

CITY ORDINANCE NO. CO-064-2024

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY THE PROPERTY OF CASE NO. 2024-11-REZ 226 IRENE CIRCLE REZONING, LOCATED GENERALLY NORTH OF BACQUE CRESCENT ROAD, EAST OF EDGEWOOD DRIVE, AND SOUTH OF TWIN OAKS BOULEVARD; 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. 2024-11-REZ 226 Irene Circle Rezoning located generally north of Bacque Crescent Road, east of Edgewood Drive, and south of Twin Oaks Boulevard, 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, "Site Layout Harper 226 Irene Circle", prepared by LWH, dated February 7, 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SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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: 2024-11-REZ 226 Irene Circle Rezoning
PETITIONER: Nicole Harper

DATE PETITION FILED: March 5, 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

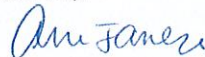
RECOMMENDATION: Deny the ordinance that would rezone property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed).

Motion: German
Second: Pritchard
Vote: 3-0-0-0
Ayes: Hebert, German, Pritchard
Nays: None
Absent: None
Abstain: None

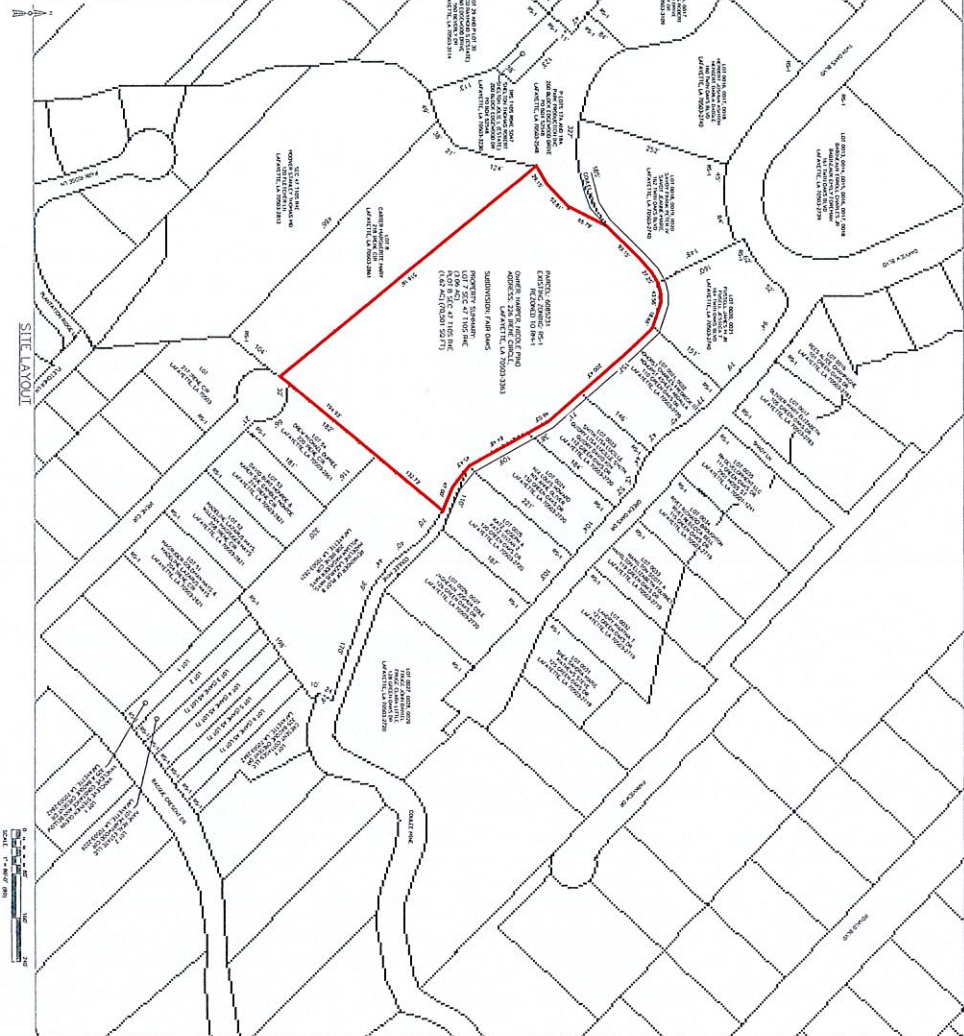
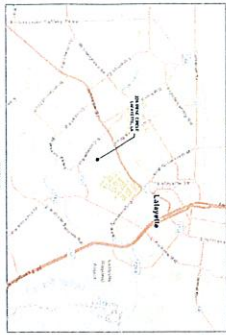
ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,



