

**ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
August 1, 2024
6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

POSTPONED CASES:

- 1 **2024-10-MIN** requested by Trenell and Eric Gilmore for a resubdivision of two lots into four, **382, 386, and 400 Adams Street, Killona.** Zoning District R-1A(M) and R-2. Council District 1. **Requires Planning Commission approval.**

NEW CASES:

- 9 **2024-11-MIN** requested by Johnny Dunn, Dunn Homes, LLC for a resubdivision of three lots into two requiring a waiver, **59 West B Street, Norco.** Zoning District R-1A. Council District 6. **Requires Planning Commission approval and supporting resolution from Parish Council.**
- 17 **2024-5-SPU** requested by Abdel R. Ennabut, Nabut Brothers, LLC for a Bingo Hall in a C-3 zoning district, **13113 Highway 90, Boutte.** Council District 4. **Requires Planning Commission approval and ordinance from the Parish Council.**
- 27 **2024-14-R** requested by Marvin and Enica Singleton for a change of zoning from R-1A and R-1M to R-1A(M), **Lot 2C, between 147 & 163 Hahn Street, Hahnville.** Council District 1. **Requires Planning Commission recommendation and Parish Council approval.**
- 36 **2024-15-R** requested by Traci L. Johnson for Luling Exchange, LLC for a change of zoning from R-1A, R-3, and C-3 to O-L and M-1 on approximately 250 acres designated Tract L, Davis Plantation, **11831 River Road, Luling.** Council District 2. **Requires Planning Commission recommendation and Parish Council approval.**

UNFINISHED BUSINESS-
NEW BUSINESS-
MINUTES – (July 11, 2024, Minutes)
ADJOURN



**Department of Planning & Zoning
Staff Report – Minor Resubdivision
Case No. 2024-10-MIN**

APPLICATION INFORMATION

- **Submittal Date:** 5/23/2024
- **Applicant / Property Owner**
Trenell and Eric Gilmore
386 Adams Street
Killona, LA 70057
504.272.4139; gilmorecarriers@yahoo.com
- **Request**
Resubdivision of Lots 14 and 15, Victor Darensbourg Tract, into Lots 14A, 14B, 14C, and 15A.

SITE INFORMATION

- **Location:** 382, 386, and 430 Adams Street, Killona
- **Size of Proposed Lots**
 - Lot 14A: 5,188 sq. ft.; 50 ft. wide
 - Lot 14B: 5,171 sq. ft.; 50 ft. wide
 - Lot 14C: 5,153 sq. ft.; 50 ft. wide
 - Lot 15A: 6,874 sq. ft.; 66 ft. wide
- **Current Zoning:** R-1A(M) and R-2
- **Current Use**

Lot 14 is developed with two manufactured homes. The home at 386 pre-dates Hurricane Ida while the home addressed to 382 is a recent direct replacement (Permit No. 47762).

Lot 15 is developed with a site-built dwelling zoned for use as a duplex and shown within proposed Lot 15A.

The manufactured home addressed to 386 will be primarily located on Lot 14A but a portion of the home itself and an attached deck will extend onto Lot 14B. The manufactured home addressed to 382 is likely within proposed Lot 14C but without being shown on the survey its location (and if it meets setbacks) cannot be confirmed.
- **Surrounding Zoning:** R-1A(M)
- **Surrounding Uses**

The site is located in a developed residential neighborhood with a mix of single-family site-built structures and mobile homes.
- **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: X
- **Plan 2030 Recommendation**

High-Density Residential: Appropriately located semi-attached and attached multifamily dwelling units, townhomes, duplexes and small lot detached houses. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections.

Recommended Zoning Districts: R-2 (two-family residential district), R-3 (multi-family residential district), C-1 (commercial office), R-1M (single-family residential detached mobile home/manufactured home/recreational vehicle park)

▪ **Traffic Access**

The site has frontage on and access from Adams Street.

Lot 14 is improved with two separate aggregate driveways. One will provide access exclusively to Lot 14C while the other divided between Lots 14A and 14B. The need to add another driveway culvert for potential improvements on 14B is likely.

Lot 15A will maintain its existing aggregate driveway.

▪ **Utilities**

Per Parish GIS water and sewer facilities are located along Adams Street.

No objections were received from the Departments of Public Works, Wastewater, and Waterworks to the resubdivision.

▪ **Development History**

Lots 14 and 15 are shown as far back as March 19, 1910.

The department's permitting history for Lot 14 details the following:

- In 1994 a 14x70 mobile home was placed on Lot 14, municipal address 386 Adams Street (Permit No. 10206-94).
 - In 2004 a 16x80 mobile home was permitted as a direct replacement (Permit No. 17416-04)
 - In 2008 a double wide mobile home (32x78) was permitted as a direct replacement (Permit No. 21347-08)
- In 2013, a second mobile home (14x70) was permitted and placed on Lot 14 (Permit No.26167-13).
 - In 2024, that second mobile home was directly replaced. (Permit No. 47762-24)

Adequate permitting history could not be located as to the initial development of the structure on Lot 15.

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria

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

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.
 - (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.
 - 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.
 - 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.

[VII.] R-2. Two-family residential:

2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet (3,000 per family); minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet each side

- (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.
- c. Accessory buildings:
 - 1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
 - 2) The accessory building shall not exceed two-story construction.
 - 3) Minimum rear setback of accessory building shall be the same as side yard requirement of the district in which it is located.
 - 4) Accessory buildings shall be located on the same parcel of land as the main structure.
 - 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 or rear yard.

Appendix C. Section II. Subdivision Procedure

C. Minor Resubdivisions.

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
2. Traffic Impact Analysis. A Traffic Impact Analysis, including all required documentation, shall be submitted in accordance with the Parish's Traffic Impact Analysis Policy.
3. Consecutive Minor Subdivisions. The Minor Resubdivision process is not intended to create major subdivisions from multiple minor subdivisions. Whenever a minor subdivision results in a net increase of lots, parcels, or tracts, no application for a further increase of lots shall be considered by the Planning Commission for a period of two years from the date of recordation unless a majority of the Planning Commission votes to consider the consecutive request to resubdivide into additional lots. This restriction shall not prohibit a property owner from changing boundary lines by administrative resubdivision.
4. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, 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.
 - 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.
 - 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.
 - l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

FINDINGS

This request divides Lots 14 and 15 into four lots, specifically shifting the lot line dividing Lots 14 and 15 to provide the width to create three 50 ft. lots, primarily out of Lot 14.

Each lot meets the minimum area and width requirements for the zoning district but there are issues with the proposal and the survey, detailed as follows:

- The proposed lot line dividing 14A and 14B is shown through the manufactured home at 386 Adams Street. The majority of this home is on 14A but a portion of the home itself along with the entirety of an attached deck will extend onto Lot 14B.
- Parish guidelines require resubdivision surveys show the location and dimensions of existing buildings. The submitted survey does not show the replacement manufactured home likely located on proposed Lot 14C.

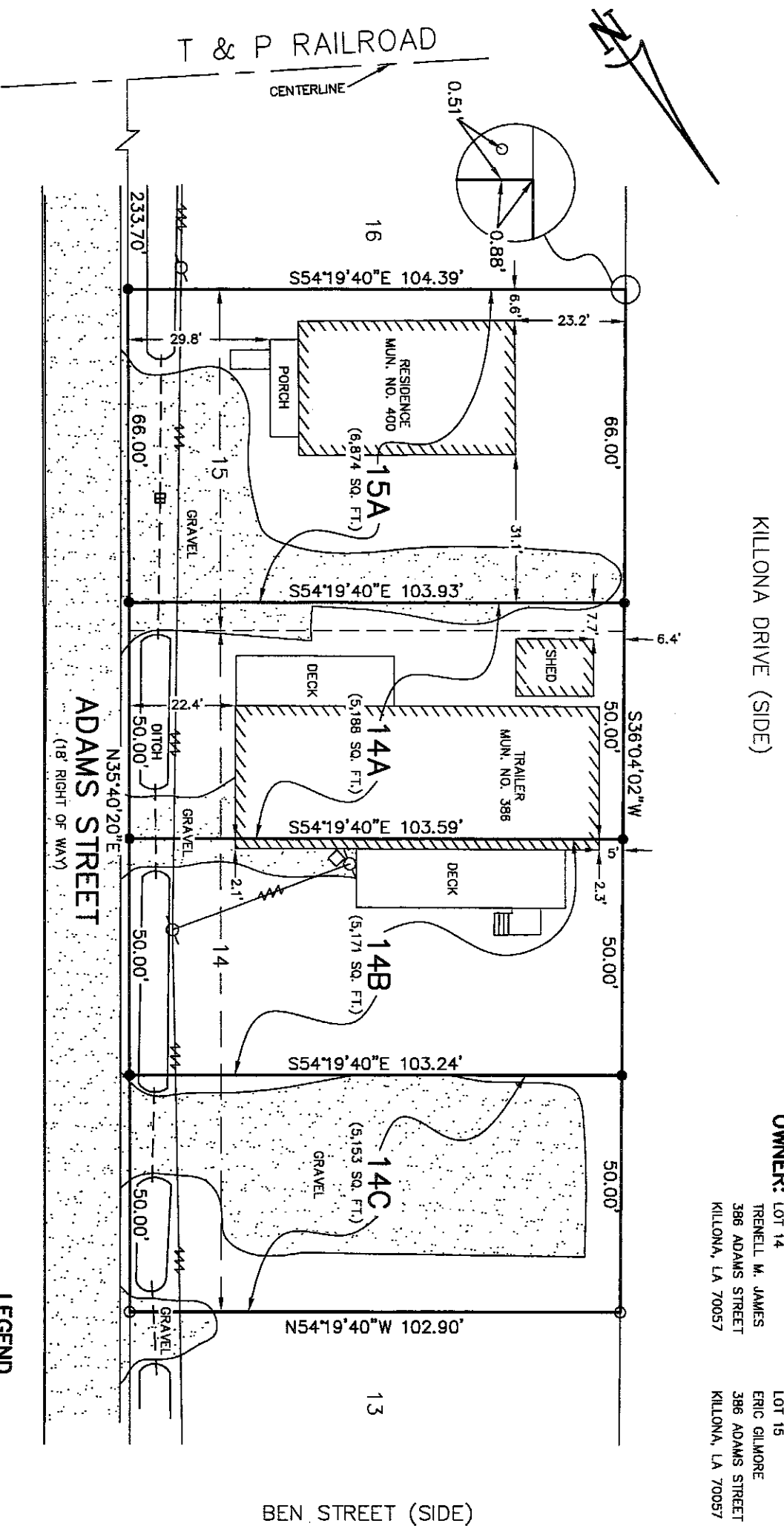
Regarding the missing manufactured home, per the applicant this is the result of completing the survey after the original home was removed but before its replacement. While this explanation is reasonable the replacement structure is currently located on site and without representing it on the survey its location, and whether or not it meets required setbacks, cannot be determined.

Regarding the lot line placed through the existing manufactured home, there is no room to consider this arrangement for this development type and no waiver that can be granted to allow it. In some situations lot lines may be approved through a structure, typically to separate individual units also structurally separated by a fire wall per building code (e.g. multi-unit commercial centers, townhomes). That is not the case in this situation.

Additionally, since part of a primary dwelling would be located on proposed Lot 14B a new primary dwelling could not be permitted without the existing manufactured home at 386 Adams Street being relocated or removed.

DEPARTMENT RECOMMENDATION

Denial.

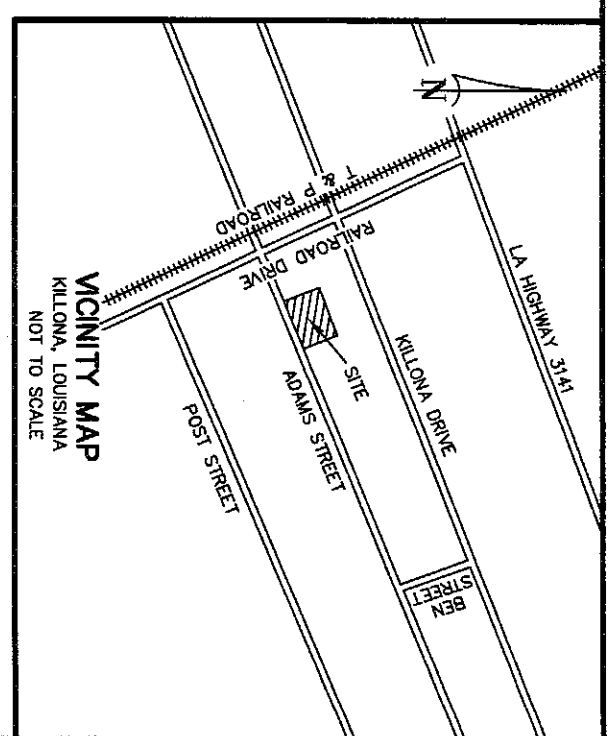


KILLONA DRIVE (SIDE)

OWNER: LOT 14
TRENELL M. JAMES
386 ADAMS STREET
KILLONA, LA 70057

LOT 15
ERIC GILMORE
386 ADAMS STREET
KILLONA, LA 70057

BEN STREET (SIDE)



APPROVED: _____ DATE _____

PARISH PRESIDENT _____ DATE _____

CHAIR, ST. CHARLES PARISH COUNCIL _____ DATE _____

PLANNING AND ZONING COMMISSION CHAIRMAN _____ 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, LOUISIANA
ON THE _____ DAY OF _____ 20____
INSTRUMENT NUMBER _____

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

TITLE: SURVEY PLAT AND RESUBDIVISION OF LOTS 14 & 15 OF A SUBDIVISION OF THE VICTOR DARENSBOURG TRACT INTO LOTS HEREIN DESIGNATED AS LOTS 14A, 14B, 14C & 15A OF A SUBDIVISION OF THE VICTOR DARENSBOURG TRACT SITUATED IN SECTIONS 63 & 77, T-12-S, R-19-E, KILLONA, ST. CHARLES PARISH, LOUISIANA.

