

**ST. CHARLES PARISH  
PLANNING BOARD OF COMMISSIONERS  
February 2, 2023  
6:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

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- 1     **2023-01-HOP** requested by **Sean Holmes** for a home occupation – “Bayou Outlaw Armory, LLC” – at **152 Pleasant Valley Drive, Des Allemands**. Council District 4. **Requires Planning Commission approval.**
  
- 5     **2023-02-HOP** requested by **Diane Sadoughi** for a home occupation – “Diane’s Nursing Education Company, LLC” – at **210 Villere Drive, Destrehan**. Council District 3. **Requires Planning Commission approval.**
  
- 9     **2022-18-SPU** requested by **Hamad Ayyad** for minor automotive repair in a C-2 zoning district at **12139 U.S. Highway 90, Luling**. Council District 7. **Requires Planning Commission approval.**
  
- 18    **2023-01-ORD** requested by **La Sandra Darensbourg Gordon**, councilwoman, District 1, for an Ordinance to amend the Zoning Ordinance of 1981 to provide regulations for solar energy systems. **Requires Planning Commission approval and Council consideration.**

**UNFINISHED BUSINESS-  
NEW BUSINESS-  
MINUTES –  
ADJOURN-**



## Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-1-HOP

### APPLICATION INFORMATION

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>▪ <b>Applicant / Business Location</b><br/>Sean M. Holmes<br/>152 Pleasant Valley Drive<br/>Des Allemands, LA 70030<br/>985.662.9875<br/>seanholmes110@hotmail.com</li></ul> | <ul style="list-style-type: none"><li>▪ <b>Property Owner</b><br/>Sean M. Holmes<br/>152 Pleasant Valley Drive<br/>Des Allemands, LA 70030<br/>985.662.9875<br/>seanholmes110@hotmail.com</li></ul> |
|--|---|

### BUSINESS INFORMATION

- **Name & Description**  
Bayou Outlaw Armory, LLC – manufacture, sale, and transfer of firearms and ammunition.
- **Licensing & Permits**  
Federal Firearms License (FFL)
- **Vehicles & Equipment**  
The applicant uses a personal vehicle for business purposes.

### SITE INFORMATION

- **Current Use**  
Single-family house
- **Surrounding Zoning & Uses**  
R-1A; the house is located in a developing residential subdivision consisting of site-built single-family houses and vacant lots.
- **Traffic Access & Parking**  
The house is developed with a driveway which can accommodate the required parking for the residence along with anyone visiting for business purposes.
- **Utilities**  
Standard utilities serve the site.

### 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 five (5) 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 a commercial capacity in the home where the occupational license is held, 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.

<b>FINDINGS</b>
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The applicant has applied to permit and domicile Bayou Outlaw Armory, LLC at their residence. The applicant has indicated that he will conduct firearms transfers at the residence.

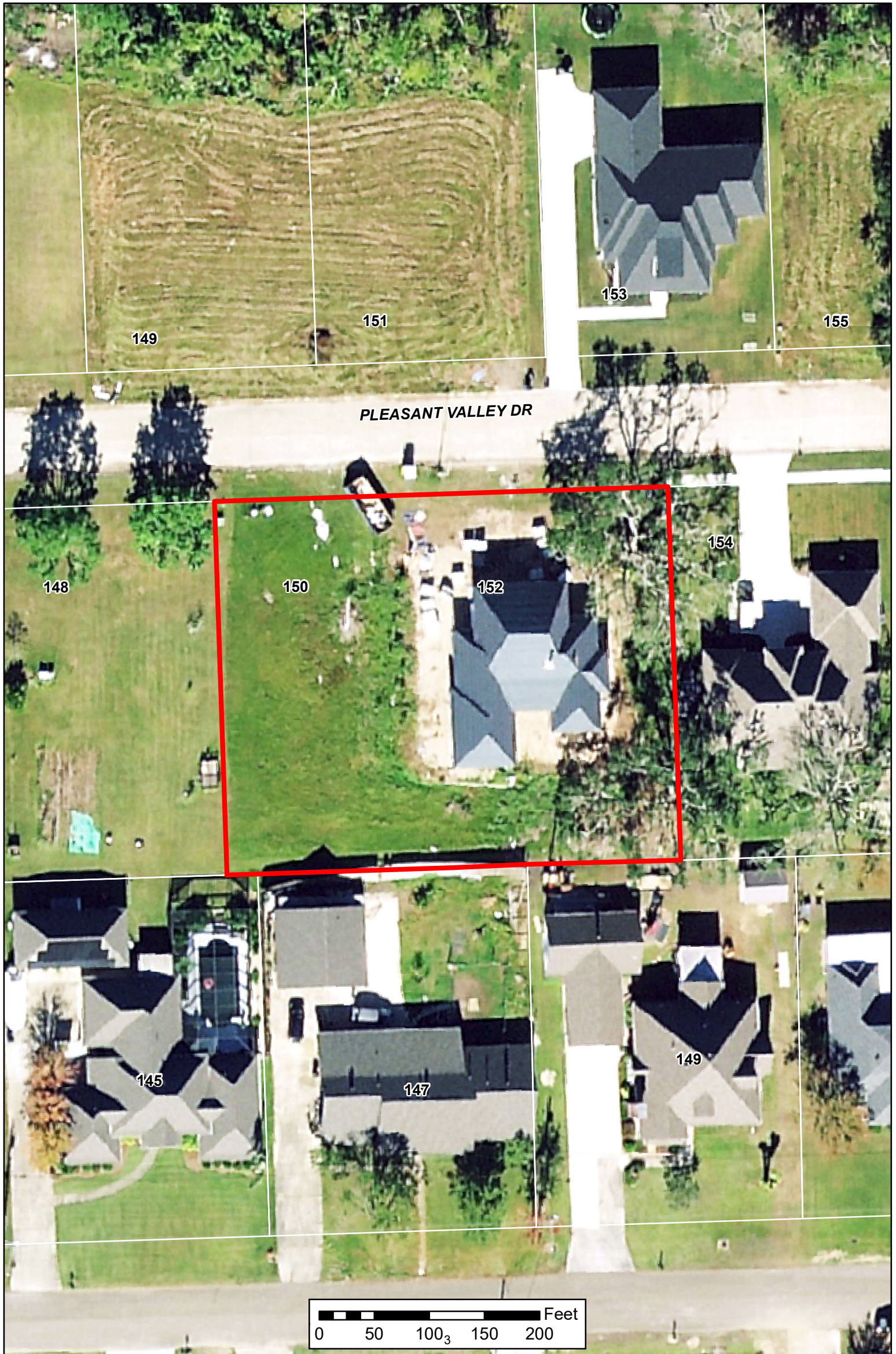
The request appears before the Planning and Zoning Commission because it requires a Federal Firearms License (FFL) from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Neither the FFL nor the operational regulations for home occupations prohibit customers visiting the residence.

