

Houma-Terrebonne Regional Planning Commission

L. A. "Budd" Cloutier, O.D.....	Chairman
W. Alex Ostheimer.....	Vice-Chairman
Angi Falgout.....	Secretary/Treasurer
Joseph Cehan, Jr.....	Member
James A. Erny.....	Member
Gloria Foret.....	Member
Jeremy Kelley.....	Member
Keith Kurtz.....	Member
Wayne Thibodeaux.....	Member

NOVEMBER 16, 2017, THURSDAY

6:00 P.M.

**TERREBONNE PARISH COUNCIL MEETING ROOM
Government Tower, 8026 Main Street, 2nd Floor**

A • G • E • N • D • A

I. CONVENE AS THE ZONING AND LAND USE COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES:

1. Approval of Minutes of Zoning and Land Use Commission for the Regular Meeting of October 19, 2017

E. COMMUNICATIONS

F. PUBLIC HEARING:

1. Proposed Zoning Expansion to include portions of Village East, Lafayette Woods, Presque Isle, and Green Acres Subdivisions; Terrebonne Parish Consolidated Government, applicant (*Council Districts 1, 8, 9 / Village East & Bourg Fire Districts*)

G. STAFF REPORT

H. COMMISSION COMMENTS:

1. Planning Commissioners' Comments
2. Chairman's Comments

I. PUBLIC COMMENTS

J. ADJOURN

II. CONVENE AS THE REGIONAL PLANNING COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. ACCEPTANCE OF MINUTES:

1. Houma-Terrebonne Regional Planning Commission Minutes for the Regular Meeting of October 19, 2017

E. APPROVE EMISSION OF PAYMENT FOR THE NOVEMBER 16, 2017 INVOICES AND TREASURER'S REPORT OF OCTOBER 2017

F. PLANNING:

1. Planning Commissioners' Comments
2. Administration's Comments
3. Chairman's Comments

G. COMMUNICATIONS

H. APPLICATIONS:

- 1. a) Subdivision: Lots 9A & 9B, A Redivision of Lot 9, Block 9, Addendum No. 3 to Marcel Place Subdivision
 Approval Requested: Process D, Minor Subdivision
 Location: 311 Agnes Street & 360 Cleveland Street, Terrebonne Parish, LA
 Government Districts: Council District 8 / City of Houma Fire District
 Developer: Bart D. Chaisson
 Surveyor: Keneth L. Rembert Land Surveyors
 - b) Public Hearing
 - c) Variance Request: Variance for Lot 9-A (4,023 sq. ft.) that can't satisfy setback requirements
 - d) Consider Approval of Said Application
- 2. a) Subdivision: La Belle Maison, Phases A & B (Lots 1 & 2, Block 1; Lot 1, Block 2; Lot 1, Block 3; Lots 1 & 2, Block 4)
 Approval Requested: Process D, Minor Subdivision
 Location: 440 Main Project Road, Schriever, Terrebonne Parish, LA
 Government Districts: Council District 4 / Schriever Fire District
 Developer: DR Development Group, LLC, % Timothy P. Duplantis
 Surveyor: Keneth L. Rembert Land Surveyors
 - b) Public Hearing
 - c) Consider Approval of Said Application
- 3. a) Subdivision: La Belle Maison, Phases C & D
 Approval Requested: Process C, Major Subdivision-Conceptual & Preliminary
 Location: 440 Main Project Road, Schriever, Terrebonne Parish, LA
 Government Districts: Council District 4 / Schriever Fire District
 Developer: DR Development Group, LLC, % Timothy P. Duplantis
 Surveyor: Milford & Associates, Inc.
 - b) Public Hearing
 - c) Consider Approval of Said Application
- 4. a) Subdivision: Resubdivision of Lot 1, Lot 2 and a portion of Lots 27 and 28, Block 15, into Lot 1-A and Lot 1-B, Block 15, Addendum No. 2 to Ridgefield Heights
 Approval Requested: Process D, Minor Subdivision
 Location: 202 Talbot Avenue, Thibodaux, Terrebonne Parish, LA
 Government Districts: Council District 4 / Schriever Fire District
 Developer: Diedrich Trading Corporation, L.L.C., % Glenn Diedrich
 Surveyor: Acadia Land Surveying, LLC
 - b) Public Hearing
 - c) Consider Approval of Said Application

