

Houma-Terrebonne Regional Planning Commission

| | |
|--------------------------|---------------------|
| Robbie Liner..... | Chairman |
| Jan Rogers..... | Vice-Chairman |
| Rachael Ellender..... | Secretary/Treasurer |
| Ross Burgard..... | Member |
| Kyle Faulk..... | Member |
| Rev. Corion D. Gray..... | Member |
| Travion Smith..... | Member |
| Barry Soudelier..... | Member |
| Wayne Thibodeaux..... | Member |

APRIL 20, 2023, THURSDAY

6:00 P.M.

**TERREBONNE PARISH COUNCIL MEETING ROOM
Government Tower, 8026 Main Street, 2nd Floor, Houma, Louisiana**

A • G • E • N • D • A

(Revised 4/17/2023)

I. CONVENE AS THE ZONING & LAND USE COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES

1. Approval of Minutes of Zoning & Land Use Commission for the Regular Meeting of March 16, 2023

E. COMMUNICATIONS

F. PUBLIC HEARINGS:

1. Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential); 115 King Street, Lot 7, Block D, Mechanicville; Sylvester Warren, Jr., applicant; and call a Public Hearing for said matter on Thursday, April 20, 2023 at 6:00 p.m. *(Council District 1 / City of Houma Fire)*
2. Rezone from OL (Open Land) to I-1 (Light Industrial); 1865 Valhi Boulevard, Tract B of Danos Properties, LLC; Danos Properties, LLC, applicant; and call a Public Hearing for said matter on Thursday, April 20, 2023 at 6:00 p.m. *(Council District 6 / Bayou Cane Fire)*

G. NEW BUSINESS:

1. Preliminary Hearings:
 - a) Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential); 122 Banks Avenue, Lot 41, Block B, Mechanicville; Freddie Johnson, applicant; and call a Public Hearing for said matter on Thursday, May 18, 2023 at 6:00 p.m. *(Council District 1 / City of Houma Fire)*
 - b) Rezone from R-1 (Single-Family Residential) to R-3M (Multi-Family Residential, Town House Condominium District); 108 & 110 Marcel Lane, Tract A-B-C-D-A; John D. Stevens, Sr., applicant; and call a Public Hearing for said matter on Thursday, May 18, 2023 at 6:00 p.m. *(Council District 5 / Bayou Cane Fire)*

H. STAFF REPORT:

1. *Public Hearing*
Discussion and possible action with regard to the TPCG Code of Ordinances as it pertains to Borrow Pits

I. COMMISSION COMMENTS:

1. Zoning & Land Use Commissioners' Comments
2. Chairman Comments

J. PUBLIC COMMENTS

K. ADJOURN

II. CONVENE AS THE REGIONAL PLANNING COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES:

1. Houma-Terrebonne Regional Planning Commission Minutes for the Regular Meeting of March 16, 2023

E. APPROVE REMITTANCE OF PAYMENT FOR THE APRIL 20, 2023 INVOICES AND THE TREASURER'S REPORT OF MARCH 2023

F. COMMUNICATIONS

G. APPLICATIONS / NEW BUSINESS:

1. a) Subdivision: West Manchester Subdivision, Addendum No. 2
Approval Requested: Process C, Major Subdivision-Conceptual & Preliminary
Location: End of Manchester Drive, Terrebonne Parish, LA
Government Districts: Council District 6 / Bayou Cane Fire District
Developer: Tri-State Land Company
Engineer: Milford & Associates, Inc.

b) Public Hearing

c) Variance Request: Variance from the block length requirement of 600' to ±1,400'

d) Consider Approval of Said Application
2. a) Subdivision: West Manchester Subdivision, Addendum No. 3, Phase B
Approval Requested: Process C, Major Subdivision-Final
Location: End of Exeter Run, Terrebonne Parish, LA
Government Districts: Council District 6 / Bayou Cane Fire District
Developer: Tri-State Land Company
Engineer: Milford & Associates, Inc.

b) Consider Approval of Said Application

H. STAFF REPORT

1. Discussion and possible action regarding the ratification of the 2022 HTRPC Annual Report

I. ADMINISTRATIVE APPROVAL(S):

1. Lot Line Shift between Property belonging to Ann Eschete, et al, or Assigns and Tract 1; Section 52, T16S-R17E, Terrebonne Parish, LA (2327 Bayou Blue Road / Councilman John Amedée, District 4)
2. Resubdivision of Tract 12 (Formerly being a part of The New Isle, Phase 1) into Tract 12-A (Not a part of The New Isle, Phase 1); Section 1, T16S-R16E, Terrebonne Parish, LA (Adjacent to 2519 West Park Ave. / Councilman Carl Harding, District 2)
3. Revised Tract 14, A Redivision of Property belonging to Edward A. Facile, et ux and Lang Enterprises, Inc.; Section 17, T18S-R19E, Terrebonne Parish, LA (4959-A Bayouside Drive / Councilman Dirk Guidry, District 8)
4. Lot Line Adjustment of Lots 14, 15, & 16 into Revised Lot 14 and Revised Lot 16; Section 64, T20S-R18E, Terrebonne Parish, LA (6669 Highway 56 / Councilman Dirk Guidry, District 8)