As the applicant describes the business and associated activities, it complies with operational regulations for home occupations. No complaints or violations are on file.

<b>DEPARTMENT RECOMMENDATION</b>
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**Staff recommends approval subject to the following stipulations:**

**The applicant must submit a copy of the Federal Firearms License (FFL) to the Department of Planning and Zoning in order to obtain a permanent certificate of occupancy for the business.**





**St. Charles Parish**  
**Department of Planning & Zoning**  
 14996 River Rd / P.O. Box 302 • Hahnville, LA 70057  
 Phone (985) 783-5060 • Fax (985) 783-6447  
 www.stcharlesparish-la.gov

Permit/Case #: 2023-1-HOP  
 Receipt #: \_\_\_\_\_  
 Application Date: \_\_\_\_\_  
 Zoning District: \_\_\_\_\_  
 FLUM Designation: \_\_\_\_\_  
 Date Posted: \_\_\_\_\_

**APPLICATION FOR HOME OCCUPATION PERMIT**

Administrative: \$25  
 State or Federal Permits/Licenses Required: \$200

**Home Occupation:** A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.

Applicant: Sean M. Holmes  
 Home address: 152 Pleasant Valley Drive, Des Allemands L.A., 70030

Mailing address (if different): \_\_\_\_\_  
 Phone: (985) 662-9875 Email: seanholmes110@hotmail.com

Property owner: Sean M. Holmes  
 Name of proposed business: Bayou Outlaw Armory, LLC

Are state or federal permits/licenses required for your proposed business?  YES  NO

If yes, please list the agency/office involved: Bureau of Alcohol, Tobacco, Firearms and Explosives.

Description of proposed business/business-related activities: Manufacture / Sale / transfer Firearm and ammunitions.

How many people will be employed by the proposed business? 1

Please list all vehicles/trailers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied. None

What materials and equipment will be used in the proposed business? Where will these items be stored?  
Firearm related parts and ammunition boxes. Firearms will be stored in safe locked up and secure. ~~amm~~ Ammunition will be stored next to safe on a shelving unit in my homes study. Basic Hand tools will be used.

**If the applicant does not own the property, the property owner(s) must sign and notarize below to indicate their approval/understanding of the proposed business.**

\_\_\_\_\_  
 (Property owner - Signature) (Date)  
 \_\_\_\_\_  
 (Property owner - Print Name)  
 \_\_\_\_\_  
 (Notary signature & seal) (Date)



## Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-2-HOP

### APPLICATION INFORMATION

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>▪ <b>Applicant / Business Location</b><br/>Diane Sadoughi<br/>210 Villere Drive<br/>Destrehan, LA 70047<br/>909.720.6169<br/>dianesadoughi@gmail.com</li></ul> | <ul style="list-style-type: none"><li>▪ <b>Property Owner</b><br/>Diane Sadoughi<br/>210 Villere Drive<br/>Destrehan, LA 70047<br/>909.720.6169<br/>dianesadoughi@gmail.com</li></ul> |
|--|---|

### BUSINESS INFORMATION

- **Name & Description**  
Diane's Nursing Education Company, LLC – online based continuing education for Registered Nurses
- **Licensing & Permits**  
Louisiana State Board of Nursing – Approved Provider
- **Vehicles & Equipment**  
The applicant uses a personal vehicle for business purposes.

### SITE INFORMATION

- **Current Use**  
Single-family house
- **Surrounding Zoning & Uses**  
R-1B; the house is located in a developed residential subdivision consisting of site-built single-family houses.
- **Traffic Access & Parking**  
The house is developed with a driveway providing access to Villere Drive.
- **Utilities**  
Standard utilities serve the site.

### 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 five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
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  - 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

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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 a commercial capacity in the home where the occupational license is held, 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.

<b>FINDINGS</b>
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The applicant has applied to permit Diane’s Nursing Education Company, LLC at her residence located at 210 Villere Drive in Destrehan. The request comes before the Planning Commission due to requiring approval of the Louisiana State Board of Nursing.

The business as described by the applicant complies with operational regulations for home occupations.

No complaints or violations are on file for the property or the business owner.

<b>DEPARTMENT RECOMMENDATION</b>
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**Approval**

2023-2-HOP  
Diane's Nursing Education







St. Charles Parish
Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
Phone (985) 783-5060 • Fax (985) 783-6447
www.stcharlesparish-la.gov

Permit/Case #: 2023-2-140P
Receipt #: 10070517
Application Date:
Zoning District:
FLUM Designation:
Date Posted:

APPLICATION FOR HOME OCCUPATION PERMIT

Administrative: \$25
State or Federal Permits/Licenses Required: \$200

Home Occupation: A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.

