

**JOINT LAND USE STUDY IMPLEMENTATION
NAS JRB NEW ORLEANS**



---MEETING MINUTES---

Adopted 5/7/14

Technical Group Meeting

April 14, 2014, 4:00pm – 5:30pm

Plaquemines Parish Library, 8442 Louisiana 23, Belle Chasse, LA

Participants:

- Diana Alfortish | Pivach Real Estate
 - Belinda Hazel | PPG Assessor's Office
 - Allen Hero | Hero Lands Co.
 - Bruce Keller | NAS JRB New Orleans
 - Jim Woodard | PPG, Planning, Zoning and Permitting Board
 - Bonnie Buras | Realtor, Coldwell Banker TEC Realtors
 - Jason Dillman | Hero and Son
 - Hilda Lott | PPG
 - Dan Schebler | DOD/OEA
 - Margit Myers | DOD/OEA
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- Dwight Norton | GCR Inc.
- Tyler Antrup | GCR Inc.
- Michaael Lauer | PlanningWorks

Absent:

- Suzanne Farrar | Stonebridge Neighborhood Association
- Tiffany Scot Wilken | JP, Director of Code Enforcement
- Michael Stack | LaDOTD
- Nancy Fridge | Pleasant Ridge Estates Neighborhood Association
- Robert Spears | PPG, GIS Dept
- Leo Palazzo | PPG, Parish Attorney
- Benny Puckett | PPG, Grant Administrator
- Jeff DiMarco | PPG, Planning, Zoning and Permitting Board
- Phyllis Difebbo | PPG, Planning, Zoning and Permitting
- Terri Wilkinson | Jefferson Parish Planning
- Todd Eppley | PPG, Planning, Zoning and Permitting Board
- Ken Dugas | PPG Engineer

Discussion:



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RE: April 14, 2014 Technical Committee Meeting Minutes [DRAFT]

1) Review Meeting Objectives

D. Norton explained that the purpose of this meeting is to review and establish consensus on recommendations for the MIPD Zoning Overlay, other development regulations, acquisitions, infrastructure and the memorandum of understanding. He explained that the Policy Committee would be meeting April 15, 2014 and the recommendations from this meeting would be passed on there.

2) Review and Approve Minutes from the 3/12/14 Technical Committee Meeting

D. Norton asked that the committee review the draft minutes from the 3/12/14 meeting and asked for any questions or edits. D. Alfortish asked that in the future the charts included in the minutes have a color scheme that better differentiated the options as the last version the Strongly Agree and Strongly Disagree were similar shades of blue. She also asked that on page 8, the line that read, "D. Alfortish expressed her fear that agreeing to the MOU would mean that the committee agrees to the MIPD overlay and other changes that the community would agree to any future big changes." be clarified. She stated that her concerns were related to future flight path changes and other changes on the base and how those changes would not be included in such a process. B. Keller replied that inclusion of areas in noise contours is related to the frequency of flights and an average sound level, but he would need to inquire about the potential frequency of flights. D. Alfortish stated that if the future flight path's frequency matches the current flight path, it would cover all of Belle Chasse and the change would occur after this process is finished and there would be no room for input. B. Keller clarified that the changes would need to go through the National Environmental Protection Act process and would allow for community input. D. Norton then asked if the committee was willing to accept the minutes if amended to include the above concerns.

On the motion of B. Keller, seconded by D. Alfortish, the amended minutes were approved unanimously.

3) Review Implementation Tools

a) Military Influence Planning District (MIPD) Overlay Zoning

M. Lauer then began reviewing work done thus far on the MIPD overlay zoning. He presented the results of past polling efforts of the Technical Committee in relation to conceptual agreement with a number of concepts including the district's priorities and the use of land use restrictions to reduce accident risk. He then reviewed the land use restrictions included in the revised draft of the MIPD overlay district. D. Alfortish expressed concern with the MIPD overlay zoning taking property rights from land owners and affecting property values. There was a general discussion about legal issues related to zoning.

M. Lauer then explained to the group that the proposed edits provided by A. Hero would take all power out of the MIPD overlay. A. Hero explained that there is a great deal of uncertainty in the area surrounding future infrastructure improvements and potential development scenarios. His concern is that he is unwilling to restrict the uses without knowing what could happen in the future. He stated that it is more difficult to undo something after it's done.

M. Lauer clarified that all references to noise mitigation have been removed and only includes height limitations which already exceed the existing requirements. He also pointed out the zoning restrictions were removed from the MIPD-4.