J. COMMITTEE REPORT:

1. Subdivision Regulations Review Committee

K. COMMISSION COMMENTS:

1. Planning Commissioners' Comments
2. Chairman's Comments

L. PUBLIC COMMENTS

M. ADJOURN

MINUTES
HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION
ZONING & LAND USE COMMISSION
MEETING OF MARCH 16, 2023

- A. The Chairman, Mr. Robbie Liner, called the meeting of March 16, 2023 of the HTRPC, convening as the Zoning & Land Use Commission, to order at 6:05 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. Thibodeaux and the Pledge of Allegiance led by Mr. Jan Rogers.
- B. Upon Roll Call, present were: Ms. Rachael Ellender, Secretary/Treasurer; Mr. Robbie Liner, Chairman; Mr. Jan Rogers Vice-Chairman; Mr. Travion Smith; Mr. Barry Soudelier; and Mr. Wayne Thibodeaux. Absent at the time of Roll Call was: Mr. Ross Burgard; Mr. Kyle Faulk; and Rev. Corion Gray. Also present were Mr. Christopher Pulaski, Director, Department of Planning & Zoning and Mr. Derick Bercegeay, Legal Advisor.
- C. **CONFLICTS DISCLOSURE:** The Chairman reminded the Commissioners that if at any time tonight, a conflict of interest exists, arises or is recognized, as to any issue during this meeting, he or she should immediately disclose it, and is to recuse himself or herself from participating in the debate, discussion, and voting on that matter. *None.*
- D. **APPROVAL OF THE MINUTES:**
1. Mr. Rogers moved, seconded by Ms. Ellender: “THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes as written, for the Zoning & Land Use Commission for the regular meeting of February 16, 2023.”
- The Chairman called for a vote on the motion offered by Mr. Rogers. **THERE WAS RECORDED: YEAS:** Ms. Ellender, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; **NAYS:** None; **ABSTAINING:** Mr. Liner; **ABSENT:** Mr. Burgard, Mr. Faulk, and Rev. Gray. **THE CHAIRMAN DECLARED THE MOTION ADOPTED.**
- E. **COMMUNICATIONS:** None.
- F. **NEW BUSINESS:**
1. **Home Occupation:**
The Chairman called to order the Home Occupation application by Mr. Michael Nguyen to establish a tax service business in an R-1 (Single-Family Residential) zoning district at 408 Port Royal Way.
- a) Mr. Michael Nguyen, applicant, 408 Port Royal Way, discussed his application and stated he would not have any clients in his home and would meet them in the driveway for drop-offs and pick-ups.
- b) No one from the public was present to speak on the matter.
- c) Mr. Pulaski discussed the Staff Report and stated Staff would recommend Approval of Home Occupation application.
- d) Mr. Soudelier moved, seconded by Ms. Ellender: “THAT the HTRPC, convening as the Zoning & Land Use Commission, grant approval of the Home Occupation Application to establish a tax service business in an R-1 (Single-Family Residential) zoning district at 408 Port Royal Way.”
- The Chairman called for a vote on the motion offered by Mr. Soudelier. **THERE WAS RECORDED: YEAS:** Ms. Ellender, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; **NAYS:** None; **ABSTAINING:** Mr. Liner; **ABSENT:** Mr. Burgard, Mr. Faulk, and Rev. Gray. **THE CHAIRMAN DECLARED THE MOTION ADOPTED.**
2. **Preliminary Hearings:**
- a) Mr. Rogers moved, seconded by Mr. Thibodeaux: “THAT the HTRPC, convening as the Zoning & Land Use Commission, call for a Public Hearing for an application by Sylvester Warren, Jr. to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) 115 King Street, Lot 7, Block D, Mechanicville for Thursday, April 20, 2023 at 6:00 p.m.”
- The Chairman called for a vote on the motion offered by Mr. Rogers. **THERE WAS RECORDED: YEAS:** Ms. Ellender, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; **NAYS:** None; **ABSTAINING:** Mr. Liner; **ABSENT:** Mr. Burgard, Mr. Faulk, and Rev. Gray. **THE CHAIRMAN DECLARED THE MOTION ADOPTED.**

- b) Mr. Rogers moved, seconded by Mr. Smith: “THAT the HTRPC, convening as the Zoning & Land Use Commission, call for a Public Hearing for an application by Danos Properties, L.L.C. to rezone from OL (Open Lane) to I-1 (Light Industrial) 1865 Valhi Boulevard, Tract B of Danos Properties, L.L.C. for Thursday, April 20, 2023 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Ms. Ellender, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Burgard, Mr. Faulk, and Rev. Gray. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

G. STAFF REPORT:

1. Discussion was held with regard to the TPCG Code of Ordinances as it pertains to borrow pits and proposed revisions to the code. Discussion ensued regarding extracting dirt from the ponds for levees, etc. and whether the dirt would leave the parish. Mr. Pulaski stated a public hearing needed to be called and that Mr. Mart Black would be available to discuss further at that time.

- a) Mr. Thibodeaux moved, seconded by Mr. Soudelier: “THAT the HTRPC, convening as the Zoning & Land Use Commission, call for a Public Hearing for the discussion and possible action with regard to revisions to the TPCG Code of Ordinances as it pertains to borrow pits for Thursday, April 20, 2023 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Mr. Thibodeaux. THERE WAS RECORDED: YEAS: Ms. Ellender, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Burgard, Mr. Faulk, and Rev. Gray. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

H. COMMISSION COMMENTS:

1. Zoning & Land Use Commissioners’ Comments: None.
2. Chairman’s Comments:
a) Discussion was held regarding the new system in the Council Meeting Room and the option of utilizing the roll call vote feature. The Commission decided they did not wish to use this feature.

I. PUBLIC COMMENTS: None.

- J. Mr. Rogers moved, seconded by Ms. Ellender: “THAT there being no further business to come before the HTRPC, convening as the Zoning & Land Use Commission, the meeting be adjourned at 6:28 p.m.”

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Ms. Ellender, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Burgard, Mr. Faulk, and Rev. Gray. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

Robbie Liner, Chairman
Zoning & Land Use Commission

Becky M. Becnel, Minute Clerk
Zoning & Land Use Commission

CERTIFICATION

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE PROCEEDINGS OF THE ZONING AND LAND USE COMMISSION MEETING OF MARCH 16, 2023.

**CHRISTOPHER PULASKI, PLA, DIRECTOR
PLANNING & ZONING DEPARTMENT**

AMENDMENT POLICY – Parish Zoning Regulations Section 28-201

1. **REASONS FOR THIS AMENDMENT:**

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

ERROR. There is a manifest error in the ordinance.

CHANGE IN CONDITIONS. Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY. Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

SUBDIVISION OF LAND. The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. **LIMITATIONS ON PROPOSED AMENDMENTS:**

Demonstrate that the proposed amendment meets the minimum size requirements and need for new districts as described in Section 28-201(b).

EXHIBITS REQUIRED – Parish Zoning Regulations Section 28-202

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** This plat is to be prepared by a licensed land surveyor or civil engineer. On the required plat, please include:

- a. Land area to be affected including legal description;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. Locations of all existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. **REASON FOR AMENDMENT:** Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. In addition, the applicant may submit (optional) a site plan and/or development schedule of the proposal with this application.

3. **DEVELOPMENT SCHEDULE:** On a separate piece of paper, indicate a time schedule for the beginning and completion of development planned by the applicant. If the development is planned in stages, the time schedule shall indicate the successive stages and the development plan for each.

4. **MARKET INFORMATION:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing commercial district entirely surrounded by residential districts;
- c. If the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. **PUBLIC NEED:** Please state on a separate sheet the change in conditions in the area that make the proposed amendment necessary and desirable for the promotion of the public health, safety or general welfare.
6. **EFFECT OF AMENDMENT:** Please include on a separate sheet of paper a report giving the nature, description and effect of the proposed zoning amendment; if a change is required in the zoning map, a description of the probable effect on surrounding land uses and properties.
7. **ERROR:** The error, if error is alleged, that would be corrected by the proposed amendment.

