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CITY ORDINANCE NO. CO-063-2024

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY THE PROPERTY OF CASE NO. 2024-10-REZ 521 CEDAR CREST COURT REZONING, LOCATED GENERALLY NORTH OF SOUTHDOWN PLACE, WEST OF CEDAR CREST COURT, AND SOUTH OF WEST SIMCOE STREET; BEING REZONED FROM RS-1 (RESIDENTIAL SINGLE-FAMILY) TO RM-1 (RESIDENTIAL MIXED)**

**BE IT ORDAINED** by the Lafayette City Council, that:

**SECTION 1:** The Lafayette Development Code is hereby amended so as to reclassify Case No. 2024-10-REZ 521 Cedar Crest Court Rezoning located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street, the particular parcel being rezoned from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed); the said parcel being shown and identified on a map titled, "A Map of Survey showing Property and Improvements for Rezoning 521 Cedar Crest Court", prepared by K. Christian Armstrong, PLS, dated March 5, 2024, a copy of which is attached hereto and made a part thereof.

**SECTION 2:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

**SECTION 3:** This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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**LAFAYETTE ZONING COMMISSION  
RECOMMENDATION OF ACTION**

**TO:** Lafayette City Council  
**FROM:** Lafayette Zoning Commission and Community Development & Planning Dept.  
**SUBJ:** 2024-10-REZ 521 Cedar Crest Court Rezoning  
**PETITIONER:** Patrick Mould

**DATE PETITION FILED:** March 6, 2024

**DATE OF PUBLIC HEARING:** May 20, 2024

**DATES OF PUBLICATIONS:** May 5, 2024  
May 15, 2024  
May 19, 2024

**DATE OF ZONING COMMISSION RECOMMENDATION:** May 20, 2024

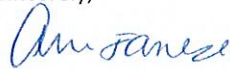
**RECOMMENDATION:** The Commission was unable to reach a consensus on the recommendation that would rezone property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

Motion: Pritchard made a motion to deny this request  
Second: German  
Vote: 2-1-0-0  
Ayes: German, Pritchard  
Nays: Hebert  
Absent: None  
Abstain: None

**ATTACHMENTS:** Executive Summary and Preliminary Staff Report

**REASONS FOR RECOMMENDATION:** Executive Summary including Zoning Commission Recommendation

Sincerely,



Anne Famoso, Interim Director  
Community Development and Planning Dept.



## Zoning Commission

Community Development and Planning Staff Report

### EXECUTIVE SUMMARY

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Drafted 3/5/2024

Amended 5/21/2024

**Note: This case was originally scheduled to be on the agenda for April 15, 2024. It is now scheduled for May 20, 2024.**

#### 2024-10-REZ

**City Council District:** 5 – Kenneth Boudreaux

**Parish Council District:** 5 – AB Rubin

**Applicant:** Patrick Mould

**Request:** This is a request to rezone property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to allow the continued use of the subject property as a Short-Term Rental.

**Location:** 521 Cedar Crest Court

#### Summary of Proposal:

The purpose of this proposal is to allow an existing short-term rental property to continue in this use by rezoning from RS-1 (Residential Single-Family), where it is no longer permitted, to RM-1 (Residential Mixed), where short term rentals are allowed.

#### Recommendation:

Staff recommends denial of the request to rezone the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

#### Reasons for Recommendation:

Considering this subject property, and given the consistency of housing both in use and in RS-1 (Residential Single-Family) zoning and the location on a local street, staff does not support the rezoning of this one property. The RM zoning district includes many types of housing besides single-family residential, such as: duplexes, cottage courts, multi-family, live/work dwellings, apartment houses, townhouses, boarding houses, community living and community homes. This variety of housing is not allowed in RS-1 (Residential Single-Family), and is not appropriate in a RS-1 neighborhood. A RM-1 (Residential Mixed) zoning district would be opening the door to uses not normally allowed in a single-

family neighborhood. Although this is the only option open to short-term rental owners in RS-1, staff has to evaluate all uses available in RM-1 (Residential Mixed) zoning districts.

According to the applicant, the subject property has been used as a short-term rental for the last ten years. The applicant has never had an incident where police have been called or where his neighbors have complained. The applicant's next-door neighbor also has had a short-term rental for almost as long as this subject property, with no complaints, either. **(2024-12-REZ 515 Cedar Crest Court Rezoning)**.

