



**OFFICIAL MINUTES
PLANNING & ZONING COMMISSION
January 11, 2012**

Members present: Clay Breaud, Melvin Adams, Marguerite Erwin, Mark Kearns and Robert Mire
Members absent: None

Also present: Roland Soignet, Building Official and Ruby Maggio, Secretary

Mr. Breaud stated ok we have been provided a copy of the minutes for the December 14th, 2011 meeting. I entertain a motion to...Mr. Mire stated I move to accept. Ms. Erwin stated I second. Mr. Breaud stated moved by Mr. Mire to accept the minutes as presented; seconded by Ms. Erwin. All in favor signify by saying aye. All members were in favor. Motion carries.

To consider a request by Errol Price, Zoning Administrator to amend Article V, Schedule of District Regulations for an M-1 District to allow RV Parks as a permitted use within that district. Mr. Breaud stated as you are all aware these two items were on the agenda last week. We tabled them last week to reconsider them this week to give us a little bit more time to do a little investigation to look at the sites. Errol Price is not here tonight. Roland you want to say a little bit about this, or...? Mr. Soignet asked are you all supposed to vote on it tonight? Mr. Breaud stated yeah we put it back on the agenda to make a decision on it. Mr. Kearns corrected last month not last week. Mr. Breaud replied last month. I said last week? That's how fast time has passed. Mr. Soignet stated I think they talked about the two places in Thibodaux that are M-1's, one being where the Sheriff's office bought, the old Coca-Cola plant, and I think what he wanted it for was when there's an emergency in Thibodaux to have a place for emergency responders to stay rather than having to crowd everybody in the Civic Center parking lot or shopping center. Mr. Breaud stated and that's fine from that stand point, but what we are acting on is to allow R-V parks in an M-1 district, and like you said they got two M-1 districts. You know, whether it's the Sheriff or whether it's somewhere else. You know the old plant, the Thompson yard is part of an M-1 district. Somebody could knock that down and make it an R-V park as well, or everything down St. Mary. That M-1 track we rezoned a while back. Mr. Mire stated if the Sheriff had a situation like that, I'm sure he'd have no problem putting his people in there. Mr. Breaud stated once again the request in front of us has nothing to do with the Sheriff's issue. Mr. Mire stated right, right. Mr. Breaud stated and I did go look at both of those site. I rode around both of those sites. I see where it looks like the Sheriff is cleaning up all that Coca-Cola plant site and for whatever he's planning on doing with the building I don't know. Right next door to it, and it looks like Thibodaux Apartments is part of that M-1 district too because that line goes right through the Thibodaux Apartments. That road doesn't extend all the way through, but the way the zoning map is Ravenwood St doesn't go all the way to Ridgefield but the M-1 line does so that is in that district, and it turns down Ridgefield and takes in the old Thompson building and all. That's the M-1 district here, and then on the other side is St. Patrick Street, I said St. Mary Street, St. Patrick Street from the 40 Arpent Rd to the Power Plant. So that's the two M-1 districts that we would be allowing it to happen in. Mr. Kearns stated I have a question. The way that the zoning works, so let's say they allow it in an M-1, don't we automatically pick it up in an M-2 also? Mr. Breaud stated that's correct. It would be allowed. Mr. Kearns stated and there's more M-2's scattered around town than M-1's. Mr. Breaud asked is there? The only M-2 we got is the Cameco plant. Mr. Kearns stated what about the old Thibodaux Boiler Works? I see an M-2 gray, M-2 for Ledet and Tetreau street. Mr. Mire asked is it on both sides of Ledet? Ms. Erwin stated we need the big map. Mr. Soignet stated it's on one side of Ledet. Mr. Breaud continued and one side of Tetreau huh? I think you are right. Ms. Erwin stated no it's where the old Thibodaux Boiler works is. Mr. Soignet stated our building is in there. The barn is M-2. Ms. Erwin repeated and the barn is an M-2. Mr. Kearns stated so you automatically open the door for those zoning areas too. Ms. Erwin stated yes, yes you do. Mr. Breaud stated I think we ended up discussing last month, isn't that the way the M-1's and M-2's reads because all the C districts read like that. Ms. Erwin stated yeah. That's exactly how they read. All of them do. Mr. Breaud stated so to answer your question, yeah it would be allowed in an M-2 as well. Mr. Kearns stated so we're not just talking about approving it in one spot. Ms. Erwin replied five spots. Mr. Breaud stated and you know, there's not too much available space in an M-2 as well in the city. Like you said the old Thibodaux Boiler Works and where the Parish barn is is basically the two areas, the other area