I. STAFF REPORT

J. ADMINISTRATIVE APPROVAL(S):

- 1. Shift of Lot Lines between Tracts 2, 3-B-1, & ABCDEFA belonging to LA SHIP and Tract 3-A-1 belonging to the Terrebonne Port Commission, Sections 11, 12, & 97, T17S-R17E, Terrebonne Parish, LA
- 2. Lot Line Shift between Lots 1 & 2 of the Redivision of Property of Janice Richard Benoit, Section 84, T15S-R16E, Terrebonne Parish, LA
- 3. Tract 3 & Revised Tract 2, A Redivision of Property assessed to LeCompte Land No. 11, L.L.C., et al, Section 93, T21S-R18E, Terrebonne Parish, LA
- 4. Revised Tracts "A" & "B", A Redivision of Tracts "A" & "B", Formerly Lot 5-A-5, Property belonging to LL-PAC Properties, L.L.C., Sections 56 & 57, T16S-R17E, Terrebonne Parish, LA

K. COMMITTEE REPORT:

- 1. Subdivision Regulations Review Committee

L. COMMISSION COMMENTS:

- 1. Planning Commissioners' Comments
- 2. Chairman's Comments

M. PUBLIC COMMENTS

N. ADJOURN

MINUTES

HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)

ZONING & LAND USE COMMISSION

MEETING OF OCTOBER 19, 2017

- A. The Chairman, Dr. L.A. “Budd” Cloutier, Jr., called the meeting of October 19, 2017 of the HTRPC, convening as the Zoning and Land Use Commission, to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by him and the Pledge of Allegiance led by Mr. Alex Ostheimer.
- B. Upon Roll Call, present were: Mr. Joseph “Joey” Cehan; Dr. L.A. “Budd” Cloutier, Jr., Chairman; Mr. James Erny; Mrs. Angi Falgout, Secretary/Treasurer; Mrs. Gloria Foret; Mr. Keith Kurtz; Mr. Alex Ostheimer, Vice-Chairman; and Mr. Wayne Thibodeaux. Absent at the time of Roll Call were: Mr. Jeremy Kelley. Also present was Mr. Christopher Pulaski, Director, Department of Planning & Zoning and Mr. Laddie Freeman, Legal Advisor.
- C. CONFLICTS DISCLOSURE: The Chairman reminded the Commissioners that if at any time tonight, a conflict of interest exists, arises or is recognized, as to any issue during this meeting, he or she should immediately disclose it, and is to recuse himself or herself from participating in the debate, discussion, and voting on that matter.

D. APPROVAL OF THE MINUTES:

1. Mrs. Falgout moved, seconded by Mr. Cehan: “THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes, as written, for the Zoning and Land Use Commission for the regular meeting of September 21, 2017.”

The Chairman called for a vote on the motion offered by Mrs. Falgout. THERE WAS RECORDED: YEAS: M. Cehan, Mr. Erny, Mrs. Falgout, Mr. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

E. COMMUNICATIONS: None.

F. STAFF REPORT:

Mr. Erny moved, seconded by Mr. Ostheimer: “THAT the HTRPC, convening as the Zoning & Land Use Commission, approve an add on item to the agenda with regard to the discussion and possible action with regard to calling a Public Hearing concerning the proposed zoning expansion to include portions of Village East, Lafayette Woods, Presque Isle, and Green Acres Subdivisions for Thursday, November 16, 2017 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Mr. Cehan, Dr. Cloutier, Mr. Erny, Mrs. Falgout, Mr. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: None; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

No one from the Public wished to speak on the matter or oppose the add-on.

Mr. Ostheimer moved, seconded by Mrs. Falgout: “THAT the Public Hearing be closed.”

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: M. Cehan, Mr. Erny, Mrs. Falgout, Mr. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

1. The Chairman opened discussion and possible action with regard to calling a Public Hearing concerning the proposed zoning expansion to include portions of Village East, Lafayette Woods, Presque Isle, and Green Acres Subdivisions for Thursday, November 16, 2017 at 6:00 p.m.
- a) Discussion was held with regard to there being no additional public notification needed to add this to the agenda because we were only calling for a public hearing for the next meeting.
- b) Discussion ensued with regard to having to add the item to the agenda. Mr. Pulaski stated that it was talked about at the previous meeting but were awaiting Council’s remarks on the matter and they requested the Planning Commission proceed with the process. The Chairman indicated the Council members of these areas requested zoning for these areas as well.
- c) Mr. Ostheimer moved, seconded by Mrs. Falgout: “THAT the HTRPC, convening as the Zoning & Land Use Commission, call a Public Hearing concerning the proposed zoning expansion to include portions of Village East, Lafayette Woods, Presque Isle, and Green Acres Subdivisions for Thursday, November 16, 2017 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: M. Cehan, Mr. Erny, Mrs. Falgout, Mr. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