PUBLIC NOTICE REQUIRED – Parish Zoning Regulations Section 28-202(d)

1. The name, description of property owned and mailing address of each owner of property lying within a distance of three hundred (300) feet of the fronting corners of the property.
2. Ten (10) days prior to the public hearing, the applicant shall submit proof of property posting in accordance with Section 28-202(d) of the Parish Zoning Ordinance.

SIGNATURES REQUIRED

1. Printed names and addresses along with interest of every person, firm, or corporation represented by the applicant (may use separate sheet of paper):

Terry A. Warren, 9117 Main St.

2. The undersigned is/are owner(s) and/or represent(s) all owners of the entire land area and/or structures and/or encumbrances (including holders of mortgages, liens, servitudes, rights of way, usufructs, rights of habitation) included within the proposed district and, in signing, indicate concurrence with application:

Terry Warren

3. Sufficient evidence to establish that the applicants are all the owners and encumbrance holders of the designated area and structures, and have both the means and ability to undertake and complete the proposed development (may attach separate sheet of paper):
-

APPLICATION FEE SCHEDULE

Terrebonne Parish Consolidated Government has adopted the following fee schedule:

1. Map Amendment: \$25.00 / first acre
\$ 3.50 / every acre thereafter, up to fifteen (15) acres

Minimum Charge - \$25.00; Maximum Charge - \$100.00

I (We) own < 1 acres. A sum of \$ 25.00 dollars is enclosed and made a part of this application.

DECLARATION

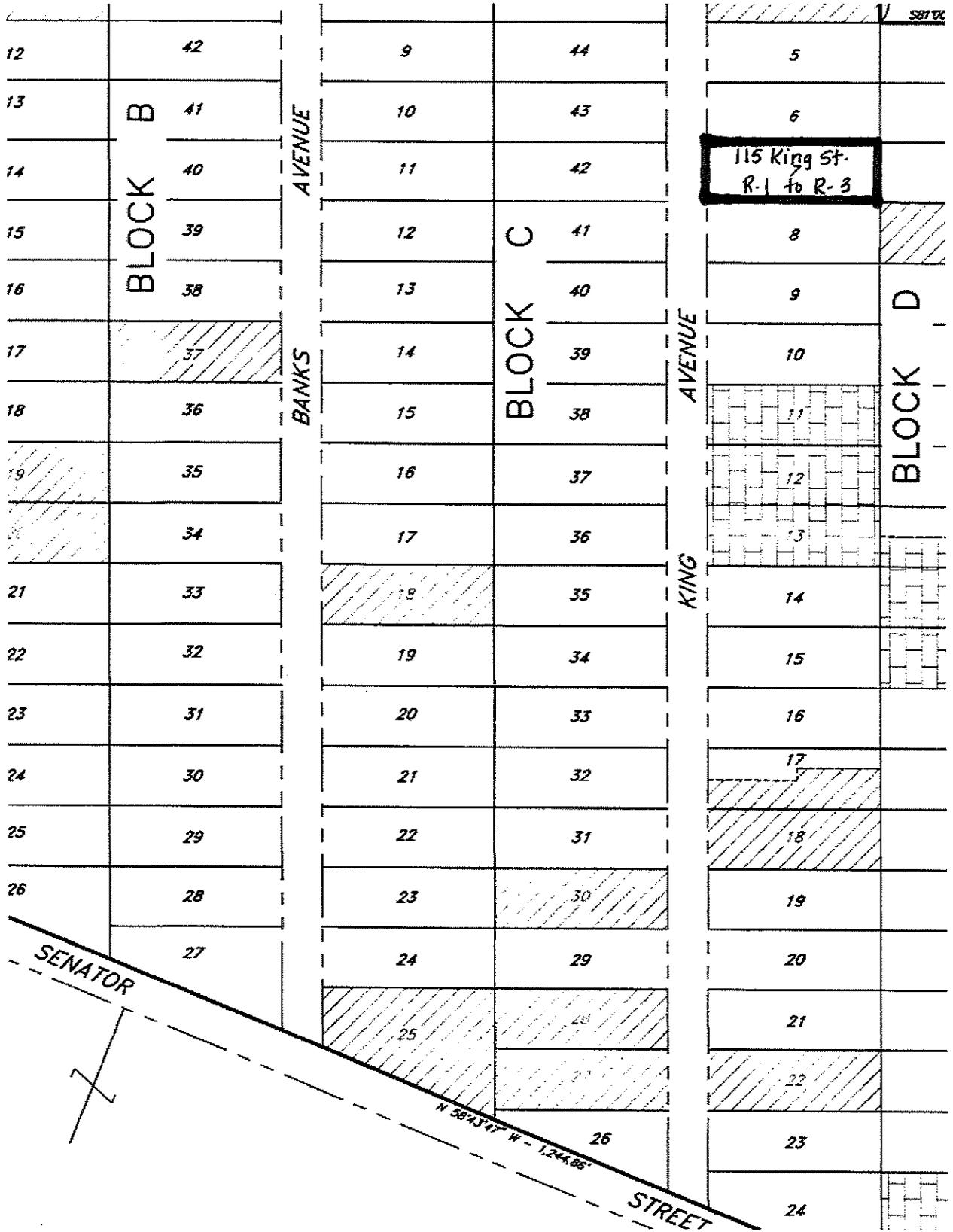
I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.

Terry Warren
Signature of Owner or Authorized Agent

115 King Street
 Lot 7, Block D, Mechanicville

Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)

Sylvester Warren, Jr., Applicant



**115 King Street
Lot 7, Block D, Mechanicville Subdivision
Sylvester Warren, Jr., Applicant**

Request to Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)

1. Reasons For This Amendment

Change in Conditions

Over the past few decades, numerous properties in the Mechanicville Subdivision have either undergone similar rezonings or have legal, nonconforming structures on them, in particular mobile homes. For many residents, mobile homes are the only affordable housing option. In 2020, TPCG Staff at the request of the Councilman and based on a recommendation by the Zoning & Land Use Commission applied to rezone all of the R-1 lots within Mechanicville to R-2. At the public hearing, several residents spoke in opposition and the Zoning & Land Use Commission recommended that the application be denied and let proposed rezones happen on a case-by-case basis.

2. Limitations On Proposed Amendments

No properties adjacent to 115 King Street are currently zoned R-3 (Multi-Family Residential) nor does the property meet the minimum size requirement for a new district.

3. Development Schedule

Immediately after approval, if granted.

4. Market Information

N/A

5. Public Need

There is a need for more affordable housing (i.e. mobile homes) in the community particularly after the destruction from Hurricane Ida.