other than Cameco that's an M-2 district. So, but yeah something could happen where you could have it in those areas too. Mr. Mire stated you know that we do have a good R-V park now at the Civic Center. Mr. Breaud stated that one's going to kind of be grandfathered in because that's not zoned an R-V park. Mr. Mire stated yeah it's grandfathered in, but there is an R-V park there. Mr. Breaud stated but we are not looking to rezone that particular area M-1 or M-2. Mr. Kearns stated that's not what's on the table tonight. Mr. Breaud stated correct, exactly. Mr. Kearns there's a member of the public here? Mr. Breaud stated is that the public? Mr. Donnes you have comments? Mr. Donnes stated I have request. You are looking to amend this thing and now you are just bringing up that you are going to an R-2, or you're going to also affect M-2? Your thing is to amend M-1. You weren't talking about amending initially M-2. Mr. Breaud stated its automatic because all the zones are set up to be more restrictive. R-1, R-2, R-3, 4 it gets less restrictive, and its written like this. This is how the M-2's going to read. The M-2 is a district similar to the M-1 district and also designated to accommodate those essential industrial uses which involve more objectionable influences and hazards than those allowed in the M-1 district. All permitted uses of the M-1 district. So when you go to M-2...Mr. Donnes continued you automatically, yeah. Ms. Erwin stated that's not a change that's just how it is. Mr. Donnes asked but the change isn't into M-1? How much of a change are you making? Mr. Breaud stated we are just looking to amend M-1 to allow R-V parks in an M-1. Ms. Erwin stated it's not allowed anywhere right now. Mr. Breaud stated public comments? Mr. Dufrene stated my name is Major Marty Dufrene. I work for Lafourche Parish Sheriff's office. I'm the one actually wrote a request to Errol in preparation of purchasing the Coke plant. You all basically identified what we are going to be doing. We are going to consolidate offices there, you know, make it be like the main office complex for the Sheriff's office. Again you covered what the trailers were going to be for and it would be a small R-V park for the use of Law Enforcement only, but also listening to you and looking at what is in the agenda, its about the whole area not just about our request. I mean it's not a single request at all on the table. I was speaking to the Sheriff today, we decided we we're going to pull it if it were a single...personal request from the Sheriff's office, we were going to pull it because we still have a lot of homework to do as well, and it sounds like you still need to do it too because it would possibly expand into additional areas. Mr. Breaud stated well this is a two part issue. The first part is identifying locations that we would allow R-V parks. We've identified that with the request in an M-1 district, but the M-1 district would also allow it in an M-2. That's already established. If we approve it for the M-1, it would be allowed in an M-2. So, location is one issue, the request for the location identifies. The second part, the next thing on the agenda is going to establish the guidelines and the rule of creating an R-V park, which is going to tell you to have an R-V park you have to have sewer lines, you have to have water services, you have to have all these different things. If this passes, we are going to go on to discuss the issues of what it takes to have an, to be considered and approved to have an