

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



---MEETING MINUTES---

ADOPTED 6/24/14

Technical Group Meeting

May 7, 2014, 4:00pm – 5:30pm

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

Participants:

- Diana Alfortish | Pivach Real Estate
- Allen Hero | Hero Lands Co.
- Bruce Keller | NAS JRB New Orleans
- Jim Woodard | PPG, Planning, Zoning and Permitting Board
- Ametra Rose | PPG, Planning, Zoning and Permitting
- Terri Wilkinson | Jefferson Parish Planning
- Benny Puckett | PPG, Grant Administrator
- Suzanne Farrar | Stonebridge Neighborhood Association

Absent:

- 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
- Jeff DiMarco | PPG, Planning, Zoning and Permitting Board
- Todd Eppley | PPG, Planning, Zoning and Permitting Board
- Ken Dugas | PPG Engineer
- Belinda Hazel | PPG Assessor's Office
- Bonnie Buras | Realtor, Coldwell Banker TEC Realtors
- Hilda Lott | PPG

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- Dwight Norton | GCR Inc.
 - Tyler Antrup | GCR Inc.
 - Tyson Smith | White and Smith



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RE: May 7, 2014 Technical Committee Meeting Minutes [DRAFT]

Discussion:

1) Review and approve meeting minutes from 4/14/14

After a brief discussion on the minutes from the 4/14/14 technical committee meeting they were approved on the motion of A. Hero with a second from J. Woodard.

2) Review 4/15/14 Policy Committee Outcomes

T. Antrup began by briefly summarizing highlights from the 4/14 technical committee meeting including group consensus to eliminate any binding land use restrictions and general agreement to the MIPD Overlay's draft language on light/glare and height. He then summarized the outcomes of the 4/15 policy committee meeting during which members encouraged the consultant team to revisit the issue of real estate disclosures, agreed to continue pursuing acquisition of clear zone properties and reviewed options for regulating land use. The policy committee ultimately voted with some support for the overlay district with caveats that it not limit what landowners can do with their property and further reinforcing a desire to ensure buyers have all the information necessary on noise and risk before purchasing property.

3) Review updated MOU Draft

T. Smith provided a brief overview of edits to the MOU draft since the last time the group reviewed it before opening up a general discussion about proposed edits and issues with the draft. B. Keller began the discussion by providing the group copies of OPNAV INSTRUCTION 11010.36C, the Navy's directive for compatible use, the inclusion of which in past drafts was an issue for some committee members. D. Norton explained that the committee in the past has seen outputs from the document including the compatibility charts and would be the Navy's go-to document when commenting on any development proposals. B. Keller further explained that the document's intent is to protect public health, safety and welfare. T. Smith also pointed out that it would be the basis for any objections to Navy comments.

D. Alfortish questioned why the Navy instructions would be included in the MOU if the document isn't being used by the public and pointed out that the Navy would base its comments from the instructions whether it was mentioned in the MOU or not. She also mentioned her concern about the compatibility charts. T. Wilkinson pointed out that the instructions are the basis for the entire process for the Navy and that the MOU doesn't mean that the document will be adopted and without adoption by the public it doesn't matter to the public. D. Alfortish clarified her concern that this JLUS process has spent a lot of time discussing these issues and going through a lot of options but once the process is over and an MOU is signed between the government and the Navy the public won't be involved anymore and they could change how the instructions interface with the process in the future without input from the public. D. Norton reiterated that the instructions are for the use of the base only and not the parish or other government entities. T. Wilkinson stated that the base needs some basis for decision-making. D. Alfortish replied that the MOU should specify that it's only for use by the Navy. D. Norton then asked if the MOU were edited to reflect that the OPNAV INSTRUCTION 11010.36C were to be used for guidance only by the Navy if that would be acceptable. D. Alfortish agreed.

B. Keller expressed a desire to have a more workshop formatted meeting as a group to reach consensus on the MOU. T. Wilkinson stated that she would need to take the document to the parish attorney before approving anything. D. Norton pointed out that it needs to be escalated within the Navy as well as with the Plaquemines attorney. T. Wilkinson then summarized concerns from the Jefferson Parish side including a point of clarification on the types of land use actions that would rise



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to the level of base notification whether they be major or minor, pointed out that they would need to invent a way to pull out only those applications that fall within the MIPD. T. Smith asked for clarification on what level of land use action go through the Land Use Review Technical Committee (LURTC). B. Keller clarified that the base is interested in density and land use intensity. T. Smith asked both if Jefferson Parish just sent all land use actions that go through the LURTC to the base and they could choose what was relevant to comment on if that would work. Both agreed. T. Wilkinson also pointed out that in the MOU Part III, Section D3.a that the reference to the Unified Development Code still needs to reference Chapter 25, Article 6 and Chapters 33 and 40. T. Smith asked for clarification on the LURTC's review period. T. Wilkinson stated that the base could request an additional 10 days for review if necessary.