Applicant: Diane Sadoughi
Home address: 210 Villere Drive, Destrehan, LA 70047

Mailing address (if different):
Phone: (909) 720-6169 Email: dianesadoughi@gmail.com

Property owner: Diane & John Sadoughi
Name of proposed business: Diane's Nursing Education Company LLC

Are state or federal permits/licenses required for your proposed business? YES NO

If yes, please list the agency/office involved: I have my RN license with the LA Board of Nursing. I am in process of becoming an approved CE Provider with ANCC\* Nursing.

Description of proposed business/business-related activities: I will provide continuing education units to registered nurses. RN's are required to have CEUs to renew their licenses. I will provide education primarily online

How many people will be employed by the proposed business? 1 - myself

Please list all vehicles/trailers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied.

n/a

What materials and equipment will be used in the proposed business? Where will these items be stored? computer & microphone will be stored in my home office at 210 Villere Drive, Destrehan, LA 70047

If the applicant does not own the property, the property owner(s) must sign and notarize below to indicate their approval/understanding of the proposed business.

(Property owner - Signature) (Date)

(Property owner - Print Name)

(Notary signature & seal) (Date)

\*ANCC is the American Nurses Credentialing Center.



## Department of Planning & Zoning Staff Report – Special Permit Use Case No. 2022-18-SPU

### APPLICATION INFORMATION

- **Applicant**  
Hamad Ayyad  
4428 Herrmann St.  
Metairie, LA 70006  
504.478.7605  
hamad.ayyad1987@gmail.com
- **Property Owner**  
Paul Newman  
4860 Roswell Mill Drive  
Johns Creek, GA 30022  
404.307.2782  
paul.newman@mindspring.com
- **Request**  
Minor Automotive Repair (tire shop) in C-2 zoning

### SITE INFORMATION

- **Location**  
12139 Highway 90, Luling
- **Size of Site**  
21,490 sq. ft. with 175 ft. frontage on US Hwy 90 and 150 ft. frontage on Lakewood Drive.
- **Current Zoning and Land Use**  
The site is zoned C-2, General Commercial and is developed with a gas station and associated convenience store.
- **Surrounding Zoning and Land Use**  
C-2 zoning is adjacent to the rear and Bank Street side. R-3 zoning is located to the Lakewood Drive side.

This is a developed commercial area of Highway 90, with commercial sites adjacent to the rear and Bank Street side. The West Regional Library is located across Lakewood Drive.

- **Future Land Use Recommendation**  
*Commercial:* This category includes single-use commercial, retail, office and service uses. Commercial areas should seek to strengthen existing retail and service uses, encourage the introduction of new uses, and introduce complimentary adjoining uses such as public facilities and moderate-density residential, to reinforce the retail base and support the continued health of these uses. Commercial uses must be consistent with the surrounding area and compatible with adjacent uses.
- **Traffic Access**  
The site has frontage on Highway 90 and Lakewood Drive, where driveway access is provided.
- **Utilities**  
Standard utilities serve the site.

### APPLICABLE REGULATIONS

#### Appendix A. Section VI. – Zoning District Criteria and Regulations

[III.] 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.
    - (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.
- (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.
- (17) Other uses of similar intensity.
- (18) Mini-storage facilities (limited to one-story construction in C-2 district).
- (19) Historic home site bed and breakfast.
- 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.
- 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) Automobile sales and minor automotive 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.
- 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.
    - (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.
- 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.

**Appendix A. Section IV.**

A. *Evaluation Criteria* – those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
  - a. Required yards and open space
  - b. Ingress and egress to property
  - c. Parking and loading areas
  - d. Location of garbage facilities
  - e. Landscaping, buffering, and screening
  - f. Signage
  - g. Height and bulk of structures
  - h. Location and direction of site lighting

<b>SPU CRITERIA COMPLIANCE</b>
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The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The site is designated as Commercial on the Parish’s Future Land Use Map. Minor automotive repair is consistent with the Commercial Future Land Use designation and the Comprehensive Plan. **Complies**
2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* The tire shop is proposed as part of an existing gas station which is located in a developed commercial area bounded by Highway 90 and Lakewood Drive. The existing commercial site is compatible with the area, including a carwash adjacent to the rear and an unoccupied commercial building adjacent to the Bank Street side. **Complies**
3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The existing gas station has a convenience store consisting of approximately 1,600 sq. ft., requiring seven (7) parking spaces based on a rate of one (1) space per 250 sq. ft. The tire shop would fall under automotive repair, requiring parking at a rate of one (1) for every 200 sq. ft. of floor space. At approximately 700 sq. ft., the tire shop requires four (4) additional spaces. Twelve (12) parking spaces are required between both uses, and twelve (12) were identified on-site, not including those areas adjacent to the fuel pumps. No changes to the existing site lighting are proposed as part of this request. **Complies**
4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* The tire shop is proposed within an approximately 700 sq. ft. portion of an existing gas station. This use is not expected to exceed the impacts of other uses permitted by right in the C-2 district, which includes appliance repair shops consisting of up to 2,500 sq. ft. in floor area. **Complies**
5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The site is already developed and additional hazards and impacts are not expected from the proposed tire shop. **Complies**
6. *A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:*
  - a. *Required yards and open space.* No improvements are proposed affecting the existing building footprint, which meets the setbacks of the C-2 zoning district. **Complies**
  - b. *Ingress and egress to property.* The tire shop will utilize the existing driveways providing ingress/egress to the gas station from both Highway 90 and Lakewood Drive. **Complies**
  - c. *Parking and loading areas.* The required parking between the existing gas station convenience store and the proposed tire shop is present. This is detailed further under item 3 above. **Complies**

