

Meeting Summary, JLUS Technical Committee Meeting

Plaquemines Parish Volunteer Fire Department, 104 New Orleans Street, Belle Chasse, LA
June 30, 2010, 6:00 to 8:00 pm

Attendees: CDR Buck Dodick; Bruce Keller (NAS/JRB New Orleans); Ed Durabb (JP); Terri Wilkinson (JP); Mike Stack (LDOTD); Bonnie Buras (Plaquemines Parish Resident); Allen Hero (Hero Lands); Steve Gourgues (GCR); Ken Dugas (PPG); Steve Braud (PPG); Troy Loetzerich (JJG); Jay Lobrano (Hero Lands); Nicole McCall (BKI); Jody Coyne (Plaquemines Parish Resident)

Before the meeting commenced, Steve Gourgues (GCR) provided the following handouts for use during the discussion: Meeting Agenda; Meeting Summary from May 26, 2010; Introduction to Land-Based Classification Standards packet; Suggested Land Use Compatibility Analysis; and Plaquemines Parish Zoning Districts and Land Use Regulations.

Meeting convened at 6:15 by CDR Buck Dodick. Bruce Keller suggested that the meeting packets be distributed by Monday before the meeting. Steve Gourgues (GCR) agreed.

Land Use Compatibility Work Program

The Land Based Classification System (LBCS) was reviewed by the group. The LBCS was developed by the American Planning Association (APA) and allows for the classification of land uses across five dimensions: activity, function, structure type, site development character, and ownership. Jefferson Parish has found the "function" dimension to be the most useful because it allows for a connection between land use and zoning. GCR performed the initial analysis using the "activity" dimension. Steve Gourgues (GCR) was confident that the initial analysis can be used for discussion purposes and that it can be translated to the "function" dimension.

Next the group discussed what GIS data is available for Plaquemines Parish. Plaquemines Parish has provided the following to GCR: Land use/zoning, block/lots, and property ownership for the larger land holds. This data is available for larger land holds, not subdivisions. Plaquemines GIS data does not link the assessor's office data; this means ownership data for smaller individual parcels is not available. CDR Buck Dodick asked Bruce Keller (NAS/JRB New Orleans) to contact Mike Metcalf (PPG) to learn if any other data is available.

Community Member

Jody Coyne, a Belle Chasse resident and property owner, presented an issue to the group. He recently learned that Entergy is planning to place 100' transmission lines in front of a house owned by his family. He is requesting a change in alignment. He heard about our JLUS meeting and decided to attend to see what coordination has gone on between the Entergy and the Base. Mr. Coyne has a meeting set for July 1 with Entergy. CDR Buck Dodick suggested that Mr. Coyne contact Bruce Keller tomorrow prior to the meeting. The group agreed that the lines may conflict with FAA airspace standards and may impact other property owners, including Mr. Hero. Prior to leaving, Mr. Coyne provided an aerial photograph to the group. CDR Buck Dodick asked the group to refer any other community members with problems to the Bruce Keller and himself.

Review of Military Influences Areas (MIA)

An overview of the Suggested Land Use Compatibility analysis handout was provided. It contains maps for 13 of the 24 MIA zones with undeveloped land that is adjacent to an APZ or

noise contour. The zones were coded to correspond with the LBCS. An asterisk appears behind some of the codes in the “Suggested Land Use Compatibility” table and refers to conditional compatibility of some of the land uses. For example, leisure (Activity Code) includes open parks, camping, and gambling. Gambling may not be a non compatible use, but parks or camping could be. An asterisk was used to provide a more detailed map without using sub codes. The final report will specify conditional land uses. The maps are intended to serve as a tool to help Plaquemines Parish identify land uses that are compatible with base activities.

The group discussed if/how the analysis could be used as a tool to identify compatible land uses and determine if changes in zoning are appropriate with the Base. With four digits, LBCS allows the use of broad as well as detailed categories. An additional code can be added to create a new class of uses. This can provide flexibility from the regulatory perspective.

