SUPPLEMENT NO. 21, (4-14, REV.)
June 2014

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement No. 21, (4-14, Revision), is printed to revise pages appearing in Supplement No. 21, and should be inserted as directed below.

The Comprehensive Zoning Ordinance contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 25724, passed March 13, 2014.

See the Code Comparative Table and Disposition List for further information.

Remove Old Pages	*Insert New Pages*
15-39—15-43	15-39—15-43

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SUPPLEMENT NO. 21, (4-14)
April 2014

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 25724, passed March 13, 2014.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 20, (7-13)
July 2013

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 25309, passed May 2, 2013.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 19, (3-13)
April 2013

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 25122, passed December 6, 2012.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 18, (5-12)
June 2012

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 024839, passed April 5, 2012.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 17, (1-12)
February 2012

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 024720, passed January 5, 2012.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 16, (9-11)
November 2011

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 024593, passed September 22, 2011.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 15, (6-10)
May 2011

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 024333, passed March 3, 2011.

See the Code Comparative Table and Disposition List for further information.

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SUPPLEMENT NO. 14, (6-10)
August 2010

NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 023956, passed April 22, 2010.

See the Code Comparative Table and Disposition List for further information.

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NEW ORLEANS

COMPREHENSIVE ZONING ORDINANCE

A Codification of the Zoning Ordinances of
New Orleans, Louisiana

Beginning with Supp. No. 6-09,
Supplemented by Municipal Code Corporation

Municipal Code Corporation • PO Box 2235 Tallahassee, FL 32316
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PREFACE

The New Orleans Comprehensive Zoning Ordinance, originally published by Book Publishing Company, has been kept current by regular supplementation by Matthew Bender & Company, Inc., its successor in interest.

Beginning with Supplement No. 6-09, Municipal Code Corporation will be keeping this volume current by regular supplementation.

During original codification, the ordinances were compiled, edited and indexed by the editorial staff of Book Publishing Company.

This supplement brings the publication up to date through Ordinance 25724, passed March 13, 2014.

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HOW TO USE THIS PUBLICATION

This volume is organized to make the zoning ordinances of the city as accessible as possible to city officials, city employees and private citizens. Please take a moment to familiarize yourself with some of the important elements of this volume.

Tables of Contents.

There are many tables of contents in this volume to assist in locating specific information. At the beginning of the volume is the main table of contents listing each article. In addition, each article has its own table of contents listing the sections within it.

Ordinance History Note.

At the end of each section, you will find an "ordinance history note," which lists the underlying ordinances for that section. The ordinances are listed by number, section (if applicable) and year. (Example: (Ord. 272 § 1, 1992).)

Beginning with Supplement No. 6-09, a secondary ordinance history note will be appended to affected sections. Ordinance history notes will be amended with the most recent ordinance added to the end. These history notes can be cross referenced to the ordinance comparative table and disposition list appearing at the back of the volume preceding the index.

Ordinance List and Disposition Table.

To find a specific ordinance in the volume, turn to the section called "Tables" for the Ordinance List and Disposition Table. This very useful table tells you the status of every ordinance reviewed for inclusion in this volume. The table is organized by ordinance number and provides a brief description and the disposition of the ordinance. If the ordinance is codified, the chapter (or chapters) will be indicated. (Example: (2.04, 6.12, 9.04).) If the ordinance is for some reason omitted from the volume, usually at the direction of the municipality, the disposition will be "(Not codified)." Other dispositions sometimes used are "(Tabled)," "(Pending)," "(Number Not Used)" or "(Missing)."

Beginning with Supplement No. 6-09, this table will be replaced with the "Ordinance Comparative Table and Disposition List."

Ordinance Comparative Table and Disposition List.

Beginning with Supplement No. 6-09, an Ordinance Comparative Table and Disposition List has been added for use in tracking legislative history. Located in the back of this volume, this table is a chronological listing of each ordinance considered for codification. The Ordinance Comparative Table and Disposition List specifies the ordinance number, adoption date, description of the ordinance and the disposition within the volume of each ordinance. By use of the Ordinance Comparative Table and Disposition List, the reader can locate any section of the volume as supplemented, and any subsequent ordinance included herein.

Index.

If you are not certain where to look for a particular subject in this volume, start with the index. This is an alphabetical multi-tier subject index which uses section numbers as the reference, and cross-references where necessary. Look for the main heading of the subject you need, then the appropriate subheadings:

BUSINESS LICENSE

See also BUSINESS TAX
Fee 5.04.030
Required when 5.04.010

The index will be updated as necessary when the text is amended.

Instruction Sheet.

Each supplement to the volume will be accompanied by an Instruction Sheet. This sheet will tell the publication user the date of the most recent supplement and the last ordinance contained in that supplement. It will then list the pages that must be pulled from the volume and the new pages that must be inserted. Following these instructions carefully will assure that the volume is kept accurate and current. Removed pages should be kept for future reference.

Page Numbers.

When originally published, the pages of this volume were consecutively numbered. As of Supplement No. 6-09, when new pages are inserted with amendments, the pages will follow a "Point Numbering System". (Example: 32, 32.1, 32.2, 32.2.1, 32.2.2, 33.) Backs of pages that are blank will be left unnumbered but the number will be "reserved" for later use.

Electronic Submission.

In the interests of accuracy and speed, we encourage you to submit your ordinances electronically if at all possible. We can accept most any file format, including Word, WordPerfect or text files. If you have a choice, we prefer Word, any version. You can send files to us as an e-mail attachment, by FTP, on a diskette or CD-ROM. Electronic files enable us not only to get you your publication more quickly but also ensure that it is error-free. Our e-mail address is: **ords@municode.com**.

For hard copy, send two copies of all ordinances passed to:
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Customer Service.

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Comprehensive Zoning Ordinance to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Comprehensive Zoning Ordinance and are considered "Includes." Ordinances that are not of a general and permanent nature are not codified in the Comprehensive Zoning Ordinance and are considered "Omits."

In addition, by adding to this table with each supplement, users of this Comprehensive Zoning Ordinance will be able to gain a more complete picture of the Comprehensive Zoning Ordinance's historical evolution.

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ARTICLE 1

GENERAL PROVISIONS

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ARTICLE 1

GENERAL PROVISIONS

Section 1.1. Title.

This Ordinance shall be known, referred to, and recited as the Comprehensive Zoning Law of the City of New Orleans of 1995, as amended.

Section 1.2. Purpose.

1.2.1. Purposes Enumerated.

The purposes of this Ordinance include the following:

1. To encourage and promote, in accordance with present and future needs, the safety, morals, health, order, convenience, prosperity, and general welfare of the citizens of the City of New Orleans;

2. To provide for efficiency and economy in the process of development;

3. To provide for the appropriate and best use of land;

4. To provide for preservation, protection, development, and conservation of the natural resources of land, water and air;

5. To provide for adequate public utilities and facilities, and for the convenience of traffic and circulation of people and goods;

6. To provide for the safe use and occupancy of buildings and for healthful and convenient distribution of population;

7. To provide for promotion of the civic amenities of beauty and visual interest, for preservation and enhancement of historic buildings and places, and for promotion of large-scale developments as means of achieving unified civic design; and

8. To provide for development in accord with the Comprehensive Plan.

1.2.2. Regulations.

These objectives are to be accomplished by establishing zoning districts and by regulating the location and use of buildings, signs and other structures, water and land for agriculture, trade, industry, and residence, by regulating and limiting or determining the height, bulk, and access to light and air of buildings and structures, the area of yards and other open spaces and the density of use. Zoning district regulations and accompanying maps have been designed with reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses.

Section 1.3. Compliance With Regulations.

No building or land shall hereafter be used, and no building or part thereof shall be erected, reconstructed, converted, enlarged, moved, or structurally altered unless in conformity with the regulations as set forth in this Ordinance.

Section 1.4. Location on a Lot Required.

Every building hereafter erected, reconstructed, converted, moved or structurally altered shall be located on a lot of record and in no case shall there be more than one main building on one lot, unless otherwise provided for in this Ordinance.

Section 1.5. Accessory Buildings; Prior Construction.

No accessory building shall be constructed upon a lot for more than six (6) months prior to beginning construction of the main building. No accessory building shall be used for more than six (6) months unless the main building on the lot is also being used or unless the main building is under construction.

Section 1.6. Encroachment; Reduction of Lot Area.

The minimum yards, height limits, parking spaces, open spaces, including lot area per family, required by this ordinance for each and every building existing at the time of the passage of these regulations or for any building hereafter erected, shall not be encroached upon or considered as required yard or open space for any other building, except as hereinafter provided, nor shall any lot area or lot dimensions be reduced below the requirements of these regulations.

Section 1.7. Tables Are Part of This Ordinance.

The tables which appear in this Ordinance, together with all of the notations and requirements which are shown in them or which accompany them, shall be a part of these regulations and have the same force and effect as if all of the notations and requirements were fully set forth or described herein.

Section 1.8. Certain Regulations Not Reproduced Herein.

Wherever reference is made in this Ordinance to any other ordinance, chart, table, schedule, or regulation which itself is not copied herein, such ordinance shall be incorporated herein by reference as to any requirements contained therein, and a copy of such ordinance, chart, table, schedule, or regulation shall be kept on file in the office of the Director of Safety and Permits, the Clerk of Council, and available for inspection and reference.

Section 1.9. Airport Zoning Regulations.

Regulations for control of the height of buildings and other possible obstructions to flight are contained in the Airport Zoning Ordinance of the City of New Orleans.

Section 1.10. Adult Establishments.

No occupancy permit shall be issued by the Director of the Department of Safety and Permits for any adult establishment (as defined in Article 2) located within a thousand-foot radius of any residential zone, any residential use, or any habitable unit; any church or religious institution, any school, any playground, any public park or any area zoned for the aforesaid uses. No occupancy permits shall be issued by the Director of Safety and Permits for any building, premises, structure, or other facility that contains more than one type of adult establishment. No building, premises, structure or other facility in which sexually oriented devices are sold, distributed, exhibited or contained shall contain more than one type of adult establishment. The use and location of adult establishments also are regulated pursuant to Section 54-259 of the New Orleans City Code. These regulation shall apply to all adult establishments in all zoning districts, except adult cabarets in the Vieux Carré Service and Entertainment Districts. (Ord. 18,562 § 1, adopted 12/18/97; Ord. 18,267 § 1, adopted 6/5/97)

Section 1.11. Conflict.

Whenever these regulations contain an actual, implied or apparent conflict, the more restrictive regulation shall apply unless specified otherwise.

Section 1.12. Severability.

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

ARTICLE 2

DEFINITIONS

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ARTICLE 2

DEFINITIONS

Section 2.1. General Rules of Construction.

The following general rules of text construction shall apply to the regulations of this Ordinance:

1. The singular number includes the plural and the plural the singular, unless the context clearly indicates the contrary.

