

CITY ORDINANCE NO. CO-174-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE DEVELOPMENT CODE SO AS TO RECLASSIFY CASE NO. ZON2021-0042 408 & 410 IBERVILLE STREET, AND 131, 135, 201 & 203 HUGGINS ROAD ADMINISTRATIVE REZONING, LOCATED GENERALLY NORTH OF WEST CONGRESS STREET, EAST OF RUE DU BELIER, AND SOUTH OF WIND HAVEN LANE; THE PARTICULAR PARCELS BEING REZONED FROM CH (COMMERCIAL-HEAVY) TO RS-1 (RESIDENTIAL SINGLE-FAMILY)

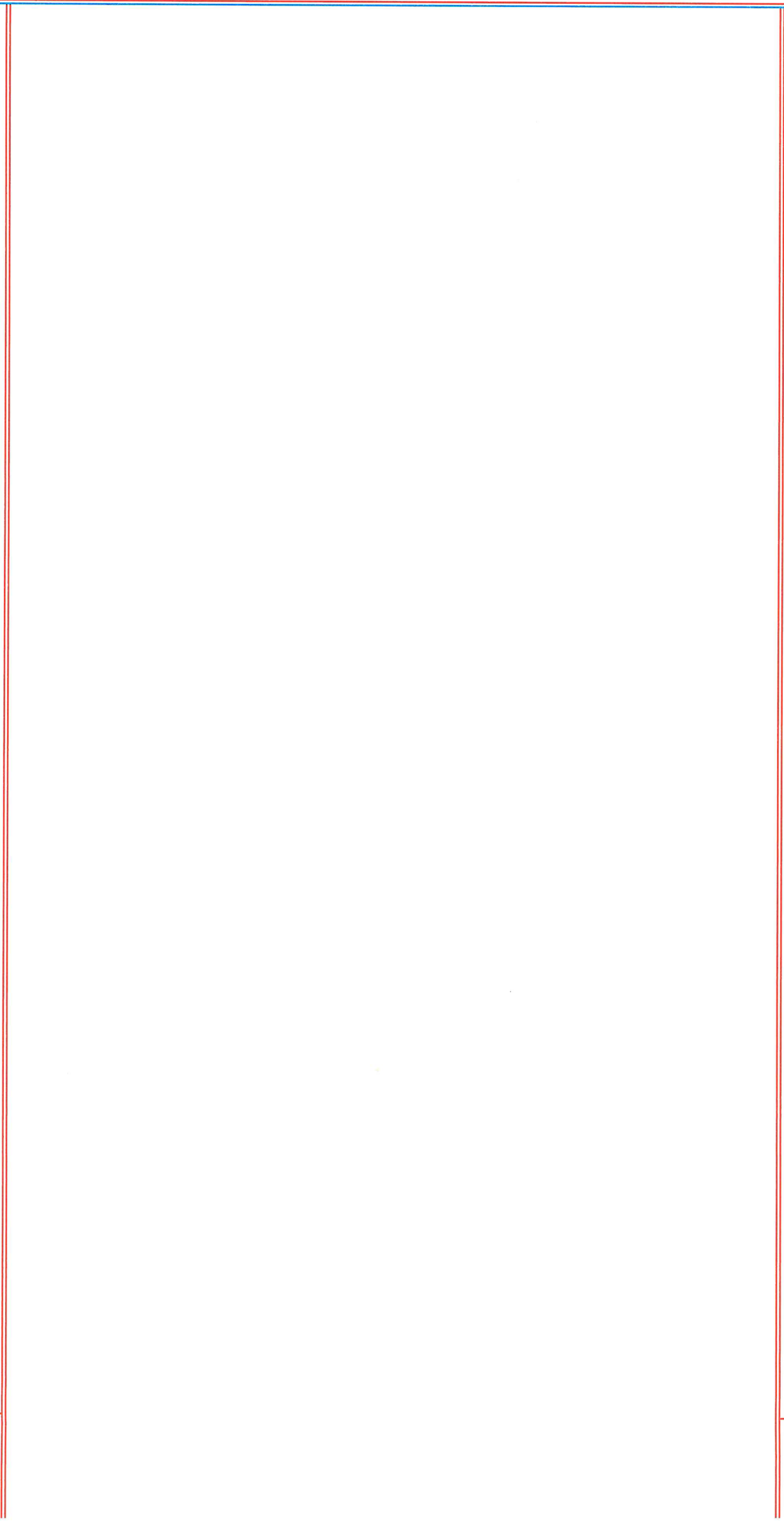
BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette Development Code is hereby amended so as to reclassify Case No. ZON2021-0042 408 & 410 Iberville Street, and 131, 135, 201 & 203 Huggins Road Administrative Rezoning, located generally north of West Congress Street, east of Rue du Belier, and south of Wind Haven Lane; the particular parcels being rezoned from CH (Commercial-Heavy) to RS-1 (Residential Single-Family); the said parcels being shown and identified in two different formats - Exhibit A being a rezoning map titled "A Map showing addresses of select properties 408 & 410 Iberville Street 131, 135, 201 & 203 Huggins Road Administrative Rezoning ZON2021-0042," a copy of which is attached hereto and made a part hereof, and Exhibit B being a rezoning map titled "A Map showing lot numbers of select properties 408 & 410 Iberville Street, and 131, 135, 201 & 203 Huggins Road Administrative Rezoning ZON2021-0042," a copy of which is attached hereto and made a part hereof.

SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.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: ZON2021-0042 408 & 410 Iberville Street, and 131, 135, 201 and 203 Huggins Road Administrative Rezoning

PETITIONER: Lafayette Consolidated Government

DATE PETITION FILED: September 8, 2021

DATE OF PUBLIC HEARING: November 15, 2021

DATES OF PUBLICATIONS: October 31, 2021
November 10, 2021
November 14, 2021

DATE OF ZONING COMMISSION RECOMMENDATION: November 15, 2021

RECOMMENDATION: Approve the ordinance that would rezone property from CH (Commercial-Heavy) to RS-1 (Residential Single-Family).

Motion: Doise
Second: Pritchard
Vote: 3-0-2-0
Ayes: Hebert, Doise, Pritchard
Nays: None
Absent: Dural, Green
Abstain: None

ATTACHMENTS: Executive Summary and Preliminary Staff Report

REASONS FOR RECOMMENDATION: Executive Summary including Zoning Commission Recommendation

Sincerely,

Mary Sliman, Director
Community Development and Planning Dept.

"A" - A Map showing addresses of
Select Properties
408 & 410 Iberville Street
131, 135, 201 & 203 Huggins Road
Administrative Rezoning
ZON2021-0042



Map Features:



Subject Property

408
410

203
201
135
131

RUE DU BELIER

TOWNHOUSE CV

FLORIDIAN LN

DESTIN DR

SEASIDE LN

IBERVILLE ST

WIND HAVEN LN

ROSEBUD LN

VILLERE CIR

DUMAINE ST

