-	26,550	561,147	587,697
077 Housing & Redevelopment	6,215,186	6,206,484	8,702	-	(7,500)	1,202	747,619	748,821
079 U.M.T.A.	804,321	764,008	40,313	-	(800,000)	(759,687)	1,394,131	634,444
086 Deputy Witness Fees	45,000	80,000	(35,000)	-	35,000	-	-	-
160 CDBG	5,512,556	4,050,830	1,461,726	-	-	1,461,726	(1,461,726)	-
170 HMGP	54,947,465	54,947,465	-	-	-	-	-	-
190 State & Federal Grants	7,695,098	8,466,915	(771,817)	331,866	439,951	-	-	-
829 Hurricane Katrina	32,111,574	30,027,731	2,083,843	-	(1,044,286)	1,039,557	(1,094,557)	(55,000)
901 Hurricane Gustav	668,955	100,000	568,955	-	-	568,955	(568,955)	-
905 Hurricane Isaac	617,252	200,100	417,152	-	-	417,152	(417,152)	-
906 Hurricane Ike	30,000	147,889	(117,889)	-	-	(117,889)	117,889	-
Total Special Revenue Funds	\$ 129,947,119	\$ 131,243,396	\$ (1,296,277)	\$ 3,040,250	\$ (870,209)	\$ 873,764	\$ 4,270,283	\$ 5,144,047

ST. BERNARD PARISH GOVERNMENT
SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE (continued)
2016 Capital & Operating Budget

DEPARTMENT	2016 Budgeted Revenues	2016 Budgeted Expenditures	Excess of Revenues Over (Under) Expenditures	Sales Tax Transfers	Other Transfers, net	Excess of Revenues Over (Under) Expenditures After Transfers	Fund Balance, Beginning of Year	Fund Balance, End of Year
DEBT SERVICE FUNDS:								
212 2012 Sales Tax Refunding Bond	\$ -	\$ 4,282,700	\$ (4,282,700)	\$ 1,150,000	\$ 3,132,700	\$ -	\$ 2,967,602	\$ 2,967,602
454 2014 Fire Sinking Fund	-	270,044	(270,044)	-	270,044	-	201,563	201,563
Total Debt Service Funds	\$ -	\$ 4,552,744	\$ (4,552,744)	\$ 1,150,000	\$ 3,402,744	\$ -	\$ 3,169,165	\$ 3,169,165
CAPITAL PROJECT FUNDS:								
143 Courthouse Capital Fund	\$ -	\$ 80,000	\$ (80,000)	\$ -	\$ -	\$ (80,000)	\$ 294,025	\$ 214,025
554 Fire Capital Project Fund	97,500	424,000	(326,500)	-	35,000	(291,500)	291,500	-
Total Capital Project Funds	\$ 97,500	\$ 504,000	\$ (406,500)	\$ -	\$ 35,000	\$ (371,500)	\$ 585,525	\$ 214,025
INTERNAL SERVICE FUNDS:								
350 Self Insurance	\$ 1,465,141	\$ 1,639,776	\$ (174,635)	\$ -	\$ -	\$ (174,635)	\$ 261,541	\$ 86,906
375 W&S Self Insurance	485,872	550,200	(64,328)	-	64,328	-	571,406	571,406
Total Internal Service	\$ 1,951,013	\$ 2,189,976	\$ (238,963)	\$ -	\$ 64,328	\$ (174,635)	\$ 832,947	\$ 658,312
BUSINESS-TYPE ACTIVITIES:								
400 Water & Sewerage Fund	\$ 12,537,284	\$ 8,988,294	\$ 3,548,990	\$ -	\$ (3,548,990)	\$ -	\$ 219,085,855	\$ 219,085,855
401 W&S 50M Bond Fund	500	-	500	-	-	500	239,625	240,125
429 SF-SW99 1/2 Cent Sales Tax Fund	3,286,274	197,176	3,089,098	-	(3,533,345)	(444,247)	444,247	-
430 50 M Bond Sales Tax Debt Service	-	67,625	(67,625)	-	67,625	-	(661,749)	(661,749)
432 W&S 2008 Refinanced ST Debt Service	-	816,012	(816,012)	-	816,012	-	(3,602,129)	(3,602,129)
457 W&S Capital Projects	-	12,850,000	(12,850,000)	-	1,200,000	(11,650,000)	-	(11,650,000)
Total Water & Sewer	\$ 15,824,058	\$ 22,919,107	\$ (7,095,049)	\$ -	\$ (4,998,698)	\$ (12,093,747)	\$ 215,505,849	\$ 203,412,102
OTHER BUSINESS-TYPE ACTIVITIES:								
Recreational Facilities	\$ 1,147,500	\$ 1,142,358	\$ 5,142	\$ -	\$ (50,000)	\$ (44,858)	\$ 68,019	\$ 23,161
Total Recreational Facilities	\$ 1,147,500	\$ 1,142,358	\$ 5,142	\$ -	\$ (50,000)	\$ (44,858)	\$ 68,019	\$ 23,161
TOTAL ALL FUNDS	\$ 165,360,990	\$ 177,271,966	\$ (11,910,976)	\$ -	\$ -	\$ (11,910,976)	\$ 234,688,284	\$ 222,777,508

#17

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3402

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-012**, PETITION OF DIONNA RICHARDSON FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3408 ANGELIQUE DRIVE, VIOLET, LA 70092.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-012**, Petition of Dionna Richardson for a Zoning Change from "R-1, (Single Family Residential)" to "R-2, (Two-Family Residential)" for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, Angeliqne Estates, designated as Lot 110-A. Property Location: 3408 Angeliqne Drive, Violet, LA 70092.

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.

Page -2-
Extract #17 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION

FROM: ERIC TOLLE, RECOVERY PLANNER

DATE: JULY 26, 2016

ZONING CHANGE & CONDITIONAL USE REPORT

Case Number: Z- 2016-012

Owner/Representative: Dionna B. Richardson

Property Address: 3408 Angelique Drive, Violet

Property Location: Angelique Estates, Lot 110-A

Current Site Area: 10,487 sq. ft. or 0.241 acres

Present Use: Single-Family Residence

Present Comprehensive Plan Designation: Low Density Residential

Present Zoning: R-1 (Single-Family Residential) District

Proposed Zoning: R-2 (Two-Family Residential) District

Reason For Request: A zoning change to allow an adolescent group home

I. Executive Summary:

Zoning Docket Z-2016-012 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) 100' in width by 104.87' in depth lot with an area of approximately 10,487 sq. ft. or .241 acres. The lot consists of a single-family residence. The applicant is requesting for the zoning change and Conditional Use Permit to allow an adolescent group home in a detached accessory building also located on site.

The request is **inconsistent** with the Land Use/Density description of Low Density Residential in the Comprehensive Plan as the proposed zone district does not align with the intent of the Low Density Residential designation. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. While the subject property is inconsistent with the Comprehensive Plan and considered a spot zone, staff does not put forward a recommendation at this time. However, staff is researching guidelines for reasonable accommodations of group homes for persons with disabilities as defined by ADA and Fair Housing regulations. Because of this, staff presents **NO RECOMMENDATION** of the applicant's request.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Google Street View (05/2011)

B. Site Description:

The subject site consists of one (1) lot of record located on Angelique Drive near the intersection with Florida Avenue in Violet. The subject property is 100' by 104.87' and has a total area of 10,487 sq. ft. or 0.241 acres. The site is currently occupied by a single-family residence and a detached accessory structure.

C. Surrounding Land Uses and Zoning

As shown in Image #3, the subject property is located completely within an R-1 (Single-Family Residential) district. The surrounding area is developed as single-family residential neighborhood.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Design Review of Site Plan:

Section 22-2-4 - Interpretation; Definitions

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A. Small group homes: Up to six (6) residents
- B. Large group homes: Seven (7) to fifteen (15) residents
- C. Congregate group homes: Sixteen (16) or more residents

Per Section 22-5-4 – *Permitted uses in residential districts*, proposed group homes are subject to the following requirements:

- a. Group homes shall be licensed by the State of Louisiana.
- b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
- c. A group home shall encompass the entire structure.
- d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

The applicant's request and provided documents, shown in the appendix of this report, will be assessed under the following criteria:

1. Harmony with the area (*Section 22-8-2.1*):

The petitioned property is immediately adjacent to single-family residential developments. The property is located within a predominate R-1 (Single Family Residential) zone district. The proposed R-2 (Two-Family Residential) zoning district allows a small adolescent group home as proposed via Condition Use Permit. The R-2 district also allows for increased density to two-family residences or a duplex. The staff believes that if the subject property were to be re-zoned to R-2, then the impacts of a small group home to the adjacent residential areas could be mitigated through conditions listed within Section D of this report.

2. Adequate access (*Section 22-8-2.2*):

The applicant proposes use of one (1) ingress/egress point for the development along Angelique Drive, near Florida Avenue. The staff believes that an adolescent group home at this location will not generate additional traffic demands onto Angelique Drive and the adjacent minor roadways. The staff does not expect a significant inconvenience to area residences as a result of daily site operations.

3. Adequate infrastructure (*Section 22-8-2.3*):

The staff believes adequate infrastructure is in place for this activity, subject to operational standards permitted by Local, State and Federal agencies.

4. Natural resource conservation (*Section 22-8-2.4*):

The staff believes there is no natural resource conservation issues associated with this project.

5. Compatible design (*Section 22-8-2.5*):

The applicant is proposing a small adolescent group home to be located in a detached accessory building at the subject property. The accessory building is located behind an existing fence on the property making it mostly unnoticeable from the street.

Section 22-7-3 – Number of Off-Street Parking Spaces The following identifies off-street parking standards associated with Group Homes, as adopted by the Parish Council.

Group Home: 3.0 per 1,000 square feet

No indication has been given to staff illustrating the additional and required off street parking.

If the project were to be approved, the staff recommends the following conditions to the compatible design as a part of the approval:

- The applicant shall submit a site plan consistent with the requirements of **Section 22-7-3. – Number of Off-Street Parking Spaces** or seek waivers for such site improvements through the Board of Zoning Adjustments, subject to the review and approval of the staff of the Department of Community Development.

6. Public health, safety and welfare (*Section 22-8-2.6*):

The staff has not received comment from other municipal, state or federal agencies with regard to public health, safety and welfare as it relates to the petitioned projects. The staff does not believe that public health, safety and welfare would be negatively impacted as result of this project.

7. Residential impact (*Section 22-8-2.7*):

Some area residents may be impacted by a small group home, however, staff does not anticipate significant environmental or operational impacts to adjacent and surrounding residential developments with regard to its proposed use.

E. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a R-2 (Two-Family Residential) district in order to establish an adolescent group home.

The intent of the R-2 (Two-Family Residence) district is to allow low to mid density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested location will not have a significant impact of adjacent land uses in excess of existing conditions.