2. Words used in the present tense include the past and future tenses, and the future the present.

3. The word "shall" is always mandatory. The word "may" is permissive.

4. The word "building" or "structure" includes any part thereof, and the word "building" includes the word "structure."

5. Words and terms not defined herein shall be interpreted in accord with their normal dictionary meaning and customary usage.

Section 2.2. Definitions.

For the purpose of this Ordinance, certain terms and words are hereby defined:

1. *Accessory Building.* A subordinate building, attached to or detached from the main building, the use of which is incidental to that of the main building and not used as a place of habitation except by domestic servants employed upon the premises.

2. *Accessory Use.* A subordinate use which is incidental to and customary or necessary in connection with the main building or use and which is located on the same lot with such main building or use.

3. *Adult Day Care.* Any place operated by a person, society, agency, corporation, institution, and any other group to provide daytime care and activities to five (5) or more persons, at least seventeen (17) years of age, who are not within the immediate family of the care giver, excluding alcohol and drug abuse clientele, former inmates of prisons or correctional institutions or former patients of mental institutions who have been found not guilty by reason of insanity. The day care services should take place on a regular basis for at least fifteen (15) hours in a continuous seven (7) day week and should be licensed by the State of Louisiana. No overnight stays are permitted.

4. *Adult Establishment.* An adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult cabaret, or a massage business. Adult establishment also means any premises which sells or disseminates "explicit sexual material" as defined in Section 54-259 of the City Code and which thereby must limit "public display" of such "explicit sexual material" by restricting access

to "young persons" as required by the provisions of Section 54-259 of the City Code. For purposes of this definition, the following terms shall have the following meanings:

a. *Adult bookstore.* A bookstore having as a preponderance of its publications, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

b. *Adult motion picture theater.* An enclosed building with a capacity of fifty (50) or more persons used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section, for observation by patrons therein.

c. *Adult mini-motion picture theater.* An enclosed building with a capacity of less than fifty (50) persons used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section, for observation by patrons therein.

d. *Massage.* Any process or procedure upon the external parts of the body or a portion consisting of rubbing, stroking, kneading, or tapping by any means.

e. *Massage establishment.* Any establishment or business wherein massage is practiced as a major use occupying more than twenty-five (25) percent of the floor area of the subject establishment or business including establishments commonly known as massage studios or massage parlors.

f. *Sexually oriented devices.* Any artificial or simulated specified anatomical area or other device or paraphernalia that is designed in whole or part for specified sexual activities.

g. *Specified anatomical area* means:

   (1) Less than completely and opaquely covered genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; or

   (2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

h. *Specified sexual activities* means:

   (1) Human genitals in a state of sexual stimulation or arousal;

   (2) Acts of human masturbation, sexual intercourse or sodomy; or

(3) Fondling or erotic touchings of human genitals, pubic regions, buttocks or female breasts even if completely and opaquely covered.

i. *Adult Cabaret.* An establishment that features dancers, go-go dancers, exotic dancers, male or female impersonators or similar entertainers or live entertainment, where persons regularly appear in a state of nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities as defined in subsections (4)(g) and (4)(h) of this section. Such establishments specifically exclude minors, or minors are specifically prohibited by statute or ordinance, regardless of whether or not any such business is licensed to sell alcoholic beverages.

5. *Aesthetically Sensitive Area.* Any geographical area, either publicly or privately owned, in the City of New Orleans which contains or displays distinctive, unusual or historic visual elements exemplary of, and/or peculiar to New Orleans. The aesthetics of such an area could be adversely affected if views of it were obscured, obstructed or altered in an adverse manner by the visual elements of a use, activity, building or structure being constructed, placed or positioned near it.

   Aesthetically sensitive areas include but are not limited to the following: churches, cemeteries, convents, schools, parks, nature preserves, wildlife refuges, lakes, bayous, national and local historic districts or landmarks, design review districts, urban corridor districts and design vistas.

   Visual elements which could adversely affect an aesthetically sensitive area include but are not limited to the following: outdoor general advertising signs and their support structures.

6. *Aggregate Area or Width.* The sum of two or more designated areas or widths to be measured, limited, or determined under these regulations.
7. *Alley.* A way which affords only a secondary means of access to property abutting thereon.
8. *Amusement Place.* Establishments engaged in providing amusement or entertainment, excluding live adult entertainment, which may require a fee or admission charge and which must have an amusement tax license for such activities, including but not limited to dance halls; theatrical productions; bands, orchestras and other musical entertainment; billiard and pool establishments; commercial sports such as arenas, rings, rinks, coin- or token-operated devices in excess of three (3); expositions; game parlors, except off-track betting parlors. An establishment which holds valid City and State permits for the consumption of alcoholic beverages on the premises may allow the operation of three (3) validly licensed video draw poker devices on the premises which shall not be deemed to be coin- or token-operated devices for the purpose of this definition.
9. *Apartment.* A dwelling unit with culinary facilities designed for or used as living quarters for a family.
10. *Apartment Hotel.* A multiple-family dwelling designed for or containing both apartments and dwelling units without culinary facilities and which has an inner lobby through which all tenants must pass to gain access to apartments or dwelling units. The number of apartments with culinary facilities must be at least ten (10) and the number of dwelling units without culinary facilities shall not exceed thirty (30) or shall not exceed the number of apartments, whichever is less.
11. *Apartment House.* Same as dwelling, multiple.

11A. *Artist Community.* Land and buildings used as a meeting place, retreat and/or exhibition center for the exchange of ideas between artists, members of the professional art community and the general public which may provide indoor and outdoor exhibition space, work space, meeting space, lecture halls, performance space and sculpture parks, as well as living and dining facilities for the staff, artists and participants in the center's retreat programs.

12. *Automobile Service Center.* An establishment which provides general maintenance service for automobiles such as engine tune-ups, oil change, lubrication, front end alignment, brake service and similar maintenance services, and/or offers retail sales and installation of lubricants, tires, batteries and similar accessories in a completely enclosed building. An automobile service center does not include activities such as body and fender repairs and major engine repairs.
13. *Automobile/Vehicular Parts Sale/Non-Service.* A use where the sale of parts for automobiles, motor vehicles, or other vehicles constitutes more than fifty (50) percent of the total sales for the establishment and where no service, such as installation of parts and repairs, is permitted on the site.
14. *Awning.* See Canopy.
15. *Balcony.* An open platform projecting from the outside of a building wall but not supported from the ground and enclosed by a parapet, railing or balustrade. The balcony is generally utilized to support one or several persons and/or furniture.
16. *Basement.* That portion of a building below the first story and having more than one-half its height below grade.

16A. *Batching Plant (Asphalt, Cement or Concrete).* A facility to combine, mix or process appropriate amounts of natural and man-made elements or compounds into a quantity of material required for an operation.

17. *Bed and Breakfast Accommodation.* An owner-occupied residential structure, originally constructed as either a single-family or a two-family structure that is easily converted to a single-family structure, which provides sleeping rooms for overnight paid occupancy of up to seven (7) nights. Common bathroom facilities may be provided rather than private baths for each room. Proof of owner occupancy shall be established by submission of proof of a homestead exemption. If more than one building is existing on a lot of record or a site (meaning two (2) or more contiguous lots historically acquired together), and the second building was originally constructed and has been used for habitable space, as defined by the Building Code, at least five (5) years prior to the establishment of the bed and breakfast, then it may be included in the operation of the bed and breakfast.
18. *Bed and Breakfast Family Home.* Bed and breakfast accommodations limited to no more than two (2) sleeping rooms.
19. *Bed and Breakfast Guest Home.* Bed and breakfast accommodations with three (3) to five (5) sleeping rooms; subject to a current certificate of liability insurance posted on the premises.
20. *Bed and Breakfast Historic Homes.* Bed and breakfast accommodations with no less than three (3) and no more than nine (9) sleeping rooms subject to approval by the Historic District Landmarks Commission and subject to a current certificate of liability insurance posted on the premises. Historic home status will only be granted to structures that are at least 3,000 square feet in size, a minimum of fifty (50) years old, and capable of being architecturally rated as green, blue, or purple.
21. *Bed and Breakfast Inns.* Bed and breakfast accommodations with a maximum of nine (9) sleeping rooms and subject to a current certificate of liability posted on the premises. Bed and breakfast inns will be limited to commercial and neighborhood business districts.
22. *Boardinghouse.* Same as rooming house.

22A. *Borrow Pit.* An excavated hole in the ground from which sand, gravel, soil or similar material is extracted for use as fill. Fill material form borrow pits shall service developments on the same or

adjacent lots on which the pit is located. Excluded from this definition are (a) pits located in navigable waterways; (b) pits used for foundations for buildings; and (c) pits developed as swimming pools or similar accessory facilities.

23. *Brew Pub.* An establishment which contains a full service standard restaurant and sells alcoholic beverages. A brew pub may feature live entertainment if otherwise permitted in the district, but not live adult entertainment. This establishment also contains a mini-brewery as an accessory use provided the sales of the mini-brewery products are less than fifty (50) percent of total sales. This mini-brewery shall be for the brewing of handcrafted, natural beer intended for retail consumption on the premises and on any premises that has a license as a standard full-service restaurant owned and operated in its entirety by the same corporate ownership and management as the brew pub. Retail sales may

also be made at City Council-approved festivals. Delivery vehicles for the beer from the main brew pub must not exceed a weight of five (5) tons. A loading space permit must be approved and installed by the Department of Streets prior to any deliveries of beer from the site.

24. *Brewery.* A facility for the production and packaging of malt beverages of low alcoholic content for wholesale distribution, with a capacity of more than 15,000 barrels per year.

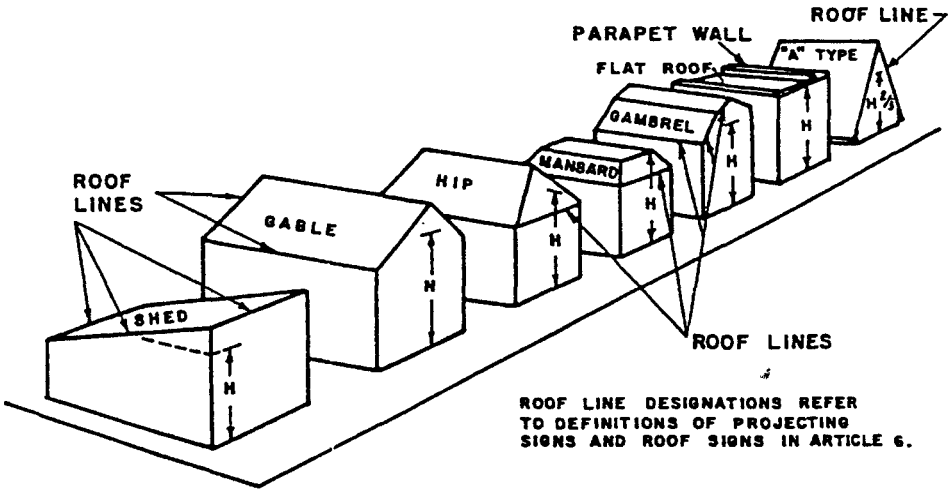
25. *Brewery, Local.* A facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail or wholesale, on- or off-premises, with capacity of not more than 15,000 barrels per year. The development may include other uses such as a standard restaurant, bar, or live entertainment as otherwise permitted in the zoning district.

