

ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
NOVEMBER 5, 2015
7:00 P.M.

CALL TO ORDER
PLEDGE OF ALLEGIANCE

TABLED CASE:

1 PZR-2015-20

Requested by: Ashley Plaisance for a change in zoning classification from R-1A to OL at Lots J-1 and J-2 of a Partition of the Heirs of Anatole Friloux, 309 St. Mark Ave., Ama. Council District 2. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

PUBLIC HEARING:

9 PZHO-2015-11

Requested by: Jason W. Barrette for a home occupation J & J Investigations, LLC at 250 Nola St., (Lot 17, Blk. B, Davis Heights Subd), Luling. Zoning District R-1A. Council District 2. **This request requires Planning Commission approval only.**

12 PZR-2015-16

Requested by: TuJack G. Hoover for a change in zoning classification from C-3 TO M-1 at 13840 Old Spanish Trail, Boutte. Council District 4. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

18 PZR-2015-25

Requested by: Larry Orgeron for a change in zoning classification from C-2/R-1A to C-2 at 12531 Hwy. 90, (Lot 1-B, Blk B, River Oaks Subd, Luling. Council District 7. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

23 PZR-2015-26

Requested by: Trevine Lewis for a change in zoning classification from R-1A to R-1A(M) at 309 W. Lawson St., (Lot 11, Sq. 16, New Sarpy Subd, New Sarpy. Council District 6. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

28 PZS-2015-38

Requested by: Jack Cali, III resubdivision of two portions of Parcel H-1, Lots 1, 2, 3, 4, 5, 6, a portion of Lot 7, a portion of Lot 8 of Parcel G-1 of a subdivision of a portion of Tract No. 1 of Ormond Plantation Subdivision into lots herein designated as Lots 1-H, 2-H, 3-H, 4-H, 1-G, 2-G, 3-G & 4-G of a subdivision of apportion of Tract No. 1 of the Ormond Plantation Subdivision, Destrehan. Zoning District R-3. Council District 3. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

32 PZO 2015-06

Requested by: V. J. St. Pierre, Jr., to amend the St. Charles Parish Code of Ordinances, Section VI, Zoning District Criteria and Regulations, by adding Section K. Paul Maillard Road Overlay Zone. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

52 PZO 2015-07

Requested by: V. J. St. Pierre, Jr., to amend the St. Charles Parish Code of Ordinances, Section I., Definitions, to correct a typographical error and eliminate a conflicting diagram. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

53 PZO 2015-08

Requested by: V. J. St. Pierre, Jr., to amend the St. Charles Parish Code of Ordinances, Section VIII. A.5.c, Off-street parking in general; handicap parking area, and Section VIII.B., Commercial/Industrial Parking Standards, to correct typographical errors. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

54 PZO 2015-09

Requested by: V. J. St. Pierre, Jr., to amend the St. Charles Parish Code of Ordinances, Section VIII. C., Off-Street Loading Facilities, to clarify applicability of the standards. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

PZO 2015-10

Requested by: V. J. St. Pierre, Jr., to amend the St. Charles Parish Code of Ordinances, Section VIII. E., Applicability, to correct a typographical error. **Request by Department to remove from consideration.**

55 PZO 2015-11

Requested by: V. J. St. Pierre, Jr., to amend the St. Charles Parish Code of Ordinances, Section XIV., Amendments, to correct typographical errors and also to delete a conflicting provision at Item C. 1, Applications for rezoning. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council December 14, 2015.**

OLD BUSINESS -

NEW BUSINESS –

MINUTES – September 3, 2015, October 8, 2015

ADJOURN

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZR 2015-20

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Ashley Plaisance
406 Ellen St
Ama, LA 70031
Application Date 8/21/15
Phone: 504.875.8708
- ◆ **Location of Site:** Lot J-1 & J-2 of a Subdivision of the Property of the Heirs of Anatole Friloux;
309 & 311 St. Marks St. Ama.
- ◆ **Requested Action**
Change of land use zone from R-1A to OL

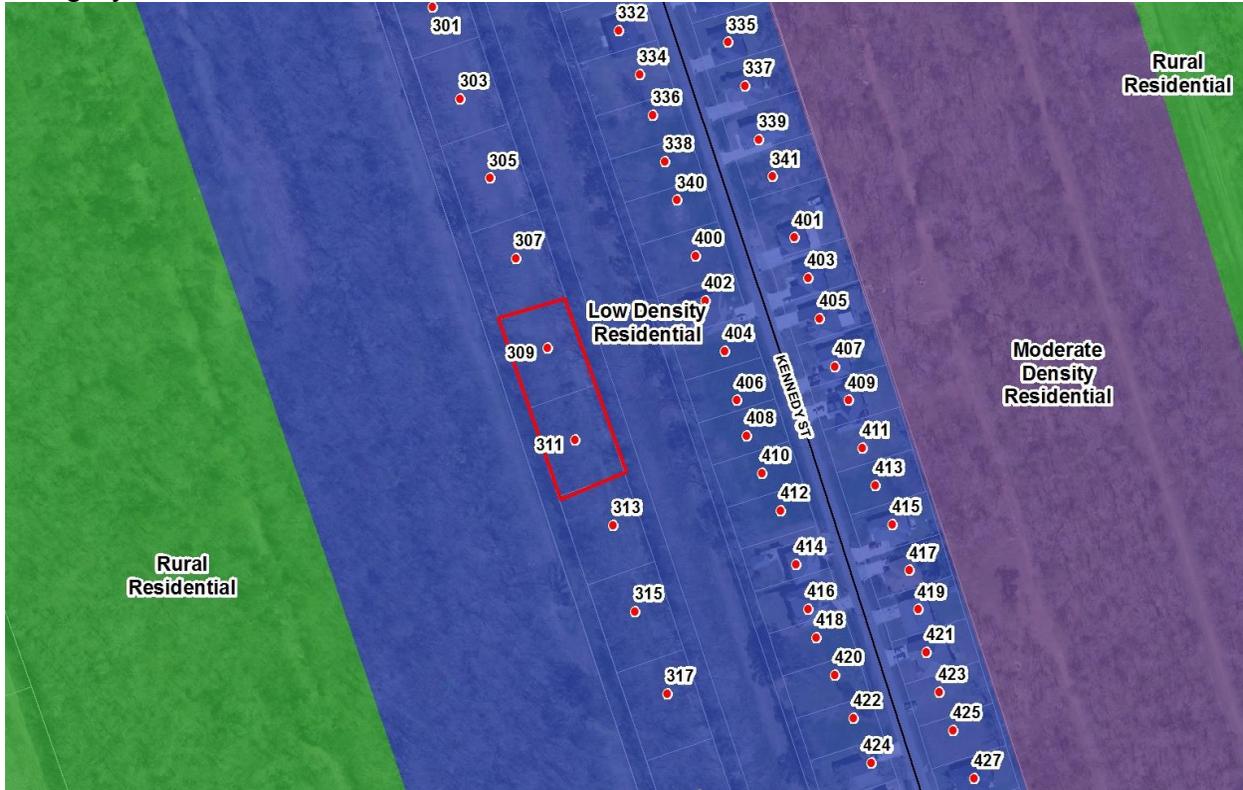
SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel:** Approximately 28,534 sq. ft.
- ◆ **Traffic Access:** St. Mark Avenue is a developed public right-of-way that terminates approximately 300' north of this property. Access to adjacent single-family houses is via private shell road.
- ◆ **Existing Zoning & Land Use:** The lots are zoned R-1A, but vacant and wooded.
- ◆ **Surrounding Zoning & Land Use:** To the north, properties were rezoned to OL in 2013 & 14 and developed with single-family houses. To the west/upriver or across the access road, as well as to the south of along the access road, land is zoned R-1A but wooded and vacant. To the east/downriver or rear, land is zoned R-1A and vacant, but graded.



◆ **Plan 2030 Recommendations:** Low-Density Residential

"Predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category."



APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

Appendix A., Zoning Ordinance, Section VI. A. [I.] O-L. Open Land District:

[I.] *O-L. Open Land District:*

Policy statement: This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. It

is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Farming.
 - (2) Animal husbandry.
 - (3) Farm family dwellings.
 - (4) Tenant dwellings.
 - (5) Site-built, single-family detached dwellings.
 - (6) Additional dwellings for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (7) Manufactured housing.
 - (8) Mobile homes.
 - (9) Accessory buildings.
 - (10) Family subdivisions, provided that they conform to the St. Charles Parish Subdivision Regulations [appendix C].
 - (11) Farmer's market, provided that the criteria outlined in Special Provisions [subsection 3] is met.
 - (12) Any permitted uses under subsection 1.a. items (1) through (9) on a lot or property without frontage provided that a permanent right of passage to access the structure exist or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court. (Ord. No. 95-9-11, § I, 9-18-95; Ord. No. 97-9-12, § II, 9-22-97; Ord. No. 08-5-8, § I, 5-19-08)
 - b. Special exception uses and structures include the following:
 - (1) Religious institutions.
 - (2) Golf courses and golf practice ranges.
 - (3) Public parks and recreational areas.
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private academic institutions (trade, business and industrial schools shall be located in the appropriate commercial or industrial zoning district).
 - (3) Cemeteries and mausoleums, provided that they meet the criteria outlined in Special Provisions [subsection 3].
 - (4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.
 - (5) Public stables and kennels.
 - (6) Cellular installations and PCS (personal communication service) installations. (Ord. No. 97-7-4, § III, 7-7-97)
 - (7) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § II, 1-21-03)
 - (8) Reserved. (Ord. No. 07-1-6, § III, 1-8-07; Ord. No. 08-5-8, § I, 5-19-08)
 - (9) Fire stations with or without firefighter training facilities. (Ord. No. 08-7-8, I, 7-21-08)
 - (10) Nonresidential accessory buildings
 - (11) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 15-7-5)
2. Spatial Requirements:
 - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet. (Ord. No. 07-1-6, § II, 1-8-07)
 - b. Minimum yard sizes:
 - (1) Front—thirty-five (35) feet.
 - (2) Side—ten (10) feet.
 - (3) Rear—twenty (20) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § II, 8-18-08)
 - c. Accessory buildings: Minimum rear and side setbacks shall be ten (10) feet.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into the required front or rear yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:

- (1) Additional dwellings on unsubdivided property referred to in 1, a(11) above, will be permitted at the rate of one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.
 - (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
- b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication Manufactured Housing Installation in Flood Hazard Areas.
 - c. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.
 - d. Farmer's market
 - (1) All products must be sold on the premises on which they were grown or produced, from either a truck, stand, display table, or other means of display which has been inspected and approved by the Parish Health Unit. (Ord. No. 92-9-20, § II, 9-21-92)
 - (2) No structure, vehicles or signs may be located closer to any property line than the general setback requirements of the O-L District with the exception of one (1) on-premises sign which contains the name of the market. This sign shall be located approximate to the entrance drive directing attention to the market. The sign shall conform with acceptable commercial standards regarding quality and aesthetics. No temporary signs will be allowed. If the sign is to be illuminated, lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to abutting properties.
 - e. Cemeteries and mausoleums:
 - (1) All cemetery or mausoleum sites must have a minimum street frontage of one hundred (100) feet. (Ord. No. 08-3-4, § 1, 3-24-08)
 - (2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts. (Ord. No. 08-5-7, § 1, 5-19-08)
4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

ANALYSIS

The applicant requests a rezone from R-1A to OL in order to permit a single-family structure on two adjacent lots, J-1 and J-2, which she purchased in 2015. The 1980 plat that created the lots shows a 14' wide servitude for ingress and egress for the 30 lots of approximately 14,000 sq. ft. each (Subdivision of a Portion of the Property of the Heirs of Anatole Friloux, by Lucien Gassen, January 1 1980).

Both lots together total over 28,000 sq. ft. of area. Should the rezone pass, the lots will have to be resubdivided into one in order to meet the OL spatial requirement of 20,000 sq. ft. required to permit a house. Each lot already exceeds the required 50' width. The property was zoned OL from 1981-2008, when the Ama Zoning Study recommended a change to R-1A, which was subsequently approved (Ordinance 08-9-10).

The community-led Ama zoning analysis resulted in many R-1AM and OL zoning districts being converted to R-1A. Generally considered the most restrictive zoning district, R-1A permits single-family, site-built houses on 6,000 minimum sq.ft. lots when the lots front on a dedicated, hard-surfaced street right-of-way that provides community sewer, water, and drainage, with other utilities like telecommunications, gas, and electricity within the right-of-way (R-1B is actually more restrictive requiring 10,000 sq. ft. lots).

In the seven years since the rezone, no residential subdivisions have been built in Ama; 16 houses have been permitted in the community since 2008. The majority of the new houses would be considered infill development in existing subdivisions (Ama Heights and Seller's Village). Two of the 16 are on properties adjacent to the subject property on the undeveloped portion of St. Mark's Street on lots zoned back to OL.

In order to receive a recommendation for approval, " there should be reasonable factual proof by the proponent of a change that one or more ...criteria are met." The applicant has shown that this request meets the second criterion which states:

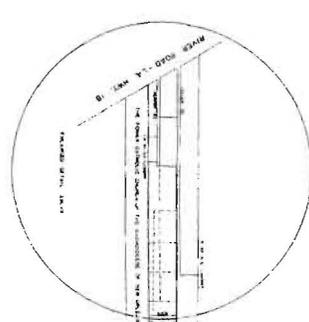
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.

The second guideline considers whether other land uses in the surrounding area have affected the subject property to the extent that it cannot be used or developed as the current zoning requires.

In this case, the development of two single-family houses on the 14' wide aggregate-surfaced access servitude, between the subject property and River Road makes it unlikely that a 50' wide street right of way will be developed to provide these two lots with the frontage and infrastructure that must be in place to permit a house on a lot zoned R-1A. The Department agrees that the second criterion is met as the land use pattern and character of this portion of St. Mark's Avenue has changed to the extent that the existing R-1A zoning no longer allows reasonable use of the applicant's property. The changes in recent years to the physical environment limit the usefulness of the land under the R-1A zoning district.