Anne Famoso, Interim Director
Community Development and Planning Dept.



DATE: 02-24-2020
 DRAWN BY: GUY HARPER
 PROJECT: 226 IRENE CIRCLE
 SHEET NO: 1
 TOTAL SHEETS: 1

SITE LAYOUT
 HARPER
 226 IRENE CIRCLE
 LAFAYETTE, LA

REV No	DESCRIPTION	DATE	APPD



Lafayette Consolidated Government
Zoning Commission

Community Development and Planning Staff Report

EXECUTIVE SUMMARY

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.

2024-11-REZ

City Council District: 3 – Liz Hebert

Parish Council District: 4 -- John Guilbeau

Applicant: Nicole Harper

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: 226 Irene Circle

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 this request to rezone from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to continue the use of the subject property as a short-term rental.

Reasons for Recommendation:

Staff does not support the rezoning of this one property being that the surrounding neighborhood is RS-1 (Residential Single-Family), and is an older and established neighborhood of primarily single-family residences. In addition, the property is approximately four acres making it open to more density. 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. As this is the

only option open to short-term rental owners, 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 15 months. The applicant has never had an incident where police have been called or where his neighbors have complained. The applicant stated that some neighbors were surprised to know they had been using the property as a short-term rental.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received three calls asking for information. One neighbor says he'll support the rezoning, and the other callers said that they are against it. Staff met 8-10 people at the cancelled meeting site who are opposed to the rezoning. One caller stated that she would be agreeable to the STR as long as other uses in RM-1 were not allowed.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its May 20, 2024, meeting and agreed on a recommendation that the City Council 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 (1 will support it if all other RM-1 choices are removed)

Opposition: 10

Neutral: 1

Public Comment during the Zoning Commission meeting

Support: 2

Opposition: 19

Neutral: 0

Zoning Commission Meeting

May 20, 2024

2024-11-REZ

To: City Zoning Commission

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

City Council District: 3 -- Liz Hebert

Parish Council District: 4 – John Guiibeau

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

Applicant: Nicole Harper

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.

