



**OFFICIAL MINUTES OF THE  
PLANNING AND ZONING MEETING  
CITY OF THIBODAUX  
THIBODAUX, LOUISIANA  
May 4, 2022**

The Planning and Zoning Commission of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2<sup>nd</sup> Street, Thibodaux, Louisiana, on Wednesday, May 4, 2022 at 5:00 P.M.

There were present: Clay Breaud, Drew Andrews, Robert Mire, and Mark Kearns

Absent: Cheryl Thomas

The minutes of the April 6, 2022 Planning and Zoning Commission were approved as written.

Breaud introduced request by City of Thibodaux City Council to amend Residential Permitted Uses Table 5.1 to add "office" as a special exception within R-2, R-3, and R-4 Zoning Districts and to amend Article V, Section 505 (B), (C), and (D) with addition of "Normal working hours are restricted to 6:00a.m. to 6:00p.m." Kearns moved to discuss.

Breaud asked Ben Duplantis to clarify City Council's denial of last month's request that was brought forth to the Planning and Zoning Commission. He wanted to know if this month's request was made by City Council or the Council Chairman. Duplantis stated he was told the request was made by Mike Naquin. Jennifer Morvant, Thibodaux City Council Administrator stepped forward to clarify. She stated that City Council did have a hearing on the request by the individual on St. Charles Street to add "office" as a special exception in R-2. The council questioned why they would only consider R-2 and not R-3 and R-4 since they are less restrictive districts than R-2. The council voted the request down in just R-2 district, and requested Morvant go to the Planning and Zoning Commission to consider the request for all three residential districts (R-2, R-3 AND R-4). Morvant clarified that the council could not consider allowing the special exception for offices in R-3 and R-4 because that was not how the request was presented to the Commission. Breaud stated that the request was denied in the February Planning and Zoning Meeting.

Breaud discussed the matter of requests being brought forth in front of the Planning and Zoning Commission for special exceptions in R-2 zone, which was denied by the commission and a recommendation for denial sent to the council. Morvant verified that the council was made aware through Ruby Maggio that the Planning and zoning Commission denied the request, but they did not receive any information on the vote count or the discussion as to why the request was denied. Morvant stated that the council has the final say. Breaud then requested that the minutes for the meeting be typed and sent to all the members of the City Council, so that they have all the details of the Planning and Zoning meetings. Morvant stated that the minutes are not always ready in time for the council meetings. Breaud suggested that the council put off that request until they have all the information they need. Morvant stated that she does have some deadline restrictions between the time the Planning and Zoning Commission conducts their hearings and the council makes their decision. She then requested that agenda request forms be sent to her prior to her deadline. Duplantis stated that the Public Works employees have a very heavy workload currently, so that could possibly contribute to the delay in sending information to Morvant and the council. Monique Reulet clarified that the longer a meeting is, the longer it takes to transcribe. A thirty minute meeting takes at least two or three hours to transcribe.

Breaud referred back to the request for this meeting and invited City Council member Gene Richard, 516 Foret Street, to step forward and speak on the matter. Richard clarified that the issue the council had was that the initial request was just regarding R-2 zone, which is very restrictive. If it would have been approved in R-2 zone, then they believed they should also consider approving the request in R-3 and R-4, but they could not do that, because the request first had to be presented to the Planning and Zoning Commission. Richard added that this is why the council brought the issue back to the commission. He added that, majority of the time, the City Council does go along with whatever decision is made by the Planning and Zoning commission. However, they did not understand this request. Richard stated that he lives in an R-2 district that is somewhat unique because it has a lot of schools and offices. He stated that they have a lot of traffic, but he does not have a problem with his area as it is zoned. He then clarified that other R-2 zones are different because they are majority residential, so he understood the concerns that people may have about amending the zoning ordinances for those districts and potentially increasing traffic in those areas. Richard stated that he understood the Planning and Zoning commission denied the request for R-2, but asked them to consider the request for R-3 and R-4. He stated that the city is growing, and it might be necessary to

have offices in other zones, like R-3 and R-4. He suggested allowing special exceptions requests for offices in R-3 and R-4. Breaud stated that creating these avenues for special exceptions opens up room for other types of special exceptions. He explained that the city has three major zones – residential, commercial, and industrial. He continued to say that residential is supposed to be for residents, with R-1 zone being the most restrictive and R-4 being the least restrictive. Breaud added that he thought the R-2 district where Richard lives was grandfathered in, which is why it has schools and offices.

Breaud stated that, once a request is denied by Planning and Zoning, it cannot be brought back up for vote for 12 months. Morvant stated that the same person could not bring back the same request for 12 months, but a different person could present the same or similar request to the commission within that 12 month period. She added that previous request by a resident on St Charles Street was denied, but that this was a separate request by the City Council. Kearns stated that the rule does not specify “person”, it states, “...the denial of a text amendment application shall ban the subsequent application for the same or similar use at the same location for a period of twelve (12) months.” Breaud stated that the explanation given by Richard of the R-2 district where he lives is a definition of a B-1 zone, and that that was why the B-1 zone was created. Breaud added that the purpose of zoning is to restrict what is allowed in what area of the city, and that allowing for special exceptions essentially defeats the purpose of having separate zones. Mire stated that he agreed with Breaud. Breaud asked Duplantis for comments and Duplantis stated that Planning and Zoning makes the decisions and he enforces them. Kearns stated that he received feedback from residents in North Thibodaux about having offices in an R-2 zone and they were concerned about the fact that, according to the definition of “office” in the city ordinance, you could actually have a corporate office next door to you and it would still fit the definition. Breaud clarified that you can have home occupation, where your office is in your house and that would be allowed within the ordinances.

Breaud calls for public comments. Fran Middleton, 100 Ormonde Drive, stepped forward to comment and asked the commission to deny this request made by the City Council. She stated that she read both sets of minutes. Middleton stated that special exceptions, by definition, are special circumstances and to allow the special exception in three zones would defeat the purpose zoning just as this ordinance the definition of a special exception. She added that she agreed with Breaud that if you allow this request for special exceptions, it will create a domino effect. She mentioned that there are a lot of vacant offices in town, there is no shortage so she does not think that it is a necessity because there is not a demand for them.

On motion by Kearns, seconded by Mire, the Board voted on a motion to deny the request by City of Thibodaux City Council to amend Residential Permitted Uses Table 5.1 to add “office” as a special exception within R-2, R-3, and R-4 Zoning Districts and to amend Article V, Section 505 (B), (C), and (D) with addition of “Normal working hours are restricted to 6:00a.m. to 6:00p.m.”

....upon roll call the vote was as follows:

**YEAS:** Breaud, Andrews, Mire, Kearns

**NAY:** None

**ABSTAINED:** None

**ABSENT:** Thomas

There being no further business the meeting was adjourned.