6. Effect of Amendment

Many properties in this subdivision have legal, nonconforming mobile homes existing and this change would not alter the aesthetics with the addition of another mobile home.

7. Error

N/A

AMENDMENT POLICY – Parish Zoning Regulations Section 28-201

1. **REASONS FOR THIS AMENDMENT:**

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PLEASE CHECK ONE OR MORE:

_____ **ERROR.** There is a manifest error in the ordinance.

_____ **CHANGE IN CONDITIONS.** Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

X _____ **INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

_____ **SUBDIVISION OF LAND.** The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. **LIMITATIONS ON PROPOSED AMENDMENTS:**

Demonstrate that the proposed amendment meets the minimum size requirements and need for new districts as described in Section 28-201(b).

EXHIBITS REQUIRED – Parish Zoning Regulations Section 28-202

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** This plat is to be prepared by a licensed land surveyor or civil engineer. On the required plat, please include:

- a. Land area to be affected including legal description;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. Locations of all existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. **REASON FOR AMENDMENT:** Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. In addition, the applicant may submit (optional) a site plan and/or development schedule of the proposal with this application.

3. **DEVELOPMENT SCHEDULE:** On a separate piece of paper, indicate a time schedule for the beginning and completion of development planned by the applicant. If the development is planned in stages, the time schedule shall indicate the successive stages and the development plan for each.

4. **MARKET INFORMATION:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing commercial district entirely surrounded by residential districts;
- c. If the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. **PUBLIC NEED:** Please state on a separate sheet the change in conditions in the area that make the proposed amendment necessary and desirable for the promotion of the public health, safety or general welfare.
6. **EFFECT OF AMENDMENT:** Please include on a separate sheet of paper a report giving the nature, description and effect of the proposed zoning amendment; if a change is required in the zoning map, a description of the probable effect on surrounding land uses and properties.
7. **ERROR:** The error, if error is alleged, that would be corrected by the proposed amendment.

PUBLIC NOTICE REQUIRED – Parish Zoning Regulations Section 28-202(d)

1. The name, description of property owned and mailing address of each owner of property lying within a distance of three hundred (300) feet of the fronting corners of the property.
2. Ten (10) days prior to the public hearing, the applicant shall submit proof of property posting in accordance with Section 28-202(d) of the Parish Zoning Ordinance.

SIGNATURES REQUIRED

1. Printed names and addresses along with interest of every person, firm, or corporation represented by the applicant (may use separate sheet of paper):

Danos Properties, LLC c/o Hank Danos
3878 West Main Street, Gray, LA 70359

2. The undersigned is/are owner(s) and/or represent(s) all owners of the entire land area and/or structures and/or encumbrances (including holders of mortgages, liens, servitudes, rights of way, usufructs, rights of habitation) included within the proposed district and, in signing, indicate concurrence with application:

Yes 

3. Sufficient evidence to establish that the applicants are all the owners and encumbrance holders of the designated area and structures, and have both the means and ability to undertake and complete the proposed development (may attach separate sheet of paper):

See Attached Sheets

APPLICATION FEE SCHEDULE

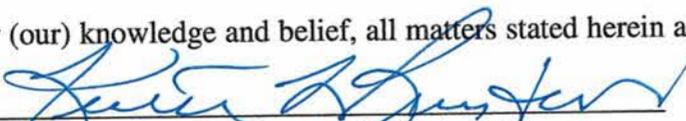
Terrebonne Parish Consolidated Government has adopted the following fee schedule:

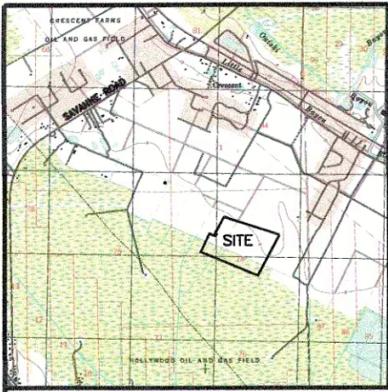
1. Map Amendment: \$25.00 / first acre
 \$ 3.50 / every acre thereafter, up to fifteen (15) acres
- Minimum Charge - \$25.00; Maximum Charge - \$100.00

I (We) own 93.030 acres. A sum of \$100.00 dollars is enclosed and made a part of this application.