26. *Buildable Area.* The area of a lot not included within the yards or open spaces herein required.

27. *Building.* Any structure designed or built or used for the support, enclosure, shelter or protection of persons, animals, chattels, or property of any kind.

28. *Building, Completely Enclosed.* A building having no outside openings, other than ordinary doors, windows, and ventilators.

29. *Building, Height of.* The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line or highest point of coping or parapet of a mansard roof, or to the mean height level between eaves and ridge for gable, hip shed, and gambrel roofs. When the highest wall of a building with a shed roof is within thirty (30) feet of a street, the height of such building shall be measured to the highest point of coping or parapet. (See diagram of roof lines.)



30. *Building Line.* That line, between which and the street line, no building or part thereof, may be erected, except as provided in these regulations.

31. *Bulk.* A term used in this Ordinance to describe the size and shape of a building or structure and its relationship to other buildings, to the lot area for a building, and to open spaces and yards.

32. *Bulkhead Line.* An official line established by ordinance of the City Council of the City of New Orleans to limit the extent of bulkheads and similar structures.

33. *Business District.* See District, Commercial.

34. *Cable Communications System.* A system of antennas, cables, amplifiers, towers, microwave links, cable-casting studios, and other conductors, converters, equipment or facilities, designed and constructed for the primary purpose of distributing video programming to home subscribers, and the secondary purpose of producing, receiving, amplifying, storing, processing, or distributing audio, video, digital, or other forms of electronic or electrical signals.

35. *Cafe Zone.* Those sites along Canal Street between Claiborne Avenue and the Mississippi River.

36. *Canopy.* A detachable, temporary or permanent ornamental roof-like structure supported from the ground, deck, floor or walls of a building for protection from sun or weather.

37. *Carport.* A canopy, open on at least two (2) sides, for the purpose of providing shelter for one or more vehicles.

38. *Carwash.* A building or structure erected for the primary purpose of washing automobiles.

39. *Casino.* A public or private establishment, that may also be characterized as a temporary casino, containing a minimum of 50,000 square feet of floor area in a building in which legal gaming is conducted.

40. *Cellar.* That portion of a building below the first story having more than one-half of its height below grade.

40A. *Check Cashing Establishment.* An establishment, other than a state or federally chartered bank or financial institution (i.e. savings association, credit union), which provides the general public a check cashing service. As a primary element of its operation, the establishment charges either a flat fee for such service or a service fee based upon a percentage of the face value of the check to be cashed.

41. *Child Care Center (Small).* Any residential structure or adaptive reuse of an existing structure in which care, supervision and guidance is provided to a maximum of twelve (12) children, who are not within the immediate family of the care giver and are unaccompanied by parent or guardian.

42. *Child Care Center (Large).* Any structure operated by an institution (public, semipublic, or private) society, agency, corporation, person or persons, or any other entity, in which care, supervision and guidance is provided to a maximum of thirty (30) children who are not within the immediate family of the care giver and are unaccompanied by parent or guardian.

43. *Child Care Center (Commercial).* A facility other than a family child care home, small child care center, or large child care center, which is operated by an institution (public, semipublic, or private), society, agency,

corporation, person or persons, or any other entity, in which care, supervision and guidance is provided to children who are not within the immediate family of the care giver and are unaccompanied by parent or guardian. The number of children which these centers may serve is limited only by the square footage per child of available indoor and outdoor space, as set forth in Section 11.15.

44. *Child Care Home (Family).* Any owner-occupied residential structure in which care, supervision and guidance is provided to a maximum of five (5) children who are not within the immediate family of the care giver and are unaccompanied by parent or guardian.
45. *Clinic.* A building or portion thereof designed for, constructed or under construction or alteration for, or used by two or more physicians, surgeons, dentists, psychiatrists, physiotherapists, or practitioners in related specialties, or a combination of persons in these professions, but not including lodging of patients overnight.
46. *Club, Private.* Buildings and facilities or premises used or operated by an organization or association for some common purpose, such as, but not limited to, a fraternal, social, educational or recreational purpose, but not including clubs organized primarily for profit or to render a service which is customarily carried on as a business. Such organizations and associations shall be incorporated under the laws of Louisiana as a nonprofit corporation or registered with the Secretary of State of Louisiana.
47. *Cocktail Lounge.* A place for service or consumption of alcoholic beverages but not including live entertainment.

47A. *College or University.* An institution of higher learning providing facilities for teaching and research and authorized to grant a variety of academic degrees; usually made up of an undergraduate division which confers bachelor's degrees and a graduate division which comprises a graduate school and professional schools, each of which may confer master's degrees and doctorates.

48. *Composting Facility.* A facility where nonhazardous organic matter is processed by natural or mechanical means to aid the microbial decomposition of organic matter. As defined in the current Environmental Regulatory Code, LAC 33:VII.115, LAC 33:VII.719, LAC 33:VII.723 and subsequent Louisiana Department of Environmental Quality guidelines.
49. *Comprehensive Plan.* The officially adopted Comprehensive Plan of the City of New Orleans or any part thereof.
50. *Conditional Use.* A use listed in any zoning district as a conditional use requiring public hearing and report before approval by the City Council.
51. *Condominium.* The property regime under which portions of immovable property are subject to individual ownership and the remainder thereof is owned indivision by such unit owners, pursuant to the Louisiana Condominium Act (La. R.S. 9:1121.101 et seq.).
52. *Condominium Unit.* A part of the condominium property subject to individual or co-ownership. A unit may include air space only. A unit includes such accessory rights and obligations as are stipulated in the condominium declaration.
53. *Convalescent Home.* Same as nursing home.
54. *Convent.* An area containing one or more buildings accommodating persons, usually nuns, devoting their activities to a religious life.

54A. *Cooking School.* An establishment that maintains courses of instruction or study in cooking or the culinary arts, taught by an instructor certified by a recognized professional body in such field(s), on specific days of the week during specified times consistent with the normal business

hours of other educational institutions, and that maintains a place of business at which such courses are available through classroom instruction, where alcoholic beverages and/or food products associated with such courses may be sold or served for consumption on or off-premises, but where neither live entertainment or gambling are provided.

55. *Court.* An open space from the ground upward, which may or may not have direct street access and around which is arranged a single building or a group of related buildings.
56. *Culinary or Cooking Facilities.* A space in a dwelling arranged, intended, designed, or used for the preparation of food for a family. Facilities may include a sink, stove, cabinets, and refrigerator or any combination of these arranged in such space. A refrigerator alone shall not constitute culinary or cooking facilities under this definition.
57. *Design Vista.* A scenic corridor, vista or scene which follows or extends from any publicly traveled pedestrian or vehicular transportation corridor, either publicly or privately owned, where it is possible to view certain elements or scenes such as buildings, trees, bodies of water and bridges, or groupings thereof that are easily recognizable and generally known as scenic locations within the City of New Orleans, and have been so designated and adopted by the City Council of New Orleans and maintained on the Official Zoning Map.
58. *Destination Resort/Entertainment Center.* A facility containing a minimum of one hundred fifty acres, located at the intersection of two (2) interstate highways, and having within its boundaries, as a primary use, an amusement place that is developed as a regional visitor tourist attraction and entertainment facility and/or theme park, containing amusement rides, games of skill and chance, etc., organized around a central theme or themes depicted through architecture.
59. *Director.* The Executive Director of the City Planning Commission or her designate.
60. *Distribution System.* A system to provide overhead and/or underground wiring services (such as, electrical or communication facilities) to individual lots. This definition shall apply to the system as a whole, or any part thereof (i.e., cables, conduits or wires) used as feeders, primaries, secondaries or similarly designated conductor systems forming part of such distribution system and not including transmission systems.
61. *District.* Any section of the City of New Orleans in which the zoning regulations are uniform.
62. *District, Commercial.* Any district designated in these regulations as a business or commercial district or special commercial district under Articles 5 or 6 of this Ordinance or containing the word "commercial" in its title.
63. *District, Industrial.* Any district established in this Ordinance whose designation includes the letter "I" and contains the word "Industrial."
64. *District, Residential.* Any district designated in this Ordinance as a residential district under Article 4 of this Ordinance.
65. *Domestic Animal Kennel, Commercial.* The keeping of any dogs, cats or other domestic animals, regardless of number, for sale, breeding, boarding or treatment purposes except in an animal hospital, pet beauty parlor, or pet shop, as permitted by these regulations, or the keeping of five (5) or more domestic animals or fowl, six (6) months or older, on premises used for residential

development, or the keeping of more than one (1) domestic animal on vacant property or on property used for business or commercial purposes.

66. *Dormitory.* A building other than an apartment hotel, hotel, small or large group home, rooming house, tourist home, residential care center, motel or motor lodge, intended or principally used for sleeping accommodations for more than fifteen (15) unrelated individuals, and such building shall be under the auspices of a public, educational, religious, eleemosynary or nonprofit organization which contains a nonprofit designation from the Federal Internal Revenue Service.

67. *Drive-in.* A term used to describe an establishment designed or operated to serve a patron while seated in an automobile parked in an off-street parking space.

68. *Dwelling.* A building or portion thereof, designed or used exclusively for residential occupancy, but not including trailers, hotels, motels, motor lodges, boarding and lodging homes, tourist courts, or tourist homes, or time share buildings.

69. *Dwelling, Multiple-Family.* A dwelling designed for, constructed or under construction or alteration for, or occupied by three (3) or more families.

70. *Dwelling, Single-Family.* A dwelling designed for, constructed or under construction or alteration for, or occupied exclusively by not more than one (1) family.

71. *Dwelling, Single-Family, Detached.* A single-family dwelling surrounded by yards or other open spaces.

72. *Dwelling, Two-Family.* A dwelling designed for, constructed or under construction or alteration for, or occupied by two (2) families.

73. *Dwelling Unit.* A room, or group of rooms, occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household, or by a person living alone.

74. *Executive Director.* The Executive Director of the City Planning Commission or her designate.

75. *Family.* An individual or two (2) or more persons who are related by blood or marriage living together and occupying a single housekeeping unit with single culinary facilities, or a group of not more than four (4) persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a nonprofit, cost sharing basis. Domestic servants, employed and residing on the premises shall be considered as part of the family.

76. *Fitness Centers.* A type of health club containing a minimum of 15,000 square feet in area which provides primarily aerobic/exercise programs, strength training and cardiovascular training. The facility typically contains courts for the playing of competitive sports such as racquetball, tennis, basketball and volleyball. Swimming facilities are also frequently available in fitness centers.

77. *Flea Market.* Flea market, swap meet, or similar activity or those uses which involve the setting up of two (2) or more booths, tables, platforms, racks or similar display area for the purpose of selling or buying merchandise; where the individual vendors may each operate one or more such booths, etc. under the supervision of the flea market proprietor, who shall rent or otherwise arrange for assigned space(s) for each vendor and see that all applicable laws are complied with. A flea market, as defined herein, is not intended to include "garage sale," "bake sale," fruit or produce stands, art festival or any similar activity conducted by a civic or nonprofit organization.