F. Block-face study

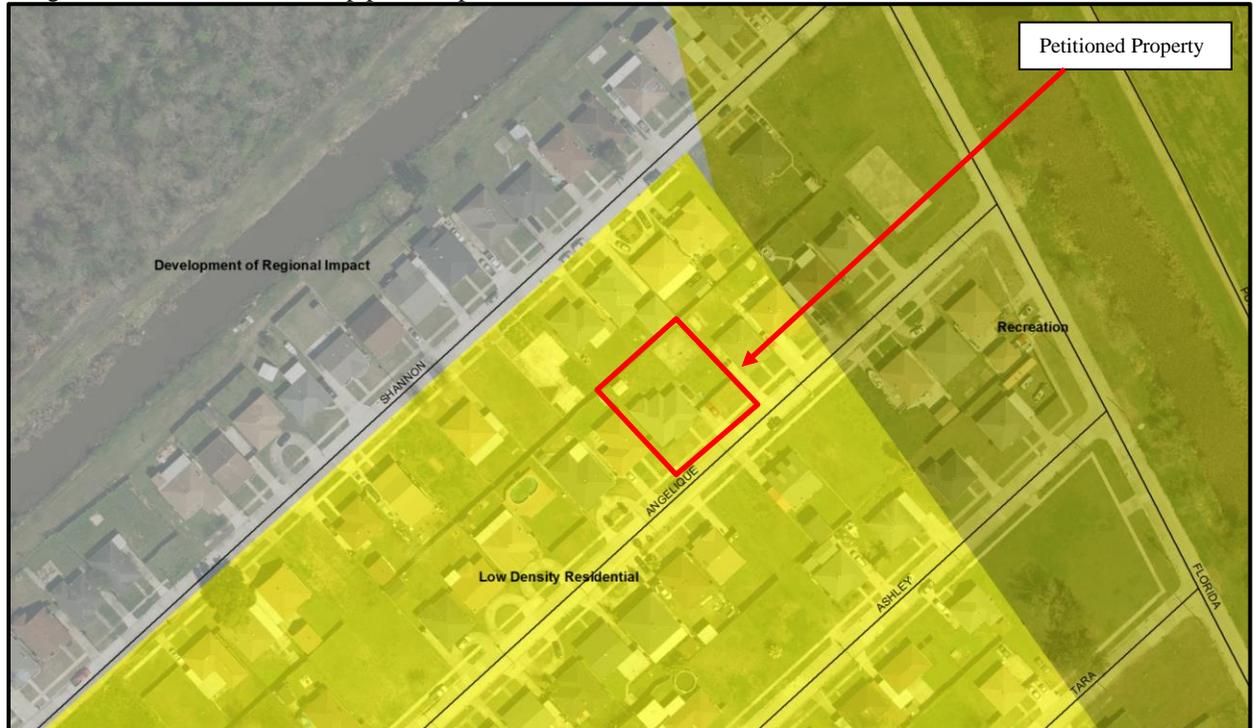
Staff conducted a block-face study of the entirety of the subject square and adjacent lots. The study assessed the area and found it consists of single-family residences.

G. Can the request be considered a spot zone?

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3, the request consists of a property that is located completely within an R-1 (Single-Family Residential). For this reason, the staff considers the request a spot zone.

III. Comprehensive Plan:

Image #4: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Low Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Low Density Residential

Land Use/Density: Single-family @ 2-3 units/acre

The applicant is requesting a zoning change from an R-1 (Single-Family Residential) zoning district to an R-2 (Two-Family Residential) zoning district. The requested zoning change would be **inconsistent** with the Comprehensive Plan as the proposed zone district does not align with the intent of the Low Density Residential designation.

IV. Summary:

Zoning Docket Z-2016-012 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) 100' by 104.87' lot with a single-family residence. The applicant is requesting for the zoning change and Conditional Use Permit to allow an adolescent group home in a detached accessory building also located on site.

The request is **inconsistent** with the Land Use/Density description of Low Density Residential in the Comprehensive Plan as the proposed zone district does not align with the intent of the Low Density Residential designation. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. While the subject property is inconsistent with the Comprehensive Plan and considered a spot zone, staff does not put forward a recommendation at this time. However, staff is researching guidelines for reasonable accommodations of group homes for persons with disabilities as defined by ADA and Fair Housing regulations. Because of this, staff presents **NO RECOMMENDATION** of the applicant's request.

V. Staff Recommendation:

The staff presents **NO RECOMMENDATION** of Z-2016-012, a request for a zoning change from R-1 (Single-Family Residential) district to R-2 (Two-Family Residential) district.

VI. Reason for Recommendation:

1. Staff believes this request could be addressed by means of reasonable accommodations of group homes for the treatment of people with disabilities in lieu of a zoning change. Staff recommends the Parish Council to review how reasonable accommodations for group homes for the disabled could be handled more appropriately through a reasonable accommodation procedure.

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July 10, 2015

Louisiana Still Needs Therapeutic Group Homes for Children

Rick Wheat, President & CEO

Louisiana United Methodist Children and Family Services

7/10/2015 – A year has passed since the June 2014 release of the advocacy paper, “[Louisiana’s Children are Being Placed Out-of-State](#)“. Today I would like to remind you of that paper and provide an update regarding Louisiana’s current ability to care for its own children.

That we are still without a complete child welfare system in Louisiana was driven home to me recently in a conversation with a representative of one of the five Bayou Health plans which, beginning December 1, 2015, will be given responsibility for managing the Medicaid-funded behavioral health needs of Louisiana’s children and adolescents.

The current gaps in services are already influencing the network development activities of the five Bayou Health plans. At least one Bayou Health plan is already touching base with residential providers in their out-of-state network to ensure – if it is required – that there is capacity sufficient in other states for the needs of Louisiana’s children.

If Louisiana had a complete child welfare system, this would not be necessary. As it is, while it’s not a solution, I do applaud the preparatory work the Bayou Health plan is doing.

Louisiana still lacks needed Therapeutic Group Homes. As of July 7, 2015, there are now five (5) licensed Therapeutic Group Homes in Louisiana offering a total of 38 beds. (Oddly, on 7/7/15, two of these facilities were operating at half capacity. At least four had vacancies – which calls into question why we are not effectively using the few resources we DO have available.)

Back in 2011, Mercer, a consulting firm contracted by Louisiana's Department of Health and Hospitals to help design the Louisiana Behavioral Health Partnership, determined Louisiana needs Therapeutic Group Home space for 340 children. Today, after four years, we have beds for only 11% of those children.

I know it's complicated and, with the impending transition from one managed care organization, Magellan of Louisiana, to five, it will soon become even more complicated. I also know this: as long as Louisiana's leaders are willing to accept gaps in services for children and willing to fund out-of-state placements, the child welfare system in Louisiana will continue to languish and our children will pay for it.

There must be sufficient services for children and families in Louisiana. There must be enough staff working with Louisiana's children and families to make the system work for children and families. Without sufficient people, systems fail. It takes people to care for people. (In the four year period from 6/30/10 to 6/30/14, DCFS staff was reduced by 20% [from 4,599 to 3,723] and DHH staff was reduced by 36% [from 11,996 to 7,659]. Together, the two state departments created to care for our state's citizens have lost more than 30% of their employees, a reduction of 5,213 employees.

See http://www.civilservice.louisiana.gov/files/publications/annual_reports/AnnualReport13-14.pdf and http://www.civilservice.louisiana.gov/files/publications/annual_reports/AnnualReport09-10.pdf)

All of this flows from the top. We must have a governor who makes the proper and full care of Louisiana's children his or her priority. See [Advocate for Louisiana's Children and Families](#). In a Request for Proposals released by Louisiana's Department of Health and Hospitals in August of 2014, DHH proposes that the State Management Organization selected to manage the Medicaid-funded behavioral healthcare of Louisiana's citizens will limit the number of youth it may place "in out-of-state facilities for treatment purposes" to 10 per contract year in the second and third year of the contract. In the first year of the three year contract, no corrective action plan will be required for placing more than 10 youth out-of-state during the year. DHH is aware that Louisiana has a shortage of residential treatment options available for children in Louisiana. That a corrective action plan is required only in years two and three seems to indicate DHH expects the Bayou Health companies will – during their first contract year – successfully build a full network of needed residential resources in our state. Based on the previous three years of the Louisiana Behavioral Health Partnership, this is possible, but not probable.

As I wrote more than two years ago in, "[Louisiana Needs Treatment Group Homes for Children](#)", there are steps that can be taken to begin filling Louisiana's gaps in children's services. Ideas include:

- 1. Provide start up funds for Therapeutic Group Homes.** This is important and here's why: before DHH Health Standards can issue a license for a level of care, the potential licensee must be fully staffed and fully operational. There are no startup funds available to cover the cost of staff who must be hired in order to acquire the license.

2. **Create a Provisional Therapeutic Group Home license** for providers who are diligently seeking Therapeutic Group Home licensure. Pay a Provisional TGH the full TGH rate to help defray the costs of startup.

By contract, the Department of Health and Hospitals passes responsibility for recruiting TGH providers to the State Management Organization, Magellan of Louisiana – soon to the five Bayou Health Plans. If DHH cannot assist with startup funds, these Bayou Health plans are large, public corporations designed to generate profit for shareholders. There are funds available.

3. DHH and the Bayou Health plans must **create supportive relationships with potential TGH providers** which facilitate the creation of services. This is a generalization, but in my experience it holds true: by design, the Department of Health and Hospitals focuses more on regulations than on relationships. At the same time, the people who care directly for others – the potential Therapeutic Group Home providers – are relationship-oriented people.

4. Louisiana's Department of Health and Hospitals must regularly and **transparently report the number of Louisiana's children who have been and who are being placed out of state** for treatment purposes. If the number is 0, report it. If the number is 40, report it. Whatever the actual number is, Louisiana's children have been placed in facilities out of state because services that once existed were eliminated before replacement services were available within the Louisiana Behavioral Health Partnership. That replacement services have not become available in Louisiana means children will be placed out-of-state.

Providing residential care for children "in Louisiana" is important, too. The closer a child is to her or his family or foster family, the easier it is for family to participate in treatment. What we know for certain is that the more a family participates in treatment, the greater the chance of a successful outcome.

Also, by reporting all out-of-state placements, the State will create its own motivation to resolve the problem of the missing Therapeutic Group Homes. It will keep the issue visible until it is resolved.

Summary

So, to summarize this year's update, we know the following:

Some number of Louisiana's children are still being placed out-of-state because sufficient services and resources are not available within our own state.

Beginning December 1, 2015, the five Bayou Health plans will be contractually responsible to build their networks of service providers.

We have 11% of the Therapeutic Group Home beds required for Louisiana children.

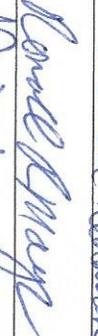
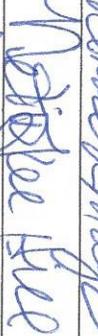
There is still much to do.

Share this:

Printed Name	Signature	Address	Comment	Date
DIANE MOSSES	Diane Mosses	2816 Ashleigh Dr	504-218-5015	6/23/16
Sylvia Morgan	Sylvia Morgan	3007 Hawthorn Ln	813-316-4361	6/23/16
Terrie Whalberg	Terrie Whalberg	3009 Tara Dr.	504-266-5243	6/23/16
Darlene Thompson	Darlene Thompson	2813 Ashley Dr	504-610-4958	6/23/16
Quansha Lewis	Quansha Lewis	2912 Ashley Dr.	504-781-3647	6/23/16
Brianna Dermott	Brianna Dermott	2910 Ashley Dr	(504)-222-4260	6/23/16
Shirley Bailey	Shirley Bailey	3004 W Riley Dr	(504)473-1484	6-23-16
MS. DENITA HARRIS	Ms. Denita Harris	3100 Ashly Dr	504-272-0439	6-23-16
STACY FISOLA	Stacy Fisola	3104 Ashley Dr	504-	6/23/16
Shad Davis	Shad Davis	3109 Ashley Dr	(504) 373-8710	6/23/16
Samantha Henderson	Samantha Henderson	2630 Angelique	(504) 288-7625	6/23/16
Darlene Mossey	Darlene Mossey	2921 Ashleigh Dr	504-256-4241	6-23-16
BERNAD BARB	Bernad Barb	3001 Thrane	504-914-2893	6-23-16
Tyrone Smith	Tyrone Smith	3016 Angelique Dr	504-214-2894	

Petition to Open AngelicCare LLC

Petition summary and background	Included on Page 1 (Introduction)
Action petitioned for	We, the undersigned, are citizens who urge our leaders to act now to allow AngelicCare LLC to operate in our community.