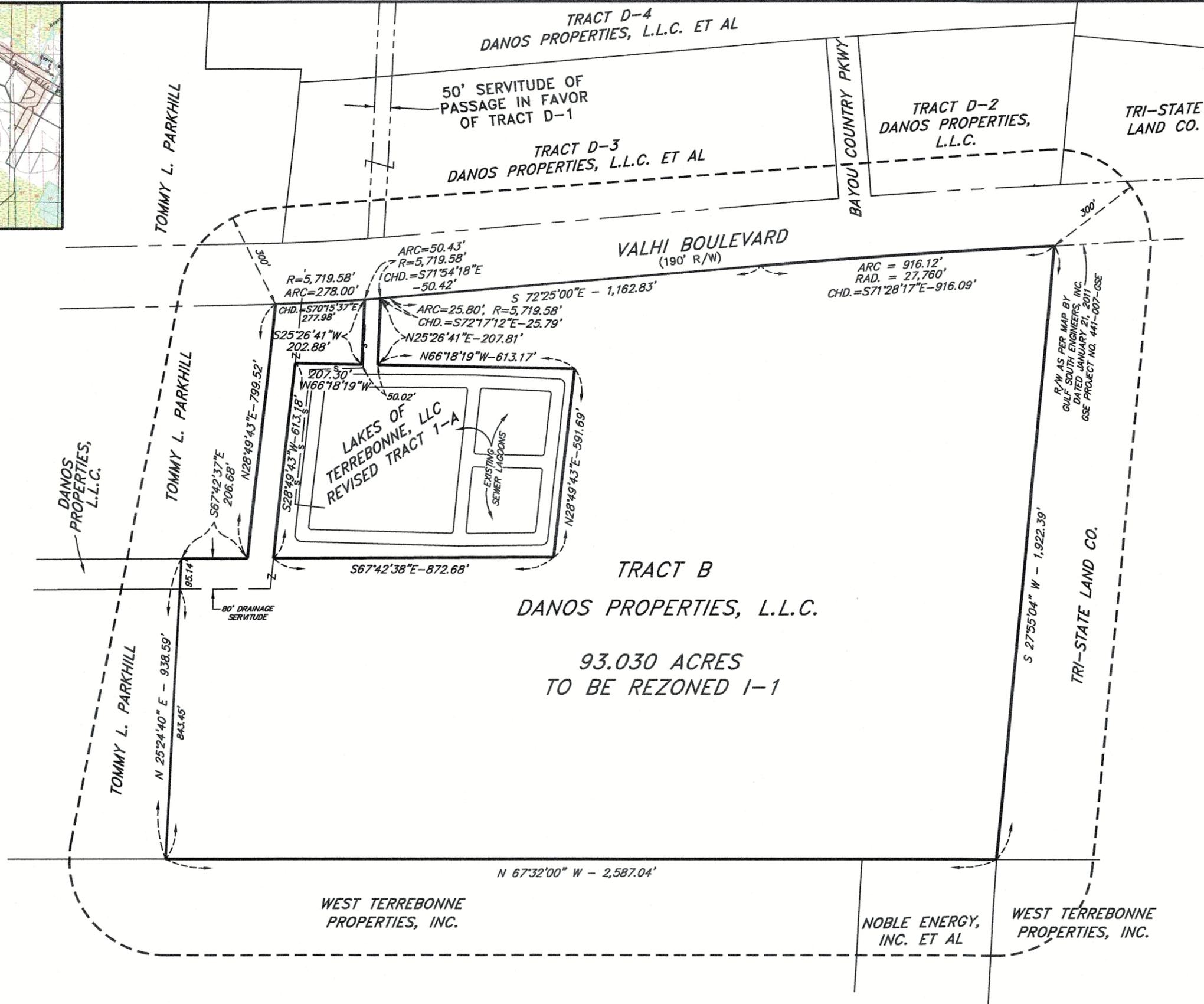
DECLARATION

I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.


 Signature of Owner or Authorized Agent



VICINITY MAP



ZLU / F.2

PLAN SHOWING TRACT B
PREPARED FOR REZONING FROM O-L TO I-1
LOCATED IN SECTION 74, T17S-R16E,
TERREBONNE PARISH, LOUISIANA

FEBRUARY 22, 2023

SCALE: 1" = 300'

Keneth L. Rembert

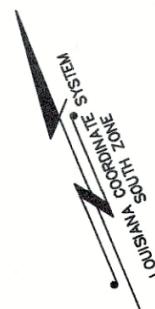
KENETH L. REMBERT, SURVEYOR
635 SCHOOL ST., HOUMA, LA. 985-879-2782



THIS PLAT BASED ON MAP RECORDED UNDER ENTRY NO. 1416436 AS FILED IN THE TERREBONNE PARISH CLERK OF COURT OFFICE AND NO ADDITIONAL TITLE RESEARCH WAS MADE BY KENETH L. REMBERT SURVEYORS. BEARINGS SHOWN HEREON ARE BASED ON SAID MAP.

THIS MAP DOES NOT PURPORT TO SHOW ALL SERVITUDES, RIGHT-OF-WAYS, EASEMENTS OR OTHER PHYSICAL OBJECTS THAT MAY AFFECT THE TRACT SURVEYED.

JOB NO. : 66 FIELD BOOK : NONE ADDRESS : 1865 VALHI BLVD CAD NAME : DANOS-TRACT-B-REZONE_23-066
DRAWN BY : AP PAGES : NONE SURVEY FILE : LAKES-83 FOLDER : DANOS PROPERTIES, L.L.C.



PRELIMINARY HEARING ONLY

PUBLIC HEARING
scheduled for:

Thursday, May 18, 2023

@ 6:00 p.m.

~~ZLU/F.1(a)~~

ZLU / G.1(a)

AMENDMENT POLICY – Parish Zoning Regulations Section 28-201

1. REASONS FOR THIS AMENDMENT:

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

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INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY. Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

SUBDIVISION OF LAND. The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. LIMITATIONS ON PROPOSED AMENDMENTS:

Demonstrate that the proposed amendment meets the minimum size requirements and need for new districts as described in Section 28-201(b).

EXHIBITS REQUIRED – Parish Zoning Regulations Section 28-202

1. LEGAL PLAT OF PROPERTY TO BE REZONED: This plat is to be prepared by a licensed land surveyor or civil engineer. On the required plat, please include:

- a. Land area to be affected including legal description;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. Locations of all existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

REASON FOR AMENDMENT: Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. In addition, the applicant may submit (optional) a site plan and/or development schedule of the proposal with this application.

DEVELOPMENT SCHEDULE: On a separate piece of paper, indicate a time schedule for the beginning and completion of development planned by the applicant. If the development is planned in stages, the time schedule shall indicate the successive stages and the development plan for each.

4. MARKET INFORMATION: Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing commercial district entirely surrounded by residential districts;
- c. If the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

- 5. PUBLIC NEED: Please state on a separate sheet the change in conditions in the area that make the proposed amendment necessary and desirable for the promotion of the public health, safety or general welfare.
- 6. EFFECT OF AMENDMENT: Please include on a separate sheet of paper a report giving the nature, description and effect of the proposed zoning amendment; if a change is required in the zoning map, a description of the probable effect on surrounding land uses and properties.
- 7. ERROR: The error, if error is alleged, that would be corrected by the proposed amendment.

PUBLIC NOTICE REQUIRED – Parish Zoning Regulations Section 28-202(d)

- 1. The name, description of property owned and mailing address of each owner of property lying within a distance of three hundred (300) feet of the fronting corners of the property.
- 2. Ten (10) days prior to the public hearing, the applicant shall submit proof of property posting in accordance with Section 28-202(d) of the Parish Zoning Ordinance.

SIGNATURES REQUIRED

- 1. Printed names and addresses along with interest of every person, firm, or corporation represented by the applicant (may use separate sheet of paper):

Freddie D. Johnson 50% owner
Raymond L. Ruffin 50% owner

- 2. The undersigned is/are owner(s) and/or represent(s) all owners of the entire land area and/or structures and/or encumbrances (including holders of mortgages, liens, servitudes, rights of way, usufructs, rights of habitation) included within the proposed district and, in signing, indicate concurrence with application:

X Freddie D. Johnson
X

- 3. Sufficient evidence to establish that the applicants are all the owners and encumbrance holders of the designated area and structures, and have both the means and ability to undertake and complete the proposed development (may attach separate sheet of paper):

APPLICATION FEE SCHEDULE

Terrebonne Parish Consolidated Government has adopted the following fee schedule:

- 1. Map Amendment: \$25.00 / first acre
 \$ 3.50 / every acre thereafter, up to fifteen (15) acres

Minimum Charge - \$25.00; Maximum Charge - \$100.00

I (We) own < 1 acres. A sum of \$25.00 dollars is enclosed and made a part of this application.

DECLARATION

I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.

