

2020-8-ORD Matthew Jewell, Parish President/Dept. of Planning and Zoning for an ordinance to amend the St. Charles Parish Zoning Ordinance of 1981 Section XV to require rezoning requests meet a minimum of two rezoning guidelines and criteria for an approval recommendation from the Department of Planning and Zoning.

Ms. Stein: Thank you Mr. Chair. Currently the zoning ordinance requires staff to answer 3 questions in order to determine if we're going to make a recommendation for approval or not make a recommendation for approval when somebody requests a rezoning. And those questions are:

1. Would the rezoning further the parishes long term goal, our vision in the comprehensive plan, does it line up with the comprehensive plan?
2. Would changing the zoning of a property the way an applicant has asked you to do it sticks a terrible, terrible problem that exists on the zoning map and the terrible problem that would be on the zoning map is that the zoning of that particular property is so incorrect that the person can't use their land and we would want to fix that for them.
3. Is the zoning that the person is asking for in line with the surrounding neighborhood and will it not make terrible, terrible problems with infrastructure. The uses that are permitted under the zoning that they are requesting, is it an ok idea to change the zoning or will those permitted uses that they are allowed to do the second the zoning is changed impact the neighbors dramatically and badly.

Right now when any rezone requests meets any one of those tests our guideline is to recommend approval but what we found is that when a rezone requests meets just one of those criteria we can compound a different problem with one of the other tests and we just say it's a great idea we recommend approval, rezone it. We might not be understanding some compounding problems of the other tests. So for example, if the zoning of somebody's property is single family residential and they are in the middle of a highway and they request a rezone to a different residential zone simply to use their property, they're requesting a different zone, you can say that the existing zoning on a highway for residential use is not a good idea but they shouldn't be asking for a different residential zoning district. That wouldn't further the parishes long term goals. So they've shown that the zoning is wrong but what they are requesting is not a good zoning district. When we require somebody to meet 2 of the 3 criteria, we're eliminating that problem. If the zoning of your property is wrong and you request a different zoning, it should be the zoning that is right. So you should meet test #2 and also test #3 at the same time and that goes for every rezoning, every test. When you meet 1 test you should always meet a second test so we would ask for your support so you can make better decisions, we can make better recommendations and the integrity of the zoning map continues.

Mr. Albert: This doesn't add any requirements about how you have to vote or how you have to look at it. This just makes sure that the staff reports are thoroughly vetting anything that comes to you. It doesn't change how the Council does their stuff, it just makes sure that our reports are given a strict adherence to the maps and to the requirements.

Commissioner Petit: Apologies, I'm full of questions tonight. So this also doesn't change anything that comes to us.

Mr. Albert: No.

Commissioner Petit: So even if they don't meet any of the criteria it still comes to the Commission?

Mr. Albert: Correct.

Commissioner Petit: Second question and last one I think, have you looked back to see how many recommendations were changed because it's kind of difficult understanding what this would impact so I would be curious if we could look over this last year or last 2 years, how many of the recommendations you've made to us would actually change due to this change.

Mr. Albert: Chris did you run the numbers?

Mr. Welker: We took a look at them going back to 2016 and there would be a substantial decrease in the amount of approval recommendations we would get. A lot of them, the majority just meets 1 criteria, often the 3rd criteria. So which one they meet varies quite a bit. With that being the case when we have a meeting it ties us up when we're having to make a recommendation but to answer your question it would be a decent decrease in the amount of approvals for recommendations.

Mr. Albert: Wasn't it a 30-40% reduction?

Ms. Stein: It was 37%

Mr. Albert: Reduction

Ms. Stein: Would change from approval recommendation to not approval.

Mr. Albert: but those should be based upon the land use map and the subsequent criteria. I mean that's really what the adopted land use plan puts forth.

Commissioner Frangella: I guess I have a question now, if it requires a waiver or an exception or whatever would that be more of a denial or would that be approval with?

Mr. Albert: Rezoning cannot be conditioned or waived or varied in any way.

Commissioner Frangella: I'm talking about sometimes the width of the property

Ms. Stein: For example tonight you had a request to rezone a lot that didn't meet the R-3 minimum standards and in our analysis we determined that that was an indication and that changing the zoning on that particular property would probably result in congestion of the streets, which is what the neighbors came out and said. We found that it certainly failed the third test because it would have been a non-conforming lot 10,000 sq. ft. would have been the minimum requirement.

Commissioner Frangella: Ok. Alright any other questions? Call for the vote. Instead open public hearing for 2020-8-ORD, anyone here to speak for or against? Seeing none we'll close the public hearing for 2020-8-ORD. Any final comments or questions? Let's call for the vote.

YEAS: Ross, Petit, Keen, Dunn, Frangella, Galliano

NAYS: None

ABSENT: Granier

Commissioner Frangella: That passes unanimously.