Printed Name	Signature	Address	Comment	Date
Ashante' Harris		35125 Shannon Dr		6/22/16
Danny Webster		3320 Shannon Dr.	504-250-6684	6/22/2016
		3505 Shannon Dr	Vacant -	
		3508		
		3504	Vacant.	
Lesell Williams		3421 Shannon Dr.	# 202	6/22/16
Joseph Sylvestor		3409 Shannon Dr	For	6-22-16
Wanda Reddick-Wanda Reddick		3400 Shannon Dr.	For 504-410 6883	6/22/16
Ronald R. Mays		3312 SHANNON DR	(504) 272-0491	6/22/16
Michelle Hill		3308 Shannon Dr.	(504) 231-1598	6-22-16
Ariel Sims		3304 Shannon Dr.	610-2879	6/22/16
Walt Davids	Walt Davids	3208 Shannon Dr	(504) 555-0808	6/22/16
Darlene Gsie		3105 Shannon Dr	(504) 205-9490	6/22/16

*
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Printed Name	Signature	Address	Comment	Date
Fergine Smith	Fergine Smith	3121 Angelique Dr	504-272-0459	5-10-16
Rosetta Gabriel	Rosetta Gabriel	3217 Angelique Dr	504-377-3276	5-10-16
Geoffrey Richard	Geoffrey Richard	3201 Angelique Dr	254-1558	5-16-16
Yvonne Stokes	Yvonne Stokes	3301 Angelique	920-8531	5-10-16
Sandra Langlois	Sandra Langlois	3313 Angelique Dr.	504-231-3395	5-10-16
Pauline Dube	Pauline Dube	3321 Angelique Dr	504-309-5751	5-10-16
Monica Neumein	Monica Neumein	3317 Angelique Dr	704-376-5365	5-10-16
Latoya Brown	Latoya Brown	3501 Angelique Dr.	(504) 756-7471	5-10-16
Theray Silve	Theray Silve	3505 Angelique Dr	(504) 227-7789	5-10-16
Sarah Torres	Sarah Torres	3413 Angelique Dr	(504) 913.0174	5-10-16
Darlene Davis	Darlene Davis	2881 Ashley Dr	(504) 305-9680	6-23/16
Matasha Spencer	Matasha Spencer	2900 Ashley Dr.	504 389-6281	6-10-16
Melissa Honnisee	Melissa Honnisee	2909 Ashley Dr.	504 272-0639	6-23-16
Kareiska Richard	Kareiska Richard	3001 Ashley Dr.	504-202-5862	6-23-16
Delpharouch Herbert	Delpharouch Herbert	3005 Ashley Dr.	(504) 682 1843	6/23/16
Jessica Ruiz	Jessica Ruiz	3105 Ashley Dr.	504-813-1359	6-23-16

Petition to Open AngelicCare LLC

Petition summary and background	Included on Page 1 (Introduction)
Action petitioned for	We, the undersigned, are citizens who urge our leaders to act now to allow AngelicCare LLC to operate in our community.

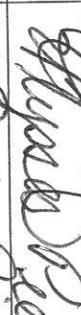
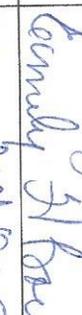
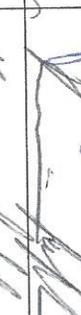
Printed Name	Signature	Address	Comment	Date
Regina Green	<i>Regina Green</i>	3420 Shannon Dr.	504-682-3166	6-22-16
BEVERLY R Beverlyn	<i>Beverlyn R. Beverlyn</i>	3412 Shannon Dr.	504-508-7689	6-21-16
Ulysses Duplessis III	<i>Ulysses Duplessis III</i>	3117 Shannon Dr.	504) 484-2968	6-22-16
Gaynelle Detcher	<i>Gaynelle Detcher</i>	3112 Shannon Dr.	(504) 266-5761	6-22-16
LAURENCE BRIDGEMAN	<i>Lauren Bush</i>	3012 SHANNON DR	504 473-7432	6-22-16
Karl Beards	<i>Karl Beards</i>	2920 SHANNON DR	504-451-4428	6-22-16
Eddie Mills	<i>Eddie Mills</i>	2912 Shannu		
Eddie Mills	<i>Eddie Mills</i>	2908 Shanna Dr	504-261-2033	6-22-2016
Yasha Mills	<i>Yasha Mills</i>	2912-Shannon Dr	504-701-9084	6-22-2016
Karen Walker	<i>Karen Walker</i>	2904 Shannon Dr.	504-812-6446	6-22-2016
Jerry Moore	<i>Jerry Moore</i>	2901 Shann Dr	(504) 564-2442	4/22/16
Kimberly Egan	<i>Kimberly Egan</i>	2817 Shannon Dr	(832) 675-2486	6-22-16
Glenn Higgins	<i>Glenn Higgins</i>	2808 Shannon Dr	(504) 682-2871	6/22/16

*

Printed Name	Signature	Address	Comment	Date
Perry Cosiet		3105 Sherman Dr	(504) 418-5584	6/22/16
Victor McBill		2005 Sherman Dr	(504) 371-5402	6/22
Deetra Major		2921 Sherman Dr	504) 413-0399	6/22/16
Deetra Major	Signature	2914 Sherman Dr	Vacant	6/22/16
Deetra Major	Signature	2913 Sherman Dr	Vacant	6/22/16
Nicholas Ford		2905 Sherman Dr	504) 331-5277	6/22/16
Pollevia Willian		2921 Sherman Dr	(504) 391-2512	6/22/16
Ashante Segue		8400 Sherman Dr.	(504) 564-4897	6/22/16
Tina Jackson		2813 Sherman Dr	504) 906-7060	6/22/16
Ms Shona Williams		2804 Sherman Dr	(504) 319-3116	6/22/16
Charles Willey Charles Williams		2718 Sherman	(504) 452-2825	6/22/16
Amelia Wink		2805 Angelique Dr	504-322-9201	6/22/16
Raymond KETE		2820 Angelique Dr	(504) 355-6219	
Sulie Ducoite		2816 Angelique Dr.	(504) 220-3387	
Imelia Dunkley		2916 Angelique Dr	504 602-4602	6/22/16

Petition to Open AngelicCare LLC

Petition summary and background	Included on Page 1 (Introduction)
Action petitioned for	We, the undersigned, are citizens who urge our leaders to act now to allow AngelicCare LLC to operate in our community.

Printed Name	Signature	Address	Comment	Date
WILLIAM LEFLORE		2813 ANSCHELICE	(504) 239-0985	6/22/16
TRISTOSHUP		2821 ANGELIQUE	114609-3716	6/24/16
ALYSSA		2908 ANGELIQUE	272 0057	6/22/16
DALE FIERRE		2908 ANGELIQUE	419 2230	6/22/16
TRACEY BROCK		1 Ashland Dr.		6/22/16
CONNIE SHAY		3300 Oakley Dr.	678-457-0836	6/23/16
JERRY MOORE			(504) 654-7331	6/23/16
KAVONNA JEFFERSON		3204 Shannon Dr.	520-9698	6-23-16
KEN JEFFERSON		3204 Shannon Dr.	520-0391	6-23-16

3408 Angelique Dr.

Petition to Open Angelicare TGH LLC

Petition summary and background
 We are requesting your participation in allegiance with AngliCare TGH LLC. AngeliCare is a positive environment representing appropriate moral, ethical and professional behavior. Our goal is striving to provide quality services and support to assist the consumers to live as independently, as possible when in the community. AngeliCare is asking for your approval to be operational in our community and would like your support.

Action petitioned for
 We, the undersigned, are citizens who urge our leaders to act now to allow AngeliCare LLC to be operational in our community.

Printed Name	Signature	Address	Comment & Phone #	Date
Vanessa Claverie	Vanessa Claverie	3400 Angelique Dr. Vol 4710095		5/10/16
Nichelle Johnson	Nichelle Johnson	3316 Angelique Dr. Vol 4710095	985-6035-9696	5/10/16
Trenice Jefferson	Trenice Jefferson	3312 Angelique Dr	281.796.3692 yes.	5/10/16
Shony Brown	Shony Brown	3308 Angelique Dr.	682-5353	5/10/16
Wynne Miller	Wynne Miller	3370 Angelique Dr	504) 355-5710	5/16/16
Tyone Nelson	Tyone Nelson	3401 Shannon	504) 428-9686	5/16/16
Karla Borne	Karla Borne	3100 Shannon	504) 617-8952	5/10/16
CATRINE SMITH	CATRINE SMITH	3208 Angelique Dr	504-553-1058	5/10/16
William Leon	William Leon	3120 Angelique Dr	504-682-9846 yes	5-10-16
Dorian Williams	Dorian Williams	3112 Angelique Dr	504) 287-9838	5-11-16
Jacqueline Taha	Jacqueline Taha	3113 Angelique	504) 405-6575	5-10-16

Advocating for Louisiana's Children:
Louisiana's Children are Being Placed Out-of-State

June 2014

*1st in a Series of Advocacy Papers with Questions for
Louisiana's 2015 Gubernatorial Candidates*

Louisiana United Methodist Children and Family Services, Inc.
More than 110 Years of Ministry to Louisiana's Children and Families

Advocating for Louisiana's Children: Louisiana's Children are Being Placed Out-of-State

“Unfortunately, current providers of residential care for children are disappearing. Some have reduced the number of children they care for due to the new licensing regulations. With this loss of providers and beds, I fear we are also losing the potential to create what could be an exceptional network of care for children.”¹

Since those words were penned in August 2013, Louisiana has lost additional residential group homes for children.

If residential services for children were not needed in Louisiana, this loss of providers would be reasonable. However, a number of Louisiana's children and adolescents must be placed in treatment programs in other states because sufficient treatment services are not available in Louisiana.

Louisiana's Coordinated System of Care recently celebrated its third anniversary. Created by an Executive Order issued by Governor Jindal on March 3, 2011,² Coordinated System of Care became operational when Magellan of Louisiana began acting under the supervision of Louisiana's Department of Health and Hospitals' Office of Behavioral Health as the State Management Organization on March 1, 2012.³

The three goals of Coordinated System of Care are: “Reduction in the number of targeted children and youth in detention and residential settings; Reduction of the state's cost of providing services by leveraging Medicaid and other funding sources; and Improving the overall outcomes for these children and their caregivers”.⁴ These are worthy goals. However, the immediate needs of child must be met as these goals are attempted.

General Fund dollars from each of the four state departments responsible to care for children were pooled as match to expand Medicaid funded behavioral health services. The plan was to use \$65.8 million in existing state general funds to draw down a total of \$101 million in additional Medicaid dollars, providing the state with an estimated total state savings of \$16.3 million through fiscal year 2013.⁵

Of course, when Medicaid dollars are “pulled down”, those dollars come with significant strings attached. There have been consequences to Louisiana's child welfare system.

Residential services for children which were in place when Louisiana created the Louisiana Behavioral Health Partnership and Coordinated System of Care were reduced or eliminated before sufficient replacement services have been made available.

During the planning period for Louisiana's Coordinated System of Care, Louisiana's Department of Health and Hospitals determined Louisiana needed 275 Therapeutic Group Home beds for children and adolescents.⁶ Today, June 3, 2014, Louisiana has only 16 of the required Therapeutic Group Home beds.

Louisiana is short by 259 of the needed Therapeutic Group Home beds in communities. Another way of describing the shortfall is to note that Louisiana has about 5% of the required Therapeutic Group Home beds for children. Louisiana has licensed 2 of the needed 35 Therapeutic Group Homes for children and adolescents⁷. (275 required beds divided by the 8 bed maximum per group home requires 35 licensed Therapeutic Group Homes.)

Short of the estimated need and as evidenced by the placement of Louisiana's children in other states, Louisiana does not have sufficient residential treatment services available for children who require out-of-home care. This must be corrected.