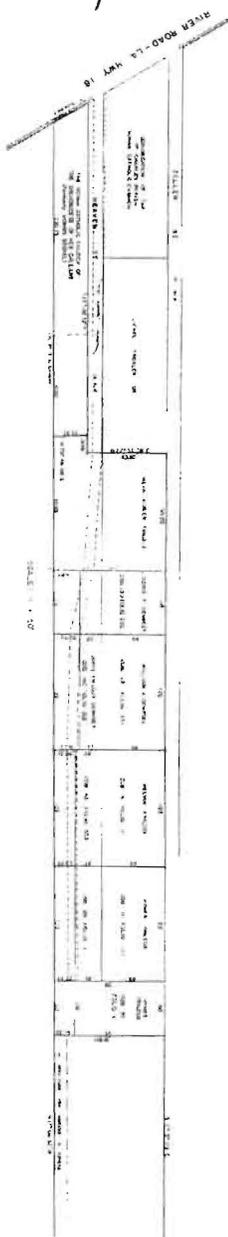
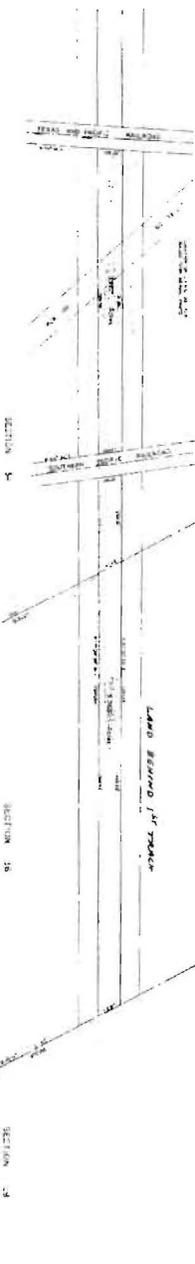
DEPARTMENT RECOMMENDATIONS

Approval.

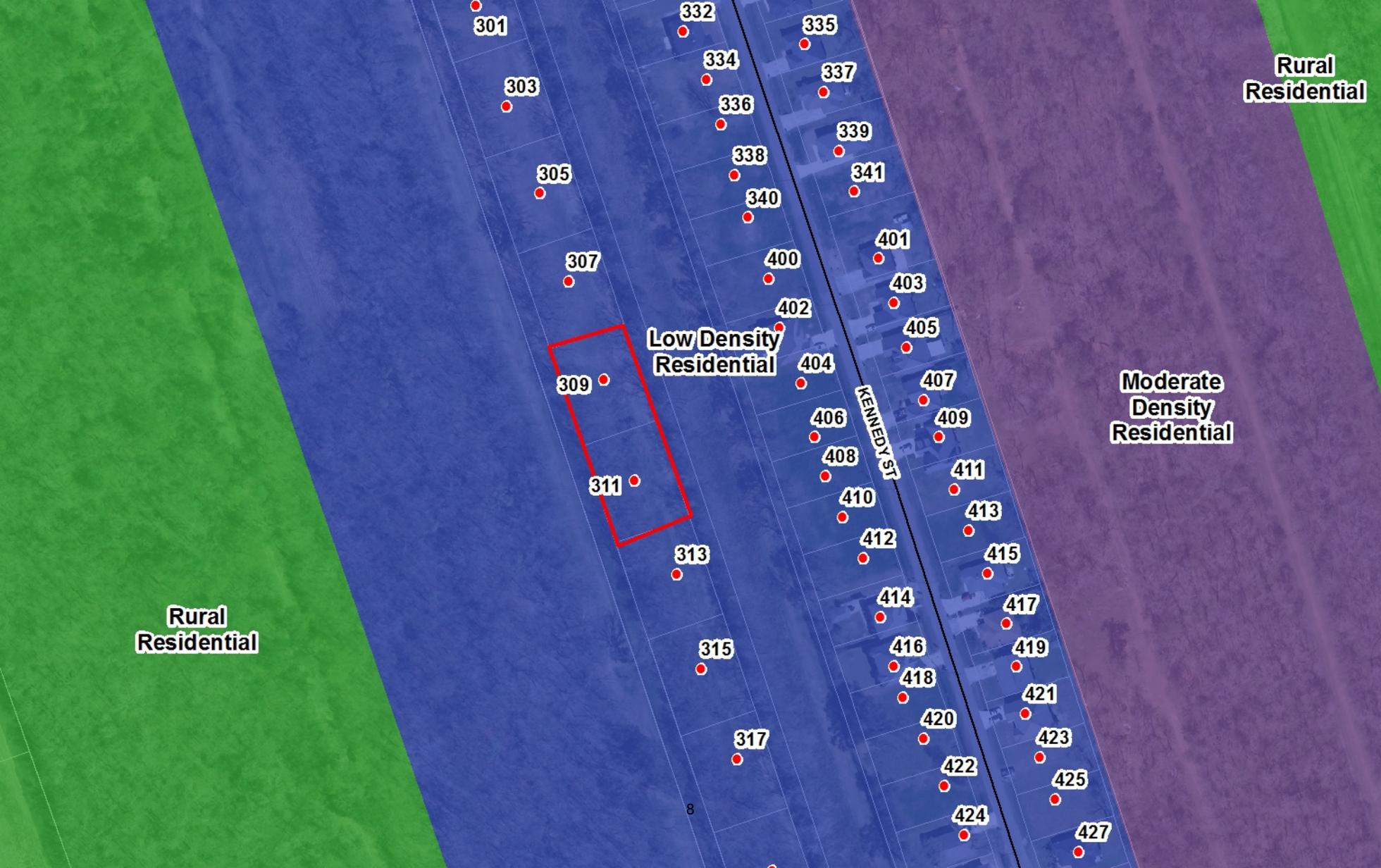


SECTION OF A PART OF THE MAP OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF MONTGOMERY, MARYLAND, SHOWING THE LOTS OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 1 WEST, AND THE POSITION OF LOT 3 OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 1 WEST, LOCATED IN SECTIONS 18 AND 20, T11N, R1E, MD.

Remove these two







Rural Residential

Rural Residential

Low Density Residential

Moderate Density Residential

KENNEDY ST

301

303

305

307

309

311

313

315

317

8

332

334

336

338

340

400

402

404

406

408

410

412

414

416

418

420

422

424

335

337

339

341

401

403

405

407

409

411

413

415

417

419

421

423

425

427

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: HO 2015-11

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Jason Barrette
250 Nola Street
Luling, LA 70070
504.715.8193
Jwbarrette1635@att.net **Application Date: 9/23/15**
- ◆ **Applicant's description of the business:**
Private investigations and Medicare fraud investigations.
- ◆ **Number of employees:** 1 **Business vehicle:** 2007 Chevrolet Suburban

SITE – SPECIFIC INFORMATION



Existing Zoning: R-1A

Existing Land Use: Residential

Surrounding Zoning: R-1A

Surrounding Land Uses: site-built, single-family houses; medium density.

Access and parking: site has space for two passenger vehicles at the rear of the house from Nola Street.

APPLICABLE REGULATIONS

Appendix A. Section XXII Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than six children, Contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. Permit Process:
 1. Pre-Application Meeting: The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
 2. Application: A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
 3. Departmental Review: The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
 4. Public Notice and Comment:

- a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
5. Determination: The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
- a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
 - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
 - c. Deny the application.
- C. Operational Regulations:
1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
 2. There shall be no signs posted which indicate the existence of the home occupation.
 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes—this includes, but is not limited to picking up work assignments, materials, or payment.
 4. There shall be no outdoor storage of materials or products on the premises.
 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
 6. The home occupation shall not eliminate or impede required off-street parking.
 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License”; Department of Health and Hospitals; and other state or federal permits or licenses.
 9. No alcoholic beverages shall be sold, offered, or provided in connection with the operation of a home occupation.
 10. Home occupation permits are not transferrable as to person or location.
 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.
- D. Revocation of Home Occupation Permit:
1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.
- E. Appeal: Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

FINDINGS

Mr. Barrette wishes to use his residence as the office and domicile for a private investigation company. He has been licensed by the Louisiana State Board of Private Investigator Examiners (LSBPIE) since September 2015 working with an out of state agency.

His signature on the completed application form indicates an understanding of the operational regulations for a home occupation, and the property owner has endorsed the application.

As an office use with no customers visiting the residence, the proposed business meets the general guidelines of the home occupation regulations.

For that reason, the department recommends approval, pending the outcome of the public hearing.

DEPARTMENT RECOMMENDATIONS

Approval.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZR 2015-16

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 5/11/15**
TuJack Hoover
3776 Tulane Dr
Kenner LA 70065
- ◆ **Location of Site:**
13840 Old Spanish Trail
- ◆ **Requested Action**
Rezone from C-3 to M-1
- ◆ **Purpose of Requested Action**
Maintain Existing Use: Wood Lot, Parking Company Trucks (private use only)

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**
21.7 acres
- ◆ **Existing Land Use and Zoning**
C-3
- ◆ **Surrounding Land Uses and Zoning**
R-3 to east vacant,
C-3 to south, Abuts railroad
C-3 to north and west, vacant.
- ◆ **Traffic Access and Parking**
Pit Road, Old Spanish Trail.
- ◆ **Plan 2030 Recommendations:**
Commercial

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:

- a. It is not capricious or arbitrary in nature or intent.
- b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
- c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
- d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

Appendix A., Zoning Ordinance: M-1 Light manufacturing and industry district:

M-1 Light manufacturing and industry district:

1. Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.

a. A building or land shall be used only for the following purposes:

- (1) Those uses identified as items 2 through 27 as listed in the C-3 District.
- (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
- (3) Agriculture and other general farming uses.
- (4) Warehousing and storage of nonhazardous material.
- (5) Assembly plants.
- (6) Bottled gas sales and/or service.
- (7) Food processing plants.
- (8) Cellophane products manufacturing.
- (9) Cold storage or refrigerating plants.
- (10) Electrical parts manufacturing and assembly.
- (11) Fiber products manufacturing (previously prepared fiber).
- (12) Garment manufacturing.
- (13) Glass products manufacturing.
- (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
- (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
- (16) Leather products manufacturing (previously prepared leather).
- (17) Machinery equipment sales and service.
- (18) Millwork.
- (19) Paint mixing and treatment (not employing a boiling process).
- (20) Paper products manufacturing (previously prepared material).
- (21) Plastic products manufacturing (previously prepared material).
- (22) Sheet metal products manufacturing (light).
- (23) Sign manufacture.
- (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
- (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
- (26) Television and radio broadcasting transmitters.
- (27) Textile products manufacturing.
- (28) Toy manufacturing.
- (29) Well drilling services.
- (30) Wood products manufacturing (assembling work and finishing).
(Ord. No. 87-6-13, 6-15-87; Ord. No. 88-11-20, 11-28-88)

b. Special exception uses and structures (variation):

(1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

c. Special permit uses and structures include the following:

- (1) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 94-1-9, § V, 1-10-94)
- (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.I.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council. (Ord. No. 96-5-17, § II, 5-20-96)
- (3) Cellular installations and PCS (personal communication service) installations. (Ord. No. 97-74, § V, 7-7-97)
- (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council (Ord. No. 98-4-17, § IV, 4-20-98). Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
 - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
 - (2) Minimum lot size of site shall be ten (10) acres.

(3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:

- a) a separate truckers' lounge
- b) a full-service laundry facility located in a convenient area for truckers' use
- c) private showers for men and women and not located in an area open to general public restroom facilities
- d) a travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)
- e) truck scales
- f) separate truckers' telephones
- g) permanent storage facilities for fuel

(4) These regulations shall not be applied to any truck stops with video poker gaming facilities which have received a Certificate of Zoning Compliance previous to the date of this ordinance, notwithstanding any other provisions of this ordinance. (Ord. No. 01-5-18, § IV, 5-21-01)

(5) Towing yard. Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations: (Ord. No. 14-8-8, § I, 8-4-14)

(1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:

- a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
- b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
- c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
- d) All buildings and structures to be located on the site and the required off-street parking layout.

(2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.

(3) Towing yards shall also adhere to state and local licensing requirements.

(4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard. (Ord. No. 99-3-15, § II, 3-22-99)

(6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § V, 1-21-03)

(7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 08-5-5, I, 5-19-08; Ord. No. 14-8-8, § II, 8-4-14)

(8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council. (Ord. No. 11-5-2, 5-2-11)

(9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring. (Ord. No. 12-4-16, § II, 4-23-12)

2. Spatial Requirements:

a. Minimum lot size: Ten thousand (10,000) square feet.

Minimum width: One hundred (100) feet. (Ord. No. 99-2-4, § I, 2-1-99)

b. Minimum yard sizes:

- (1) Front - twenty-five (25) feet
- (2) Side - fifteen (15) feet
- (3) Rear - twenty-five (25) feet.

(4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XIII, 8-18-08)

3. Transportation System: Arterial, rail, water.

4. Special Provisions:

a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including walkways, driveways and parking areas. All operations must be conducted within a building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in height. (Ord. No. 89-2-13, 2-20-89; Ord. No. 05-5-2, 5-2-05)

b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater buffer strip. (Ord. No. 05-5-2, 5-2-05)

c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

(Ord. No. 96-5-17, § III, 5-20-96; Ord. No. 87-6-13, 6-15-87; Ord. No. 99-8-15, § I, 8-16-99; Ord. No. 05-5-2, 5-2-05)

ANALYSIS

The applicant is making this request to rezone the site from C-3 to M-1 in on the advice of the department to comply with the Zoning Ordinance for the operations taking place on site that do not comply with its current C-3 zoning. The applicant was told this rezoning request was the best way to legitimize activities on the site but that making the request would not guarantee rezoning approval.

The site has been in use for outdoor storage of various items including derelict vehicles, unoccupied mobile homes, tree limbs, tree stumps and various other debris and occasional burning activities have taken place there. The violation notice also states removal of debris on the lot, which has been done but there is evidence of a pause in that activity. The applicant states on the rezoning application the present and intended use of the property is for a “wood lot –parking of company trucks, private use only.” The applicant has also consulted with the Louisiana Department of Environmental Quality (DEQ) and submitted a business plan to them proposing best management practices. DEQ has issued a determination that the site is not a Class III landfill but that the storage of tree debris and composting does comply with their regulations. However, the present and intended operation on site is not a C-3 use, but M-1. Therefore, without the site being rezoned to M-1, these operations cannot continue because they do not comply with C-3 zoning.