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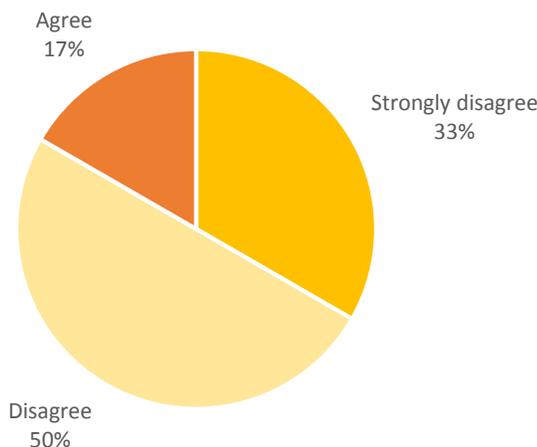
B. Hazel asked about the age of the noise and accident potential data being used to draw the districts. B. Keller noted that the modelling was done over a long period of time starting in 1996, but that the current data was from 2001 mostly and that any additional flight paths would still need to be modelled and he will look into it. J. Woodard asked if the type of aircraft being used has changed in that period of time. B. Keller clarified that even if the aircrafts have changed their noise levels are the same and explained that the noise contours are modelled on a human standing below the flight path, not from where the aircraft is. M. Myers added that the noise contours are based on an average sound level related to the frequency of flights in the area.

J. Woodard then asked if the new flight path adds more areas in the noise contours and APZs if that would change the regulations created by the MIPD Overlay or if there would be another process to change them. M. Lauer clarified that a change in regulation would not be automatic, the added areas would need to be included in the MIPD overlay through a new process and alteration to the ordinance passed by the Parish council.

D. Alfortish asked about grandfathering existing developments. M. Lauer pointed to provisions in the MIPD Overlay that allow lots that are platted before passing the overlay will keep their existing zoning. He stated that there is a question over whether this should be extended to all platted lots. He also explained that the noise mitigation requirements have been removed because existing building codes bring all new buildings into compliance up to the 70 DNL level and that any areas that would see higher levels of noise are minimal. At this time M. Lauer polled the committee asking about limiting land uses based on APZ.

Before voting, D. Alfortish wanted to clarify that the land use regulations would not come with compensation for land owners' diminished development potential. M. Lauer replied that the change would be by regulation, like the existing zoning code and would not warrant compensation under generally accepted land use case law. The committee then voted.

Certain land uses (e.g., residences, day care, schools, churches and hazardous materials) should be limited in APZs



B. Buras expressed concern that the proposal would be broadly limiting land uses without compensating land owners. B. Hazel also stated that the current zoning code treats the A1 zone as a placeholder and to say that the existing zone is currently restricting development rights on

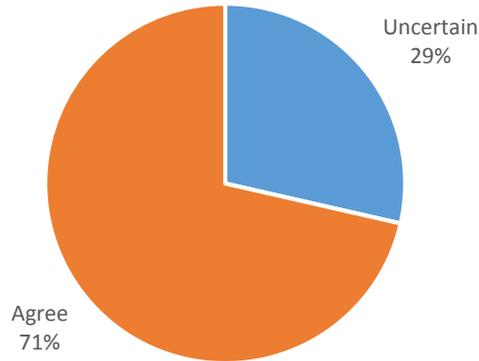
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developable property is not accurate. J. Woodard raised the issue of including a Base official at the Zoning Board meetings to advise on issues that affect the base. A. Hero stated that the Zoning Department and Board in Plaquemines do not have the capacity to implement the conditions to development included in the overlay district. D. Alfortish stated that she feels like most of the noise complaints come from Jefferson Parish. B. Keller clarified that most noise complaints come from a single household in Plaquemines, but that they also receive complaints from the local schools.

M. Lauer asked to poll the committee on conceptual agreement that lighting that interferes with flight operations be prohibited.

The MIPD should prohibit lighting that interferes with flight operations

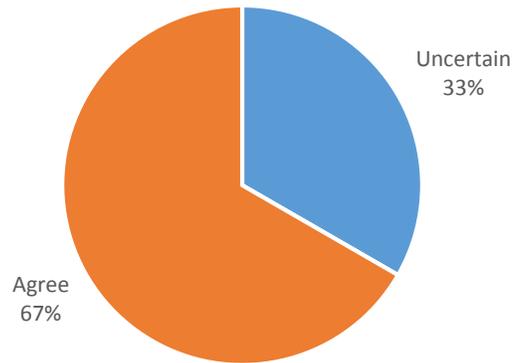


M. Lauer then asked to poll the committee on the restriction of highly reflective materials on structures. D. Alfortish clarified that he was referring to structures 3 stories or higher. M. Lauer agreed.

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The MIPD should prohibit highly reflective materials that would interfere with flight operations



D. Alfortish then stated that she is concerned that this entire process is based on the Navy coming in and trying to change things based on the Navy's concerns. M. Myers explained that the JLUS process is about facilitating a conversation to preserve public safety surrounding the base, whether is it regulatory or advisory.

4) Next Steps

At this point D. Norton explained that the meeting had gone over the initial time set aside and in order to respect all participant's time commitments, it was time to adjourn. Next meeting set for May 7 at 4pm in the Plaquemines Public Library. There will be a policy committee meeting on April 15.