78. *Floor Area.* The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) attached buildings. In particular, floor area includes:*

    a. Basement space, providing structural headroom of seven (7) feet, six (6) inches or more.

    b. Elevator shafts or stairwells at each floor.

    c. Floor space used for mechanical equipment.

    d. Floor space in penthouses.

    e. Attic floor space (whether or not a floor has been laid) providing structural headroom of at least seven (7) feet six (6) inches.

    f. Floor space in interior balconies or interior mezzanines.

    g. Floor space in accessory buildings.

    h. Floor space in enclosed porches.

    i. Any floor space used for residential use, no matter where located within the building.

    j. Balconies and galleries, covered or uncovered patios, and commercial public leased space associated with commercial uses.

    k. Any outdoor space, whether covered or uncovered, which is used for seating, performance or similar activities in support of the nonresidential primary use.

    l. Floor space within an enclosed building. However, the floor area of a building shall not include:

        (1) Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths.

        (2) Accessory water tanks or cooling towers.

(3) Exterior balconies on residential uses.

(4) Uncovered steps.

(5) Attic floor space (whether or not a floor actually has been laid) providing structural headroom of less than seven (7) feet six (6) inches.

(6) Floor space used for required accessory off-street parking space, including parking space in the CBD-1 District when approved and including the required parking area for colleges and universities.

(7) Galleries located in residential uses, through arcades, and breezeways.

* Applicants for permits shall be required to indicate on the permit drawings the use to which all floor areas apply.

79. *Floor Area Ratio.* The floor area of a building or buildings on any lot divided by the area of the lot.

80. *Franchisee.* The recipient of a franchise under the terms and provisions of the City Code, Ordinance 828 M.C.S., Chapter 61, Subsection 114.2.

81. *Fraternity or Sorority.* A structure, premises or any portion thereof used by a fraternal or sororal membership organization or association, used wholly or in part as a residence or a dining or a recreational facility for members of organizations or associations who are students at a college, university, or seminary which permits the organization or association to use its facilities because of the relationship of such organization or association to the body of students enrolled in such institution. In order to avail themselves of a use permitted or otherwise allowed under this Ordinance, such organizations and associations shall be incorporated under the laws of Louisiana as a nonprofit corporation or registered with the Secretary of State of Louisiana, provided, however, that the failure to so incorporate or register shall not exclude an organization or association from the definition of "club" whenever that term is used in a provision imposing an obligation or restriction on clubs.

82. *Frontage, Lot.* The distance for which the front lot line and the street line are coincident.

83. *Frontage, Street.* The distance along a street line from one intersecting street to another or from one intersecting street to the end of a dead-end street.

84. *Gallery.* An open platform projecting from the outside of a building wall supported from the ground by columns or poles and enclosed by a parapet, railing or balustrade. The gallery is generally utilized to support one or several persons and/or furniture.

85. *Game or Gambling Game.* A banking or percentage game played with cards, dice, or any electronic, electrical or mechanical device or machine for money, property, or any representative of value, and located exclusively in a casino.

86. *Gaming or Gambling.* The dealing, operating, carrying on, conducting, maintaining, or exposing for pay of any game.

87. *Garage, Parking.* A building or portion thereof designed or used for the temporary storage of motor-driven vehicles, with or without the retail dispensing, sale, or offering for sale of motor fuels, lubricants, and tires, or indoor car washing, minor motor adjustment, and flat tire repair when such operations are incidental to the storage of motor-driven vehicles.

88. *Garage, Private.* An accessory building not exceeding 900 square feet in floor area designed or used for storage of vehicles only, not to exceed four (4) storage spaces, which shall not be occupied by any vehicles other than motor-driven vehicles of one (1) ton capacity or less or uncovered trailers that are not used for living or sleeping purposes; and provided further that not more than two (2) said storage spaces may be rented to persons not occupants of the main building of the lot upon which the private garage is located.

89. *Garage, Repair.* A building, land, or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles.

90. *Garage, Storage.* A building, land, or portion thereof designed or used for storage only of five (5) or more motor-driven vehicles pursuant to previous arrangement and not to transients, and at which automobile fuels and oils are sold and motor-driven vehicles are not equipped, repaired, hired, or sold.

91. *Gasoline Service Station.* Any building or land area used for the retail sale of motor vehicle fuels and including as an accessory use the retail sale of lubricants, tires, batteries and similar accessories and the servicing and minor repairs of motor vehicles. Major repair such as motor replacement, body and fender repair or spray painting is prohibited.

92. *Grade.* The required elevation of the ground at a building or building site as established by the Building Code of the City of New Orleans.

92A. *Green Markets.*

a. "Green market" is defined as any permanent or seasonal market located on private property which involves the setting up of two (2) or more booths, tables, platforms, mobile units, or similar displays where producers and/or growers sell fresh produce and/or value-added products direct to retail and wholesale customers at stalls or mobile units in an open air location; where individual vendors may each operate one or more booths, under the supervision of a green market proprietor, who shall rent or otherwise arrange for assigned space(s) for each vendor and see that all applicable laws are complied with. A green market,

as defined herein, is not intended to include, open air markets in the VCS District, "flea markets," "itinerant mobile produce vendors" or "transient vendors."

b. A "seasonal marketplace" is defined as any marketplace that exists on a regular recurring basis (semiweekly, weekly, biweekly or monthly) at the same site.

c. A "producer" or "grower" is defined as any person offering for sale articles for human consumption, such as fruits or their juices, vegetables, edible grains, nuts and berries and value-added products or nonedible nursery items such as cut or potted flowers, which articles

have been raised or prepared by the grower or producer, members of his family or persons in his employ. Permitted items for sale shall be limited to:

(1) "Fresh produce" which is defined as fresh fruits and vegetables, edible grains, nuts and berries, and herbs.

(2) "Nursery items and cut flowers" which are defined as plants and trees, fresh and dried flowers, and decorative vegetation grown or legally gathered by vendors themselves.

(3) "Value-added products" which are defined as juices, honey, jams and jellies, dried fruits, salsa and baked goods if the primary ingredients where grown or gathered by the sellers themselves.

d. A "market proprietor" is defined as the sponsoring entity that holds legal and financial responsibility of the green market; and who oversees the operation in some cases of the structures or facilities in which the market is housed.

93. *Group Home or Community Home (Small). (See Section 11.22)* A building other than an apartment hotel, hotel, rooming house, tourist home, large group home, residential care center, rehabilitative-recovery/care center, dormitory, motel or motor lodge, that provides room and/or board and provides or requires participation in a program of treatment or special care (on or off site), or that provides room and/or board for individuals who are placed in a dwelling unit by a sponsoring entity, so as to meet individual needs in a family environment for no more than six (6) individuals. The sponsoring entity typically imposes restrictions on the occupants. Alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental illness institutions who have been found not guilty of a criminal charge by reasons of insanity shall be excluded as occupants.

94. *Group Home or Community Home (Large). (See Section 11.21)* A building other than an apartment hotel, hotel, rooming house, tourist home, small group home, residential care center, rehabilitative-recovery/care center, dormitory, motel or motor lodge, that provides room and/or board and provides or requires participation in a program of treatment or special care (on or off site), or that provides room and/or board for individuals who are placed in a dwelling unit by a sponsoring entity, so as to meet individual needs in a family environment for no more than fifteen (15) individuals. The sponsoring entity typically imposes restrictions on the occupants. Alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental illness institutions who have been found not guilty of a criminal charge by reason of insanity shall be excluded as occupants.

94A. *Guest House.* A use other than a rooming house, hotel, apartment hotel, dormitory, motel, or motor lodge, which shall have a minimum of fifteen (15) guest sleeping rooms or suites, and a maximum of fifty (50) guest sleeping rooms or suites, which provides temporary lodging accommodations for the nonresident public. A guest house may include common culinary, sanitary and recreational facilities, with a minimum of one (1) bathroom per three (3) guest sleeping rooms. A guest house shall have a minimum stay of twenty-four (24) hours and a maximum stay of ten (10) days. A guest house shall have a twenty-four (24) hour on-site management office, as well as a resident manager with private accommodations. The management office shall be directly accessible and visible from the main entrance and exit. Each guest house shall have one (1) central point of entrance and exit through which all patrons and their visitors must pass to gain access to the guest sleeping rooms. A guest house must be located 500 feet from any residential zoning districts, and shall not operate bars or restaurants on site.

94B. *Guidance Service.* A use of a site for the provision of daytime counseling, guidance, recuperative, job training, or similar services to persons requiring rehabilitation assistance as a result of detention, alcoholism, drug addiction, mental illness, or similar condition.

95. *Health Club.* An establishment containing a minimum of 4,000 square feet of floor area, which provides a service to the public involving an exercise program; aerobics; martial arts; spas, and/or hot tubs; pools; gymnastics. Such establishment must provide modern exercise equipment in good operation, which equipment shall be subject to inspection by the Department of Safety and Permits and/or Health Department of the City or State. If massage therapy is offered on the premises, the masseuse must be licensed in accordance with Chapter 35-A-1, massage therapy, of the City Code (Ordinance 828 M.C.S.). The establishment may provide a pool or hot tub which shall be subject to inspection by the Department of Health of the City and/or State. The type of clientele (i.e., men only; men and women; or family) and the hours of operation must be posted in an obvious place in the entryway of the establishment; the fees must be indicated upon request. For the purpose of this definition, a spa, exercise club, gymnasium, public pool or hot tub, martial arts school, aerobics club, or gymnastics school shall be considered a health club.

96. *Heliport.* An area of land, water or structure or portion thereof used or intended to be used for the landing and take-off of helicopters and having service facilities for such aircraft or providing for permanent basing of such aircraft.

97. *Helistop.* An area of land, water or structure or portion thereof used or intended to be used for the landing and take-off of helicopters providing no facilities for service or permanent basing of such aircraft are permitted.

98. *Home for the Aged.* Facilities providing domiciliary care for ambulatory aged, including the service of meals and the provision of incidental nursing as required from time to time, provided that the words "ambulatory aged" as used above shall not include any inmate of any prison or other correctional institution.

99. *Home Occupation.* Any occupation within a dwelling and clearly incidental thereto, carried on by a member of the family residing on the premises provided that no person not a resident of the premises is employed, that not more than fifteen (15) percent of the floor area of the dwelling is used for the home occupation, and no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic, or household purposes, and there is no exterior indication other than a sign permitted by the district regulations, that the building is being used for any purpose other than a dwelling. When within the above requirements, a home occupation includes but is not limited to the following: (a) art studio; (b) dressmaking; (c) professional office of a lawyer, engineer, architect, accountant, salesman, real estate agent, insurance agent, or other similar occupations; (d) teaching, with musical instruction limited to not more than two (2) pupils at a time; however, a home occupation shall not be interpreted to include barber shops, beauty parlors, restaurants, or office of a physician or dentist where mechanical equipment is used.

