

The following are minutes from the Planning and Zoning Commission meeting on Thursday, January 26, 2023, in Abita Springs Town Hall. The meeting convened at 6:01 P.M.

Commissioner Pierce called the meeting to order, and all stood for the Pledge of Allegiance. Commissioners in attendance included John Pierce, Chad Hall, Bryan Gowland, and Lex LeBlanc. Commissioner Mike Lanaux was absent. Kristin Tortorich, Mark Fancey, Town Attorney Adam Davis, and Heather Hockman were also present.

The Commission reviewed the draft minutes from the November 17, 2022 meeting. Commissioner LeBlanc motioned to accept the minutes of the November 17, 2022 meeting. Commissioner Gowland seconded the motion. All commissioners were in favor.

Election of Chair and Vice Chair for 2023

Commissioner Hall motioned to nominate Commissioner Pierce for Chairman. Commissioner Gowland seconded the motion. All voted in favor.

Commissioner Gowland motioned to nominate Commissioner Hall for Vice Chairman. Commissioner Pierce seconded the motion. All voted in favor.

Introductions/Staff Announcements

Commissioner Pierce introduced the newest member of the Commission, Lex LeBlanc, and welcomed him aboard.

Kristin Tortorich introduced Town Attorney Adam Davis who will be sitting in on Planning and Zoning meetings and assisting with Planning and Zoning issues.

Kristin Tortorich also announced that Mark Fancey is retiring, and tonight would be the last meeting for him to attend. Mark Fancey noted he would still be working in a consultant capacity as needed but would no longer be participating in the meetings. Commissioner Pierce thanked Mr. Fancey for being an immense help to the Commission. Commissioner Gowland said he valued Mr. Fancey’s mentorship.

PLANNING

No items were on the agenda.

ZONING

Public Hearing

No items were on the agenda.

DISCUSSION

Short-Term Rental Applications

- 72419 Highway 59
- 71558 St. James Street
- 71661 Keller Street
- 71675 Leveson Street
- 23046 Brookforest Road
- 72094 Maple Street

The Commission reviewed each application, noting most of them were renewals and all documents were received for each application. Kristin Tortorich stated that the Maple Street address is the only new application. Commissioner Pierce stated there were no exceptions to the applications and the maximum number of permits has not been reached. Kristin Tortorich stated that all documents were received except for one of the Occupational Licenses, although we do have proof that the application was submitted. She also stated that the permit would not be issued until the license was issued.

Public Comment

Stewart Eastman asked if there were any complaints about the short-term rental at 23046 Brookforest because he remembered there were prior concerns over that location. Kristin Tortorich stated that she hasn't received a single complaint from the neighbors or the public about any of the short-term rentals since the process began.

Commissioner Gowland moved to approve all the Short-Term Rental applications. Commissioner Hall seconded the motion. All voted in favor.

Review Draft Amendments to Abita Springs Code of Ordinances:

- **Landscaping chapter**
- **Permitting chapter**

Mark Fancey reviewed the staff report regarding the Landscaping and Permitting Chapters, which can be found in the meeting packet.

Commissioner LeBlanc asked for clarification of "Development Permit procedure (c)(2) Application processing fee, as established by the Mayor;" as to whether that is a fixed fee or a variable fee. Mark Fancey explained that the fee may vary by application. Mr. Fancey went on to explain that typically the person in charge would ask what kind of costs are involved and then determine if all or part of the costs would be recouped. Kristin Tortorich added the fees are determined by the actual cost and gave the example of drainage inspections. The cost is based on the actual cost of the time spent on the review of the plan by the Drainage Engineer. Commissioner LeBlanc stated that he thought elaborating on the fee details could eliminate the perception of any arbitrary fees. Commissioner Gowland agreed it should be more structured. Commissioner Pierce added that it could be structured to reflect the intent regarding recouping the costs.

Commissioner LeBlanc also suggested adding a list of permits required under "Development Permit Procedure (c)(15) Any permits required by the State of Louisiana;" in order to help the Planning and Zoning Department and the applicants to better understand what is expected.