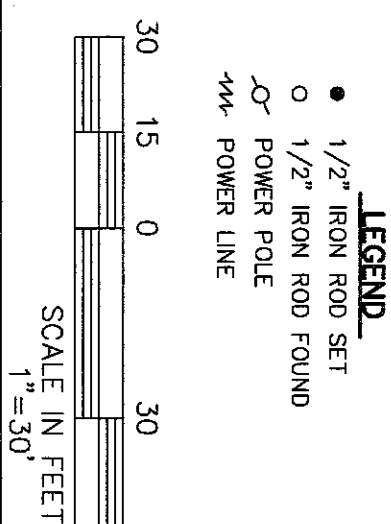
DATE: MAY 21, 2024

SURVEY REFERENCE: 1. SURVEY OF LOT 14 OF A SUBDIVISION OF THE VICTOR DARENSBOURG TRACT BY R.P. BERNARD, P.L.S. DATED 9/1/1994
2. SURVEY OF LOT 16 OF A SUBDIVISION OF THE VICTOR DARENSBOURG TRACT BY R.P. BERNARD, P.L.S. DATED 8/2/1999.

BASIS OF BEARING: BEARINGS HEREON ARE REFERENCED TO THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 1702, NAD 83, GEOD 18 USING LEICA SMARTNET SOLUTION DATED 5/10/2024

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 COMPLEES 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 SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
- C. NO UNDERGROUND LINES OR CONDUITS SHOWN.
- D. 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.
- E. NO LOT CREATED BY THIS ACT OF SUBDIVISION SHALL BE DIVIDED IN SUCH A WAY THAT ANOTHER NET INCREASE IN THE NUMBER OF LOTS OCCURS FOR A PERIOD OF TWO YEARS.



DRAWING NO. MM3275
DRAWN BY: KPB

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

RIVERLANDS SURVEYING CO.

505 HEMLOCK STREET, LAPLACE, LA. 70068
1-800-248-6982 / 985-652-6356
office@riverlandssurveying.com / www.riverlandssurveying.com

2024-10-MIN
2 lots into 4

1" = 100'

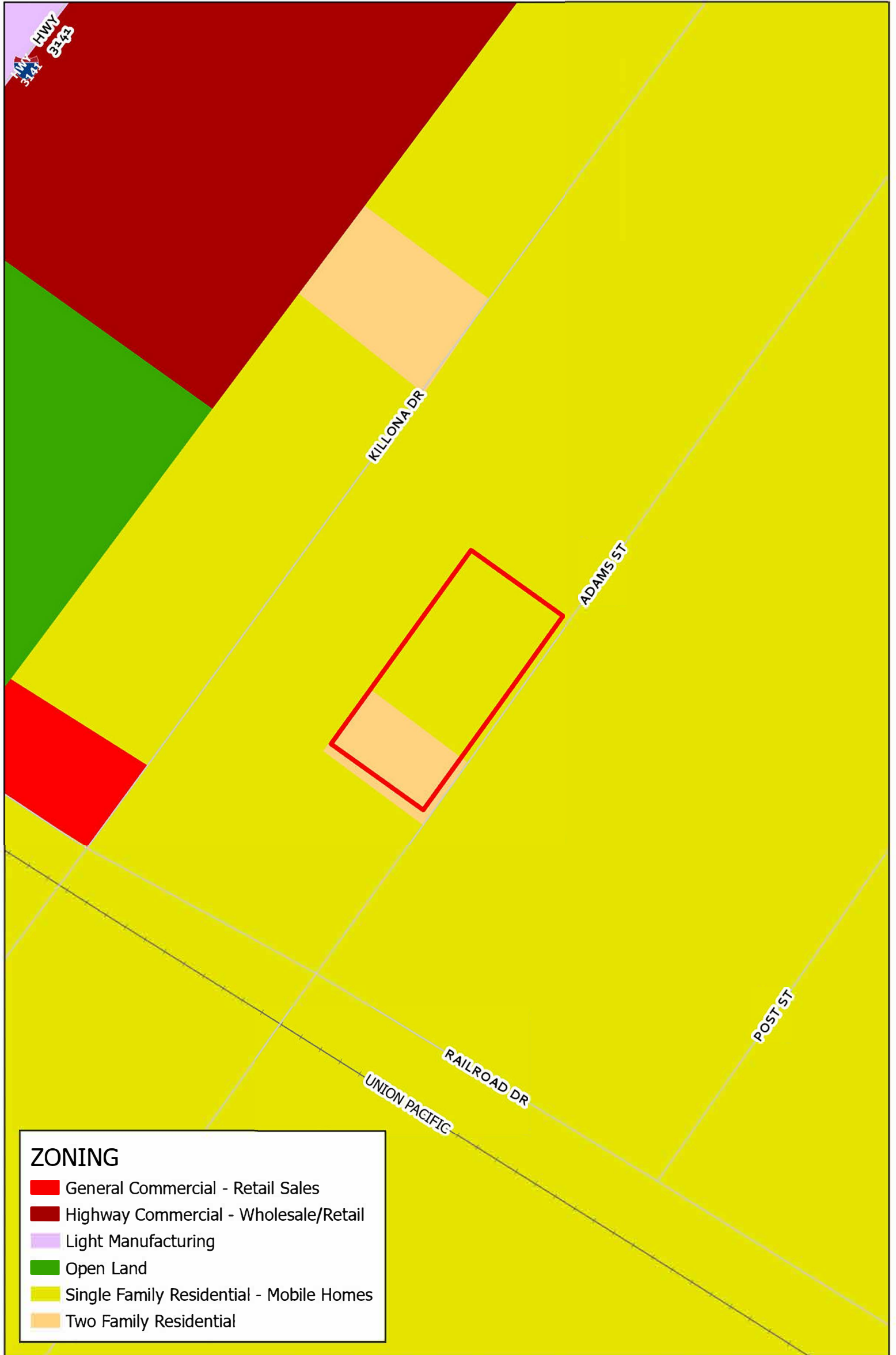
N



2024-10-MIN
2 lots into 4

1" = 100'

N



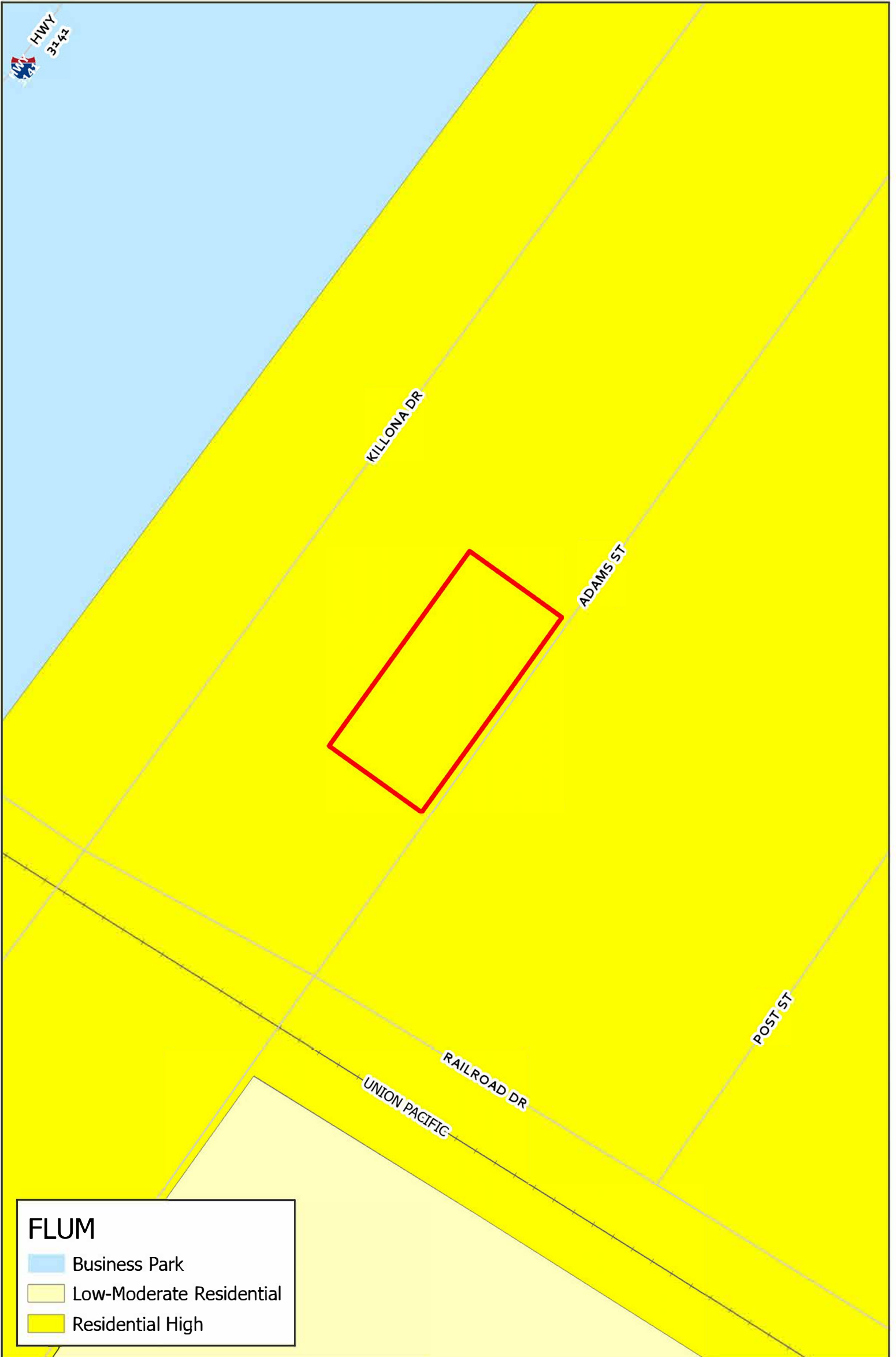
ZONING

- General Commercial - Retail Sales
- Highway Commercial - Wholesale/Retail
- Light Manufacturing
- Open Land
- Single Family Residential - Mobile Homes
- Two Family Residential

2024-10-MIN
2 lots into 4

1" = 100'

N





**Department of Planning & Zoning
Staff Report – Minor Resubdivision
Case No. 2024-11-MIN**

APPLICATION INFORMATION

- **Submittal Date:** 6/13/2024
- **Applicant / Property Owner**
Johnny Dunn
Dunn Homes, LLC
3101 Highway 306
Des Allemands, LA 70030
504.615.2500; dunnhomes@yahoo.com
- **Request**
Resubdivision of a Portion of Lot 12, Lots 13 and 14, Good Hope Plantation Subdivision, into Lots 13A and 14A.
 - Waiver required from the *Appendix C. Subdivision Regulations, Section III.C.1. Size*
 - Waiver required from the *Appendix C. Subdivision Regulations, Section III.C.1.b. Width*

SITE INFORMATION

- **Location:** 59 West B Street, Norco
- **Size of Proposed Lots**
 - Lot 13A: 7,342.8 sq. ft.; 87 ft. wide
 - Lot 14A: 4,557.6 sq. ft.; 54 ft. wide
- **Current Zoning:** R-1A
- **Current Use**
Lot 14 is developed with a site built home. Portion of Lot 12 and 13 were previously occupied by a manufactured home but are now vacant.

The site built home at 59 West B Street will be located on Lot 14A while Lot 13A will be developable.
- **Surrounding Zoning:** R-1A
- **Surrounding Uses:** The site is located in a developed residential neighborhood.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: X
- **Plan 2030 Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices, and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (Over six dwellings per acre)
- **Traffic Access**
The site has frontage on West B Street. Lot 14 is improved with a concrete driveway which will remain on Lot 14A. A driveway provided access to a manufactured home on Portion of Lot 12 and 13, but a new driveway would be developed with any potential improvements on Lot 13A.

- **Utilities**

Per Parish GIS water and sewer facilities are located along West B Street. Open drainage runs across the front of the subject site.

No objections were received from the Departments of Public Works, Wastewater, and Waterworks.

- **Development History**

Lots 12, 13, and 14 are shown as far back as June 4, 1929 as part of “Map of Subdivision of West ½ Lot “B” Being a Subdivision of Good Hope Subdivision” by H.E. Landry, PLS.

Accurate permitting history could not be located as to the initial development of the structure on Lot 14 or the former manufactured home.

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria

[I.] R-1A. *Single family residential detached conventional 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 standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

2. Spatial Requirements:

a. **Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet.**

b. Minimum yard sizes:

(1) Front—Twenty (20) feet.

(2) Side—Five (5) feet.

(3) Rear—Twenty (20) feet.

(4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.

(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, 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.

Appendix C. Section II. Subdivision Procedure

C. *Minor Resubdivisions.*

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.

2. Traffic Impact Analysis. A Traffic Impact Analysis, including all required documentation, shall be submitted in accordance with the Parish's Traffic Impact Analysis Policy.

3. Consecutive Minor Subdivisions. The Minor Resubdivision process is not intended to create major subdivisions from multiple minor subdivisions. Whenever a minor subdivision results in a net increase of lots, parcels, or tracts, no application for a further increase of lots shall be considered by the Planning Commission for a period of two years from the date of recordation unless a majority of the Planning Commission votes to consider the consecutive request to resubdivide into additional lots. This restriction shall not prohibit a property owner from changing boundary lines by administrative resubdivision.

4. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, 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.

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.

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.

- I. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

Appendix C. Section III. Geometric Standards

C. Lots

1. **Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.**
 - a. Corner Lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.
 - b. **Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.**

Appendix C. Section V. Administrative

B. Variations and Exceptions.

1. The regulations contained herein may be varied or modified where the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. The Planning Commission, with a supporting resolution of the Council, may grant such a waiver or modification of these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

FINDINGS

This request consolidates a lot designated “a Portion of Lot 12” and Lots 13 and 14 into two lots, 13A and 14A. The lot line separating 13 and 14 would shift south while the remainder of Lot 13 and Portion of Lot 12 are combined.

A resubdivision resulting in no net increase of lots can be processed administratively, but this request comes before the Planning Commission due to the need for waivers.

Proposed Lot 13A meets the minimum area and width requirements for the zoning district. At 54 ft. wide and 4,557.60 sq. ft. in area, proposed Lot 14A does not meet Subdivision Regulations, specifically:

- *III.C.1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development*
- *III.C.1.b. Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance*

The applicant requests a waiver from the above requirements.

The department does not object to the waivers for the following reasons:

- As noted by the applicant, the resubdivision improves nonconforming Lot 14 by increasing its width by 4 ft. and area by 337.6 sq. ft., and the existing home would meet the River Road side yard setback.
- The resubdivision would eliminate two nonconforming lots (Portion of 12 and 13) by consolidating them into a single lot exceeding the width and area requirements for the district.