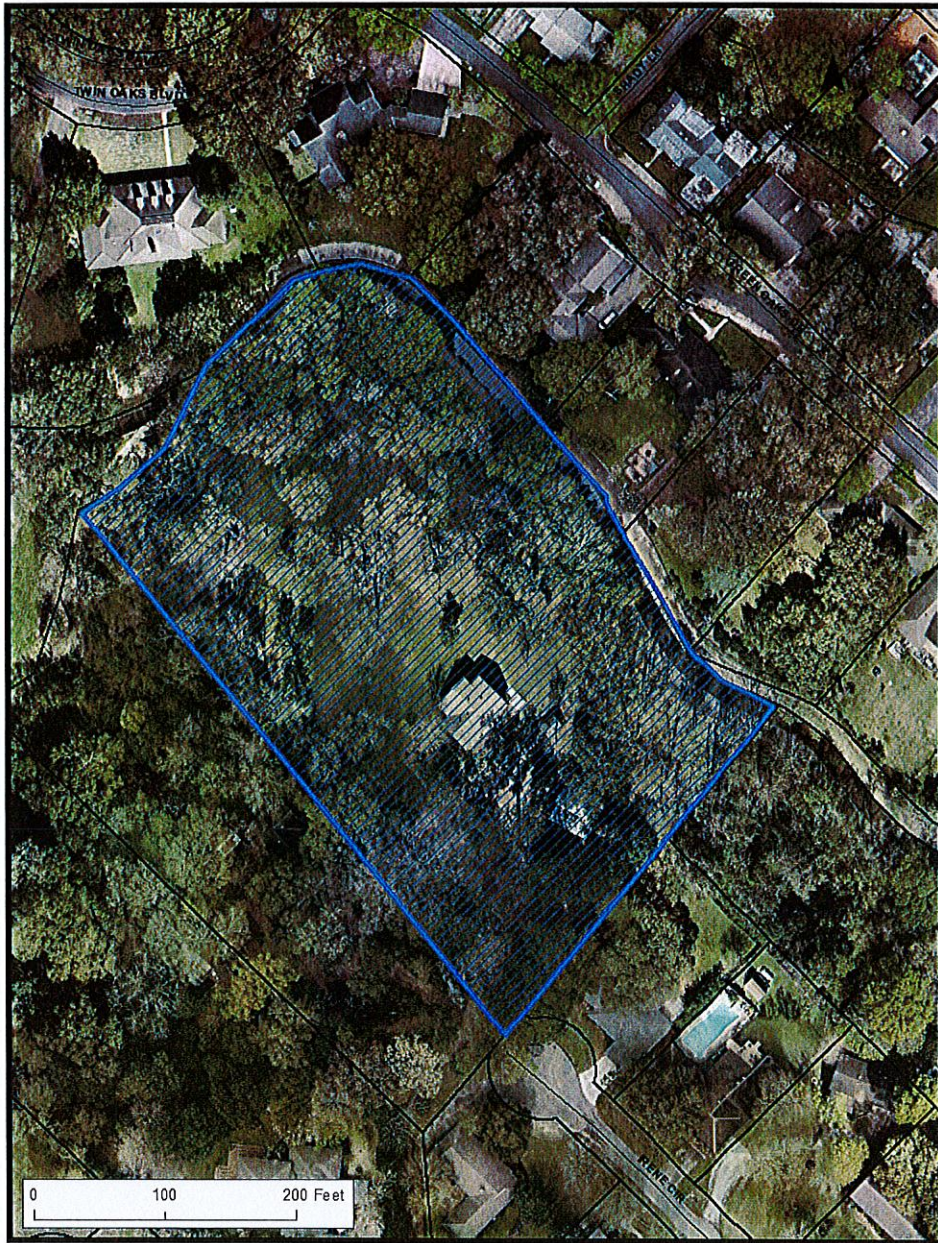
Location: 226 Irene Circle

Description: The property is located generally north of Bacque Crescent Drive, east of Edgewood Drive, and south of Twin Oaks Boulevard. The subject property is approximately 4 acres.