2. Mr. Pulaski indicated he had received a call about Air BNB which is an app to search for Bed & Breakfasts in the area you are in or want to visit and whether they were allowed in R-1 zoning districts which they are not. He stated he will look into it to determine if it's a beginning trend that they may want to consider.
 - a) Discussion was held with regard to Occupation Licenses being needed to run a bed and breakfast and without one, the owner may be in violation of code. Discussion ensued with the difference between rental homes and bed and breakfast homes.
 - b) Mr. Pulaski stated there was no defined protocol for bed and breakfasts in the code but they would look at other areas and try to be proactive.

G. COMMISSION COMMENTS:

1. Planning Commissioners' Comments: None.
2. Chairman's Comments: None.

H. PUBLIC COMMENTS: None.

- I. Mr. Erny moved, seconded by Mr. Cehan: "THAT there being no further business to come before the HTRPC, convening as the Zoning and Land Use Commission, the meeting be adjourned at 6:13 p.m."

The Chairman called for a vote on the motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: M. Cehan, Mr. Erny, Mrs. Falgout, Mr. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

L.A. "Budd" Cloutier, Jr., O.D., Chairman
Zoning & Land Use Commission

Becky M. Becnel, Minute Clerk
Zoning & Land Use Commission

CERTIFICATION

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE PROCEEDINGS OF THE ZONING AND LAND USE COMMISSION MEETING OF OCTOBER 19, 2017.

**CHRISTOPHER PULASKI, PLA, DIRECTOR
PLANNING & ZONING DEPARTMENT**

AMENDMENT POLICY – Parish Zoning Regulations Section 28-201

1. **REASONS FOR THIS AMENDMENT:**

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

_____ **ERROR.** There is a manifest error in the ordinance.

CHANGE IN CONDITIONS. Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

_____ **INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

_____ **SUBDIVISION OF LAND.** The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. **LIMITATIONS ON PROPOSED AMENDMENTS:**

Demonstrate that the proposed amendment meets the minimum size requirements and need for new districts as described in Section 28-201(b).

EXHIBITS REQUIRED – Parish Zoning Regulations Section 28-202

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** This plat is to be prepared by a licensed land surveyor or civil engineer. On the required plat, please include:

- a. Land area to be affected including legal description;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. Locations of all existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. **REASON FOR AMENDMENT:** Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. In addition, the applicant may submit (optional) a site plan and/or development schedule of the proposal with this application.

3. **DEVELOPMENT SCHEDULE:** On a separate piece of paper, indicate a time schedule for the beginning and completion of development planned by the applicant. If the development is planned in stages, the time schedule shall indicate the successive stages and the development plan for each.

4. **MARKET INFORMATION:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing commercial district entirely surrounded by residential districts;
- c. If the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. **PUBLIC NEED:** Please state on a separate sheet the change in conditions in the area that make the proposed amendment necessary and desirable for the promotion of the public health, safety or general welfare.
6. **EFFECT OF AMENDMENT:** Please include on a separate sheet of paper a report giving the nature, description and effect of the proposed zoning amendment; if a change is required in the zoning map, a description of the probable effect on surrounding land uses and properties.
7. **ERROR:** The error, if error is alleged, that would be corrected by the proposed amendment.

PUBLIC NOTICE REQUIRED – Parish Zoning Regulations Section 28-202(d)

1. The name, description of property owned and mailing address of each owner of property lying within a distance of three hundred (300) feet of the fronting corners of the property.
2. Ten (10) days prior to the public hearing, the applicant shall submit proof of property posting in accordance with Section 28-202(d) of the Parish Zoning Ordinance.

