

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2015-17

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Joshua Billings
136 Billings Lane
Paradis, La 70080
504.615.6015
- ◆ **Location of Site:** Lot BY-1; 316 Canal Street, Luling
- ◆ **Requested Action:** Rezone from R-1AM to R-1M to establish an RV park

Application Date: 6/5/15

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:** Approximately 4.699 acres.
- ◆ **Existing Land Use and Zoning:** The property currently is zoned R-1A(M) and is developed with a single-family house.
- ◆ **Surrounding Land Uses and Zoning:** To the west, property is zoned R-1A(M) but wooded and vacant; to the south, property is zoned R-1A(M) and developed with two churches. To the southeast, property is zoned R-1A(M) and developed with a mobile home on two-acre lot. Due east, the 573' long line of the lot abuts an R-1M zoning district developed with mobile homes on individual lots.
- ◆ **Future Land Use Recommendations:** The Future Land Use Map (FLUM) includes the property in the Paul Maillard Road mixed-use corridor. The Paul Maillard Road Revitalization Plan recommends the specific use of moderate density residential. A rezone to R-1M would require a FLUM amendment and would be inconsistent with the recommendations of the Paul Maillard Road Revitalization Plan.
- ◆ **Utilities:** Standard utilities are available along Canal Street.
- ◆ **Traffic Access:** Canal Street is less than 1/4 mile from Paul Maillard Road (a state highway) and intersects Paul Fredrick Street (a local street that offers a secondary access to Paul Maillard Road via Hackberry Street). Canal Street is substandard, however, terminating at a drainage canal with no turn around facilities. Should the proposed zoning change be approved, the developer should be required to develop turn-around facilities for vehicles towing RVs.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

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.

AND:

R-1M. Manufactured home/recreational vehicle (RV) park:

Policy statement: This district is established to allow single-family residential usage of manufactured housing and recreational vehicles (RV) in a specially designed community or park with public and private amenities provided by the park developer as opposed to the park tenants. This district will allow a greater density of single-family residences to locate in an aesthetically pleasing environment by requiring certain spatial and buffer requirements.

1. Use Regulations:
 - a. A building or land shall be used only for manufactured home and RV parks and accessory uses.
 - b. Special exception uses and structures include clubhouses, laundry facilities, rental offices, managers' homes, and/or accessory recreational facilities for park residents only.
2. Special permit uses:
 - a. Include RV parks of one-half acre provided that the Special Provisions for RV Parks [subsection 4 below], other than the minimum site requirement, are met.
 - b. Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § IV, 10-5-92)
3. Spatial Requirements: Shall conform to the Manufactured Home Park or RV Park regulations and design standards outlined as Special Provisions [subsection 4] below.
 - a. 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.(Ord. No. 08-8-9, § VI, 8-18-08)
4. Special Provisions: Shall conform to either the Manufactured Home Park of [or] RV Park regulations and design standards noted below as they pertain to the total park use.

Manufactured home park:

- a. Location, space and general layout:
 - (1) The manufactured home park shall be located on a well-drained site [and] shall be so located such that its drainage will not endanger adjacent property and water supply.
 - (2) Any lot or portion of ground proposed to be used for a manufactured home park shall have sufficient frontage for construction of entrances and exits properly designed for safe movement of park traffic.
 - (3) Each manufactured home space shall contain a minimum of three thousand one hundred fifty (3,150) square feet, shall be at least thirty-five (35) feet wide and eighty (80) feet long, and shall have its boundaries clearly defined. The space shall abut on an access drive which shall have unobstructed access to a public street or highway.
 - (4) A patio slab of at least one hundred eighty (180) square feet shall be provided on each manufactured home lot and conveniently located at the entrance of each manufactured home.
 - (5) A minimum site of two (2) acres is required for a manufactured home park.
 - (6) Manufactured homes shall be parked on each space to conform to the following minimums:
 - (a) Twenty-five (25) feet clearance between coaches. (Ord. No. 06-2-9, § I, 1-20-06)
 - (b) Five (5) feet clearance between each coach and its respective site line.
 - (c) Ten (10) feet between coaches and any adjoining property lines.
 - (d) Twenty (20) feet between coaches and any public street right-of-way.
 - (e) Twenty-five (25) feet between coaches and any building or structure not used for accessory purposes.
 - (f) Accessory buildings must be a minimum of ten (10) feet from any manufactured home.

[b. Reserved.]

