

October 21, 2019

The Land Use Commission of the City of Sulphur, Louisiana, met in regular session at its regular meeting place located at 500 N. Huntington Street, Sulphur, Louisiana, at 5:30 p.m., on the 21st day of October, 2019, after full compliance with the convening of said meeting with the following members present:

LENORE CARROLL, Land Use Commission District 1
PHYLLIS WILSON, Land Use Commission District 2
VERONICA ALLISON, Land Use Commission District 3
ROBIN BAUDOIN, Land Use Commission District 4
JONATHAN BRAZZELL, Land Use Commission of District 5

After the meeting was called to order and the roll called with the above results, motion was made by Mr. Brazzell seconded by Mrs. Allison that the minutes from the previous meeting stand as written. Motion carried unanimously.

Motion was then made by Ms. Baudoin seconded by Mrs. Carroll that the agenda stand as written. Motion carried unanimously.

The first item on the agenda is a resolution granting a rezone to Juanette Gant, 212 Cities Service, from Residential to Business. Motion was made by Mrs. Carroll seconded by Mr. Brazzell that the following resolution be adopted to-wit:

RESOLUTION

Resolution granting a rezone to Juanette Gant, 212 Cities Service, from Residential to Business.

WHEREAS, Juanette Gant. has submitted application to rezone from Residential to Business.

NOW THEREFORE, BE IT RESOLVED BY THE LAND USE COMMISSION OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to Juanette Gant, 212 Cities Service, from Residential to Business for the following described property:

LOT 26 BLK 1 INDIAN HILLS NO 2 AND ELY/2 OF BURROW PIT ADJ SAID LOT W/SIDE

This Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this Rezone, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

If City Council does hereby approve this Rezone the owner of this rezone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Rezone shall be withdrawn and considered null and void.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Land Use Commission of the City of Sulphur, Louisiana, does hereby grant a rezone to Juanette Gant, 212 Cities Service, from Residential to Business.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

The next item on the agenda is a resolution amending Article IV of the Land Use Ordinance to authorize the creation of an Overlay District for the North Frontage Road. Mayor

Danahay stated that this has been in the works for a very long time. With this overlay district we can create a corridor that will attract businesses. This is raw property so we can make it what we want. It will be a working progress, but this is a start. Homes that are currently located in the district will be grandfathered in. If homes are vacant for more than 2 years, they'll lose their grandfathering. If a home burns, they'll be able to rebuild, in the same footprint, within the 2-year period. Mr. Brazzell asked how wide was the corridor going to be? Mayor Danahay stated that all properties that are facing the frontage road. Motion was made by Mrs. Allison seconded by Mrs. Carroll that the following resolution be adopted to-wit:

RESOLUTION

Resolution amending Article IV of the Land Use Ordinance to authorize the creation of an Overlay District for the North Frontage Road.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby amend Article IV of the Land Use Ordinance to authorize the creation of an Overlay District for the North Frontage Road.

ESTABLISHMENT OF CORRIDOR DISTRICT

Purpose: The Interstate 10 North Frontage Road has been identified by the City of Sulphur as an important gateway and vital economic area. The purpose of the Interstate 10 North Frontage Road Overlay is to establish requirements that will:

1. Promote economic development;
2. Protect public and private investment in infrastructure and development;
3. To preserve, protect, and establish a high quality and inviting image to the areas of high visitor visibility;
4. Ensure that future development does not inhibit improvements to the roadway;
5. Preserve property values

Applicability: The requirements of this district are in addition to and shall supplement any requirements already imposed on the same lands. The regulations of the overlay district shall supersede all conflicting regulations of the underlying district.

Boundaries: The Interstate 10 North Frontage Road Overlay District shall apply to the entire length of the Interstate 10 North Frontage Road that is within the corporate limits of the City of Sulphur.

General Requirements: The following provisions shall apply to the overlay district.