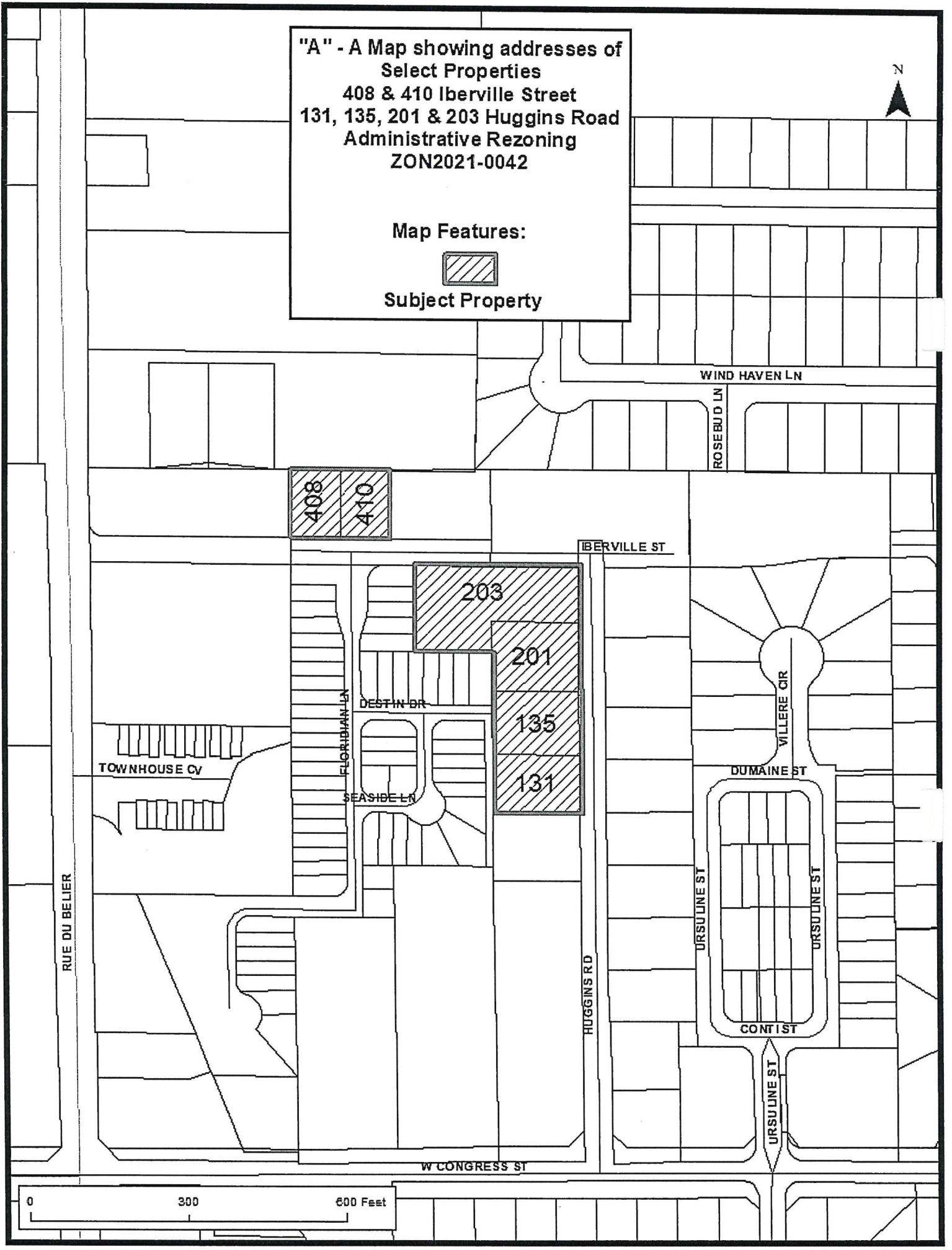
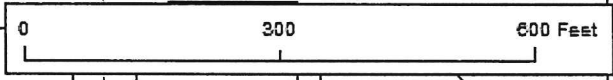
URSULINE ST

URSULINE ST

CONTIST

URSULINE ST

W CONGRESS ST



"B" - A Map showing lot numbers of
Select Properties
408 & 410 Iberville Street
131, 135, 201 & 203 Huggins Road
Administrative Rezoning
ZON2021-0042



Map Features:



Subject Property

Lot 1
Sec 5
Lot 2
Sec 5

N 1/2 TR. 5
Sec 5
Lot 1
Sec 5
Lot 2
Sec 5

WIND HAVEN LN

ROSEBUD LN

IBERVILLE ST

FLORIDIAN LN

DESTIN DR

SEASIDE LN

TOWNHOUSE CV

VILLERE CIR

DUMAINE ST

URSULINE ST

URSULINE ST

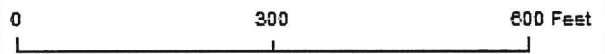
CONTI ST

URSULINE ST

RUE DU BELIER

HUGGINS RD

W CONGRESS ST



Zoning Commission

Community Development and Planning Department Staff Report

EXECUTIVE SUMMARY

Drafted 10/15/2021
Amended 11/16/2021

ZON2021-0042

City Council District: 2 – Andy Naquin

Parish Council District: 1 – Bryan Tabor

Applicant: Lafayette Consolidated Government

Request: This is a recommendation of the LCG administration to rezone properties from CH (Commercial Heavy) to RS-1 (Residential Single-Family)

Location: 408 & 410 Iberville Street, and 131, 135, 201 & 203 Huggins Road

Summary of Proposal:

The purpose of the proposed rezoning is to correct inappropriate commercial zoning adjacent to and within an existing residential neighborhood.