X Freddie D. Johnson
Signature of Owner or Authorized Agent

1. Reasons For This Amendment

Change in Conditions

Over the past few decades, numerous properties in the Mechanicville Subdivision have either undergone similar rezonings or have legal, nonconforming structures on them, in particular mobile homes. For many residents, mobile homes are the only affordable housing option. In 2020, TPCG Staff at the request of the Councilman and based on a recommendation by the Zoning & Land Use Commission applied to rezone all of the R-1 lots within Mechanicville to R-2. At the public hearing, several residents spoke in opposition and the Zoning & Land Use Commission recommended that the application be denied and let proposed rezones happen on a case-by-case basis.

2. Limitations On Proposed Amendments

No properties adjacent to 122 Banks Ave. are currently zoned R-3 (Multi-Family Residential) nor does the property meet the minimum size requirement for a new district.

3. Development Schedule

Immediately after approval, if granted.

4. Market Information

N/A

5. Public Need

There is a need for more affordable housing (i.e. mobile homes) in the community particularly after the destruction from Hurricane Ida.

6. Effect of Amendment

Many properties in this subdivision have legal, nonconforming mobile homes existing and this change would not alter the aesthetics with the addition of another mobile home.

7. Error

N/A

122 Banks Avenue
 Lot 41, Block B, Mechanicville

Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)

Cedric Johnson, Applicant

Freddie



ZLU / G.1(a)

**PRELIMINARY
HEARING
ONLY**

PUBLIC HEARING
scheduled for:

Thursday, May 18, 2023

@ 6:00 p.m.

~~ZLU/F.1(b)~~
ZLU / G.1(b)

AMENDMENT POLICY – Parish Zoning Regulations Section 28-201

1. **REASONS FOR THIS AMENDMENT:**

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

_____ **ERROR.** There is a manifest error in the ordinance.

X **CHANGE IN CONDITIONS.** Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

_____ **INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

_____ **SUBDIVISION OF LAND.** The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. **LIMITATIONS ON PROPOSED AMENDMENTS:**

Demonstrate that the proposed amendment meets the minimum size requirements and need for new districts as described in Section 28-201(b).

EXHIBITS REQUIRED – Parish Zoning Regulations Section 28-202

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** This plat is to be prepared by a licensed land surveyor or civil engineer. On the required plat, please include:

- a. Land area to be affected including legal description;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. Locations of all existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. **REASON FOR AMENDMENT:** Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. In addition, the applicant may submit (optional) a site plan and/or development schedule of the proposal with this application.

3. **DEVELOPMENT SCHEDULE:** On a separate piece of paper, indicate a time schedule for the beginning and completion of development planned by the applicant. If the development is planned in stages, the time schedule shall indicate the successive stages and the development plan for each.

4. **MARKET INFORMATION:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing commercial district entirely surrounded by residential districts;
- c. If the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

REASONS FOR REZONING

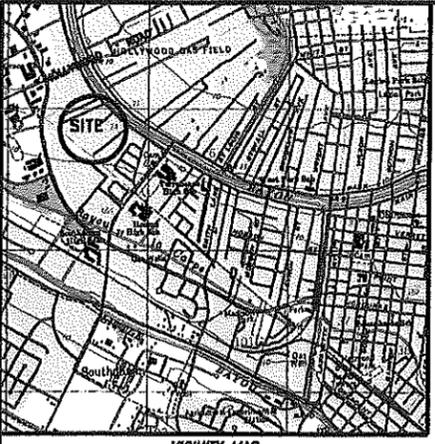
Much of this property has been unused for years. We would like to rezone this property from R-1 to R3M to provide more affordable housing and better use of the land.

DEVELOPMENT SCHEDULE

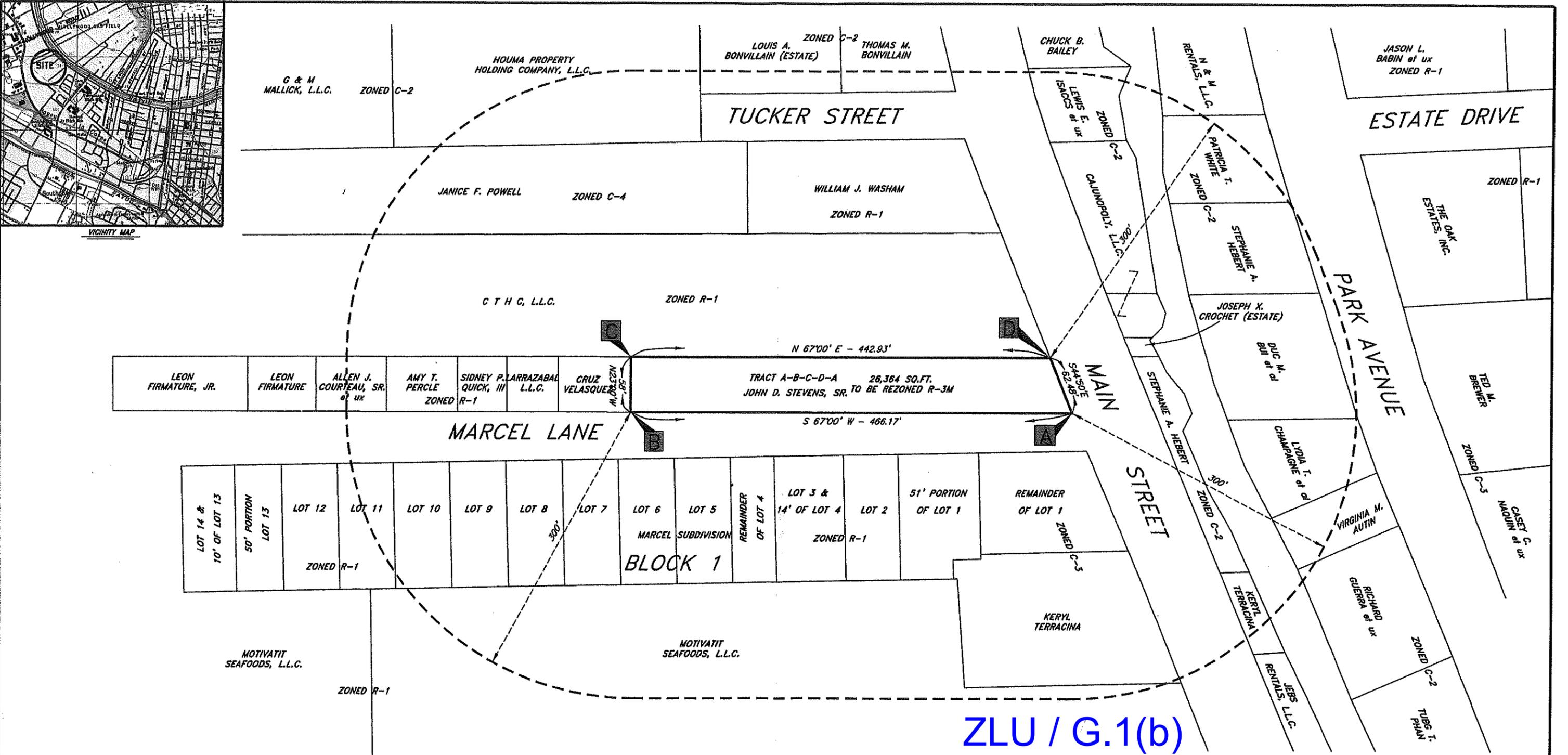
The development schedule will be put in place once rezoned.