Adjacent Lot 15 is not a part of the resubdivision but is a nonconforming lot under common ownership. By approving this request and granting the waivers necessary for the creation of Lot 14A, this in turn allows Lot 15 to remain as originally platted.

DEPARTMENT RECOMMENDATION

Approval.

If the Planning Commission approves this request, it will be forwarded to the Parish Council for consideration of a supporting resolution.

Name: Johnny Dunn for Dunn Homes, LLC

Address: 59 West B Street, Norco

Case Number: 2024- 11 -MIN

Members of the St. Charles Parish Planning Commission:

This minor resubdivision request does not meet all requirements of the St. Charles Parish Subdivision Regulations of 1981, specifically:

- **Section III.C.1.b Width. The lot width a the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.**
- **Section III.C.1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.**

The literal enforcement of these provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question, which includes:

We are increasing the size of
an existing grandfathered property.

Please consider this waiver request with my application.

Thank you.

Applicant Signature: Johnny Dunn

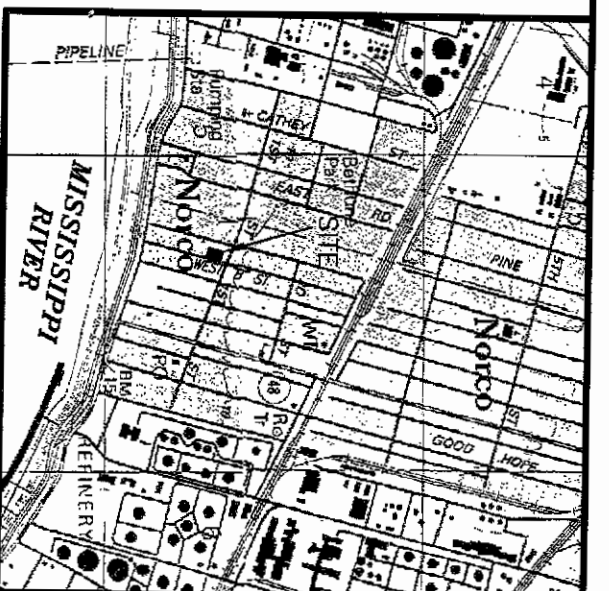
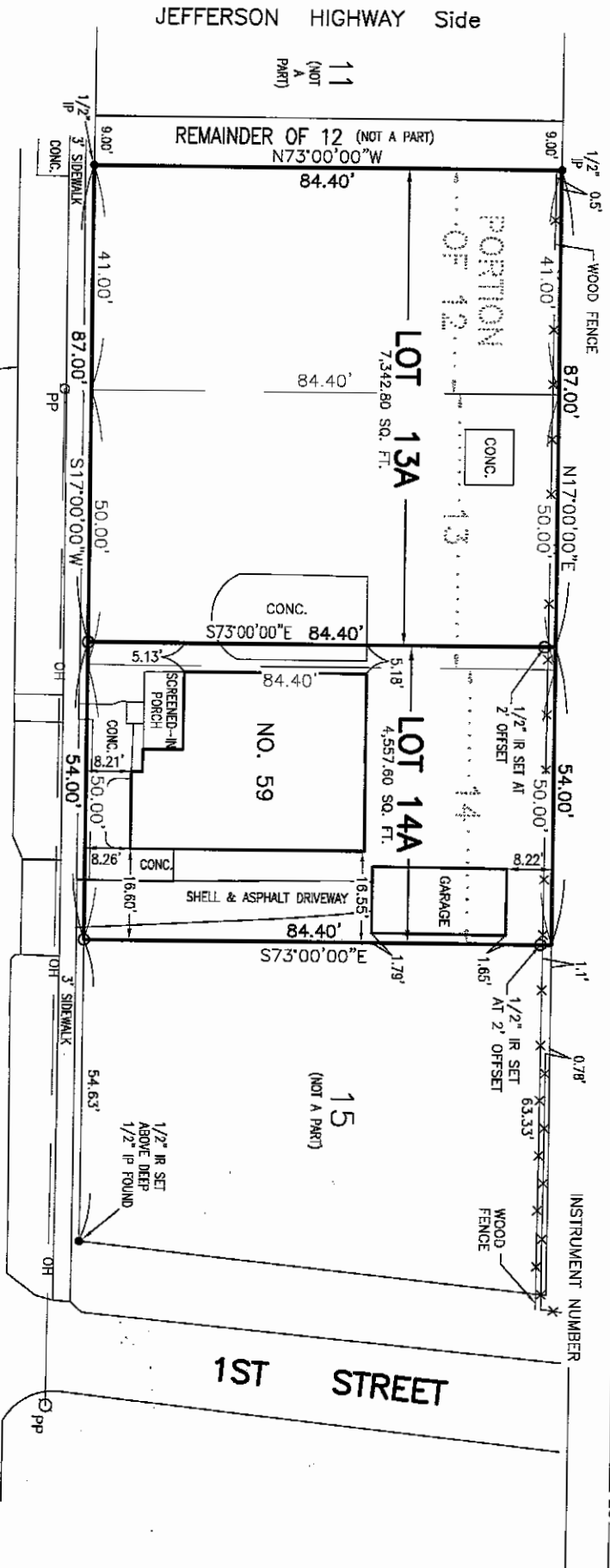
Applicant Signature: Vicki

Date: 7-18-24

MARY STREET Side

RECORDED IN THE CLERK OF COURT'S OFFICE,
ST. CHARLES PARISH, LOUISIANA
ON THE ____ DAY OF ____ 20__

INSTRUMENT NUMBER



APPROVALS:

St. Charles Parish Planning and Zoning Commission Chairman _____ Date _____

St. Charles Parish Council Chairman _____ Date _____

St. Charles Parish President _____ Date _____

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

LOUIS J GASSEN, JR., PLS

Registration No. 4945
(985) 785-0745
1026 Gassen Street
Luling, Louisiana 70070

GASSEN SURVEYING, LLC

REFERENCE PLAN:
MAP OF SUBDIVISION OF WEST 1/2 LOT "B" BEING A SUBDIVISION OF GOOD HOPE SUBDIVISION BY H. E. LANDRY, DATED AUG. 6, 1929

The reference plan 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.

This is to certify that I have consulted the Flood Insurance Rate Map (Community No. 220160, Panel No. 0125, Suffix C, Dated June 16, 1992, Revised to reflect LOMR Dated May 2, 2003) and found that this property is in Zone X.



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

RESUBDIVISION OF LOTS 13, 14 AND A PORTION OF LOT 12, SQUARE A SUBDIVISION OF WEST HALF OF LOT "B" OF GOOD HOPE PLANTATION SUBDIVISION INTO LOT 13A & 14A

IN SECTION 6, T12S - R8E
ST. CHARLES PARISH, LOUISIANA
SCALE: 1" = 30'
JUNE 5, 2024

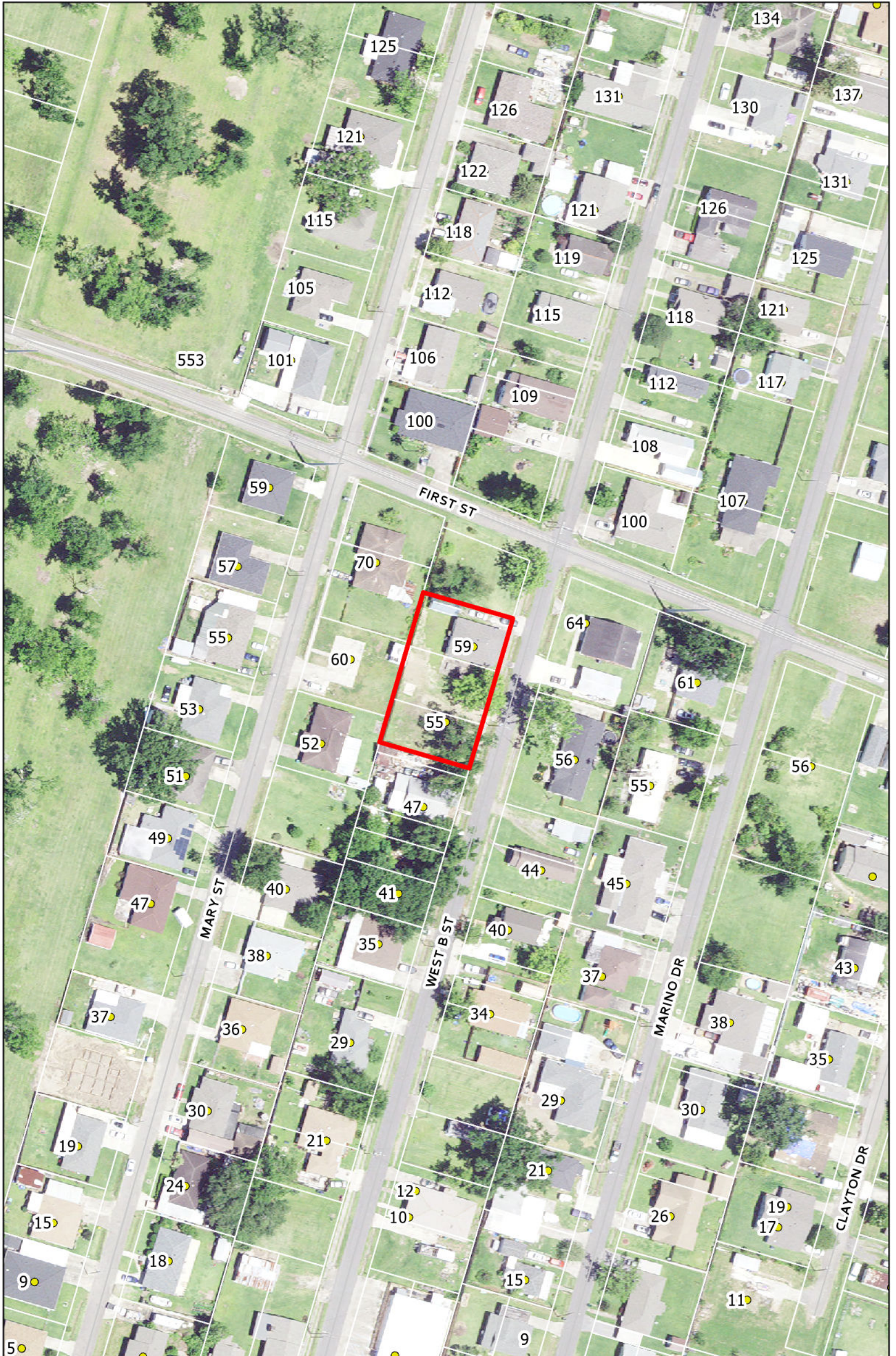
CERTIFIED TO DUNN HOMES, LLC



2024-11-MIN
3 lot into 2 w/ waivers

1" = 100'

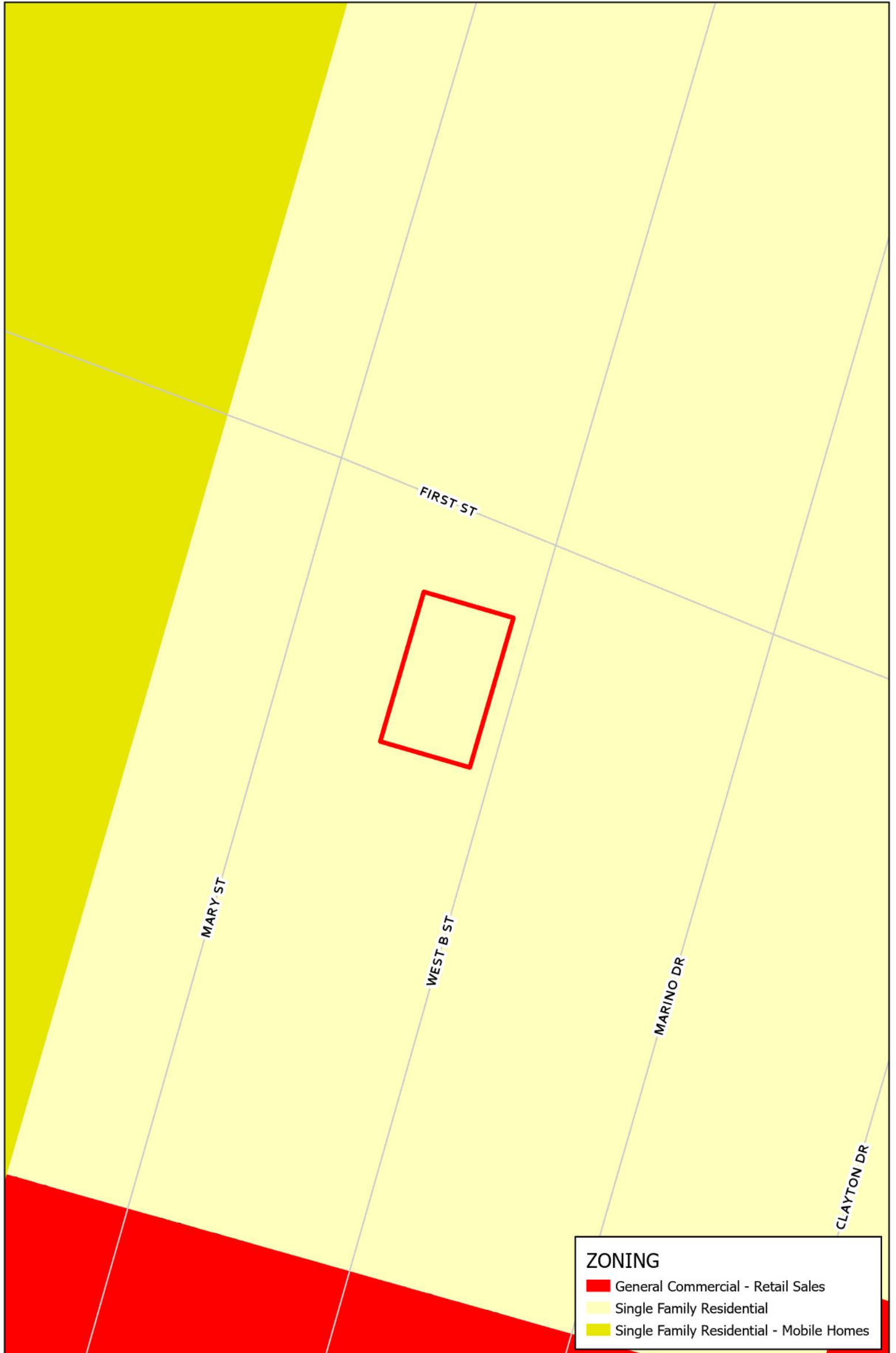
N



2024-11-MIN
3 lot into 2 w/ waivers

1" = 100'

