



## Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-3-R

### APPLICATION INFORMATION

- **Submittal Date:** 1/30/23
- **Applicant / Property Owner**  
Brennen & Melissa Friloux  
225 Lake Catherine Drive  
Luling, LA 70070  
(504)-559-0565  
frilouxventures@gmail.com
- **Request**  
Change of zoning from R-1A, Single Family Residential Detached Conventional Homes – Medium Density to O-L, Open Land

### SITE INFORMATION

- **Location**  
141 Crooked R Lane, Ama; Lot A.R.-1
- **Size**  
Approximately 156,816 sq. ft. (3.6 acres)
- **Current Use**  
The site is developed with multiple barn structures and associated facilities for the keeping of horses.
- **Surrounding Zoning**  
R-1A zoning is located to the River Road and Lemoine Lane sides; R-1A(M) zoning is located to the Robert Street side; O-L zoning is located to the rear.
- **Surrounding Uses**  
The area is developed primarily with a mix of site-built and manufactured homes along private roads. Other abutting uses include a church and associated cemetery, and undeveloped land.
- **Zoning History**  
The existing R-1A zoning was established as a result of the 2008 Ama Land Use and Zoning Study (PZR-2008-14, Ord. 08-9-10, Section III.B).
- **Future Land Use Recommendation**  
*Low-to-Moderate Residential – Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre)*  
  
*Recommended Zoning Districts: R-1A (6,000 sf. min. lot size), R-1B (10,000 sf. min. lot size), R-1AM (accessory units and individual mobile homes)*
- **Traffic Access**  
Access is provided through Crooked R Lane, an aggregate private drive measuring approximately 10 ft. wide and connecting to River Road.

▪ **Utilities**

GIS data does not show sewer or water facilities on Crooked R Lane. Existing development is likely serviced through private facilities, and any new utility extensions or connections must come at the owner or developers expense.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

[I.] *O-L. Open Land District:*

*Policy statement:* This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. It is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.

1. Use Regulations:
  - a. A building or land shall be used only for the following purposes:
    - (1) Farming.
    - (2) Animal husbandry.
    - (3) Farm family dwellings.
    - (4) Tenant dwellings.
    - (5) Site-built, single-family detached dwellings.
    - (6) Additional dwellings for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
    - (7) Manufactured housing.
    - (8) Mobile homes.
    - (9) Accessory buildings.
    - (10) Family subdivisions, provided that they conform to the St. Charles Parish Subdivision Regulations [appendix C].
    - (11) Farmer's market, provided that the criteria outlined in Special Provisions [subsection 3] is met.
    - (12) Any permitted uses under subsection 1.a. items (1) through (9) on a lot or property without frontage provided that a permanent right of passage to access the structure exist or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court.
    - (13) Lawn Care Service subject to the requirements of Section VII.
    - (14) Historic Home Site Bed and Breakfast.
  - b. Special exception uses and structures include the following:
    - (1) Religious institutions.
    - (2) Golf courses and golf practice ranges.
    - (3) Public parks and recreational areas.
  - c. Special permit uses and structures include the following:
    - (1) Child care centers.
    - (2) Public and private academic institutions (trade, business and industrial schools shall be located in the appropriate commercial or industrial zoning district).
    - (3) Cemeteries and mausoleums, provided that they meet the criteria outlined in Special Provisions [subsection 3].
    - (4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.
    - (5) Public stables and kennels.
    - (6) Cellular installations and PCS (personal communication service) installations.
    - (7) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
    - (8) *Reserved.*
    - (9) Fire stations with or without firefighter training facilities.
    - (10) Nonresidential accessory buildings.
    - (11) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
  - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet. (Ord. No. 07-1-6, § II, 1-8-07)
  - b. Minimum yard sizes:
    - (1) Front—Thirty-five (35) feet.
    - (2) Side—Ten (10) feet.
    - (3) Rear—Twenty (20) feet.
    - (4) 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.
  - c. Accessory buildings: Minimum rear and side setbacks shall be ten (10) feet.
  - d. Permitted encroachments:
    - (1) Overhangs projecting not more than twenty-four (24) inches excluding gutter.
    - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into the required front or rear yard.
3. Special Provisions:
  - a. Additional dwellings on unsubdivided property:
    - (1) Additional dwellings on unsub- divided property referred to in 1, a(11) above, will be permitted at the rate of one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.

- (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
  - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
  - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
- b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Housing Installation in Flood Hazard Areas*.
  - c. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.
  - d. Farmer's market:
    - (1) All products must be sold on the premises on which they were grown or produced, from either a truck, stand, display table, or other means of display which has been inspected and approved by the Parish Health Unit.
    - (2) No structure, vehicles or signs may be located closer to any property line than the general setback requirements of the O-L District with the exception of one (1) on-premises sign which contains the name of the market. This sign shall be located approximate to the entrance drive directing attention to the market. The sign shall conform with acceptable commercial standards regarding quality and aesthetics. No temporary signs will be allowed. If the sign is to be illuminated, lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to abutting properties.
  - e. Cemeteries and mausoleums:
    - (1) All cemetery or mausoleum sites must have a minimum street frontage of one hundred (100) feet.
    - (2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts.
4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

#### **Appendix A. Section XV. - Amendment procedure**

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two 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 zone 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, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
  - 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, also
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

<b>REZONING GUIDELINE &amp; CRITERIA EVALUATION</b>
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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 subject site is within an area designated *Low-Moderate Residential*, which anticipates development of those residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts, but also includes duplexes, zero lot line homes, and townhomes. The request would not be considered a spot zone, but the proposed O-L zoning does not conform to the land development pattern established by the Future Land Use Map. **The request does not meet the first guideline.**

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 and the proposed zoning does.*

The existing R-1A zoning was changed from R-1A(M) based on findings from the 2008 Ama Land Use and Zoning Study (Ord. 08-9-10). Conclusions detailed in the study found residents wanted to maintain the rural nature of the area, reduce the permitting of new manufactured home sites, and create more opportunities to develop new site-built homes.

The subject site consists of three continuous tracts located on Crooked R Lane, which is an approximately 10 ft. to 14 ft. wide aggregate drive held in private ownership. Similar access arrangements can be found in this area where changes to R-1A occurred, including Lemoine Lane, Vernons Lane, and Agnes Lane (adjacent Robert Street has a similar development pattern but retained its R-1A(M) zoning). This development pattern has remained unchanged since 2008 and the R-1A zoning is not appropriate for an area where most of the existing lots and/or development lack public street frontage. The permitting of manufactured homes in the O-L district conflicts with one of the primary goals of the 2008 study, but it would be a more reasonable zoning district for an area which has retained its “rural nature” and is not conducive to the type of development expected in the R-1A district. **The request meets the second guideline.**

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 O-L district primarily permits single family dwellings (site-built and manufactured) and/or agricultural uses. Development on Crooked R Lane and adjacent Robert Street contains a mix of both site-built and manufactured homes, and the existing pattern of residential development is mostly appropriate for and legally permitted in the O-L district. Additional impact to public facilities is not expected. The development permitted in the O-L district requires larger minimum lot sizes resulting in a reduced development density compared to that of the existing R-1A zoning. **The request meets the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
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**Approval, based on meeting the second and third rezoning criteria.**

**This request will be forwarded to the Parish Council for a second public hearing with the Planning Commission’s recommendation.**

**While the subject area exceeds 3 acres, staff do not recommend a corresponding change to the Future Land Use Map from Low-to-Moderate Residential to Rural Residential.**