NEED

This property has been sitting idle for a while. Attached are copies of our intended use.



VICINITY MAP



ZLU / G.1(b)

PLAN SHOWING TRACT A-B-C-D-A
 PREPARED FOR REZONING FROM R-1 TO R-3M
 LOCATED IN SECTION 6, T17S-R17E,
 TERREBONNE PARISH, LOUISIANA

MARCH 14, 2023

SCALE: 1" = 100'

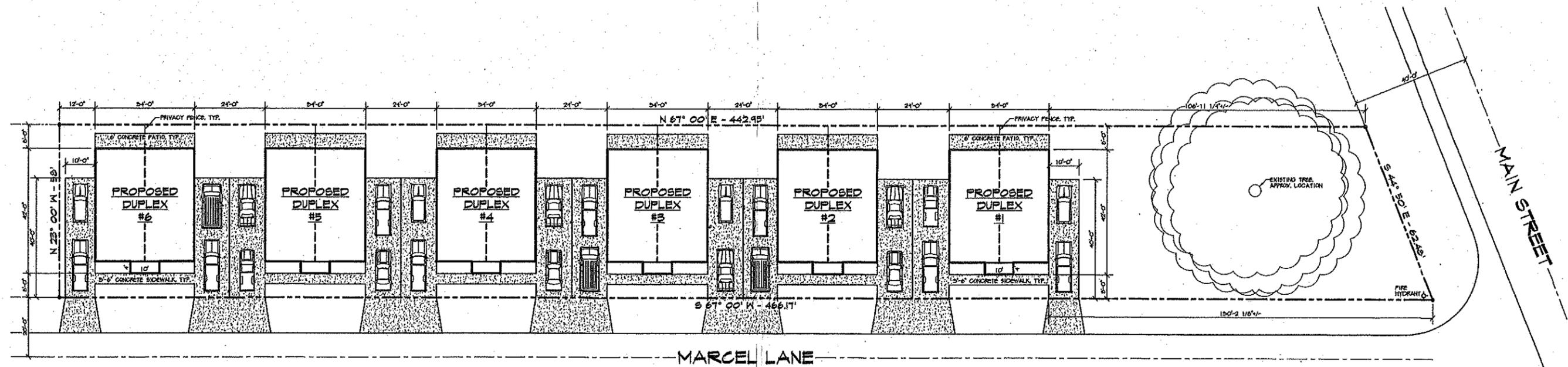
Keneth L. Rembert
 KENETH L. REMBERT, SURVEYOR

635 SCHOOL ST., HOUMA, LA. 985-879-2782



THIS PLAT BASED ON MAP RECORDED UNDER ENTRY NO. 1287619 AS FILED IN THE TERREBONNE PARISH CLERK OF COURT OFFICE AND NO ADDITIONAL TITLE RESEARCH WAS MADE BY KENETH L. REMBERT SURVEYORS. BEARINGS SHOWN HEREON ARE BASED ON SAID MAP.

THIS MAP DOES NOT PURPORT TO SHOW ALL SERVITUDES, RIGHT-OF-WAYS, EASEMENTS OR OTHER PHYSICAL OBJECTS THAT MAY AFFECT THE TRACT SURVEYED.



| | | | |
|----------------------------|---|--------|-------------|
| PROPERTY AREA | = | 25,264 | SQ. FT. |
| TOTAL BUILDING AREA | = | 7,992 | SQ. FT. |
| TOTAL CONCRETE PAVING AREA | = | 7,538 | SQ. FT. |
| TOTAL IMPERVIOUS AREA | = | 15,530 | SQ. FT. 66% |
| TOTAL PERVIOUS AREA | = | 7,834 | SQ. FT. 34% |

SITE PLAN
SCALE: 1/16" = 1'-0"

ZLU / G.1(b)

PRELIMINARY

| | |
|---|------------------------|
| PROPOSED RESIDENTIAL DUPLEX FOR: | |
| IRONMAN PROPERTIES OF AMERICA, LLC | |
| MARCEL LANE HOUMA, LA. 70360 | |
| DRAWN: <i>MM/S</i> | CHECKED: |
| SCALE: <i>NOTED</i> | DATE: <i>3/7/23</i> |
| APPROVED BY: _____ | |
| JOB # 2314 | CAD # 2314-SITE FILE # |

PROPOSED REGULATIONS FOR CONSTRUCTION OF BORROW PITS

IN TERREBONNE PARISH (**REVISED** Final Draft)

INTRODUCTION

In the Terrebonne Parish Zoning Ordinance, Borrow Pits are included within the definition of *Resource Extraction* but are not specifically allowed in the Open Land zoning district or in any other zoning district within the ordinance. As such, they are not regulated by the zoning code.

Borrow Pits are regulated under Section 12-71 of the parish code wherein such uses require a Coastal Impact Certificate. In Section 12-71 (b), Borrow Pits are to be excluded from construction “...*within the right-of-way alignment* [emphasis mine] of any proposed hurricane protection levee, forced drainage levee, future roadway as depicted on the parish GIS map, or environmentally sensitive areas of Terrebonne Parish outside of the hurricane protection levee.”

In Section 12-71 (c), Borrow Pits are to be constructed to maintain a minimum side slope of one-foot vertical drop for two feet horizontal run to a depth of 10 feet and below the depth of 10 feet, side slopes are not subject to this requirement. Other than the need for a Coastal Impact Certificate, Borrow Pit location and construction are only regulated by Section 12-71 (b) and (c).

Section 12-73 describes the fees that may be collected for Coastal Impact Certificates. The minimum residential fee is \$100.00. The minimum fee for commercial/non-residential uses requiring a CIC is \$500.00. For all activities not covered by the tables in this section, the fee is \$500.00.

In Article X -- Collection Canals, Borrow Pits, Levees

In this Article, a Collection Canal means a drainage canal constructed adjacent to the protection levee operated and maintained by the parish for the purpose of drainage. A Borrow Pit, sometimes referred to as a Borrow Canal, in this context, is equivalent to a Collection Canal. In Section 22-313 of this Article, the public is prohibited from using or entering drainage levees, the levee right-of-way, and the collection canal (borrow canal or borrow pit).