- d. *Location of garbage facilities.* The existing gas station uses a dumpster contained within a fenced enclosure. Waste tires produced as part of the tire shop must be disposed of in compliance with State statutes. **Complies**
- e. *Landscaping, buffering, and screening.* No additional landscaping required or proposed. **N/A**
- f. *Signage.* Additional signage is not proposed as part of this request. Any new signage would be reviewed as part of a sign permit application. **N/A**
- g. *Height and bulk of structures.* The use is proposed within an existing building on a developed site. No improvements are proposed which would affect the height and bulk of the structure. **Complies**
- h. *Location and direction of site lighting.* The site is developed and no changes to existing site lighting are proposed. **Complies**

<b>ANALYSIS</b>
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The applicant requests a special permit for minor automotive repair, specifically a tire shop at 12139 Highway 90, Luling. The shop is proposed within an approximately 700 sq. ft. portion of an existing gas station.

The department has found the request meets the majority of the review criteria as detailed in the previous section. A tire shop conforms with what is a developed commercial area on Highway 90 and no significant improvements are proposed or required for the addition of this use.

<b>DEPARTMENT RECOMMENDATION</b>
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**Staff recommends approval based on the following stipulations:**

- **Parking and vehicular circulation areas must be maintained in a clean, orderly, and dust-free condition at the expense of the owner or lessee.**
- **Activities related to the tire shop must be confined to the area specified on the submitted site-plan.**
- **All tires and other equipment related to the operation of the tire shop must be stored within the building designated for the tire shop. Open storage is not permitted in C-2.**

12/27/22



**St. Charles Parish**  
**Department of Planning & Zoning**  
14996 River Rd / P.O. Box 302 • Hahnville, LA 70057  
Phone (985) 783-5060 • Fax (985) 783-6447  
www.stcharlesparish-la.gov

Permit/Case #:	2022-18-56 V
Receipt #:	10041259
Application Date:	1/3/23
Zoning District:	C-2
FLUM Designation:	
Date Posted:	

**APPLICATION FOR SPECIAL PERMIT USE**

Fee: \$50

**Special Permit Use:** Those building or land uses requiring in-depth review and analysis by the Planning and Zoning Department and approval of the Planning Commission and/or the Parish Council when required by the Zoning Ordinance.

Applicant: Hamad Ayyad

Home address: 4428 Herrmann<sup>st</sup> Metairie LA, 70006

Mailing address (if different): \_\_\_\_\_

Phone: (504)-478-7605 Email: hamad.Ayyad1987@gmail.com

Property owner: JSN PROPERTIES LLC

Municipal address of property: 12139 US-90, Luling, LA 70070

General location or legal description (if no address has been assigned):  
PARCEL # 752800C000CR

Present use of property and existing structures: used tire shop

Contemplated use of property/reason for special permit use request: \_\_\_\_\_

I/we swear to be the sole owner(s) of the property described in this application for Special Permit Use; I/we endorse this application:

Paul Newman  
(Property owner)

\_\_\_\_\_  
(Property owner)

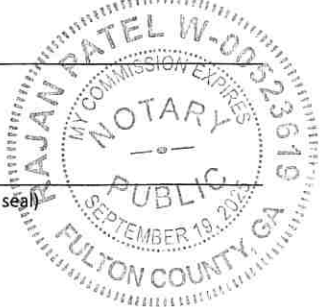
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(Property owner)

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(Property owner)

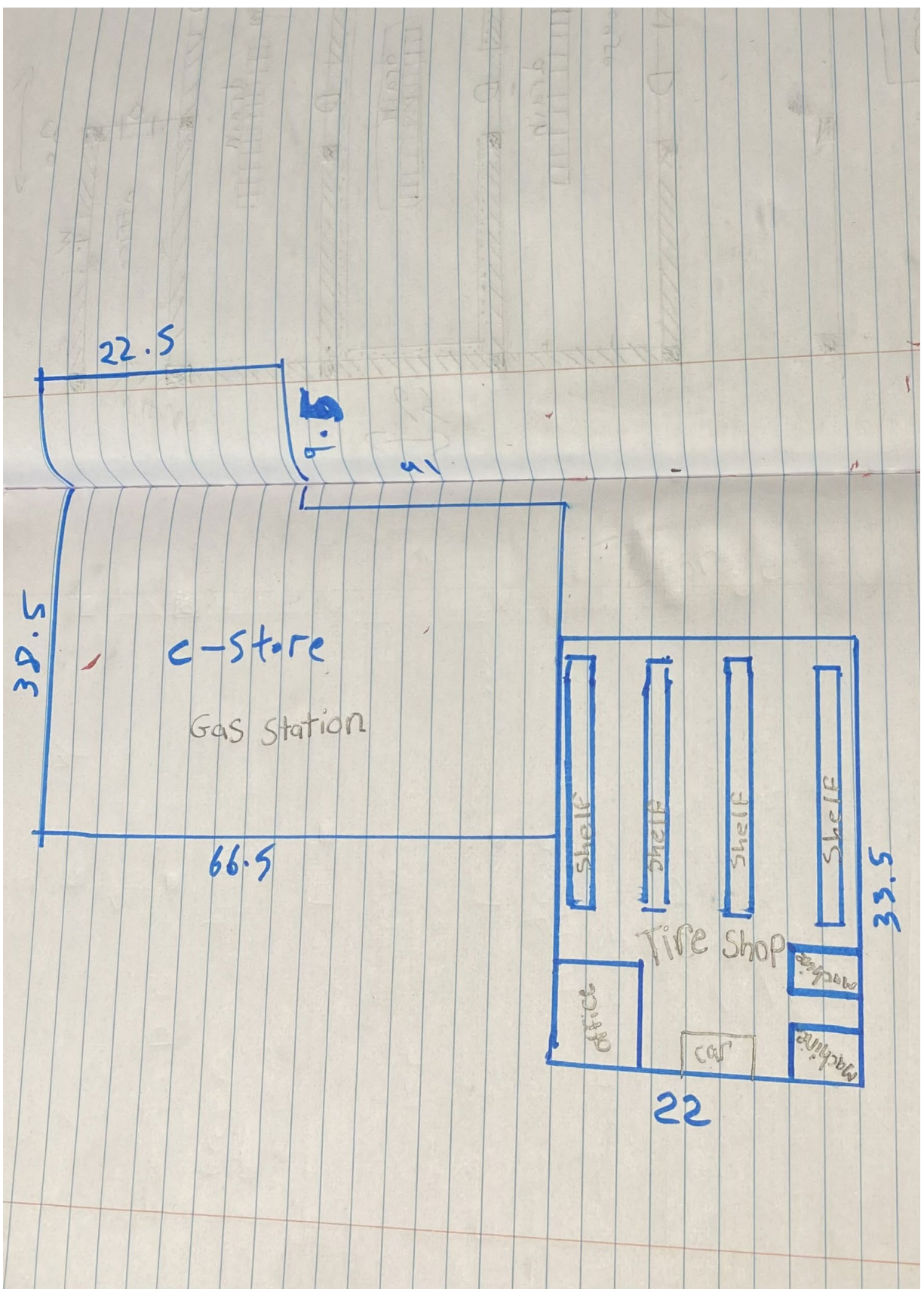
\_\_\_\_\_  
(Property owner)