SIGNATURES REQUIRED

1. Printed names and addresses along with interest of every person, firm, or corporation represented by the applicant (may use separate sheet of paper):

2. The undersigned is/are owner(s) and/or represent(s) all owners of the entire land area and/or structures and/or encumbrances (including holders of mortgages, liens, servitudes, rights of way, usufructs, rights of habitation) included within the proposed district and, in signing, indicate concurrence with application:

3. Sufficient evidence to establish that the applicants are all the owners and encumbrance holders of the designated area and structures, and have both the means and ability to undertake and complete the proposed development (may attach separate sheet of paper):

APPLICATION FEE SCHEDULE

Terrebonne Parish Consolidated Government has adopted the following fee schedule:

1. Map Amendment: \$25.00 / first acre
\$ 3.50 / every acre thereafter, up to fifteen (15) acres

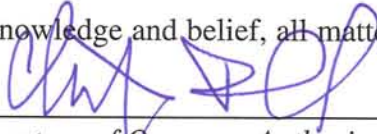
Minimum Charge - \$25.00;

Maximum Charge - \$100.00

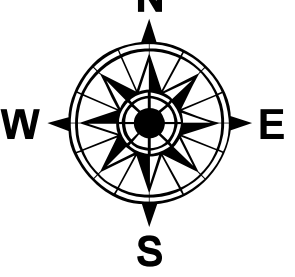
I (We) own _____ acres. A sum of _____ dollars is enclosed and made a part of this application.

DECLARATION

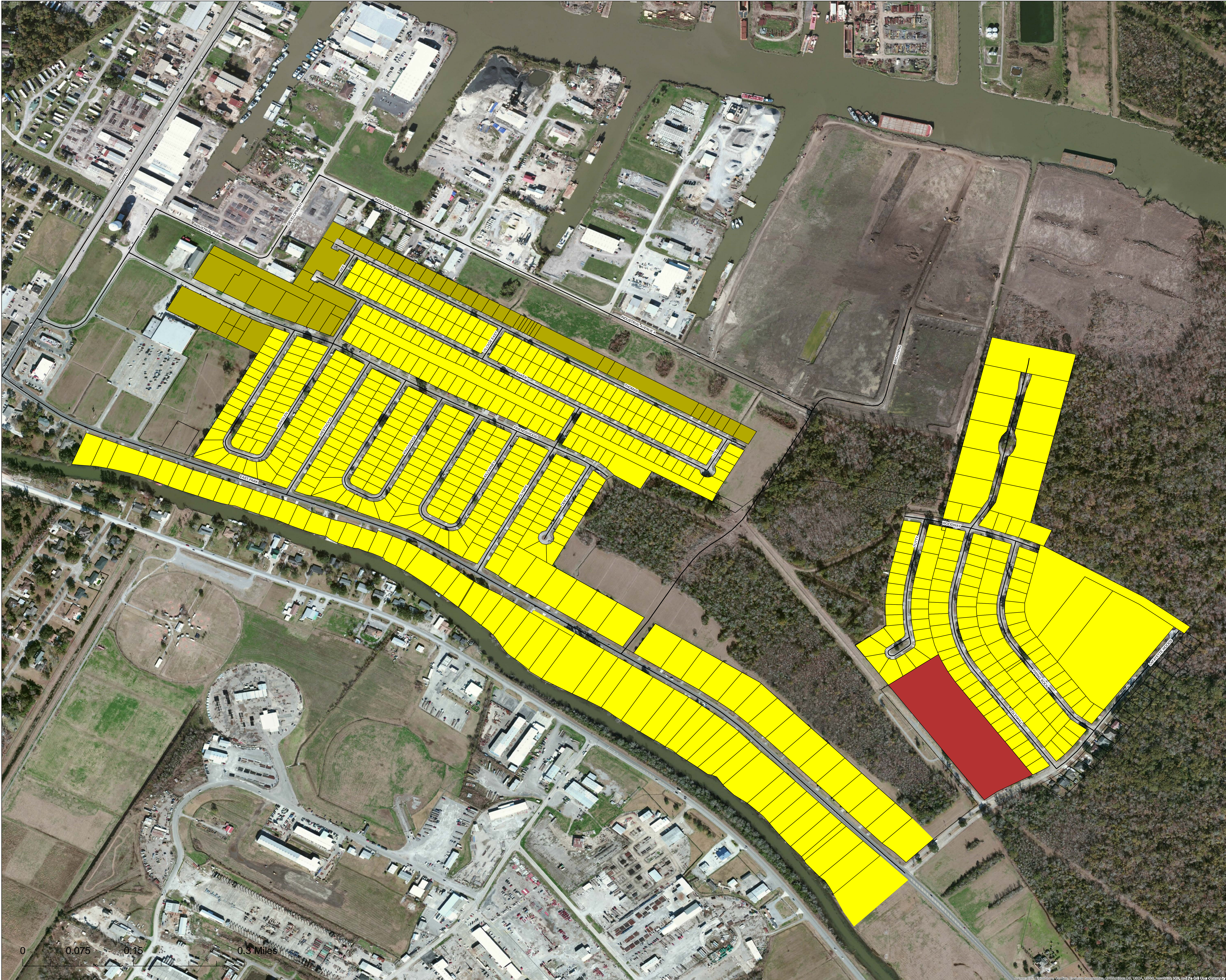
I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.



