

**City of Harahan
6437 Jefferson Highway
Mayor and Harahan City Council
Regular Meeting Agenda**

Date: March 4, 2019

Time: 9:00 A.M.

The Public Meeting is called to order by the Mayor, followed by the Pledge of Allegiance.

ROLL CALL

ORDINANCES FOR APPROVAL

PROPOSED ORDINANCE NO. 2019 – 6

An Ordinance approving the re-subdivision of 216 Hickory Ave., Lots 34B, 35 and 36, Square F, Harahan City Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by KLS Group, Inc., dated October 24, 2018.

ORDINANCE FOR INTRODUCTION (FIRST READING)

PROPOSED ORDINANCE NO. 2019 – 9

An Ordinance to amend Ordinance 1333, Harahan Zoning Ordinance, Section XXI – Amendments to the Zoning Ordinance; Paragraph B. Procedure; Sub-Paragraph 5 and Paragraph C. Fees.

ADDRESS THE COUNCIL

ADJOURN

- A. The following matter involving pending litigation may be considered
(Court, Case, Number, Parties):**
- 1. Wood Materials LLC, Wood Resources LLC v. City of Harahan, 24th JDC, Case 761-783, Div. “K”**
- B. The following matter involving prospective litigation for which formal written demand has been made may be considered.**
- C. The following matters involving discussion of the character, professional competence, or physical or mental health of:**
- Name:**

1 The following Ordinance was proposed by Councilman Johnston and seconded by
2 Councilman _____:

3
4 **PROPOSED ORDINANCE NO. 2019 – 6**

5
6 **An Ordinance approving the re-subdivision of 216 Hickory Ave., Lots 34B, 35 and**
7 **36, Square F, Harahan City Subdivision, City of Harahan, Parish of Jefferson, State of**
8 **Louisiana, made by KLS Group, Inc., dated October 24, 2018.**

9
10 **WHEREAS, D Stop Prop, LLC, the owner of, Lots 34B, 35 and 36, Square F,**
11 **Harahan City Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana,**
12 **having petitioned this governing body to re-subdivide these lots into Lot 35A, as shown**
13 **on the plan of KLS Group, Inc., dated October 24, 2018.**

14
15 **WHEREAS, the Planning & Zoning Commission of the City of Harahan did**
16 **recommend said plan of re-subdivision as indicated thereon;**

17
18 **NOW THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the**
19 **City of Harahan that:**

20
21 **SECTION 1. The plan of re-subdivision of Lots 34B, 35 and 36, Square F, Harahan**
22 **City Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by KLS**
23 **Group, Inc., dated October 24, 2018, re-subdividing Lots 34B, 35 and 36, into Lot 35A,**
24 **Square F, Harahan City Subdivision, City of Harahan, Parish of Jefferson, State of**
25 **Louisiana and the same is hereby approved.**

26
27 **SECTION 2. The Mayor of the City of Harahan is authorized and empowered to**
28 **affix her signature to the said plan of re-subdivision and to execute any all documents**
29 **necessary to fully implement this Ordinance.**

30
31 **SECTION 3. If any provision of this ordinance is held to be invalid or otherwise**
32 **enforceable by the final judgement of a court of competent jurisdiction; such invalidity**
33 **shall not affect the validity of any of the remaining provisions of this ordinance that**
34 **may be given effect without the invalid provision; and to this end the provisions of this**
35 **ordinance are hereby declared to be servable.**

36
37 **SECTION 4. All ordinances or parts of ordinances of the City of Harahan on**
38 **conflict with this ordinance are hereby repealed.**

39
40 **The Ordinance having been considered by section and as a whole, a vote was**
41 **taken and the vote was as follows:**

- 42
43 **YEAS:**
44 **NAYS:**
45 **ABSENT:**
46 **ABSTENTION:**

47
48 **This Ordinance was declared adopted on this ____ day of _____, to**
49 **become effective immediately upon the signature of the Mayor or upon the expiration**
50 **of the time period without the signature of the Mayor.**

51
52
53
54
55 _____
56 **Tim Baudier**
Mayor

51
52
53
54
55 _____
56 **Nicole Lee**
City Clerk

1 The following Ordinance was proposed by Councilman _____ and seconded
2 by Councilman _____:

3
4 **PROPOSED ORDINANCE NO. 2019 - 9**

5
6 **An Ordinance to amend Ordinance 1333, Harahan Zoning Ordinance, Section**
7 **XXI - Amendments to the Zoning Ordinance; Paragraph B. Procedure; Sub-Paragraph**
8 **5 and Paragraph C. Fees.**

9
10 **WHEREAS, Harahan's Zoning Ordinance fees have not been changed in several**
11 **years and the placement of a sign to advertise the action is not designated.**

12
13 **NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of**
14 **Harahan, State of Louisiana, acting as the governing authority of said City that:**

15
16 **SECTION 1: Section XXI - Amendments to the Zoning Ordinance; Paragraph B.**
17 **Prodcedure; Sub-Paragraph 5 be amended to read as follows:**

18
19 **5. Notice of the proposed change and of the time and place of the hearing**
20 **shall have been published once a week for three (3) consecutive weeks in**
21 **the official journal of the City of Harahan. At least twenty (20) days shall**
22 **elapse between the first publication and the date of the hearing. The**
23 **applicant shall permit a sign to be posted on the property **by the city** on**
24 **which the zoning change is sought indicating that an application for a zoning**
25 **change has been filed with the Planning and Zoning Commission. The sign**
26 **shall remain in place for at least two (2) weeks prior to the hearing before**
27 **the Planning and Zoning Commission and shall remain in place until final**
28 **action of the application by the Harahan City Council. The sign shall indicate**
29 **the place, date, and time of the Planning and Zoning Commission hearing.**
30 **After being set for a hearing before the City Council, the sign shall be**
31 **changed to indicate the place, date, and time of the Council hearing. (ord.**
32 **#1564, 12/21/06)**

