

**LAND USE REPORT**  
**CASE NUMBER: PZR 2015-01**

<p>◆ <b>Name/Address of Applicant:</b>          Errol Falterman          201 Devon Rd          LaPlace, LA 70068          504.487.9822</p>	<p><b>Application Date:</b> 12/04/14</p>
<p>◆ <b>Location of Site:</b>          53 Barreca St (corner First St &amp; Barreca St) Norco</p>	
<p>◆ <b>Requested Action</b>          Change of zoning from C-2 to C-3</p>	
<p>◆ <b>Purpose of Requested Action</b>          Location for Roofing Company. Tenant will request Special Permit Use for outdoor storage if rezone is approved.</p>	

- ◆ **Size of Parcel**  
11,050 sq. ft.
- ◆ **Existing Land Use and Zoning**  
C-2. Being cleaned up in preparation for occupation by roofing company.
- ◆ **Surrounding Land Uses and Zoning**  
R-1A zoning and land use on west, south and part of east side of site; C-2 zoning and land use to north and across First St.
- ◆ **Traffic Access and Parking**  
Barreca St. First St.
- ◆ **Plan 2030 Recommendations:**  
Mixed Use Corridor

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

- c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
- d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
- 3. The proposed zoning change is in keeping with zoning law and precedent, in that:
  - a. It is not capricious or arbitrary in nature or intent.
  - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
  - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
  - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

**[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. (Ord. No. 88-5-5, 5-16-88)
    - (2) Commercial auditoriums, coliseums or convention halls
    - (3) Retail manufacturing
    - (4) Motor vehicle 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) Motor vehicle repair
    - (14) Glass installation
    - (15) Fabrication of gaskets and packing of soft metal material
    - (16) Creameries
    - (17) Parcel delivery service
    - (18) Reserved. (Ord. No. 97-7-4, § VIII, 7-7-97)
    - (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.
    - (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. (Ord. No. 01-5-18, § II, 5-21-01)
    - (5) Cellular installations and PCS (personal communication service) installations.
    - (6) Reserved. (Ord. No. 01-5-18, § III, 5-21-01)
    - (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.

## ANALYSIS

The applicant is seeking to rezone the property, located at the corner of Barreca Street and First Street in Norco from C-2 to C-3. The site is being cleared and prepared for occupation by a roofing business but at present a change of use permit has not been submitted. This potential tenant has equipment that will need outdoor storage but current zoning does not allow this. Furthermore, under requested rezoning to C-3, this requires special permit use approval.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three evaluation tests.

The first test is to determine if there are land-use patterns or character in the vicinity that have changed to the extent that the site in question cannot be used. In this case, the abutting non-residential zoning and land uses around the site is C-2. There is no evidence of land use patterns developing to C-3 or greater other than those “grandfathered.” But just because there may be similar uses, rezoning this site to C-3 would create even greater dissimilarity with neighboring residential uses. Because there is no evidence of changing land use patterns that would prevent C-2 usage of this site, **the tests of the first criteria are not met.**

The second test is to determine if rezoning a site complies with the greater public interest. In this case, the site abuts residential zoning and land uses on two of its sides. Current zoning and land use of the site is already in direct conflict with those residential sites, likely legal nonconforming uses. So rezoning this single lot to allow even more intense activity creates an even further incompatibility, meaning **the second criteria is not met.**

The third test is to determine whether the rezoning creates a spot zone or is otherwise capricious or arbitrary as such a rezoning would inhibit the maintenance and enjoyment of neighboring properties. Rezoning this site to C-3 will make it the sole lot within a nearly 700-foot radius of Norco with C-3 zoning. The surrounding and nearby areas are either zoned R-1A or C-2. So to rezone this site to C-3 not only creates a spot zone, but as stated above, residents abutting the site can rightfully conclude that the site will have a more intensive use than what could occur there presently. Therefore, **the third criteria is not met.**

## DEPARTMENT RECOMMENDATIONS

**Denial.**