R-V park, which it's about 20 other pages of information. Mr. Dufrene stated very good, and if you have any questions, I would be happy to answer them. Mr. Breaud stated thank you. Mr. Donnes stated one other thing I want to ask Clay. You have your M-1's and M-2's in place. If I want to put another one some place else...Mr. Breaud asked another M-1? Mr. Donnes stated and M-1 or M-2, you are not, I assume you are going to allow me to change zonings unless I am similarly additionally attached correct? In other words, you're not going to let me put an M-2 in Jakeville? Mr. Breaud stated that's kind of been the policy of this commission that we don't spot zone. Mr. Donnes stated its going to be contiguous to the existing place. Mr. Breaud stated that's kind of been the policy of this commission that we have been trying to follow. I can't guarantee you anything. Anybody can make a request to rezone any property in the city and this Board would make a recommendation to the Council and the Council has the ultimate decision. They could override our decision or they can abide by our decision. Mr. Donnes stated ok. Mr. Breaud asked any other comments from the public? Any comments from the commission? Anybody else? Mr. Adams stated let me ask Roland, is anybody trying to get a permit for this yet? Mr. Soignet stated for an R-V park? No. Not as far as I know. Mr. Breaud asked any more comments from the administration? You all got any plus or minuses on any of this? Right now we have no R-V's. We have one grandfathered in that's happening but the question is do we want to allow the R-V parks in the city? I looked at the two locations of the request. I mean the request could have come in to have them in the C-1 district or the C-2 district or C-3 district. The request came in the M-1 and M-2 which is industrial districts. Looking at the site today, personally I don't see a problem with allowing an R-V park. I think it kind of enhances some of that district that's in there right now. I don't particularly like the way the zone goes through the Thibodaux Apartments, you know, but that's a separate issue. It's been like that for a long time and we aren't looking at trying to redo the district per se. So, the motion, not the motion but the consideration right now is to amend the Schedule District Regulations for an M-1 district to allow R-V parks. Does anybody want to make that motion to allow? Ms. Erwin stated my only concern because it's still up for discussion is that M-1 district is right next to an R-2. It's adjacent to an R-2. Mr. Breaud stated well we got different things in there when you're adjacent to a residential district you got to have fences and stuff like that. Ms. Erwin stated I know. Mr. Breaud stated right now you got that same problem. You got that industrial district next to...its not like we are creating an industrial district next door. Ms. Erwin stated I know. I'm telling you adding another use in M-1 considering this came up because of that particular area, if it wasn't that area would an M-1 be an opportune district that we would have added it to. Mr. Breaud stated you know to me an R-V park is really less added than an industrial district, you know that's my personal opinion. The other thing we need to address in the regulations is how you determine an R-V park. It's not a trailer that you sit there 12 months out the year, and that's what we got to look at when we get into the regulations. You know, if we are going to operate this as an R-V park, it's going to be an R-V