Signature of Owner or Authorized Agent



VILLAGE EAST & LAFAYETTE WOODS ZONING



Legend

Parcels

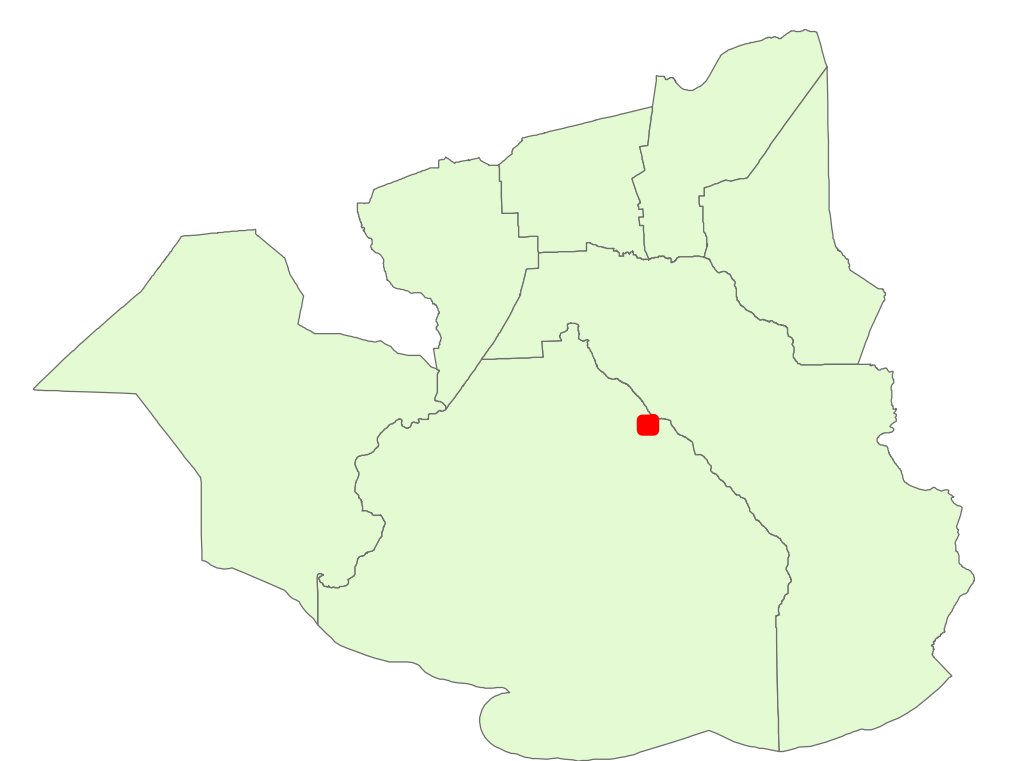
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Zone_class

