



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-6-R

APPLICATION INFORMATION

- **Submittal Date:** 3/6/24
- **Applicant / Property Owner**
Darryle Keith and Kristi Lott
Keith Lott's Plumbing, LLC
39300 Babin Lane
Ponchatoula, LA 70454
504.909.5688; ap@keithlottsplumbing.com
- **Request**
Change of zoning:
 - Current – R-1A, Single Family Residential Detached Conventional Homes - Medium density
 - Proposed - C-3, Highway Commercial District - Wholesale and Retail Sales

SITE INFORMATION

- **Location**
Lots 3 and 4, Block 1A1, Good Hope Plantation Subdivision; 878 Marino Drive, Norco.
- **Size:** 8,440 sq. ft. (0.192 acres)
- **Current Use**
Lot 3 was improved with a nonconforming commercial structure and associated parking/driveway providing access to Marino Drive. Department permit history shows the last occupancy issued for the building was for Energy Equipment Co. Inc. in 2006 (Permit No. 19517) with the last occupational license being issued by the Sheriff's Office in 2008. The building was demolished in 2023 (Permit No. 45677) with the parking area, driveway, and building slab remaining. Some of these remaining improvements extend into Lot 4, but Lot 4 is largely unimproved.
- **Surrounding Zoning**
R-1A zoning is located to the front and Eighth Street side. C-3 zoning is adjacent to the rear and Airline Drive side.
- **Surrounding Uses**
Being within close proximity to Airline Drive the site is located in a commercial/residential transitional area. Specifically, commercially developed sites are located to the front across Marino Drive and adjacent to the Airline and Clayton Drive sides. A residential home is also adjacent to the Clayton Drive side and to the Eight Street side.
- **Zoning History**
An area rezoning in 1990 changed R-1A(M) districts in Norco to R-1A (PZR-90-05, Ordinance No. 90-3-2). The subject site is shown within the scope of this change resulting in the existing R-1A district.
- **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)

▪ **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: AE 5'
2013 Digital Flood Insurance Rate Map: X

▪ **Traffic Access**

Access to the site is via Marino Drive. Lot 3 specifically is developed with a driveway which provided access to the previous commercial building.

▪ **Utilities**

Parish GIS shows sewer and water facilities along Marino Drive.

The Department of Public Works, Wastewater, and Waterworks stated that they have no objection to the rezoning.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[IV.] C-3. *Highway commercial district*—Wholesale and retail sales:

1. Use Regulations:

a. A building or land shall be used for the following purposes.

- (1) All uses allowed in the C-2 District.
- (2) Commercial auditoriums, coliseums or convention halls
- (3) Retail manufacturing
- (4) Automobile sales and service
- (5) Wholesale uses
- (6) Warehouses (less than 10,000 sq. ft.)
- (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
- (8) Bottling works
- (9) Dog pound
- (10) Building supply
- (11) Heating and air conditioning service
- (12) Plumbing shops
- (13) Automotive repair, minor and major
- (14) Glass installation
- (15) Fabrication of gaskets and packing of soft metal material
- (16) Creameries
- (17) Parcel delivery service
- (18) *Reserved.*
- (19) Frozen food lockers
- (20) Public stables
- (21) Bulk dairy products (retail)
- (22) Animal hospitals
- (23) Gymnasiums
- (24) Sheet metal shops.
- (25) Upholstery
- (26) Other uses of similar intensity
- (27) Customary accessory uses incidental to the above uses when located on the same lot.

b. Special exception uses and structures:

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.

c. Special permit uses and structures include the following:

- (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
- (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
- (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
- (4) *Reserved.*
- (5) Cellular installations and PCS (personal communication service) installations.
- (6) *Reserved.*
- (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
- (8) 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.
- (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
- (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
- (11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.

2. Spatial Requirements:

- a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
- b. Minimum yard sizes:
 - (1) Front - twenty (20) feet

- (2) Side - five (5) feet
 - (3) Rear - ten (10) 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.
3. Transportation System: Arterial, local industrial, rail, water.
 4. Special Provisions:
 - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same 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 unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

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.

REZONING GUIDELINE & CRITERIA EVALUATION

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's Future Land Use designation is *Low-to-Moderate Residential*, which primarily anticipates development of detached residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The designation does allow room to consider zoning for "*Neighborhood retail, services, offices and institutions*" in "*appropriate locations such as along transportation corridors or at intersections.*" The intensity of commercial uses permitted under C-3 zoning are not the neighborhood serving commercial which could be considered under this designation, and the site is not located on an appropriate transportation corridor/intersection.

The request is not a spot zone as it would expand upon an existing C-3 district primarily focused along Airline Drive and into the residential area on adjacent Clayton Drive. But conformance with the comprehensive plan takes precedence over being a spot zone as part of the Department's analysis. **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 zoning is the result of a 1990 area zoning change in Norco converting R-1A(M) districts to R-1A (PZR-90-05, Ordinance No. 90-3-2). But the subject site, primarily Lot 3, was previously developed with a commercial structure and associated

parking lot. Along with the residential zoning referenced above, the commercial zoning in the area has remained constant with the adjacent C-3 district fronting Airline Drive established since at least 1981. The land use pattern has also remained relatively unchanged, as the area has been largely built-out for some time.

The former commercial building was demolished in November 2023 after the current property owner/applicant acquired Lots 3 and 4 in August. Developed with a commercial building and associated parking lot it was assumed the site was zoned for commercial purposes. While the existing R-1A zoning does allow for reasonable use with development of a single family house, that was not the applicant's intent upon acquiring a property previously developed for commercial purposes. Developing the site again for commercial purposes would be more reasonable given the previous usage, and it would avoid the placement of a residential home immediately adjacent to established highway commercial uses to the Airline and Clayton Drive sides. And by allowing development of new commercial on this site, compliance with current development standards related to setbacks, buffering, and landscaping will be required, providing impact mitigation that is currently lacking on the other commercial sites. **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 subject site is in a transitional area where commercial zoning and uses focused along Airline Drive give way to residential zoning and uses along local streets, resulting in a brief mix of uses and commercial development abutting residential. This is demonstrated particularly around the subject site itself. Commercial development can be found immediately adjacent to the Airline Drive side, the rear of Lot 3, and to the front across Marino Drive, while a single family house (under C-3 zoning) abuts Lot 4 to the rear and a residential yard is adjacent to the Eighth Street side. In a vacuum, uses permitted under C-3 zoning are not compatible with residential uses. But this area is already defined by the mix of C-3 and residential uses due to proximity to Airline Drive. C-3 zoning and nonconforming commercial structures already extend past the subject site and further down the local streets, so a change to C-3 here would not introduce incompatibility, exacerbate the existing incompatibility, and fit within the neighborhood character.

Additionally, the existing commercial uses in the immediate vicinity were developed before the adoption of the current requirements for commercial development. Any new commercial development on the subject site must comply with the current requirements related to setbacks, buffering where adjacent to residential zoning/structures, and landscaping. These requirements help to mitigate the impact of commercial development in these transitional areas.

The uses permitted under C-3 zoning are unlikely to place more of a burden on existing infrastructure compared to a single family house, and representatives from the Departments of Public Works, Wastewater, and Waterworks offered no objection as it relates to impact on their facilities. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Approval, due to meeting two of the three rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.