\_\_\_\_\_  
(Property owner)

[Signature]  
(Notary signature & seal)



\_\_\_\_\_  
(Date)

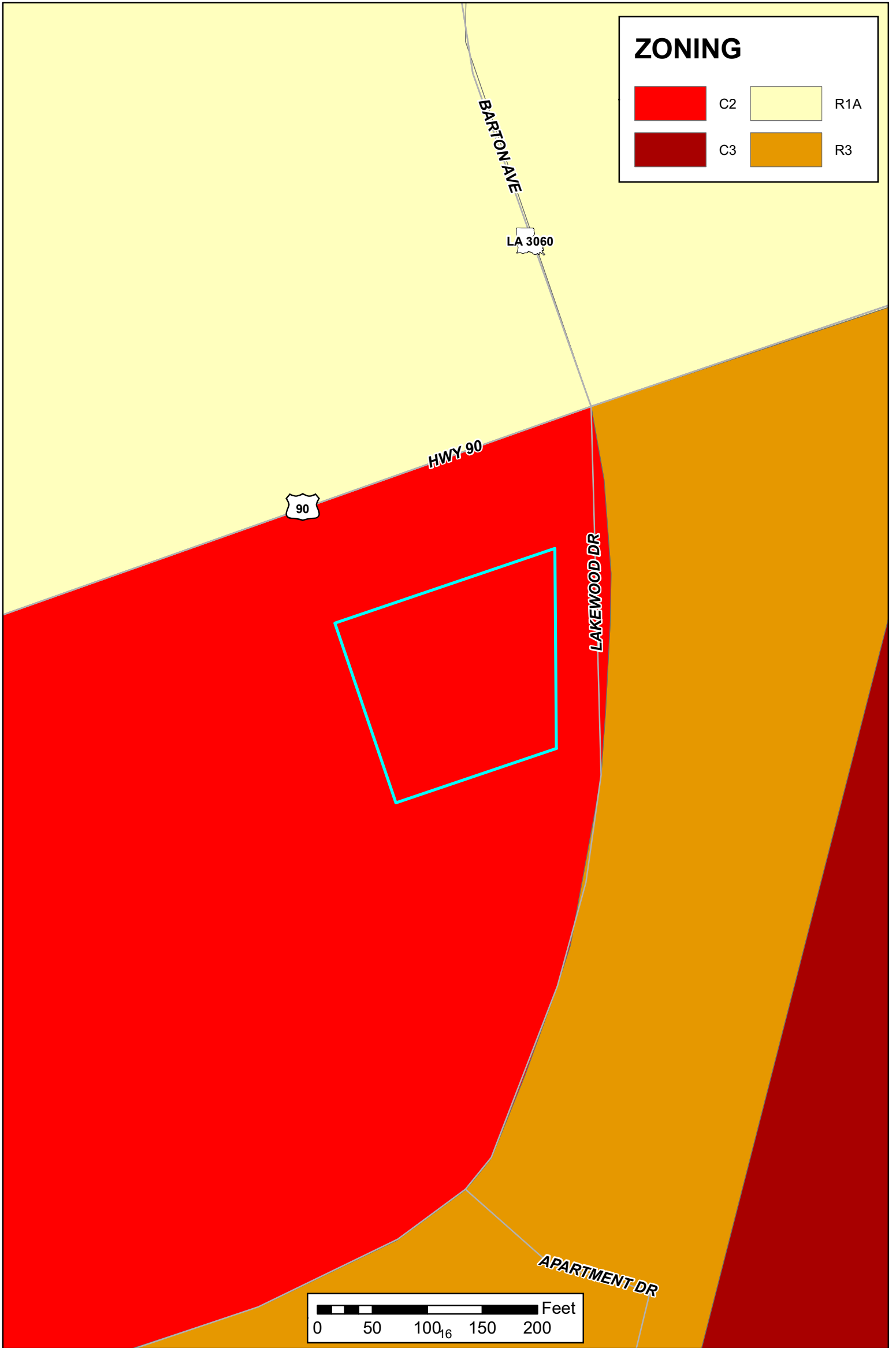


2022-18-SPU  
Hamad Ayyad  
Minor Automotive Repair in C-2

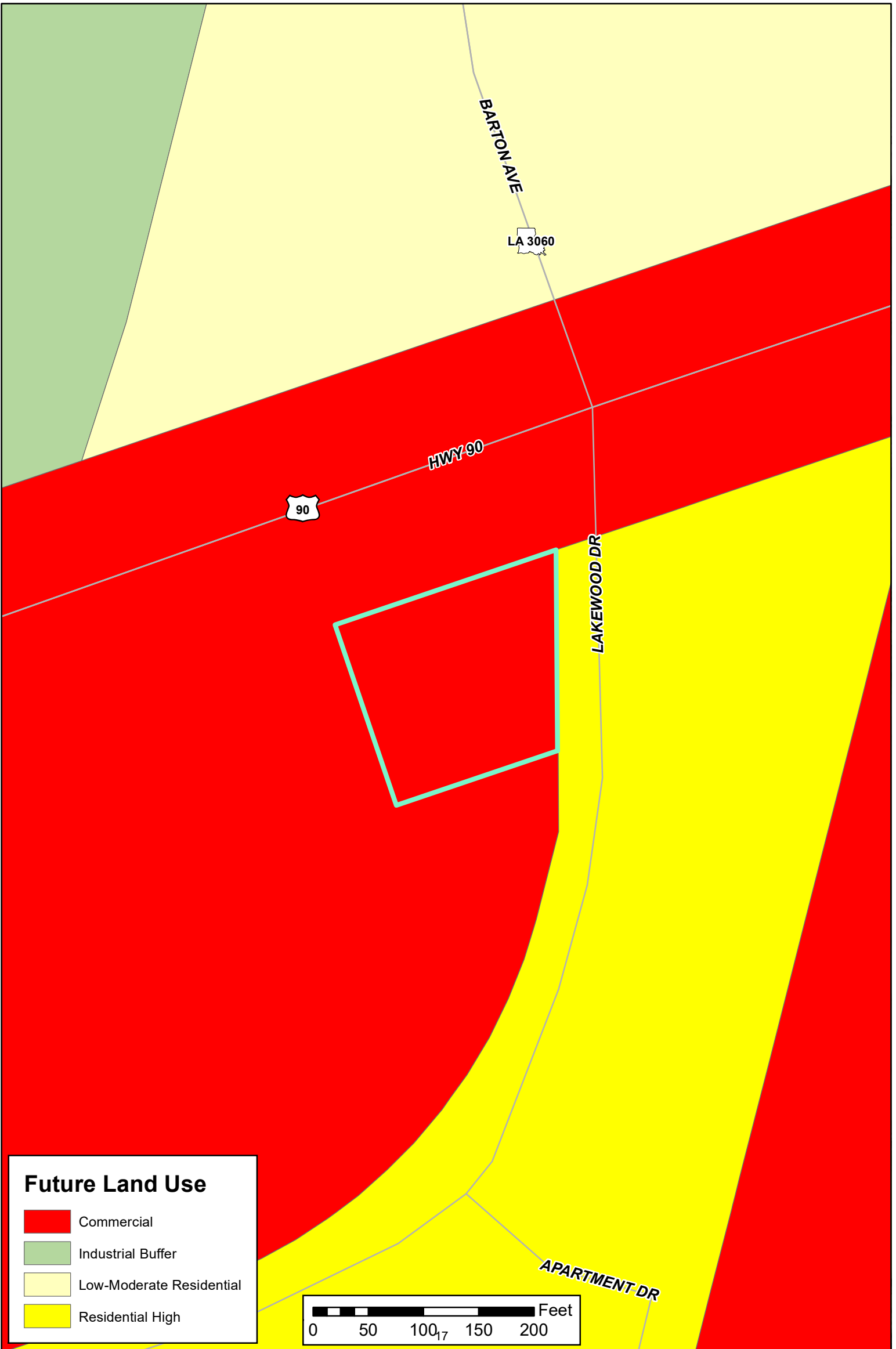




2022-18-SPU  
Hamad Ayyad  
Minor Automotive Repair in C-2



2022-18-SPU  
Hamad Ayyad  
Minor Automotive Repair in C-2





## Department of Planning & Zoning Staff Report – Text Amendment Case No. 2023-1-ORD

**Introduced by La Sandra Darensbourg Gordon  
Councilwoman, District 1**

An ordinance to amend Ordinance 81-10-6, the St. Charles Parish Zoning Ordinance of 1981, as amended, Section III; Section VI.A.[I.].1. c.; Section VI D.[I.].1.c.; Section VI.D.[II.].1.a.; and Section VII.1. to add definitions, specify permitted primary uses and accessory uses in appropriate Zoning Districts, and add supplemental use and performance regulations for Large Solar Energy Systems (LSES) and Small Solar Energy Systems (SSES) in order to regulate and promote renewable energy production.

### **BACKGROUND**

Per the U.S. Department of Energy, solar power generation makes up 3% of the nation's overall energy production. And data gathered by the U.S. Energy Information Administration indicates expansions in utility scale solar facilities will account for nearly half of all new U.S. energy generating capacity.

St. Charles Parish does not have regulations governing solar production facilities.

With the anticipated growth in solar energy production coupled with the identification of rural areas as suitable locations for utility scale solar energy production facilities, it is important to adopt regulations providing a path for the permitting of such facilities while ensuring they are appropriately located and designed to protect the health, safety, and welfare of Parish residents, businesses, and visitors.

In addition to utility-scale facilities, these regulations will also provide guidance for the addition of solar energy producing equipment at a smaller scale as accessories to primary uses.

### **POTENTIAL OUTCOMES**

St. Charles Parish will be better equipped to handle the growth expected from the solar energy producing sector.