park where you come in temporarily for a certain period of time and you have to leave. Its not permanent installation of utilities, and that's the next thing we have to address. There's a lot stuff in the rules of having an R-V park that we really got to look at you know. Any other comments? Mr. Adams stated it's got about the same requirements as opening a new subdivision just about. Mr. Breaud agreed quite a bit. It's pretty restrictive, and that's what we got to look at. Do we want it that restrictive or less restrictive? We have to look at the time table. We may not be ready to make a decision on that tonight because I've kind of skimmed through that stuff. I didn't have a chance to look through the whole thing and I think that part of it we may want to take more time to look at, but that's up to you guys when we get to that issue. Mr. Adams stated I went through the whole thing. Boy, they got some stuff in there. Mr. Breaud stated it's just like subdivision regulations, and this was mimicked off the Parish regulations I think huh Ruby? Ms. Maggio asked what? Mr. Breaud replied the Parish has this in place for right now for R-V parks? Mr. Soignet stated right. That's what it's modeled after. Mr. Breaud stated now the Parish doesn't have zoning. They can have these R-V parks wherever right? Anybody wants to make a motion. Mr. Adams stated being there is no rush requirement on it I would just like to table it until we do further study on it. Mr. Breaud stated this was on the agenda last week. We tabled it last week to come back here right. Ms. Erwin stated last month. Mr. Breaud stated so we have the 60 day rule right here to make a decision on this. Mr. Adams stated last month. Ms. Erwin stated the request could be added at anytime. Mr. Breaud stated well if somebody wants to amend the request, the one that made the request can. Ms. Erwin stated I thought the request was from Errol. Mr. Breaud stated through Errol though the Sheriff's department. Ms. Erwin stated yeah but I think the request was from Errol. Mr. Mire was his request based through the Sheriff's department? Most replied no. Ms. Erwin stated the request was from Errol. Mr. Breaud stated you got the right, if you want to request that we table it for another month if you want. Mr. Soignet stated if you all need more time to think about it, I think we should. Mr. Breaud asked is that the feelings of the commission? You all feel like you need more time or you all feel like we don't want it? I mean I don't want to keep tabling the thing. Mr. Mire stated to be honest, my personal opinion, I think we have an R-V park now and if he's trying to put this issue up here for the Sheriff's department it's a dead thing because the Sheriff comes to us and asks for special privileges for his thing that's what he has to do you know. If he's not looking for an R-V park, he would be looking for something for emergency parking, for bringing people in, that's what I'm thinking right? Mr. Dufrene stated correct it would be set up as an R-V park because it would be mobiles in and out but it would be only for Law Enforcement and First Responders use only. Mr. Breaud asked for emergency purposes or at any time? Mr. Dufrene stated for the most part yeah. Mr. Breaud stated well how would that work? If we don't allow an R-V park, you all got special permits that you all can issue to do this? Mr. Kearns asked would that go to a variance? Mr. Soignet stated it would have to. Mr. Breaud stated well you would have to get that variance at the time of the use. I mean if this is an emergency situation you know I don't know if can get that variance that quick. Mr. Kearns stated to create a, we say R-V park. Let's change it to emergency responder park, ok. So if that's what they want to create, wouldn't they go to the variance and say look this all we want to do with this land. It's not open to the public. You can't come pay 25 bucks and park here for Mardi Gras. It's just for first responders. Mr. Breaud asked well when would you get that variance? You would go in front of the Board of Adjustments and ask for a variance today to allow for emergency use of that facility if needed at any time if needed? Can you all do that? Mr. Kearns stated or if a state of emergency is declared in the city. Mr. Soignet stated I don't see why you couldn't. It would have to be set up for sewer, water, electricity and everything else just like an R-V park, but if doesn't have to be designated an R-V park. I wouldn't think. Mr. Adams stated to do that you got to go through the procedure of an R-V park. Mr. Breaud stated well does he? If we don't declare it an R-V park, which we're not doing does he have any standards to follow? If we don't adopt this we are not going to adopt the other thing so we wouldn't have any standards. I'm not sure how, it would be up to him I guess if we give him the variance to do it, he could do it. Mr. Kearns asked couldn't variance give the variance predicated on the following criteria being met? Mr. Breaud stated yeah well I don't know if the Sheriff's department wants to make that kind of investment. Mr. Mire stated I don't even think we need to be discussing what the Sheriff's department wants. Ms. Erwin stated thank you. Mr. Breaud stated I got you. We got one more, why don't you come and give us your name and address for the record? Ms. Vaughn stated thank you Mr. Chair. My name Karen Vaughn. I'm the senior planner with Lafourche Parish. In addressing the first item that you are looking at right now, the special request that came in really shouldn't be a part of this discussion. You are looking at whether or not R-V parks in your M-1 and M-2 districts are an appropriate use for those areas and beneficial for the future of the city. I think it would really be best to take that special situation out of this initial discussion and really determine whether or not that's a use that you want to have in the city limits. As someone alluded to, once that's a permitted use, in the future somebody can come in a buy a property that's developed, take it down, and put an R-V park there. You are allowing that use in the future. So I think right now for this particular item, the discussion should really revolve around whether or not an R-V park is an appropriate use and a beneficial use within the city limits. As far as the questions around the Sheriff's department being able to bring in certain equipment or what not during an emergency, I think when a state of emergency is declared by the Mayor that really opens up a lot of leeway. I don't think you are going to have code enforcement officers out there ticketing trucks on the side of the road that are cleaning up debris or emergency vehicles in an emergency situation. I'm a little confused on classifying emergency services and public facilities such as a Sheriff's office complex and their grounds as being an R-V park because to me an R-V park is more of a recreational tourist type of amenity. So I think maybe the classification there is a little bit askew. But really I

