



**OFFICIAL MINUTES OF THE
PLANNING AND ZONING MEETING
CITY OF THIBODAUX
THIBODAUX, LOUISIANA
September 7, 2022**

The Planning and Zoning Commission of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Wednesday, September 7, 2022 at 5:00 P.M.

There were present: Clay Breaud, Drew Andrews, Mark Kearns, and Trey Ledet

Absent: Robert Mire

Breaud asked for confirmation that the revised re-zoning map approved by the Planning & Zoning Commission at the August 4, 2022 meeting had been sent to the City Council. Upon confirmation of the revised map's approval by City Council, the minutes of the August 4, 2022 Planning and Zoning Commission were approved as written.

Kearns introduced a request by Bryan Breaud of Mid America Contracting, Inc. for sketch and preliminary plat approval of Rienzi Place Subdivision, Add. No. 2, Phase IV Subdivision located on the North side of Rosedown Dr. approximately 150' North of intersection of St. Delphine & Rosedown Dr. in Sections 44 & 45, T14S-R16E, City of Thibodaux, Louisiana.

Clay Breaud recused himself from vote, but a quorum was met. Bryan Breaud, 816 Bayou Road, described the sketch and plat that is up for preliminary approval. He stated that everything meets city standards. Ben Duplantis confirmed that there were no issues.

On motion by Andrews, seconded by Kearns, the Board voted on a motion to approve the request by Bryan Breaud of Mid America Contracting, Inc. for sketch and preliminary plat approval of Rienzi Place Subdivision, Add. No. 2, Phase IV Subdivision located on the North side of Rosedown Dr. approximately 150' North of intersection of St. Delphine & Rosedown Dr. in Sections 44 & 45, T14S-R16E, City of Thibodaux, Louisiana.

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

YEAS: Andrews, Kearns, Ledet

NAY: None

ABSTAINED: Breaud

ABSENT: Mire

Breaud introduced a request City Administration for text revisions drafted by Villavaso & Associates to the City of Thibodaux's Comprehensive Zoning Ordinance, Article II, Section 202, Article III, Section B.(1), Article V, Sections 505 & 506 and Article VIII, Section 803 as per the following:

Article II – Definitions and Rules of Interpretation

Amend Section 202 – Definitions of the Zoning Ordinance to include the following definition:

Short Term Rental – A residential dwelling unit, or any portion thereof, for the purpose of lodging for less than 30 consecutive days. The maximum number of bedrooms used for a short term rental use in the short term dwelling unit

shall be no greater than six and the total number of guests staying in the short term rental dwelling unit at any time shall be no greater than two times the number of bedrooms or a maximum of 12 persons.

Article III – Administrative Procedures

Amend Section 313 (B) – Penalties for violation with addition of “As provided for in Section 33:4728 of the Louisiana Revised Statutes of 1950, any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not exceeding \$500.00 and/or imprisonment not exceeding six (6) months,”

Article V – Use District Regulations

Add the use Short Term Rentals as a “Special Exception” in Section 505-Table 5.1 for R-1 & R-2 Zones, “Permitted” in R-3 & R-4 Zones and “Permitted” in Section 506-Table 5.3 in B-1 and CBD Zones.

Article VIII – Section 803 - Use Standards

Add Subsection M as follows:

M – Short Term Rentals

1. All short term rentals must be approved by the City of Thibodaux and obtain an occupational license. Additionally, short term rentals are subject to all permitting requirements establishment by the City of Thibodaux and shall comply with all of the use standards in this section in this section and all City of Thibodaux building, fire and safety codes.
2. No short rental shall be allowed on a parcel that is not in compliance with all of the relevant City of Thibodaux ordinances, including the zoning ordinance, unless the parcel is legal non-conforming in accordance with the specific standards of this ordinance, or the parcel has obtained a variance, special exception or other official approval or determination from the City of Thibodaux.
3. No activity or use may be conducted in a manner that generates a level of sound, which at any property line shall be considered a nuisance as defined in Chapter 13 (Nuisances) of the City of Thibodaux Code of Ordinances.
4. Use of a short term rental for commercial or social events shall be prohibited.
5. Each short term rental shall be equipped with working smoke detectors and carbon monoxide detectors.
6. Additional signage for a short term rental is only allowed if the signage is permitted in the zoning district and in Article IX, Signs.

Breaud read through the proposed ordinance changes/additions. He identified some changes that would need to be made to the way the proposal was written, including changing from roman numerals to numbers (e.g. II to 2), changing section “M” to Section “N”, and removing a duplicated phrase “in this section” under Short Term Rentals. Breaud referred back to the proposed “District Regulations” for short-term rentals. He questioned why C-1 & C-2 zones were not included as permitted locations for short-term rentals. He stated that he felt short-term rentals should be allowed in those zones. Duplantis stated that he did not have an issue with allowing short-term rentals in a C-1 & C-2 Zone.

Breaud questioned how these short-term rentals would be controlled. He then called up Ryan Dicharry to speak on the subject. Dicharry stated that he has an AirBnB located in a commercial building in downtown Thibodaux, with commercial spaces on the first floor and apartments on the second floor Breaud asked if he had tenants staying for over thirty (30) days, and Dicharry confirmed that he has had some stay for six (6) months. Dicharry then discussed some examples of short-term rentals in New Orleans. He stated that he didn’t know that Thibodaux would be able to sustain the amount of AirBnBs that would become a problem like New Orleans because there aren’t as many people looking to come here. He explained that, in New Orleans, there is someone whose sole job is to look on AirBnB’s website, among others, to get addresses of short-term rentals and see how that area is zoned and if permits were pulled. If not, the operators will receive a letter from the city. If they do not cease operations, they will have the power meter pulled from the house. Dicharry suggests that this might be something to look into with regards to enforcing short-term rental ordinances in Thibodaux. Dicharry added that he felt commercial zones should be considered as a permitted zone for short-term rentals.

During a discussion about the difference between short-term rentals and Bed & Breakfasts. John Dennis, 110 Palm Place, pointed out that Bed & Breakfasts have a maximum of fourteen (14) day stay.

Kearns motioned, seconded by Andrews, to table this matter until the next meeting pending further information, including clarification on what zones will be included in the proposal, and how many short-term rentals currently exist within the City of Thibodaux, as well as a revised version of the proposal with typos corrected.

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

YEAS: Breaud, Andrews, Kearns, Ledet

NAY: None

ABSTAINED: None

ABSENT: Mire

There being no further business the meeting was adjourned.