Reasons for Recommendation:

This is an LCG-led administrative effort to rezone properties where there appears to be a gap between current zoning and existing land use. In this case, the current zoning district for these addresses is CH (Commercial Heavy), but the land uses, for the most part, are residential. Under the LDC, single-family residential uses are not allowed in a CH zoning district.

Given the current uses and the surrounding RM-1 (Residential Mixed) and RS-1 (Residential Single-Family) zoning districts, zoning district RS-1 is a more appropriate zoning designation that will allow residents to continue to develop property with residential uses. There are also several MN-1 (Mixed-Use Neighborhood) zoning districts at the West Congress Street end of Huggins Road. There are light commercial uses in these MN-1 zoning districts.

Summary of Public Comment:

At the time of publication of the preliminary report, staff has received 2 calls in support of the case, and 1 call from an owner who wanted to remain CH (Commercial-Heavy).

All property owners, including those adjacent or second adjacent to the subject property were notified by mail prior to the October 18, 2021 meeting as well, where the Zoning Commission was briefed on this matter. Staff had several calls before the briefing. One call was from the owner of 129 Huggins Road, who wanted his property to remain as CH (Commercial-Heavy). 129 Huggins Road is directly adjacent to

the self-storage business on West Congress, and will be left out of this administrative rezoning. Staff also received calls from the owners of 408 and 410 Iberville Street. These owners were surprised to hear their properties were still CH zoning districts, as they thought they had been rezoned to RS-1 (Residential Single-Family) when they bought the properties. The owners want to be in a RS-1 zoning district regardless, and are happy their properties are included. The briefing was received and the case is moving forward on the November Zoning Commission meeting.

ZONING COMMISSION RECOMMENDATION

The Zoning Commission held a public hearing regarding this matter at its November 15, 2021, meeting and approved a motion to recommend that the City Council approve the request to rezone this property from CH (Commercial-Heavy) to RS-1 (Residential Single-Family).

Summary of Public Comment:

Public Comment before the Zoning Commission meeting

Support: 3

Opposition: 1

Neutral: 0

Public Comment during the Zoning Commission meeting

Support: 0

Opposition: 0

Neutral: 0

Zoning Commission Meeting

November 15, 2021

ZON2021-0042

To: City Zoning Commission

From: Mary Sliman, Director
Cathie Gilbert, Planning Manager

City Council District: 2 – Andy Naquin

Parish Council District: 1 – Bryan Tabor

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

Applicant: Lafayette Consolidated Government

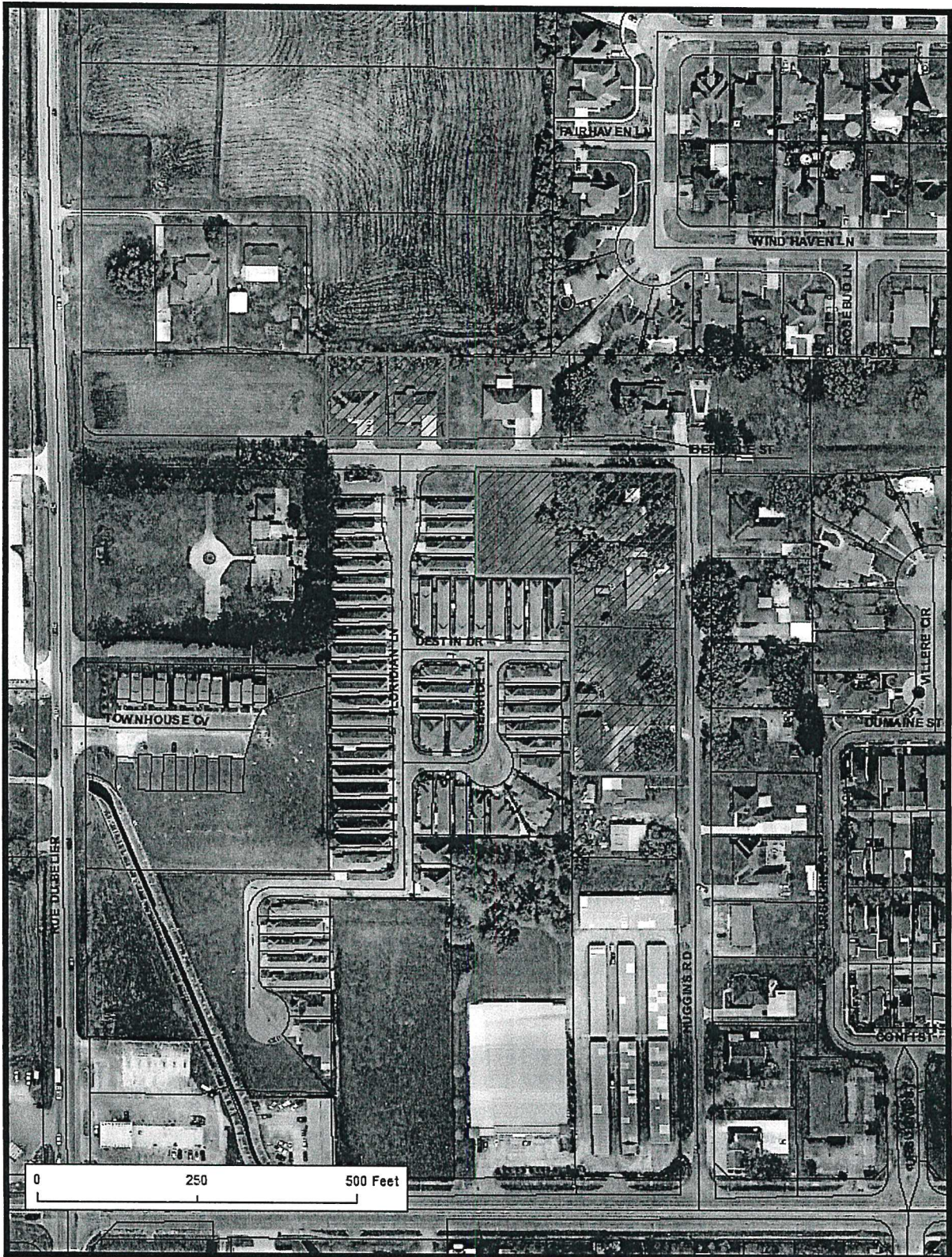
Recommendation: This is a recommendation of Lafayette Consolidated Government Administration to rezone properties from CH (Commercial-Heavy) to RS-1 (Residential Mixed).

Description: The properties are located generally north of West Congress Street, east of Rue du Belier, and south of Wind Haven Lane. The total acreage for these properties is approximately 2.914 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.