The reasons for the shortage of services are several and include the creation of two new Department of Health and Hospitals-licensed levels of residential care in Louisiana without a practical transition plan for providers who might have become licensed as Treatment Group Homes and Psychiatric Residential Treatment Facilities; the underfunding of services; the absence of transitional or start-up funds for providers interested in acquiring one of the two new licenses; and a reduction in reimbursement rates for existing residential care providers who continued under Department of Children and Family Services licensure.

Some former child and adolescent group home providers in Louisiana have closed up shop. Some of these former non-profits had the experience, staff and the heart to become Treatment Group Home providers under the new system, but they could not afford the transition.

There have been hurdles.

The first hurdle is that a provider must be fully operational and fully staffed for the new Therapeutic Group Home license before a licensing inspection can occur. These new licenses require a significant investment on the front end which is never recouped.

The unreimbursed costs associated with additional staff (who must be hired prior to receiving a Therapeutic Group Home license), the costs of licenses for evidence-based treatment practices,

and the costs of accreditation were all financial burdens former group home providers were required to shoulder to become licensed to provide Therapeutic Group Home services.

There was a second hurdle. Even for those former residential providers which may have possessed sufficient financial reserves, the initial per diem reimbursement rate was set too low to fund operations under the new minimum licensing standards. Figuratively speaking, former providers determined they would start out in a hole and never climb out.

Third hurdle: at the same time former providers faced the significant financial costs of new licenses, the per diem reimbursement rates they had been receiving for residential services provided to children and adolescents were cut. Even today, the per diem payment for Non-Medical Group Homes is less than the rate residential group home providers received before Coordinated System of Care was created.⁸

Call to Action

Louisiana does not have the residential services necessary for children and adolescents. Today, without sufficient services for children and adolescents whose needs cannot be met in their families or in foster care, children are being placed in other states. Until necessary services for children and adolescents become available in Louisiana, children will continue to be placed in other states at a distance from their families.

An important task of Louisiana's next governor will be to ensure the intensive treatment services required for children and adolescents are available in our own state.

Questions for Louisiana's Next Governor:

1. How will you ensure Louisiana's children receive out-of-home care in Louisiana?
2. How will you ensure Louisiana has a properly balanced array of services for children and adolescents?
3. How will you ensure Louisiana's providers of out-of-home care for children who cannot live with their families are reimbursed the costs of care?
4. How will you fast track the recruitment of residential service providers sufficient to meet the needs of Louisiana's children?

References

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3. (2012, February 24). [PowerPoint slides]. Retrieved from <http://new.dhh.louisiana.gov/assets/docs/BehavioralHealth/LBHP/ProviderFAQs022412.pdf>
4. (2011, September 1). [PowerPoint slides]. Retrieved from <http://new.dhh.louisiana.gov/assets/docs/BehavioralHealth/publications/CSOC/Doucments/CSOCProgDescrip9111.pdf>
5. Governor Jindal Announces New "Coordinated System of Care" to Streamline State Services & Help Louisiana's At-Risk Youth. (2011, March 3). Retrieved from <http://www.dcf.louisiana.gov/index.cfm?md=newsroom&tmp=detail&articleID=336>
6. (2011, April 20). Residential Facilities Transition Technical Assistance Meeting[PowerPoint slides]. Retrieved from http://www.csoc.la.gov/assets/csoc/Documents/20110420_ResidentialFacilitiesTransition_TAM.pdf
7. (2014, June 3). Louisiana Department of Health and Hospitals Provider Directory. Retrieved from <http://new.dhh.louisiana.gov/index.cfm/directory/home#c301>
8. The per diem reimbursement rate for Non-Medical Group Home providers is \$125.63. *LBHP Services Manual Codes, Version 7 - Updated 12/26/2012*, Tab 11 "Non-Medical Group Home", Retrieved from <http://new.dhh.louisiana.gov/assets/docs/BehavioralHealth/LBHP/ServicesManualCodes-Current.xlsx>

#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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3403

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-013**, PETITION OF CATHY MOORE FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3008 ROSETTA DRIVE, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-013**, Petition of Cathy Moore for a Zoning Change from "R-1, (Single Family Residential)" to "R-2, (Two-Family Residential)" for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, Rosetta Drive Extension, designated as Lot 21A. Property Location: 3008 Rosetta Drive, Chalmette, LA 70043.

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 #18 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION

FROM: ERIC TOLLE, RECOVERY PLANNER

DATE: JULY 26, 2016

ZONING CHANGE & CONDITIONAL USE REPORT

Case Number: Z- 2016-013

Owner/Representative: Cathy Moore

Property Address: 3008 Rosetta Drive, Chalmette

Property Location: Rosetta Drive Extension, Lot 21A

Current Site Area: 5,005.5 sq. ft. or 0.115 acres

Present Use: Single-Family Residence

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-1 (Single-Family Residential) District

Proposed Zoning: R-2 (Two-Family Residential) District

Reason For Request: A zoning change to allow a therapeutic group home

I. Executive Summary:

Zoning Docket Z-2016-013 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) 70.5' by 71' lot with a single-family residence. The applicant is requesting for the zoning change and Conditional Use Permit to allow a therapeutic group home in a detached accessory building also located on site.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan due to the subject lot size (1 unit per 3,630 sq. ft). The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. While the subject property is inconsistent with the Comprehensive Plan and considered a spot zone, staff does not put forward a recommendation at this time. However, staff is researching guidelines for reasonable accommodations for group homes for persons with disabilities as defined by ADA and Fair Housing regulations. Because of this, staff presents **NO RECOMMENDATION** of the applicant's request.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Google Street View (04/2011)

B. Site Description:

The subject site consists of one (1) lot of record located on Rosetta Drive near the intersection with E St. Avide Street. The subject property has a total area of 5,005.5 sq. ft. or 0.115 acres. The site is currently occupied by a single-family residence and a detached accessory structure.

C. Surrounding Land Uses and Zoning

As shown in Image #3, the subject property is located completely within an R-1 (Single-Family Residential) district. The surrounding area is developed as a single-family residential neighborhood with scattered vacant lots.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Design Review of Site Plan:

Section 22-2-4 - Interpretation; Definitions

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A. Small group homes: Up to six (6) residents
- B. Large group homes: Seven (7) to fifteen (15) residents
- C. Congregate group homes: Sixteen (16) or more residents

Per Section 22-5-4 – *Permitted uses in residential districts*, proposed group homes are subject to the following requirements:

- a. Group homes shall be licensed by the State of Louisiana.
- b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
- c. A group home shall encompass the entire structure.
- d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

The applicant's request and provided documents, shown in the appendix of this report, will be assessed under the following criteria:

1. Harmony with the area (*Section 22-8-2.1*):

The petitioned property is immediately adjacent to single-family residential developments. The property is located within a predominate R-1 (Single Family Residential) zone district. The proposed R-2 (Two-Family Residential) zoning district allows a small therapeutic group home as proposed via Condition Use Permit. The R-2 district also allows for increased density to two-family residences or a duplex. The staff believes that if the subject property were to be re-zoned to R-2, then the impacts of a small group home to the adjacent residential areas could be mitigated through conditions listed within Section D of this report.

2. Adequate access (*Section 22-8-2.2*):

The applicant proposes use of one (1) ingress/egress point for the development along Rosetta Drive, near E St. Avide Street. The staff believes that a therapeutic group home at this location will not generate additional traffic demands onto Rosetta Drive and the adjacent minor roadways. The staff does not expect a significant inconvenience to area residences as a result of daily site operations.

3. Adequate infrastructure (*Section 22-8-2.3*):

The staff believes adequate infrastructure is in place for this activity, subject to operational standards permitted by Local, State and Federal agencies.

4. Natural resource conservation (*Section 22-8-2.4*):

The staff believes there is no natural resource conservation issues associated with this project.

5. Compatible design (*Section 22-8-2.5*):

The applicant is proposing a small adolescent group home to be located in a detached accessory building at the subject property. The accessory building is located behind an existing fence on the property making it mostly unnoticeable from the street.

Section 22-7-3 – Number of Off-Street Parking Spaces The following identifies off-street parking standards associated with Group Homes, as adopted by the Parish Council.

Group Home: 3.0 per 1,000 square feet

No indication has been given to staff illustrating the additional and required off street parking.

If the project were to be approved, staff recommends the following conditions to the compatible design as a part of the approval:

- The applicant shall submit a site plan consistent with the requirements of **Section 22-7-3. – Number of Off-Street Parking Spaces** or seek waivers for such site improvements through the Board of Zoning Adjustments, subject to the review and approval of the staff of the Department of Community Development.

6. Public health, safety and welfare (*Section 22-8-2.6*):

The staff has not received comment from other municipal, state or federal agencies with regard to public health, safety and welfare as it relates to the petitioned projects. The staff does not believe that public health, safety and welfare would be negatively impacted as result of this project.

7. Residential impact (*Section 22-8-2.7*):

Some area residents may be impacted by a small group home, however, staff does not anticipate significant environmental or operational impacts to adjacent and surrounding residential developments with regard to its proposed use.

E. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a R-2 (Two-Family Residential) district in order to establish an therapeutic group home.

The intent of the R-2 (Two-Family Residence) district is to allow low to mid density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested location to not have a significant impact of adjacent land uses in excess of existing conditions.

F. Block-face study

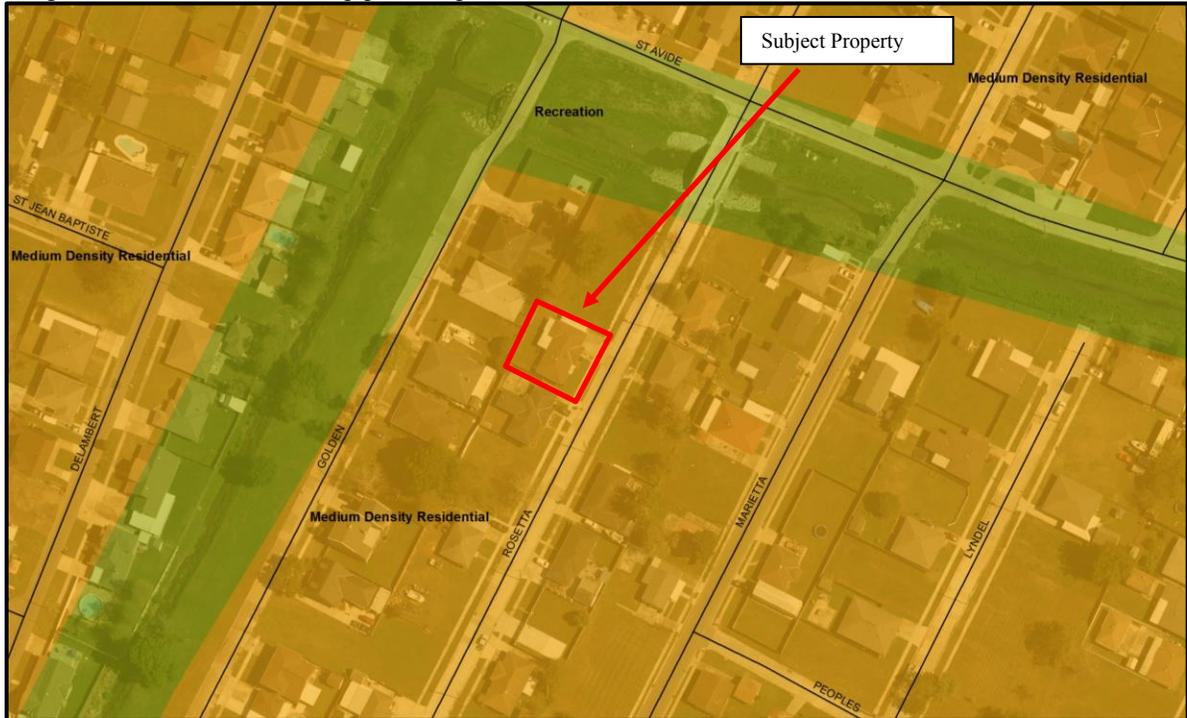
Staff conducted a block-face study of the area around the subject property. The block-face study assessed the block and found it consists entirely of single-family residences along with a few vacant lots.