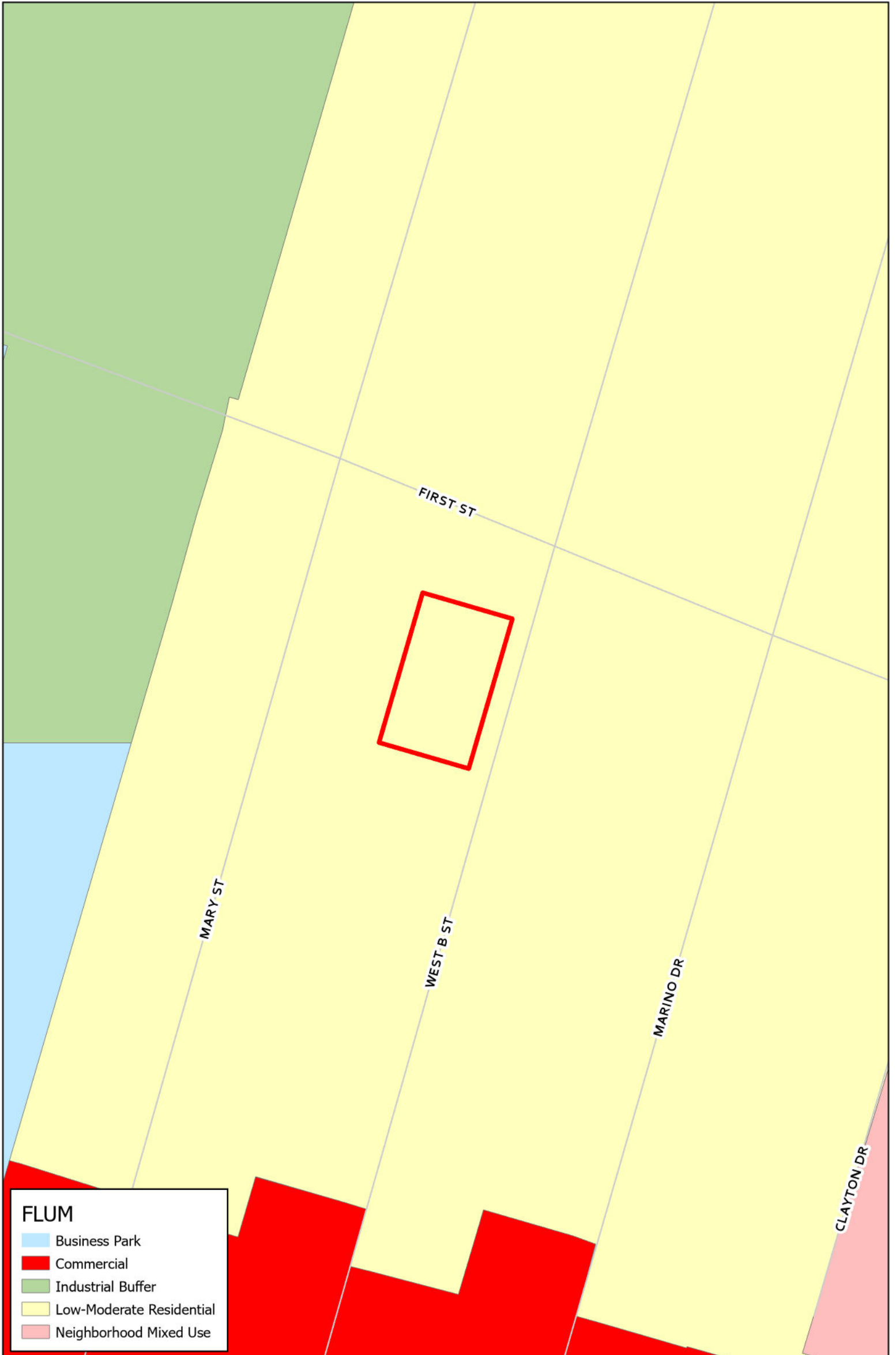
N



2024-11-MIN
3 lot into 2 w/ waivers

1" = 100'

N



FLUM

- Business Park
- Commercial
- Industrial Buffer
- Low-Moderate Residential
- Neighborhood Mixed Use



Department of Planning & Zoning Staff Report – Special Permit Use Case No. 2024-5-SPU

APPLICATION INFORMATION

- **Applicant / Property Owner**
Abdel R. Ennabut
Nabut Brothers, LLC
P.O. Box 1054
Hahnville, LA 70057
985.308.1071; bffgas@gmail.com
- **Request**
Bingo Hall in a C-3 district.

SITE INFORMATION

- **Location:** 13113 Highway 90, Boutte
- **Size of Site:** 9,318 sq. ft.
- **Current Zoning and Land Use**
C-3; the site developed with a multi-tenant commercial building. The bingo hall is proposed in the unit formerly occupied by Stell's Furniture.
- **Surrounding Zoning and Land Use**
C-3; the site is located within a multi-tenant commercial center along the Highway 90 commercial corridor through Boutte and Luling. The only exception to the commercial land uses is a church located to the rear, opposite River Ridge 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 complementary 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.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X, AE4
2013 Digital Flood Insurance Rate Map: AE5
- **Traffic Access**
The commercial center is developed with two separate ingress/egress points to Highway 90. An additional ingress/egress point is available to the rear of the credit union from River Ridge Drive.
- **Utilities**
Parish GIS shows water facilities along Highway 90 and River Ridge Drive. Parish sewer is shown along River Ridge Drive. No improvements are proposed that would affect drainage.

No objections were received from representatives of Wastewater, Public Works, or Waterworks.

APPLICABLE REGULATIONS

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

[IV.] C-3. Highway commercial district—Wholesale and retail sales:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes.
 - (1) All uses allowed in the C-2 District.
 - (2) Commercial auditoriums, coliseums or convention halls
 - (3) Retail manufacturing
 - (4) Automobile sales and service
 - (5) Wholesale uses
 - (6) Warehouses (less than 10,000 sq. ft.)
 - (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
 - (8) Bottling works
 - (9) Dog pound
 - (10) Building supply
 - (11) Heating and air conditioning service
 - (12) Plumbing shops
 - (13) Automotive repair, minor and major
 - (14) Glass installation
 - (15) Fabrication of gaskets and packing of soft metal material
 - (16) Creameries
 - (17) Parcel delivery service
 - (18) *Reserved.*
 - (19) Frozen food lockers
 - (20) Public stables
 - (21) Bulk dairy products (retail)
 - (22) Animal hospitals
 - (23) Gymnasiums
 - (24) Sheet metal shops.
 - (25) Upholstery
 - (26) Other uses of similar intensity
 - (27) Customary accessory uses incidental to the above uses when located on the same lot.
 - b. Special exception uses and structures:
 - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
 - c. Special permit uses and structures include the following:
 - (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) *Reserved.*
 - (5) Cellular installations and PCS (personal communication service) installations.
 - (6) *Reserved.*
 - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
 - (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 Parish Council.**
 - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
 - (11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
2. Spatial Requirements:
 - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) 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 System: Arterial, local industrial, rail, water.
4. Special Provisions:
 - a. Where any commercial use in a C-3 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 unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

[V.] *Prohibited use:* Medical waste storage, treatment or disposal facilities.

Appendix A. Section IV.

9.C. *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

SPU CRITERIA COMPLIANCE

The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.*

The site is designated *Commercial* on the Parish’s Future Land Use Map. The use of a bingo hall is consistent with this 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 bingo hall is proposed within an existing commercial center along the Highway 90 corridor. No changes to the existing building or parking/vehicle circulation areas are proposed. **Complies**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.*

The use will utilize the larger shared parking lot developed as part of the commercial center and consisting of approximately 200 spaces. No changes to the existing site lighting or off-street parking facilities are proposed or required 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 proposed bingo hall is proposed within an existing multi-tenant commercial development consisting of restaurants, personal services, a community college and retail stores. The proposed use is not expected to exceed the impacts of other uses permitted by right in the C-3 district, which includes commercial auditoriums, coliseums, or convention halls, bus, railroad, passenger, and truck terminals, and gyms. **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 bingo hall. Any necessary renovations are subject to building code review and occupancy levels are set by the State Fire Marshal. Noise impacts are not expected from this type of development, but the noise ordinance will provide for any enforcement necessary should it occur. **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 to the building footprint and existing setbacks will be maintained. **N/A**
 - b. *Ingress and egress to property.* The site is developed with two separate driveway openings to Highway 90. Another ingress/egress point is available to River Ridge Drive. **Complies**
 - c. *Parking and loading areas.* The site utilizes a shared commercial parking lot. This parking area consists of approximately 200 spaces which can accommodate the proposed use in addition to those which exist or could be permitted within the larger commercial center. The Department does advise restriping where necessary. **Complies**
 - d. *Location of garbage facilities.* The site currently uses standard rolling waste bins. **N/A**
 - e. *Landscaping, buffering, and screening.* No additional landscaping or buffering required or proposed. **N/A**
 - f. *Signage.* 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. **N/A**
 - h. *Location and direction of site lighting.* The site is developed and no changes to existing site lighting are proposed. **N/A**

ANALYSIS

The applicant requests a special permit for a bingo hall at 13113 Highway 90, Boutte.

The proposed use would occupy an existing building within a developed multi-tenant commercial center. No changes to the building or larger site are required or proposed as part of this request.

As detailed in the previous section, the Department finds the request meets all applicable review criteria, specifically those addressing compatibility with the surrounding area and adjacent uses.

The Department does recommend restriping the parking area where necessary as part of the occupancy of this use.

DEPARTMENT RECOMMENDATION

Approval.

If the Planning Commission approves this request, it will be forwarded to the Parish Council.



St. Charles Parish
 Department of Planning & Zoning
SPECIAL PERMIT USE

OFFICE USE	
Submittal Date	<u>7/2/24</u>
Received By	<u>ZV</u>
Receipt #	<u>13346999</u>
Case #	<u>2024-5-SPU</u>

APPLICANT INFORMATION

Applicant: Nabut Brothers, LLC
 Mailing Address: P.O. Box 1054 Hahnville, LA 70057
 Phone: (985)-308-1071 Email: bffgas@gmail.com

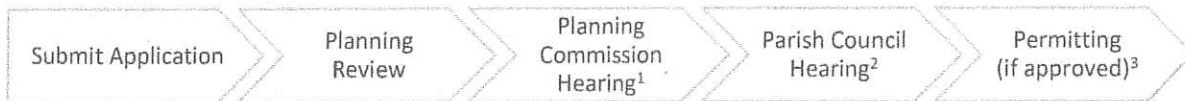
PROPERTY INFORMATION

Municipal Address (if assigned): 13117 Hwy. 90 Boutte, LA 70039
 Lot, Block, Subdivision: 3, 31, Highway 90 Commercial
 Proposed Use: Bingo Hall

APPLICATION CHECKLIST (review process does not begin until all items below are submitted):

1. Application with notarized endorsement of all property owners (see page bottom)
 *If the owner is a corporation, a corporate resolution authorizing the representative must be provided
2. Act of Sale or Deed to the property (copies available at Clerk of Courts Office)
3. Survey of property
4. Site plan (drawn to scale and showing the proposed use meets all applicable requirements)
5. Application Fee: \$50

SPECIAL PERMIT USE PROCESS



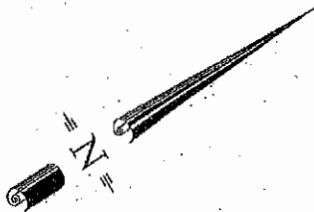
¹ The Planning Commission can either approve, approve with conditions, or deny the request.
² For applications requesting waivers and approved by the Planning Commission, AND/OR those uses requiring a supporting resolution as specified in the Zoning Ordinance.
³ If approved, permitting must occur within one (1) year of the approval date.

I/we swear to be the sole owner(s) of the property in this request and endorse this application.

	<u>ABDEL R. ENNABUT</u>
(Signature)	(Print)
_____	_____
(Signature)	(Print)
_____	_____
(Signature)	(Print)
	<u>6/28/24</u>
(Notary signature & seal)	(Date)

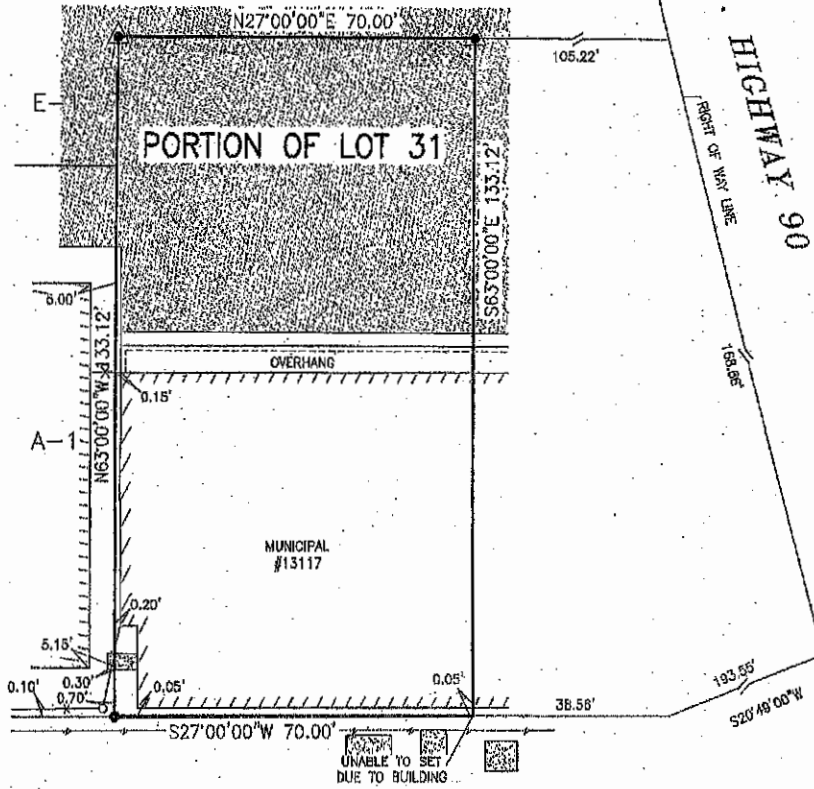
Salvatore G. Lovach Br 110 22886
 com Exp Life





LOT 32
LOT 31

E-1



RIVER RIDGE DRIVE
(formerly RIVER RIDGE WEST)
(formerly HOLDER DRIVE)

SURVEY REFERENCE:

1. SURVEY OF A PORTION OF LOT 31, ELLINGTON PLANTATION BY GILBERT, KELLY & COUTURIE, INC., SURVEYING & ENGINEERING DATED MAY 12, 1992.
2. RESUBDIVISION OF A PORTION OF FORMER FARM LOTS 31 & 32 AND LOTS A, B, C, D & E INTO LOTS A-1, B-1, C-1, D-1 AND E-1, ELLINGTON PLANTATION BY R.P. BERNARD, R.L.S. DATED NOVEMBER 13, 1991.
3. RESUBDIVISION OF A PORTION OF FARM LOT 31 OF ELLINGTON PLANTATION INTO LOTS A, B, C, D & E BY LUCIEN C. GASSEN DATED FEBRUARY 1, 1982.