Proposals for the development of both large and small scale solar energy production will have guidance as to where and how such facilities may be located, along with what will be expected as part of the review and permitting process.

Both large and small scale energy production facilities must meet regulations ensuring they are not detrimental to the health, safety, and welfare of St. Charles Parish residents, business, and visitors.

The adoption of the proposed regulations will work toward fulfilling Land Use Action 4.2 of the *St. Charles Parish 2030 Comprehensive Plan Update*:

- *Remove or adjust inadvertent impediments to sustainable development (e.g. existing restrictions on uses, or dimensional standards) that may prevent the use of renewable energy production technologies*

The adoption of the proposed regulations will expand St. Charles Parish's ability to address the needs of the Louisiana Climate Action Plan, 2022.

### **DEPARTMENT RECOMMENDATION**

**Approval**

**2023-**

**INTRODUCED BY: LA SANDRA DARENSBOURG GORDON, COUNCILWOMAN, DISTRICT 1**  
**ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend Ordinance 81-10-6, the St. Charles Parish Zoning Ordinance of 1981, as amended, Section III; Section VI.A.[I.].1. c.; Section VI D.[I.].1.c.; Section VI.D. [II.].1.a.; and Section VII.1. to add definitions, specify permitted primary uses and accessory uses in appropriate Zoning Districts, and add supplemental use and performance regulations for Large Solar Energy Systems (LSES) and Small Solar Energy Systems (SSES) in order to regulate and promote renewable energy production.

**WHEREAS,** the St. Charles Parish 2030 Comprehensive Plan, updated 12/1/2022, includes Land Use Action LU 4.2 “Remove or adjust inadvertent impediments to sustainable development (e.g. existing restrictions on uses, or dimensional standards) that may prevent the use of renewable energy production technologies...” (p. 55); and,

**WHEREAS,** the transition to clean energy through development of a clean, renewable, and resilient power grid has been identified in the Louisiana Climate Action Plan, 2022 as a strategy for achieving net zero emissions; and

**WHEREAS,** power generation by solar energy systems is an integral component of renewable electricity generation; and

**WHEREAS,** the St. Charles Parish Zoning Ordinance of 1981 currently lacks provisions specific to solar energy systems; and

**WHEREAS,** the St. Charles Parish Council wishes to protect the health, safety, and welfare of its residents, businesses, and visitors through the regulation and promotion of orderly development and use of land; and

**WHEREAS,** expanding appropriate permitted uses in suitable zoning districts promotes economic development; and

**WHEREAS,** the Planning and Zoning Department recommended approval of these amendments; and

**WHEREAS,** the Planning and Zoning Commission recommended \_\_\_\_\_ of these amendments at its regular meeting on February 2.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Code of Ordinances, Appendix A, Section III. Definitions is amended with new text underlined and deleted text in ~~strikethrough~~:

Solar Energy System, Large (LSES): A utility-scale facility that converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies, including any related cables, conduit, power switchyards, transmission lines, collection facilities, PV panel arrays, operation and maintenance (O&M) buildings, transformers, and related structures and uses necessary for their operation. Any ground-mounted facility that covers more than 10,000 square feet is included in this definition.

Solar Energy System, Small (SSES): Structures, equipment, and/or machinery that converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies as an accessory use to principal permitted uses.

**SECTION II.** That the Code of Ordinances, Appendix A, Section VI. Zoning district criteria and regulations A., [I.], 1. a. is hereby amended with new text underlined and deleted text in ~~strikethrough~~:  
(9) Accessory buildings and uses.

**SECTION III.** That the Code of Ordinances, Appendix A, Section VI. Zoning district criteria and regulations A., [I.], 1. c. is hereby amended with new text underlined and deleted text in ~~strikethrough~~:  
(13) Solar Energy System, Large (LSES), in accordance with Section VII, Supplemental Use and Performance Regulations and supporting resolution of the Council

**SECTION IV.** That the Code of Ordinances, Appendix A, Section VI. Zoning district criteria and regulations D., [I.], 1. c. is hereby amended with new text underlined and deleted text in ~~strikethrough~~:  
(10) Solar Energy System, Large (LSES), in accordance with Section VII, Supplemental Use and Performance Regulations

**SECTION V.** That the Code of Ordinances, Appendix A, Section VI. Zoning district criteria and regulations D., [II.], 1. a. is hereby amended with new text underlined and deleted text in ~~strikethrough~~:  
(11) Solar Energy System, Large (LSES), in accordance with Section VII, Supplemental Use and Performance Regulations

**SECTION VI.** That the Code of Ordinances, Appendix A, Section VII. Supplemental use and performance regulations 1. is hereby amended with new text underlined and deleted text in ~~strikethrough~~ to be added after Restaurants:

Solar Energy System, Large (LSES)

Large Solar Energy Systems (LSES) shall be subject to the additional regulations and requirements set forth below:

- a. Solar PV panels shall be setback a minimum of thirty feet (30') from all existing property lines. An LSES is not subject to property line setbacks for common property lines of two or more participating lots, except road right-of-way setbacks shall apply.
- b. The maximum height of a solar PV panel shall be thirty feet (30') oriented at maximum tilt. The maximum height of a switching station shall not exceed the minimum height needed to tie into electrical transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the LSES is located. The height of lightning rods shall be limited to the height necessary to protect the switching station and shall not be lighted.
- c. Lighting shall be limited to the minimum necessary, directed downward, and set with motion-sensors. No lighting shall extend beyond the perimeter of the LSES.
- d. No LSES shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling public roads.
- e. Commercially reasonable screening shall be installed at the applicant's expense to provide adequate screening between the LSES and adjacent non-participating primary residential dwellings.
- f. Fencing at a minimum height of six feet (6') shall be installed around the perimeter of the LSES and any other measures necessary to ensure the security and safe operation of the LSES shall be taken. Deer fencing may be utilized where feasible.
- g. The LSES shall comply with all applicable stormwater management and groundwater laws and regulations, and any federal, state, and local permits shall be obtained.
- h. Any noise produced by the LSES shall not exceed fifty-five (55) dBA, as measured at any adjacent property line.
- i. The LSES layout and operation shall be designed to minimize negative impacts on wildlife, including overflight migrating birds and riparian zones, and ongoing monitoring of any identified negative impacts will be provided.
- j. Livestock grazing, agriculture, and other compatible uses shall be permitted within a fenced LSES, subject to the requirements of the underlying zoning district.
- k. No advertising or signage, other than that required by law and approved address/identification signage as allowed under Section XXI, shall be permitted on the LSES.
- l. A project summary shall be provided to the Zoning and Regulatory Administrator containing the following information:
  - i. Number, location, and spacing of proposed solar PV panels/arrays
  - ii. Planned location of O&M building, switchyard, and transformers
  - iii. Planned location of underground or overhead electrical lines and related infrastructure
  - iv. Project development timeline
  - v. Operation and maintenance plan
  - vi. Vegetation management and landscaping plan, including grading
  - vii. Decommissioning Plan, subject to the requirements of below
  - viii. Name and contact information of the LSES operator
  - ix. Proof of access and use rights to the LSES property, including evidence of landowner authorization and a list of all landowners
  - x. Specifications for all planned equipment to be installed at the LSES
  - xi. Site access and emergency response plans
- m. The LSES shall comply with all federal, state, and local laws, codes, and regulations, including but not limited to the National Electric Code, the National Electric Safety Code, local building codes, and any generally applicable permitting requirements.
- n. The LSES shall be maintained in accordance with this Zoning Ordinance and all applicable Parish requirements. Maintenance shall include but not be limited to painting, structural repairs, vegetation management, and integrity of security measures including fencing. No damaged, broken, or non-working parts or equipment shall be stored on site.

- o. A Decommissioning Plan consisting of the following information shall be provided to the Zoning and Regulatory Administrator:
  - i. The anticipated operating lifetime of the LSES
  - ii. Description of the activities necessary to decommission the LSES upon closure and cessation of operations
  - iii. Description of site restoration activities to be undertaken following decommissioning to restore the LSES site to its original use, condition, and appearance
  - iv. Cost estimate of site decommissioning and restoration in current dollars
  - v. Description of the necessary mechanism for posting a satisfactory bond to cover the anticipated decommissioning costs.
  - vi. Timeline for completion of all decommissioning and site restoration activities
- p. The LSES operator shall post a bond, in a form and amount acceptable to the Zoning and Regulatory Administrator, equal to 125% of the decommissioning and site restoration costs specified in the Decommissioning Plan. The amount of the bond shall be recalculated every five (5) years and provided, with an updated bond (if necessary), to the Zoning and Regulatory Administrator.
- q. As-built drawings shall be provided to the Zoning and Regulatory Administrator upon completion of construction of all development on the LSES site.

Solar Energy System, Small (SSES)

Small Solar Energy Systems (SSES) shall be permitted as an accessory use to any primary permitted use and shall be subject to the additional regulations and requirements set forth below:

- a. An SSES shall provide power for the principal use and/or accessory use of the property on which it is located and shall not generate power for sale to other users, although this provision shall not prohibit the sale of excess power to the local utility company.
- b. An SSES connected to the utility grid shall provide written authorization from the local utility company to the Zoning and Regulatory Administrator acknowledging and approving such connection.
- c. A roof-mounted SSES may be mounted on a principal building or accessory building, and may not exceed the maximum building height restrictions of the underlying zoning district.
- d. A ground-mounted SSES may occupy no more than 10,000 sq. ft. nor 30% of the lot on which the primary use is located, whichever is lesser.
- e. A ground-mounted SSES shall not exceed a height of fifteen (15) feet.
- f. A ground-mounted SSES or SSES attached to an accessory building shall not be located within the required front yard setback.
- g. A ground-mounted SSES shall comply with the setbacks of the underlying zoning district.
- h. All mechanical equipment associated with and necessary for the operation of the SSES shall comply with the following:
  - i. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
  - ii. Mechanical equipment for any ground-mounted SSES shall comply with the setbacks specified under Section X. – Exceptions and modifications, item C.1.
  - iii. Mechanical equipment located adjacent to any residential district or use shall be screened from view either by acceptable paint materials or a fence that is at least fifty percent (50%) opaque.
- i. Solar PV panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- j. All power transmission lines from a ground-mounted SSES to any building or other structure shall be located underground.
- k. An SSES shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners, or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the SSES provided they comply with the sign regulations of Section XXI.
- l. A building/zoning permit shall be obtained prior to construction.
- m. The local utility provider shall be contacted to determine grid interconnection and net metering policies.

- n. The SSES shall comply with all applicable Parish ordinances and codes to ensure the structural integrity of such facility.
- o. Before any construction can commence on any SSES the property owner must acknowledge that they are the responsible party for owning/leasing and maintaining the SSES.
- p. If a ground-mounted SSES is removed, any earth disturbance because of the removal of the ground mounted SSES shall be graded and seeded.
- q. If a ground-mounted SSES has been abandoned (meaning not having been in operation for a period of six (6) months) or is defective or is deemed to be unsafe by the Building Inspector, the facility shall be required to be repaired by the property owner to meet federal, state, and local safety standards, or be removed by the property owner within the time period allowed by the Building Inspector. If the property owner fails to remove or repair the defective or abandoned SSES, the Parish may pursue legal action to have the SSES removed at the property owner's expense.

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

YEAS:

NAYS:

ABSENT:

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2023 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: \_\_\_\_\_