G. Can the request be considered a spot zone?

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3, the request consists of a property that is located completely within an R-1 (Single-Family Residential). For this reason, the staff considers the request a spot zone.

III. Comprehensive Plan:

Image #4: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1 (Single-Family Residential) zoning district to an R-2 (Two-Family Residential) zoning district. The requested zoning change would be **inconsistent** with the land use and density standards of the Comprehensive Plan for Medium Density Residential due to the subject lot size (1 unit per 3,630 sq ft.).

IV. Summary:

Zoning Docket Z-2016-013 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) 70.5' by 71' lot with a single-family residence. The applicant is requesting for the zoning change and Conditional Use Permit to allow a therapeutic group home in a detached accessory building also located on site.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. While the subject property is inconsistent with the Comprehensive Plan and considered a spot zone, staff does not put forward a recommendation at this time. However, staff is researching guidelines for reasonable accommodations for persons with disabilities as defined by the ADA and Fair Housing regulations. Because of this, staff presents **NO RECOMMENDATION** of the applicant's request.

V. Staff Recommendation:

The staff recommends **NO RECOMMENDATION** of Z-2016-013, a request for a zoning change from R-1 (Single-Family Residential) district to R-2 (Two-Family Residential) district.

VI. Reason for Recommendation:

1. Staff believes this request could be addressed by means of reasonable accommodations of group homes for the treatment of people with disabilities in lieu of a zoning change. Staff recommends the Parish Council to review how reasonable accommodations for group homes for the disabled could be handled more appropriately through a reasonable accommodation procedure.

#19

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3404

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-015**, Petition of Demetria Brown for a Zoning Change from "R-1(M), (Mobile Home Single-Family Residential)" to "C-1, (Neighborhood Commercial)" and a Conditional Use to allow an Itinerant Market (seasonal) for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, South Bournemouth, Square 10, designated as Lot 4. Property Location: 6415 Jules Brown Street, Violet, LA 70092.

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 #19 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION

FROM: ERIC TOLLE, RECOVERY PLANNER

DATE: JULY 26, 2016

ZONING CHANGE & CONDITIONAL USE REPORT

Case Number: Z- 2016-015

Owner/Representative: Demetria Brown

Property Address: 6415 Jules Brown Street, Violet

Property Location: South Bournemouth, Square 10, Lot 4

Current Site Area: 4,800 sq. ft. or 0.111 acres

Present Use: Vacant Lot

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-1(M) (Single-Family Dwelling and Mobile Home Residential) District

Proposed Zoning: C-1 (Neighborhood Commercial) District

Reason For Request: A zoning change to allow a snowball stand

I. Executive Summary:

Zoning Docket Z-2016-015 is a request for a zoning change from an R-1(M) (Single-Family Dwelling and Mobile Home Residential) district to a C-1 (Neighborhood Commercial) district. The lot is approximately 40' by 120' and has a total area of 4,800 sq. ft. or .111 acres. The site is currently a vacant lot. The applicant is requesting for the zoning change and Conditional Use Permit to allow a snowball stand.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to its inconsistency with the Comprehensive Plan and its spot zone nature.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Google Street View (05/2011)

B. Site Description:

The subject site consists of one (1) lot of record located on Jules Brown Drive. The lot is approximately 40' by 120' and has a total area of 4,800 sq. ft. or .111 acres. The site currently sits on a vacant lot between two (2) single-family residences.

C. Surrounding Land Uses and Zoning

As shown in Image #3, the subject property is located completely within an R-1(M) (Single-Family and Mobile Home Residential) district. The surrounding area is developed as a single-family residential neighborhood with some vacant lots. Existing spot zones already exist and dot the neighborhood.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Design Review of Site Plan:

Section 22-2-4 - Interpretation; Definitions - Itinerant Market (Seasonal): The retail sale of any products (including seafood, farmers and pop-up markets as well as snowball/ice-cream stands etc.) for a period of not more than six (6) months of anyone (1) calendar year that are not housed in permanent structures (building with permanent foundations or pilings); excluding produce.

Section 22-6-4 – Permitted uses in business and industrial districts:

Itinerant market (seasonal) shall meet the following conditions:

- a. Itinerant markets shall be located on private property. Market or stand locations and parking within public rights-of-way shall be strictly prohibited.
- b. Permits/business licenses issued on a one (1) calendar year basis.
- c. Shall designate one thousand (1,000) square feet of off-street parking area.
- d. In no event shall the permittee or anyone else be allowed to sell any products within one thousand (1,000) feet of an established retail entity with sales of similar goods or other itinerant markets.
- e. An itinerant market must be approved per conditional use by parish council.

The applicant's request and provided documents, shown in the appendix of this report, will be assessed under the following criteria:

1. Harmony with the area (*Section 22-8-2.1*):

The subject property is immediately adjacent to single-family residential developments. The property is located within a predominate R-1(M) (Single Family and Mobile Home Residential) zone district. The proposed C-1 (Neighborhood Commercial) zoning district allows seasonal itinerant markets via Condition Use Permit. The C-1 district also allows for other commercial uses such as restaurants and retail establishments. The staff believes that if the subject property were to be re-zoned to C-1, the impacts of a snowball stand to the adjacent residential areas could be mitigated through conditions listed within Section D of this report; however the proposed use would be completely isolated on that block the only commercial use.

2. Adequate access (*Section 22-8-2.2*):

The applicant has not submitted a detailed site plan indicating ingress/egress. The staff believes that a snowball stand at this location could generate additional traffic demands onto Jules Brown Street and the adjacent minor roadways.

If the project were to be approved, the staff recommends the following condition to site access as a part of the approval:

- The applicant shall provide a driveway and curb-cut plan, subject to the review and approval of the Department of Public Works.

3. Adequate infrastructure (*Section 22-8-2.3*):

The staff believes adequate infrastructure is in place for this activity, subject to operational standards permitted by Local, State and Federal agencies.

4. Natural resource conservation (*Section 22-8-2.4*):

The staff believes there is no natural resource conservation issues associated with this project.

5. Compatible design (*Section 22-8-2.5*):

The applicant is proposing a seasonal snowball stand at the subject property. The applicant has not submitted a site plan to staff indicating proposed parking. The proposal is subject to the following requirements:

Section 22-7-3.4. - Parking lot design:

- a. All parking spaces, loading facilities, and access roadways shall be paved unless the board of zoning adjustments approves an adequate alternate all-weather surface.
- d. Driveways and traffic aisles shall be at least twenty-four (24) feet wide unless modified by the department of community development.
- f. All parking spaces shall be marked with clearly visible striping at least four (4) inches wide.
- h. All parking spaces and access roadways shall be suitably lighted.
- i. Unless modified by the board of zoning adjustments, all nonresidential parking spaces, loading spaces, driveways, access roadways, and traffic aisles shall be located at least:
 1. Twenty-five (25) feet from a front property line;
 2. Ten (10) feet from any side or rear property line; and
 3. Ten (10) feet from the front, rear or sides of any business structure.

Section 22-7-3 – Number of Off-Street Parking Spaces:

Itinerant Market (Seasonal): **Shall designate 1,000 sq. ft. of off-street parking area (1)**

(1) Parking spaces not subject to the requirements of Section 22-7 – Site Development Standards.

Chapter 22-7-2.4 – Landscape Plan: states that a landscape plan shall be prepared by a Louisiana Licensed Landscape Architect subject to a list of criteria prior to issuance of a building permit.

If the project were to be approved, the staff recommends the following conditions to the compatible design as a part of the approval:

- The applicant shall submit a site plan consistent with the parking and landscape requirements mentioned in this section, or seek a waiver for such site improvements through the Board of Zoning Adjustments, subject to the review and approval of the staff of the Department of Community Development.

6. Public health, safety and welfare (*Section 22-8-2.6*):

The staff has not received comment from other municipal, state or federal agencies with regard to public health, safety and welfare as it relates to the petitioned projects. The staff does not believe that public health, safety and welfare would be negatively impacted as result of this project.

7. Residential impact (*Section 22-8-2.7*):

Some area residents may be impacted by a snowball stand. Staff believes the site can mitigate these perceived impacts through the use of conditions stipulated within the design review section of the report. For this reason, the staff does not anticipate significant environmental or operational impacts to adjacent and surrounding residential developments with regard to its proposed use.

E. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to a C-1 (Neighborhood Commercial) district in order to establish a snowball stand.

The intent of the R-2 (Two-Family Residence) district is to allow low to mid density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested location to not have a significant impact of adjacent land uses in excess of existing conditions.

F. Block-face study

Staff conducted a block-face study of the area around the subject property. The study assessed the block as consisting of lots containing single-family residences along with some vacant lots. Some materials were noticeably being stored on a few of these vacant lots.

G. Can the request be considered a spot zone?

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3, the request consists of a property that is located completely within an R-1(M) (Single-Family and Mobile Home Residential) district. It should be noted that this neighborhood consists of several spot zones including three C-1 (Neighborhood Commercial) spot zone districts.

III. Comprehensive Plan:

Image #4: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1(M) (Single-Family and Mobile Home Residential) zoning district to a C-1 (Neighborhood Commercial) zoning district. The requested zoning change would be **inconsistent** with the land use standards of the Comprehensive Plan for Medium Density Residential.

IV. Summary:

Zoning Docket Z-2016-015 is a request for a zoning change from an R-1(M) (Single-Family and Mobile Home Residential) district to a C-1 (Neighborhood Commercial) district. The site consists of a vacant 40' by 120' lot. The applicant is requesting for the zoning change to allow a snowball stand located on-site.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to its inconsistency with the Comprehensive Plan and its spot zone nature.

V. Staff Recommendation:

The staff recommends **DENIAL** of Z-2016-015, a request for a zoning change from R-1(M) (Single-Family and Mobile Home Residential) district to C-1 (Neighborhood Commercial) district subject to the following:

- All recommendations set forth in Section D of this report.

VI. Reason for Recommendation:

1. The proposed C-1 (Neighborhood Commercial) zoning district would be considered inconsistent with the Comprehensive Plan and a spot zone.

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Joshika Addison Robertson

Print Name

Joshika Addison Robertson

Signature

2. Nathaniel Robertson

Print Name

Nathaniel Robertson

Signature

3. Joseph Addison Jr

Print Name

Joseph Addison Jr

Signature

4. Whanne Mullen

Print Name

Whanne Mullen

Signature

5. Earl James

Print Name Roosevelt Walker

Earl James

Signature

6. Rosevelt Walker

Print Name

Rosevelt Walker

Signature

7. Reynold Hodges

Print Name

Reynold Hodges

Signature

8. Reynold Richards

Print Name

Reynold Richards

Signature

9. Ervin Bourke

Print Name

Ervin Bourke

Signature

10. Ricardo A. Sanchez

Print Name

Ricardo A. Sanchez

Signature

11. Daniel Santiago

Print Name

Daniel Santiago

Signature

12. Marc Bienemy

Print Name

Marc Bienemy

Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Carolyn Brewer Fernandez
Print Name

Carolyn Brewer Fernandez
Signature

2. George L. Fernandez
Print Name

George L. Fernandez
Signature

3. Joseph Addison
Print Name

Joseph Addison
Signature

4. Jarrell Johnson
Print Name

Jarrell Johnson
Signature

5. Dennise Bennett
Print Name

Dennise Bennett
Signature

6. JACOBY KING
Print Name

Jacoby King
Signature

7. Anthony Hodges
Print Name

Anthony Hodges
Signature

8. Cathy Moore
Print Name

Cathy Moore
Signature

9. Emile Barkley
Print Name

Emile Barkley
Signature

10. Marcus Moore
Print Name

Marcus Moore
Signature

11. Jerry Moore
Print Name

Jerry Moore
Signature

12. Gwen Brown
Print Name

Gwen Brown
Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. Alma Brown

Print Name

Alma Brown

Signature

2. CECIL WILLIAMS

Print Name

Cecil Williams

Signature

3. Genevieve Ross

Print Name

Genevieve Ross

Signature

4. ALMA MULLEN

Print Name

Alma Mullen

Signature

5. Gilston Russell

Print Name

Gilston Russell

Signature

6. Lawrence Williams

Print Name

Lawrence Williams

Signature

7. Rose Mary Jones

Print Name

ROSE MARY JONES

Signature

8. Beverly Sanders

Print Name

Beverly Sanders

Signature

9. Jolean Brown

Print Name

Jolean Brown

Signature

10. Branden Angelety

Print Name

Branden Angelety

Signature

11. Gabriel Angelety

Print Name

Gabriel Angelety

Signature

12. Verdian M. Brown

Print Name

Verdian M. Brown

Signature

DEMETRIAL LYNNE BROWN

I, Demetrial Lynne Brown, am the owner of the property located at 6412 Jules Brown Street, Violet, Louisiana 70092. I have to provide signature to St. Bernard Parish Government of individuals that don't object to my snowball shop.