**Summary of Public Comment:**

At the time of publication of the preliminary report, staff has received two calls asking for information. Both callers were okay with this particular short-term rental remaining in the neighborhood, as they knew Mr. Mould and felt he was responsible for the property. Several other calls came in after the meeting was postponed that said they were not comfortable with having a short-term rental in the neighborhood, even though this short-term rental at 521 Cedar Crest Court has been here for 10 years. They would prefer not to have any short-term rentals at all in the neighborhood.

## ZONING COMMISSION RECOMMENDATION

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The Zoning Commission held a public hearing regarding this matter at its May 20, 2024, meeting and were unable to reach a consensus on a recommendation that the City Council approve or deny the request to rezone the subject properties from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

### **Summary of Public Comment:**

#### Public Comment before the Zoning Commission meeting

Support: 2

Opposition: 4

Neutral: 0

#### Public Comment during the Zoning Commission meeting

Support: 1

Opposition: 6

Neutral: 0

**Zoning Commission Meeting**

**May 20, 2024**

**2024-10-REZ**

**To:** City Zoning Commission

**From:** Anne Famoso, Interim Director  
Cathie Gilbert, Planning Manager

**City Council District:** 5 – Kenneth Boudreaux

**Parish Council District:** 5 – AB Rubin

**Prepared by:** Carol Vermillion Robbins

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**PRELIMINARY STAFF REPORT**

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**Applicant:** Pat Mould

**Request:** This is a request to rezone the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to continue to operate a short-term rental.

**Location:** 521 Cedar Crest Court

**Description:** The property is located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street. The subject property is approximately 0.223 acres.

**Why is Zoning Commission action required?**

The Zoning Commission is required to make a recommendation on all applications for amendments to the zoning map to the City Council prior to council action, in accordance with Article 4 of the Lafayette Development Code.

The LDC establishes procedures for making land development decisions. In order to obtain a certificate of occupancy, building permit or to subdivide the property, the zoning district must permit the proposed land use and development standards. The city of Lafayette is divided into zoning districts that can be generally categorized by agricultural, residential, mixed-use, commercial and industrial land uses. Each zoning district has a set of permitted and/or conditional uses.