Zoning and Utilities

The group briefly discussed zoning and utilities. Zoning generally does not apply to utilities. Railroads and utilities have expropriation authority and can be very difficult to work with. It is possible to negotiate with them but once they have selected a route little can be done to halt progress.

Noise Contours that Cross Parcels

The group revisited an outstanding issue from the previous meeting: how to classify parcels that are split by noise contour lines.

The group applying a methodology similar to floodplain lines on flood insurance rate maps (FIRMs). FIRM policy should be reviewed and translated to noise zones. Steve Gourgues (GCR) will research how FIRMs are applied when there is more than one rating for a parcel.

Regulatory Approach

Next the discussion turned to determining a regulatory approach for the application of the noise contours. Building standards, disclosures, and servitudes were discussed.

- Building Codes - The president of the International Building Code Council recently informed Ed Durabb and Terri Wilkinson (JP) that restrictions can not be mandated that are stricter than the International Building Code.
- Disclosures- Disclosure requirements can ensure potential buyers are aware of the noise contour lines and potential impacts. Buyers can be required to sign off on the disclosure and be provided with information about noise mitigation. In the past disclosures were required for federally financed housing near the Base but they are no longer in use. Other bases have agreements but they are not federally mandated. A property disclosure sheets is currently required by the state of Louisiana but does not include information about noise.
- Noise servitude/easement- The group was not certain if noise servitudes are legal, if state approval is required, and/or if they can be negotiated directly with land owners. Servitudes may be efficient if they are negotiated with owners of large holdings before they are subdivided. The current state disclosure includes servitudes but not noise servitudes.

While these three issues can be applied to new owners, Bonnie Buras reminded the committee that it was important to determine: (1) if and how property values will be affected; (2) how to inform owners in the existing subdivisions.

As the group proceeds a rationale should be identified that makes sense. It can be as simple as a guidelines or disclose, and does not necessarily need to be zoning. Property values will likely be affected and a methodology should be selected to protect members of the public that are not aware.

Reviewing Compatibility Uses

The group was asked to review the GCR's analysis of compatible uses within the 13 MIA zones.

Terri suggested proceeding further using a methodology that involves blocking out areas of the map with bubbles (or polygons). This methodology would produce a visual tool that identifies where different uses should go at a broad, policy level. The group considered having a subcommittee apply this methodology to two or more of the MIA zones. The analysis would incorporate known constraints from the MIA as well as known changes to the area, such as the Peters Road Extension.

There was some push back about applying this methodology and debate how specific a plan should be, or if there should be any plan. During this discussion, a resolution to adopt coding that reflects the committee's desire to leave land use options open to land owners was briefly discussed but not adopted. It was suggested that Mike Metcalf should be part of that decision before such a decision is made and that committee members have an opportunity to review the 13 MIA areas. Some committee members were concerned about limiting the choices of property owners; some of the vacant properties are large tracts and their best use may not yet be clear. Others indicated that a plan that is less specific may be less useful. Further, if all options are left on the table the plan will not be effective.

CDR Buck Dodick explained that their priority is to work under the Base's mission and limit conflict. The discussion turned to public safety. If people are allowed to build and there is an incident there will be liability. Not only is it the responsibility of the base to continuously work to prevent catastrophic incidents, it also has the responsibility to set in a place a policy that will prevent the mission of the base from being diminished and eventually closed. Mike Stack mentioned that the other extreme, to the base being close, is for nothing to be built; a poor alternative.

Approval of meeting minutes from May 26, 2010

CDR Buck Dodick asked the group to approve the minutes from the last meeting. This motion was made by Ed Durabb (JP) with a second by Bruce Keller (NAS/JRB New Orleans).

Meeting adjourned, with no objection. The next Technical Committee meeting was tentatively set for July 14th.