think for this particular topic right now the discussion should be whether or not it's a beneficial use for the future of the city. Mr. Breaud stated I would agree with that, and that's how we started off when we were saying we don't care what the Sheriff was doing. It was whether we want to allow R-V parks in these districts. That is the question on the table. That was the request and I think that's what we need to act on. That's a good point you made, and you know whether the Sheriff's department does something in emergency times would dictate what type of facilities he would have to make. No if he doesn't put any facilities and an emergency comes about and he wants to park R-V's well then they are going to have to put some emergency facilities together to provide water and sewer services, but he wouldn't be required to provide permanent installation of those things. Ms. Vaughn stated and I believe you could also, perhaps another way around this would be looking at, and I'm not familiar with your city code and ordinances, but perhaps having an emergency provision ordinance in place that during times of declared emergency or disaster that certain public facilities have expanded leeway, expanded use of their grounds and something along that line of thought. Thank you very much. Mr. Breaud stated I think something like that does exist already. That's a good point. So once again right now, R-V parks do we want them in the M-1's and 2 districts? It's on the table. Ms. Erwin stated I move to disallow the request. Mr. Breaud stated ok. It's been moved by Ms. Erwin not to allow R-V parks in an M-1 district. Do we have a second? Mr. Kearns stated I seconded it. Mr. Breaud stated seconded by Mr. Kearns. Let's do a roll call vote on it. Marguerite doesn't like roll call. Ms. Erwin stated no I have no issue doing it all the way through. Mr. Adams stated I abstain. Mr. Breaud stated I'll vote no. Ms. Erwin stated I vote for the motion. Mr. Mire stated I'm voting against it. Mr. Breaud stated yeah ok. Let's clarify. Ms. Erwin stated let's clarify please because I don't know what you are voting. Mr. Breaud stated the motion was not to allow so a vote for the motion would be not to allow; voting against the motion would be to allow it. Ok we have abstention. I'll hold my no vote. Mr. Mire that's a vote for the...Mr. Breaud stated you vote for would be not to allow. Mr. Mire stated yeah, I vote for the motion. Mr. Kearns stated for. Mr. Breaud stated so we have three against, one abstention, and one for. Ms. Erwin stated actually you have three for, one against the motion. Mr. Breaud stated yeah and one abstention. Ok, three for which is not to allow. Motion passes.