1. SHERMAN Brown Sherman Brown
Print Name Signature
2. ANTHONY TUCKER Anthony Tucker
Print Name Signature
3. VIOLET TUCKER Violet Tucker
Print Name Signature
4. Lucille Alveris Lucille Alveris
Print Name Signature
5. JANE BROWN Jane Brown
Print Name Signature
6. Sylvia Duplessis Sylvia Duplessis
Print Name Signature
7. Arrendia Brown Arrendia Brock
Print Name Signature
8. LaShonta Brown LaShonta Brown
Print Name Signature
9. Kaylene L Shum Kaylene L Shum
Print Name Signature
10. Clyfford BROWN Clyfford Brown
Print Name Signature
11. Bobby Tucker Bobby Tucker
Print Name Signature
12. Samuel La Jones Samuel La Jones
Print Name Signature

#20

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3405

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-016**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2904 JACKSON BLVD., CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2016-016**, Petition of Petition of Ralph Menesses for a Zoning Change from "R-1, (Single Family Residential)" to "R-2, (Two-Family Residential)" for the following described property:

One certain piece or portion of ground situated in the Parish of St. Bernard, Battleground Subdivision, designated as Lot 4. Property Location: 2904 Jackson Blvd., Chalmette, LA 70043.

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.

Page -2-
Extract #20 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government

*Department of Community Development
8201 West Judge Perez Drive
Chalmette, La, 70043
Office: 278-4310 Fax: 278-4298*



TO: ST. BERNARD PARISH PLANNING COMMISSION
FROM: ERIC TOLLE, RECOVERY PLANNER
DATE: JULY 26, 2016

ZONING CHANGE REPORT

Case Number: Z- 2016-016

Owner/Representative: Ralph Menesses

Property Address: 2904 Jackson Blvd

Property Location: Battleground Subdivision, Lot 4

Current Site Area: 5,000 sq. ft. or 0.115 acres

Present Use: Vacant Lot

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-1 (Single-Family Residential) District

Proposed Zoning: R-2 (Two-Family Residential) District

Reason For Request: A zoning change to allow a two-family residence

I. Executive Summary:

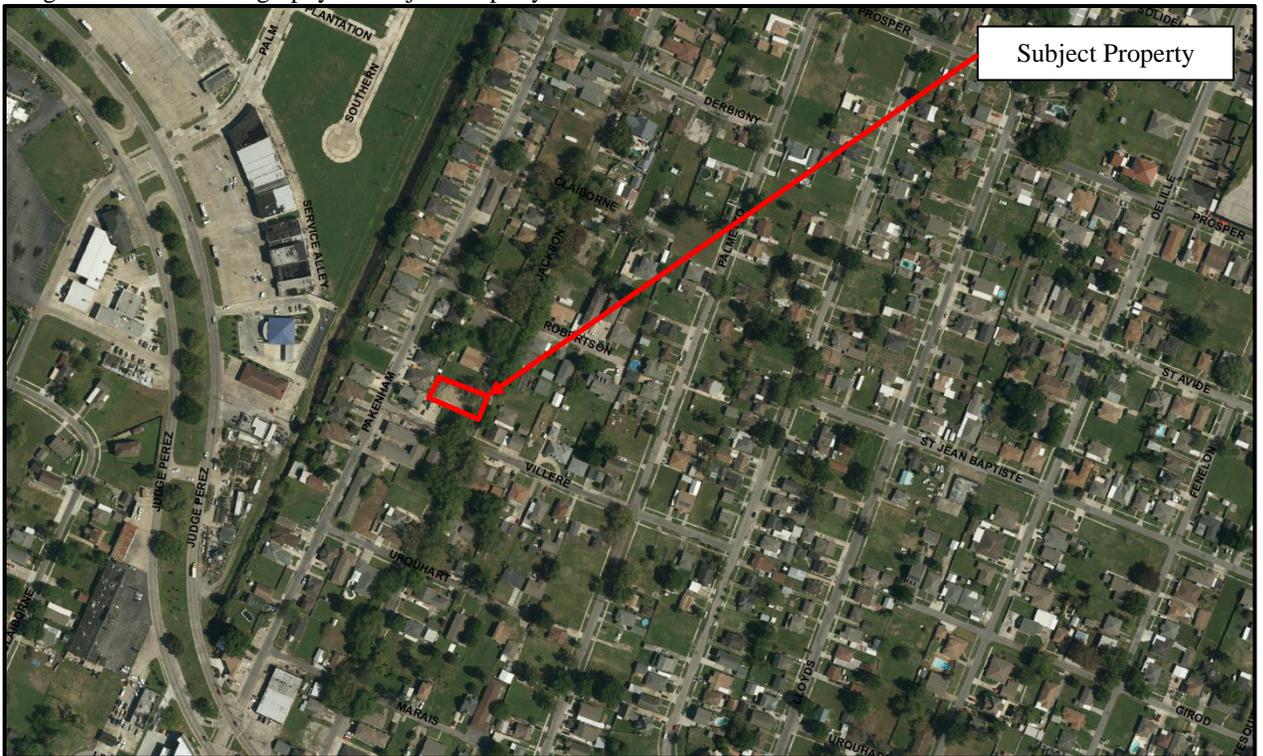
Zoning Docket Z-2016-016 is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) district. The site consists of one (1) lot located on Jackson Boulevard near the corner of N. Villere Street in Chalmette. The lot is approximately 50' by 100' and has a total area of 5,000 sq. ft. or 0.115 acres. The site is currently a vacant lot. The applicant is requesting for the zoning change to allow a two-family residence.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan due to the lot size/density requirement (1 unit per 3,630 sq. ft.). The request would not technically be considered a spot zone as its rear property line borders an existing R-2 (Two-Family Residential) zoning district, however the subject lot would be the only R-2 (Two-Family Residential) zoned lot that fronts on Jackson Boulevard for three (3) blocks in both directions. Staff recommends **DENIAL** of the request due to the proposed low intensity use and existing conditions of the immediate neighborhood.

II. Project Analysis:

A. Images

Image #1: Aerial Photography of Subject Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Staff photo (07/15/2016)

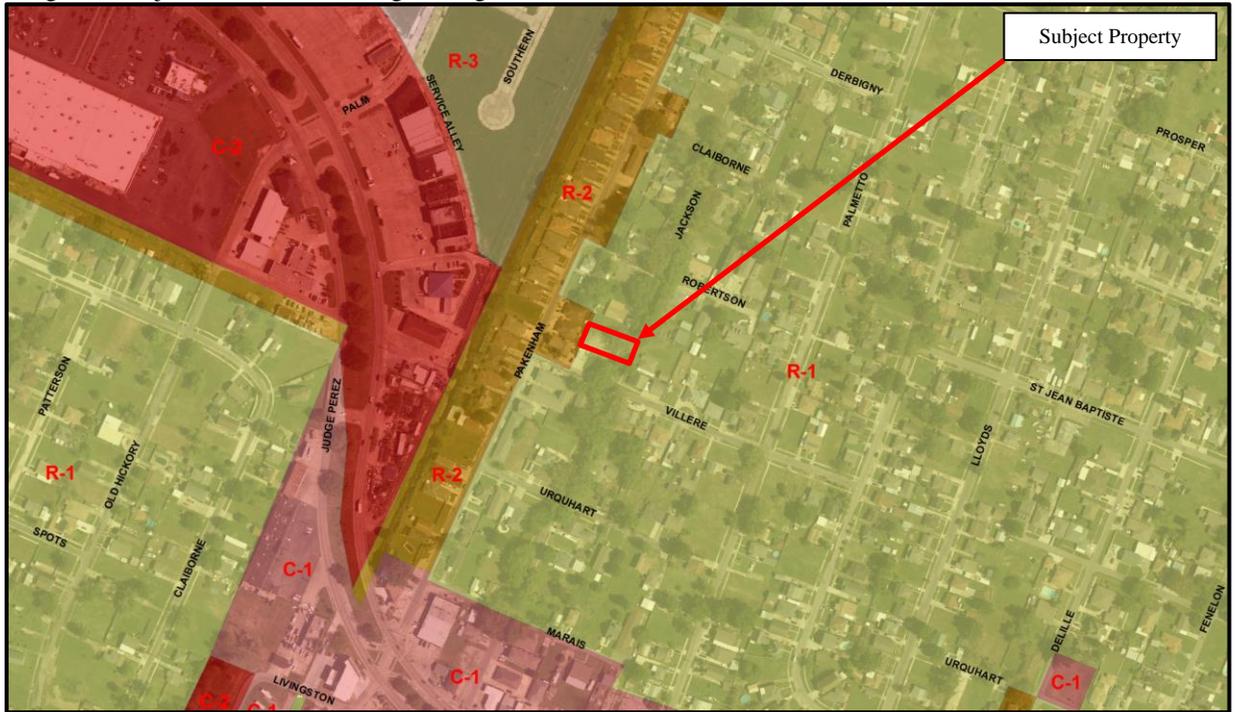
B. Site Description:

The subject site consists of one (1) lot of record located on Jackson Boulevard near the corner of N. Villere Street in Chalmette. The subject property is approximately 50' by 100' and has a total area of 5,000 sq. ft. or 0.115 acres. This site is currently a vacant lot.

C. Surrounding Land Uses and Zoning

As shown in Image #3 below, the subject property is located within an R-1 (Single-Family Residential) district. The surrounding area is developed with single-family, two-family, and multi-family residential structures.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

D. Purpose of proposed rezoning and effect(s) on adjacent land uses:

The applicant requests the zoning change to an R-2 (Two-Family Residential) district in order to erect a two-family residence.

