

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2019-5-MAJ

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date** 4/2/19
Pecan Bayou Real Estate, LLC
1904 Ormond Blvd. Suite 101
Destrehan, LA 70047
(504)-905-1687; jason.remaxsynergy@gmail.com
(504)-914-0988; jefferymelancon@gmail.com
- ◆ **Location of Site**
Parcel A and Parcel B of Pecan Bayou Subdivision, Hahnville, Oak Street near Butternut Street.
- ◆ **Requested Action**
Preliminary Plat approval for Pecan Bayou Subdivision, 10 lots in an R-1A zoning district with a waiver from the requirement for street width.

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**
Parcel A consists of 87,793 square feet and Parcel B consists of 80,438 square feet, a total of 3.8 acres; all proposed lots meet or exceed the minimum 60-foot width and 6,000 square foot area for the R-1A district; proposed corner lots meet the additional width requirement with at least 80 feet on both streets.
- ◆ **Current Zoning and Land Use**
The property is zoned R-1A and is cleared but vacant.
- ◆ **Surrounding Zoning and Land Uses**
Parcel A has R-1A, Single Family Residential zoning to the front, rear, and Hickory Street sides; O-L, Open Land zoning is adjacent to the Butternut Street side. Site built single family houses are developed adjacent to the rear and Hickory Street sides; the land to the front across Oak Street and adjacent to the Butternut Street side is cleared but undeveloped.

R-1A zoning and single-family houses abut on each side of Parcel B.
- ◆ **Plan 2030 Recommendations**
Low Density Residential: This category includes the Parish's predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category.
- ◆ **Traffic Access**
Hahnville has a street grid that provides good access to both River Road and La 3160. The subdivision is proposed on existing streets with paving that is approximately 17-feet wide.
- ◆ **Utilities**
Representatives from Public Works & Wastewater and Waterworks stated that sewer and water lines are not installed along Oak Street past Hickory or along Butternut Street. In order to complete the major subdivision process, the developer will have to design, construct, and dedicate water, sewer, and drainage facilities as

well as streetlights. The developer has to work with private utilities providers for electricity and telecommunications as well as natural gas, if desired.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure.

- D. *Major Resubdivisions.* For any subdivision or resubdivision resulting in six (6) or more lots, including any remainder of the original lot, plat, tract, parcel, and/or any subdivision or resubdivision requiring dedication of public improvements, approval shall consist of preliminary plat approval and construction approval by the Planning and Zoning Commission, and final approval by the Parish Council.
- E. *Preliminary Plat Requirements.*
1. When Required. A formal preliminary plat shall be required for all subdivisions except where no street, drainage, or sewer improvements are required. (See Section II.C.).
 2. Mandatory Submission Requirements. The preliminary plat shall conform to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The preliminary plat shall contain the following mandatory information:
 - a. The name(s) and address(es) of the owner(s) and subdivider(s).
 - b. The seal of the land surveyor preparing the plat and the date of preparation. The plat shall be dated within one (1) year of the subdivision application date.
 - c. A title block containing the subdivision name, location of the property, a true north arrow, and the required scale for the preliminary plat, both written and graphic. The preliminary plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet for a subdivision of one hundred and sixty (160) acres and less. If the subdivision contains more than one hundred and sixty (160) acres, the preliminary plat may be drawn to a scale of one (1) inch equals two hundred (200) feet.
 - d. Existing property lines, including width and names of bounding streets.
 - e. Section and township lines.
 - f. Zoning district boundary lines, only when such boundary lines bisect the proposed subdivision.
 - g. Location and dimensions of existing improvements, including municipal numbering where applicable.
 - h. Qualifying statement, as follows: "St. Charles Parish land use regulations, including setback standards, supersede private subdivision covenants where parish regulations are more restrictive."
 - i. Existing drainage ditches and canals and their respective servitudes.
 - j. Existing lakes and ponds.
 - k. Name(s) and address(es) of adjoining property owner(s) as they appear on the tax assessor's roles.
 - l. Name(s) of adjoining subdivisions.
 - m. Layout and dimensions, including area, of all proposed lots which shall be numbered consecutively.
 - n. Layout and dimensions of servitudes and rights-of-way, including sidewalks.
 - o. Existing bridges, culverts, watermains, sanitary and storm sewers, and other underground structures indicating pipe sizes, grades, and manholes.
 - p. Existing contours at one-foot intervals using mean sea level datum for ground slope within the subdivisions.
 - q. Proposed method and source of sewage disposal and/or treatment.
 - r. Proposed method and plan for drainage.
 - s. Location and size of any proposed school sites, park sites, playgrounds, or other special uses of land.
 - t. A composite road plan with graphic alignment, proposed street names, right-of-way widths, curve radii and tangent length, intended type of surfacing material, street lighting plan, and the location and type of any proposed railroad crossing(s) for subdivision access.
 - u. Vicinity map at a scale of one (1) inch equals two thousand (2,000) feet.
 - v. Statement of Dedication. Submission of the Preliminary Plat shall be accompanied by a written "Statement of Dedication," indicating the subdivider's intent to submit a final "Act of Dedication" prior to approval of the Final Plat.
 3. Preliminary Plat/Additional Submission Requirements.
 - a. Drainage Impact Analysis. A Drainage Impact Analysis shall be completed by a Civil Engineer registered with the State of Louisiana for all subdivisions of property of one (1) acre or greater. The said Drainage Impact Analysis shall be prepared pursuant to the guidelines specified in these regulations. (Ord. No. 00-11-12, § III, 11-20-00)
 - b. Preliminary Subdivision Stormwater Pollution Prevention Plan. A Stormwater Pollution Prevention Plan, including all required documentation, shall be submitted in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control, Section 25-14.
 4. Preliminary Plat Procedure.

