

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: 2021-5-R

GENERAL INFORMATION

- ◆ Name/Address of Applicant

Donald & Annabel Hogan  
147 Vics Lane  
Des Allemands, LA 70030  
(504)-390-7800; phinda9@aol.com
- Application Date: 1/5/2021
- ◆ Location of Site

Lots 89A-6-A1-A, 89A-6-B, 89A-6-C (proposed Lot 89A-6-C-1), Coteau de France or Ranson Tract; 16459, 16479, 16481 Old Spanish Trail, Des Allemands
- ◆ Requested Action

Rezoning from R-1A(M), Single Family Residential (Manufactured Homes) and M-1, Light Manufacturing and Industrial to R-1M, Manufactured Home/RV park

SITE INFORMATION

- ◆ Size of Site

The overall site consists of approximately 2.3 acres, approximately 23,700 sq. ft. of which is subject to the rezoning.
- ◆ Current Zoning and Land Use

Lot 89A-6-A1-A is split zoned R-1M and M-1. It is developed with a manufactured home and an aggregate roadway which provides access to a cellular tower on an adjacent lot.  
  
Lot 89A-6-B is zoned R-1A(M) and is cleared but vacant.  
  
Lot 89A-6-C is split zoned R-1A(M) and R-1M. The front of the lot is developed with two manufactured homes; the bulk of the property is wooded.
- ◆ Surrounding Zoning and Land Use

O-L, Open Land zoning is adjacent to the north side; M-1 is adjacent to the south and east sides.  
  
With the exception of a church adjacent to the north side of the subject site, the surrounding land uses primarily consist of manufactured homes fronting Old Spanish Trail (LA 631).  
  
A significant portion of the land in the area is undeveloped and heavily wooded, including portions of the lots immediately to the south and east sides of the subject site.
- ◆ 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.
- ◆ Traffic Access

Each lot has 50 ft. of frontage on Old Spanish Trail (LA 631) and access is provided via two separate aggregate driveways. A companion administrative resubdivision shows these two lots, plus Lot 89A-6-B being consolidated into a single lot with 151.88 ft. of frontage.

◆ **Utilities**

The representative from the Department of Waterworks had no comments on the requested rezoning.

At the time of this writing representatives from the Department of Public Works & Wastewater are reviewing the proposed site plan with questions regarding drainage and streets.

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

**[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.
  - (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**

**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 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 proposed R-1M zoning would not be considered a spot zone as it would expand an existing R-1M district, but the portions of the subject property where the zoning change would occur have FLUM designation of Light Industrial. The residential use of manufactured homes and recreational vehicles permitted in the R-1M zoning district does not conform to this FLUM designation. **The request fails the first guideline;** however, Planning staff recommend a review of the Future Land Use designation of Light Industrial for this area in Des Allemands where residential uses along Old Spanish Trail are largely owner-occupied.
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 land use pattern in the area has been residential use in a mix of site-built houses and manufactured (or mobile) homes close to Old Spanish Trail for decades. The residential development concentrated along Old Spanish Trail was largely legally non-conforming, residential uses in an expansive M-1 zoning district that comprised several multi-acre tracts of the Couteau de France that extended from Old Spanish Trail to US Highway 90. The bulk of that M-1 zoning district remains, however, a major change occurred in the area in 2006, when Chevron USA worked with the District Councilman to complete a rezoning and a series of resubdivisions that created over 25 lots allowing long-time residents of the area to acquire the property they had been living on.

This particular large tract that the subject site originated from is bounded by lots residents acquired from Chevron. The subject site has undergone multiple rezonings and resubdivisions since the applicant acquired it in 1994.

- The M-1 zoning is part of a much larger district established as part of the parish-wide zoning in 1981.
- In 1998 portions were subdivided and rezoned R-1AM and R-1M (PZR-1998-11, Ord. No. 98-8-7; PZR-1998-12, Ord. No. 98-8-10).
- In 2001, the lots were resubdivided in a way that resulted in some lots split-zoned R-1A(M) and R-1M (PZS-2001-68).

As a result of rezonings and resubdivisions, an area of less than two (2) acres is zoned R-1M. This limits the permitted use of the land to an RV park. An RV park, the only permitted use, is not reasonable considering the owner-occupied residential use in the area.

While several of changes to the zoning and land use pattern resulted from the property owner's own actions, the result is that the existing zoning does not allow reasonable development. A combination of the lots into a two-acre site and a rezone of those two acres to R-1M will allow development of the property into an orderly manufactured (or mobile) home park. **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 existing neighborhood is developed with residential uses, both site-built and mobile homes, fronting Old Spanish Trail (LA 631). This reflects the R-1A(M) zoning which lines the majority of the right-of-way for approximately 5,000 ft. between Whitley Drive to the bend in LA 631. Expanding the existing R-1M zoning district by just over half an acre would allow for the development of a manufactured home park, which would not be incompatible with the residential area or overburden the street or drainage (managed by LA DOTD), or Parish utilities such as water and sewer. **The request meets the third guideline.**

## ANALYSIS

The applicant requests change of zoning on two acres to permit a manufactured home park (also called a mobile home park). The site is currently split-zoned R-1M, R-1A(M),

and M-1. The request would expand an existing R-1M district approximately 23,700 sq. ft. (across Lot 89A-6-B and portions of Lots 89A-6-A1-A, 89A-6-C).

The requested change meets the second and third rezoning guideline. The existing mix of R-1A(M), R-1M, and M-1 zoning prohibit reasonable use of the property because the area that is zoned R-1M is only large enough to permit an RV park, which is not compatible with the surrounding neighborhood. Increasing the area of the R-1M zone will allow development of an orderly mobile home park which is not incompatible with the surrounding neighborhood.

The applicant has been advised that if the rezone is approved, the area will have to be resubdivded into a two-acre lot.

The entire site is under three (3) acres, so approval would not require a corresponding change to the Future Land Use Map.

<b>DEPARTMENT RECOMMENDATION</b>
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**Approval.**