- c. Parking: Sufficient paved parking shall be provided for the parking of at least one (1) motor vehicle for each manufactured home space plus an additional paved parking space for each three (3) lots to provide for guest parking for two (2) car tenants and for delivery and service vehicles.
- d. Recreation: Not less than ten (10) percent of the gross area of the manufactured home park is to be set aside, designed, constructed and equipped as a recreational area. Recreation area design and equipment shall be approved by the St. Charles Parish Recreation Department Director.
- e. Transportation system: All streets and access drives within the manufactured home park shall be constructed to required parish specifications as outlined in Subdivision Regulations [appendix C].
- f. Sewage Disposal: Each manufactured home site shall be provided with a sanitary sewer connection, and each manufactured home park shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit and the State Health Department.
- g. Garbage: If garbage hoppers are to be provided, then two (2) shall be provided for each twenty (20) manufactured home sites, and each hopper shall be screened from view by wood or masonry fencing.
- h. Screen fences, walls and buffer screening: Fences should be installed where necessary for screening purposes such as around outdoor areas, laundry yards, refuse collection points and playgrounds. A six (6) feet opaque fence or masonry wall shall border the park, 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.
- i. General: Individual manufactured home sites may be leased or rented but not subdivided or sold.
- j. All improvements required in this section must be completed prior to the placement of any manufactured home on the site.

RV Park:

- a. Location, space and general layout:
 - (1) The RV park shall be located on a well-drained site [and] shall be so located such that its [its] drainage will not endanger adjacent property and water supply.
 - (2) Any lot or portion of ground proposed to be used for an RV park shall have sufficient frontage for construction of entrances and exits properly designed for the safe movement of park traffic.
 - (3) Each RV space shall contain a minimum of fourteen hundred (1,400) square feet, shall be at least thirty-five (35) feet wide, and shall have its boundaries clearly defined. The space shall abut on a driveway.
 - (4) A minimum site of one (1) acre is required for an RV park.
 - (5) RV's shall be parked on each space to conform to the following minimums:
 - (a) Twenty-five (25) feet clearance between RV's. (Ord. No. 06-2-9, § I, 2-20-06)
 - (b) Five (5) feet clearance between each RV and its respective site line.
 - (c) Ten (10) feet between RV's and any adjoining property lines.
 - (d) Twenty (20) feet between RV's and any public street right-of-way.
 - (e) Twenty-five (25) feet between RV's and any building or structure not used for accessory purposes.
 - (f) Accessory buildings must be a minimum of ten (10) feet from any RV.
- b. Parking: Sufficient area shall be provided for the parking of at least one (1) motor vehicle for each RV space plus an additional car space for each three (3) lots to provide for guest parking, two (2) car tenants and for delivery and service vehicles.
- c. Transportation system:
 - (1) Streets and access drives: All streets and access drives within the RV park shall be constructed to required parish specifications as outlined in subdivision regulations [appendix C].
 - (2) Driveway: All driveways within the RV park shall be designed and surfaced with appropriate materials which will provide adequate and safe means of transit for park residents.
- d. Recreation: Not less than ten (10) percent of the gross area of the RV park is to be set aside, designed, constructed and equipped as a recreational area. Recreation area design and equipment shall be approved by the St. Charles Parish Recreation Department Director.
- e. Utilities: Each RV site shall be provided with a sanitary sewer connection, and each RV shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit and the State Health Department.
- f. Garbage: If garbage hoppers are to [be] provided, then two (2) shall be provided for each twenty (20) RV sites, and each hopper shall be screened from view by wood or masonry fencing.
- g. Screen fences, walls and buffer screening: Fences should be installed where necessary for screening purposes such as around outdoor areas, laundry yards, refuse collection points and playgrounds. A six (6) feet opaque fence or buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
- h. General: Individual RV sites may be leased or rented but not subdivided or sold.
- i. All improvements required in this section must be completed prior to the placement of any RV on the site. (Ord. No. 82-6-9, § 1, 6-7-82; Ord. No. 87-1-14, 1-5-87)

ANALYSIS

The applicant requests a rezone of a 4.7 acre parcel to develop a recreational vehicle (RV) park. The parcel currently is developed with a single-family house roughly in the middle. Originally a 4.7 acre tract measuring 103' wide on Canal Street by 2007' feet to an Entergy right of way, the previous owner completed a boundary adjustment/land swap/resubdivision in 2005 that widened a portion of the property

transferring the northernmost 575' for an equal area of land adjacent to the east to create Lot BY-1. The applicant purchased Lot BY-1 in May 2015.

Lot BY-1 exceeds the minimum one acre requirement, and the applicant has submitted a site plan showing the house to remain as a manager's home/office, two washaterias/bath houses, two large recreation areas, and 38 RV slots measuring 35 feet by x 40 feet and accessed by a 16 foot wide gravel driveway.

Current design standards for a recreational vehicle park require a minimum 10 per cent of the site for recreation, and each RV slot must be at least 35 feet wide and 1,400 square feet in area. Each RV slot must open directly onto a driveway and provide one passenger vehicle parking stall; one additional parking stall must be provided for every three RV slots; however, with 35 feet of width and 1,400 square feet, each slot is usually wide and deep enough to provide parking for two to three passenger vehicles, making additional parking areas unnecessary. Gravel is an acceptable surface for the driveway and parking stalls. Considering the standards, the following development scenarios should be considered for a rezoning request:

- the absolute maximum number of RV slots that could be permitted on the site is 131:
(204,732 sf parcel– 10% open or recreation area)/1400 sf per slot = 131
- Sixty (60) RV slots could be arranged in an orderly fashion considering the 35' RV slot width:
1433' long side/35' = 40; 202' rear/35 = 5; 573' long side/35' = 15; [40+5+15= 60]
- Fifty (50) RV slots feasible:
Considering the lot dimensions and the single-family house currently in the center of the property

In order to receive a recommendation for approval, a rezoning request must meet all the criteria of at least one of three tests. The Department finds that this request **fails all three tests**.