Section 22-314 describes permitting procedures and requirements for private pedestrian bridges to cross any such features.

Section 22-315 describes the circumstances which could lead to the revocation of this permit.

Section 22-316 describes the penalties for violation of this Article. Violation constitutes a public nuisance and is enjoined as such by a court of competent jurisdiction.

In an effort to develop and introduce some level of regulation into the construction of borrow pits in the parish, the CZMRAC committee had its Projects Subcommittee meet to review the regulations for borrow pits used in adjacent and surrounding parishes as well as some proposed regulations for Terrebonne. This meeting took place on August 12, 2022. **Based on a meeting held on Nov. 29, 2022, with the Parish President, Reggie Dupre of TLCD, Kevin Rizzo, P.E. of Delta Coast Consultants and Mitch Marmande, P. E., also of Delta Coast Consultants (on the phone), these recommendations were discussed and revised. These will be subject to additional review before presented to the Planning Commission and ultimately the Parish Council.**

To be added or amended into Section 12-72:

Original Recommendation:

Borrow Pits may be placed no closer than 150 feet from the site's property line and the nearest residence or platted subdivision measured at the closest point, and no closer than 150 feet from any local, parish, or state roadway, drainage facility or levee, excluding adjacent borrow canals for levee materials. A Borrow Pit operator or agent may apply in writing to the Terrebonne Parish Council for a variance from these distance restrictions based on the size and shape of the proposed Borrow Pit site and supported by engineering analysis including soil stability analysis prepared by a Louisiana licensed engineer. The variance may not be based on financial hardship.

Revised Recommendation:

- I.** ***Borrow Pits may be placed no closer than 75 feet from the site's property line, or any parish road right-of way (ROW), any local road/street ROW, or any ROW or servitude for a critical redundant parish levee (named below) except that Borrow Pits may be placed no closer than 150 feet from the following:***
- a. State highway ROWs***
 - b. Platted residential subdivisions***
 - c. Rights-of-way for the Morganza Hurricane Levee Protection System or borrow canal servitudes***
- II.** ***Critical redundant parish levees include the following:***
- a. Ward Seven 5-1 Levee.***
 - b. Montegut 4-8 Levee.***
 - c. Pointe aux Chenes 4-1 Levee.***
 - d. Thompson Road Extension (East Houma Surge Levee).***
 - e. Ashland North Levee.***
 - f. Levees on the western side of Lake Boudreaux (Cane Break, Suzie Canal, NFL South)***
 - g. Lower Lacache Levee.***

- h. Industrial Road/Chabert Hospital Levee.*
- i. Shrimpers Row Levee.*
- j. Mayfield Levee.*
- k. Lower Dularge Levees (East and West).*
- l. Concord Levee, and*
- m. Bush Canal Levee.*

III. *A Borrow Pit operator or agent may apply in writing to the Terrebonne Parish President for a variance from these distance restrictions based on the size and shape of the proposed Borrow Pit site and supported by engineering analysis including soil stability analysis prepared by a Louisiana licensed engineer. The variance may not be based on financial hardship. Upon favorable recommendation by the Parish President, the Parish Council at its discretion may grant the variance by ordinance.*

1. To be added or amended into Section 12-72:

Original Recommendation:

The Borrow Pit operator shall provide adequate dust and mud control on site and ensure that all vehicles and trailers are hosed down to remove excess dirt and mud before entering a public ROW or roadway. Operator will also keep public ROWs and roadways free of dirt and mud for one-half mile in either direction and follow all state and local permitting requirements.

No changes are recommended.

2. To be added or amended into Section 12-72:

Original Recommendation:

Borrow Pits shall be designed with a side slope of 1 foot vertical for each 3-foot horizontal run. A variance application from this side slope requirement may be made in writing to the Terrebonne Parish Council based on soil stability analysis prepared by a Louisiana licensed engineer. The variance may not be based on financial hardship.

Revised Recommendation:

- I. Borrow Pits shall be designed with a side slope of 1 foot vertical for each 3-foot horizontal run to a depth of ten (10) feet. A variance application from*

this side slope requirement may be made in the manner provided in III. above. The variance may not be based on financial hardship.

- II. Upon completion of the borrow pit, and if there is a possibility to encompass the borrow pit into a forced drainage system for drainage retention purposes as well as other purposes designed to accrue to the benefit of the public, such as recreation, the parish may initiate negotiations with the property owner for maintenance, ingress and egress, and any other feature or component deemed necessary for drainage and/or recreational purposes, including the rights to be retained by the property owner.*

3. To be added or amended into Section 12-72:

Original Recommendation:

Where access to a proposed Borrow Pit cannot be provided except by residential local or residential collector streets, the Coastal Impact Certificate may be issued with conditions that require the applicant to document pre-construction (borrow pit) roadway conditions and provide a plan in the application to return these streets to pre-construction conditions when the pit is closed or abandoned before the Coastal Impact Certificate is issued. The applicant will also provide a traffic plan showing access to and from the borrow pit site and ensure adequate truck/equipment parking on the pit site to ensure no truck queuing on public ROWs or roads.

Revised Recommendation:

- I. Where access to a proposed Borrow Pit cannot be provided except by residential local or residential collector streets, the issuance of the Coastal Impact Certificate will be predicated upon receipt of engineering documentation of pre-construction (borrow pit) roadway conditions (including roadway surface and roadside drainage ditches), the provision of a plan in the application to return these streets and drainage ditches to pre-construction conditions when the pit is closed or abandoned, and receipt of a surety bond which will guarantee completion of any needed repairs if the applicant defaults or otherwise fails to perform the needed roadway/drainage repairs..*
- II. The applicant for the Borrow Pit Coastal Impact Certificate will also provide a traffic plan showing access to and from the borrow pit site and provide adequate truck/equipment parking on the pit site to ensure no truck queuing on public ROWs or roads.*

RECOMMENDED APPROVAL PROCESS

- A. Original recommendations were reviewed by Projects Subcommittee to finalize recommendations (Sept. 23, 2022)**
- B. These recommendations were then reviewed and approved by CZMRAC at its October 4, 2022, meeting.**
- C. Recommendations were reviewed and discussed by Parish President, Levee District Executive Director, and engineering representatives on November 29, 2022. Revisions were made.**
- D. Submission to Planning Commission for review, approval, and recommendations for ordinance change/amendments
- E. Submission to Parish Administrator and Parish President for review and preparation of ordinance change/amendments
- F. Submission to Parish Council for ordinance introduction, public hearing, and adoption possibly in December.