LEGEND

- = 1/2" IRON ROD SET
- ▲ = MAG NAIL SET
- X- = FENCE

GENERAL SURVEY NOTES

IMPROVEMENTS MAY NOT BE TO SCALE FOR CLARITY. THE DIMENSIONS SHOWN PREVAIL OVER SCALE.

BEARING BASIS:

TAKEN FROM REFERENCED SURVEY PLAT NO. 1.

SURVEY OF A PORTION OF LOT 31
ELLINGTON PLANTATION
SITUATED IN SECTION 50,
TOWNSHIP-13-SOUTH, RANGE-21-EAST
BOULTE
ST. CHARLES PARISH, LOUISIANA

I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED
BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION.
MADE AT THE REQUEST OF:

NABUT BROTHERS LLC

**DADING MARQUES
& ASSOCIATES, LLC**
PROFESSIONAL
LAND SURVEYORS

P.O. BOX 790
METAIRIE, LA. 70004
(504) 834-0200

STATE OF LOUISIANA

CODY A. DIMARCO
License No. 5069
PROFESSIONAL
LAND SURVEYOR

CODY A. DIMARCO
E.L.S. LA. ST. REG NO. 6069

THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

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 "C" SURVEY

DATE:	SCALE:	DRAWN BY:	CHECKED BY:	JOB NO.:
10-06-2020	1" = 30'	J.R. 23	C.A.D.	59754

2024-5-SPU
Bingo Hall in C-3

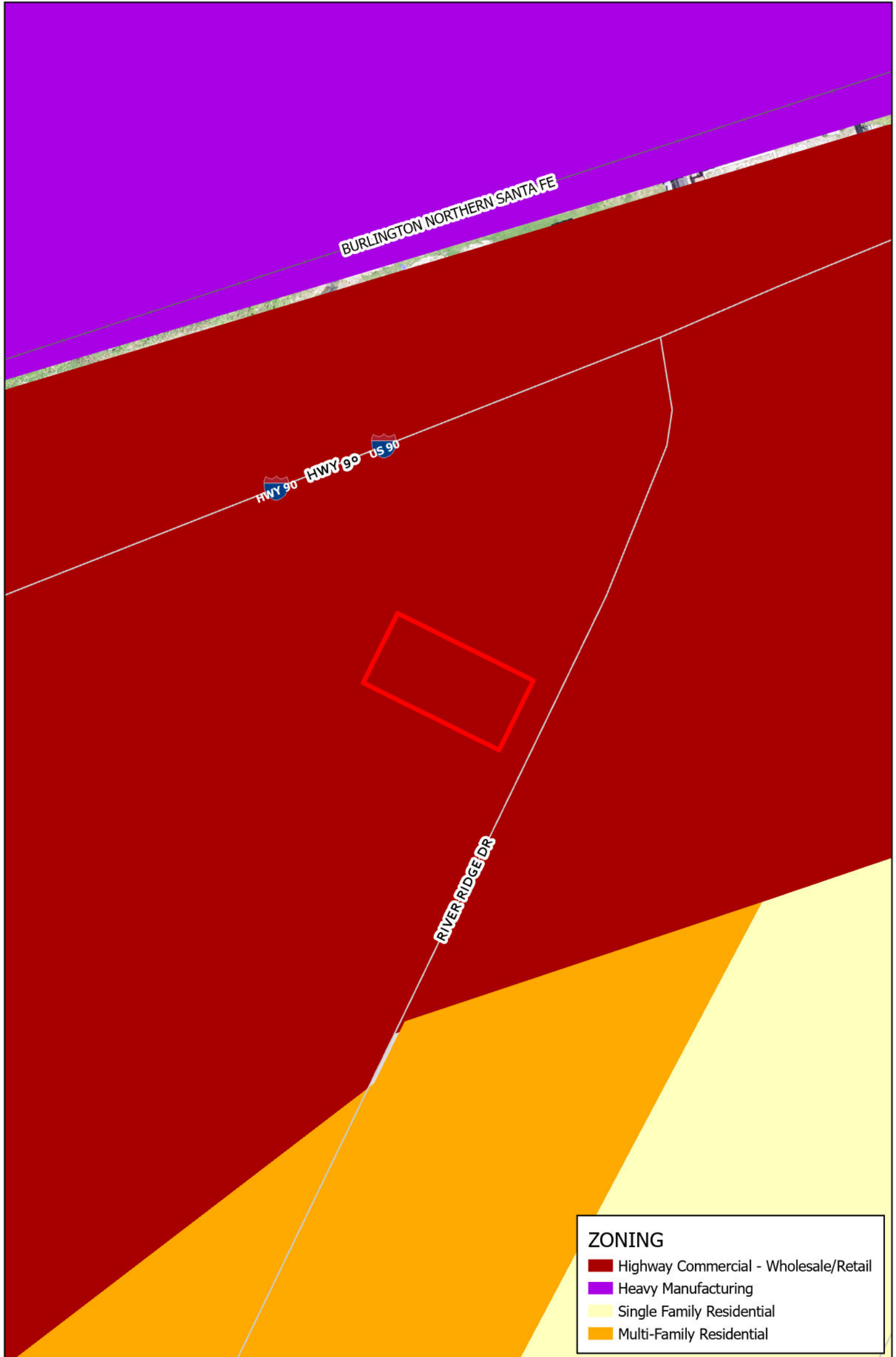
1" = 100'



2024-5-SPU
Bingo Hall in C-3

1" = 100'

N



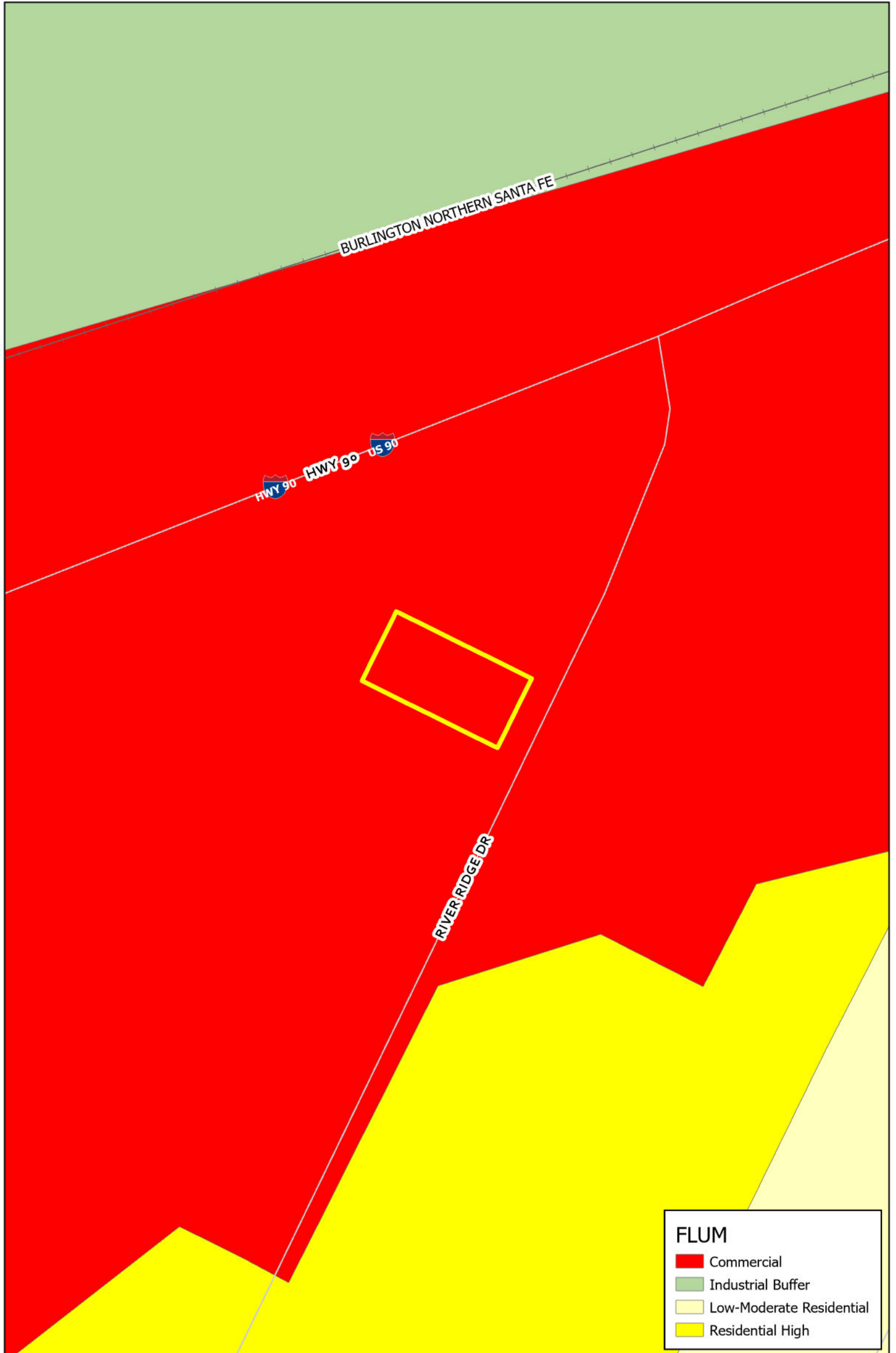
ZONING

- Highway Commercial - Wholesale/Retail
- Heavy Manufacturing
- Single Family Residential
- Multi-Family Residential

2024-5-SPU
Bingo Hall in C-3

1" = 100'

N



FLUM	
■	Commercial
■	Industrial Buffer
■	Low-Moderate Residential
■	Residential High



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-14-R

APPLICATION INFORMATION

- **Submittal Date:** 7/2/2024
- **Applicant / Property Owner**
Marvin & Enica Singleton
440 Courthouse Lane
Hahnville, LA 70057
504.451.4160; 504.430.4141
m.singleton72@gmail.com; nique.singleton75@gmail.com
- **Request**
Change of zoning:
 - Current – R-1A, Single Family Residential Detached Conventional Homes - Medium density; R-1M, Manufactured home/recreational vehicle (RV) park
 - Proposed – R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density

SITE INFORMATION

- **Location**
Lot 2C, Block 5, Hahnville Subdivision; between 163 and 147 Hahn Street, Hahnville
- **Size:** 13,180.5 sq. ft. (0.302 acres)
- **Current Use:** cleared and vacant
- **Surrounding Zoning**
R-1A zoning is adjacent to the front, rear, and Durr Street side; R-1M zoning is adjacent to the River Road side. An R-1A(M) spot zone is catty-cornered at the Hahn and Pine Street intersection.
- **Surrounding Uses**
The site is located in a developed residential neighborhood characterized by a mix of site-built and manufactured homes.
- **Zoning History**
The subject site was originally zoned R-1A but a portion was changed to R-1M as part of Ordinance No. 82-12-4 (PZR-82-17A). The parallelogram shape of the district resulted in the R-1A/R-1M split zone across what is now Lot C.
- **Future Land Use Recommendation**
Low-to-Moderate Residential – Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre)

Recommended Zoning Districts: R-1A (6,000 sf. min. lot size), R-1B (10,000 sf. min. lot size), R-1AM (accessory units and individual mobile homes)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X
2013 Digital Flood Insurance Rate Map: X

▪ **Traffic Access**

Lot C is accessed through its 54 ft. of frontage on Hahn Street.

▪ **Utilities**

The Parish GIS shows water, sewer, and drainage facilities along Hahn Street.

Representatives from the Departments of Public Works, Wastewater, and Waterworks have no objections to the rezoning.

APPLICABLE REGULATIONS

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

[II.] *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.
 - (4) Accessory uses to golf courses and country clubs limited to the following:
 - Art studios
 - Churches and Religious Institutions
 - Commercial recreation facilities
 - Commercial schools
 - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - Restaurants and cafeterias
 - 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), country clubs, and accessory commercial uses on such properties.
 - (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.
 - (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
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.
 - (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.
 - 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.
 - 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. *Reserved*.
 - 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.

Appendix A. Section XV. - Amendment procedure

- D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two 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 zone 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, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - 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.
- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
 - 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 - 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

- 1. *The proposed rezoning conforms to the 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.*

The subject site is designated *Low-to-Moderate Residential*, which primarily allows a residential land development pattern consistent with the R-1A, R-1B, and R-1A(M) zoning districts. Although the manufactured homes permitted under the proposed R-1A(M) district conform to the *Low-to-Moderate Residential* designation, this must be considered a spot zone due to being applied to a single small site within a larger established R-1A district. While R-1A(M) zoning is located nearby at the corner of Pine and Hahn Street, and the site is adjacent to a manufactured home park, these are exceptions to the zoning pattern and should not be used to justify another spot zone. **The request does not meet the first guideline.**

- 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 and the proposed zoning does.*

The existing zoning does not allow reasonable use of the applicant's property. R-1M is use specific, allowing only for manufactured homes and RVs within larger park developments. It is not intended for the permitting of single homes on single lots like the R-1A and R-1A(M) districts. Unless Lot C is made part of the adjacent manufactured home park its R-1M zoning makes it undevelopable.