33
34 **SECTION 2. Section XXI - Amendments to the Zoning Ordinance; Paragraph C.**
35 **Fees be amended to read as follows:**

36
37 **C. FEES. Before any action shall be taken as provided in this section, the**
38 **applicant(s) proposing or recommending a change in the classification of property or**
39 **any change in the comprehensive zoning ordinance shall pay a fee in the sum of **five****
40 ****hundred dollars (\$500.00)** for each text change not involving acreage; or **five hundred****
41 ****dollars (\$500.00)** for each acre of land or portion thereof, for which a change of**
42 **classification is proposed or recommended to cover the approximate cost of this**
43 **procedure. The Applicant(s) proposing or recommending a change in the**
44 **classification of property or change in the comprehensive zoning ordinance also**
45 **shall pay all costs of the advertisement provided for herein as determined by the City**
46 **Clerk.**

47
48 **SECTION 3. All ordinances, or parts of ordinances of the City of Harahan in**
49 **conflict with this ordinance, and all Sections in the Harahan Municipal Code in conflict**
50 **with this ordinance, are hereby repealed.**

51
52 **This Ordinance having been submitted to a vote, the vote thereon was as**
53 **follows:**

- 54
55 **YEAS:**
56 **NAYS:**
57 **ABSENT:**
58 **ABSTENTION:**
59

Sec. XXI. - Amendments to the zoning ordinance.

- A. *Initiation of change.* The mayor and council may, from time to time, amend, supplement, or change the regulations, restrictions, or boundaries herein or subsequently established in accordance with the provisions of R.S. 33:4725. Such amendment, supplement or change may be initiated:
1. By action of the council itself by introduction of an ordinance; or
 2. On petition by property owners, by filing with the council through the planning commission an attested petition in writing which conforms to the standards and requirements of said planning commission for petitions to amend or change the comprehensive zoning law, provided that no petition for a change in the classification of property shall be considered or acted upon unless such petition is duly signed and acknowledged by the owners or authorized agents of not less than 50 percent of the area of the land for which a change of classifications is requested; provided, however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign for that lot to be included in the 50 percent provision.
- B. *Procedure.* No amendment, supplement or change of the zoning ordinance or zoning map shall become effective unless and until:
1. There shall have been a public hearing in relation thereto before the city council, at which parties in interest and citizens shall have had an opportunity to be fully heard.
 2. The applicant shall provide an affidavit containing the names and addresses of all property owners within 300 feet on both sides of the street and all adjoining property owners.
 3. The applicant shall provide a "Class C" survey (plat plan) of the lot prepared by a civil engineer or land surveyor, licensed in the State of Louisiana, showing the actual dimensions of the lot, the size and location of any existing structures, servitudes and restrictions, and any such other information as may be necessary to provide for the enforcement of these regulations.
 4. The applicant shall provide an ordinance in the approved form stating the desired change for review by the planning and zoning commission and approval by the city council.
 - 5.

Notice of the proposed change and of the time and place of the hearing shall have been published once a week for three consecutive weeks in the official journal of the City of Harahan. At least 20 days shall elapse between the first publication and the date of the hearing. The applicant shall permit a sign to be posted on the property on which the zoning change is sought indicating that an application for a zoning change has been filed with the planning and zoning commission the sign will remain in place for at least two weeks prior to the hearing before the planning and zoning commission and shall remain in place until final action on the application by the Harahan City Council. The sign shall indicate the place, date, and time of the planning and zoning commission hearing. After being set for a hearing before the city council, the sign shall be changed to indicate the place, date, and time of the council hearing.

6. After the public hearing as provided above, the planning and zoning commission shall submit its report and recommendation upon the proposed change and amendment to the city clerk within ten days of the hearing held by the planning and zoning commission regarding said proposed change.
 7. The provisions of this section do not apply in cases where there is a proposal to enact an entire new ordinance to change the text as a whole, or to change all of the official zoning map of the city, or both, in which event the procedure set out in the Revised Statutes of 1950, title 33, sections 4721 through 4730 (R.S. 33:4721 through 33:4730) shall be followed.
- C. *Fee.* Before any action shall be taken as provided in this section, the private party or parties proposing or recommending a change in the classification of property or any change in the comprehensive zoning ordinance shall deposit with the council through the regulatory director, a fee in the sum of \$200.00 for each text change not involving acreage, or \$200.00 for each acre of land or portion thereof. The maximum fee required for change or portion thereof shall not exceed \$5,000.00, for which a change of classification is proposed or recommended to cover the approximate cost of this procedure. The private party or parties proposing or recommending a change in the classification of property or change in the comprehensive zoning ordinance also must pay the cost of advertisement.
- D.

One year limitation. Whenever a petition is filed requesting or proposing a change in, or amendment to, this ordinance, and said petition has been finally acted upon by the council in accordance with the above procedure, then the council shall not consider any further petition for the same change or amendment for the same property within a period of one calendar year from the date of the council's final legal action on said petition. The provisions of this section do not apply in cases where the council wishes to initiate a change in the classification of property or an amendment to the comprehensive zoning ordinance.

(Ord. No. 1564, § 1, 12-21-2006)