

The following minutes are of the Planning & Zoning Commission meeting on Wednesday, January 26, 2022, in the Abita Springs Town Hall.

Commissioner Pierce called the meeting to order at 6:05 p.m. Commissioners John Pierce, Bryan Gowland, and David Gruning were present. Commissioners Chad Hall and Eric Templet were absent. Kristin Tortorich, Paul Harrison, and Mark Fancey were also present. All stood for the Pledge of Allegiance.

The Commission reviewed the draft minutes from the December 30, 2021, meeting. Several typographic errors were noted. Commissioner Gowland motioned to accept the minutes of the December 30, 2021, meeting as amended. Commissioner Gruning seconded the motion. All commissioners were in favor.

### **Planning Commission**

No agenda items.

### **Zoning Commission**

#### **PUBLIC HEARING:**

**A resolution to establish a moratorium for a period of twenty-four months on the resubdivision of land consisting of more than ten lots in the Town of Abita Springs.**

Commissioner Gowland said it was not clear how the moratorium would affect development of lots within platted squares. He described a situation where resubdivision of two platted squares with 12 lots would be prohibited under the moratorium. Commissioner Gruning said the language of the resolution could create a problem by strictly prohibiting such a resubdivision. Noting the concern over sewer system capacity, he said that such a resubdivision would actually result in fewer lots being developed than were originally platted. He cited as an example a resubdivision that reduced the number of platted lots from 18 to 11.

Paul Harrison stressed that the sewer system presently has severe capacity issues, and the intent of the moratorium is to minimize creation of new lots now. He said the message with the moratorium is that the system is at capacity.

Commissioner Gruning asked if the resolution could be amended at a later date. Paul Harrison said the resolution could be amended by the Commission. Harrison said that if a larger development was proposed the Commission could amend the resolution by making findings that the proposed development would reduce the impact on the sewer system.

Bryan Gowland asked if the Commission was making a recommendation to the Town Council. Mark Fancey said the Board of Alderman adopted a resolution supporting a moratorium on the resubdivision of land into more than 10 lots. The Council has requested that the Planning Commission, as the body that approves subdivisions, establish the moratorium. Approval of the resolution by the Commission would establish the moratorium.

Commissioner Gruning said the Commission's intent in adopting the resolution can be included in the minutes. He said he had no problem voting for the resolution and including in the minutes: if the overall effect of a resubdivision is to reduce the number of lots and therefore reduce the burden on the Town even if the number of lots exceed 10 it is not our intention that we should not approve such a subdivision. Commissioner Pierce said that such a statement is in conflict with the intent of the moratorium to limit creation of more than 10 lots. Commissioner Gruning responded that as a Commission enacted moratorium it is the Commission's intent that matters. Paul Harrison said the Commission is voting on a moratorium on the creation of more than 10 lots in all subdivisions.

Commissioner Pierce said the Commission's options are to adopt the resolution as presented, revise the resolution at this meeting, or table the resolution for review at a later date. He said he is comfortable adopting the resolution as presented. He noted that no opposition to the resolution has been presented. He said the Commission is not

familiar enough with the application process tonight to fully address the example proposed regarding reduced number of lots. He said that if a more beneficial arrangement arises in the future that Commission can revisit the resolution.

Commissioner Gowland motioned to pass the resolution as presented but instructing staff to develop language addressing the resubdivision of platted lots that the Commission has discussed. The Commission would review the revised resolution in February. Commissioner Gruning asked to present his proposed changes to the resolution. Commissioner Gowland withdrew his motion.

Commissioner Gruning motioned to make the following edits to the resolution: adding the phrase “large tracts of land” to the paragraph beginning with “Be it further resolved” (paragraph 7) to mirror the language used earlier in the document (paragraph 5) and noting that Vice Chair John Pierce would be the signee. Commissioner Gowland seconded the motion.

Paul Harrison said the addition of the word “large” legally does not help clarify the situation but creates an ambiguity for him. He said that if a particular development was proposed, the Commission could create an exception based on a reduction of impacts to the sewer system and amend the resolution. Commissioner Gowland questioned the definition of “large”.

Commissioner Gruning said the creation of 11 lots rather than 18 lots is not a “large” tract of land in his view. He said the reduction in the number of lots is an improvement and the Commission should not stop it. Discussion ensued regarding resubdivision of existing lots.

Commissioner Pierce called for a vote on the motion. The motion failed with Commissioners Pierce and Gowland voting in opposition and Commissioner Gruning voting in favor.

Commissioner Gruning motioned to adopt the resolution as presented. Commissioner Gowland seconded the motion. All commissioners were in favor.

**Discussion:**

**December 2022 meeting date**

Commissioners decided that December 22, 2022, would be the December meeting date.

**Public Comment**

Michelle Tinker from the Brighthouse Center introduced herself. She said the center is planning to expand to Abita Springs to provide a school for autistic students from 5<sup>th</sup> through 12 grades. Ms. Tinker said the school would have as many as 50 students. She said the existing school is full and there is a waiting list for admission. The school would be located at Hwy 59 and 12<sup>th</sup> Street.

**Announcements**

None.

Commissioner Gowland moved to adjourn the meeting. Commissioner Gruning seconded the motion. All commissioners were in favor. The meeting adjourned at 6:55 p.m.

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Kristin M. Tortorich, Planning Director

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Date