100. *Hospital.* A building or group of buildings, having room facilities for overnight patients, used for providing services for the inpatient medical or surgical care of sick or injured humans, and which may include related facilities such as central services, and staff offices; provided, however that such related facilities must be incidental and subordinate to the main use and must be an integral part of the hospital operations.

101. *Hotel.* A building containing fifteen (15) or more individual sleeping rooms or suites, having each a private bath attached thereto, and rented in their entirety to a single party, for the purpose of providing overnight lodging facilities to the general public for compensation with or without meals, excluding accommodations for employees, and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all hours. Where a hotel is permitted as a principal use, all uses customarily and historically accessory thereto for the comfort, accommodation and entertainment of the patrons, excluding live adult entertainment, but including the service of alcoholic beverages, shall be permitted.

102. *Household Moving Center.* A business specializing exclusively in the rental of household moving rental trucks and utility rental trailers and in the sale and rental of other products and services directly related to do-it-yourself moving, including involving the rental, display, maintenance and/or storage of such vehicles for rental purposes on an open hard-surface lot. Maintenance and repair of such vehicles shall be conducted in the closed building or shop but shall not include body and fender repair or spray painting.

103. *Household Moving Rental Truck.* Any motor vehicle which is displayed, stored or offered for rental without a driver, used and maintained solely for the transportation of property and primarily used for the do-it-yourself movement of personal household goods by private individuals on a short term basis, having only two (2) axles and equipped with a fully enclosed van body of no more than twenty-two (22) feet in length measured at the vehicle chassis and no more than twelve (12) feet in height measured from the surface upon which the involved truck rests.

104. *Incinerator.* Any enclosed device using controlled flame combustion, capable of withstanding heat, and designed to efficiently reduce solid, semisolid, liquid, or gaseous waste at specified rates and from which residue contains little or no combustible material, as defined in Louisiana Administrative Code (LAC), Environmental Regulatory Code, Title 33, Part VII, Section 115 (referred to as LAC 33:VII.115) and LAC 33:II.111. These facilities are required to comply with LAC 33:III.25 and all other applicable Department of Environmental Quality Solid Waste and Air Quality Regulations. Boilers, industrial furnaces (as defined in LAC 33:V.109), "TP" burners, "conical" burners, and "jug" burners are exempt from this definition.

    a. *Nonindustrial (Type II-A).* A facility used for processing residential or commercial solid waste. Residential waste defined as any solid waste, such as, but not limited to, garbage and trash derived from households (including single and multiple residences), hotels and motels, picnic grounds, and day-use recreation areas. Commercial waste defined as all types of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial solid wastes. These incinerators are only

permitted as conditional uses in HI Heavy Industrial Districts and as permitted accessory uses in LI and HI Districts.

104A. *Interactive theater.* A ride typically found in amusement and theme parks utilizing a floating or moving platform which moves in synchronization with a movie which is viewed simultaneously by the riders thus giving the sensation of lateral and vertical movement.

105. *Junk.* Abandoned or dilapidated automobiles, trucks, tractors, and other such vehicles and parts thereof, abandoned or dilapidated wagons and other kinds of vehicles and parts thereof, scrap building material, scrap contractor's equipment, tanks, casks, cans, barrels, boxes, drums, piping, bottles, glass, old iron, machinery, rags, paper, excelsior, hair, mattresses, beds or bedding or any other kind of scrap or waste material which is stored, kept, handled or displayed.

105A. *Labor Pool Job Placement Service.* An agency or business that in whole or in part provides employment services for temporary or transient employment of semi-skilled and unskilled workers and that typically operates as a pool where workers gather on-site for job placement.

106. *Landfill, Construction/Demolition Debris.* Nonhazardous waste generally considered not water-soluble including, but not limited to, metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project, but excluding asbestos contaminated waste, white goods, furniture, trash or treated lumber. As defined in the current Environmental Regulatory Code, LAC 33:VII.115, LAC 33:VII.719, LAC 33:VII.721 and subsequent Louisiana Department of Environmental Quality guidelines.

107. *Landfills, Sanitary (Solid Waste).* A type of facility for the disposal of nonhazardous (as defined by the Louisiana Department of Environmental Quality—LAC 33.U and subsequent guidelines) household/commercial solid waste by disposition in a landfill in layers, covered with suitable cover material to a depth and at a frequency sufficient to control disease vectors and odors and in such a manner that protects the environment and is so located, conformed, and drained that it will not constitute a source of water pollution. "Nonhazardous wastes" means wastes not defined as hazardous in the current Louisiana Hazardous Waste Regulations (LAC 33.U) and subsequent Department of Environmental Quality guidelines.

108. *Laundromat.* A business that provides washing, drying, and/or ironing machines or dry cleaning machines for hire to be used by customers on the premises.

109. *Leased Bingo Hall Facility.* A facility which is owned or leased in its entirety by an organization or entity having tax exempt status under Section 501 C. (3), (4), (8) or (19) of the Internal Revenue Code, or an organization having tax exempt status under Section 501 C. (2) of the Internal Revenue Code which 501 C. (2) organization turns over its income to an organization having tax exempt status under Section 501 C. (3), (4), (8) or (19) of the Internal Revenue Code, and which facility is established pursuant to applicable State Law and City ordinances for the conduct of charitable games of chance and which facility is leased or used for charitable games of chance on more than two (2) days in any calendar week. Such a facility shall meet all

conditions of approval under the conditional use provisions of this Ordinance and all applicable building and safety codes. Such facilities shall have a minimum floor area of 6,000 square feet.

110. *Live Entertainment.* A scheduled or planned performance or presentation during which both the performer(s) and audience are physically present at the time of occurrence and that is typically

sponsored, promoted, advertised, or publicized in advance to attract patrons or guests. The performer(s), who may be amateur(s), participant(s) from the audience, patron(s) or guests, need not be compensated or remunerated. These uses include but are not limited to the following:

a. Theatrical productions, athletic contests, exhibitions, pageants, concerts, recitals, circuses, karaoke, bands, combos, and other live musical performances, audience participation contests, floorshows, literature readings, dancing, fashion shows, comedy or magic acts, mime and the playing of recorded music (disc, records, tapes, etc.) by an employee, guest or other individual, one of whose functions is the playing of recorded music and who is in verbal communication with the clientele of the establishment.

b. *Live Adult Entertainment.* Any entertainment that features dancers, go-go dancers, exotic dancers, male or female impersonators or similar entertainers or live entertainment, where persons regularly appear in a state of nudity or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities as defined in Section 2.2.4(g) and 2.2.4(h) of the Comprehensive Zoning Ordinance.

c. Specific exemptions include: periodic entertainment by schools, churches, and nonprofit organizations; live entertainment at weddings, and similar religious events within certain facilities based upon a rational impact analysis justifying any different treatment.

111. *Loading Space.* A space within a main building or on the same lot as a main building, providing for the standing, loading or unloading of trucks, having a minimum area of 540 square feet, minimum width of twelve (12) feet, a minimum depth of thirty-five (35) feet, and a vertical clearance of at least fourteen and one-half (14.5) feet.

112. *Local Brewery.* See Brewery, Local.

113. *Lodge.* Same as Club.

114. *Lodging House.* Same as Rooming House.

115. *Lot.* A parcel of land occupied or which may be hereafter occupied by a building and its accessory buildings, together with such open spaces and parking spaces or areas as are required under this Ordinance, and having its principal frontage upon an officially approved street or place.

116. *Lot Area.* The total horizontal area within the lot lines of the lot.

117. *Lot, Corner.* A lot abutting upon two (2) or more streets at their intersection. (See diagram under definition of Yard, Side)

118. *Lot Coverage.* The area of the lot covered by a structure(s) exclusive of permitted overhangs.

119. *Lot, Depth of.* The average horizontal distance between the front and rear lot lines.

120. *Lot, Interior.* A lot other than a corner lot.

121. *Lot Lines.* The lines bounding a lot.

122. *Lot of Record.* A lot which is part of a subdivision, the map of which has been recorded in the Office of the Registrar of Conveyances; or a parcel of land which became legally established and defined by deed or Act of Sale on or before May 4, 1950.

123. *Lot, Through (Double Frontage).* A lot having a frontage on two (2) approximately parallel streets or places.

124. *Lot Width.* The average horizontal distance between the side lot lines measured at the required front yard line and parallel to the front street line, or measured at the street line if no front yard is required.

125. *Main Building.* Any building having the predominant land use which is not an accessory building.

126. *Marina.* A place for docking or storage of pleasure boats or providing services to pleasure boats and the occupants thereof, including minor servicing and repair to boats while in the water, sale of fuel and supplies, or provision of lodging, food, beverages, and entertainment as accessory uses. A yacht club shall be considered as a marina, but a hotel, motel, or similar use where docking of boats and provision of services thereto is incidental to other activities shall not be considered a marina, nor shall boat docks accessory to a multiple dwelling where no boat-related services are rendered.

127. *Marina, Commercial.* A place for docking or storage of commercial fishing/shrimping boats and/or providing services for them, limited to minor repairs to boats while in the water (said time of repairs to be limited to a thirty (30) day period); sale of fuel, ice, food and beverages. No lodging for the occupants other than the manager/owner of the commercial marina; or entertainment, shall be permitted as accessory to the marina. Vehicular access to the site is limited to automobiles, pick-up trucks and vans with a maximum load capacity of one (1) ton. The sale of seafood at the marina site is expressly prohibited except that bait may be sold by the owner/operator. The marina shall be kept free of noxious odors at all times. There shall be no repair facilities for repairs of boats when out of the water.

128. *Massage Parlors.* Any establishment or business wherein massage is practiced as a major use occupying more than twenty-five (25) percent of the floor area of the subject establishment or business including establishments commonly known as massage studios or massage parlors.

129. *Micro-Distillery.* A facility that produces alcoholic beverages in quantities not to exceed twelve thousand (12,000) gallons per year and includes a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside the facility are prohibited. A separate liquor license is required for sales of alcohols manufactured on site.

129A. *Mini-Warehouse.* A structure which is used for the purpose of storing personal effects such as household goods and clothing; or small retail merchandise. Individual compartments shall not exceed 1,000 square feet.

Editor's note—Ord. No. 024643, § 1, adopted Oct. 20, 2011, added definition 129, Micro-Distilleries, to the Code. Inasmuch as 129 had already been assigned to Mini-Warehouse, in consultation with the city the existing definition has been redesignated as 129A. to eliminate duplication in numbering.

130. *Monastery.* An area containing one or more buildings used for religious retirement or for seclusion for persons under religious vows, especially monks.

131. *Motel, Motor Court, Tourist Court or Motor Lodge.* A building containing fifteen (15) or more individual sleeping rooms, having each a private bath attached thereto, in which lodging, or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding or lodging house, or multiple dwelling; same as a hotel, except that the buildings are designed to serve tourists traveling by automobiles; ingress and egress to rooms need not be through a lobby or office, and parking usually is adjacent to the dwelling unit.

