

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2020-18-R

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 10/6/2020**
BMB Real Estate, LLC
P.O. Box 339
St. Rose, LA 70087
(504)-400-2458; lorna@qualityfab.com
- ◆ **Location of Site**
Parcel D-2AA, near 10390 Airline Drive, St. Rose
- ◆ **Requested Action**
Rezoning of approximately 7.2 acres of Parcel D-2AA, Fairview Plantation Subdivision from M-1, Light Manufacturing and Industry to R-1M, Manufactured Home/Recreational Vehicle (RV) Park.

SITE INFORMATION

- ◆ **Size of Parcel**
50.6 acres, approximately 7.2 of which are subject to this rezoning.
- ◆ **Current Zoning and Land Use**
M-1; the site is cleared and portions are used for private recreation.
- ◆ **Surrounding Zoning and Land Use**
C-3 and M-1 zoning abuts across and along Airline Drive; Wetland to the rear.

Land to the west and southwest is vacant but cleared or clearing. Commercial and light-industrial uses exist along the corridor; near the site are heavy equipment rentals and repairs, a diner, fast food restaurant, a truck stop, and private recreation businesses, a driving range and paint ball course.

- ◆ **Future Land Use Recommendation**
Light Industrial: This designation includes such uses as warehouse and distribution activities, as well as office uses, repair facilities, light assembly and light manufacturing activities that do not involve emissions of odors, dust, fumes or excessive noise, consistent with the uses in the M-1 Light Manufacturing and Industrial zoning district.

Business Park: Although office uses are permitted within the Light Industry land use category and the associated M-1 zoning district, this zoning classification also permits a variety of industrial uses that would be incompatible with the development of a quality, planned corporate office, research or technology park. Therefore, this new land use category (and the zoning district that should be developed to implement it) would provide for the development of planned business, office, technology and research activities, with uses limited to these and directly related ancillary uses, such as shipping offices, office supply, hotels and restaurants. Business parks should be planned to incorporate consistent standards of development quality.

- ◆ **Traffic Access**
The site has 168.68 feet of frontage on Airline Drive. An aggregate driveway currently provides access; the Department of Transportation and Development may require a dust-free apron from Airline Drive for new development.

◆ **Utilities**

Sewer is not available. The representative from the Department of Waterworks and Wastewater stated the owner/developer would need to run a minimum 3-in. force main to the Parish manhole located approximately 650-ft. away.

Water is available, but the line is located on the south side of Airline Drive. The representative from the Department of Waterworks stated the owner would have to extend a water line under Airline Drive to tie into the Parish system.

APPLICABLE REGULATIONS

Appendix A. Section XV. - Amendment procedure

D. *Rezoning guidelines and criteria:* Before the Commission makes a recommendation or the 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. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of 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 can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

E. *Rezoning approval criteria:* Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map. and
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

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

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 1) the Special Provisions for RV Parks [subsection 4 below], other than the minimum site requirement, are met, and 2) the request receives review and approval by the Planning Commission and a supporting resolution of the Council.
 - b. Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
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.
4. Special Provisions: Shall conform to either the Manufactured Home Park or [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.
 - (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.
 - (g) Nonresidential accessory buildings shall not be permitted.
- [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.
 - (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.
 - (g) Nonresidential accessory buildings shall not be permitted.
- 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.

REZONING GUIDELINE EVALUATION

Before the Commission makes a recommendation or the 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. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.* The proposed R-1M zoning would not conform to the Light Industrial and Business Park designations of Future Land Use Map. Rezoning the area R-1M would create a spot zone, granting development of multiple residential uses on a small area when there are no residential uses in the vicinity and the comprehensive plan does not recommend residential uses in the vicinity. **The request does not meet the first criteria.**
2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property.* The site is located on a light industrial corridor that contains a mix of M-1 and C-3 zoning and is developed with light industrial uses and highway commercial uses along with general commercial uses like fast food and gas stations with convenience stores that support the heavier uses. The corridor has not changed to the extent that M-1 zoning no longer allows reasonable use of the property. Considering the size of the parcel, the amount of frontage on Airline Drive, the proximity to both I-310 and the Louis Armstrong Airport, M-1 zoning allows reasonable use. **The request does not meet the second criteria.**
3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.* Representatives from the Departments of Public Works and Wastewater and Waterworks have indicated that facilities in the area are not likely to be overburdened by the number of dwellings that the proposed zoning would permit. However, R-1M permits only manufactured homes and RVs in residential parks. Residential uses in mobile structures would be negatively impacted by the traffic, including heavy truck traffic, dust, and noises that light-industrial and highway commercial uses generate. **The request does not meet the third criteria.**

ANALYSIS

The applicant requests a change of zoning from M-1, Light Manufacturing and Industry to R-1M, Manufactured Home/RV Park on approximately 7.2 acres of Parcel D-2AA, adjacent to 10390 Airline Drive, St. Rose.

The request does not meet any of the three criteria for rezoning. The existing M-1 zoning does not prevent reasonable development or development of the property. Changing the zoning to R-1M does not conform to the FLUM, and it would be a spot zone that would permit residential use in portable structures in an area that is already developed with industrial and highway commercial uses that generate heavy traffic and noise.

Department records suggest the site may have been used as a construction and demolition debris landfill. Staff have requested documentation that the Louisiana Department of Environmental Quality (LDEQ) does not object to the proposed use.

The site is over three acres, so if the rezoning is approved, a corresponding change to the FLUM designation to Manufactured Home/Recreational Vehicle (RV) Parks must also be approved.

DEPARTMENT RECOMMENDATION

Denial.