- a. Submission Procedure. An application for subdivision approval and the Preliminary Plat shall be submitted to the Director of Planning and Zoning from the record owner(s) of the property being subdivided. If the property is in the name of a corporation, a resolution authorizing the subdivision or authorizing an individual to request such approval shall be submitted. One (1) Mylar or film reproducible copy, five (5) original copies, and one (1) 11" x 17" Mylar or film reproducible copy of the Preliminary Plat shall accompany the application. Upon submission, the Preliminary Plat shall be stamped with the date of filing, and with an acknowledgment that the required filing fees have been paid.
- b. Departmental Review. The Director of the Department of Planning and Zoning shall then review the Preliminary Plat for conformance with the relevant land use regulations. The Director of Planning and Zoning shall inform the subdivider in writing within fifteen (15) calendar days of the date of receipt of the Preliminary Plat the data submitted does or does not meet the objectives of these subdivision regulations. If the data submitted does not meet the objectives of these regulations, the reason(s) shall be so stated. When the Preliminary Plat is found to conform to these regulations, the Commission, through the Department of Planning and Zoning, shall schedule a public hearing on the proposed subdivision.

Subdivision Ordinance, Section II. Subdivision Procedure. E. 4.

- e. Public Hearing/Decision Process. The subdivider or his representative shall be present at the public hearing to explain the proposal and to answer questions. Following the public hearing, the Commission shall either:
 - (1) Approve the Preliminary Plat as submitted.
 - (2) Conditionally approve the Preliminary Plat with conditions stated in writing.
 - (3) Disapprove the Preliminary Plat within sixty (60) calendar days of the date of the public hearing unless the time is extended by mutual agreement between the Commission and the subdivider.

The reason(s) for disapproval shall be stated in writing to the subdivider. Approval or conditional approval shall be evidenced by the Commission Chairman's signature on the Preliminary Plat. Any conditions or requirements shall be referenced and attached to the Preliminary Plat and application. The Commission, through the Department of Planning and Zoning, shall notify the Parish President and the Parish Council of the decision regarding the presented Preliminary Plat. Approval or conditional approval shall be valid for a period of six (6) months from the date of the Commission decision, unless extended by the Commission. Preliminary Plat approval of any successive phase of an approved subdivision expires when construction is interrupted on any such phase for a period of six (6) months or more.

Subdivision Ordinance, Section III. Geometric Standards

III. - Geometric standards.

- A. *Streets*. Streets shall be arranged to conform to the St. Charles Parish Street Plan and shall provide for continuation of existing and recorded streets in the area.
 1. Classification. Streets shall be classified as one of the following:
 - a. Arterial. Streets, including freeways and expressways, which are primarily for through traffic. Property which abuts arterial streets should not front onto the roadway unless separated by a service road.
 - b. Collector. Streets which provide a route between an arterial street and a local street and should be arranged to discourage through traffic.
 - c. Local. Streets which provide direct access to lots. Local streets shall be arranged to discourage through traffic.
 2. Right-of-Way. Street right-of-way width shall conform to the following minimum requirements.
 - a. Arterial. In curb and gutter subsurface drainage subdivisions, the requirement shall be eighty (80) feet for two-lane roadways and one hundred (100) feet for four-lane roadways. If a waiver to the required subsurface design is obtained, the requirement for open-swale designed subdivisions shall be seventy (70) feet for two-lane roadways and one hundred (100) feet for four-lane roadways.
 - b. Collector and Local. In curb and gutter subsurface drainage subdivisions, the requirement shall be fifty (50) feet. If a waiver to the required subsurface design is obtained, the requirement for open-swale designed subdivisions shall be sixty (60) feet.
 - e. Dead End Street. Permanent dead end streets shall have a turning circle (cul-de-sac) at the street terminus with a minimum right-of-way radius of sixty (60) feet. The turning circle shall contain a minimum pavement radius of forty-five (45) feet. The entrance to a permanent dead end street shall be posted with a sign stating "No Through Street".
 - f. Boulevards. One hundred (100) feet.
 4. Utilities. Space within the street right-of-way shall be designated for the construction of subsurface or open-swale drainage, sanitary sewers and public facilities and shall be in accordance with the typical sections.
 - a. Water lines located in the street right-of-way shall be placed on the opposite side of the street from sanitary sewer lines unless a variation is approved by the Parish Engineer.
 - b. Street light standards may be located on either side of the street or in the center of the median on boulevards.

