



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-23-R

APPLICATION INFORMATION

- **Submittal Date:** 12/6/24
- **Applicant / Property Owner**
Bruce Pitre
246 Plantation Road
Hahnville, LA 70057
504.915.8639; bpitre99@gmail.com
- **Request**
Change of zoning:
 - Current – C-1, General Commercial District - Commercial Offices
 - Proposed – R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes

SITE INFORMATION

- **Location**
A Portion of Lot 1 of the P.R. Vicknair Property; 167 Post Street, Killona
- **Size:** 4,508 sq. ft. (0.103 acres)
- **Current Use**
The site is developed with a vacant building previously utilized for commercial purposes, including as a Post Office, a grocery store, and a lawncare service.
- **Surrounding Zoning:** R-1A(M)
- **Surrounding Uses**
The site is located in a developed residential neighborhood characterized by a mix of site-built and manufactured single-family homes. A large undeveloped and partially wooded tract abuts to the rear.
- **Zoning History**
The site was originally zoned R-1A(M). A 1989 rezone established the existing C-1 district (PZR-89-32; Ord. 89-10-10).
- **Future Land Use Recommendation**
High-Density Residential – Appropriately located semi-attached and attached multifamily dwelling units, townhomes, duplexes and small lot detached houses. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections.

Recommended Zoning Districts: R-2 (two-family residential district), R-3 (multi-family residential district), C-1 (commercial office), R-1M (single-family residential detached mobile home/manufactured home/recreational vehicle park)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X
2013 Digital Flood Insurance Rate Map: X
- **Traffic Access**
The site has 46 ft. of frontage on Post Street. Remnants of an asphalt parking area and driveway span nearly the entire frontage.

▪ **Utilities**

Per the Parish GIS drainage, gravity sewer, and water facilities are available along Post Street.

Representatives from the Departments of Public Works, Wastewater, and Waterworks have no objections to the rezoning.

APPLICABLE REGULATIONS

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

[II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - (4) Accessory uses to golf courses and country clubs limited to the following:
 - Art studios
 - Churches and Religious Institutions
 - Commercial recreation facilities
 - Commercial schools
 - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - Restaurants and cafeterias
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements.
 - a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—Fifteen (15) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) 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:
 - (1) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted.
 - 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 required front yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) 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 Home Installation in Flood Hazard Areas*.
 - c. *Reserved*.
 - d. 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.

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.*

Portion of Lot 1 is in an area designated *High-Density Residential*, which anticipates development of *semi-attached and attached multifamily dwelling units, townhomes, duplexes and small lot detached houses*. Recommended zoning includes R-2, R-3, C-1, and R-1M. The requested R-1A(M) district does not fit directly within the recommended zoning districts, but in permitting 50 ft. wide, 5,000 sq. ft. lots with reduced setback requirements it does fit the FLUM designation's description and its consideration of *small lot detached houses*.

This request is not considered a spot zone as the proposed R-1A(M) zoning will fit within the larger R-1A(M) district encompassing most of Killona. **The request meets 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 C-1 zoning allows residential use via Special Permit while permitting small, neighborhood scale commercial uses by right such as offices and retail, which is currently lacking in the Killona area. Since a range of residential uses may be permitted as Special Permit Uses under C-1 zoning while maintaining the flexibility to permit commercial uses by right, the current zoning allows for reasonable use. **The request does not meet 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.*

R-1A(M) zoning encompasses most of Killona and the subject site itself is surrounded by this district. Development reflects the zoning with a mix of site-built and manufactured homes, including adjacent to both sides of the subject site and directly across Post Street. A rezone to R-1A(M), which permits both site-built and manufactured homes with reduced lot width, area, and building setback requirements is compatible with this existing neighborhood character.

The area is improved with Parish drainage, sewer, and water facilities and representatives from the departments maintaining those facilities do not object to the zoning change. **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.