*Subject Property Map*

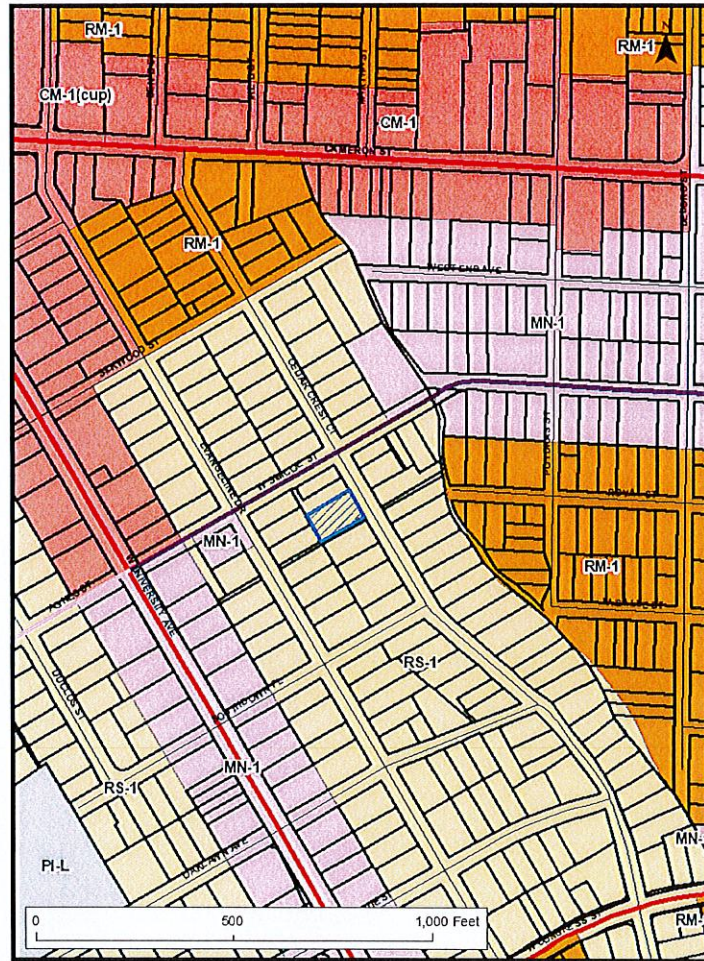


Vicinity Map

## II. ANALYSIS

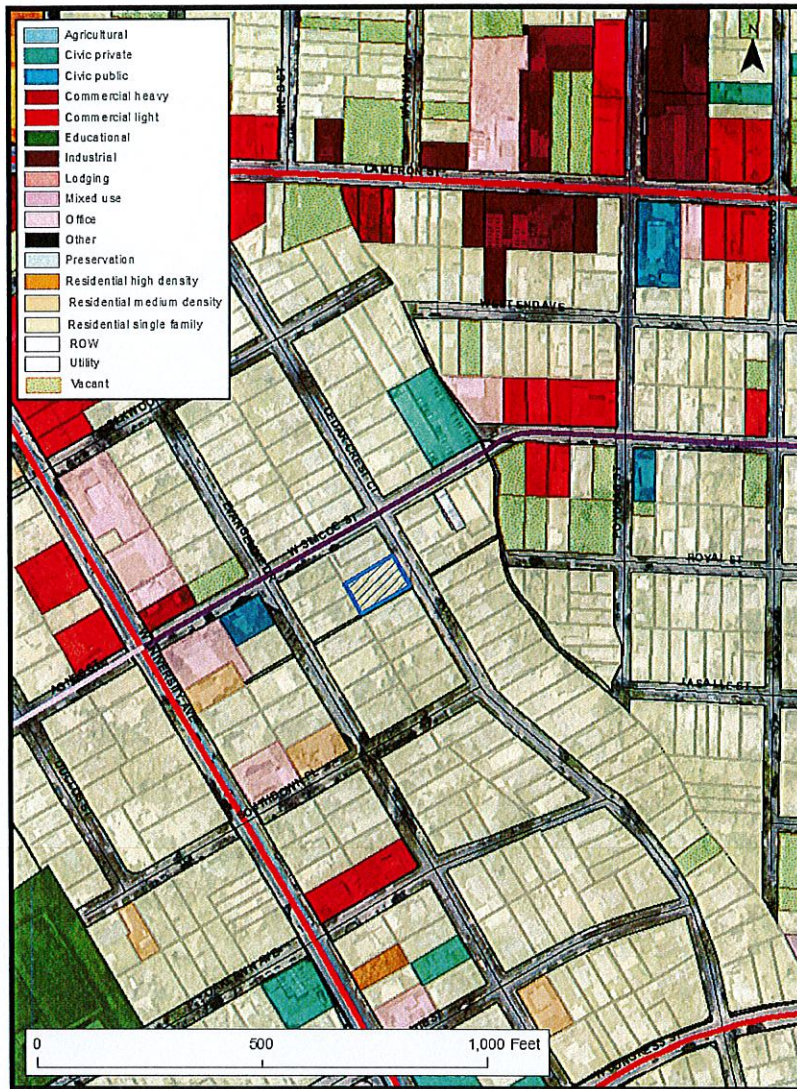
### A. Existing conditions

#### Zoning



#### ***Zoning map of the area surrounding the petitioned site***

The subject property is located in a RS-1 (Residential Single-Family) zoning district, surrounded by zoning districts of RM-1 (Residential Mixed), MN-1 (Mixed-Use Neighborhood) and CM-1 (Commercial Mixed). The CM-1 (Commercial Mixed) zoning districts run along both sides of Cameron Street to the north, and down West University Avenue until West Simcoe Street. There are MN-1 (Mixed-Use Neighborhood) zoning districts that follow University Avenue from that point on until City Hall at 705 West University, then on again until West Pinhook Road. The RM-1 (Residential Mixed) zoning districts are adjacent to the West End Heights neighborhood where the subject property is located, and to the north. There is a PI-L (Public/Institutional Light) zoning district at Myrtle Place School, to the southwest of the subject property.



**Land Use Map**

The Land Use map indicates that this area is mostly residential, with commercial, office and a few industrial uses following Cameron Street, West Simcoe Street and West University Avenue. Any industrial uses are on Cameron Street, at least in this vicinity. There are some vacant properties, particularly near Cameron Street and West Simcoe Street to the east. There are several civic public properties near the subject property, with one a garage/warehouse and the other a veterans' museum. The nearby civic private uses are church properties.



***Street Classification and Sidewalk Inventory Map***

The subject property is located just a house away from West Simcoe Street, which is a major collector, and a block and a half from West University Avenue, a principal arterial. Cameron Street to the north is also a principal arterial, as is West Congress Street, to the south of the subject property. There are sidewalk systems in a lot of these neighborhoods, but there are areas that are incomplete.

