

Mr. Gibbs: Next item on the agenda is PZO-2015-03 requested by V.J. St. Pierre, Parish President for Public hearing on the St. Charles Parish Zoning Code Modernization – Phase 1 project as approved and authorized under Ordinance No. 14-8-14 for the Cooperative Endeavor Agreement (CEA) between University of New Orleans (UNO) and St. Charles Parish. Proposed amendments affect: Appendix A, St. Charles Parish Zoning Ordinance of 1981 and Appendix C, St. Charles Parish Subdivision Regulations of 1981.

Mr. Albert: Thank you Mr. Chairman. Before I go onto that I'm going to add very quickly that PZR-2015-14 actually got an early introduction from Council and the public hearing will be on the 15th of June. I just wanted to state that for the record. The zoning project started late last year in cooperation with UNO is starting to come to fruition. This public hearing tonight will kick off the rest of the Council committees and hopeful approval of Council. We intend to introduce this on the 15th and ask for July 6th. I stole a little bit of Tim's thunder earlier during the Open House session by explaining the various sections. I'm going to hold off on doing that and let him talk about it, but what I will say and what I will talk about is how hard the staff has worked to put this together to review it, to make sure it's working in the best interest of the parish. There is still work to do, not only with what we have here, but going forward and tonight I'm going to ask that if you recommend this to Committee and Council that you give us the latitude to make any clerical changes before we send it over. We'll send them a punch list with things correct and if there are any questions we will be happy to answer them, but I just wanted to let you know how hard the staff has worked to get you a product which is an investment to get a return.

Mr. Gibbs: Thank you Mr. Albert. I just want to say one thing, I appreciate all the efforts too. I don't know all of what you guys have done, but I do know all of you all and knowing you all I know you've worked very hard so thank you.

Tim Jackson: Thank you. Actually you've probably seen some of this before. (Mr. Jackson is showing a presentation.) This is pretty similar to the presentation I gave you last time I was here at the beginning of the process. We're looking at parts of the text of the zoning ordinance, we're not looking at the map at all, that might come later on, but we have certain sections that the staff pointed out that needs looking at sooner than other sections. So these are the sections. These are the section that we were looking at and we'll go through this as we go through the presentation. Most of what we were doing is looking at the process, reviewing the existing regulations through a couple of different lenses, one to make sure what we're doing and what you have is in compliance with the adopted Comprehensive Plan adopted in 2011 and other plans such as the Paul Maillard Plan that was adopted. As you mentioned it took a lot of coordination with the staff back and forth on drafts to make sure with what we come up, our research, our recommendations actually fits with what these folks have to do every day administering the regulations, so that was a big part of it. We had a couple of presentations to you guys and the other Boards, to stakeholders and developers. We had a public hearing, Open House, at 5:00 today and then we're going to continue as Michael said to the Legislative Committee and then the Council next month. Again, this is the process, we're going back and forth and we have a set of recommendations that you guys hopefully make recommendations to the Council for approval. Definitions, we talked about that. We added a lot, we took some out, but mostly we added a few and amended a few. A couple things we did was add where appropriate some illustrations, sometimes a lot of people are visual, I'm visual, sometimes a lot of words don't make sense until you see a picture that explains it and so we've added some of those. Some of your old definitions have the definition and then they would have all the regulations related to that particular use. We didn't think that's appropriate in the definition section so we took that out and we created a whole new section called Supplemental Regulations, so we're building on that and we have some placeholders for that and that's where we put that so when we took it out, we put it somewhere else. Transitional buffers it kind of goes hand in hand with landscaping. It's where different zoning districts and different uses come together to make sure that there are no detrimental impacts on one or the other. What we usually do is make is some combination of distance, fencing or landscaping or some combination of those 3. Parking, we looked at the parking for ingress and egress. Most dealt with interior landscaping for a couple reasons we'll talk about it under landscaping section. We looked at the number of spaces required for a use and we found that there were not a lot of things that we were recommending changes to. They were pretty much in keeping with the standard practices in the community similar to this. Other communities such as the City of New Orleans in a lot of areas is reducing the number of required parking places to discourage the use of cars etc. The philosophy didn't fit, we thought, in St. Charles Parish so we didn't change it. Landscaping, we added some minimal stuff, minimal

