

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR 2017-16

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant

Wade Mongrue
208 St. Charles Blvd
Luling, LA 70070
(504)-915-0048
- Application Date:

10/31/17
- ◆ Location of Site

1446 Paul Fredrick Drive, Luling. A 10 foot portion of Lot 32, Lots 33, 34, 35, and an 18 foot portion of Lot 36, Block G, Oak Ridge Park Subdivision;
- ◆ Requested Action

Change of zoning from M-1, Light Manufacturing and Industry to R-1M, Manufactured Home/Recreational Vehicle (RV) Park with the intent of permitting six mobile homes.

SITE-SPECIFIC INFORMATION

- ◆ Size of Parcel

19,040 square feet
- ◆ Current Zoning and Land Use

M-1, Light Manufacturing and Industry; the property is currently unused, but is developed with a metal frame for a horse arena.
- ◆ Surrounding Zoning and Land Uses

M-1, C-3, and CR-1 zoning is located across Paul Fredrick Street to the front; R-1A(M) and R-1M zoning is located to the rear; R-1M zoning is located to the north side; M-1 zoning is located to the south side.

Industrial use, warehousing and outdoor storage, is located across Paul Fredrick; residential mobile homes are located adjacent to the Hackberry Street side; vehicle repair adjacent to the Canal Street side; a single-family residence and RV park are located to the rear.

- ◆ 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.

Mixed Use Corridor: St. Charles Parish has several corridors which have become, or have the potential to become, mixed use corridor activity centers. The following corridors have been identified in this Comprehensive Plan as warranting this designation. Others may be identified in future updates. Mixed Use Corridors will be implemented through the adoption of “special character” overlay zoning districts, and may include particular use mixes and densities (consistent with the FLUM), and distinct standards or guidelines for private development, public realm / urban design, and/or architectural design.

- ◆ Traffic Access

The site has 238 feet of frontage on Paul Fredrick Avenue, a substandard local street that connects Easy Street to Canal Street. Each mobile home site would likely have a driveway onto the street. It should be noted, however, that R-1M zoning requires manufactured home spaces to abut on an access drive which shall have unobstructed access to a public street or highway rather than each site having frontage on the public street.

◆ **Utilities**

Standard utilities are available along Paul Frederick. Representatives of the Departments of Waterworks, Public Works/Wastewater and Public Works/Drainage indicate that existing utilities can serve residential uses development at the density that a rezone to R-1M would allow. Planning staff estimate that if the site is rezoned to R-1M and developed to the site design requirements, as many as six (6) manufactured homes or 13 recreational vehicles could be installed.

APPLICABLE REGULATIONS

Appendix A. Section VI.

[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 of [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 is [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. (Ord. No. 06-2-9, § I, 2-20-06)
 - (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.

Appendix A. Section XV. - Amendment procedure

- A. The Council may amend this Ordinance when amendments are properly introduced as outlined in Section XIV. No such amendment shall be effective unless:

1. The Planning Commission has received a full analysis report from the Planning and Zoning Department on the merits of the proposed amendment and the Commission has held a public hearing on the proposed amendment offering standard public notice according to the Commission rules; and
2. The Council has received a full analysis which includes a recommendation from the Planning and Zoning Department on the merits of the proposed amendment and including a recommendation from the Commission contained within a verbatim transcript of the portion of the Commission meeting relating to the proposed amendment; and
3. The Council has held a public hearing on the proposed amendment offering standard public notice according to the Council rules.

- B. Following review by the Planning and Zoning Department, a public hearing will be held by the Planning and Zoning Commission. The Planning and Zoning Department shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning. The public hearing shall be advertised in the official journal of the parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to all abutting property owners. Following this public hearing, the recommendation of the Planning and Zoning Commission shall be forwarded to the Parish Council by the Planning and Zoning Department.

- C. A Planning Commissioner making a motion which differs from the Planning Staff recommendation may render a written statement in suitable form, for transmittal by the Secretary with the Commission and Staff reports to the Council. In addition, any other member may submit a written opinion on the matter, which shall be transmitted to the Council by the Secretary along with the Commission report.