That being said, a request to bring the lot under a uniform R-1A zoning instead of a full change to R-1A(M) would be more reasonable. The historical land-use pattern and character of the surrounding area consists primarily of site-built homes. This is reinforced with the construction of new homes at a rate of two to five each year prior to Hurricane Ida (alongside renovations of existing properties). The zoning in the area has also remained stable, with the most recent change from R-1A to R-1A(M) approved in 2007 at 230 Hahn Street (Ord. No. 07-12-4; PZR-2007-20). More recent requests to change R-1A to R-1A(M), three of which on Hahn Street, have been unsuccessful (PZR-2014-07, 2022-6-R, 2022-7-R, 2022-17-R).

While the lot would be non-conforming under R-1A zoning, impact on how it may be developed is negligible between the two districts. Each have the same side yard requirements and the 244 ft. lot depth allows for accommodation of the larger front and rear yards required under R-1A without greatly impacting buildable area. **The request does not meet the second guideline.**

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 manufactured home that could be permitted under the proposed zoning is not incompatible with the character found within the immediate vicinity, specifically the two manufactured homes on the lot catty-corner at the intersection of Pine and Hahn Street and the adjacent manufactured home park. This would also not have any more of an impact on utilities compared to the existing R-1A/R-1M zoning. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Denial, due to only meeting the third rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.

Case # _____

REASONS FOR ZONING CHANGE (your answers below should make a case on the merits of your request)

How does the proposed zoning conform to the Comprehensive Plan Future Land Use Map designation?

Due to the current property split zoning, our proposed zoning at which we would place 2 residential mobile homes complies to the Future Land Use as per The Low to Moderate Residential Category.

How does the proposed zoning serve the best interest of the community?

The rezoning will provide safe, affordable, and stable housing necessary within the community.

Do uses on adjacent properties limit the use of your property under current zoning?

Under the current property zoning, there are no adjacent properties limiting the use of our property.

Do unique physical or environmental limitations affect the use of your property under current zoning?

Yes, under the current zoning, there are unique physical limitations affecting the use of our property, in which the placement of a single family home or mobile park would not be allowed, as per current R-1A and R-1M standards.

Have changes in land value, physical environment, or economic aspects limited the use of your property under current zoning?

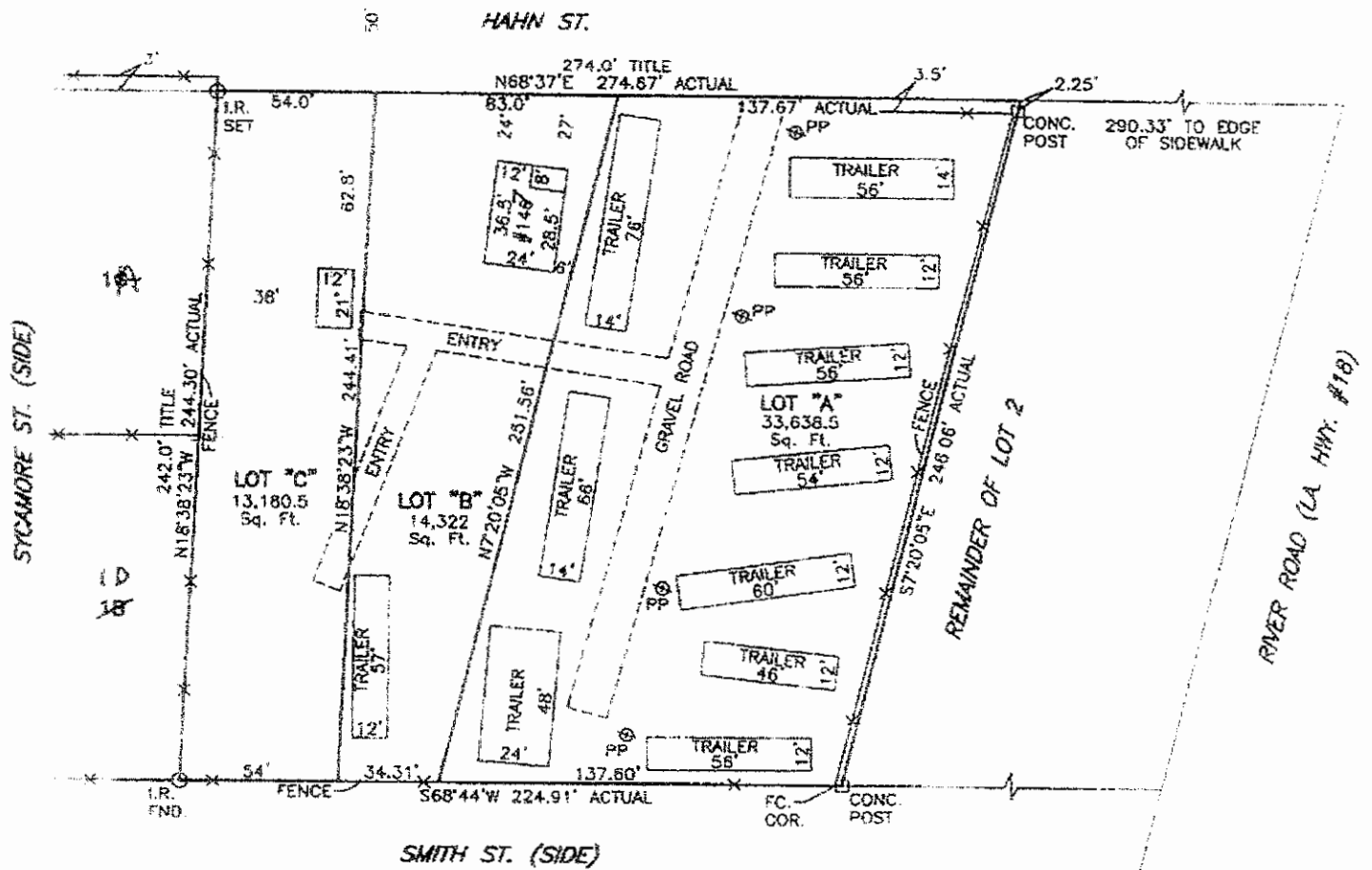
There have not been any changes in land value, physical environment, or economic aspects, limiting the use of our property under its current zoning.

Are the uses permitted under the proposed zoning compatible with existing neighborhood character?

Yes, if granted the proposed zoning to R-1AM, its use would be compatible with the existing neighborhood's character. There are multiple mobile home properties in the area of our property. The adjacent properties are located across the street and a mobile home park is a short distance nearby.

So, rezoning of our property will not change the existing character of the neighborhood.

This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found that the surveyed property as shown hereon is not in a special flood hazard area. The property lies in a Zone X as per sheet 150 of said maps, having an effective date of June 16, 1992.



REFERENCE MAPS:

1. RESUBDIVISION OF A PORTION OF LOT 1, SQ. 5 AS PER PLAN OF LUCIEN GASSEN, PLS DATED JUNE 12, 1980.
2. SURVEY OF A PORTION OF LOT 2 AS PER PLAN OF E.M. COLLIER, PLS DATED JANUARY 11, 1981, REVISED JULY 17, 1982.

SURVEY OF LOTS "A", "B", AND "C" OF A SUBDIVISION OF A PORTION OF LOT 2, SQUARE 5 OF HAHNVILLE LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 20 EAST AT HAHNVILLE, ST. CHARLES PARISH, LA.

FILE #	04K112
SCALE:	1" = 50'
DATE:	9/29/04

THIS SURVEY WAS PERFORMED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND CONTROL.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS "C" SURVEY.

R.P. Bernard
SURVEYOR

R.P. BERNARD, PLS
LA. REG. #226
P.O. BOX 402, BOUTTE, LA

2024-14-R
R-1A & R-1M to R-1A(M)

1" = 200'

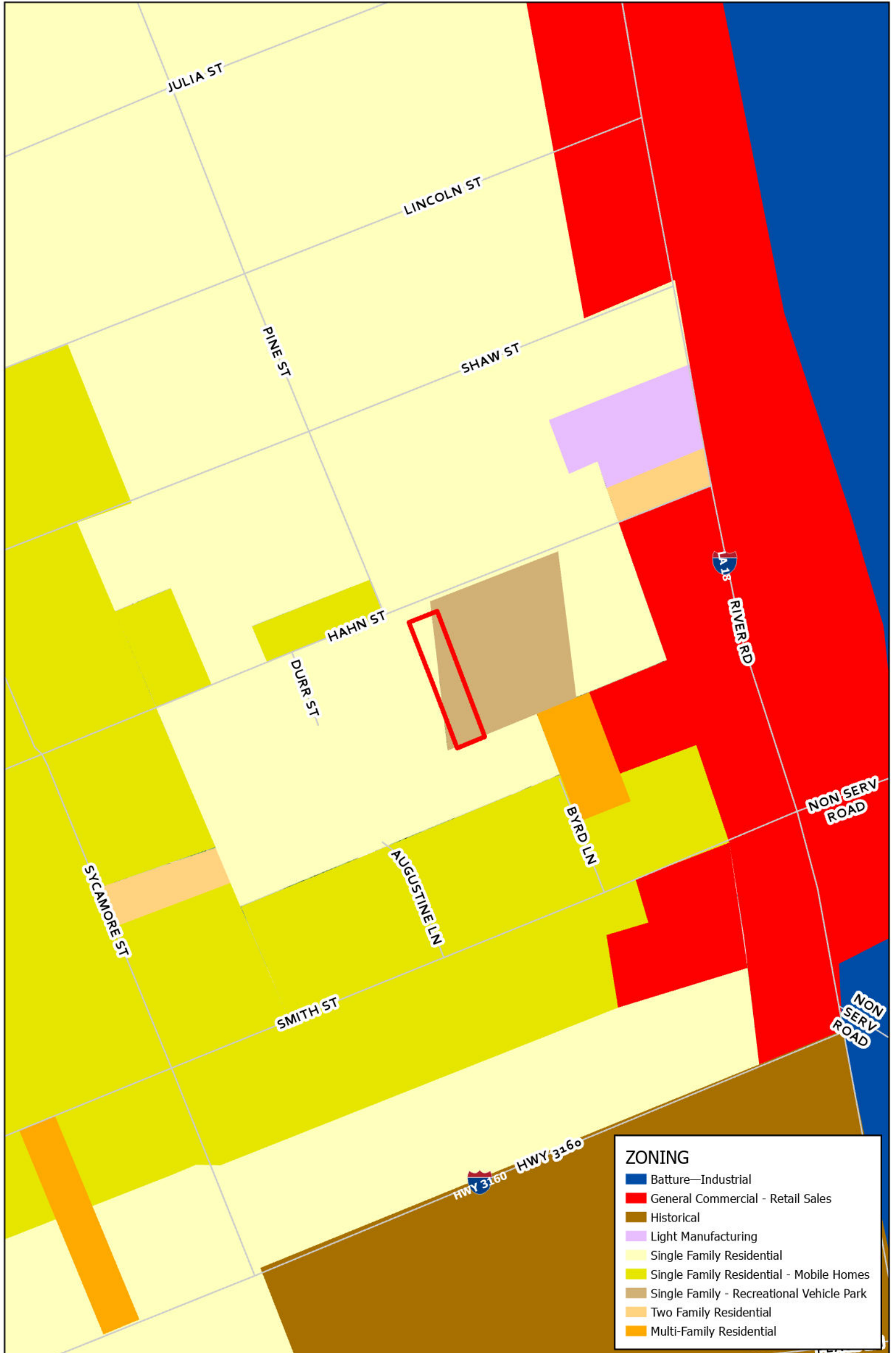
N



2024-14-R
R-1A & R-1M to R-1A(M)

1" = 200'

N

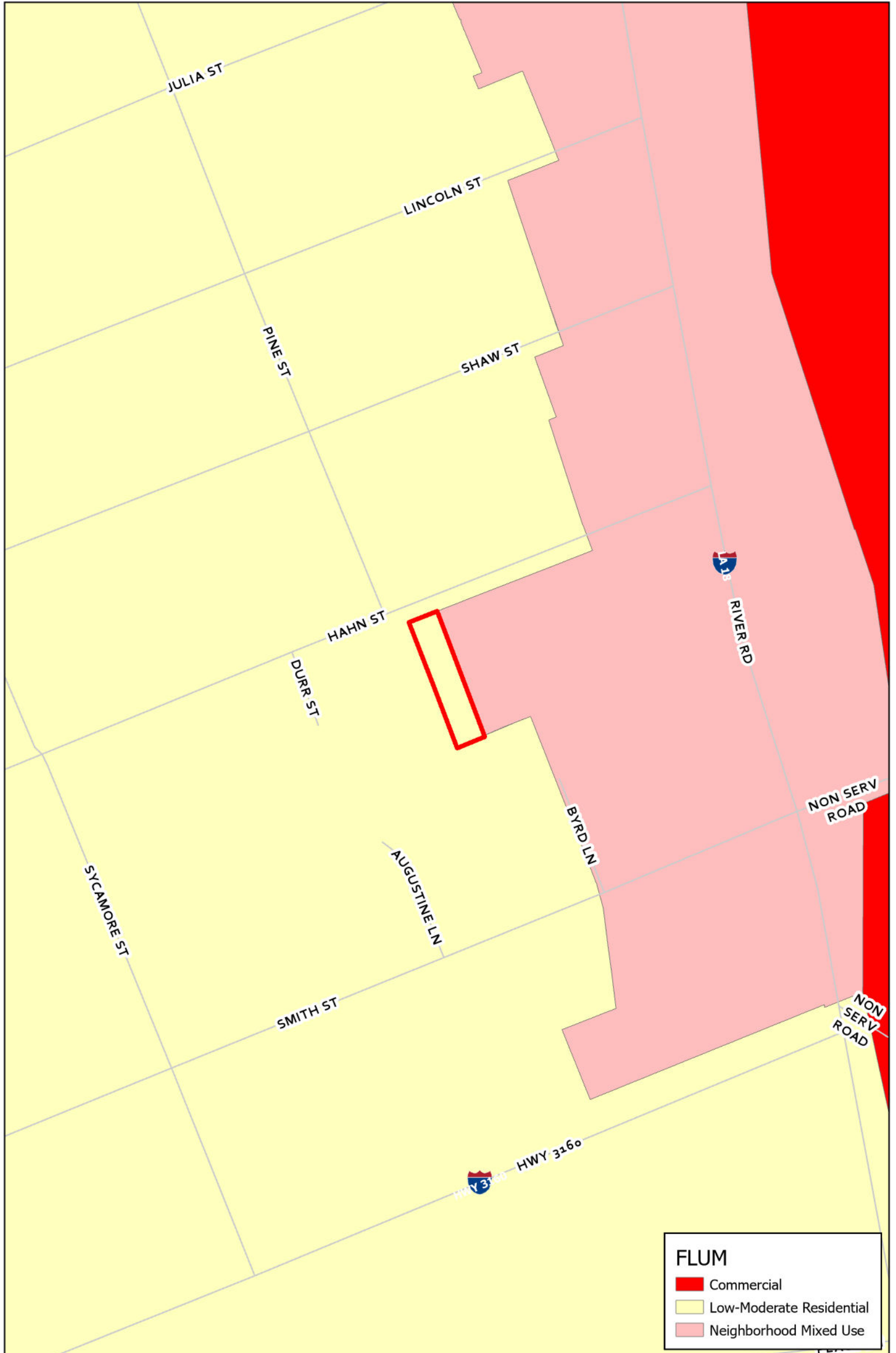


ZONING	
	Batture—Industrial
	General Commercial - Retail Sales
	Historical
	Light Manufacturing
	Single Family Residential
	Single Family Residential - Mobile Homes
	Single Family - Recreational Vehicle Park
	Two Family Residential
	Multi-Family Residential