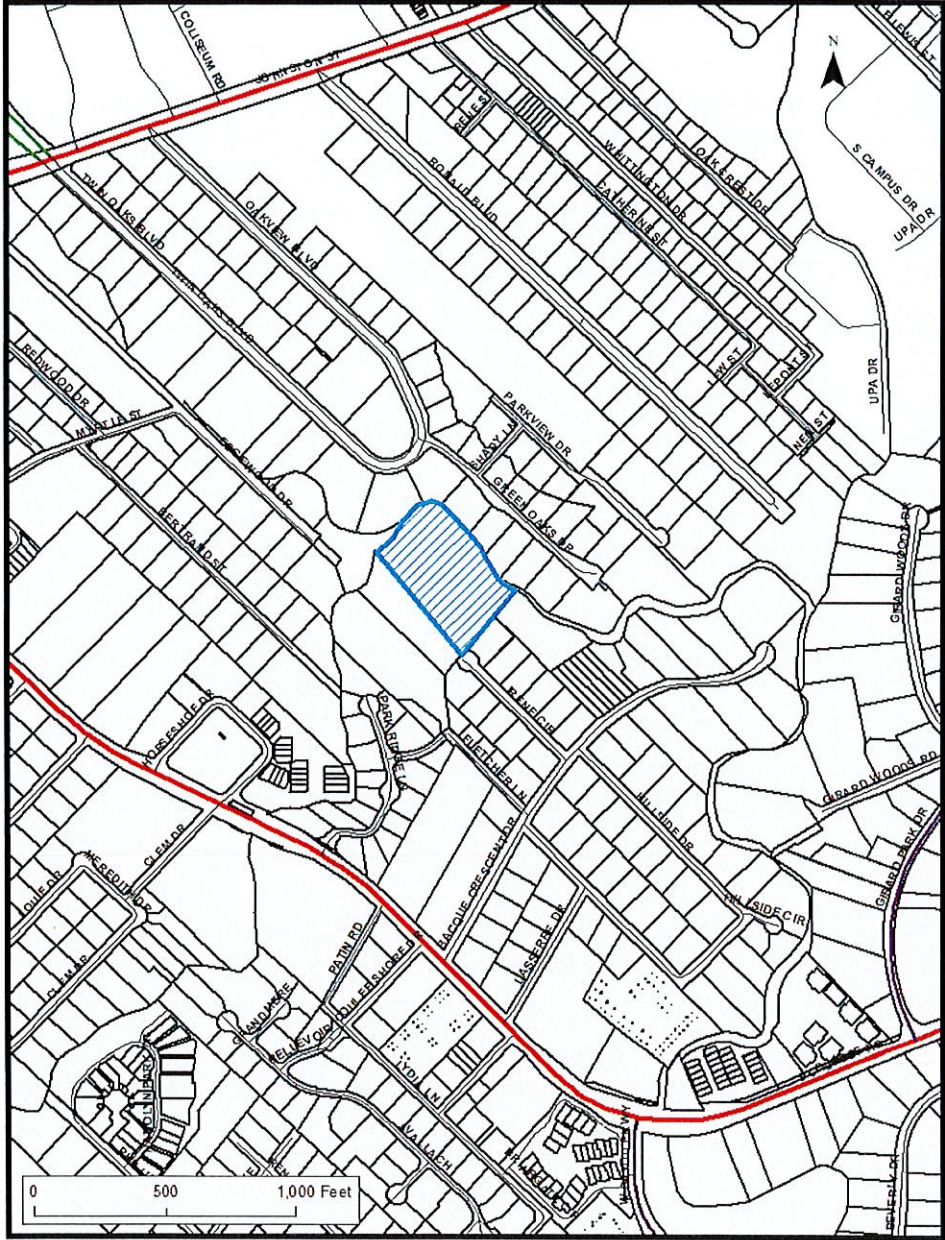
Why is Zoning Commission action required?