5. Intersections. Street centerlines shall intersect as nearly as possible at a ninety (90) degree angle, but in no case shall the angle of intersection be less than seventy-five (75) degrees or greater than one hundred five (105) degrees.

B. *Blocks:*

1. Length. No block shall be longer than one thousand five hundred (1,500) feet nor less than five hundred (500) feet between street centers. Block separation, including stub outs, shall be paved to provide a minimum of two (2) ingresses and egresses to the proposed subdivision or accommodation for future access may be approved. (Ord. No. 06-1-23, § IV, 1-23-06)
2. Width. The width of blocks should normally be sufficient to provide for two (2) tiers of lots except for lots abutting arterial streets, railroad rights-of-way, etc.
3. Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations. When the subdivision of a parcel of land does not permit a normal street arrangement due to size or location of the land, there may be established a street with a cul-de-sac or turning circle which provides proper access to all lots. A cul-de-sac or turning circle, as described in Section III.A.2.e., shall be required at the end of dead end streets when the length of the dead end street exceeds the width of two (2) lots.

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.
2. Lot Lines. All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission.
3. Large Lots. When a parcel of land is subdivided into large lots, the Commission may require the shape and dimensions of the lots arranged so that resubdivision of any lots will meet the requirements of these Regulations and the St. Charles Parish Zoning Ordinance.

D. *Servitudes and Rights-of-Way:*

1. Utility Servitudes. Public utility servitudes shall be provided where necessary for poles, wires, conduits, sanitary sewers, and other utilities. The minimum width of servitude[s] shall be fifteen (15) feet.
 2. Drainage Servitude. Whenever a drainage channel, stream, or water course exists or is provided for in a subdivision, a servitude or right-of-way shall be dedicated on each side of such facilities to provide for maintenance and construction. The minimum width shall be the top bank width of the drainage ditch plus twenty (20) feet on one (1) side and ten (10) feet on the opposite side.
- E. *Building Lines.* Building setback lines shall meet the minimum requirements of the St. Charles Parish Zoning Ordinance for the type of development.
- F. *Parks, Playgrounds, School Sites, Etc.* In order that open space and sites for public use may be properly located and preserved as the parish develops, and in order that the cost of providing the public school, park and recreation sites necessary to serve the additional families brought into the community by residential subdivision development may be more equitably proportioned on the basis of the additional need created by the individual residential subdivision developments, the following provisions are established.

AND

[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.

1. Use Regulations:

- a. A building or land shall be used only for the following purposes:
 - (1) Site-built single-family detached dwellings
 - (2) Accessory uses
 - (3) Private recreational uses
- b. Special exception uses and structures include the following:
 - (1) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (2) Showing the 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.

- c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business, and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges) and country clubs with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) Reserved.
 - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (8) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.
- 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, 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.
 - 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 setback of accessory buildings including overhangs, shall be three (3) feet.
 - (4) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter. For accessory buildings, overhangs shall not be closer than three feet to any property line.
 - (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.

ANALYSIS

The applicant requests Preliminary Plat Approval for Pecan Bayou Subdivision, Hahnville, a 10-lot subdivision in an R-1A zoning district. All of the proposed lots meet geometric standards for lots and exceed the required 60-foot width and 6000-square foot area. Oak Street and Butternut Street are 50-foot wide Parish rights-of-way with a 17-foot wide asphalt surface lined by ditches. The applicant requests a waiver from the requirement for 22-feet of road surface to the existing 17-feet.

The Subdivision Regulations require major subdivisions to obtain Planning and Zoning Commission approval in two phases. The first is the Preliminary Plat, or conceptual layout. If approved, the developer completes and submits construction design plans for review by Parish departments. Construction Approval is the second phase. After the Planning Commission approves the construction plans, the developer can begin construction. Parish Departments monitor the construction of the drainage, water, sewer, utilities, and streets. When construction is complete and certified to meet Parish standards, the developer can request Final Plat Approval from the Parish Council, which includes a dedication of the streets and infrastructure to the Parish for public use. When the Final Plat is approved and recorded in the Clerk of Courts, the developer can begin selling lots.

The Preliminary Plat contains all 22 elements required by the Subdivision Regulations, and the applicant has submitted the required drainage impact analysis and Preliminary Subdivision Storm Water Pollution Prevention Plan. All of the lots exceed the minimum

width and area requirements for the R-1A zoning district and meet the geometric standards. The existing streets do not meet current standards having 17-feet of asphalt surface and by above ground stormwater conveyance within a 50-foot right-of-way.

The plat shows an upgrade to subsurface drainage. If approved, the developer will begin design work on construction plans for the drainage system, water, sewer, and streetlights.

DEPARTMENT RECOMMENDATIONS

Approval, contingent upon approval of a waiver from the required 22-foot wide street surface.
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