Normally, rezoning requests are submitted before subject sites are developed under the relevant zoning being requested. However, in this case, what is being considered is whether the current use can be allowed to continue. It also means that the applicant can, by right, develop the site for any and all other allowable M-1 land uses. Recommendation for rezoning approval of this site requires that the application must meet the tests of one of three criteria listed above.

The first test is to determine if there are land-use patterns or character in the vicinity that have changed to the extent that the site in question cannot be used. The department concludes that there are not. The site abuts lands zoned C-3, W, OL and R-3 zoning but are vacant in land use and possibly wetlands. To the south across the BNSF Railroad and Old Spanish Trail are a few residences situated on land also zoned C-3. The applicant site is currently more intense than all of the surrounding zoning districts and their land uses. The applicant site can be used under C-3 zoning without being out of character with the surroundings as M-1 uses there. M-1 zoning and land use would have much more of an impact on abutting land uses and result in greater out of character uses. There seems to be no evidence of changing land use patterns that would prevent C-3 usage of this site. Therefore, **the tests of the first criteria are not met.**

The second test is to determine if rezoning a site complies with the greater public interest. Future Land Use Map from The St Charles Parish 2030 Comprehensive Land Use Plan designates the site as *Commercial*. The proposed zoning and resulting land use would be more of a light-industrial land use. Also, there is a residential land use approximately 300-500 feet away separated by the railroad and state highway. Evidence of negative impacts resulting from this land use conflict is the number of complaints and violation notices on file about the unpermitted activities taking place on the site. Rezoning this lot to allow the current and

potential more intense activity will create an even further incompatibility with the neighboring uses, which is **a failure to meet the second criteria.**

The third test is to determine whether the rezoning creates a spot zone or is otherwise capricious or arbitrary such that a rezoning would inhibit the maintenance and enjoyment of neighboring properties. Rezoning the site to M-1 will make it the sole site within a nearly quarter mile radius of the community and the only *light* or *heavy manufacturing* on Old Spanish Trail between Boute and Paradis. Not only will it create a spot zone, but it will be in direct conflict with the Future Land Use Map recommendation for *commercial* development. Nearby residents can rightfully conclude that the site can have an even more intensive M-1 land use once rezoning to M-1 is approved. Therefore, **the third criteria is not met.**

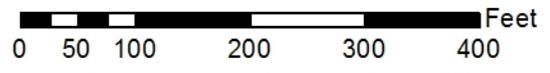
DEPARTMENT RECOMMENDATION

Denial.

PZR-2015-16

Requested by: TuJack Hoover

Rezone from C-3 to M-1



- ◆ **Traffic Access and Parking**
Hwy 90 & River Oaks Street.

- ◆ **Plan 2030 Recommendations:**



One half of lot: Commercial; one half of lot: Low Density Residential.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

III.1 C-2 General commercial district— Retail sales:

1. Use Regulations:

a. A building or land shall be used for the following purposes:

- (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
- (2) Retail sales (except auto and mobile home sales), usage, and storage
- (3) Hotels, motels and apartment hotels
- (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
- (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.

(Ord. No. 94-11-2, § V, 11-7-94)

- (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following:
 - Bicycles
 - Radios
 - Televisions
 - Stereos and recorders
 - Household appliances
 - Locksmith
 - Typewriters
 - Other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses:
 - Dressmakers
 - Millinery
 - Tailors
 - Baking goods sales
 - Laundry and dry cleaners
 - Theatres (but not the drive-in type)
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts Cellular/communication towers. (Ord. No. 95-9-11, 9-18-95)
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district). (Ord. No. 98-3-17, § II, 3-23-98).
 - (19) Historic home site bed and breakfast. (Ord. No. 13-7-6, § II, 7-1-13)
- b. Special exception uses and structures include the following:
- (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)
(Ord. No. 85-7-17, 7-22-85)
- c. Special permit uses and structures include the following:
- (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.

- (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.
(Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § III, 1-10-94; Ord. No. 94-6-6, § I, 6-6-94; Ord. No. 98-7-6, 7-6-98; Ord. No. 02-5-21, 5-20-02; Ord. No. 03-1-12, § III, 1-21-03; Ord. No. 07-10-10, § I, 10-15-07; Ord. No. 09-4-19, § 1, 4-20-09)
- 2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.
(Ord. No. 82-6-6, § 1, 6-7-82)
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XI, 8-18-08)
- 3. Transportation Requirements: Arterial
- 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
(Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § III, 1-5-98)

ANALYSIS

This lot is located at the corner of Hwy 90 and River Oaks Drive. It is split-zoned with slightly greater than half of the lot zoned C-2 and the remainder zoned R-1A. The request is to rezone the R-1A portion to C-2, creating a uniform zoning across the property.

The R-1A portion is shown in the St. Charles Parish Comprehensive Plan Future Land Use Map as *low-density residential*. The C-2 portion is shown as *commercial*. Rezoning the entire lot to commercial would create a minor inconsistency with the Future Land Use Map, but would be conforming to the commercial zoning land use patterns established along Hwy 90. The request would not create a spot zone. Thus, **the first criteria is met.**

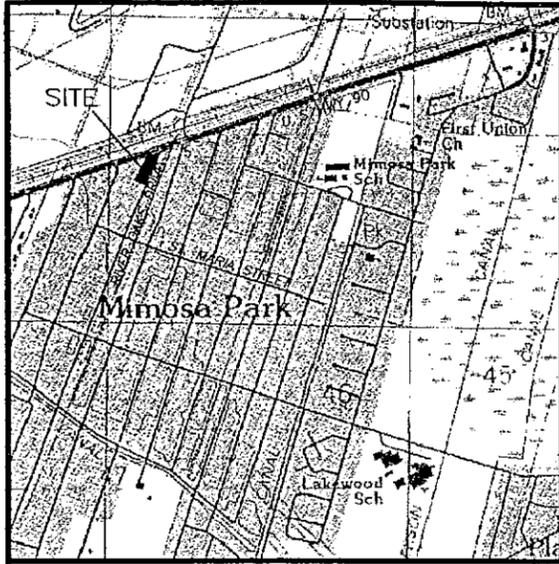
For the past several years, the applicants have been trying to sell the lot but have found that the split-zoning has been a hindrance to potential buyers. The commercially zoned portion is too small to fit a building, required parking, loading, landscaping, and buffering. To develop the residentially zoned portion for residential requires subdividing the site where the resulting impact on the future homeowner would be negative due to the abutting the commercial lot, proximity to Hwy 90, and the associated traffic noise. "The pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property." Thus, rezoning the entire site to C-2 would allow the entire site for commercial development and **meets the second criteria.**

Rezoning the site to C-2 would be compatible with the abutting commercial uses along Hwy 90 without having to expand public facilities or utilities. The infrastructure along Hwy 90 is currently in place for commercial uses. Therefore, **the third criteria is met.**

This site is below the three acre threshold that mandates a corresponding FLUM amendment. Therefore, if rezoning is approved, no change to the adopted FLUM is required at this time.

DEPARTMENT RECOMMENDATIONS

Approval.



VICINITY MAP
SCALE: 1" = 2000'

Approved/Disapproved
[Signature]
 Director of Planning & Zoning
 Date 5.01.06

Recorded in The Clerk of Court's office
 St. Charles Parish on the 5 day of
May 2006, in Book 6618
 Folio 482, Entry # 317987
 Signature _____ Title _____

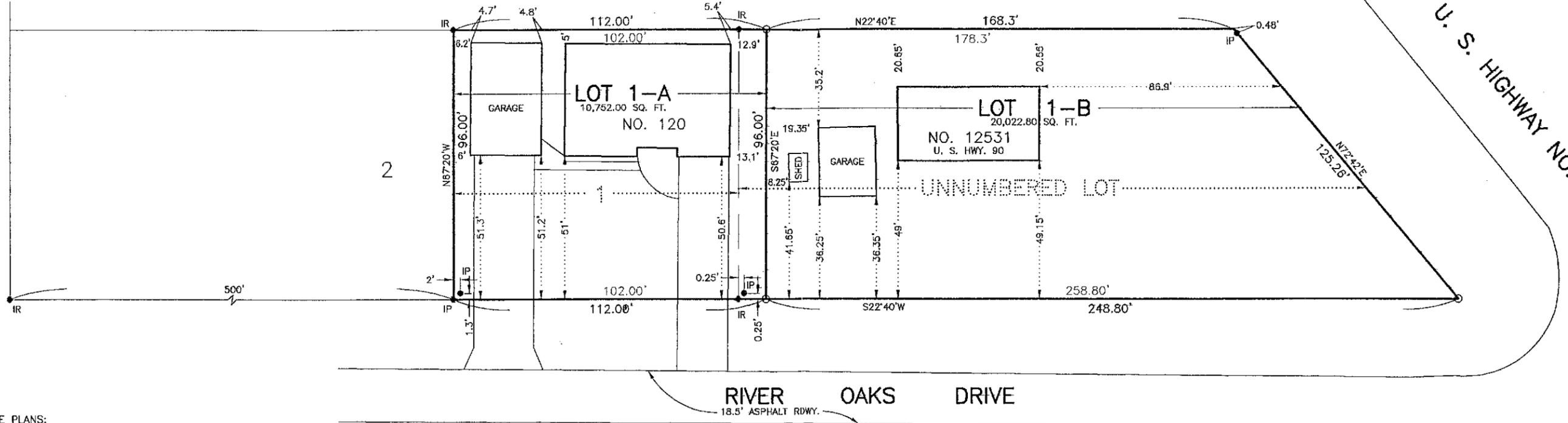
Approved/Disapproved
[Signature]
 Parish President
 Date 5/3/2006



MONSANTO AVENUE Side

ST. MARIA STREET
(Formerly SECOND STREET)

LA. U. S. HIGHWAY NO. 90



- REFERENCE PLANS:
1. SURVEY OF PORTION OF FARM LOT NO. 8 IN "SUB-DIVISION OF PORTION OF ELLINGTON PLANTATION" BY E. M. COLLIER, DATED MARCH 5, 1953
 2. RIVER OAKS SUB-DIVISION BY E. M. COLLIER, DATED SEPT. 7, 1954
 3. PLAN SHOWING ENCROACHMENT OF LOT ON PROPOSED RIVER OAKS DRIVE IN "RIVER OAKS SUB-DIVISION" BY E. M. COLLIER, DATED DEC. 2, 1954
 4. SURVEY OF LOT 1, BLOCK "B" RIVER OAKS SUBDIVISION BY LUCIEN C. GASSEN, DATED AUGUST 4, 1986

The reference plans shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

LEGEND
 ● = FOUND
 ○ = IR SET
 BEARINGS ARE BASED ON REFERENCE PLANS

RESUBDIVISION OF LOT 1 AND THE ADJOINING UNNUMBERED LOT, BLOCK "B" RIVER OAKS SUBDIVISION INTO LOTS 1-A AND 1-B IN SECTIONS 47 & 48, T13S - R21E ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 40' APRIL 12, 2006

CERTIFIED TO HILDA ORGERON, EVELYN O. CHRISTEN AND BARRY J. CHRISTEN

I certify that this plat represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

[Signature]
 LUCIEN C. GASSEN, PLS
 Registration No. 353
 LULING, LOUISIANA 70070

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

St. Charles Parish Department of Planning & Zoning

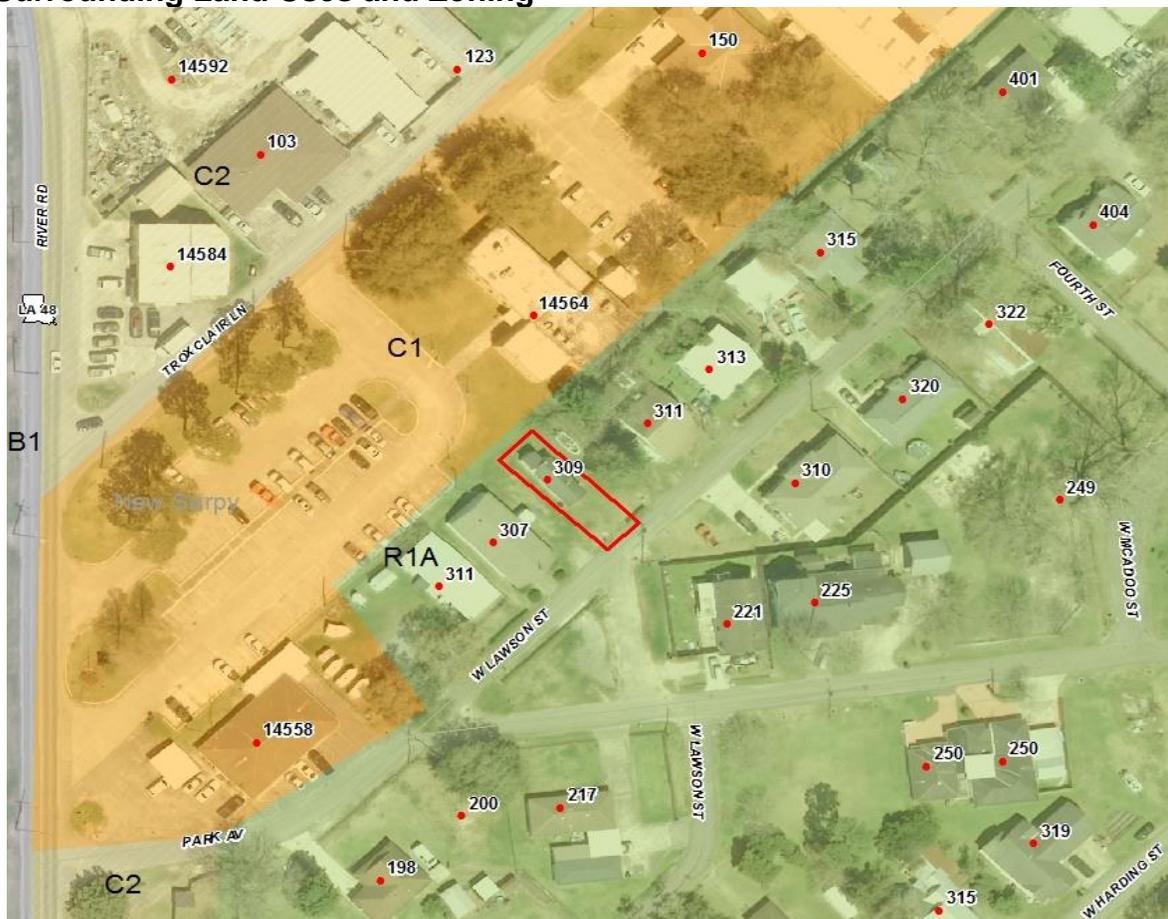
LAND USE REPORT CASE NUMBER: PZR 2015-26

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Application Date 10/5/15
Trevine Lewis
P.O. Box 304
New Sarpy LA 70078
504.415.0154
trevineanise@gmail.com
- ◆ **Location of Site:**
309 W. Lawson Street, New Sarpy.
- ◆ **Requested Action**
Change of zoning from R-1A to R-1AM
- ◆ **Purpose of Requested Action**
Mobile home, per applicant.

