



**OFFICIAL MINUTES OF THE  
PLANNING AND ZONING MEETING  
CITY OF THIBODAUX  
THIBODAUX, LOUISIANA  
August 2, 2023**

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, August 2, 2023 at 5:00 P.M.

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

The minutes of the July 5, 2023 Planning and Zoning Commission Meetings were approved as written.

Breaud introduced a request by Councilman Mike Naquin to amend Section 307 of the City of Thibodaux Comprehensive Zoning Ordinance with the addition of Sub-Section D (1) (a) as follows:

*In the event the proposed Special Exception is approved with conditions by the Planning & Zoning Commission, the Zoning Administrator must submit the nature of the condition and certification that the required condition has been met upon submission of the proposed Special Exception to the City Council for approval.*

Councilman Mike Naquin, 406 Destrehan Drive, was present to represent the request. He stated that he had a discussion with the City Council Administrator, Jenny Morvant, regarding a recommendation that was sent to the City Council from Planning & Zoning with a conditional approval. Morvant did not know if the item could be sent to the City Council because she did not know if the condition had been met. This request to amend the Zoning Ordinance is intended to clarify the procedures regarding Special Exceptions that are approved with conditions.

Breaud stated he was glad this this issue was finally being discussed. He added that in many instances, Planning & Zoning will approve a request with conditions in order to try to hasten or streamline the process, but some of the conditions can't be met. Breaud gave the example of a subdivision request that came before the Planning & Zoning Commission several years ago for a parcel of land that Bayou Community Academy (BCA) was intending to purchase. Planning & Zoning had concerns about the property and wanted a drainage study, but this could not be done yet because the organization had not gone to engineers with a building plan yet, but still wanted to buy the land. Planning & Zoning decided to approve the subdivision with the condition that a drainage study be done on the property and submitted to the City prior to any building permits being issued. If the applicants had to wait five (5) years to get council approval, the developers may not want to spend the money upfront without a guaranteed approval.

Breaud gave another example of a special exception that was approved more recently with the condition that sewer services and a fire hydrant be installed on the property first. The Council and Planning & Zoning are relying on City Administration to ensure that the conditions are being met. The conditions

are often put in place just to move the process along so that the applicants do not have to wait. Naquin stated that it would depend on what kind of condition is put in place, but Breaud stated that Council is still relying on Administration to ensure the condition is met. Naquin stated that this is true, but when it goes to the Council and they do not know if the condition is met. The subdivision may be completed without ever having met the conditions that were put in place. Breaud stated he would rather put the onus on the administration to ensure the condition is met. He added that Planning & Zoning and City Council are giving final approvals for subdivisions, water lines, gas lines, & sewers before the subdivisions have been built. The City Administration is responsible for ensuring that the conditions were met and everything was installed properly. In the case of the recent special exception, Breaud suggested that if they find out the fire hydrant was never installed, then they may refrain from approving future special exception requests with conditions.

Kearns has concerns because some of these applicants need City Council approval before they go in and act on the condition, but City Council wants them to meet the condition before they give special exception approval. Kearns added that he likes the fact they this issue is being addressed, but he doesn't know if this is the right answer. Breaud added that sometimes, when he would attend Council meetings, the Council members did not know what the conditions were, although he thought this had improved a bit. Naquin stated that this is why Morvant was questioning whether or not to send the request forward.

Public Works Secretary Monique Reulet stated that Public Works recently received plans for BCA, but this hearing was the first she heard about the requirement for the drainage study, so she would have to go back and check to see if that had been done yet before Public Works issued the building permit. This brings up another issue with administrative changes and information getting lost during the transition of new employees coming in. Breaud added that a lot of conditions can be met within a couple weeks, and BCA was just an example of one case where the conditions could not be met that quickly, and developers do not want to make commitments unless Planning & Zoning and City Council are on board.

Ledet questioned if City Council can approve a request with the same condition that Planning & Zoning gave. Breaud confirmed that they could, and City Council would still have to rely on City Administration to ensure the condition is met, just as Planning & Zoning does. Naquin refers to item six (6) on the agenda. Ledet suggested that even if they just go with item 6 on the agenda, they could address the issue. Naquin questioned how the situation would be handled if City Council adds conditions that Planning & Zoning did not require, and that item five (5) would cover that. Reulet questioned if the City Council's decision superseded Planning & Zoning's decisions. Naquin said it would but they wanted to ensure that both Planning & Zoning's conditions and City Council's conditions would be known and met.

Kearns questioned if one of the issues was a lack of communication where City Council is not finding out, by the time they have a meeting, what conditions were put. Naquin stated that the way Morvant explained it that could be part of the problem. Breaud commented that it would be documented on the minutes of the meeting. Reulet stated that they send City Council the minutes of the meeting, as well as City Council Agenda Request Forms. As long as she has been in this position, she includes any conditions on the agenda request form. Breaud states that City Council would address Planning & Zoning's conditions, or they could omit them and set their own conditions. Whatever City Council decides should show up in the minutes of the meeting. Naquin stated he thinks it was an issue of not knowing if the conditions were ever met.