Commissioner Gowland asked if we currently have Conditional Use Permits. Mark Fancey stated we currently have Special Use Permits, and he thinks if this new section gets adopted, the Special Use Permit section should be deleted. Mr. Fancey stated the current Special Use Permit section is not as comprehensive as the draft Conditional Use Permit section.

Commissioner LeBlanc asked the reason for 45 days in the Action by the Planning and Zoning Commission section under Conditional Use Permits. Mark Fancey said there may be a situation where the Commission would close a Public Hearing and continue it into the next meeting in case additional time is needed to review additional information from the applicant or receive answers to questions raised of staff before voting on that specific item.

Commissioner Gowland stated he felt the Conditional Use Permits section needs more work.

E.J. Boudreaux stated he thinks the Town should submit a permit for any building to assure Historic Commission and Planning and Zoning Commission review the permits and the public can comment.

Stewart Eastman stated he believes the ordinance should not include the names or species of plants in the Landscaping Chapter, rather refer to a list provided by some other source such as the LSU Ag Center. He also thinks the ordinance should refer to a list of invasive species as a list of plants to be avoided. As for the Permitting Chapter, Mr. Eastman said he is afraid the Change of Business section would be prohibitive for small businesses trying to move into existing structures.

Commissioner LeBlanc made some suggestions for clarity and typographical error corrections. Staff explained DBH in the landscaping chapter to mean diameter at breast height four and a half feet above the ground, which is a standard measurement for the landscaping field. Commissioner LeBlanc also said he thought "General standards for landscaping requirements (d)(1) A professionally acceptable composition, spacing and mix of vegetation is required." needs to be better defined.

Commissioner LeBlanc voiced opposition to buffer planting area requirements stating that the Town did not conform to buffer requirements in the Trailhead Park layout.

Commissioner LeBlanc stated that he believes the building façade planting area should have a different width in order to comply with ADA rules. Mark Fancey said he would look into the ADA requirements and make any necessary changes.

Commissioner Gowland stated that if he had to do the tree ordinance over again, he would not include pine trees, as they do not have the same protection as Class A trees. He feels they are not suitable yard or ornamental trees after seeing the number of houses damaged by pine trees and non-Class A trees during Hurricane Katrina. Commissioner Gowland stated that the long-leaf pines do not fall in the same category as other pine trees.

Public Comment

Sandra Slifer stated that the Abita River is considered a scenic stream administered by Louisiana Department of Wildlife and Fisheries and she wanted to make sure that the waterway section includes the standards set forth in the Scenic Rivers Program. Ms. Slifer also stated pine trees are crops, not monuments and are not best suited near homes.

Commissioner Hall asked for the status of the replanting at the property on Highway 36 next to the river. Kristin Tortorich explained that the replanting is currently on hold due to the Parish needing access to remove the downed trees from the river, but the replanting will still be taking place.

ANNOUNCEMENTS

Commissioner Gowland commended Keep Abita Beautiful for the work on the Community Garden being built between the Abita Café Snoball Stand and the traffic circle. Sandra Slifer provided an update with the following details: Full Moon Gardens will be providing plants purchased by the public to fulfill the wish list of plants for the garden, Eric and Patricia Templet donated 4 blueberry bushes for the garden and Full Moon Gardens would be helping with transplanting them, a name for the garden is needed. Commissioner John Pierce will be building a structure for the garden to allow for excess fruits and vegetables to be shared. The gazebo repair was cost prohibitive for the Town, but the cupola has been saved from the gazebo for incorporation somehow in the garden. The hope for the garden is that it will be a place of conversation and sustenance.

Commissioner Gowland congratulated the two new Aldermen in attendance, Eric Templet and E.J. Boudreaux.

ADJOURNMENT

Commissioner Gowland motioned to adjourn. Commissioner Hall seconded the motion. All Commissioners voted in favor. Meeting Adjourned at 6:54 P.M.

Kristin M. Tortorich, Planning & Zoning Director

Date