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**
20 ft x 80 ft (1,600 sq. ft.). Does not meet required 5,000 sq. ft. or 50' width.
- ◆ **Zoning and Current Use:**
R-1A, Vacant house.
- ◆ **Surrounding Land Uses and Zoning**



C-1 zoning with institutional land uses abut to the northwest or rear of site; R-1A zoning with residential uses abut to the northeast or right and across W. Lawson Street. A religious institution abuts to the southwest or left side.

- ◆ **Traffic Access and Parking**
Property has 20' of width or frontage on W. Lawson Street..

- ◆ **Plan 2030 Recommendations:**



Neighborhood Commercial.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

III.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
- (Ord. No. 06-12-6, § II, 12-4-06)
- c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges) and country clubs with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § II, 10-5-92)
 - (6) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 15-7-5)
2. Spatial Requirements.
 - a. Minimum lot size: five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—fifteen (15) feet.
 - (2) Side—five (5) feet.
 - (3) Rear—five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line. (Ord. No. 99-8-6, 8-2-99)
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § IV, 8-18-08)
 - c. Accessory buildings:
 - (1) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted. (Ord. No. 12-7-4, § IV, 7-2-12)
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) square feet of lot area.
 - (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
 - b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication Manufactured Home Installation in Flood Hazard Areas.
 - c. Skirting or foundation plantings as approved by the Zoning and Regulatory Administrator in accordance with the manufacturer's installation instructions to ensure aesthetic compatibility with the residential character of the neighborhood. The entire underfloor of the home shall be completely enclosed, except for the required openings.

Editor's note— The enforcement of this subparagraph c. was placed on a one-year moratorium expiring Sept. 5, 1990.

- d. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.

(Ord. No. 82-3-3, § II, 3-1-82; Ord. No. 83-11-10, 11-21-83; Ord. No. 85-7-17, 7-22-85; Ord. No. 87-1-15, 1-5-87)

ANALYSIS

The owner is requesting a rezoning from R-1A to R-1AM in order to permit a mobile home. With 20-feet of frontage and an 80-foot depth, the lot does not meet the minimum frontage or area requirement for either the current or requested zoning. The lot is developed with a single-family house that was previously used as a residence and is located next to a church.

Rezoning to R-1AM would conflict with the Future Land Use Map recommendation for *neighborhood commercial* and would create a spot zone since it abuts R-1A zoning and land uses on three sides. Therefore, the **first criteria is not met.**

This lot is 20-feet wide. With a 5-foot side yard setback requirement for R-1AM, a mobile home would have to be no wider than 10-feet for it to comply. Most mobile homes are wider than 10-feet so it may not be possible to permit a mobile home at this site without it encroaching on the side setbacks. This will also place it too close to neighboring structures. Therefore, **the second criteria is not met.**

A mobile home will also conflict with the predominant single-family residential uses in the neighborhood. Placing a mobile home on this lot would locate a structure that is incompatible with the surrounding neighborhood character. Therefore, **the third criteria is not met.**

This site is below the three acre threshold that mandates a corresponding FLUM amendment. Therefore, if rezoning is approved, no change to the adopted FLUM is recommended at this time.

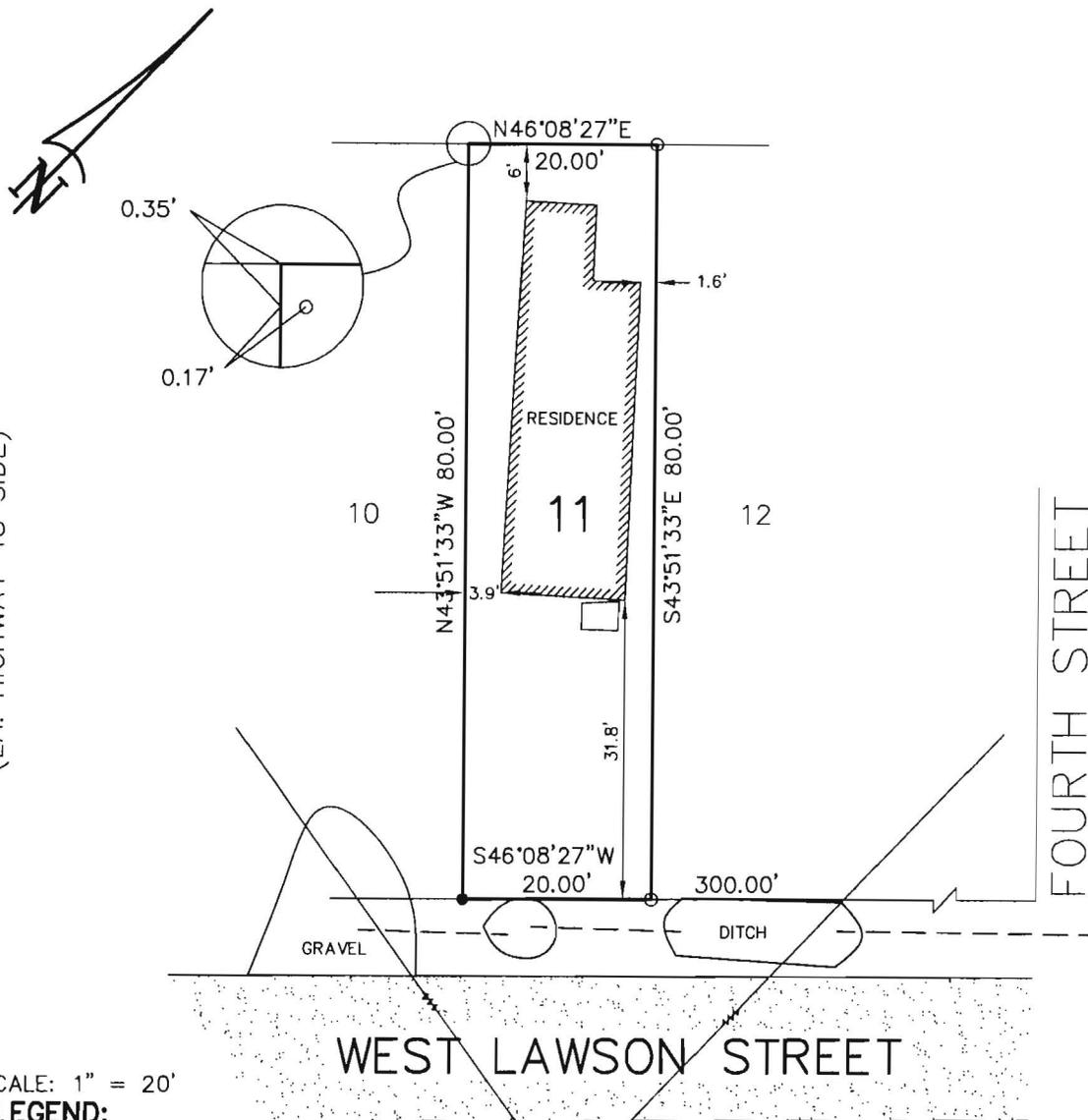
DEPARTMENT RECOMMENDATIONS

Denial.

(TROXCLAIR LANE SIDE)

(L.A. HIGHWAY 48 SIDE)

FOURTH STREET



SCALE: 1" = 20'

LEGEND:

- #4 IRON ROD SET
- #4 IRON ROD FOUND
- ⚡ POWER POLE
- POWER LINE

TITLE: SURVEY PLAT OF LOT 11, SQUARE 16, NEW SARPY SUBDIVISION
 SITUATED IN SECTION 8, T-12-S, R-8-E,
 NEW SARPY, ST. CHARLES PARISH, LOUISIANA.

SURVEY REFERENCE: 1. 1971 LOTS IN NEW SARPY SUBDIVISION BY BLYTHE CO. INC. DATED NOVEMBER 1920.

BASIS OF BEARING: ELEVATION/BEARINGS HEREON ARE REFERENCED TO GRID NORTH AS ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE USING IECA SMARTNET SOLUTION 2/13/2012 NAVD88/NAD 83 GEOID03.

SURVEYOR'S NOTES:

- A. I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME AND CONFORMS TO THE REQUIREMENTS FOR THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS FOUND IN LOUISIANA ADMINISTRATIVE CODE TITLE 46:LXI, CHAPTER 25 FOR A CLASS "C" SURVEY.
- B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
- C. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT. THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION.

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "A99" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0125C DATED 5/2/2003.

CERTIFIED TO: TREVINE LEWIS

MUNICIPAL ADDRESS: 307 WEST LAWSON STREET

DATE: FEBRUARY 13, 2012

Stephen P. Flynn
 STEPHEN P. FLYNN
 P.L.S. LA. ST. REG. NO. 4668

DRAWN BY: KPB

DRAWING NO. MM0220

RIVERLANDS SURVEYING COMPANY



505 HEMLOCK STREET
 LAPLACE, LA. 70068
 1-800-248-6982
 985-652-6356

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZS-2015-38

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants** **Application Date:**
10/6/15
Jack Cali III et al
60 Elmwood Dr
Destrehan LA 70047
504.606.4243
icjc5555@gmail.com
- ◆ **Location of Site:**
NE of Plantation Road, SW of Valcour Lane
- ◆ **Requested Action:**
Resubdivision of Parcel H-1, Lots 1-6, A Portion of Lot 8 of Parcel G-1 of a subdivision of a Portion of Tract No. 1 of Ormond Plantation into Lots 1-H, 2-H, 3-H, 4-H, 1-G, 2-G, 3-G & 4-G.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
260,000 square feet
- ◆ **Traffic Access:**
Plantation Road
- ◆ **Utilities:**
All in place.
- ◆ **Plan 2030 Recommendation:**



Moderate-Density Residential

platting, and subdivision of land. The proposed subdivision shall contain the following information:

- a. Location of the property.
- b. Name(s) and address(es) of the owners.
- c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
- d. Existing property lines and lot numbers, including names and width of adjoining streets.
- e. Proposed property lines and revised numbers of proposed lots.
- f. Location and dimensions of existing buildings.
- g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals. (Ord. No. 12-10-7, § I, 10-15-12)
- h. Existing lakes and ponds.
- i. North arrow and scale.
- j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
(Ord. No. 13-12-15, § I, 12-16-13)
- k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.

ANALYSIS

This is a request to subdivide 9 lots denoted on the submitted survey as two portions of Parcel H-1, Lots 1, 2, 3, 4, 5, 6, a portion of Lot 7, a portion of Lot 8 of Parcel G-1 of a subdivision of a portion of Tract No. 1 of Ormond Plantation Subdivision into 8 lots: 1-H, 2-H, 3-H, 4-H, 1-G, 2-G, 3-G & 4-G. Because the resulting lot configuration is less than it began with and no public infrastructure is required for this request, it has been reviewed as a minor subdivision.

The dimensions of the current lots are:

Portion of H-1: 175,632 sq. ft. (4.03 acres);

Lots 1 through a portion of Lot 8: approximately 16,533 sq. ft.

Plantation Road and its right-of-way lay within approximately 8,300 sq. ft. of Lot 7 and nearly all of Lot 8.

Approval of this resubdivision will result in the following lots and dimensions:

Lot 1-H: 48,803 sq. ft.

Lot 2-H: 38,222 sq. ft.

Lot 3-H: 38,318 sq. ft.

Lot 4-H: 38,413 sq. ft.

Lot 1-G: 43,669 sq. ft.

Lot 2-G: 16,807 sq. ft.

Lot 3-G: 16,807 sq. ft.

Lot 4-G: 16,807 sq. ft.

The site is zoned R-3 and no public improvements or infrastructure are required for its development, including hard-surface access or frontage. Access to each proposed lot is indicated on the submitted plat through a 30-foot access and servitude extending from Plantation Road to Lot 1-H. Lots 2-G, 3-G, and 4-G have hard-surface access on Plantation Road.