J. Woodard then asked if the Plaquemines section should parallel the Jefferson section. T. Wilkinson agreed that the process provided by A. Smith for how Plaquemines works would be fine for Jefferson. A. Smith pointed out that in Plaquemines some subdivisions are approved administratively though and would not be sent out for review. J. Woodard asked A. Smith what the review period would be for a rezone. She replied 45 days but that they try to get feedback as quickly as possible as the review period is long. D. Alfortish questioned whether giving the base 45 days was too long as the comments may not come back until the end. T. Wilkinson clarified that the entire process is 45 days but they receive the comments within 10 days and extensions if necessary at the beginning so they can be resolved during the 45 days. A. Smith agreed that all departments send their comments early and that she won't let them take the entire 45 days. D. Alfortish asked if the MOU could reflect that the comments would be due within 10 days. A. Smith and B. Keller agreed that it would be fine. B. Puckett clarified that they would not be changing the Parish zoning process, just the process in the MOU. T. Smith asked the group if anything done administratively should also get a 10 day comment period. There were no objections. He also asked if there should be a section that if the base does not comment within the comment period that it should be assumed the base has no objections. There were no objections.

B. Keller asked about by-right permitting, the base would like to see these too. J. Woodard stated that those applications would go through permitting and not zoning. B. Keller stated as an example if a church were to apply for a permit in a zone where churches are allowed it would not go before the zoning board or the parish council, but the base would want to comment on that. T. Wilkinson stated that it would also go through permitting in Jefferson and that it would be difficult to get the information to the base because of the nature of permitting, meaning that the base wouldn't want to see every single permit in the area, they would have to set standards and try to find a way to sort through them. J. Woodard asked what the base could do in that process since it would be by right anyways. T. Smith asked the group to look at Part III, Section C on page 6 of the MOU draft referring to Land Use Coordination Conferences. B. Keller asked if they could implement something like a notice of intent. D. Norton asked if the issue could be tabled in the interest of time. J. Woodard asked if department heads review permit applications. B. Puckett replied that sometime they do if it directly affects that department. J. Woodard asked if the permitting department could just review the applications and ask for input if it applies.

D. Alfortish asked why the base would receive staff review sheets for applications as referenced in Part III, Section D, 2d, iv. A. Smith pointed out that she would send them a review sheet to fill out but it would not have the staff comments on it. T. Wilkinson stated that she had thought it was referring to the staff reports. T. Smith stated that he would strike the entry for both parishes.

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D. Alfortish expressed concern about Part III, Section D1 referring to final action. T. Smith stated that he could strike final. There was agreement that this would be acceptable. J. Woodard pointed out that in Part III, Section D, 2c. that the input should be seen by the zoning staff before being forwarded to the council.

D. Norton asked the group to look at Part F on acquisition. B. Keller pointed out that the Navy instructions also direct them to look at acquiring land in APZ 1 and 2 in addition to the clear zone. D. Norton clarified that the clear zone was the top priority though. D. Alfortish asked what the Navy said about APZ 1 and 2. B. Keller stated that the Navy summarizes risk by percent by APZ. D. Alfortish stated that the flights don't always follow the same paths. B. Keller replied that the zones are based on average risk. D. Alfortish asked B. Keller if he wanted them to include APZ 1 and 2 in the MOU for potential acquisition. B. Keller replied that inclusion of the APZ 1 and 2 would not be a mandate, it would just bring the statement in line with the Navy's instructions. D. Alfortish asked if acquisition would be through an easement or purchase of the land. A. Hero stated that it could be either and that the base has done both in the past. D. Norton asked the group if there was any objection to leaving the possibility of acquiring property in APZ 1 and 2 in the MOU. There was no objection.

T. Smith asked the group to look at Part IV. A. Hero asked whether the Navy could take on some of the public awareness parts. D. Alfortish asked that Section B.4 be removed over concerns about devaluation of properties. A. Hero also expressed concern over how that section would be implemented. B. Keller asked if they could just indicate that a property is inside the MIPD. A. Hero replied that the assessor doesn't note much if anything about a property. T. Wilkinson suggested that it could be added in the Parish's GIS but that the assessor likely wouldn't do it. D. Alfortish replied that even if Plaquemines had the ability to do it she is still concerned about the affect it would have on property values. T. Wilkinson stated that it could be more like public information and direct them to a website for more information.

D. Alfortish referred to Part V Section B2 and stated that there should be some type of citizen input included in this section. B. Keller asked if there should be a citizens group that could be a party to the MOU. T. Smith asked if there had been a discussion about how to guide the implementation after this process is over. T. Antrup asked about adding a Joint Land Use Working Group as a party to the MOU. T. Smith stated that the JLUWG could vet changes before forwarding to the other parties.

4) Next Steps

It was agreed that GCR would notify the committee of a date for the next Technical committee meeting via email as many people were going to be out of town over the next month.