Ledet suggested amending the request to specify requiring a status of the conditions and whether or not they have been met. Breaud stated it would still be up to City Council to decide whether to approve it with the conditions or if they want conditions met before they approve. Kearns asked Reulet if she informs Morvant about the specifics of the condition when she sends the agenda request form, and Reulet confirms that it is. Reulet gave an example of the recent special exception to build a duplex that was approved with the condition that the property be re-divided in order to meet the lot size requirement. She initially sent the request in with the condition but questioned Morvant if she should hold back these agenda request forms until the condition has been met. Prior to attending this meeting, Reulet did send confirmation that the conditions were met to Morvant. Ledet pointed out that in this situation, the

property owners may not want to re-divide their property unless they are guaranteed to be allowed the special exception.

Mayor Kevin Clement stated he wasn't sure if Morvant should be the person responsible for verifying if conditions have been met. He believed that it should be the responsibility of the City Administration. Breaud stated that there is already something in the ordinance that gives City Council the right to rescind a special exception within six (6) months. Clement agreed with Naquin that it depends on what type of condition is put in place. Naquin clarified that they are relying on Morvant to know whether or not the condition was met so she can decide whether or not to put it on the City Council agenda. Breaud stated it is up to City Council to decide whether to approve it with the condition or not. Naquin questioned if they could refrain from putting it on the agenda. Breaud said no, once they get the request, it needs to go before City Council, but Morvant can specify that the condition has or has not been met at the time of the Council meeting. Commission members discussed changing the wording.

Breaud stated he doesn't want to stop putting conditions, because it would delay applicants due to Planning & Zoning only meeting once a month. Commission members discussed if they were going to amend the request. Clement questions the wording, stating that the phrase "has or has not been met" is irrelevant, because the agenda requests get sent to Morvant the day after the Planning & Zoning meeting, and the conditions will never be met that quickly. Ledet questioned if item five (5) is even needed. Reulet questioned again if she should hold back agenda requests, and Breaud said no.

He added that if Planning & Zoning puts a condition on their approval, it should show up on the City Council agenda. The Public Works Director will always be at City Council meetings, so City Council can ask for a status of the conditions and decide whether to approve or not. Kearns and Ledet point out that in that case the issue would be covered in item six (6). Naquin stated that item six (6) was intended for if City Council puts a condition on a request. Kearns and Breaud stated that it would still apply, because City Council can agree with the condition that Planning & Zoning put in place, change the condition, or removed it entirely. Planning & Zoning only makes a recommendation.

On motion by Kearns, seconded by Ledet, the Board voted to approve the request by Councilman Mike Naquin to amend Section 307 of the City of Thibodaux Comprehensive Zoning Ordinance with the addition of Sub-Section D (1) (a) as follows:

*In the event the proposed Special Exception is approved with conditions by the Planning & Zoning Commission, the Zoning Administrator must submit the nature of the condition and certification that the required condition has been met upon submission of the proposed Special Exception to the City Council for approval.*

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

YEAS: None

NAY: Breaud, Kearns, Andrews, Ledet

ABSTAINED: None

ABSENT: Mire

The motion was denied.

Breaud introduced a request by Councilman Mike Naquin to amend Section 307 of The City of Thibodaux Comprehensive Zoning Ordinance with the addition of Sub-section E (1) (a) as follows:

*In the event the proposed Special Exception is approved with conditions by the City Council, the applicant must certify to the Council Administrator that the required condition has been met. The Proposed Special Exception shall not take effect until such requirement has been satisfied.*

Breaud was not sure about the phrasing for this request. He yielded to the other commissioners. Ledet suggested possibly changing the request by removing "by the City Council". Kearns proposed that they table this request.

On motion by Kearns, seconded by Andrews, the Board voted to table the request by Councilman Mike Naquin to amend Section 307 of The City of Thibodaux Comprehensive Zoning Ordinance with the addition of Sub-section E (1) (a) as follows:

*In the event the proposed Special Exception is approved with conditions by the City Council, the applicant must certify to the Council Administrator that the required condition has been met. The Proposed Special Exception shall not take effect until such requirement has been satisfied.*

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

YEAS: Breaud, Kearns, Andrews, Ledet  
NAY: None  
ABSTAINED: None  
ABSENT: Mire

The motion was tabled.

Breaud introduced request by Edmundo Lopez J. to be granted a special exception in accordance with the provisions of Section 307 of the City of Thibodaux Comprehensive Zoning Ordinance to operate a maintenance/repair service at 1056 People Street within an R-3 Zoning District.

Edmundo Lopez, 2370 St Mary Street, was present to represent his request. He is requesting a special exception because he is planning to buy this property to operate his plumbing business here. It is a small business and they will be using this property mainly to store supplies and load their trucks. They will not have a lot of traffic here and no 18-wheeler trucks. Bourgeois has no issues with the request.

On motion by Kearns, seconded by Ledet, the Board voted to approve the request by Edmundo Lopez J. to be granted a special exception in accordance with the provisions of Section 307 of the City of Thibodaux Comprehensive Zoning Ordinance to operate a maintenance/repair service at 1056 People Street within an R-3 Zoning District.

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

YEAS: Breaud, Kearns, Andrews, Ledet  
NAY: None  
ABSTAINED: None  
ABSENT: Mire

The motion was approved.

**Breaud requested updated zoning maps for the commissioners. Andrews referred to an ongoing issue with a business on Bayou Road that has not installed landscaping yet. Bourgeois said he would check into these issues.**

**There being no further business, the meeting was adjourned.**