The first test is designed to provide relief when the land use pattern or character of the area has changed to the extent that the existing zoning no longer allows reasonable use of the property. Reasonable use is defined as land use the same as or similar to existing property next to or across the street—which currently is religious institutions to the front and rear. The current R-1A(M) zoning allows this use as a Special Permit. To the east property is zoned R-1M, but developed with single-family mobile homes on 5,000 square foot lots, which is permitted on the subject property under the current R-1A(M) zoning.

This test requires consideration of unique characteristics of the subject property. With a width on Canal Street of 101 feet, it is unlikely that Lot BY-1 itself could be developed with a street and R-1A(M) lots, but this situation is not unique. Long, narrow lots exist all over the Parish. Developers often must assemble several properties to develop subdivisions. In 2005, the previous property owner started adding width to the property. Although this individual property is not perfectly suited to develop an R-1A(M) subdivision, the zoning does not prevent development to R-1A(M) standards. The zoning is meant to encourage certain use of the land consistent with the larger neighborhood—which is single-family residential at a commercial node (Canal Street).

Land use changes occurring in the larger area should be considered when evaluating this rezoning request. The subject property is situated between an area showing the highest levels of residential growth in the Parish over the last five years, and an area that shows signs of decline. These dynamics make it a challenge to evaluate the proposed change under this test—site-built single-family development is occurring near the site to the west and southwest. However, R-1M zoning exists adjacent to the east and is developed with mobile homes that generate complaints and code enforcement violations at increasing rates. This suggests the area abutting *immediately* to the east is in decline. A zoning change to R-1M on the subject property may discourage the single-family residential development occurring near the area to help stem the decline that is also occurring in the area. **For this reason, the request fails the first test.**

The second test is designed to protect the public interest by preventing congestion and overburdening of public infrastructure and utilities, by ensuring compatible land uses, and maintaining a balance of particular zoning districts in proportion to the population. While the proposed zoning change may not overburden public facilities, recreational vehicle parks are not compatible with the surrounding residential neighborhood. **For this reason, the request fails the second test.** Representatives of waterworks indicate the system can accommodate any of the potential development scenarios; likewise, the transportation system in the area provides good connectivity; Canal Street is less than 1/4 mile from Paul Maillard Road (a state highway) and intersects Paul Fredrick Street (a local street that offers a secondary

access to Paul Maillard Road via Hackberry Street). Canal Street is substandard, however, terminating at a drainage canal with no turn around facilities. Should the proposed zoning change be approved, the developer should be required to develop turn-around facilities for vehicles towing RVs. Representatives of wastewater are reviewing the potential development scenarios to ensure the sewer facilities can accommodate.

The third test is designed to evaluate the proposed request with zoning law and precedent and to prevent spot zoning which may adversely affect the normal maintenance and enjoyment of adjacent properties. Adjacent properties are vacant and wooded to the west, religious to the north and south, and residential mobile homes to the east. The adjacent residential mobile homes are within an R-1M zoning district, but are nonconforming in that they are not a "specially designed community or park with public and private amenities provided by a park developer." For that reason, the Paul Maillard Road Revitalization Plan (PMRRP) recommends rezoning the R-1M district abutting the subject site from R-1M to R-1A(M). The PMRRP was an 18 month long planning process with robust public input. The plan found that 79% of the housing units served by the Paul Maillard Road corridor are owner-occupied. That rate is approximately 5% lower than the Parish average, but is high enough to be a strength in the area that should be supported. A specific recommendation of the plan is to "Increase the number of home owners and home ownership opportunities" (PMLU #7). R-1A(M) is the appropriate zoning district to encourage home ownership rates in the community. An immediate step the plan recommends is to "propose a change to R-1AM zoning for the existing R-1M zoning district in the study area" (PMLU 2.2.1). **For these reasons, the request fails the third test.**

This analysis considers the effect that rezoning Lot BY-1 from R-1A(M) to R-1M and developing an RV park may have on the neighborhood around it. Although residential housing development is not occurring immediately adjacent to the property, the highest rates of housing starts in the Parish in recent years occurred in the census tract that this property is located in. The community's interest in increasing homeownership opportunities and rates in the area reflected in the Paul Maillard Road Revitalization Plan suggest that a change of zoning to accommodate an RV park seems to ignore the changing land use character that could benefit the area. As the Paul Maillard Road Revitalization Plan recommends, the R-1M zoning in the area should not be expanded; it should be changed to R-1A(M) to help stem the decline in the immediate area.

DEPARTMENTAL RECOMMENDATION

Denial.