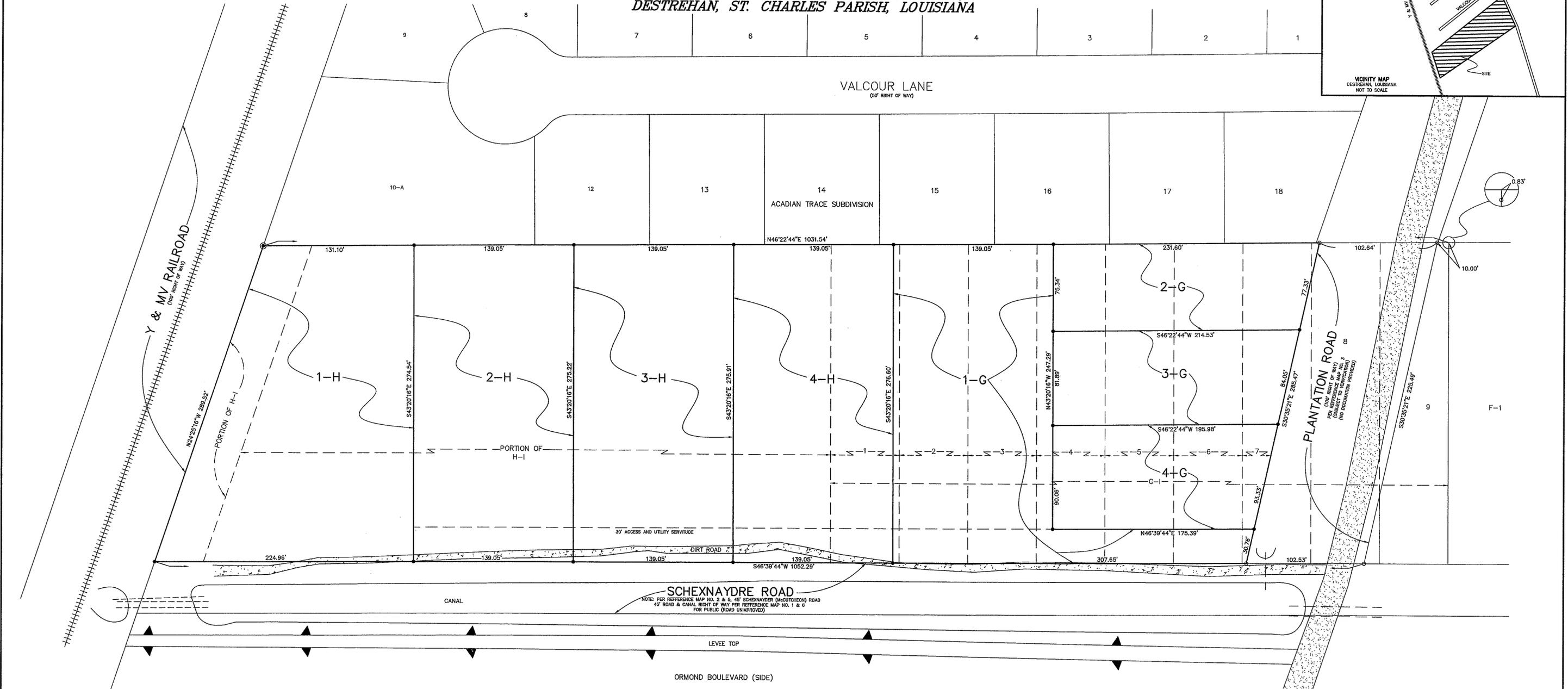
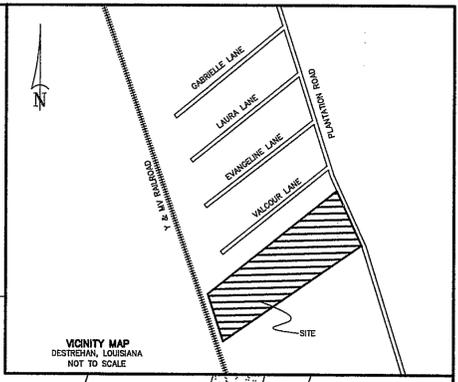
The site exceeds 1 acre. The Subdivision Ordinance states that proof of compliance with the MS-4 (Municipal Separate Storm Sewer System) is required. The site will be reviewed for MS-4 compliance during its development.

Each proposed lot will exceed the required area and width for its current R-3 zoning district. The resulting land use from this resubdivision will not conflict with the Future Land Use Map recommendation for *moderate-density residential*.

DEPARTMENTAL RECOMMENDATION

Approval.

**SURVEY PLAT AND RESUBDIVISION OF
TWO PORTIONS OF PARCEL H-I, LOTS 1, 2, 3, 4, 5, 6, A PORTION OF LOT 7, A PORTION OF LOT 8
OF PARCEL G-I OF A SUBDIVISION OF A PORTION OF TRACT NO. 1 OF ORMOND PLANTATION SUBDIVISION
INTO LOTS HEREIN DESIGNATED AS LOTS 1-H, 2-H, 3-H, 4-H, 1-G, 2-G, 3-G & 4-G
OF A SUBDIVISION OF A PORTION OF TRACT NO. 1 OF ORMOND PLANTATION SUBDIVISION
SITUATED IN SECTION 11, T-12-S, R-8-E,
DESTREHAN, ST. CHARLES PARISH, LOUISIANA**



DEVELOPER: JACK CALI
38475 RUE LAMONTE COURT
PRAIRIEVILLE, LOUISIANA 70769
504-608-4243

APPROVED:

PARISH PRESIDENT _____ DATE _____

DIRECTOR, DEPT. OF PLANNING AND ZONING _____ DATE _____

CERTIFICATION: THIS IS TO CERTIFY THAT THIS PLAT IS MADE IN ACCORDANCE WITH LA. REVISED STATUTES 33:5051 ET. SEQ. AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND.

RECORDED IN THE CLERK OF COURT'S OFFICE
ST. CHARLES PARISH ON THE _____
DAY OF _____, IN BOOK _____
FOLIO _____, ENTRY # _____

ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATIONS OR MODIFICATIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE

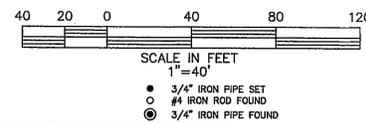
LOT	AREA
1-H	48,803 SQ. FT.
2-H	38,222 SQ. FT.
3-H	38,318 SQ. FT.
4-H	38,413 SQ. FT.
1-G	43,669 SQ. FT.
2-G	16,807 SQ. FT.
3-G	16,807 SQ. FT.
4-G	16,807 SQ. FT.

SURVEY REFERENCE: 1. SKETCH SHOWING THE SUBDIVISION OF REAR PORTION OF TRACT NO. 1 OF ORMOND PLANTATION SUBDIVISION BY H.E. LANSRY, P.L.S. DATED AUGUST 26, 1922.
2. PLAN SHOWING LOT G-1 & SUBDIVISION OF LOTS A & C OF A PORTION OF LOT 1 OF ORMOND PLANTATION SUBDIVISION BY E.M. COLLIER, P.L.S. DATED NOVEMBER 27, 1984.
3. SURVEY OF RESUBDIVISED LOT 2A, ORMOND PLANTATION BY J. MICHAEL DIXON, P.E. DATED 9/26/1990.
4. MAP SHOWING THE CREATION OF TRACT 10-A FORMERLY LOTS 10 & 11 OF THE RESUBDIVISED LOT 2A, ORMOND PLANTATION BY LOUIS LYLES BUDEN, P.L.S. DATED NOVEMBER 10, 1999.
5. SURVEY OF A PORTION OF LOT H OF A PARTITION OF LOT ONE ORMOND PLANTATION BY E.M. COLLIER DATED JULY 17, 1970.
6. SURVEY OF A PORTION OF LOT H-1 OF A SUBDIVISION OF A PORTION OF TRACT NO. 1 ORMOND PLANTATION SUBDIVISION BY LUCIEN C. GASSEN, P.L.S. DATED FEBRUARY 24, 1984.

BASIS OF BEARING: BEARINGS HEREON ARE REFERENCED TO GRID NORTH AS ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE USING UTM SMARTNEY SOLUTION 3/4/2015 NAVD83/NAD 83 GEOID12A.

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "A99" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0125C DATED 6/18/1992, REVISED 5/2/2003 LOHR

SURVEYOR'S NOTES: A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF THE UNDERSIGNED AND COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS B SURVEY.
B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVICUTES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
C. MINIMUM SETBACK LINES AND SERVICUTES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT. THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION.



THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN HEREON HAVE BEEN DETERMINED FROM DATA EITHER FURNISHED BY THE AGENCIES CONTROLLING SUCH DATA AND/OR EXTRACTED FROM RECORDS MADE AVAILABLE TO US BY THE AGENCIES CONTROLLING SUCH RECORDS. WHERE FOUND, THE SURFACE FEATURES OF LOCATIONS ARE SHOWN. THE ACTUAL NONVISIBLE LOCATIONS MAY VARY FROM THOSE SHOWN HEREON. EACH AGENCY SHOULD BE CONTACTED RELATIVE TO THE PRECISE LOCATION OF ITS UNDERGROUND INSTALLATION PRIOR TO ANY RELIANCE UPON THE ACCURACY OF SUCH LOCATIONS SHOWN HEREON, INCLUDING PRIOR TO EXCAVATION AND DIGGING.

DOTTE 1-800-272-3020

OCT - 7 2015

NO.	DATE	DESCRIPTION	BY

DRAWN BY: KPB SHEET NO. 1 OF 1
DATE: OCTOBER 2, 2015 DRAWING NO. MM0972_W02444

RIVERLANDS SURVEYING COMPANY
505 HEMLOCK STREET
LAPLACE, LA. 70068
1-800-249-6982
985-652-6356

Stephen P. Flynn
STEPHEN P. FLYNN
P.L.S. LA. ST. REG. NO. 4668

Paul Maillard Revitalization Overlay District Code –PZC DRAFT

- 1. General**
 - 1.1. Purpose
 - 1.2. District Limits
 - 1.3. Zones
 - 1.4. Exemptions
 - 1.5. Conflicts

- 2. Use Regulations**
 - 2.1. Permitted Uses
 - 2.2. Prohibited Uses

- 3. Development Standards**
 - 3.1. General
 - 3.2. Dimensional Standards
 - 3.3. Building Design Standards

- 4. Parking and Loading**
 - 4.1. Off-Street Parking requirements
 - 4.2. Location of Parking
 - 4.3. Parking Lot Design Standards
 - 4.4. Loading
 - 4.5. Generally

- 5. Screening and Fencing**
 - 5.1. Yard Fencing
 - 5.2. Dumpsters and Recycling Containers
 - 5.3. Loading Berths
 - 5.4. Utilities

- 6. Signs**
 - 6.1. Generally
 - 6.2. Sign Standards
 - 6.3. Determination of Sign Area
 - 6.4. Murals
 - 6.5. Bulletin Boards
 - 6.6. Prohibited Signs
 - 6.7. Illumination
 - 6.8. Abandoned Signs
 - 6.9. Non-conforming Signs

- 7. Outdoor Lighting**

- 8. Use Standards**

- 9. Development Credits**

Paul Maillard Revitalization Overlay District Code – DRAFT #5b

1. General

1.1. Purpose

The purpose of the overlay district is to facilitate the development of a sustainable and resilient mixed use corridor that will function as the main street and center of Luling and Boutte, and provide a healthy structural and economic backbone for the surrounding community. The regulations provide a mechanism for the Parish to ensure sound and orderly development and redevelopment, and are intended to improve the surrounding community, spur economic development, reduce blight and underutilization, increase property values, and improve walkability and bikeability.

1.2. District Limits

The Paul Maillard Revitalization Overlay District (PMROD) includes all lots abutting Paul Maillard Road between River Road and State Route 631, as shown on [Figure 1.1](#).

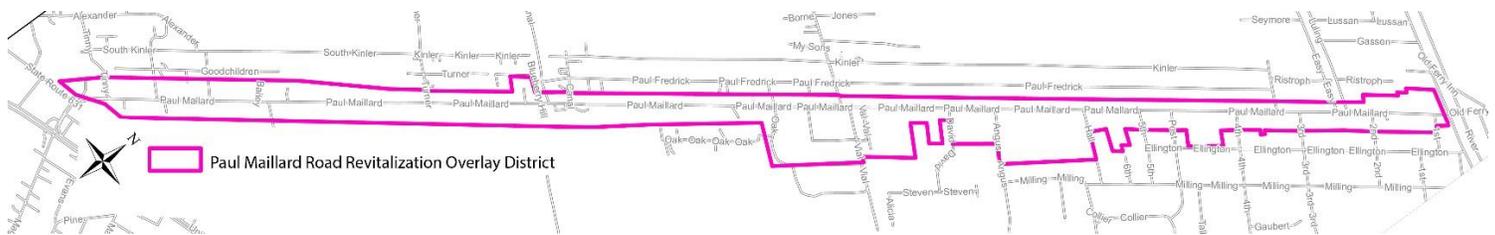


Figure 1.1: PMROD Boundaries

1.3. Zones

1.3.1. Purpose

- A. The purpose of Zone A is to provide locations for neighborhood scale mixed use development. The regulations support the establishment of residential development as well as both small and medium scale local businesses, and call for a physical environment that encourages walking and biking and invites visitors to linger.
- B. The purpose of Zone B is to provide locations for a vibrant and sustainable town center for Luling and the surrounding area. Mixed use development, including a wide range of commercial and residential development types and scales, will attract businesses, residents, employees, and visitors. The physical environment would be designed to accommodate the needs of all users of this area, including vehicular travelers, pedestrians, and bicyclists.

1.3.2. Zone Limits

- A. Zone A includes all lots abutting Paul Maillard Road between River Road and 4th Street.

B. Zone B includes all lots abutting Paul Maillard Road between 4th Street and State Route 631, as shown in [Figure 1.2](#)

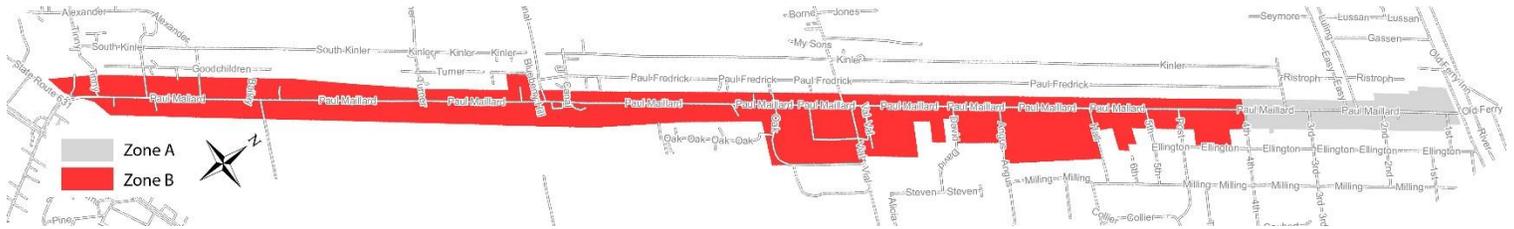


Figure 1.2: PMROD Zone Boundaries

1.4. Exemptions

- A. The regulations of the PMROD shall not apply to parcels zoned for single-family and two-family residential uses in the St. Charles Parish Zoning Ordinance of 1981.
- B. Structures in single-family and two-family residential use within commercial zoning districts, as zoned in the St. Charles Parish Zoning Ordinance of 1981 are not required to comply with overlay regulations until and unless these parcels are redeveloped as uses other than single-family and two-family residential.
- C. Single-family and two-family residential structures are allowed, but not required, to comply with setbacks and building design standards set forth in Sections 3.2 and 3.3.