C3

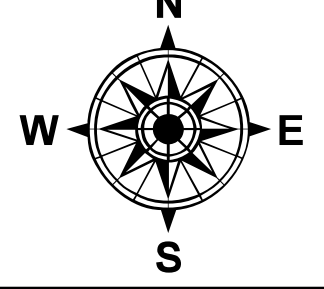
R1

R3



TERREBONNE PARISH

LOUISIANA



PRESQUE ISLE ZONING



Legend

Streets_Presque

Parcels_Presque

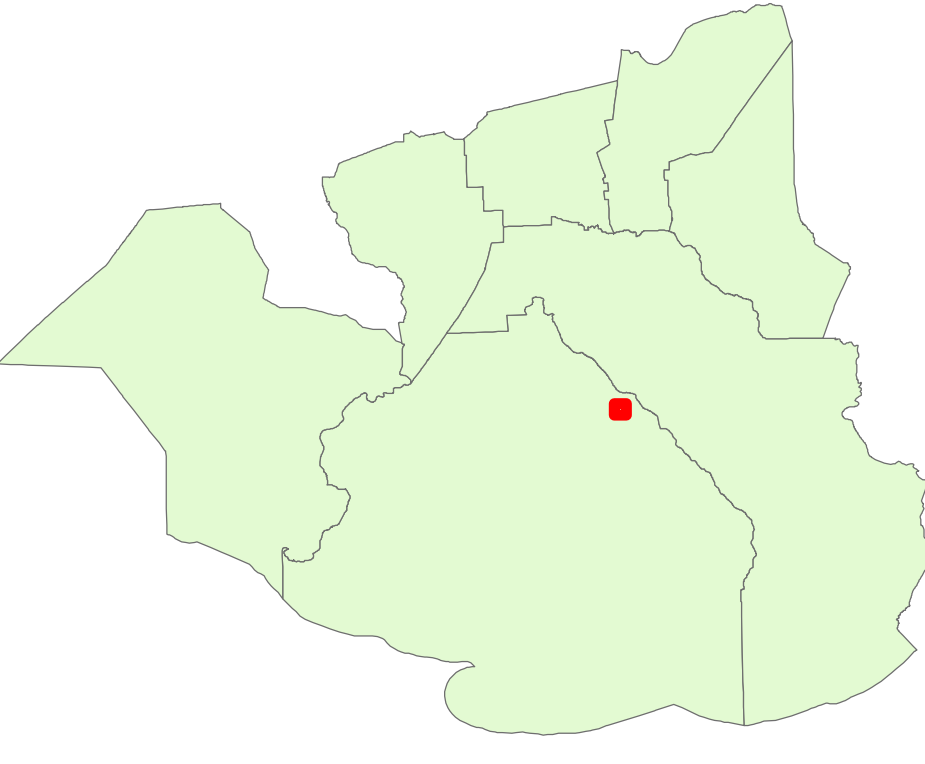
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C2

C3

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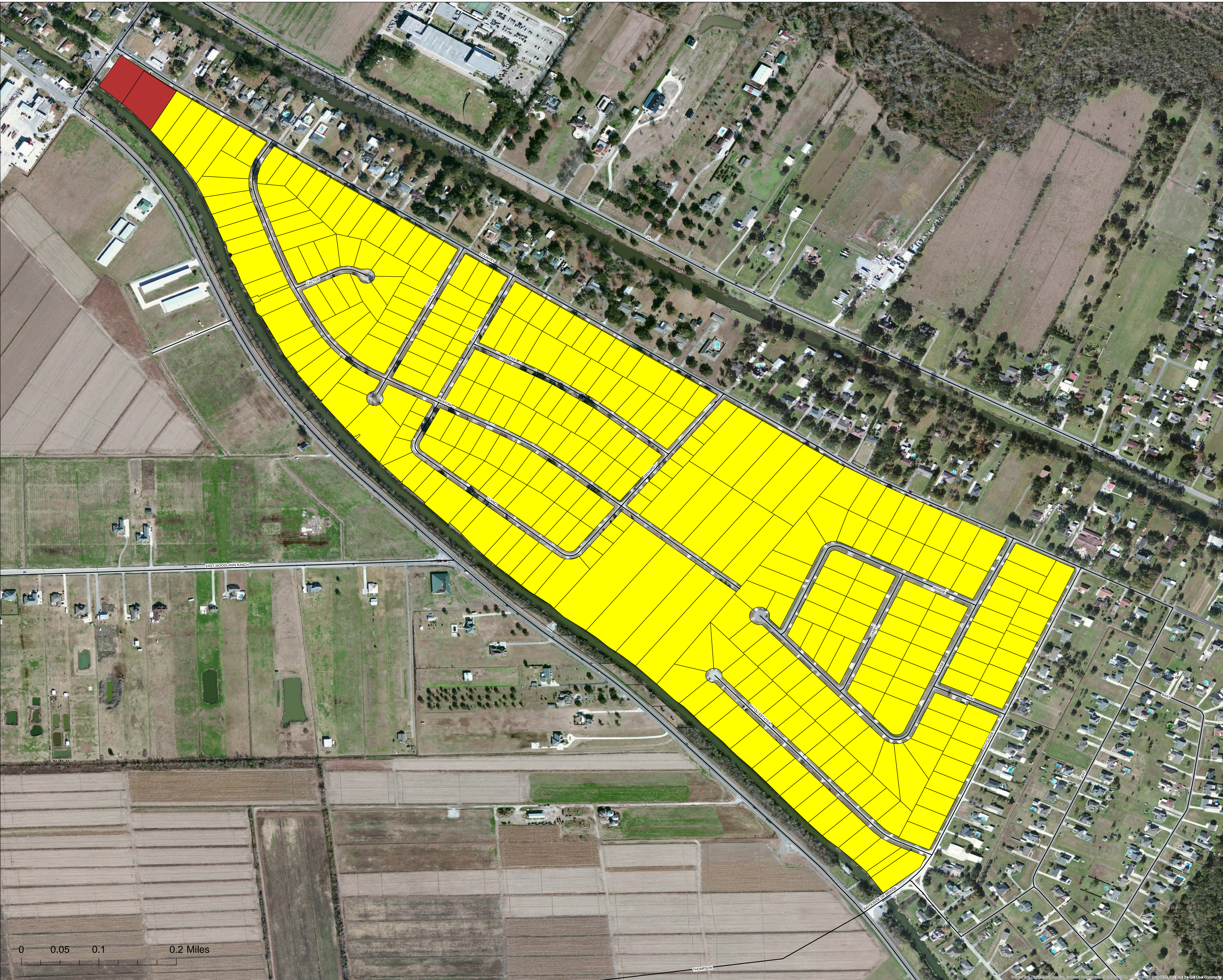
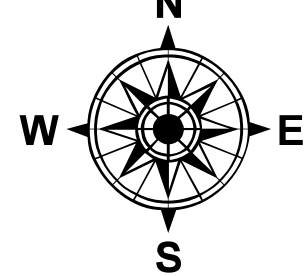
R1