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

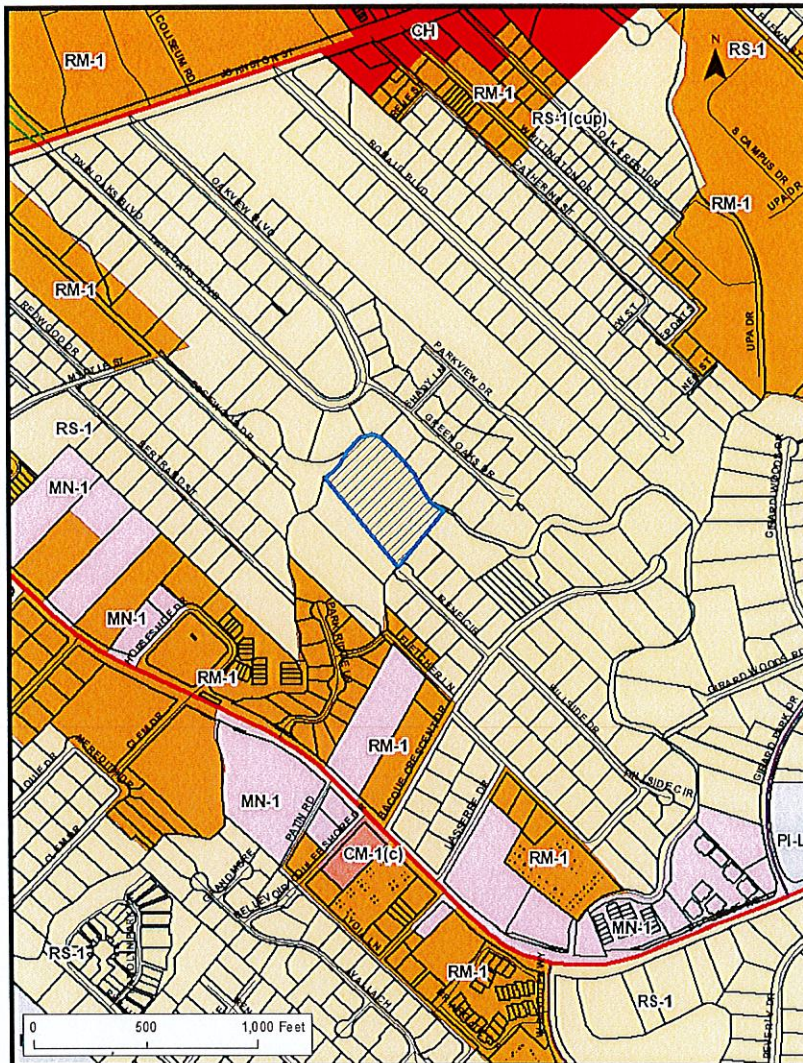


Vicinity Map

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 single-family residences. It is within two lots of several RM-1 (Residential Mixed) zoning districts, which are intermixed with MN-1 (Mixed-Use Neighborhood) zoning districts along South College Road. More RM-1 properties are also located to the north. There are a few CH (Commercial-Heavy) zoning districts along Johnston Street, but the area is mostly residential.



Street Classification and Sidewalk Inventory Map

The subject property is located off of a local road, Bacque Crescent, which leads to a principal arterial, South College Road. Johnston Street, to the north, is another principal arterial which forms a border around the large residential area, along with South College Road. All other roads within this residential area are local roads, with the exception of Girard Park Drive, to the southeast, which is a major collector. Sidewalks are shown in this residential area, but they 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). In that case, the City Council placed conditions upon this property at final adoption that restricted all other RM-1 uses from ever being used on the subject property.

There are two other cases this month that are short-term rentals seeking to rezone from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to keep their short-term rentals running. The other cases, **2024-10-REZ 521 Cedar Crest Court Rezoning** and **2024-12-REZ 515 Cedar Crest Court Rezoning**, are in a similar position to this case, and similar to many cases staff has discussed with potential applicants. They are surrounded by RS-1 (Residential Single-Family) properties but have operated their short-term rentals for many years without complaints or issues.

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to rezone the subject property from RS-1 (Residential Single-Family) to RM-1 (Residential Mixed) in order to keep the use of a short-term rental. This is a large property, four acres, surrounded by many trees and bushes that form a natural buffer around the property. This short-term rental has been in operation for over a year, and there have been no complaints from neighbors. Having said this, staff does not recommend a RM-1 (Residential Mixed) zoning district and the potential introduction of RM-1 uses into an older, quiet, and well-established neighborhood. The size of this lot (almost four acres) could mean the introduction of 112 apartment units at the end of a dead-end road.

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.

The applicant states that the proximity of this neighborhood to Downtown and to UL has made this area popular with tourists. However, Irene Circle and Bacque Crescent Road are local roads, not a classified roadway. The subject property is deep within the neighborhood. This property in the future could provide an inappropriate use (such as multi-family) for a single-family residential

neighborhood, with additional traffic and more people than in a typical RS-1 (Residential Single-Family) neighborhood.

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

N/A.

The proposed amendment is compatible with surrounding land uses.

The 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. But a future owner could establish an inappropriate use.



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. 2024-11-REZ
226 Irene Circle Rezoning
CO-064-2024

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 Bacque Crescent Drive, east of Edgewood Drive, and south of Twin Oaks Boulevard.

The Zoning Commission, at its Monday, May 20, 2024 meeting, recommended that the City Council 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.



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 Bacque Crescent Drive, east of Edgewood Drive, and south of Twin Oaks Boulevard.
- 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