1.5. Conflicts

Where this overlay zone conflicts with or exceeds requirements of the Zoning Ordinance of 1981, the overlay zone supersedes.

2. Use Regulations

2.1. Permitted Uses

- A. All uses permitted by right in the underlying zoning district, except uses prohibited under [Section 2.2. Prohibited Uses](#), are permitted.
- B. All commercial uses and residential uses, whether or not permitted in the underlying zoning district, except uses prohibited under [Section 2.2. Prohibited Uses](#), are permitted.

2.2. Prohibited Uses

The following uses are prohibited within the entire overlay district.

- A. Mobile homes and trailers
- B. Outdoor storage as primary use

3. Development Standards

3.1. General

3.1.1. Development Plan and Design Review

Development projects must follow the St. Charles Parish plan review process.

3.1.2. Development Goals

The PMROD is intended to direct development in the district to meet the following goals:

- A. Development shall promote safe, convenient, and attractive pedestrian and bicycle access.
- B. Development shall ensure compatibility between commercial uses and surrounding residential areas.
- C. Design shall be compatible in scale, materials, street level uses, and spatial relationships with existing development.
- D. Compact neighborhood centers shall be created at major intersections to the extent possible in order to support transit, facilitate walkability and improve economic sustainability of neighborhood businesses.
- E. Street façades shall include variations in setbacks, fenestration, textures, colors, and/or materials resulting in no blank walls along the street.
- F. All sides and areas of structures visible to the public shall be treated with materials, finishes, and architectural details appropriate to primary street-facing façades.

Table 3.1: Building Standards

BUILDING STANDARDS		
ZONE	Zone A	Zone B
Building Coverage (max)	65%	75%
Building Footprint (max)	7,500 SF	n/a
Setback front (min)	5'	10'
Build-To Line front	25'	45'
Setback side, street (min)	10'	10'
Setback side, interior (min)	no setback required abutting lots in commercial uses; 5' abutting lots in residential use	no setback required abutting lots in commercial uses; 5' abutting lots in residential use
Setback Rear	no setback required abutting lots in non-residential uses; 5' abutting lots in residential use	no setback required abutting lots in non-residential uses; 10' abutting lots in residential use
Stories (max)	Mixed-Use: 3; Other uses: 2;	Mixed-Use: 4; Other uses: 2;
Height (max)	Mixed-Use: 48' Other uses: 35'	Mixed-Use: 60' Other uses: 35'

Figure 3.1: Building Coverage

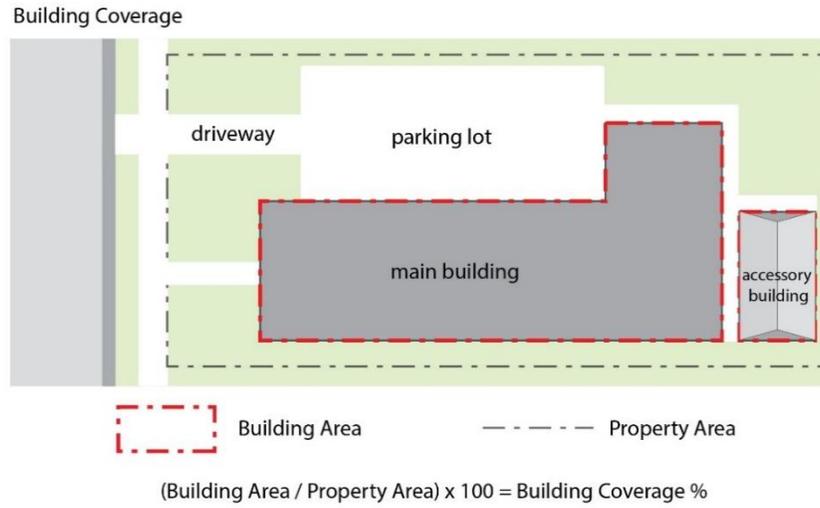


Figure 3.2: Zone A Structure Height

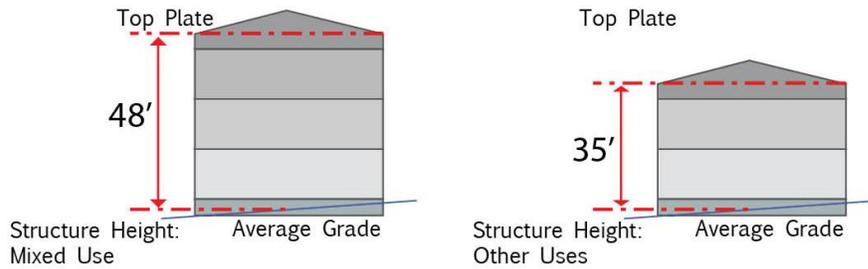


Figure 3.3: Zone A Setbacks

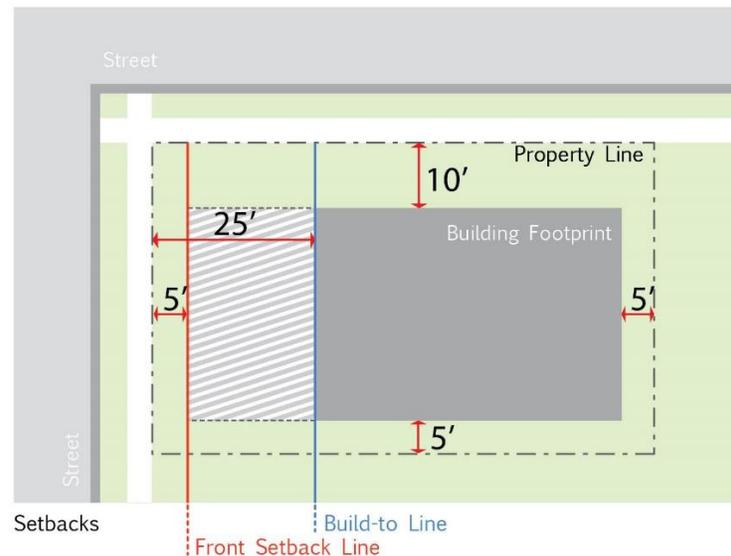


Figure 3.4: Zone B Structure Height

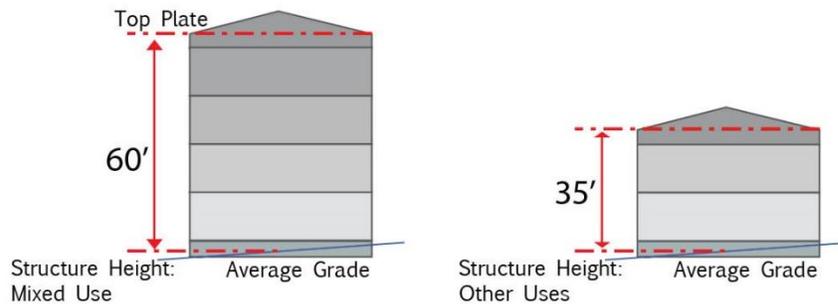
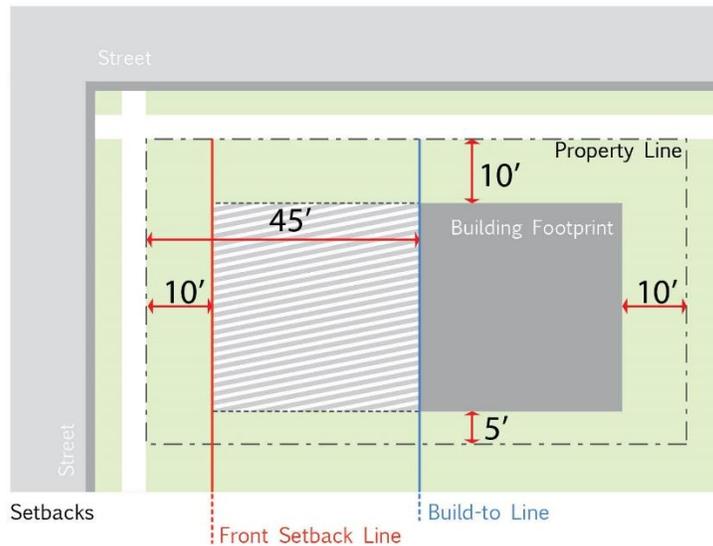


Figure 3.5: Zone B Setbacks



3.2. Dimensional Standards

3.2.1. Lot Size

Lot sizes as specified in the underlying zoning district regulations apply.

3.2.2. Setbacks

- A. All setback requirements are measured from the edge of the corresponding property line.
- B. The following permanent elements are allowed and encouraged to extend into any required setback.
 - i. Outdoor dining, benches, trash receptacles, public art, water features, bicycle racks, bollards, planters and other street furniture, pedestrian lighting, landscaping, sidewalk, trees, tree grates and planters may encroach into any required setback.

- ii. Building elements such as porches, stoops, balconies, awnings, galleries, bay windows, unenclosed fire escapes, stairways, patios, decks, and terraces may extend into a required setback if in compliance with the regulations set forth in [Section 3.3: Building Design Standards](#)
- iii. Chimneys, flues or smokestacks, building eaves or roof overhangs, cornices, belt courses, sills, buttresses, or other similar architectural features may encroach a maximum of two (2) feet.
- iv. Minor structures accessory to utility lines (such as hydrants, manholes, and transformers and other cabinet structures), mechanical equipment associated with residential uses, such as HVAC units and security lighting and solar and wind energy systems may extend into any required setback.

3.2.3. Build-To Line

- A. The build-to line is the line measured from the property line up to which most of the building façade must meet. The primary street and side street build-to lines are measured as a maximum setback from the edge of the property line. Building facades can be closer to the street than the build-to-line indicates, but must follow setback requirements.
- B. On corner lots, a building facade must be placed at the build-to line or between the build-to line and setback for at least the first thirty (30) feet along the street(s) extending from the block corner.

3.2.4. Structure Height

- A. Structure height is measured in both number of stories and feet from the average grade to the top plate.
- B. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the setback line. [\(See Fig. 3.2: Zone A Structure Height and Fig. 3.4: Zone B Structure Height\)](#)

3.2.5. Building Standards Table

Development shall comply with dimensional standards listed in the Building Standards Table 3.1.

3.3. Building Design Standards

3.3.1. Building Elements

- A. Buildings should be designed with porches, stoops, balconies, galleries, awnings, canopies, and other weather protection devices, all of which are allowed and encouraged.
- B. Stoops, not including steps, may extend a minimum of three (3) feet from the building and are a maximum of six (6) feet wide. [\(See Figure 3.5: Stoops\)](#)

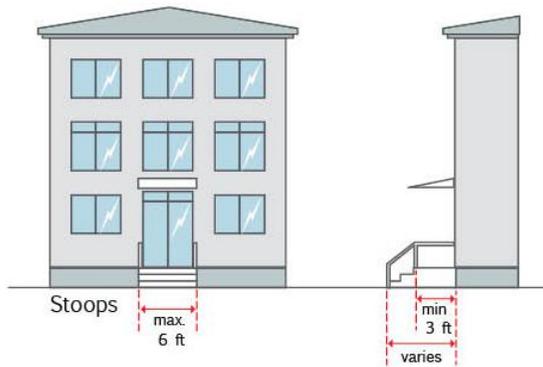


Figure 3.5: Stoops

- C. Porches, not including steps, must provide a clear depth of at least six (6) feet from the building’s façade, and extend across a minimum of fifty (50) percent of the width of the building façade. (See Figure 3.6: Porches)

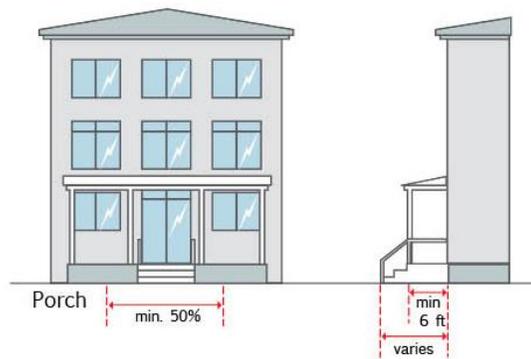


Figure 3.6: Porches

- D. Awnings, light shelves, galleries, balconies, and arcades may extend a maximum six (6) feet from the building front with a ten (10) foot minimum height. (See Figure 3.7: Awnings)

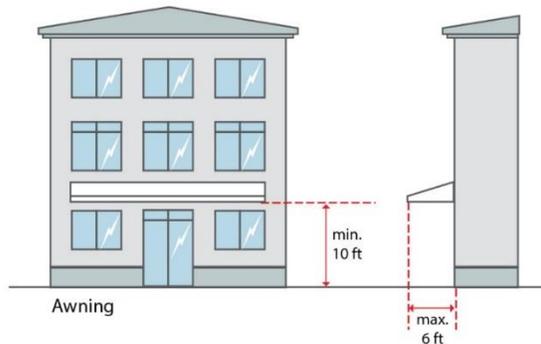


Figure 3.7: Awnings

- E. Galleries must provide a clear depth from the support columns to the building's facade of at least eight (8) feet and a clear height above the sidewalk of at least ten (10) feet and must extend across at least fifty (50) percent of the width of the building facade. *(See Figure 3.9: Galleries)*

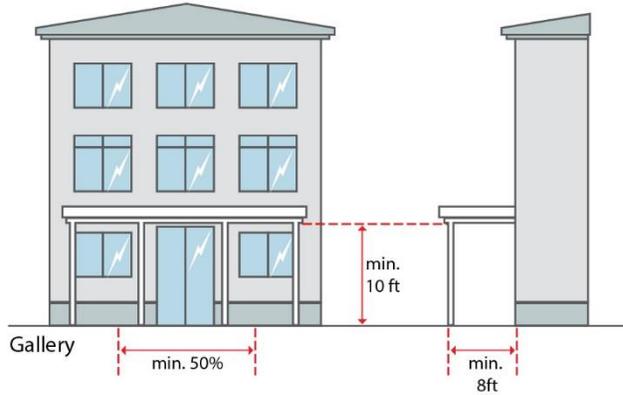


Figure 3.9: Galleries

- F. Double galleries must provide a clear depth from the support columns to the building's facade of at least eight (8) feet and a clear height above the sidewalk of at least ten (10) feet and must extend across at least fifty (50) percent of the width of the building facade. *(See Figure 3.10: Double Galleries)*

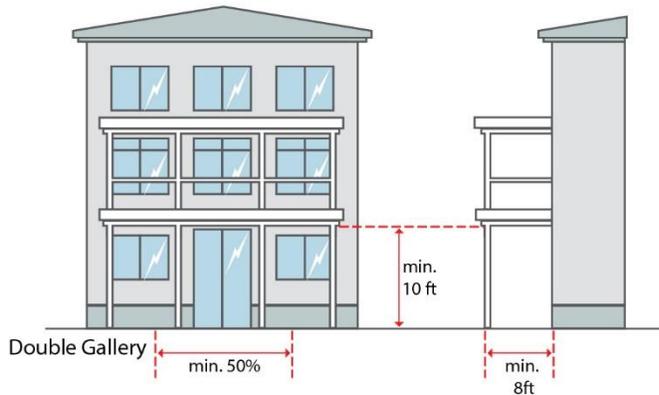


Figure 3.10: Double Galleries

- G. All building elements must remain within the property line, unless special permission is granted by the Planning and Zoning Director for awnings, light shelves, arcades, galleries, and double galleries to encroach upon the public right-of-way.

