

The following are minutes from the Planning and Zoning Commission meeting on Thursday, May 26, 2022, in Abita Springs Town Hall. The meeting convened at 6:02 P.M.

Commission Chair Templet called the meeting to order, and all stood for the Pledge of Allegiance. Commissioners in attendance included Eric Templet, John Pierce, Mike Lanaux, Chad Hall, and Bryan Gowland. Kristin Tortorich, Mark Fancey, Town Attorney Paul Harrison, and Heather Hockman were also present.

The Commission reviewed the draft minutes from the July 28, 2022 meeting. Heather Hockman noted the minutes would be amended to fix a missing word and correct a last name. Commissioner Lanaux motioned to accept the amended minutes of the July 28, 2022 meeting. Commissioner Gowland seconded the motion. All commissioners were in favor.

PLANNING

No items were on the agenda.

ZONING

DISCUSSION

Proposed resubdivision 22240 Prats Rd

Kristin Tortorich read the staff report, stating the subject property is a 6-acre parcel the petitioner is asking to be divided into two 3-acre lots. The property meets all minimum requirements including a 200' frontage where 125' is required when town sewer is not available. Pre-application has been submitted for a public hearing next month, so this was only a discussion item for this meeting.

Commissioner Gowland stated the property meets the legal requirements since the minimum buildable lot size in that area is 2 acres and these lots would be 3 acres.

Public Comment

Brenda Lanier was concerned about a driveway being added to the property for a company on Prats Dairy Road to drive through the residential neighborhood on Prats Road. Keli Sanders, the petitioner, explained her plan is to sell the existing house and build on the other 3-acre lot, and there is no plan to add a driveway on her property to access property on Prats Dairy Road.

EJ Boudreaux, St. Joseph Street, stated there should be notice for properties going to Public Hearing in order for the public to have more input. Kristin Tortorich and Chairman Templet explained this is only for discussion at this point, and there would be a sign put up at the property and advertising before the next meeting in which a vote would be taken. Ms. Tortorich stated the sign is to get your attention so you can go to the website to get more information about the property. Commissioner Gowland stated there should be some responsibility placed on the members of public to make themselves aware of what is going on. Mr. Boudreaux then stated he felt there has been an improvement in notifications to the public in the last 6 months or so.

Amendments to Abita Springs Code of Ordinances

Section 9-218 Commercial District

Chairman Templet explained the purpose of this draft ordinance amendments is a continuation of the process to deal with commercial development in the town, in order to address health, welfare, and safety issues for the residents. He stated the job of the Planning & Zoning Commission is to forward their recommendations to the Town Council who can then decide whether or not to adopt those amendments.

Mark Fancey reviewed the staff report found in the meeting packet, noting the questions for the Commissioners being:

1. Should the district include a minimum lot size for commercial uses?
2. Do you want to include the uses highlighted in the draft of amendments?

Commissioner Gowland asked if a residence in a commercial district would fall under the same requirements as a residence in the residential district. Mr. Fancey said yes in terms of development standards, such as setbacks and lot size, according to the draft in its current form.

Mr. Fancey explained he added a few uses that are currently in place but were originally excluded from the draft. He mentioned the Commission could entertain the idea of using a clause, such as “any use existing on the date of the adoption of this ordinance is deemed a legal use” in order to “grandfather in” current uses. Chairman Templet asked if it would be better to list both specific allowable uses and the clause, or if it should be one or the other. Mr. Fancey recommended choosing one or the other.

Commissioner Hall asked if schools would be an allowable use. Mr. Fancey made a note to look into the zoning details for schools.

Commissioner Gowland asked if a non-conforming use would be transferrable. Mr. Fancey replied yes, but it would not be allowed to be bigger or intensify. Alterations to the building would be limited to 10% of the value of the building.

Attorney Paul Harrison added options for non-conforming use are to either phase out the use at the point of sale of the property, or to continue the use, the new owner would have to satisfy requirements of some sort. Mr. Harrison also suggested regulating scale vs. lot size.

Chairman Templet said he was concerned about allowing single family residential with no minimum lot size, because you might have people building multiple homes on a lot and using it as a loophole in order to build more homes, creating more density.

Commissioner Gowland stated residential use has always been allowed in the commercial district.

Attorney Harrison mentioned commercial zones tend to have a much more intense use. Discussion ensued over lot size vs. building scale.

Public Comment

Sandra Slifer asked if a public facilities zone should be used for uses such as town facilities, schools, fire departments, etc. Ms. Slifer also commented the time was generous under the abandonment section found in Sec. 9-210 (8).

Brenda Lanier stated her desire to see the residential language changed and is concerned about lot sizes.

Chairman Templet stated that this is a process with a lot of work to still be done and the amendments may be edited over time.

EJ Boudreaux asked if the Town Council could extend the moratorium. Attorney Harrison answered that government entities are allowed to shorten or extend moratoriums, but they are not meant to be extended indefinitely. The Town Council should be working on addressing the problems.

Regan Contois said she was concerned about the language of the residential use. Ms. Contois stated the issues, such as homeowners being noncompliant due to zoning and density at the parish level should highlight the need to keep those in mind as we move forward with the amendments.

Mark Fancey said he would be working on Sec. 9-218 Commercial District (a) (31) Multi-family residential subject to the development standards of the Multi-family District and (32) Townhouse/condominium residential subject to the development standards of the Townhouse/Condominium District as well, because those uses can take up more land.

Ruth Terry-Sipos asked the purpose of the timing listed in Sec. 9-210- Nonconforming uses (a) (5) *Construction approved prior to this chapter*. Mr. Fancey stated the timing was meant to keep a project from dragging out and then becoming a non-conforming use. Mr. Fancey also stated 12 months is standard. Ms. Terry-Sipos then stated the footprint for a gas station could be much larger than the store component.

Regan Contois suggested limiting the number of pumps for gas stations or requiring indoor storage for mechanics.

Cindy Sale suggested breaking down the commercial zones in order to limit types of businesses such as gas stations in or next to the residential areas.

Ray Pasqua expressed his concerns about sprawl.

Commissioner Gowland praised the members of the public for their comments.

Chairman Templet thanked the members of the public for their helpful comments.

ANNOUNCEMENTS

Commissioner Gowland announced the Abita Springs Opry will be returning September 17, 2022 featuring bluegrass, blues, country, and New Orleans rhythm & blues. Cost is \$20.

Kristin Tortorich announced the second issue of the Live Oak Journal will be out the first week of October.

ADJOURNMENT

Commissioner Gowland motioned to adjourn. Commissioner Pierce seconded the motion. All Commissioners voted in favor. Meeting Adjourned at 7:15 P.M.

Kristin M. Tortorich, Planning & Zoning Director

Date