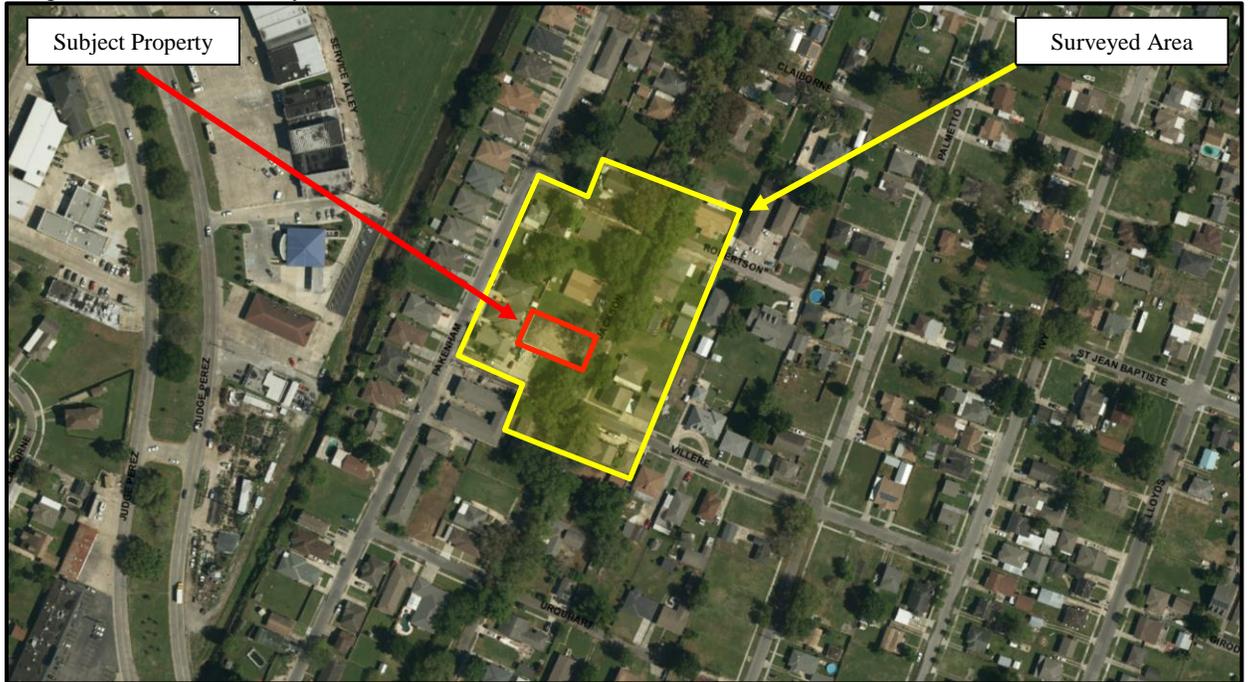
The intent of the R-2 (Two-Family Residence) district is to allow low to medium density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to R-2 (Two-Family Residential) at the requested property to allow a two-family residence would not have a significant impact of adjacent land uses in excess of existing conditions currently experienced in the immediate neighborhood. It should be noted the subject lot would be the only R-2 (Two-Family Residential) zoned lot that fronts on Jackson Boulevard for three (3) blocks in both directions.

E. Block-face study

Staff conducted a block-face study of the area around the subject property. The block study assessed the current use of existing structures of the entire block, the block-face across the street, and all four (4) opposing corners lots. Image #4 indicates the area surveyed while the results are reported on Table #1 below.

Image #4: Block-face study area



Source: Arc GIS Parish Map (unofficial)

Table #1: Block-face field results

Address	Current Use	Current Zoning
807/817 N Villere St	Two-Family Residence	R-2 (Two-Family Residential)
2905/2907 Pakenham Dr	Two-Family Residence	R-2 (Two-Family Residential)
2909/2911 Pakenham Dr	Two-Family Residence	R-2 (Two-Family Residential)
2921 Pakenham Dr	Single-Family Residence	R-1 (Single-Family Residential)
820 N Robertson St	Single-Family Residence	R-1 (Single-Family Residential)
814/816/818 N Robertson St	Multi-Family Residence	R-1 (Single-Family Residential)
3000 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
3001 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2921 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2917 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2915 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2914/2912 Jackson Blvd	Two-Family Residence	R-1 (Single-Family Residential)
2905 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2901 Jackson Blvd	Single-Family Residence	R-1 (Single-Family Residential)
2820/2822 Jackson Blvd	Two-Family Residence	R-1 (Single-Family Residential)
750 N Villere St	Single-Family Residence	R-1 (Single-Family Residential)

As shown on Image #4 and Table #1 above, there are a total of 16 existing structures in the study area. Of the 16 structures, 13 are zoned R-1 (Single-Family Residential) (81%) while three (3) are zoned R-2 (Two-Family Residential) (19%). Eliminating the three (3) structures zoned R-2 (Two-Family Residential), the 13 remaining structures in the R-1 (Single-Family Residential) consist of:

- Two (2) two-family residences (15%)
- One (1) multi-family residence (8%)
- Ten (10) single-family residences (77%)

Therefore, staff concludes the predominate development pattern in the block-face study area are lots developed with single-family residences.

F. Can the request be considered a spot zone?

No. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown in Image #3 above, the request consists of a property that is located in an R-1 (Single-Family Residential) sharing a rear border of an existing R-2 (Two-Family Residential) zoning district. It should be noted the subject lot would be the only R-2 (Two-Family Residential) zoned lot that fronts on Jackson Boulevard for three (3) blocks in both directions.

III. Comprehensive Plan:

Image #5: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

Medium Density Residential

Land Use/Density: Single-family @ 4-5 units/acre
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1 (Single-Family Residential) zoning district to an R-2 (Two-Family Residential) zoning district. Specifically listed, the proposed zoning change to allow a two-family residence aligns with the Land Use/Density description for the Medium Density Residential designation as stated on page 35 of the Comprehensive Plan; however the lot does not meet the size requirements to support the proposed density (1 unit per 3,630 sq. ft.); therefore the requested zoning change is **inconsistent** with the Comprehensive Plan.

IV. Summary:

This is a request for a zoning change from an R-1 (Single-Family Residential) district to an R-2 (Two-Family Residential) zoning district. The site is located on Jackson Boulevard near N Villere Street in Chalmette. The applicant is requesting for a zoning change to allow a two-family residence.

The request consists of one (1) lot that would be zoned the same as an adjacent zoning district, therefore the request would not be considered a spot zone.

The zoning request is **inconsistent** with the Land Use/Density description of Medium Density Residential of the Future Land Use Map due to the lot size requirements to support the proposed density (1 unit per 3,630 sq. ft.).

V. Staff Recommendation:

The staff recommends **DENIAL** of Z-2016-016, a request for a zoning change from R-1 (Single-Family Residential) district to R-2 (Two-Family Residential) zoning district.

VI. Reason for Recommendation:

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential of the Future Land Use Map due to the lot size requirements to support the proposed density (1 unit per 3,630 sq. ft.).

#21

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #XXXX-XX-XX

Summary No. 3406

Introduced by: Councilmember Alcon on 8/2/16

Public hearing held on 8/16/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1802-07-16**, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council does hereby amend Ordinance SBPC #1802-07-16 as described in the attached 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 #21 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

SUMMARY NO. 3406

EXHIBIT "A"

"Film St. Bernard' Incentives Program"

Ordinance SBPC #1802-07-16

1. Purpose and Description of St. Bernard Parish Film Industry Incentive Rebate Program

A. The purpose of this program is to encourage growth and investment in St. Bernard Parish by developing a strong base for motion-picture film, videotape, digital, and television program productions.

B. The St. Bernard Parish film industry incentive offers a rebate for lodging, payroll expenses, and other production expenditures made in St. Bernard Parish, including but not limited to sound stage or location leases and post-production costs.

2. Definitions. The following terms should have the meanings provided, unless the context clearly indicates otherwise.

Completion of production – means that post-production of a film has been finished and a cut negative, video master or other final locked form of the film is ready for striking of prints or electronic copies, and/or ready for broadcast or delivery to a distributor.

Expended by a pre-approved production in St. Bernard Parish –

- a. In the case of tangible property, means property which is acquired from a source within St. Bernard Parish and provided by an individual or entity doing business in St. Bernard Parish which pays St. Bernard Parish sales tax.
- b. In the case of services, means procured from within St. Bernard Parish, performed in St. Bernard Parish and provided by an individual or entity doing business in St. Bernard Parish which has an occupational license in St. Bernard Parish.

Film Incentive Review Panel (FIRP) – a five (5) person panel consisting of the following:

- a. **Two (2) CPA's within the community**
 1. **Parish President will recommend two (2) CPA's to the Council for adoption via resolution.**
- b. **Economic Development Director**
- c. **Council Chair or their appointee**
- d. **Film Director**

St. Bernard Parish-approved production – a production approved by the Film Incentive Review Panel (FIRP). The production must have a viable multimarket commercial distribution plan, and either have its production office located in St. Bernard Parish or use a soundstage facility located within St. Bernard Parish.

Louisiana State-certified production – a production approved by the Louisiana Office of Entertainment Industry Development and the Louisiana Department of Economic Development produced by a motion picture production company domiciled and

SUMMARY NO. 3406
EXHIBIT “A”

headquartered in Louisiana which has a viable multi-market commercial distribution plan.

Non-Allowable Production Expenditures – the following expenses are NOT eligible to qualify as St. Bernard Parish production expenditures:

- a. Overhead and similar expenses do not qualify as production expenditures unless the expenditures were incurred in St. Bernard Parish and directly used in a pre-approved production;
- b. Post-production expenditures for marketing and distribution;
- c. Any amounts that are later reimbursed;
- d. Any amounts that are paid to persons or entities as a result of their participation in profits from the exploitation of the production;
- e. Construction of film or post-production facilities;
- f. Flow-through costs for services not performed in St. Bernard Parish or for goods not procured from within St. Bernard Parish.

Payroll – includes all salary and wages, including related benefits, sourced or apportioned to a St. Bernard Parish resident paid for an approved St. Bernard Parish production.

Payroll expended on St. Bernard Parish residents – means the gross amount of wages and salaries as reflected on Form W-2 (the amount listed on Item 1 of Form W-2 – wages, tips, and other compensation) and the amount listed in Form 1099 that is actually paid to a St. Bernard Parish resident.

Qualified Production – means a nationally distributed feature-length film, video, television movie, television series, television pilot, or commercial made in St. Bernard Parish, in whole or in part, for theatrical or television viewing or as a television pilot. The term does not include the production of a: news or current affairs program, interview or talk program, magazine program, variety or skit program, “how-to” (i.e., instructional) film or program, film or program consisting primarily of stock footage, sporting event or sporting program, award ceremony, film or program intended primarily for industrial, corporate or industrial end-users, fundraising film or program, or daytime drama (i.e., daytime “soap opera”). The term also does not include a production for which records are required under section 2257 of Title 18, United States Code, to be maintained with respect to any performer in such production (reporting of books, films, etc. with respect to sexually explicit content).

Production expenditures – means reasonable and customary preproduction, production, and post-production expenditures directly incurred in St. Bernard Parish in or from an establishment located within St. Bernard Parish which pays occupational license or sales tax in St. Bernard Parish that are used directly in an approved production, including without limitation the following:

- a. Set construction and operation;
- b. Wardrobes, make-up, accessories, and related services;

SUMMARY NO. 3406
EXHIBIT "A"

- c. Costs associated with photography and sound synchronization, lighting, and related services and materials;
- d. Editing and related services;
- e. Rental of facilities and equipment;
- f. Leasing of vehicles;
- g. Costs of food and lodging;
- h. Digital or tape editing, film processing, transfer of film to tape or digital format, sound mixing, special and visual effects (if services are performed in St. Bernard Parish);
- i. Qualified payroll expenses;
- j. Music, if performed, composed, or recorded by a St. Bernard Parish resident, or released or published by a St. Bernard Parish-domiciled and headquartered company;
- k. Insurance costs or bonding, if purchased through a St. Bernard Parish based agency;
- l. Travel expenses, provided that the trip must have a beginning or ending location in St. Bernard Parish, and any travel agency used must be in St. Bernard Parish.

Production Facility – a physical facility functioning as a soundstage that provides the goods and services necessary for completing the major activities of motion picture production.

Production Office- an office from which the routine business activities (such as record storage, secretarial services, telephone and other communication modes), associated with film making are conducted. Cannot be a hotel or residential residence.

Qualified St. Bernard Parish payroll expenses – payroll expenses paid to a natural person who is at the time of production, and for a period of at least six months prior to commencing work on the production or project, was a resident of St. Bernard Parish. Residency will be determined using the residency form required by FIRP, and submission of documentation as required by the form, including picture I.D. and one of the following issued in the employee's name: lease or act of sale or two other forms of identification, such as utility bill, or voter registration.