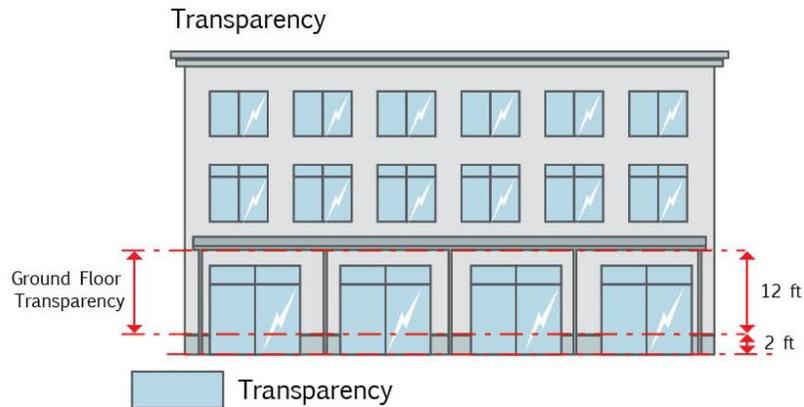
3.3.2. Entrance

- A. Pedestrian and main entrances shall be located on Paul Maillard Road. Additional entrances off another street, pedestrian area or internal parking area are allowed.

- B. An angled entrance may be provided at either corner of a building along the street to meet the street entrance requirements, provided any applicable entrance spacing requirements are met.
- C. A minimum of fifty (50) percent of the main entrance must be transparent.
- D. A required fire exit door with no transparency may front on a primary, side, or service street.
- E. Adjacent commercial properties are encourage to share driveway(s) to minimize curb cuts on Paul Maillard.

3.3.3. Façade

- A. The facade along the ground floor fronting Paul Maillard Road at an average of at least every thirty-five (35) feet shall change visually in height, setback, materials, or colors along the axis facing the street.
- B. A minimum of fifty (50) percent of ground floor level of the building façades facing the street shall be comprised of doors or transparent windows that allow views into the ground floor. Non-reflective opaque glass and darkly tinted glass are prohibited, except for development zoned M1 in the St. Charles Parish Zoning Ordinance of 1981. Ground floor transparency (windows and doors) is measured between two (2) and twelve (12) feet above the adjacent sidewalk. *(See Figure 3.4: Transparency)*
- C. The Planning and Zoning Director may adjust requirements for openings for buildings elevated to meet or exceed base flood elevation (BFE) by the minimum amount needed to accommodate BFE.



$$(\text{Transparency Area} / \text{Total Façade Area} /) \times 100 = \text{Transparency \%}$$

Figure 3.4: Transparency

3.3.4. Façade Materials

- A. Each building façade visible from the street, excluding window and door area, shall be clad in one or a combination of the following materials.
 - i. Brick
 - ii. Stone
 - iii. Stucco
 - iv. Textured masonry

- v. Wood
 - vi. Architectural pre-cast concrete
 - vii. Other materials upon approval of Planning and Zoning Director
- B. The following building materials are prohibited for building facades:
- i. Plain concrete block
 - ii. Exposed aggregate (rough finish) concrete wall panels
 - iii. Corrugated metal and metal with exposed fasteners
 - iv. Vinyl
 - v. Plastic
- C. This requirement shall apply to each façade on a building as illustrated in *Figure 3.11*.

Facade

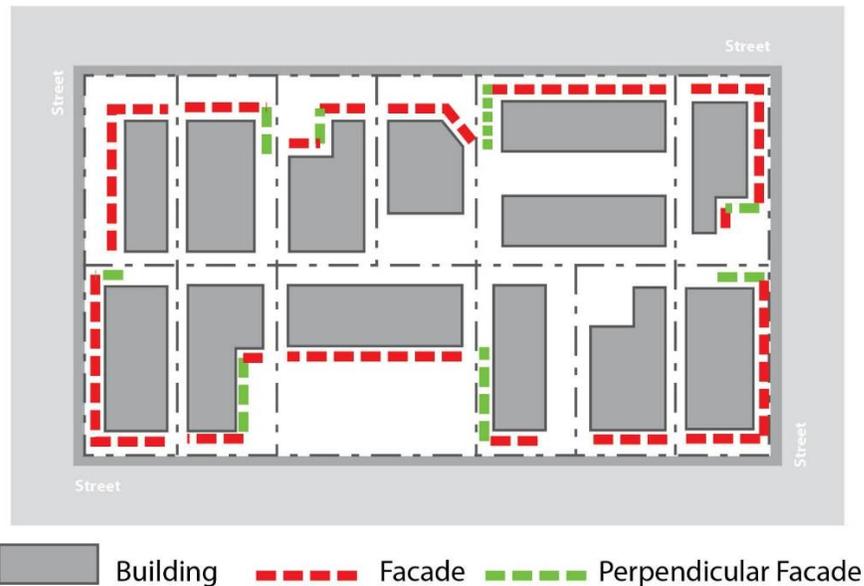


Figure 3.11: Façades

4. Parking and Loading

4.1. Off-Street Parking requirements

4.1.1. Minimum Parking Requirements

The minimum number of off-street parking spaces for any building or use within the overlay district may be reduced to eighty (80) percent of the minimum parking requirements, as specified in the St. Charles Parish Zoning Ordinance, not including accessible spaces.

4.1.2. Maximum Number of Parking Spaces Allowed

The maximum number of off-street parking spaces for any building or use shall not

exceed the minimum parking requirements, as specified in the St. Charles Parish Zoning Ordinance.

4.1.3. Parking Credits

- A. In all areas, on-street parking spaces on the right of way adjacent to the building and between the two side lot lines of the site may be counted to satisfy the minimum off-street parking requirements.
- B. Where parking is available off-site within five hundred (500) feet of the front entry to the building, and that parking is owned or controlled under a permanent and recorded parking encumbrance agreement for use by the occupants or employees on the site, said parking may be counted to satisfy the off-street parking requirements.

4.1.4. Shared parking

A special exemption to parking requirements may be granted by the Planning and Zoning Director to satisfy minimum parking requirements under the following conditions.

- A. A document shall demonstrate that the demand for parking of the combined uses of two (2) or more buildings can be satisfied with a shared and jointly accessible off-street parking site available to those buildings.
- B. The shared parking site is located within five hundred (500) feet of the front entry to all buildings sharing the parking site.
- C. A written agreement between the owners and lessees is executed for a minimum of twenty (20) years, approved by the parish attorney as provided herein. The agreement shall be recorded and a copy maintained in the project file. Should the lease expire or otherwise terminate, any and all approvals shall be subject to revocation. Continuation or expansion of the use shall be prohibited unless the use is brought into compliance with the parking regulations of this section.
- D. Documents described in 4.1.4. A, B, and C above shall be submitted to the Planning Department for review and consideration by the Planning and Zoning Director.

4.1.5. Accessible parking

Accessible parking shall be provided in compliance with the latest version of the Americans with Disabilities Act Accessibility Guidelines, as determined by the State Fire Marshal.

4.1.6. Bicycle Parking

- A. One (2) bicycle parking space shall be provided per three thousand (3000) square feet of commercial space.
- B. One (2) bicycle parking space shall be provided per 10 parking spaces required for multi-family residential development.

4.1.7. Residential parking

In mixed-use buildings at least eighty (80) percent of required parking for residential units shall be reserved by signage for residents and located on the same development

site as the mixed use building or on an abutting lot in accordance with the shared parking provisions of Section 4.1.4. Shared Parking.

4.2. Location of Parking

4.2.1. The location of parking shall comply with the table Location of Parking below.

4.2.2 Any requests for parking in addition to what is described in table 4.1 shall be located only in the rear of the property.

LOCATION OF PARKING		
	Zone A	Zone B
Front of Building	Not allowed	Maximum 1 row, 8 spaces
Side of Building	Maximum 1 row	Maximum 2 rows
Rear of Building	Allowed up to 100% of underlying zoning	Allowed up to 100% of underlying zoning

Table 4.1: Location of Parking

4.3. Parking Lot Design Standards

4.3.1. Parking Space Layout

A. Parking space layout shall meet the dimensions showed in [Figure 4.1 and 4.2](#).

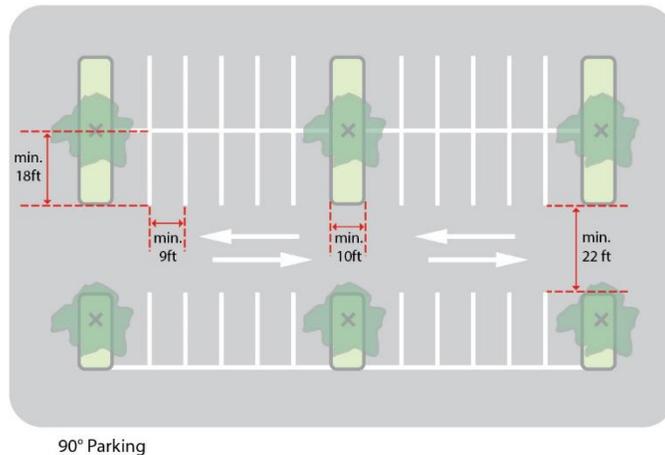


Figure 4.1: 90 Degree Parking

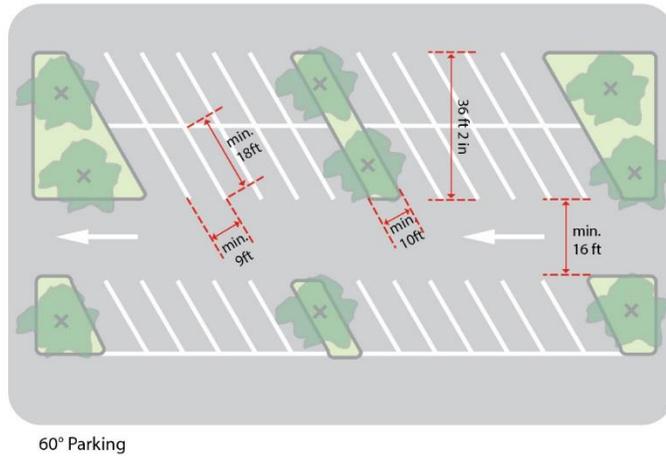


Figure 4.2: 60 Degree Parking

B. Alternatively parking facilities may reduce the paved length of a parking space to sixteen (16) feet, if wheel stops are provided and a minimum of two (2) feet of planting or turf is installed at the front end of each parking space (see Figures 4.3 and 4.4)

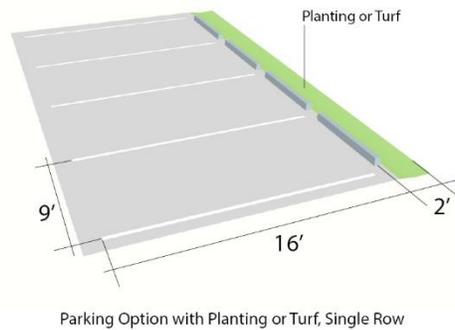


Figure 4.3: Parking with Turf or Planting, Single Row

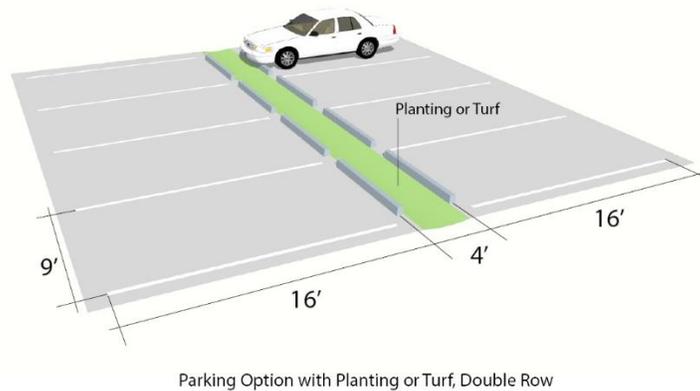


Figure 4.4: Parking with Planting or Turf, Double Row

4.3.2. Surfacing

- A. Except as provided below, where parking facilities or any other vehicular use area are provided, they shall be surfaced with pervious concrete, pervious asphalt, porous pavers, asphalt bituminous, concrete or other dust free material approved by the Zoning Regulatory Administrator, and shall be maintained in a smooth, well-graded condition.
- B. Driveways, parking areas for heavy equipment and loading zones may be paved with impervious surfacing materials like conventional concrete and asphalt.
- C. Where an existing tree is adjacent to parking paver bricks or other pervious surface shall be used within the dripline of the tree. No parking shall be located closer than five (5) feet from the trunk of an existing tree.

4.3.3. Setback

- A. In the event any parking abuts a walkway, sidewalk or street, the parking shall be separated by curbing or other protective device with a minimum distance of 2.5 feet between the protective device and the edge of the walkway or sidewalk, and 10 feet between the protective device and the street right-of-way.
- B. All parking shall be separated from buildings by a minimum distance of three (3) feet.