To consider a request by Errol Price, Zoning Administrator, to add Article XIX to the Subdivision Ordinance - Chapter 18 pertaining to RV Park Regulations for the City of Thibodaux. Mr. Breaud stated well if we don't have any R-V parks in the city then we don't need any regulations. So this item is mute. I don't know, if it is a request on the table, we need to act on it I guess, right Marguerite? Ms. Erwin stated no. I mean I don't think we need to act on it. Mr. Breaud stated if we have no action the motion...Ms. Erwin stated just fails. Mr. Breaud stated it fails so item 6 is off the table.

To consider a request by Thomas A. Shaw to re-zone property located at 708 N. 7th Street from an R-3 to a C-3 Zoning District (which is directly adjacent to property). Mr. Breaud asked do we have a representative from, you want to come up here and give us your name and address for the record and tell us what your request is for. Mr. Shaw stated my name is Thomas A. Shaw, 708 North 7th St. I need to get my property rezoned to commercial. I don't know why, but to be in compliance or something. Mr. Soignet stated he was put in a spot. When they zoned it originally, it's always been a business and I don't know why they stuck him in a residential. Mr. Breaud asked and this is right behind the ice house? Mr. Soignet stated it's adjacent. It was part of the ice house at one time. I believe it was the packing plant for the ice house, but they put him in an R zone. Now, he's restricted. He can't expand his business, can't do anything, so he wants to be in compliance now and move into the C-3. He already has the fence adjacent to the residential property, the two sides of his property. He already has the fence. Mr. Breaud stated this complaint came to us many years ago I guess. You wanted to renovate your building and enlarging it, and I think you might have come in front of us before. Recently, within the last 6 months we have changed our ordinances and we took out that clause that would allow him to go ahead make renovations no matter on the amount of cost. We took that provision out. Ms. Erwin stated that is correct. Mr. Breaud stated you have already started those renovations. Mr. Shaw stated right but then he...Mr. Soignet stated I had stopped him. Mr. Breaud stated alright. What's stopping him right now because we got the clause? Mr. Kearns stated he's adding on to his building. He's not renovating the existing building. He's building a wing onto it. Mr. Soignet stated he can't add on unless he's in a C zone. That's why I stopped him. Mr. Breaud stated ok I got you. Mr. Shaw stated well the building got knocked down. I'm just making it bigger. We raised the cement higher because it used to flood in the back. You know what I'm saying. In the back, we did have building back there. I'm just putting it back, but I'm putting it back bigger. Mr. Breaud stated and I went look at that situation too. I mean I agree with you. That's always been a commercial area. You've been back there a long time behind the ice house. You do have a resident on one side of it, and you do have some similar sort of fence on that side of it. So I don't have a big objection. Any problems from the commission? Mr. Mire asked it's not considered spot zoning, is it? Ms. Erwin asked isn't it contiguous? Mr. Breaud stated no it would be contiguous with the ice house. Mr. Soignet stated yes it is. Mr. Shaw stated it was a corner lot when I bought it. Mr. Breaud stated well the only question I would have is when we rezone we normally go to the center line of the street, why are we not showing the rezone to the center because it looks like the ice house goes to the center? Mr. Soignet stated that's not exactly showing the rezoning. That's his property line. Mr. Breaud clarified ok that's just his property, but our rezone would go to the center? Mr. Soignet stated would go to the center of the street correct, yeah. Mr. Breaud stated any public comments? Anybody from the

public have any comments on this rezoning issue? Once again we talked about spot zoning, we don't feel like this is a spot zone because this is contiguous with another district that we are just extending the boundaries on. Any further comments? Roland, any other comments? Mr. Soignet stated no. Mr. Kearns stated I make a motion that we accept. Mr. Breaud stated moved by Mr. Kearns that we accept the rezoning on 708 North 7th St from R-3 to a C-3 zone. Seconded by Mr. Mire. Let's continue with our roll call vote I guess being we started that tonight. Ms. Erwin stated I just have one more question before the vote. I mean were the neighbors informed, notified. Mr. Shaw stated yeah they know about it. Mr. Kearns stated he's one of the neighbors. Mr. Shaw stated I'm one of the neighbors. Ms. Erwin stated you're right next door? Mr. Shaw stated yeah, well and across the street is Ms. Darlene Adams. Ms. Erwin stated but you're right next door? Mr. Shaw stated no right next door is a street, is Bay Street. Then there's Faye Caillouet, then there's me, then across the street is Darlene. Mr. Breaud stated any other questions? Ms. Erwin stated no that was it. Mr. Breaud stated if not let's take our vote Ruby. All members were in favor.

Any other matters brought before the commission? I read some where. Ms. Erwin stated motion passes. Mr. Breaud stated oh yeah I'm sorry didn't I say that? Ms. Erwin stated no, you didn't. Mr. Breaud stated it looks like there's new legislation that passed that's going to require us to do more training or something. Are you all familiar with that? Mr. Soignet stated I didn't hear that. Ms. Maggio stated I read it briefly in the paper too, but I really didn't see the act yet. Mr. Breaud stated I don't know if it was something that we had to do yearly or I want to say every year we have to do something. If you all get a chance research that too. Ms. Maggio stated yeah before it was like newly appointed. Mr. Breaud stated yeah it was newly appointed but now it looks like everybody that's going to have to do some kind of continuous ed type deal. Mr. Soignet stated I wouldn't doubt it everybody else does. Mr. Breaud stated anybody else got any comments? Any other stuff going on? We had one issue last month, a rezoning issue, that hasn't been brought back to us yet. They are still trying to resolve that issue so that's supposed to be coming back. Anything else? If not, meeting adjourned. Thank you all for coming.