Qualified Lodging – St. Bernard Parish establishments which pay sales, hotel/motel, occupational license, or ad valorem taxes in St. Bernard Parish.

Qualified lease or rental expenses – lease or rental expenses for sound stage, location or production offices paid for a site in St. Bernard Parish and which pays occupational license or ad valorem tax in St. Bernard Parish, or holds an exemption from payment of such taxes.

3. Requirements for Film Incentive Rebate

A. Production must either:

- 1. Have its principal Louisiana production office located within St. Bernard Parish, or
- 2. Use a soundstage facility located within St. Bernard Parish, and;

SUMMARY NO. 3406

EXHIBIT "A"

- B. Each individual production must have acceptable expenditures of the types listed in section 4, paid within St. Bernard Parish, amounting to at least \$150,000.00.
- C. The production company must agree to include the "Filmed in St. Bernard Parish, Louisiana" logo in its credits, and further to provide St. Bernard Parish with at least 2 still shots to be used in St. Bernard Parish promotional activities, and to reasonably assist St. Bernard in its promotional activities.
- D. In order to receive incentives based on a St. Bernard Parish-located production office, all production office operations must be performed at that location and not at alternative locations within Louisiana.

4. Qualifying Acceptable Expenditures

- A. Lodging Rebate – 3.5% rebate on all lodging expenses for cast and crew incurred in St. Bernard Parish establishments which pay sales, hotel/motel, occupational license, or ad valorem taxes in St. Bernard Parish.
- B. Payroll Rebates – 3.5% rebate on payroll expenses of cast and crew who are, and for a period of at least six months prior to commencing work on the production or project, were residents of St. Bernard Parish.
- C. Lease or Rental Expenses – 3.5% rebate on all lease or rental expenses for sound stage, location or production offices paid for a site in St. Bernard Parish which pays occupational license or ad valorem tax in St. Bernard Parish, or holds an exemption from payment of such taxes.
- D. Other Production Expenses – 3.5% rebate on any other production expense incurred at an establishment located in St. Bernard Parish which pays occupational license or sales tax in St. Bernard Parish.

5. Application for the Film Incentive Rebate

- A. An applicant for the St. Bernard Parish film incentive rebate should submit an initial application for pre-approval to the St. Bernard Parish Government, **attn: TBD**, 8201 W. Judge Perez Drive, Chalmette, LA 70043, that includes a detailed preliminary budget, multi-market detailed distribution plan, applicable lease or rental agreement and a script synopsis (including principal creative elements).

6. Approval of Film Incentives Rebate

A. Preliminary Approval: FIRP will issue approval of productions as follows:

- 1. St. Bernard Parish-Approved Production: to obtain the approval from the FIRP for a "parish-approved production," the applicant must complete the St. Bernard Parish Film Incentive Request Preliminary Questionnaire and submit it to the St. Bernard Parish

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Film Office, requesting approval of the production as a "parish-approved production" and setting forth the following information (as may be applicable):

- a. Working title of the production for which approval is requested. Should the title change, the parish-approved production needs to inform the parish as soon as that change is made;
- b. Name of the requesting production company;
- c. Name, telephone number, e-mail address and attesting signature of the requesting production company's contact person;
- d. Approximate beginning and ending date of production in St. Bernard Parish
- e. St. Bernard Parish office address, if applicable;
- f. Telephone number of requesting company's St. Bernard Parish office address, if applicable;
- g. Address of sound stage facility located within St. Bernard Parish, if applicable;
- h. A preliminary budget including the estimated total production-related costs, estimated total of production-related costs to be expended in St. Bernard Parish, and estimated St. Bernard Parish payroll;
- i. List of principal creative elements such as principle cast, producer, director, and music supervisor;
- j. Facts sufficient for FIRP to determine each of the following:
 - i) That the requesting production is a qualified production as defined in these rules, and
 - ii) That the requesting production company has either a viable multi-market distribution plan or a signed distribution agreement with either a major theatrical exhibitor, television network, or cable television programmer for distribution of the production for which approval is requested.

B. Interim Payments and Time Limits

1. Upon reaching the \$150,000.00 threshold of acceptable payments, applicant may apply for an interim payment. The interim payment must be requested no later than six months from the start of occupancy as per the lease or rental agreement.
2. When the production efforts in St. Bernard Parish are completed, applicant may apply for a final payment. Final payment is subject to completion of production and to the final approval and audit requirements listed in subsection C of this section and must be requested no later than twenty four months from the start of occupancy as per the lease or rental agreement. Should production in St. Bernard Parish extend past twenty four months, the production company may petition FIRP for an extension of this time limit.

C. Approval of Expenditures and Audit Requirements

1. Prior to any final approval of the expenditures of a parish-approved production and the issuance of any film incentive rebate, the motion picture production company should submit to the parish a cost report of production expenditures audited and certified by an independent certified public accountant. St. Bernard Parish may audit the cost report submitted by the motion picture production company. The following procedures set forth

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minimum standards for acceptability of the audit to be performed by a certified public accountant. The certified public accountant's report should, at a minimum, meet the following requirements:

- a. The auditor auditing the report should be a Certified Public Accountant licensed in the State of Louisiana and should be an independent third party, not related to the production company;
- b. The auditor's opinion must be addressed to the party who has engaged the auditor (e.g. Directors of the production company);
- c. The auditor's name, address, and telephone number must be evident on the report;
- d. The auditor's opinion must be dated as of the completion of the audit fieldwork;
- e. The audit should be performed in accordance with auditing standards generally accepted in the United States of America, and;
- f. The auditor should have demonstrated sufficient knowledge of accounting principles and practices generally recognized in the motion picture industry.

7. Incentive Funding Caps St. Bernard Parish film industry incentives are provided for and capped as follows:

- A. Basic Cap – \$100,000.00 total to any individual qualified project or production.
- B. Payment of incentives is subject to available funding. When all available funding is expended, no new incentives will be paid until additional funds are appropriated and available.

#22

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3407

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 2224 ESTEBAN, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 2224 Esteban was adjudicated to the Parish and recorded on or about July 18, 2011.

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose.

WHEREAS, the Parish is required to donate property as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321.

SECTION 1. The following donated property is surplus and is not needed for any public purpose:

LOT 15 SQ. F. ARABI PARK SUB. 50 X 112 = 5600

The property bears the municipal address of 2224 Esteban.

This property will be referred to hereinafter in this ordinance as "2224 Esteban".

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Extract #22 continued
August 16, 2016

SECTION 2. 2224 Esteban shall be donated to ABCD, LLP in accordance with law (La. R.S 47:2201 et seq., specifically La. R.S. 47:2205 & La. R.S. 47:2206) as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321 (hereinafter referred to as “the Settlement Agreement”).

SECTION 3. The President of St. Bernard Parish Government or his designee is hereby authorized to execute and record all documents necessary to complete the donation of 2224 Esteban.

SECTION 4. This donation shall not occur if St. Bernard Parish Government has already fulfilled its’ annual donation requirement in the Settlement Agreement prior to an Act of Sale being executed.

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.

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Extract #22 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#23

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3408

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 2313 MEHLE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 2313 Mehle was adjudicated to the Parish and recorded on or about July 18, 2011.

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose.

WHEREAS, the Parish is required to donate property as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321.

SECTION 1. The following donated property is surplus and is not needed for any public purpose:

LOT 43 SQ. F. ARABI PARK SUB. 50 X 112 = 5600

The property bears the municipal address of 2313 Mehle.

This property will be referred to hereinafter in this ordinance as "2313 Mehle".

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Extract #23 continued
August 16, 2016

SECTION 2. 2313 Mehle shall be donated to ABCD, LLP in accordance with law (La. R.S 47:2201 et seq., specifically La. R.S. 47:2205 & La. R.S. 47:2206) as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321 (hereinafter referred to as “the Settlement Agreement”).

SECTION 3. The President of St. Bernard Parish Government or his designee is hereby authorized to execute and record all documents necessary to complete the donation of 2313 Mehle.

SECTION 4. This donation shall not occur if St. Bernard Parish Government has already fulfilled its’ annual donation requirement in the Settlement Agreement prior to an Act of Sale being executed.

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.

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Extract #23 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#24

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3409

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 309 SABLE, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 309 Sable owned by the Parish and recorded on or about October 12, 2012.

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose.

WHEREAS, pursuant to La. R.S. 47:2201 et seq. the Parish is required to donate property as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321.

SECTION 1. The following donated property is surplus and is not needed for any public purpose:

LOT 292-A SQ. 18 CAROLYN PK. SUB. BEING A RESUB OF ALL LOTS 292 & 293
-LOT 292-A MEAS. 117.83' FRT. ON SABLE X DEPTH OF 111.58' X WIDTH OF 113.98' IN REAR X OPP. DEPTH OF 109.59'.

The property bears the municipal address of 309 Sable.

This property will be referred to hereinafter in this ordinance as "309 Sable".

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Extract #24 continued
August 16, 2016

SECTION 2. 309 Sable shall be donated to ABCD, LLP in accordance with law (La. R.S 47:2201 et seq., specifically La. R.S. 47:2205 & La. R.S. 47:2206) as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321 (hereinafter referred to as “the Settlement Agreement”).)

SECTION 3. The President of St. Bernard Parish Government or his designee is hereby authorized to execute and record all documents necessary to complete the donation of 309 Sable.

SECTION 4. This donation shall not occur if St. Bernard Parish Government has already fulfilled its’ annual donation requirement in the Settlement Agreement prior to an Act of Sale being executed.

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

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Extract #24 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#25

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3410

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 3024-3026 PACKENHAM, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 3024-26 Packerham was donated to the Parish and recorded on or about October 23, 2015.

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose.

WHEREAS, the Parish is required to donate property as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321.

SECTION 1. The following donated property is surplus and is not needed for any public purpose:

LOT 16 BATTLEGROUNND GARDENS 50X110=5500

The property bears the municipal address of 3024-26 Packerham.

This property will be referred to hereinafter in this ordinance as "3024-26 Packerham".

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Extract #25 continued
August 16, 2016

SECTION 2. 3024 Packerham and 3026 Packerham shall be donated to ABCD, LLP in accordance with law as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321 (hereinafter referred to as “the Settlement Agreement”).

SECTION 3. The President of St. Bernard Parish Government or his designee is hereby authorized to execute and record all documents necessary to complete the donation of 3024-26 Packerham.

SECTION 4. This donation shall not occur if St. Bernard Parish Government has already fulfilled its’ annual donation requirement in the Settlement Agreement prior to an Act of Sale being executed.

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.

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Extract #25 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

#26

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, AUGUST 16, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

Summary No. 3411

Introduced by: Councilmember Luna on 8/16/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENT IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council does hereby amend Chapter 22; Zoning, Section 7; Site development standards, Subsection 1.1; Overall landscape area requirement in the St. Bernard Parish Code of Ordinances. as described in the attached 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 #26 continued
August 16, 2016

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxxxx** on the 16th day of August, 2016.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, August 16, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 16th day of August, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

Summary No. 3411
Exhibit "A"

Chapter 22 – Zoning
Section 7 – Site development standards
Subsection 1.1 – Overall landscape area requirement

22-7-1. *Landscape regulations.* This section is intended to protect property values by preserving existing vegetation and planting new materials, providing privacy from view, light, dirt, and noise, preventing the erosion of soil, providing water recharge areas, and improving the environment and attractiveness of the parish.

22-7-1.1. *Overall landscape area requirement.*

- a. Any lot developed in a business, industrial, design development district zones shall provide landscaped areas on the portions of the site that are not covered by an impervious surface.
- b. Perimeter landscaped areas shall contain at least one (1) shade tree at least ~~three (3)~~ **five (5)** inches in caliper for each fifty (50) feet or part thereof of perimeter or as required by the commission.