



The following are the minutes from the Planning and Zoning Meeting held on Wednesday, April 24, 2019 in the Abita Springs Town Hall.

The meeting was called to order by Bryan Gowland. Commissioners in attendance included Barbara Jackson, Byron Armand, Bryan Gowland, Eric Templet and Dan Underwood. Also present, Planning & Zoning Director Cindy Chatelain.

Bryan Gowland welcomed all in attendance. All stood for the Pledge of Allegiance to the Flag.

Dan Underwood found a typo in the meeting minutes...third page, second paragraph...should be "rescinded". A motion to accept the minutes, with that correction, was made by Eric Templet. Seconded by Byron Armand. All in favor.

Bryan Gowland opened the meeting by stating that Public Hearings have been held and lots of discussion has taken place concerning the Short-Term Rental Recommendations. The Planning & Zoning Commission has done their due diligence by listening to the concerns of the local residents and by comparing the ordinances of the surrounding municipalities, in order to arrive at the recommendation which will be forwarded to the Town Council. The Town Council is the legislative body which can accept the commission's recommendations or choose to go in another direction.

Eric Templet along with Barbara Jackson comprised the three-page synopsis from the materials and inputs gathered. The outline was broken into two parts listing the concerns and suggested options to address the concerns.

Barbara Jackson thinks the big decision to be made will be, where these short-term rentals will be allowed. The general feeling is to keep it small and controllable. Limits will be a must. These decisions will be left to the Town Council.

Dan Underwood commented that the best thing the Planning & Zoning Commission can do is to give the Town Council comprehensive information, so they have the best information, in order to create an ordinance. He would like to see each commissioner's recommendations be given to the Town Council along with the summary created. And also, a copy of the comparisons of the other municipalities' ordinances and St Tammany Parish's paperwork to show what has been done elsewhere. Dan Underwood would like these documents to be posted on the town website as well.

Byron Armand stated that Dan's request makes sense to him. He likes the idea of the staged STR, certain areas allowing various options.

Bryan Gowland stated the biggest question posed is, "Will STR be allowed in Single Family Residential Zoning?" The idea of having the STR and regulating them, rather than not allowing them, would be more beneficial. He made reference of the ability to rent ancillary structures as per an ordinance (#430) introduced by Mayor Fitzmorris. Also, Bed & Breakfasts are allowed in Single Family Residential. At the time these ordinances were created, STR were not even thought of.

Moving on Bryan Gowland said he was ready to hear comments.

Dan Underwood wanted to make a motion to have all paperwork affiliated with the P&Z's Recommendation posted to the website and given to the Town Council. Seconded by Byron Armand. All in favor

Bryan Gowland mentioned a sign in sheet, which will be used to allow individuals to voice their opinions or to make comments concerning the STR Recommendation at hand.

Mary Davis asked what zoning will the STR be allowed. Bryan Gowland answered that the P&Z Commission is not giving the Town Council specific information as where to allow the STR, that will be their decision. P&Z has made reference to options. Mary Davis then asked about signs. Discussion took place.

Stewart Eastman has two sections to comment on. He doesn't believe that it would be lawful to discriminate against people that are not residents. He thinks other districts in town should be allowed in addition to residential, such as Light Industrial and Condominium.

He went on to say that he thinks the commission is not responding to the public outcry, that they don't want it in their area, namely Brookforest Road.

Lee Barrios stated that she would never have a STR as she lives in a restrictive neighborhood. She hopes that the Town's approval is what's best for the Town, not who's voice is the loudest. She suggested that the B&B Ordinance be modified, as it is already in place. She agrees with most of the requirements of licenses and fees and insurance. The Town Council has good information to work with.

Thad Ackel represented Alex Medence from Brookforest Road. He Thanked the Commission for the outline of recommendations. He was concerned with the time restraints but agreed with the need for parameters to be set. Allowing in different zoning, as long as they meet the regulations set would be fair. He thinks the document is very well done.

