

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2020-5-R

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 4/7/2020**
Paul J. Hogan
P.O. Box 250
Des Allemands, LA 70030
(504)-615-4862; phinda9@aol.com
- ◆ **Location of Site**
16644 Highway 90, Des Allemands
- ◆ **Requested Action**
Rezoning of Lot 69-A-2A, Coteau de France or Ranson Tract Subdivision from C-2, General Commercial to R-1M, Manufactured Home/Recreational Vehicle (RV) Park.

SITE INFORMATION

- ◆ **Size of Parcel**
139,260.64 square feet (3.197 acres).
- ◆ **Current Zoning and Land Use**
C-2; cleared but undeveloped
- ◆ **Surrounding Zoning and Land Use**
O-L zoning is located across Hwy. 90 to the front; R-1A(M) is adjacent to each side; C-2 and R-1A(M) is to the rear.

The surrounding area is defined by residential development and large portions of wooded and undeveloped land. The residential development in the immediate area consists primarily of manufactured homes on J.B. Green Road and LA 631, with site-built single family neighborhoods beginning at Mott Lane, approximately 580 feet from the subject site.

- ◆ **Future Land Use Recommendation**
General Commercial: The General Commercial category includes sites for commercial uses that provide a mix of business activities and that serve the community as a whole. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis. In general, this designation applies to most commercial uses that are permitted in the C-2 (General Commercial – Retail) and all of the uses permitted in the C-3 (Highway Commercial) zoning districts.
- ◆ **Traffic Access**
Access would come from the 125.49 feet of frontage on Hwy. 90.
- ◆ **Utilities**
Water is available. Sewer is available and can be accepted on JB Green Road. A flow model must be provided and a line to the lift station installed.

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 Future Land Use Map designates the subject site as General Commercial, which does not provide for manufactured home/RV parks as permitted in the proposed R-1M zoning

district. The rezoning would also be considered a spot zoning as it would not expand upon adjacent R-1M zoning, and result in the extension of privileges to this specific property not shared by adjacent properties. **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 existing C-2 zoning was changed in 2005 from R-1A(M) for the purpose of providing more opportunity for commercial development in this area. In the ensuing 15 years, changes in the land use pattern has primarily come from the expansion of R-1A(M) zoning resulting and the permitting of additional manufactured homes (PZR-2006-06, PZR-2011-05, PZR-2016-10). While commercial development has remained mostly stagnant, the commercial designation is still reasonable given its location on a U.S. highway coupled with the modest increases in residential development. **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 stated facilities are available in the area to handle the development potential resulting from the proposed rezoning. But the uses permitted by the R-1M district, limited to manufactured home/RV parks, would be incompatible with the existing character of an area primarily consisting of single family development, both site-built and manufactured. **The request does not meet the third criteria.**

ANALYSIS

The applicant requests a change of zoning from C-2, General Commercial to R-1M, Manufactured Home/RV Park on Lot 69-A-2A, a 3.197 acre property located southwest of west of JB Green Road near 16644 Hwy. 90, Des Allemands.

The request does not meet any of the three criteria for rezoning. An R-1M zoning district does not conform to the FLUM, and it would be a spot zone. The existing C-2 zoning does not prevent reasonable development or development of the property. And the uses permitted in the proposed district, which are only a manufactured home park or an RV park, would be incompatible with the single-family uses and development of the area.

The site is part of an area almost 200 acres bounded by Old Spanish Trail, JB Green Road, Highway 90, and Lorraine Drive that was zoned R-1AM in 1981. Approximately 4 acres of the area along Highway 90 was zoned C-2. Wenger Road approximately which is in the area, was rezoned to R-1A in 2004 (ord. 04-11-7). The applicant rezoned approximately six (6) acres within this R-1AM zoning district to C-2 in 2005 (ord. 05-11-4 and 05-11-5). The six acres is cleared but has never developed with any commercial uses.

The subject site is within this six (6) acre area. Earlier this month, the applicant resubdivided the parcels within this C-2 area. The request is to rezone Lot 69-A-2A from C-2 to R-1M. If the request is approved, the result would be:

- Lot 69-A-2B and 69-A-2C: 1.8 acres zoned C-2
- Lot 69-A-1A split-zoned: .03 acres. R-1AM // 1.55 acres C-2
- Lot 69-A-2A: 3.197 acres R-1M

Approving the request would result in changing only a portion of this C-2 area. The result will be an R-1M spot zone abutting two C-2 spot zones, one on Highway 90 the other land-locked with its only access through an R-1AM zoning district (which requires a Special Permit Use for development).

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 due to failing the three criteria and proposing several spot zones.