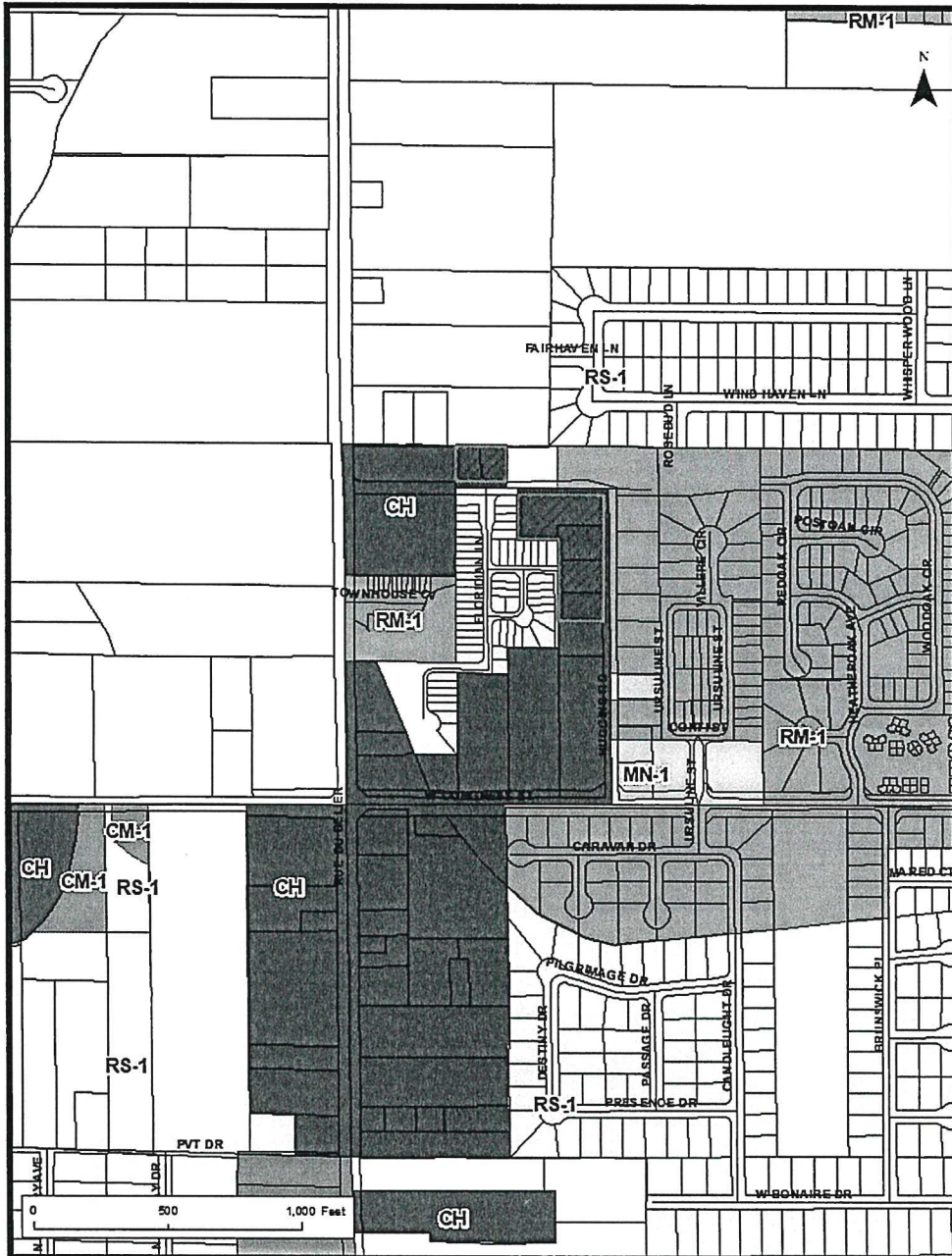


Subject Property Map

II. ANALYSIS

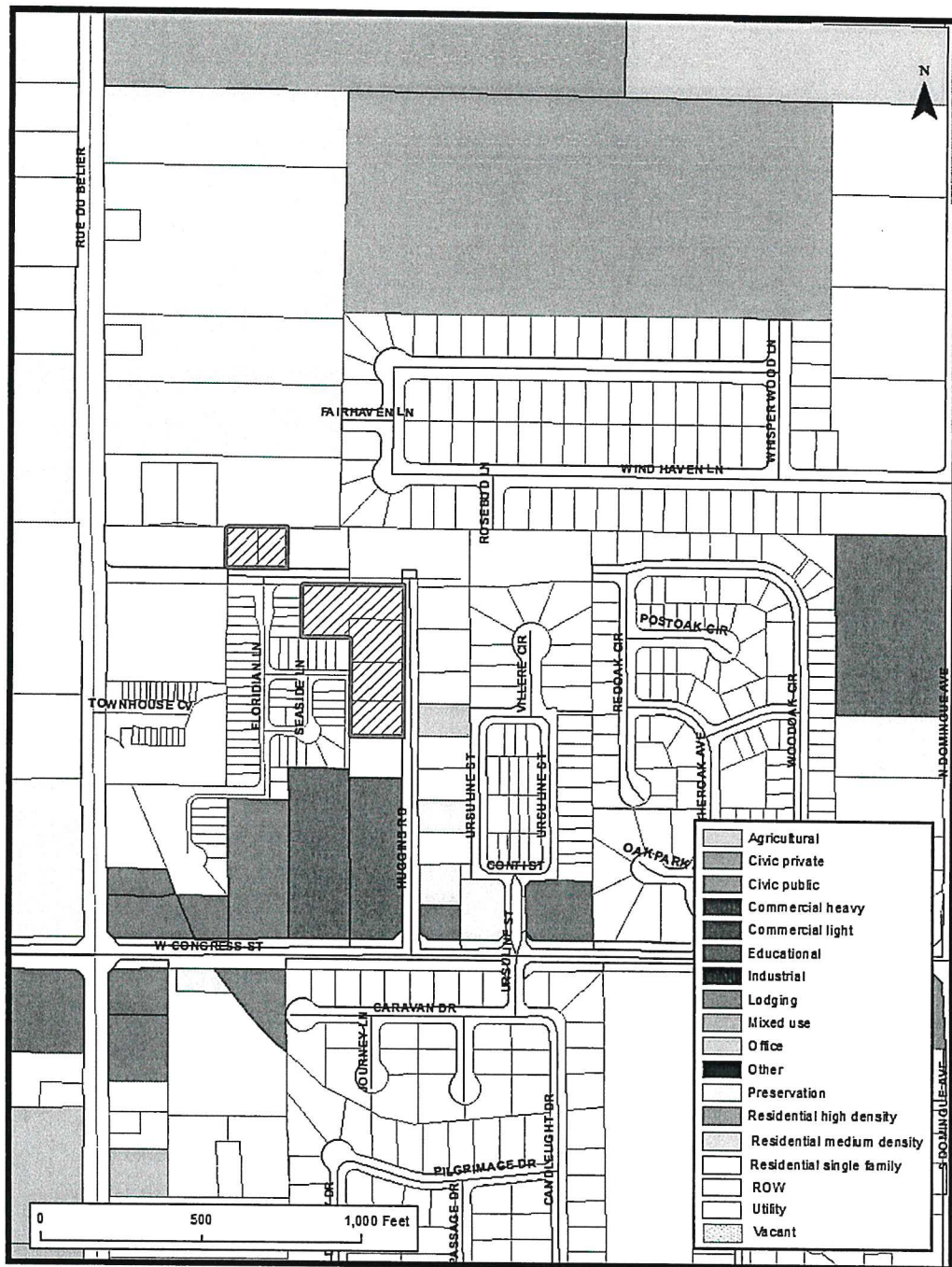
A. Existing conditions:

Zoning



Zoning Map

The subject properties are part of a small grouping of CH (Commercial-Heavy) zoning districts in the middle of a very large area of residential use and commercial corridors. RS-1 (Residential Single-Family) is the primary zoning, but there are also large areas of RM-1 (Residential Mixed). There are areas of MN-1 zoning districts along West Congress Street, providing buffer zones for the residential properties behind them. There are also many undeveloped and/or unincorporated properties.



Land Use Map

The land uses around the subject property are primarily single family residences. The subject properties are also primarily single family residences. This is an area with many residential developments, with commercial properties lining West Congress Street, North Domingue Avenue and Rue du Belier. There is still a great deal of undeveloped and/or unincorporated properties. The commercial properties lining the corridors are typical CH (Commercial-Heavy) uses: a self-storage business, a gas station, a used car lot, and various retail businesses.

B. Recent cases and relevant trends