131A. *Multi-Discipline Arts Center.* An art center that presents visual arts exhibitions, as well as performing arts, including music, dance and theater and having a minimum of 10,000 square feet of gallery space in addition to a minimum of 5,000 square feet of theater space.

132. *Mural.* A work of art painted or otherwise applied to or affixed to an exterior wall surface. A mural is considered public art and such is subject to design review of the aesthetic qualities by the staff of the City Planning Commission, and, if in a historic district, by the staff of the appropriate public jurisdictional agencies prior to installation.

The Board of Murals shall review a proposed mural for its aesthetic qualities as well as for its intrinsic value to the community. Murals which serve to advertise or promote a business service, product, activity, cause, event or provide information of any kind and which advertisement or promotion text occupies less than twenty (20) percent of the wall area utilized by the mural shall not be considered a "sign" and as such, shall not be subject to the general sign regulations of Article 12, except insofar as those regulations refer to the present cap in the City's Sign Ordinance. Regardless of the number which may be permitted under the "cap," there shall not be more than ten (10) murals permitted under these regulations.

Approval of the Board of Murals Review shall constitute authorization for the issuance of a permit by the Department of Safety and Permits.

The Board of Murals Review shall be the seven (7) members of the New Orleans City Council, or any portion thereof, appointed or authorized for such purpose.

Appeal of the decision of the Board of Murals Review shall be to the Civil District Court.

133. *Nightclub.* An establishment having a minimum entertainment floor area of 2,000 square feet, including discotheques, providing live entertainment, but not live adult entertainment, and/or a

permanent area for dancing and which may serve food and/or alcoholic beverages. The entertainment floor area shall be composed of the wet-bar, dance floor and/or live entertainment stage area, and table area.

134. *Nonconforming Uses.* A building or land which does not conform with the height, area, or use regulations of the district in which it is located.

135. *Nursing Home.* A facility designed and intended to provide nursing service on a continuing basis to persons, the majority of whom require such service under trained professional nurses or physicians, and for whom medical records are maintained. The term "nursing home" shall include post-operative centers but shall not include any facility used for providing service to any inmate of any prison or other correctional institution.

136. *Off-Track Wagering Facility.* A facility established pursuant to the provisions of Louisiana Revised Statutes 4:211 and following. All such facilities shall include full restaurant facilities and shall meet all conditions of approval under the conditional use provisions of Section 16.5 of this Ordinance; such facilities shall be prohibited within 300 feet of schools.

137. *Open Space.*

a. In all districts, except the Vieux Carr Districts, and except as modified in Section 15.5 for the CBD Districts, that part of a lot, including courts and yards, which:

(1) Is open and unobstructed from grade level upward; and

(2) Is accessible in total or in part to each resident on the lot without restrictions except as may be required for safety, or for division of a lot containing two or more dwelling units;

(3) Is not occupied by off-street parking, streets, drives or other surfaces for vehicles, except as may be required.

b. In all Vieux Carr Districts, that part of a lot, including courts and yards, which is open and un-obstructed from grade level upward and contains no balconies, roof overhangs, galleries, stair-ways, or other projections.

138. *Open Space Ratio.* The open space on the lot divided by the floor area of any building or buildings on the lot.

139. *Ordinance.* When capitalized, the word Ordinance refers to this Comprehensive Zoning Law of the City of New Orleans of 1995, as amended. When not capitalized, the word ordinance refers to other ordinances, such as those approving conditional uses.

139A. *Outdoor Art Market.* A market located on private property where artists display- and sell hand-crafted or personally produced art directly to retail customers at stalls, booths, tables, platforms, or similar display areas in an open air location, under the supervision of a proprietor that rents or otherwise arranges for assigned spaces for each vendor. Outdoor art markets shall not be interpreted to include specialty urban marketplaces, flea markets, green markets, itinerant mobile produce vendors, transient vendors, garage sales, production facilities, the sale of alcoholic beverages, or live entertainment. Food and beverage sales shall be prohibited. The use shall be limited to the hours of 10:00 a.m. to 1:00 a.m. There shall be no more than two (2) permanent outdoor art markets along Frenchmen Street from Esplanade Avenue to Royal Street. Any future outdoor art markets that were not permitted prior to March 2013 shall be required to apply for a Conditional Use.

140. *Package Liquor Store.* A place where a person or dealer sells alcoholic beverages in closed containers, prepared for transportation and consumption off the premises, and where the wholesale cost of the package liquor exceeds fifteen (15) percent of the wholesale cost of other

merchandise stocked and displayed, and where the package liquor display constitutes more than ten (10) percent of all display area and where package liquor is advertised outside or off the premises or advertising for alcoholic beverages is visible from the exterior of the premises.

141. *Parking Lot.* An open area which is used for the intermittent parking of automobiles but is not a required off-street parking facility.

142. *Parking Space, Off-Street.* A paved area not in a public street or alley permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for a motor vehicle without requiring another vehicle to be moved.

a. *Small Car Off-Street Parking Space.* A space which must be a minimum of seven (7) feet six (6) inches in width with a minimum of sixteen (16) feet in length (120 square feet) exclusive of driveways; not more than forty (40) percent of the spaces in any parking facility may be designated and labeled as small car spaces.

b. *Large Car Off-Street Parking Space.* A space which must be a minimum of eight (8) feet six (6) inches in width and a minimum of eighteen (18) feet in length (153 square feet) exclusive of driveways.

c. *Handicapped Off-Street Parking Space.* A space which must be a minimum of ten (10) feet in width and a minimum of eighteen (18) feet in length (180 square feet) exclusive of driveways. All parking facilities shall provide either a minimum of one (1) handicapped space or three (3) percent of the total parking spaces, whichever amount is greater, but in no event shall more than ten (10) be required. These spaces must be marked accordingly and be adjacent to entrances/exits/elevators to facilitate movement.

142A. *Personal Wireless Communication Facility.* A type of facility that provides for the receiving and transmission of electromagnetic frequencies limited to cellular and personal communication services (PCS) technologies as defined by the following terminology:

a. *Antenna.* A metallic, graphite, fiberglass or other device which is attached to a transmission tower, cellular tower, monopole, mast, building or other structure for transmitting and receiving electromagnetic waves.

b. *Cell Site.* A lot of record, a portion of a lot of record, or portions of two (2) or more lots of record, or any existing building or other structure, or any part thereof, which is owned or leased by a cellular or PCS operator and upon which a cellular installation and required landscaping, if any, are located. A minimum cell site size of 2,700 square feet shall be required for monopole installations located in residential districts. Minimum cell site sizes shall not be required in other districts. The location of a cell site, or portion thereof, upon any property will not prevent other uses from co-existing on such property provided that the other use is not located within the cell site, and that the remaining portion of land will be subject to size/area requirements of applicable city regulations.

The aforesaid minimum cell site size requirement will not apply to:

(1) Cell sites consisting of a rooftop mast and/or facade-mounted antenna installation on an existing building or other structure with no ground level communication equipment shelter;

(2) Cell sites not containing a communication equipment shelter where the related equipment is located in an existing building or other structure;

(3) Cellular installations that co-locate on an existing cell site or transmission tower; and

(4) Sites requiring a conditional use review, where the description of a cell site will be subject to the current subdivision regulations.

c. *Cellular/PCS Installation.* The cellular/PCS tower, monopole, mast and/or antennas and related communication equipment shelter that are located on a cell site.

d. *Cellular/PCS Tower.* A steel lattice structure or framework that is designed solely to support cellular/PCS transmission and receiving antennas and/or equipment, but not commercial radio, television or electric utility transmission and/or receiving antennas and/or equipment.

e. *Cellular/PC Tower Installation.* A personal wireless communication facility which utilizes a cellular/PCS tower not previously located upon the cell site for such installation.

f. *Cellular Transmissions.* Electromagnetic frequency transmissions in the 800 to 900 MHZ ultra-high frequency (UHF) range.

g. *Communication Equipment Shelter.* A newly constructed or prefabricated building or other structure located on a cell site designed principally to enclose equipment, switches, communication lines and other related facilities used in connection with cellular/PCS transmissions. An existing building or other structure, which houses this equipment, will not be considered a communication equipment shelter for the purposes of this Ordinance. Such equipment may be located within any existing building or other structure without restrictions.

h. *Facade-Mounted Installation.* A personal wireless communication facility which utilizes antennas mounted to the facade of a building.

i. *Installation Abutting a Residential District.* A standard monopole or cellular/PCS tower installation shall be deemed to abut a residential district if the monopole or cellular/PCS tower, as applicable, forming part of such installation will be located within the required area of separation from a residential district as hereinafter set forth. For standard monopole or cellular/PCS tower installations utilizing a standard monopole or cellular/PCS tower which is sixty-five (65) feet in height or less, the installation shall be deemed to abut a residential district if the monopole or cellular/PCS tower forming part of such installation is located less than 71.50 feet from the closest residential district line. For standard monopole or cellular/PCS tower installations utilizing a standard monopole or cellular/PCS tower, as applicable, taller than sixty-five (65) feet, the installation shall be deemed to abut a residential district if the monopole or cellular/PCS tower forming part of such installation is located less than a distance equal to 110 percent of the height of the monopole or cellular/PCS tower, as applicable, from

the nearest residential district line. The aforesaid required area of separation from the nearest residential district shall be in addition to any setback requirements imposed by these regulations with respect to the siting of monopole or cellular/PCS tower installations.

j. *Mast.* A frame supporting antennas which is mounted on a roof or some other structure such as, by way of illustration and not in limitation, transmission towers (as defined in subsection (p) of this section), water towers or sign pylons.

k. *Mast-Mounted Installation.* A personal wireless communication facility which utilizes a mast to attach antenna upon or to the roof of a building or to an existing structure such as, by way of illustration and not in limitation, transmission towers (as defined in subsection (p) of this section), water towers or sign pylons.

l. *Monopole.*

(1) Standard monopole:
A single self-supporting vertical pole with no guy wire anchors, usually consisting of a galvanized or other unpainted metal or a wooden pole, with below grade foundations that is intended to support antennas necessary to deliver and receive cellular and/or PCS transmissions.

(2) Nonstandard monopole:
A monopole, or other freestanding structure containing antennas, that is designed to camouflage the appearance of a standard monopole, such as a clock tower. Nonstandard monopoles will be designed, subject to the guidelines herein, to be aesthetically compatible with character of the neighborhood in which they are located. Artificial tree designs will not be permitted as nonstandard monopoles.

m. *Nonstandard Monopole Installation.* A personal wireless communication facility which utilizes a nonstandard monopole not previously located upon the cell site for such installation.

n. *Personal Communication Service (PCS) Transmission.* Electromagnetic frequency transmissions in the 1,800 to 2,200 ultra-high frequency (UHF) range.

o. *Standard Monopole Installation.* A personal wireless communication facility which utilizes a standard monopole not previously located upon the cell site for such installation.

p. *Transmission Tower.* A previously permitted monopole, tower, structure or framework that is intended to support radio, television, cellular, PCS, electric utility and/or any other electromagnetic transmissions, and receiving antennas and/or equipment. However, new cellular/PCS towers, monopoles, masts or antennas, as defined above, are excluded.