2024-14-R
R-1A & R-1M to R-1A(M)

1" = 200'

N





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-15-R

APPLICATION INFORMATION

- **Submittal Date:** 7/11/2024
- **Applicant / Property Owner**
Traci Johnson
Luling Exchange, LLC
400 Poydras Street, Suite 3000
New Orleans, LA 70130
504.619.2293; tracijohnson@imtt.com
- **Request**
Change of zoning:
 - Current - R-1A, Single family residential detached conventional homes - Medium density; R-3, Multi-family residential; C-3, Highway commercial district-Wholesale and retail sales
 - Proposed – O-L, Open Land District; M-1, Light manufacturing and industry

SITE INFORMATION

- **Location**
597 acre “Tract L”, municipal address 11831 River Road, Luling.
- **Size**
The subject portion consists of approximately 250 acres (approximately 61.18 acres proposed O-L; approximately 185.31 acres proposed M-1)
- **Current Use:**
Some utility or infrastructural uses can be found on the site, but it is largely undeveloped and partially wooded.
- **Surrounding Zoning**
C-3 and B-2 zoning is located to the River Road side; C-3 and W zoning is located to the Highway 90 side; M-2 zoning is adjacent to the Ama side; R-1A zoning is adjacent to the Evelyn Drive side (Davis Heights Subdivision).
- **Surrounding Uses**
The site is located in an area between Luling and Ama that is mostly undeveloped. The primary development in the area is the residential neighborhood immediately adjacent to the Evelyn Drive side (Luling and Davis Heights Subdivisions).
- **Zoning History**
The R-3 and C-3 districts were established in 1981. The R-1A district was established through rezoning in 1989 (PZR-1989-05, Ordinance 89-3-1).
- **Future Land Use Recommendation**
Business Park: This category provides for the development of planned business, office, technology, warehouse and research activities, as well as related ancillary uses, such as shipping offices, office supply, services, hotels and restaurants. Business parks should incorporate design standards such as screening, landscaping and site location criteria.
 - Create a new zoning district that allows some M-1 uses, and C-1, C-2 and C-3 uses with development standards.

Industrial Buffer: Private or public land separating heavy industry from residential uses. This land should be used for parks, trails, and institutional and public uses. Neighborhood retail, services, and offices are also permitted in appropriate locations when compatible with adjacent uses.

- *Recommended Zoning Districts: CR-1 (residential/commercial transitional), C-1 (commercial office), C-2 (general commercial retail), MS (medical service)*

Wetlands: *Constrained lands due to wetlands and flood zones. Allowable land uses in areas designated as wetlands are limited to low impact uses, such as eco-tourism and recreation (e.g., boating, hiking, hunting, fishing), wildlife observation, environmental education, environmental research, compatible agriculture (e.g., periodic haying and grazing), managed timber harvest, and other uses that may be permitted by special exception or special permit by the Louisiana Department of Natural Resources, the U.S. Army Corps of Engineers or the St. Charles Parish Coastal Zone Advisory Council.*

- *Recommended Zoning Districts: W (wetland district)*

▪ **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: X Zone & AE4
 2013 Digital Flood Insurance Rate Map: X and AE5

▪ **Traffic Access**

Access to the site is available at various points, including from the Evelyn Drive side at the termini of Nola and Rex Streets. But the primary frontage is along River Road.

▪ **Utilities**

The Parish GIS map shows drainage facilities along River Road and the sides of the site; a wastewater line is shown through the rear; water facilities are shown along River Road.

Representatives from the Departments of Public Works, Wastewater, and Waterworks did not offer objections to the rezoning.

Any resulting development and its impact on infrastructure would be evaluated in greater detail at during permitting review.

APPLICABLE REGULATIONS

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

A. Open Land District: The regulations in the Open Land District are as follows:

[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 and uses.
- (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.
- (13) Lawn Care Service subject to the requirements of Section VII.
- (14) Historic Home Site Bed and Breakfast.

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.
 - (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.
 - (8) *Reserved*.
 - (9) Fire stations with or without firefighter training facilities.
 - (10) Nonresidential accessory buildings.
 - (11) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (12) Transmission towers.
 - (13) Solar Energy System, Large (LSES), in accordance with Section VII, Supplemental Use and Performance Regulations and supporting resolution of the Council.
- 2. Spatial Requirements:
 - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet.
 - 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.
 - 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.
 - (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.
 - (2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts.
- 4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

D. Manufacturing and industry districts—The regulations in these districts are as follows.

[I.] *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) Commercial vehicle and heavy 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).
 - (31) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
 - b. Special exception uses and structures (variation):
 - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
 - 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.
 - (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.
 - (3) Cellular installations and PCS (personal communication service) installations.
 - (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council. 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.

- (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:
 - (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.
 - (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.
 - (7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (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.
 - (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.
 - (10) Solar Energy System, Large (LSES), in accordance with Section VII, Supplemental Use and Performance Regulations.
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet.
Minimum width: One hundred (100) feet.
 - 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, 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 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.
 - 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.
 - 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.

Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two 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 zone 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, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - 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.

- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

1. *The proposed rezoning conforms to the 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.*

The subject area is under the *Business Park, Industrial Buffer, and Wetlands* Future Land Use Map designations. The extent of the proposed M-1 district falls under each designation, but the only portion conforming to the Future Land Use Map are the approximately 55 acres under *Business Park*. The remaining 129.66 acres of M-1 are under the *Industrial Buffer* and *Wetland* designations, which it does not conform to.

The extent of the proposed O-L district falls under the *Industrial Buffer* and *Wetland* designations. O-L zoning is more compatible compared to the existing R-1A, R-3, and C-3 districts, but this specific zoning district and its permitted uses does not conform to the development pattern of the *Industrial Buffer* and *Wetland* designations.

The proposed zoning is not a spot zone as it covers a large area and would expand upon existing industrial zoning, but with only 55 acres of the 250 acre site conforming to the Future Land Use Map, it can't be said this request is in furtherance of the Comprehensive Plan. **The request does not meet the first guideline.**

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 and the proposed zoning does.*

This area bridges the developed areas of Luling and Ama, and is roughly bounded by the Bayer (former Monsanto) facility upriver, the ADM grain elevator facility downriver, the Mississippi River to the north, and Highway 90 to the south. The land use pattern and character of this area has been established for several decades. Luling Heights and Davis Heights Subdivisions were platted in the 1950s and 60s respectively. The two bounding features upriver and downriver (Bayer and ADM) were also started in the 1950s and 60s. The most recent development affecting this area is the Davis Freshwater Diversion Project which began in the late 1990s and was completed in the 2000s. The majority of the land, a significant portion being the subject site, has remained mostly undeveloped and wooded. The zoning itself has remained constant since its establishment in 1981 with the most recent change occurring in the late 1980s (PZR-1989-05; Ord. 89-3-1).

While the zoning and land use pattern has long been established and unchanged as noted above, the current zoning pattern does not allow for reasonable use of the property. Currently more than half of the site is zoned M-2 with the remaining portions zoned R-1A, R-3, and C-3. For the same reason the M-2 district should not intrude closer to the residentially zoned Luling/Davis Heights Subdivisions, those portions zoned R-1A and R-3 should not be developed in a way that would extend residential development closer to the M-2 zoning. As for the C-3 district, its size and lack of visible frontage on a high-traffic highway limits its potential for "highway commercial" development.

The zoning pattern that could result from this revised request would be more reasonable for both the subject property and the adjacent residential subdivisions for the following reasons:

- The M-1 district will allow a developer of Tract L to make more compatible improvements in service to any "major operations" within the M-2 district.
- Buffer requirements in place to protect residential areas from high intensity development will not only be maintained but strengthened, specifically:
 - The proposed O-L and M-1 zoning will keep "major operations" to the confines of the M-2 district, maintaining the 2,000 ft. buffer without any potential for reduction.
 - The O-L district will provide an additional layer of buffering by significantly reducing the development potential within the 500 ft. immediately adjacent to the Luling/Davis Heights Subdivisions.
 - M-1 zoning has stronger buffer requirements compared to the existing R-1A, R-3, and C-3 districts. Specifically a minimum 15 ft. buffer is required where applicable compared to 10 ft. under C-3 and R-3 zoning. And the Department may increase a required buffer under M-1 zoning while under C-3 it can be reduced.

To summarize, the rezoning will allow for more reasonable development of Tract L while still protecting nearby residential areas. **The request meets the second guideline.**

3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

Most of the land in the subject area as detailed under the second guideline is undeveloped and wooded. The most significant developments are the Luling Heights and Davis Heights Subdivisions, which fall under R-1A zoning and are nearly built-out with single family homes. Under the previous request the proposed zoning change would have extended M-2 zoning within 400 ft. of this residential area. M-2 being one of the most intense districts in St. Charles Parish, the Department could not recommend approval of such a change and the request was withdrawn.

With this request the question of compatibility would not change significantly under the proposed zoning pattern and in some situations could improve:

- The primary change is a conversion of approximately 214 acres of C-3 to M-1. This is not a significant change compared to what is currently permitted under C-3 which allows several uses which would not be out of place in industrial areas (some fabrication and manufacturing, wholesale, warehousing, bottling works, building supply, plumbing and sheet metal shops, etc.).
- Currently R-3 and C-3 developments could be permitted directly adjacent to the single family Luling Heights and Davis Heights Subdivisions. This request would establish a 500 ft. wide O-L district between the neighborhoods and the proposed industrial zoning, greatly reducing the development potential of the area adjacent to the residences and removing potential conflicts.

Regarding impact to infrastructure, representatives from the Departments of Public Works, Wastewater, and Waterworks offered no objections to the rezoning. And given the nature of the development type that can be permitted under current zoning compared to proposed zoning (several individual commercial and multi-family developments vs. a single industrial site), the development potential likely reduces impact on existing infrastructure. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Approval, based off meeting the second and third rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.



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 #: _____
Receipt #: _____
Application Date: _____
Zoning District: _____
FLUM Designation: _____
Date Posted: _____

**APPLICATION FOR ZONING MAP AMENDMENT
 (CHANGE OF ZONING DISTRICT OR REZONING)**

Fee: **\$40 - \$200**

Applicant: _____ Luling Exchange, LLC

Home address: _____ 400 Poydras St., Suite 3000, New Orleans, LA 70130

Mailing address (if different): _____

Phone #s: _____ Office: (504) 619-2293 Cell: (504) 453-8815 Email: _____ TraciJohnson@imtt.com

Property owner: _____ Luling Exchange, LLC

Municipal address of property: _____ 11801 River Rd (LA Hwy 18), Ama, LA, 70031

Lot, block, subdivision: _____ Lot 4275 Davis Plantation, Portion of Parcel No. 251900004275 and Lot GG Davis Plantation, Parcel No. 2519000000GG to be incorporated into Tract L (Davis Pond)

Change of zoning district from: _____ Mixed Residential (R-1A, R-3, C-3) to: _____ Undeveloped land (O-L), Light Manufacturing (M1)

Future Land Use designation of the property: _____ O-L, M1
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: _____ IMTT owns the St. Rose terminal on the East Bank, located directly across the river from the subject property. The eastern portion of the subject property is currently zoned M-2, which allows heavy manufacturing operations, such as an expansion of IMTT's St. Rose facility across the river. IMTT's rezoning proposal for the western portion establishes a 500' undeveloped O-L buffer from the neighborhood while also allowing IMTT to pursue less intensive accessory uses such as parking lots, administrative buildings and warehouses on the remaining acreage.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood? _____ The eastern boundary is bordered by a heavy manufacturing (M-2) zone north of the Southern Pacific (SP) Railroad and by wetlands (W) south of the SP railroad. The southern boundary sits adjacent to a W zone. The western boundary is adjacent to a single family detached district (R-1A); and the northern boundary is abutted by an industrial batture (B-2) zone. IMTT's rezoning plan establishes a 500' undeveloped O-L buffer adjacent to the neighborhood. This is a less intensive designation than the current zoning which allows for R-1A and R-3 development on the western boundary. The area proposed to be rezoned to M-1 would be bounded by existing M-2 acreage, existing industrial batture (B-2), undeveloped W acreage and the O-L buffer.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary? _____ Rezoning is required to establish a 500' O-L buffer, preventing major development of any kind from occurring on the portion of the property immediately adjacent to the neighborhood on the western boundary. The rezoning plan will also allow IMTT to utilize additional acreage for less intensive accessory uses such as parking lots, administrative buildings and warehouses. The 2,000' buffer between the existing M-2 area and the residential area to the west will remain in place.