There was an administration rezoning in 2019 that was similar to this current case - **ZON2019-0015 100 & 200 Block of Chester Street Administrative Rezoning**. The zoning on Chester Street was CH (Commercial-Heavy), but, just as per the current case, the uses were single-family residential. These properties were rezoned to RS-1 (Residential Single-Family). Residential uses are not permitted in a CH zoning district, so problems are created with existing single-family houses unless the situation is corrected.

There has been another administrative rezonings this year where CH zoning districts were found to be inappropriate for a residential neighborhood. **ZON2021-0009 338, 340 & 342 Crestlawn Drive, 601, 603 & 605 Rosedown Lane Administrative Rezoning** had CH (Commercial-Heavy) properties in the midst of an RS-1 (Residential Single-Family) residential neighborhood. The Crestlawn case rezoned the CH lots as RS-1, very similar to this case.

C. Purpose of rezoning and effect on adjacent land use

The purpose of rezoning these six (6) properties from CH (Commercial-Heavy) to RS-1 (Residential Single-Family) is to correct incorrect zoning and provide a new zoning district to satisfy all property owners as best as possible. The property owners will be able to develop property with residential uses. As the zoning currently stands, all six properties are non-conforming. Residential single-family houses are not allowed in a CH (Commercial-Heavy) zoning district.

D. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan

Yes. The comprehensive plan promotes maintaining and supporting existing neighborhoods to ensure their sustainability. Administrative rezoning helps staff to identify potential problems before they occur. **In this case, having a CH (Commercial-Heavy) zoning district in this primarily residential area can cause problems with future renovations, property sales, and future planning.** Rezoning the subject property to RS-1 (Residential Single-Family) would maintain the residential characteristics of this zoning district.

There was a mistake in the original zoning map or text

N/A.

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

N/A.

The proposed rezoning is compatible with surrounding land uses

A new RS-1 (Residential Single-Family) zoning for this property would eliminate the possibility of an intensive CH (Commercial-Heavy) use being located in this area in the future. Some extreme or intensive CH uses would be: bars or lounges, gas stations, auto repair or sales, car washes, industrial machinery rental, and light manufacturing.



RECEIVED

NOV 19 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Community Development and Planning Department
Office of the Director (Route 9010)

TO: Cydra Wingerter

DATE: November 16, 2021

FROM: Mary Sliman

SUBJECT: Case No. ZON2021-0042
408 & 410 Iberville Street, and 131, 135, 201 & 203 Huggins Road
Administrative Rezoning

The attached ordinance would rezone, from CH (Commercial-Heavy) to RS-1 (Residential Single-Family), properties located generally north of West Congress Street, east of Rue du Belier, and south of Wind Haven Lane.

The Zoning Commission, at its Monday, November 15, 2021 meeting, recommended that the City Council approve the attached ordinance. We request that Council Introduction be scheduled for Wednesday, December 15, 2021, with Final Adoption Tuesday, January 4, 2022.

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

Val Dubouff
for Mary Sliman

Mary Sliman
Director

LAFAYETTE CITY COUNCIL MEETING
ZONING AGENDA ITEM SUBMITTAL FORM

- 1) **JUSTIFICATION FOR REQUEST:** This is an administrative zoning for the adoption of an ordinance that would rezone properties located generally north of West Congress Street, east of Rue du Belier, and south of Wind Haven Lane.
- 2) **ACTION REQUESTED:** Adoption of the attached ordinance to reclassify the subject properties from CH (Commercial-Heavy) to RS-1 (Residential Single-Family).
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION: December 15, 2021
 - B. FINAL ADOPTION: January 4, 2022
- 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. Maps (2 pages)
 - F. Final Evaluation of Zoning Considerations (10 pages)
- 5) **FISCAL IMPACT:**
 - Fiscal Impact (will be detailed in Cost-Revenue Analysis)
 - No Fiscal Impact

RECOMMENDED BY:
Mari Lehoucq
for Mary Sliman

 MARY SLIMAN, DIRECTOR

APPROVED FOR AGENDA:
Cynthia Wignat

 CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-174-2021

1. This ordinance was introduced: December 15, 2021
YEAS: Lewis, Naquin, Hebert, Lazard
NAYS: None
ABSENT: Cook
ABSTAIN: None
- Final disposition by Council: January 4, 2022
YEAS: Lewis, Naquin, Cook, Lazard
NAYS: None
ABSENT: Hebert
ABSTAIN: None
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on December 22, 2021.
3. This ordinance was presented to the Mayor-President for approval on 1/5/2022, 2022, at 9:45 o'clock a.m.


ASST. CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 13 day of 13th JANUARY, 2022, at 9:50 o'clock a.m.
- B. Veto this ordinance, the _____ day of _____, 2022, at _____ o'clock ____m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2022, at _____ o'clock ____m., veto message is attached.


MAYOR-PRESIDENT

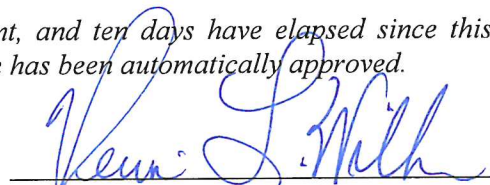
5. Returned to Council Office with/without veto message on January 14, 2022, at 8:50 o'clock a.m.

6. Reconsideration by Council (if vetoed):

On _____, 2022, the Council did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2022, at _____ o'clock ____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.


CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on January 7, 2022.