- 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.
- F. *Withdrawal of applications:*
1. Any application which the applicant wishes to withdraw from a Planning Commission public hearing must be withdrawn by written notice to the Department of Planning and Zoning not later than the Wednesday at noon preceding the Commission meeting, and following such withdrawal will not be accepted for readvertisement for six (6) months, except on majority vote by the Commission.
 2. When application is duly advertised and not withdrawn as set forth above, a public hearing shall be held by the Commission and a report forwarded to the Council along with any application received. Said application may be withdrawn from Council action only by written request to the Council Secretary before Thursday at noon preceding the public hearing. Any such application withdrawn in this manner shall not be accepted for re-advertising for one (1) year.
 3. Any rezoning application withdrawn after Commission action but prior to Council action may be refiled with the Commission in less than one (1) year provided that the Commission approves a written request showing there is evidence not previously considered or extenuating circumstances.
 4. Any rezoning application denied by Council shall be prohibited for applying for the same map amendment for a period of one (1) year from the date of denial.

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 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 designation for the property is Light Industrial; R-1M zoning does not conform to the development pattern recommended by the Comprehensive Plan. Rezoning this 19,040 area to R-1M would allow new development of mobile homes or RVs on a property that does not meet the minimum area requirements of one acre for an RV park; two acres for a manufactured home park. This would be a privilege not extended to other land in the vicinity which is not done in the furtherance of the comprehensive plan or to serve the best interest of the community—which is the definition of a spot zone. Rezoning this property to R-1M would create a several substandard lots and grant the privilege of developing in ways that would not be permitted in the vicinity today. The RV park that was developed to the rear in 2016 met the minimum area for the zoning district. The lots along Paul Frederick Avenue that are zoned R-1M do not meet the minimum area; however, these are legally nonconforming lots, and as such, manufactured homes cannot be permitted at a density of six (6) manufactured homes for every 19,040 square feet. The existing density is approximately four (4) dwelling units per 20,000 square feet. The request fails 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.* This area of Paul Frederick Street near Canal has seen changes in land use pattern with

automotive repair permitted on Canal Street and in the building adjacent to the site and an RV park to the rear, and several new churches in the area. However, nothing in the land use pattern or character would prevent the subject property from developing an M-1 use. The property meets the required width and area for an M-1 site and M-1 uses continue on the surrounding properties. The request fails 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 R-1M district is a single use district, permitting residential use of movable dwelling units including recreational vehicles. Utilities currently serve the existing businesses and manufactured homes on Paul Fredrick, and additional manufactured homes would not overburden utilities. However, the RV or Manufactured Home Parks permitted in the R-1M district must follow specific area, spatial, and design guidelines such as:
- Must consist of at least 1 acre for RVs or 2 acres for Manufactured Homes to be permitted by right or one half-acre permitted as a Special Permit. This site consists of less than one half-acre so it does not meet the area requirements of the district.
 - Individual spots in the park must be at least 35 feet wide for both housing types, and 80 feet long for Manufactured Homes. Additionally, the individual homes must be situated 20 feet off of public street right-of-way, and 10 feet from adjoining property lines.
 - Each spot must contain a parking space and an additional parking space is required for every three homes for guests. The site may be able to accommodate 6 homes, which would require 2 additional guest spaces.
 - 10% of the site, or 1,904 square feet, must be designated for recreation space.

The existing R-1M neighborhood is legally nonconforming. If this 19,040 square foot area is rezoned to R-1M the design requirements might permit as many as 13 RVs or six (6) mobile homes without the required amenities. This would be incompatible existing residential neighborhood along Paul Frederick Street and also the light-industrial/commercial node near Canal Street. The request fails the third guideline.

ANALYSIS

The applicant requests rezone of several contiguous lots from M-1 to R-1M. Neither the individual lots nor the entire site meet the required minimum area for the R-1M zoning district: one (1) acre for an RV Park and two (2) acres for a manufactured home park.

A change to R-1A(M) zoning would permit as many as 3 manufactured homes, (and/or mobile homes already in use within the parish), on the individual lots on the site. The lots would have to be resubdivided and would likely need to have angled side lines like the other lots in this zoning district along Paul Frederick. The resubdivision would require a waiver from the Planning and Zoning Commission and Parish Council, but would be compatible with the existing residential neighborhood. Orienting a standard manufactured home on each of the resulting lots to meet required yards, setbacks, and parking may not be possible without waivers. This option would require more work by the developer, but would be more compatible with the existing neighborhood.

A request to rezone to R-1A(M) would not meet the first or second criteria for rezoning, but it would meet the third because it would allow development of the site that is compatible with the residential neighborhood along Paul Frederick Street.

DEPARTMENT RECOMMENDATION

Denial.