1. Setback Requirements:

Setbacks			
Parking	Building		
Front	Front	Side	Rear
10	20	10	10

2. Land Uses: All permitted uses allowed within the underlying zoning district shall be allowed, except for the following:

Prohibited Uses	
Automobile Accessory Installation	Industrial Uses
Automobile Body Shop	Institutional Uses
Automobile Gas Station	Mobile Homes/Parks
Automobile Oil Change Facilities	Public Libraries
Automobile parts sales	Quick Cash/Check Cashing
Automobile Sales	Residential
Automobile Wash	Sanitary Landfills
Churches	Schools
Construction Material Landfills	Sexually Oriented Business
Day Cares	Stand Alone Tobacco/Vape Shops
Fireworks Sales	Tanning Salons
Flea Markets	Tattoo/Piercing Salons

3. **Development Requirements:**

a. **Landscaping:**

- i. In addition to any underlying district requirements for landscaping, the following requirements shall apply and, as applicable, supersede those contained in the underlying district requirements.
- ii. The equivalent of one (1) tree per twenty linear feet of street frontage shall be planted
Or a minimum of one (1) shrub per ten (10) feet or fraction of street frontage.
- iii. All areas within the frontage which do not contain trees or planting beds shall be covered with grass or other living ground cover.
- iv. Clustering of trees and shrubs is encouraged.
- v. Drainage detention/retention areas shall be permitted in the front provided they do not hamper the ability to place trees or shrubs and shall have a natural shape and be integrated with the landscape design.
- vi. When practical, all plant material shall be a native plants species as identified by the LSU Agriculture Center.

- vii. Trees are not to be planted within the right-of-way or over existing or proposed water or wastewater infrastructure.
- viii. The following buffer yard requirements are to be between the adjacent land uses:

1.

Buffer Yards	
Business	N/A
Commercial	N/A
Industrial	N/A
Mixed Residential	10' Wide with 6' Tall Fence (wood or brick)
Mobile Home	10' Wide with 6' Tall Fence (wood or brick)
Residential	10' Wide with 6' Tall Fence (wood or brick)

- 2. Additional plant material between adjacent land uses is encouraged.
- 3. If existing conditions prohibit a parcel from complying with the buffer zone requirements, the Land Use Administrator shall determine the character of the buffer based on the following criteria:
 - a. Traffic impacts;
 - b. Building and parking lot coverage;
 - c. Physical characteristics of the site and surrounding area;
 - d. Views and noise levels;
 - e. Health, safety, and welfare;
 - f. Proximity or potential proximity of residential uses.
- ix. Parking shall be hard surface, either asphalt or concrete. The following requirements shall apply to parking lots with greater than forty (40) parking spaces:
 - 1. One landscape island per forty (40) spaces with one native tree per island.
 - 2. Perimeter landscaping shall only be required as necessary to provide for appropriate vehicular and pedestrian circulation between lots.
- x. For developments with side or rear outdoor storage or unsightly areas, a six (6) foot tall wood or brick fence is required, and items are to be shielded from view from the road frontage.

b. Building Materials and Design: the following requirements shall apply to the overlay district:

- i. The following building materials shall apply for all facades that face a public or private street or a parking lot:

Permitted Building Materials
Architectural Metal Panels with hidden fasteners. (R-panel and M-panel are prohibited.) Brick Masonry Stone Wood

c. Non-Motorized Transportation:

- i. A concrete sidewalk, five (5) feet wide, shall be installed one (1) foot inside the street right-of-way or easement lines on all sides of the property having street frontage. Sidewalks shall follow the standards located in Chapter 18, Sec.18-16.

d. Lighting Standards: All luminaries shall be full cut-off and shielded.