143. *Place.* An open, unoccupied space other than a street or alley permanently reserved as the principal means of access to abutting property.

144. *Proprietary Schools.* A proprietary school is a business enterprise operated for profit or on a nonprofit basis, which maintains a place of business within this State or which sells or offers for sale any course of instruction in this State, either by correspondence using the mail or any other means of communication or by personal solicitation, and (a) which offers or maintains a course or courses of instruction or study, and/or (b) maintains a place of business at which such course or courses of instruction or study are available through classroom instruction, to a person or persons for the purpose of training or preparing such person for a field of endeavor in a business, trade, technical, or industrial occupation, except as hereinafter excluded. The definition of a proprietary school shall not include:

a. A school or educational institution supported entirely or partly by public funds from either a local or State source;

b. A parochial, denominational or elementary school or institution that provides religious training or theological education; however, any school or institution that also offers training in a secular field or endeavor shall be subject to the provisions of this section;

c. A school or training program which offers instruction primarily in the field of recreation, health or entertainment and which does not purport to qualify persons for employment as determined by the City Planning Commission;

d. A course or courses of instruction or study sponsored by an employer for the training and preparation of its own employees when the employer is not primarily engaged in the business of selling or offering courses of instruction or study;

e. A course or courses of study or instruction sponsored by a recognized trade, business or professional organization for the instruction of the members of such organization;

f. Private colleges and universities which award a baccalaureate or higher degree and which maintain and operate educational programs for which credits are given. A majority of said credits must be transferable to a college, junior college or university supported entirely or partly by State or local funds;

g. A private school which provides a basic academic education comparable to that provided in the public school of the State;

h. A school offering a program only for children under six (6) years of age;

i. A school which is regulated and licensed under the laws of this State;

j. A private tutor, teacher or individual engaged in giving private tutoring or lessons to five (5) persons or less in non-school-connected activities severed from the regular curriculum of a school as determined by the City Planning Commission;

k. A day camp;

l. A vocational school—a school or educational institution supported entirely or partly by public funds from either a local or State source, and that provides training in a skill or trade to be pursued as a career.

145. *Public Hot Tub or Public Spa.* A facility open to the public consisting of a pool designed for recreational and therapeutic use and for physiological and psychological relaxation. These pools include, but are not limited to these types: hydrojet circulation, hot water, cold water, salt water, mineral baths, air induction system or a combination of any of these. These pools are not designed to be used for swimming or diving.

146. *Public Monument.* A building, pillar or similar structure erected either by a public agency or controlled by a public agency in memory of the dead, or a person or event.

146A. *Radioactive Use.* Any use requiring a Louisiana DEQ Radiation Protection Division license and which involves the treatment, storage, packaging, processing, transport, sale, exchange, or other handling of radioactive material or products containing radioactive material. The following institutions are exempt with respect to the foregoing definition: industrial radiography facilities, hospital facilities, diagnostic clinics and medical educational institutions.

147. *Radiopharmacy.* A facility which prepares and distributes radiopharmaceuticals for hospitals and clinics, homecare/oncology operations, and related applications. Radiopharmaceuticals will not be manufactured or produced at the proposed location, but will be placed into syringes in prescribed amounts for retail sale and delivery to hospitals and clinics.

147A. *Reception facility.* A business establishment that functions as a hosting and rental facility or banquet hall for private events, including but not limited to wedding receptions, holiday parties and fundraisers, with food and beverages that are prepared and served on site or by a caterer to invited guests during intermittent dates and hours of operation but cannot be operated as any kind of restaurant, cocktail lounge, or nightclub with regular hours of operation. Live entertainment, excluding live adult entertainment, may be included as an accessory use of the private event.

148. *Regulations.* The totality of text, charts, tables, diagrams, maps, notations, references, and symbols, contained or referred to in this Ordinance.

149. *Rehabilitative-Recovery/Care Center.* A building other than an apartment hotel, hotel, small or large group home, rooming house, tourist home, motel or motor lodge, providing temporary lodging and board and a special program of specialized care and counseling on a full-time basis. Such a center includes but is not limited to centers which provide for alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental illness institu-

tions where such centers are operated under the auspices of an entity which is designated as educational, religious, eleemosynary, public or nonprofit by the Federal Internal Revenue Service and is licensed by the State of Louisiana.

150. *Research Park.* A location in which scientific, industrial or technological research and development activity is conducted, usually in conjunction with one (1) or more universities or corporate entities.

151. *Residential Care Center.* A building other than an apartment hotel, hotel, small or large group home, rooming house, tourist home, motel or motor lodge, providing temporary lodging and board and a special program of specialized care and counseling on a full-time basis for fifteen (15) or more individuals who are displaced from their normal living environment, where such building is operated under the auspices of an entity which is designated as educational, religious, eleemosynary, public or nonprofit by the Federal Internal Revenue Service and are licensed by the State of Louisiana.

152. *Residential Development or Use.* Buildings, structures, and uses which are permitted in a residential district, including dwellings, permitted residentially related public and semipublic facilities, and permitted accessory uses. All such uses are subject to applicable district regulations.

153. *Restaurants.* An establishment where prepared foods, desserts or beverages are offered for sale for consumption on or off the premises and where the sales of such foods, desserts or beverages, exclusive of alcoholic beverages, constitute fifty (50) percent or more of the revenue for said establishment (exclusive of a snowball stand which does not provide permanent seating, sells only snowballs and contains a maximum floor area of 144 square feet, and is of a seasonal nature, operating during the period from April 1st through September 30th). Unless otherwise expressly permitted, live entertainment of any type shall be prohibited. Where live entertainment is permitted, live adult entertainment shall be prohibited. For purposes of this Ordinance, restaurants shall be of the following types:

a. *Standard Restaurant.* A restaurant whose principal business is the sale of foods, desserts, or beverages to the customer in a ready-to-consume state, and where customers, normally provided with an individual menu, are served their food, desserts or beverages by a restaurant employee at the same table or counter at which said items are consumed.

b. *Cafeteria Restaurant.* A restaurant characterized typically by the selection of prepared food items by customers as they move in a line in front of the individual food items. An individual menu is not normally provided and food items are typically placed on the customer's plate by restaurant employees. The food items are transported to adjoining tables by the customer or by restaurant employees.

c. *Fast Food Restaurant.* Fast food restaurants shall consist of (1) those restaurants which are part of a fast food chain, and (2) those which are not part of a chain but which demonstrate the attributes of a fast food restaurant.

Category 1. A restaurant which is part of a chain of fast food outlets, wherever located, whose principal business is the sale of foods, desserts or beverages to the customer in a ready-to-consume state, either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation bears all of the following characteristics:

(a) Food items at the majority of the outlets within the fast food chain are served in paper, plastic, or other disposable containers.

(b) Substantially similar food items are available at the majority of the outlets within the fast food chain.

(c) A majority of the outlets within the chain share substantially similar architecture, interior design and/or signage.

Category 2. A restaurant which is not part of a chain of fast food outlets, but whose principal business is the sale of foods, desserts or beverages to the customer in a ready-to-consume state, either within the restaurant building or for carry-out with consumption off the premises, and which has all of the following characteristics.

(a) Food items are served primarily in paper, plastic or other disposable containers.

(b) The restaurant provides rapid customer service by preparing the menu items in advance of the customer's order or by having the items in a ready-to-assemble condition.

d. *Drive-In Restaurants.* A restaurant whose principal business is the sale of foods, desserts, or beverages to the customer in a ready-to-consume state, and whose design, method of operation or any portion of whose business is the serving of food items directly to the customer in a motor vehicle by a carhop or by other means which eliminate the need for the customer to exit the motor vehicle.

e. *Specialty Food Restaurant.* A restaurant whose principal business is the sale of traditional New Orleans, ethnic, or unusual foods, desserts, or beverages to the customer in a ready to consume state within the building housing the restaurant and whose principal method of operation bears the following characteristics:

(1) The restaurant is always part of a food and beverage market located within a single structure of not less than 20,000 square feet.

(2) The restaurant is located in a building under single management where appropriate service and garbage handling facilities are provided.

(3) Food items are usually served in paper, plastic, or other disposable containers.

(4) A limited number of menu items are offered for sale.

f. *Supper Club.* A standard restaurant having a minimum enclosed dining/entertainment area of 4,000 square feet and providing live entertainment, but not live adult entertainment. The dining/entertainment area shall be composed of standard restaurant tables and seating and a live entertainment stage area and/or dance floor. The dining area must

occupy a minimum of fifty (50) percent of the floor area of the restaurant/entertainment area. A supper club must provide full and continual food service throughout the periods of its operation. No more than twenty (20) percent of the seating area, as approved by the Department of Safety and Permits, may be removed to accommodate special performances.

154. *Rooming House.* A building other than an apartment hotel, hotel, small and large group home, residential care center, dormitory, motel or motor lodge, or tourist home, containing sleeping rooms where lodging or lodging and meals are provided for five (5) or more unrelated persons but containing less than fifteen (15) sleeping rooms. The sleeping rooms generally do not have private bathrooms or kitchens attached thereto. In a residential zoning district, the minimum length of stay in a rooming house shall be thirty (30) days.

154A. *Satellite Campus.* A facility providing attendant or complementary classroom, research, or administrative space for a college or university at a location separate from a primary site.

155. *Satellite Dish Antenna.* An apparatus for the receipt of signals, which consists of three (3) main components: the antenna itself, often called the dish; a low noise amplifier (LNA); and a receiver. The antenna and the LNA are located outdoors and are connected by coaxial cable to the receiver, which is placed indoors.

156. *School, Business.* Same as Proprietary School.

157. *School, Trade or Industrial.* An establishment, public or private, for the purpose of training students in skills required for the practice of trade or industries.

158. *Seating, Outdoor-Temporary.* That movable seating which is temporarily placed upon the public sidewalk, usually in conjunction with the operation of a sidewalk cafe, which can be removed at a moment's notice.

159. *Separation/Recovery Facility.* A solid waste facility at which recyclables are separated from the solid waste stream for future use through the removal of solid waste matter that still has useful physical or chemical properties. These materials are then reused or recycled for the same or other purposes, including uses as energy sources. As defined in the current Environmental Regulatory Code, LAC 33:VII.115, LAC 33:VII.719, LAC 33:VII.725 and subsequent Louisiana Department of Environmental Quality guidelines.

160. *Servant's Quarters.* Living quarters within a portion of a main building or in an accessory building located on the same lot with the main building, used by servants employed on the premises and not rented as a separate dwelling.

161. *Service Ware.* Food service utensils such as plates, bowls, cups, saucers, glasses and flatware that are provided by restaurants and utilized by their patrons for the purpose of consuming prepared foods.

a. *Nondisposable.* Those utensils as described above, that are made of durable, easily cleanable materials. Such utensils are intended for reuse by the restaurant facility, enabling its patrons to consume food items on the premises.

b. *Disposable.* Those utensils as described above, that are mass produced, made of nondurable semipermanent materials and are made to be disposed of after restaurant patrons consume food items.