## B. Recent cases and relevant trends

Staff has supported one recent case involving a RM-1 rezoning to allow a short-term rental use, which has been restricted from RS-1 (Residential Single-Family) neighborhoods since an ordinance regarding short-term rentals was passed in the fall of 2023. That case was **2023-38-REZ 406 North Sterling Street Rezoning**. However, in that case, the property was adjacent to another zoning district; it wasn't in the middle of a RS-1 (Residential Single-Family) zoning district. It was also at the intersection of two minor arterials, Moss Street and Mudd Avenue. The property is also accessed from Mudd Avenue, not from within the neighborhood. In this case staff was able to support the rezoning from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed). Also, the City Council placed conditions upon this property at Final Adoption that restricted all other RM-1 (Residential Mixed) uses from ever being used on the subject property.

## C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to allow the applicant to continue a short-term rental use that he has had for 10 years. His property is in a RS-1 (Residential Single-Family) zoning district, which no longer permits short-term rental use. The only way available to be able to continue this use is to rezone the property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed). This rezoning would probably have little or no effect on the adjacent land uses as the subject property has been used as a short-term rental for 10 years without incident. However, this RM-1 zoning district could cause problems in the future, with a different owner, who could conceivably build a more intense residential use on the property. In some older neighborhoods where there is already a mix of types of housing, this may not be a problem, but Cedar Crest Court is a street with consistent single-family residences. An apartment house, or townhouses, or a community home, would introduce a variety of uses into a quiet single-family residential neighborhood.

## D. Evaluation of approval standards

*The proposed rezoning is consistent with the comprehensive plan.*

N/A.

*There was a mistake in the original zoning map or text.*

N/A.

*The proposed amendment is compatible with current development trends, if any, in the vicinity of the subject property.*

There are at least two short-term rentals existing in this neighborhood. (One is next door to the subject property, and is also a case for the Zoning Commission Meeting of May 20, 2024 (**2024-12-REZ 515 Cedar Crest Court**)). The applicants state that the proximity of this neighborhood to Downtown and to UL has made this area popular with tourists. However, Cedar Crest Court is a local road, not a classified roadway.

*The proposed amendment promotes the public health, safety, morals, and general welfare.*

This was not the basis for consideration.

*The proposed amendment is compatible with surrounding land uses.*

Yes. This use has been compatible with the surrounding neighborhood for the past 10 years. But rezoning a single property to a different zoning than the rest of the neighborhood could cause conflict in the future. At this point, the owners have no intention of establishing a different use than a single-family home.



515 and 521 Cedar Crest Court – both existing short-term rentals



Revised Memo:  
Zoning Commission's outcome

## Internal Memorandum

Chief Administrative Officer (CAO)  
CAO-Administration (1210)

**TO:** Veronica Arceneaux

**DATE:** May 31, 2024

**FROM:** Rachel Godeaux

**SUBJECT:** Case No. 2024-10-REZ  
521 Cedar Crest Court Rezoning  
CO-063-2024

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Please replace the memo in the council packet with this memo.

The attached ordinance would rezone, from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed), property located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street.

The Zoning Commission, at its Monday, May 20, 2024 meeting, was unable to reach a consensus on their recommendation to the City Council to approve or deny the attached ordinance.

We request that Council Introduction be scheduled for Tuesday, June 4, 2024, with Final Adoption Tuesday, June 18, 2024.

Please call if you have any questions or require additional information in this matter.

A handwritten signature in black ink that reads 'Rachel Godeaux' in a cursive script.

**Rachel Godeaux**  
Chief Administrative Officer



LAFAYETTE CITY COUNCIL MEETING

ZONING AGENDA ITEM SUBMITTAL FORM

- 1) **JUSTIFICATION FOR REQUEST:** This is a request for the adoption of an ordinance that would rezone property located generally north of Southdown Place, west of Cedar Crest Court, and south of West Simcoe Street.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).
- 3) **REQUEST ACTION OF COUNCIL:**
  - A. INTRODUCTION: June 4, 2024
  - B. FINAL ADOPTION: June 18, 2024
- 4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
  - A. Cover Memo from Director (1 page)
  - B. Submittal Form (1 page)
  - C. Zoning Commission Recommendation of Action (1 page)
  - D. Ordinance (1 page)
  - E. Map (1 page)
  - F. Final Evaluation of Zoning Considerations (11 pages)
- 5) **FISCAL IMPACT:**  
 Fiscal Impact (will be detailed in Cost-Revenue Analysis)  
 No Fiscal Impact

RECOMMENDED BY:



ANNE FAMOSO, INTERIM DIRECTOR

APPROVED FOR AGENDA:



CHIEF ADMINISTRATIVE OFFICER