



The following are the minutes from the Planning and Zoning Meeting held on Wednesday, June 26, 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. Everyone stood for the Pledge of Allegiance to the Flag.

Eric Templet motioned to accept the minutes from the last meeting and to dispense with their reading. Seconded by Byron Armand. All in favor.

The Town Council has created an Ordinance for Short Term Rentals which they would like the Planning & Zoning Commissioners to review. Bryan Gowland read the proposed ordinance that would allow for Short Term Rentals in specified districts / zonings and mentioned the restrictions that will apply. Permits / Occupational Licenses will be required. The ordinance spells out the qualifications to obtain said licenses. Homeowners must live on the property to qualify. Certain criteria for events will apply. The ordinance mentions violations for non-compliance.

Dan Underwood would like the "Events" to be defined, clarification of what will be allowed, number of guests, etc. Dan Underwood made a motion for this info to be defined in the ordinance. Seconded by Eric Templet. All in favor.

More discussion took place. John Prebble asked about the number of licenses, and the adjacent property clause. The commission questioned this as well. Please define. John Prebble was against one person holding more than one license. Donna Caire was also against this point. Mary Bataglia also voiced her opinion against multipliable licenses.

Mr. Midence likes the fact that the licenses will be limited.

Mr. Martorana asked if it were possible to rent an accessory structure as a STR and do a Bed & Breakfast in the main house.

Donna Caire wants the "Food" to be clarified...line 102. She also thinks that 50 permits / license is excessive. We should start with a lesser number and increase if STRs are successful.

A resident asked what is the benefit to the Town to allow STRs? Bryan Gowland replied that the Town holds a lot of events and this would allow for visitors to stay here in town instead of paying to stay elsewhere.

John D'Hemecourt asked about violations / complaints...line 94...Who would the calls go to? Answer: The Sheriff's Department (911) would most likely handle the nuisance calls and report back to the Town's Administration.

The residents think that the restrictions need to be relayed to the STR Renters by the owners of the property, maybe in some type of written agreement.

Dan Underwood stated that he thinks the ordinance is an invitation to allow for Short Term Rentals anywhere in Town. He thinks they should not be allowed in the Residential Zone.

The Licenses must be renewed annually. How will that work? First come first serve, or renewals to previous holders first?

Barbara Jackson wants more clarification on the violations process.

Byron Armand would like the number of permits allowed annually reduced.

Eric Templet suggested, that if a property owner has property in two zonings, such as one in residential and one in commercial, that they qualify for two licenses. Barbara Jackson agreed with that. Eric Templet motioned to allow for two licenses if properties were owned in two different zonings. Barbara Jackson seconded that motion. Bryan Gowland was in favor of this motion. Dan Underwood and Byron Armand were against this motion. Motioned carried with a 3 to 2 vote.

All concerns will be forwarded to the Town Council for their consideration.

Bryan Gowland opened the Zoning Portion of the meeting. Two Public Hearings were advertised for discussion.

Bed & Breakfast as a conforming use in the Residential Zone was omitted in error when the Ancillary Structure (Garage Apartments) was added in 2012. The Planning & Zoning Commission agrees that Bed & Breakfast be placed back on the list of conforming uses. A motion to add Bed & Breakfast to the list of conforming uses in the Residential Zone was made by Dan Underwood. Seconded by Byron Armand. All in favor. A letter of recommendation will be sent to the Town Council.

Bryan Gowland called for a short recess.

The next Public Hearing is related to the Repeal of the Brookforest Road Residential District Ordinance.

Bryan Gowland gave his rendition of how the ordinance came to be. The residents of Brookforest Road came up with the recommendations for the ordinance. The Mayor and the Town Council are currently considering revoking the ordinance.

Town Ordinances are under review for the Town's Master Plan. The ordinance refers to the area as a Unique Zoning District which has regulations beyond the scope of the Town. It has been called "Exclusionary Zoning" ...discriminatory against people that want to build a smaller house or buy less than 3 acres. Bryan Gowland knows that this is an emotional issue, especially for those who live on Brookforest Road.

Dan Underwood, being a resident of Brookforest Road, recused himself from discussion as well as voting. He voluntarily left the meeting at this point.

Bryan Gowland opened the discussion to the audience present.

Mr. Midence is in favor of revoking the ordinance. Raised houses should be on a need be bases. The house size minimum restrictions are a little excessive. He is fine with the 3 acres rules.

John Prebble asked about ordinances vs covenants? Covenants are basically home-owners association's rules.

Donna Caire mentioned that she was one of the original creators of the ordinance and why they came up with the rules for the area.

Lorretto O'Reily spoke briefly of land, fill and water runoff.

Carol Richards wanted to respond to the Mayor's comments. She disagrees with the suggested repeal of the ordinance. She asked that the commission defer their recommendation.

Dick Granier talked about the sub-standard road, and if the ordinance is repealed he wants the road way widened and street lights added.

A Brookforest Road property owner wanted clarification...if the ordinance is repealed...what rules would apply to the area. The commission answered...the Town's rules for the Single-Family Residential Zone.

Mr. Martorana thinks that Dan Underwood should have had a right to participate in this discussion, as he is a resident of Brookforest Road.

Mrs. Bataglia thinks that this issue is moving too fast.

Bryan Gowland ended the discussion and called for a recommendation from the commissioners.

Byron Armand motioned to send this item back to the Town Council with "NO RECOMMENDATION".
Bryan Gowland called for a second. No second. With no second the motion dies.

Eric Templet motioned to "RECOMMEND IT FAVORABLY" No second. With no second the motion dies.

Bryan Gowland then asked for an "UNFAVORABLE RECOMMENDATION." No one would second.

Bryan Gowland stated that something had to be sent back to the Town Council.

Byron Armand motioned for "NO RECOMMENDATION AT ALL." All commissioners were in favor.

With no other business, a motion to adjourn was made by Bryan Gowland.

All in favor.

The next meeting is scheduled for July 31, 2019

Cindy Chatelain, Planning & Zoning Director

Date