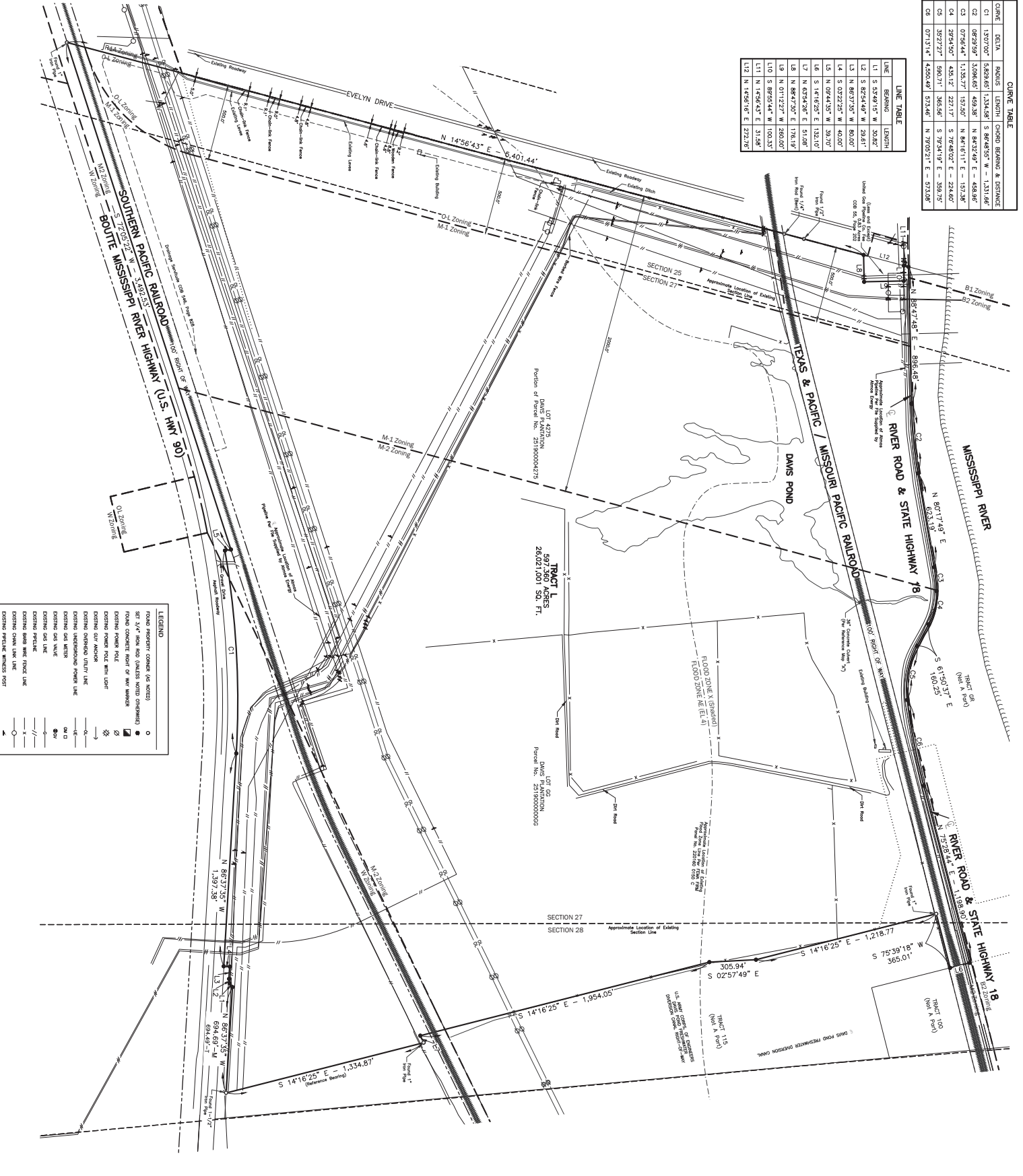
How does your proposed use of the property comply with the Future Land Use designation for the property? _____ The property's Future Land Use designation is currently wetlands in the southern half, industrial buffer in the northwestern quarter, and business park in the northern and northeastern three quarters. To ensure compliance with the St. Charles Parish Comprehensive Future Land Use Map, a land use amendment request will be submitted to the St. Charles Parish Planning Commission to redesignate the Future Land Use of the property to reflect the updated zoning.

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department. _____ The proposed rezoning is both compatible with, and beneficial to, the existing neighborhood. Creation of an open land buffer would preserve the existing green space and would ensure that no major development would be constructed within 500' of Evelyn Drive residences. This buffer could also incorporate a new roadway between River Road and Highway 90 which would reduce traffic through the neighborhood on Barton Ave. The M-1 designation would allow for less intensive accessory uses such as parking lots, administrative buildings and warehouses which would be compatible with the existing M-2 area.

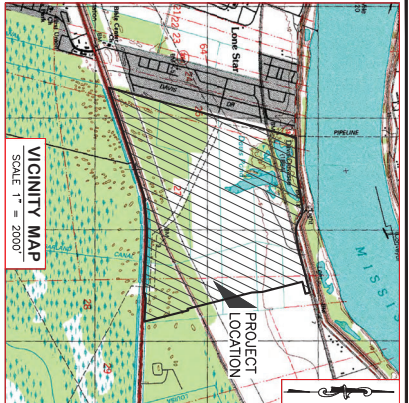
Permit/Case #: _____

LINE	BEARING	LENGTH	CURVE BEARING & DISTANCE
C1	S 76°02'22" N	5,807.53	S 134.88' E - 1,334.87'
C2	S 76°02'22" N	5,807.53	S 134.88' E - 1,334.87'
C3	S 76°02'22" N	5,807.53	S 134.88' E - 1,334.87'
C4	S 76°02'22" N	5,807.53	S 134.88' E - 1,334.87'
C5	S 76°02'22" N	5,807.53	S 134.88' E - 1,334.87'
C6	S 76°02'22" N	5,807.53	S 134.88' E - 1,334.87'

LINE	BEARING	LENGTH
L1	S 52°41'15" W	30.62'
L2	S 82°44'48" W	29.64'
L3	N 80°37'50" W	80.00'
L4	S 02°22'25" W	40.00'
L5	N 09°44'15" W	30.70'
L6	S 14°16'25" E	1,321.10'
L7	N 83°42'26" E	51.08'
L8	N 86°37'55" E	176.15'
L9	N 01°12'27" W	260.00'
L10	S 89°52'34" W	100.33'
L11	N 14°56'43" E	513.88'
L12	N 14°56'16" E	222.77'



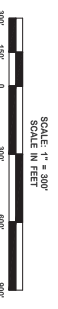
LEGEND	DESCRIPTION
○	ROUND PROPERTY CORNER (AS NOTED)
○	SET 3/4" IRON ROD (UNLESS NOTED OTHERWISE)
▣	FOUND CONCRETE FOOT OF MW MARKER
○	EXISTING POWER POLE
○	EXISTING POWER POLE WITH LIGHT
○	EXISTING 6" BY 6" ANCHOR
○	EXISTING OVERHEAD UTILITY LINE
○	EXISTING OVERHEAD POWER LINE
○	EXISTING GAS METER
○	EXISTING GAS VALVE
○	EXISTING GAS LINE
○	EXISTING FIRELINE
○	EXISTING SAND WIRE TRAP LINE
○	EXISTING DRAIN LINE
○	EXISTING FENCE LINE
○	EXISTING FENCE FINISH POST



- NOTES:**
- Zoning: R14 (Single Family Residential Detached), R3 (Multi-Family Residential), C2 (Highway Commercial - Wholesale & Retail Sales), W1 (Warehouse), O1 (Light Manufacturing).
 - Reference Maps: A compilation of portions of state positions in Tract L (598.19 Acres) and Tract G (62.06 Acres) made for The Level Companies and BOND'S Reserve, Inc. (Reference Map No. 2011).
 - Represents the Basis of Bearings Distances shown on U.S. Survey plat.
 - Flood Note: The property herein is located in Flood Zone "AE" (EL: 47' & Flood Zone "X" (Shaded) in accordance with FEMA Flood Insurance Rate Map Panel Number 220160 0150 G. The property is located outside the limits of the ADFI zone in accordance with Panel Number for September 14, 2005 of the Hurricane Risk Advisory Base Flood Elevation (ABFE) Flood Plain Determination/Map. Any design or construction should be verified with the local authority's Flood Plain Determination/Map.
 - Utilities: The surveyor has shown the location of all utility lines with reference to the utility shown on each plat. In the event, other in service or abandoned, pipelines, the surveyor does not warrant the accuracy of their location. The surveyor makes no guarantee as to the location of any utility lines not shown on the plat.
 - No attempt has been made by Acadia Land Surveying, LLC, to verify the actual legal ownership, lease, easements, encumbrances, rights-of-way or other burdens on the property shown on this plat. It is the responsibility of the client to verify the same.
 - Acadia Land Surveying, LLC, will not receive nor warrant the location of wetland areas as delineated by the appropriate authorities.
 - The words "Verify," "Certify" or "Guarantee" as used herein is understood to be an acknowledgment that the surveyor has exercised due diligence in the collection, analysis, and report, as such, it does not constitute a guarantee nor a warranty, expressed or implied, over the western boundary line of subject property.
 - Encroachment: wooden and chain-link fence encroachments and encroachments up to 8.2'.

EXHIBIT SHOWING RE-ZONING PLAN

TRACT L (DAVIS POND)
 LOCATED IN SECTIONS 25, 27 & 28,
 TOWNSHIP 13 SOUTH - RANGE 21 EAST,
 ST. CHARLES PARISH, LOUISIANA



ACADIA
 LAND SURVEYING, LLC
 LOUISIANA • MISSISSIPPI • ALABAMA • TEXAS

205 EAST ZACHRY STREET, THIBODAUX, LOUISIANA 70310
 Phone: 409-448-0044 Fax: 409-448-0045
 EMAIL: ACADIA@ACADIALANDSURVEYING.COM

SCALE: 1" = 300'
 SCALE IN FEET

DATE:	FIELD BOOK: 210
DRAWN BY: CHM	FIELD WORK COMPLETED ON: AUGUST 8, 2023
CHECKED BY: LHM	DATE FILED: 2023/08/14/23-544-004
MISSION DESCRIPTION:	PREPARED BY: LHM
NO:	

2024-15-R
R-1A, R-3 & C-3 to O-L & M-1

1" = 1200'

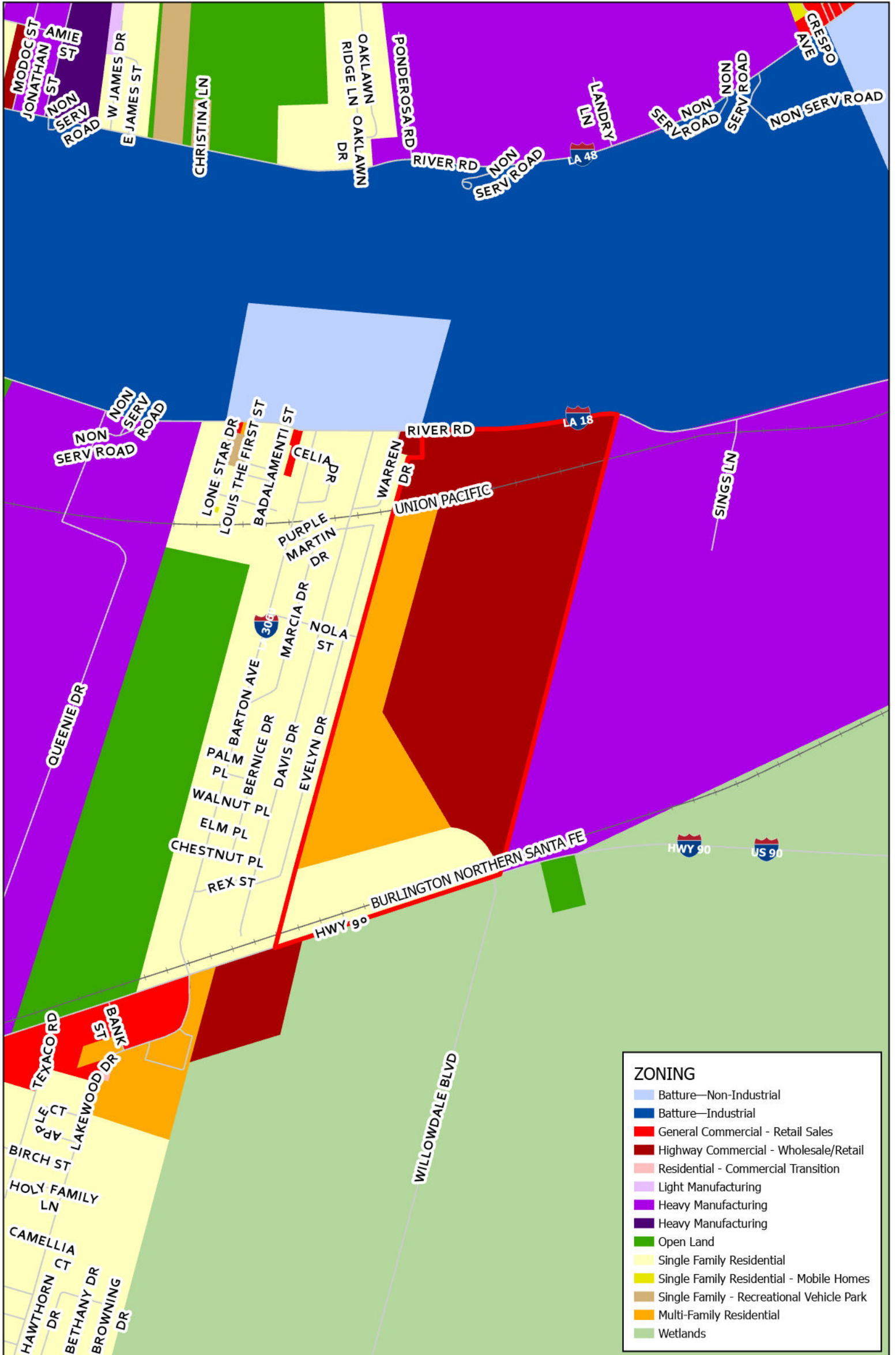
N



2024-15-R
 R-1A, R-3 & C-3 to O-L & M-1

1" = 1200'

N



2024-15-R
 R-1A, R-3 & C-3 to O-L & M-1

1" = 1200'

N