Byron Armand made a comment as to the definition of STR...specifically the duration of the stay and the differences of STR and a lease of a property. He asked for thoughts on this comment. Long term leases are presently allowed within the town limits.

Barbara Johnson quoted a definition from New Orleans...accommodations used for transient purposes...not defined as, a period of time. More discussion took place.

Dick Granier asked if there are any districts where the STR is not allowed? Answer: Park, School, Lt Industrial etc. He went on to read the recommendation that listed the zonings, lumped together...will the same rules apply to all zonings? He feels "Safety" issues could arise.

Eric Templet answered, that is why they suggest a "cap" limiting how many can be in one area.

Mr. Granier went on to say that Brookforest may not be able to handle any STR.

Bryan Gowland responded that Mr. Granier's comments are noted.

Donna Caire stated that the residents of Brookforest signed a petition stating that they did not want STR on their road. She added that the discussion of this issue was "tabled" at the December 2018 P&Z Meeting. Upon review of the minutes, the item was tabled until the Short-Term Rental issue could be ironed out.

****Please note:** The Planning & Zoning Director gave this petition to the Mayor's office along with a list of the names of the property owners of Brookforest Road, which was supplied to this office by the St Tammany Parish Assessor's Office. (see attached)

Ms. Caire would like to resume the discussion of this "Tabled" petition. She also wants it included in the paperwork associated with the STR Recommendation from the Planning & Zoning Commission. She also would like the opinion letter from Edward Deano be included in the submission to the Town Council.

John Prebble appreciates the work of the commission. He feels that no commerce should be allowed in the Residential Zone. He is not in favor of allowing business in a residential neighborhood.

Carol Richards wanted to say several things about her personal experiences with STR. Mr. Medence has not been a good neighbor. He has had parties with 60 people or more in attendance. Her mailbox was damaged. She read a listing or review about the property / party. She thinks that the guest house is larger than it is allowed to be. In her opinion, she feels he is destroying the neighborhood. She wonders what's going on over there. The nature of Brookforest Road is being ruined. Mr. Deano's opinion has been ignored. Ms. Richards doesn't agree with allowing them on Brookforest Road. She asked the commission to acknowledge who is for STR. She is very upset about being lumped in as a possible STR Zone. She feels that the commission is catering to Mr. Medence, trying to help him out.

Byron Armand wonders what the requirements are to operate a Bed & Breakfast, a permit or occupational license. He feels the ordinance will help enforce and control STR.

Bryan Gowland reiterated that you can have guests stay as long as you want. If you charge your guest to stay...then a permit / license would be required, and you would have to adhere to the parameters set. The dilemma: Is the activity the problem or is the way the activity is conducted the problem?

Carol Richards asked who decided to put Brookforest Road as a district?

Barbara Jackson answered, they put a list of the districts where the STR could possibly be permitted. Eric Templet tried to explain it further. Ms. Richards does not agree.

Rhonda Scorsone wanted to say that Air B&B is an advertising platform. It is not used specifically for STR. It is an advertisement tool.

Dan Underwood made a motion to turn over the information and recommendations to the Town Council.

Bryan Gowland agreed. He thanked everyone for coming out and expressing their opinions.

Dan Underwood motioned to turn over the totality of the information gathered, the summery, the information of the five commissioners, the different ordinances from the other municipalities, and if possible the petition from Brookforest Road, with the minutes from this meeting to the Town Council. Seconded by Eric Templet. All in favor.

Discussion:

A potential buyer asked if it would be possible to obtain a side yard variance of 10 feet on a 60-foot lot, at the corner of Leonard and Bryan Streets. Dan Underwood mentioned that the commission has dealt with similar cases in the past. This is a hardship which would allow for such a variance to be approved. He was then instructed to follow the protocol for a variance request and to attend the next meeting for an official ruling.

A motion to adjourn was made by Eric Templet.
Seconded by Byron Armand.
All in favor.

The next meeting is scheduled for May 29, 2019

Cindy Chatelain, Planning & Zoning Director

Date