4.3.4. Striping

All parking areas shall be striped to designate parking spaces.

4.3.5. Non-Conforming Parking Lots

Non-conforming parking lots shall be brought in compliance with the requirements of this section when any one (1) of the following occurs:

- A. A new principal building is constructed.
- B. A building addition is constructed that expands the building footprint by thirty percent (30%) or more.
- C. Over fifty percent (50%) of the total area of an existing parking lot is reconstructed.
- D. An existing parking lot under ten-thousand (10,000) square feet in area is expanded by fifty percent (50%) or more in total surface area.
- E. An existing parking lot over ten-thousand (10,000) square feet in area is expanded by twenty-five percent (25%) or more in total surface area.

4.4. Loading

- A. On-site loading zones shall be located behind the front building line.
- B. Loading bays shall not face Paul Maillard Road.

4.5. Generally.

The landscaping requirements listed in Section VIII. D of The St. Charles Parish Zoning Ordinance of 1981, shall apply for any planting standards that are not provided in this section.

5. Screening and Fencing

5.1. Yard Fencing

- A. Along interior side and rear lot lines a fence may be erected in compliance with the following requirements.
 - i. The fence shall not exceed eight (8) feet in height.
 - ii. Wood fences, ornamental fences, or fences of substantially similar appearance are allowed.
 - iii. Chain link security fencing may be established in side and rear yards that do not face a street if located behind the front building line and provided that barbed and razor wire shall not be permitted.
- B. Front yards shall not be fenced, except an ornamental fence not taller than four (4) feet measured from sidewalk elevation may be used to enclose allowed customer areas along street frontages.
- C. Fences facing streets shall be constructed of wrought or cast metal or a similar durable material approved by the Planning and Zoning Director, and may include a masonry wall a maximum height of two and one-half (2.5) feet.

5.2. Dumpsters and Recycling Containers

- A. Dumpsters and Recycling Containers shall be fully enclosed on three (3) sides by a solid fence, a masonry wall, or principal structure wall seven (7) feet in height. The enclosure shall be gated.
- B. The materials used for screening, including the enclosure, shall complement the architecture of the principal building.
- C. Any restaurant shall not store trash, prepare food, or locate service uses in a rear or interior side yard that abuts a residential use.
- D. Dumpsters shall be located behind the front building line, or the side building line on a corner lot.

5.3. Loading Berths

Loading berths shall be screened by a masonry wall or a solid fence at least eight (8) feet in height.

5.4. Utilities

- A. Above-ground public utilities with the exception of utility poles shall be screened by a continuous hedge of no less than three (3) feet in height if surrounded by at least three (3) feet of exposed soil or grass. A setback of no less than one and one-half (1.5) feet must be provided around the equipment to allow for proper operation and maintenance of the equipment.
- B. Mechanical equipment. Mechanical equipment, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened from view at the front property line, and side property line on the corner side if a corner lot. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.

6. Signs

6.1. Generally.

The General Sign Regulations of Section XXI – Sign Regulations of the St. Charles Parish Zoning Ordinance of 1981 shall apply for any standards that are not provided in this section.

6.2. Sign Standards.

Signs shall be established in accordance with the standards stated in this section

SIGN STANDARDS						
Type	Maximum Area	Maximum Height	Maximum Extension from the Wall	Position	Maximum Allowed Number	Allowed in Zone
Wall Sign	1 sf per each linear ft of business frontage; not to exceed 32 sf	n/a	4 ft	8 ft above ground or higher	1 per unit	A, B
Awning & Canopy Sign	20 sf, not to exceed 40% of the total face area; vertical height not to exceed 5 ft	Not to exceed ground floor height	3 ft	8 ft above ground or higher	1 per unit	A, B
Free Standing Sign	1 sf per each linear ft of building frontage, not to exceed 40 sf; vertical height not to exceed 5 ft	15 ft	n/a	10 feet from Right of Way; placed in a landscaped area of 20sf or larger	1 per site, if building setback is larger than 25 ft.	B
Hanging Sign	6 sf; 3 ft length	n/a	n/a	8 ft above ground or higher; within 2 ft of the front entrance	1 per unit	A, B
Residential Entrance Sign	40 sf, vertical height not to exceed 5 ft	12 ft	n/a	Landscaped area	1 per 50 dwellings	A, B
Sandwich Board	6 sf double sided	n/a	n/a	Within 5 ft of the front entrance	1 per business	A, B
Address & Building Name	8 sf	n/a	n/a	n/a	1 per address	A, B
Directional Sign	4 sf for freestanding signs; 10 sf on building walls	6ft	n/a	n/a	2 per access point	A, B
Window Sign	10% of window area	n/a	n/a	n/a	n/a	A, B

Table 7.1: Sign Standards

6.3. Determination of Sign Area

- A. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure against which it is mounted. Sign area does not include any supports or bracing.
- B. For signs consisting of freestanding letters or logos, the sign area is calculated as the total area of each square, circle, rectangle, or triangle, or combination thereof that encompasses each individual letter or logo. Sign area does not include any supports or bracing.
- C. For freestanding signs, height is calculated as the vertical distance measured from the grade of the site where the sign is to be installed or the grade of the roadway, whichever is higher, to the highest point of the sign. Grade is considered the lower of the existing grade prior to construction or the newly established grade after construction.

6.4. Murals

Upon approval of the Planning and Zoning Director, murals may be allowed on building walls and masonry fences or enclosures subject to the following criteria:

- A. Any portion of a painted or applied sign containing advertising, commercial messages, or logos shall not be considered a mural but a wall sign.
- B. The area of a mural shall not be included in the computation of total sign area.
- C. A mural shall not extend more than six (6) inches from the surface on which it is applied, shall not extend beyond the height of the structure on which it is applied, and shall not include moving or protruding elements.
- D. Murals must be applied in a durable material or paint finish that can withstand five (5) years of regular wear and weathering.

6.5. Bulletin Boards

Bulletin boards limited to twelve (12) square feet in area or less are allowed on public, charitable, or religious institutions.

6.6. Prohibited Signs

All other sign types, including, but not limited to, off-premise advertising signs and projector, animated, or electronic variable message signs are prohibited.

6.7. Illumination

- A. A wall, projecting, hanging, or window sign may be illuminated internally.
- B. All signs may be illuminated externally except that a sign shall not be illuminated both internally and externally.
- C. Illumination shall not be aimed, directed or reflected, focused, or mounted to cause direct light from the luminaire to be directed toward residential uses or adjoining uses, or to create up light, spill light, or glare perceptible to persons operating motor vehicles on public ways.
- D. Illumination of the sign face shall not exceed fifty (50) lumens per square foot and flashing, blinking, or scintillating lights are prohibited.

6.8. Abandoned Signs

- A. An abandoned sign is one in which the business has moved or changed name or type of business such that the sign information is no longer relevant.

- B. The entire structure must be removed within six (6) months of being abandoned.
- C. The face of the sign must be removed or covered within one (1) month after termination of the use.

6.9. Non-conforming Signs

- A. Where a sign is nonconforming, the sign and its supporting structure shall be removed or otherwise modified to conform to the provisions of this section by *(Insert date 3 years after adoption of the code)*, or within eight (8) years after its initial construction, whichever is later.
- B. Prior to *(Insert date 3 years after adoption of the code)*, or the end of the eight (8) year period as defined in paragraph C, the owner of a nonconforming sign other than a freestanding sign may submit a written request to the St. Charles Planning and Zoning Commission for an extension of eight (8) months, *(Insert date 3 years and 8 months after adoption of the code)*, to come into compliance with the provisions of this Title. The written request must explain how the nonconformities will be resolved within the extension period.

7. Outdoor Lighting

- A. Outdoor illumination of any building, seating area, plaza, courtyard, planting, or similar purpose shall not be aimed, directed or reflected, focused, or mounted to cause direct light from the luminaire to be directed toward residential uses, or to create up light, spill light, or glare perceptible to persons operating motor vehicles on public ways.
- B. The installation of any mercury-vapor fixture or lamp for use as outdoor lighting is prohibited.

8. Use Standards

A residential use is subject to the following limitations: The conversion to residential use of the upper floors or a ground floor portion of a non-residential building meeting the standards of this section shall comply with the minimum unit size standards of eight-hundred fifty (850) square feet per dwelling unit.

9. Development Credits

9.1 Any development within the PMOD that invests in the following improvements according to the adopted St. Charles Parish Paul Maillard Road Complete Streets Plan are eligible for development credits as described below.

- A. Contributing to a Parish fund to reconstruct drainage ditches along Paul Maillard Road into covered drainage pipes
- B. Planting street trees within the right-of-way on the condition that the species, sizes, and locations are approved by the Planning and Zoning Director with no objection from LaDOTD or St. Charles Parish Public Works Director (whichever applies)
- C. Contributing to a Parish fund to plant street trees within the right-of-way
- D. Constructing sidewalks within the right-of-way according to Parish standards and with no objection from LaDOTD or St. Charles Parish Public Works Director (whichever applies)
- E. Contributing to a Parish fund to construct sidewalks within the right-of-way

9.2 Development Credits

- A. Reduced parking requirements up to 15%

- B. Increased building square footage up to 15%
- C. Reduced frontage transparency by 5%
- D. Signage area increased by 15%

2015-

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances, Appendix A., Zoning Ordinance of 1981, Section III. Definitions, to eliminate a conflicting diagram and correct a typographical error.

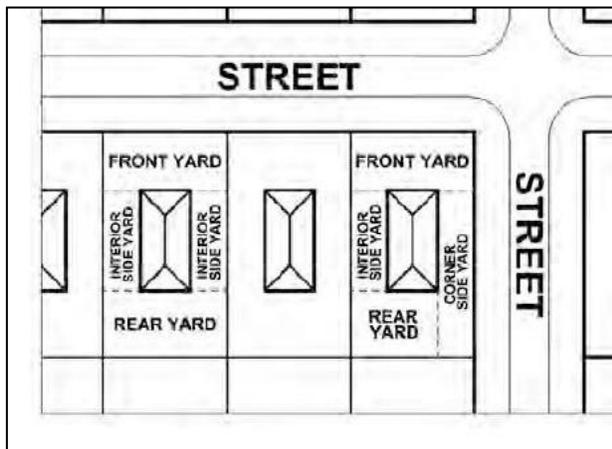
WHEREAS, The St. Charles Parish Zoning Ordinance of 1981 was recently amended as part of a comprehensive update; and,

WHEREAS, a diagram included in the amendments appears to conflict with one or more definitions; and

WHEREAS, it is the desire of the St. Charles Parish Council to correct the error by amending the code as indicated below.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix A, Section III, Definitions is amended to delete the diagram shown below:



SECTION II. That the Code of Ordinances, Appendix A, Section III, Definitions, is amended to delete the words shown in strikethrough and add words shown in bold as follows:

Yard: The area of a lot surrounding the principal building or buildings.

Yard, front: The area between ~~the a~~ front lot line and ~~the front~~ a wall of the principal building.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this ____ day of _____, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2015-

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix A., Zoning Ordinance of 1981, Section VIII. A.5.c to clarify a 19' length for handicap parking stalls and Section VIII B and to delete a typographical error.

WHEREAS, The St. Charles Parish Zoning Ordinance of 1981 was recently amended as part of a comprehensive update; and,

WHEREAS, typographical errors were made regarding the length of handicap accessible parking stalls and also in the parking lot standards heading; and,

WHEREAS, it is the desire of the St. Charles Parish Council to correct the errors by amending the code as indicated below

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix A, Section VIII. A.5.c, minimum area for handicap parking, is amended to delete the words shown in ~~strikethrough~~ as follows:

Handicapped Parking shall be an area not less than twelve (12) feet in width and ~~twenty (20)~~ nineteen (19) feet in length.

SECTION II. That the Code of Ordinances, Appendix A, Section VIII. B is amended to delete the words shown in ~~strikethrough~~ and add words shown in **bold** as follows:

~~Commercial/Industrial~~ Parking **Lot** Standards

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2015-

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix A, Zoning Ordinance of 1981, Section VIII. C 1., Off-Street Loading Facilities, to clarify the applicability of the standards

WHEREAS, The St. Charles Parish Zoning Ordinance of 1981 was recently amended as part of a comprehensive update; and,

WHEREAS, the language describing what types of buildings require off-street loading facilities in item C.1 does not align directly with the use types listed in Table 8-3; and,

WHEREAS, it is the desire of the St. Charles Parish Council to clarify the section by amending the code as indicated below:

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix A, Section VIII.C.1 is amended to delete the words shown in ~~strike through~~ and add words shown in **bold** as follows:

Whenever a ~~non-residential~~ building **other than a one or two family residence** is erected, altered, enlarged, converted, or otherwise increased in size or capacity, the off-street loading facilities herein required shall be provided for uses that distribute or receive materials or merchandise by trucks or other commercial vehicles in accordance with Table 8.3.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2015-

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix A, Zoning Ordinance of 1981, Section XIV, Amendments item B. 1-3, to correct typographical errors and item C 1. to delete a conflicting sentence.

WHEREAS, The St. Charles Parish Zoning Ordinance of 1981 was recently amended as part of a comprehensive update; and,

WHEREAS, typographical errors exist in the amendment adopted in Section XIV. B. 1-3 and C. 1; and,

WHEREAS, it is the desire of the St. Charles Parish Council to correct the error by amending the code as indicated below:

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix A, Section XIV. B is amended to delete the words and punctuation shown in ~~strikethrough~~ and add the words shown in **bold** as follows:

1. Request for Text or Map Amendment by a member of the Parish Council;
2. Recommendation of the Planning and Zoning Department through the Parish President; ~~and~~
3. Application for Map Amendment by property owners-

SECTION II. That the Code of Ordinances, Appendix A, Section XIV. C.1 is amended to delete the words and period shown in ~~strikethrough~~ and add the words shown in **bold** as follows:

Applications for rezoning may be submitted for any lot(s) by the ownership of said lot(s). ~~Applications for rezoning may be submitted by a member of the St. Charles Parish Council for any lot(s) within the area they represent.~~ No such application for rezoning shall be filed unless such ~~petition~~ **application** is duly signed and acknowledged by the owners or authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested-, provided, however, that, where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty (50) percent area provision.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____