TERREBONNE PARISH

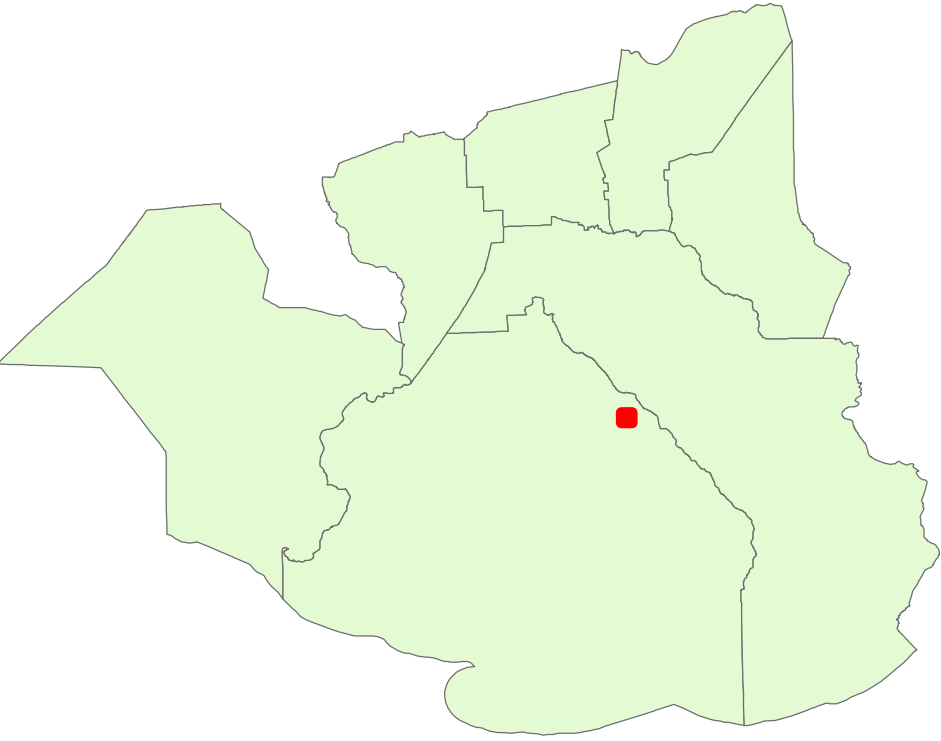
LOUISIANA

GREEN ACRES ZONING



Legend

- GA_Streets
- GA_Parcel
- Zone_class**
 - C3
 - R1



TERREBONNE PARISH

LOUISIANA