requirement for the commercial areas. Part of the purpose of landscaping is aesthetic but it's also serves as a strong water benefit, it reduces the amount of quick runoff in a heavy rain, there's more absorption in the ground and there are related environmental benefits as well. Again, in some places we added some diagrams and illustrations to sort of explain what we're talking about in there. Industrial Development, this was one area that we've talked about went back and forth, it's probably not quite ready to move forward. This is one of the ones that we're going to say, maybe postpone until the next phase, it's more about the screening and buffering of adjacent properties to maybe more setbacks, I don't know the specific issues related to industrial development like outdoor storage yards and employee parking lots, things like that. Those things came out in our stakeholder meeting with the developers and property owners a couple of months ago. We're going to take a closer look at all of that and vet those issues out a little bit more. Some residential issues, one was one of the first recommendations in your comprehensive plan that was adopted in 2011 was the parish to look at some alternative sort of housing element, including what we call an accessory dwelling unit or mother in law flat as some places call it. We want to be real careful where that was allowed because it sounds good you're going to take care of your mother in law and put her up in the apartment in the back but when she goes to the nursing home or she doesn't live with you anymore, then this person has a vacant apartment that they want to use so a lot of times they start renting it out and then you have a single family residential district that now all of a sudden turns into multi-family. So in some cases we think it's appropriate under certain criteria, certain level of review by the staff and you guys and the Council, so we put those standards in there for accessory dwelling units. Same for a townhouse, some design standards from the townhouse so that you don't have just a blank wall with 6 doors in the front of the building. Mobile/Modular housing, this is one area, the second area that we're going to probably postpone a recommendation from you guys and the Council, we want to look at it a little more closely, have a little more public input. There are some issues there that have to be worked out, but our source, the last time we went to the Louisiana Manufactured Housing Association, they are the advocate for this type of housing and they have lots of information, definitions because there are lots of different animals in that mobile home category and they are very specific and some are under certain codes, building codes, HUD code and some are not. So we wanted to make all those distinctions and all the requirements that we'd consider for the placement of the mobile home or the modular home that we want to make sure that we vet that out some more. Home occupations was a big topic with the discussion back and forth with the staff. Most places have requirements for a home occupation. In a lot of places it's strictly a staff review with maybe some appeal to another body, you guys or the Council, but traditionally I think you've always had the home occupation license coming through public review anyway so we kept that part in it and we put a little bit more meat in the criteria, what's allowed and what things have to be met, again to protect the single family residential neighborhood so there is not the slow creep of commercialization coming in. Then we looked at the approval process of several things, non-conforming issues, we had one tonight with the guy with the gas station, his 6 month period lapsed, the rule that allowed him to reapply to have that reinstated and some other kinds of circumstances under nonconformities. Special Permit/Special Exception rules, Variances, Rezoning criteria, there was a lot of back and forth with us and the staff on that. In all of these things, one of the first things that we added in each criteria is the request when you guys, when the staff, when the Council want to deviate, considers a request and the first thing you look at is if it's in compliance with the adopted Comprehensive Plan, the plan adopted in 2011 or at least not in conflict with so that's very important for legal purposes, for back up if there is a challenge to your decision to have those things in place and other criteria to make sure that it's not intrusive to existing neighbors or not a spot zone, those kinds of things. We had a lot of back and forth and I think we came back with something very strong for you guys. Then specifically this is for the Board of Zoning Adjustment, the approval process, we added some criteria for review for variance requests. The two things that we looked at were the specific enabling legislature in Louisiana Law regarding Board of Adjustment and Variance requests. There's a different section of state law that govern you guys and other zoning and planning issues and it's very specific to that board and then some case law. There was a lawsuit in New Orleans in 2003, Samuel v City of New Orleans Board of Zoning Adjustment where the judge laid out the specific criteria that should be looked at when the community and the board of adjustment is looking at a variance request. We have those 9 criteria in some version of that into your ordinance. We looked at the fee structure compared with what this parish charges for different things, zoning requests, variance request, subdivision request and for the most part you were in line, there were a couple of things where you were much cheaper, I think the rezoning request that was significantly low or maybe it was a variance request where this parish was significantly lower. In terms of subdivisions and resubs y'all were pretty much on par with most

of the other communities. We looked at a lot of communities in South Louisiana and the Gulf Coast.

Mr. Albert: The fee schedule isn't being changed at the moment. What we want to do is take the proposed fees to the Legislative Committee, have them direct us to that those are ok.

Mr. Jackson: You charge \$50 for a residential variance request. The average one for communities we surveyed came to about \$120 so yall were significantly below the average, so that's something to consider. The thing about fees for any request, part of it is to offset the cost of reviewing the application and preparing the reports, etc., part of it is to sort of discourage silly kinds of requests or people just phishing, but at the same time not too high to where onerous to the public and to the applicant, so it's kind of a juggling act. We think that for the most part the rezoning and the variance is a little bit lower than the average so that's something to look at and as Michael said it's probably going to be one of those things we'll be looking at down the road rather than looking to change it all right now. Again these are a couple of things that we're going to sort of postpone until the next phase so we can look at it a little more, do a little more research, a little more public input on some of these. Then the process is according to state law on how a zoning ordinance is amended, it's public meetings, public hearings, your recommendation tonight to the Parish Council because it's an ordinance, they have the final approval. So I would be glad to answer any questions you might have.

Mr. Gibbs: Any questions? I obviously brought the fees up, I'm not crazy about increasing fees, that's just my opinion, just put it on the record. Other than that, anybody else?

Mr. Jackson: Thank you.

Mr. Gibbs: Thank you. This is a public hearing for PZO-2015-03 is there anyone else in the audience that would care to speak in favor or against? Seeing none, cast your vote please.

Mr. Albert: With latitude to make any clerical corrections.

Mr. Gibbs: With the requested latitude. Cast your vote.

YEAS: Pierre, Loupe, Gibbs, Booth, Frangella

NAYS: None

ABSENT: Foster, Galliano

Mr. Gibbs: That passes unanimously. Good luck. We're moving forward.