- i. All site lighting shall be coordinated and be of uniform design, materials, and color.
- ii. The maximum height of light standards shall not exceed the building height proposed, or twenty-five (25) feet, whichever is more. When light standards abut or fall within ninety (90) feet of a residential use, they shall not exceed fifteen (15) feet.
- iii. All exterior architectural, display, decorative, and sign lighting shall be generated from concealed, low level light fixtures.
- iv. The average illumination for site lighting shall be a maximum of thirty (30) lux.

e. Signage: For purposes of this overlay district, signage in the overlay district shall follow Appendix B-Article IV-Part 2-Section 9 as it references interstate roadway corridor signage. Billboards are prohibited.

f. Access Management:

1. Purpose:

- a. Preserve the capacity of the roadway
- b. Implement traffic calming techniques to reduce traffic speeds within the overlay district.
- c. Encourage efficient flow of traffic.
- d. Improve safety and reduce the potential for crashes.
- e. Avoid the proliferation of unnecessary curb cuts and driveways and eliminate or reconfigure existing access points.
- f. Require coordinated access among adjacent lands where possible.
- g. Ensure efficient access by emergency vehicles.

- h. Improve safety for pedestrians and other non-motorized travelers.
 - i. Promote a more coordinated development and development review process.
2. **Applicability:**
- a. Provision has been made to share access with adjacent uses, either now or in the future.
 - b. Any change in use on a site that does not meet the access requirements of this overlay district shall be subject to development plan review and a new driveway permit.
3. **Additional Submittal Information:** In addition to all other required submittal information in the Code of Ordinances, the following shall be provided with any application for development plan:
- a. Existing access points: any access points within five hundred (500') of the frontage road.
 - b. Sight Distance: The applicant shall submit evidence indicating that the applicable sight distance requirements are met.
 - c. Shared access: A shared access and maintenance agreement between property owners shall be provided where applicable.
 - d. Dimensions: Dimensions for all driveways and all curb radii within the site shall be provided.
 - e. Truck Movement: The development plan shall show route and dimensioned turning movements of any expected truck traffic to ensure the driveway will allow for any truck turning movements.
 - f. Traffic Impact Study: A traffic impact study may be required by the Land Use Administrator.
 - i. The traffic impact study shall be paid for by the developer and shall be prepared by a firm or individual that is a member of the Institute of Transportation Engineers with demonstrated experience in production of traffic impact studies. The methodology and analysis of the study shall be in accordance with current accepted principles.
4. **Requirements:** Access points shall meet the following requirements:
- a. Driveway permits: The number of driveways shall be the minimum number necessary to provide reasonable access for emergency vehicles while preserving traffic operations along the public street.

- i. Additional driveways may be allowed for properties with 300 feet of frontage.
 - ii. The site shall be permitted reasonable access.
- b. Sight Distance: Driveways shall be located to provide safe sight distance.
- c. Public Facilities in Right-of-Way: No driveway shall interfere with public facilities such as streetlights, traffic signal poles, signs, fire hydrants, cross walks, utility poles, or drainage structures.

g. Modification of Requirements:

- 1. Modifications to any requirements above may be permitted by the Land Use Administrator as part of the development plan review.
- 2. Minor modifications to this ordinance may be made by the Mayor, and Land Use Administrator, and Chief Building Official.
- 3. The Land Use Administrator shall consider the following criteria to determine if there is a need for modification and retain documentation:
 - a. The proposed modification is consistent with the general intent of the standards of this overlay zone.
 - b. Driveway geometries have been improved to the extent practical to reduce impacts on traffic flow.
 - c. Shared access has been provided, or the applicant has demonstrated it is not practical.
 - d. Such modification is the minimum necessary to provide reasonable access, will not impair public safety or prevent the logical development or redevelopment of adjacent sites and is not simply for convenience of the development.

A vote was then called with the results as follows:

YEAS: Mrs. Carroll, Mrs. Wilson, Mrs. Allison, Ms. Baudoin, Mr. Brazzell

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 21st day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

There being no further business to come before the Commission, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Secretary

PHYLLIS WILSON, Chairman

10/21/19
6:05 P.M.