

**PROCEEDINGS OF THE REGULAR NEW IBERIA PLANNING COMMISSION
HELD ON WEDNESDAY, NOVEMBER 02, 2016 AT 5:30 P.M., IN THE CITY
COUNCIL ROOM AT CITY HALL, NEW IBERIA, LOUISIANA.**

Ken Boudreaux, Chairman; called the meeting to order and asked for a Call of the Roll, and a quorum was determined: Members Present: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier. Also, present Jane Braud, Planning & Zoning Director.

MINUTES: Pat Wells offered a motion, seconded by Edwina Bell and unanimously carried to approve the minutes of September 21, 2016. Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

MOTION: Lloyd Verret offered a motion, seconded by George Allen, Jr. and unanimously carried, "To close the New Iberia Planning Commission meeting of November 2, 2016 as there were no agenda items." Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

**PROCEEDINGS OF THE REGULAR NEW IBERIA ZONING COMMISSION
MEETING HELD IMMEDIATELY FOLLOWING THE PLANNING COMMISSION
MEETING ON WEDNESDAY, NOVEMBER 02, 2016 AT 5:30 P.M., IN THE CITY
COUNCIL ROOM AT CITY HALL, NEW IBERIA, LOUISIANA.**

Ken Boudreaux, Chairman; called the meeting to order and asked for a Call of the Roll, and a quorum was determined: Members Present: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier. Also, present Jane Braud, Planning & Zoning Director.

MINUTES: Pat Wells offered a motion, seconded by Edwina Bell and unanimously carried to approve the minutes of September 21, 2016. Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

DOCKET #1 (Advertised Public Notice): SPECIAL USE/CONDITIONAL USE

PERMIT: A request for a Special Use/Conditional Use Permit at 1349 Julia St. by Keith and Sharon Hebert to erect a small building for residential purposes without stove, washer, or dryer in backyard to house a caretaker of elderly relatives. The Hebert's appeared before the Commission to speak on behalf of their request, and stated that they had spoken with a majority of their neighbors who had no concerns with the request. The Hebert's explained that the caretaker would be using the existing home to prepare meals and take care of the laundry, but would use the small building to be located within the backyard behind a privacy fence as sleeping quarters. In the future, when no longer needed for this purpose, the building will be converted into a workshop for Mr. Hebert, and never to be used as residential rental space.

MOTION: Pat Wells offered a motion, seconded by Edwina Bell and unanimously carried, "*to recommend a Special Use/Conditional Use Permit to Keith & Sharon Hebert at 1349 Julia St. to erect a small building within the fenced rear yard for residential purposes without stove, washer, or dryer in order to house a caretaker of elderly relatives.*" The decision was based on support from the neighbors, that the building would not detract from the neighborhood, it would not be visible from the street, and that no one appeared or called in opposition to this request. Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

DOCKET #2 (Advertised Public Notice): RE-ZONING: A request to re-zone three (3) vacant lots belonging to Louis C. Guillot and siblings located on E. Dale St. from R-2 to C-3. Lot 1 measuring 44'x140' – Wayne F. Guillot and Margaret G. Denison, owners. Lot 2 measuring 44'x140' – Frank and Leona Guillot Properties, LLC, Margaret G. Denison, Managing Member. Lot 3 measuring 100'x95' – Frank and Leona Guillot Properties, LLC, Margaret G. Denison, Managing Member. Jane Braud, Director of Planning & Zoning stated that the proposed zoning change is presently contiguous with the existing C-3 zoned area and stated that there was no opposition to the request. A zoning sign was posted on the property and notices were mailed to all surrounding property owners. No one called or appeared in opposition.

Mr. Guillot, representing the owners stated that the request for a commercial zone was to permit a small commercial business that would accommodate the surrounding residential area, such as a Dollar General or Family Dollar Store since the corner grocery store has closed.

MOTION: Lloyd Verret offered a motion, seconded by George Allen and unanimously carried, “to re-zone three (3) vacant lots belonging to Louis C. Guillot and siblings located on E. Dale St. from R-2 to C-3 on Lot 1 measuring 44’x140’ – Wayne F. Guillot and Margaret G. Denison, owners. Lot 2 measuring 44’x140’ – Frank and Leona Guillot Properties, LLC, Margaret G. Denison, Managing Member. Lot 3 measuring 100’x95’ – Frank and Leona Guillot Properties, LLC, Margaret G. Denison, Managing Member.”

The decision was based on continuity between the existing C-3 district and the three lots as requested, and that no one appeared or called in opposition to this request. Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

DOCKET #3 (Advertised Public Notice): POLITICAL SIGNS: A request to amend the City of New Iberia Code of Ordinances, Appendix A, Article VI, Sec. 6.2 – Definitions: “Political sign: A sign which advocates a position on an issue, the candidacy of a person or a party on an upcoming ballot.” Appendix A, Article VI, Sec. 6.3 – General Restrictions, we add a Sec. 6.311, which shall read as follows: 6.311. *Political sign.* In addition to otherwise allowed signs, the following shall apply:

- a. With the exception of messages displayed on billboards, a political sign may be erected only on the private property, outside the sight triangle where applicable.
- b. The sign may be installed no more than ____ days prior to the balloting for which it was prepared, and shall be removed within ____ calendar days following the decisive vote.
- c. With the exception of messages displayed on billboards, a political sign shall not exceed ____ feet in area.”
- d. **VIOLATIONS AND PENALTIES:** Except as otherwise provided, a person in violation of this section of the Code of Ordinance shall be imposed a fine not to exceed _____. Such fine with respect to violations of this section that are continuous each day the violation continues as a separate offense.

This request as originally submitted to the Zoning Commission with specific language by a City Councilmember and was denied in October 2016. Prior to the November meeting the Commission reviewed documents from other communities in addition to the “*Sign Regulation for Small and Midsize Communities,*” by the American Planning Association, Report Number 419.

During the public hearing, Ms. Deidra Ledbetter – Political Candidate running for Councilmember of District 4 provided copies of case studies and public study papers on the subject of “Political yard Signs,” in addition to judgments and ordinances. To summarize, the information stated that regulation of political signage on private property; if contested, could result in local government losing a court battle over the property owners 1st Amendment right to post the candidate of their choice’s sign, on their own private property without restrictions.

Following a lengthy discussion by Commission members and Ms. Ledbetter, as there was no one else from the public to speak on behalf or against this agenda item, the Commission took the following action:

MOTION: Lloyd Verret offered a motion, seconded by George Allen, Jr. and unanimously carried to, “*NOT to amend the City of New Iberia Code of Ordinances, Appendix A, Article VI, Sec. 6.2 – Definitions: “Political sign: A sign which advocates a position on an issue, the candidacy of a person or a party on an upcoming ballot.” Appendix A, Article VI, Sec. 6.3 – General Restrictions, add a Sec. 6.311, which includes 6.311. Political signs for the following reason: Information provided cites court cases relative to political sign ordinances that appear to set a legal precedence, thereby confirming a person’s right under the 1st Amendment to express their political views with signage on their own private property not limited by time or penalty constraints.*” Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

MOTION: Edwina Bell offered a motion, seconded by Keith Laperouse and unanimously carried, “To close the New Iberia Zoning Commission meeting of November 2, 2016. Yeas: George Allen, Jr., Edwina Bell, Keith Laperouse, Pat Wells, Lloyd Verret. Absent: Michael Cormier.

s/Jane H. Braud, Director of Planning & Zoning Department