162. *Sidewalk Cafe.* A temporary, easily removable extension of an established restaurant consisting of movable tables, chairs, and service equipment that are arranged directly upon the sidewalk paving as an adjunct and directly adjacent to the existing permanent restaurant, serving various refreshments such as beverages and food items on nondisposable service ware via traditional waiting staff. Elements of "sidewalk cafes" cannot obstruct barrier-free access or passage along said sidewalk nor any building ingress, egress, stairways, doorways or other accessways. For the purposes of this definition "temporary" shall mean that the entire arrangement can be removed at a moment's notice.

163. *Sign.* For definitions pertaining to signs, see Article 12.

164. *Site Plan.* A drawing illustrating a proposed development and prepared in accordance with the specifications of Article 16.

165. *Snowball.* Shaved or crushed ice flavored with a syrup and may contain a variety of toppings.

166. *Snowball Stand.* A place where snowballs are made and sold, with no permanent seating, with a maximum floor area of 144 square feet and which is operated on a seasonal basis between April 1st and September 30th.

167. *Sorority.* See Fraternity.

168. *Souvenir Shop or T-Shirt Shop.* Any premises in which the retail sale of T-shirts or souvenirs or both is conducted as a principal use of the premises, or as an adjunct to some other business activity, but which constitutes the primary, or is the major attraction to the premises. For the purposes of this Ordinance, "souvenirs" shall mean items, exclusive of books, magazines or maps, which serve as a token of remembrance of New Orleans and which bear the name of the City or geographic areas or streets thereof or of events associated with New Orleans including but not limited to events such as Mardi Gras, the Sugar Bowl, or the World's Fair.

169. *Specialty Urban Marketplace.* A retail center owned or controlled by a single entity, not anchored by a major department store, unified by a specific architectural theme and consisting of a major public or private space, with more than 55,000 square feet of enclosed gross leasable area devoted primarily to diverse retail, food and entertainment facilities.

170. *Stable, Public.* Any stable for the housing of horses or mules, operated for remuneration, hire, sale, or stabling, or any stable with a capacity for more than two (2) horses or mules, whether or not such stable is operated for remuneration, hire, sale or stabling.

171. *Stable, Private.* An accessory building for the housing of not more than two (2) horses or mules owned by a person or persons living on the premises and which horses or mules are not for hire or sale.

172. *Story.* That portion of a building, (other than a cellar, or a basement used for dwelling purposes), included between the surface of any floor and the surface of the floor next above it; or, if there be no floor next above it, then the space between such floor and the ceiling next above it. A cellar or basement being used for dwelling purposes shall be considered as a story.

173. *Street.* A public or private thoroughfare which affords the principal means of access to abutting property.

174. *Street Line.* A line separating a lot, tract, or parcel of land and an abutting street right-of-way.

175. *Street, Major.* A street designated as such on the officially adopted Major Street Plan of the City of New Orleans.

176. *Structural Alterations.* Any changes in the supporting members of a building, such as footings, bearing walls or partitions, columns, beams, or girders or any substantial change in the roof or in the exterior walls, excepting such repair as may be required by an official governmental agency for the safety of the building.

177. *Structure.* Anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, backstops for tennis courts, and pergolas.

178. *Swimming Pools.* Any structure, portable or permanent, containing a body of water eighteen (18) inches or more in depth, intended for recreational purposes, including a wading pool, but not including an ornamental reflecting pool, fish pond, or similar type pool, located and designed so as not to create a hazard or to be used for swimming or wading.

179. *T-Shirt.* Any garment or article of clothing, including, but not limited to, T-shirts, sweat shirts, tank tops, shirts or scrub shirts, which are designed or intended generally to be worn on or over the chest and containing any communicative verbiage, graphics, or images imprinted or to be imprinted on the garment or article of clothing, exclusive of a garment manufacturer's mark or logo, exclusive of decorative words and information woven or dyed in the fabric by the manufacturer of the fabric, exclusive of hand stitched, needle work or embroidery, exclusive of tie-dye garments, and exclusive of hand painted or air-brushed garments that contain no communicative verbiage, graphics or images.

180. *T-Shirt Shop.* Same as Souvenir Shop.

181. *Tattoo Parlor.* Any place where an individual may have a tattoo inscribed onto the body at a certain cost as determined by the owner, manager, or employee of the establishment.

182. *Teen Club.* An establishment, including discotheques, having a minimum entertainment floor area of 5,000 square feet with or without providing live entertainment and/or a permanent area for dancing and which may or may not serve food. The entertainment floor area shall be composed of a nonalcoholic wet bar, dance floor and/or live entertainment stage area, and table area. No alcoholic beverages shall be possessed, sold, served, or consumed on the premises.

183. *Timeshare Building.* A building containing condominium units, rooms or suites of rooms, with or without culinary facilities and subject to a timeshare plan or transient vacation rentals. The construction of or conversion to timeshare buildings must be registered with the Department of Safety and Permits by applying for a Use and Occupancy and Compliance Certificate.

184. *Timeshare Plan.* Any plan or program in which the use, occupancy or possession of one or more condominium units, rooms or suites of rooms in a timeshare building circulates among various unrelated persons for a specific or discernible period by temporal division of less than a sixty (60) day period in any year for any occupant. Timeshare plans shall include timeshare ownership plans and timeshare use plans, as follows:

    a. Timeshare ownership plan is any arrangement, whether through common ownership, sale or by other means, whereby a person receives an ownership interest in a condominium unit, room or suite of rooms in a timeshare building.

b. Timeshare use plan is any arrangement, excluding normal hotel operations, whether by membership agreement, lease, rental agreement, license, use agreement, security, or other means, whereby a person receives the right to use but not an ownership interest in a condominium unit room or suite of rooms in a timeshare building.

185. *Town House*. A single-family dwelling forming one of a group or series of three (3) or more attached single-family dwellings separated from one another by party walls without doors, windows, or other provisions for human passage or visibility through such walls from basement or cellar to roof, and having roofs which may extend from one of the dwelling units to another.

186. *Trailer or Mobile Home*. Any vehicle, covered or uncovered, used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings and which is, has been, or reasonably may be equipped with wheels or other devices for transporting the vehicle from place to place, whether by motive power or other means. The term "trailer" shall include camp car and house car.

187. *Trailer Park or Trailer Court*. An area providing a minimum of three (3) spaces where trailers or mobile homes can be or are intended to be parked.

188. *Transient Vacation Rentals*. Rentals in a dwelling, hotel, motel, timeshare building, motor lodge, boarding and lodging home, trailer, tourist court or tourist home to nonresidents over the course of one (1) or more years, with duration of occupancy of less than thirty (30) days.

189. *Transitional Use*. A use intended to permit a more gradual change of the character of uses at or near the boundaries of districts which have different use regulations and which may be permitted by the Board of Zoning Adjustments in accordance with the provisions of Article 14.

190. *Transmission System*. Wires or conductors and associated apparatus and supporting structures, whose exclusive function is the transmission of electrical energy between generating stations, substations and transmission lines or other utility systems.

190A. *Truck Stop*. A structure or land used or intended to be used primarily for the retail sale of fuel for trucks and, usually, incidental service or repair of trucks. The site may also include attendant eating, sleeping, or truck parking facilities. Such a facility may include video poker gaming, but only on a site of at least five (5) contiguous acres. As used in this definition the term "trucks" does not include any vehicle whose maximum gross weight is 10,000 pounds or less as rated by the Louisiana Department of Motor Vehicles.

190B. *Truck Terminal*.

a. A structure or land used or intended to be used primarily:
   (1) To accommodate the transfer of goods or chattel to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattel; or
   (2) To accommodate parking or storage of trucks or truck trailers.

b. A truck terminal may include, as incidental uses only, sleeping quarters and other facilities for trucking personnel, facilities for the repair or service of vehicles, or necessary truck storage space involved in the transit of goods or chattel. The term "truck terminals" includes facilities for the storage of freight shipping containers designed to be mounted on chassis for part or all of their transport, but does not include a warehouse, moving and storage establishment, or

truck stop. Land used as an accessory to a lawful business or industrial use other than a truck terminal for the parking, storage, or repair of trucks shall not be considered a truck terminal within the meaning of this definition. As used in this definition, the terms "trucks," "truck trailers," and "truck tractors" do not include any vehicle whose maximum gross weight is 10,000 pounds or less as rated by the Louisiana Department of Motor Vehicles. A truck terminal may have provisions to allow for the transfer of goods to water, air, rail, or another truck. Truck terminals are further divided into the following classes:

(1) *Trucking Terminal, Class I (Freight Transfer Terminal)*. A trucking facility whose primary purpose is to accommodate the transfer of goods or chattel from trucks or truck trailers or to vehicles of other types in order to facilitate the transportation of such goods or chattels. Such a facility does not include video poker gaming.

(2) *Trucking Terminal, Class II (Truck Storage Lot)*. A trucking facility which includes a truck yard and the primary purpose of which is to accommodate the parking or storage of trucks, truck trailers or truck tractors. Such a facility does not include video poker gaming.

191. *Utility Rental Trailers*. Any non-passenger-carrying box-type open or van vehicle designed to be towed by a passenger vehicle, not exceeding 3,500 pounds gross weight (GVW) and not exceeding ninety-six (96) inches in total width, seventy-two (72) inches in a box width, or fourteen (14) feet in box length.

192. *Waterway*. Any body of water, including any bayou, creek, canal, river, lake, or bay, or any other body of water, natural or artificial, except a swimming pool or ornamental pool located on a single lot.

193. *Waterway line*. A line marking the normal division between land and a waterway as established by the appropriate governmental agency having jurisdiction.

194. *Welfare Agency.* An organization, public or private, which offers professional social work services to individuals or groups.

195. *Wine Bar and Wine Shop.* An establishment whose principal business is the sale of wine made from grapes, and where the sales of wine made from grapes (for on or off-premise consumption) produces seventy-five (75) percent or more of the gross revenue for said establishment, where. alcoholic beverages and/or food products are sold or served for consumption on or off premises, where fifty (50) percent or more of the usable space of the establishment is used to display wines for retail sale, but where neither live entertainment nor gambling are provided, where package liquor products are not advertised outside or off the premises or in any place visible from the exterior of the premises, and where smoking is prohibited in all indoor areas.

195A. *Wine School.* An establishment that maintains courses of instruction or study in enology and/or viticulture, taught by an instructor certified by a recognized professional body in said field(s), on specific days of the week during specified times consistent with the normal business hours of other educational institutions, and that maintains a place of business at which such courses are available through classroom instruction, where alcoholic beverages and/or food products associated with such courses may be sold or served for consumption on or off premises, but where neither live entertainment or gambling are provided.

195B. *Winery.* A farm at least ten (10) acres in size which includes the cultivation, processing and fermentation of grapes, berries or fruits relative to the products raised on the premises.

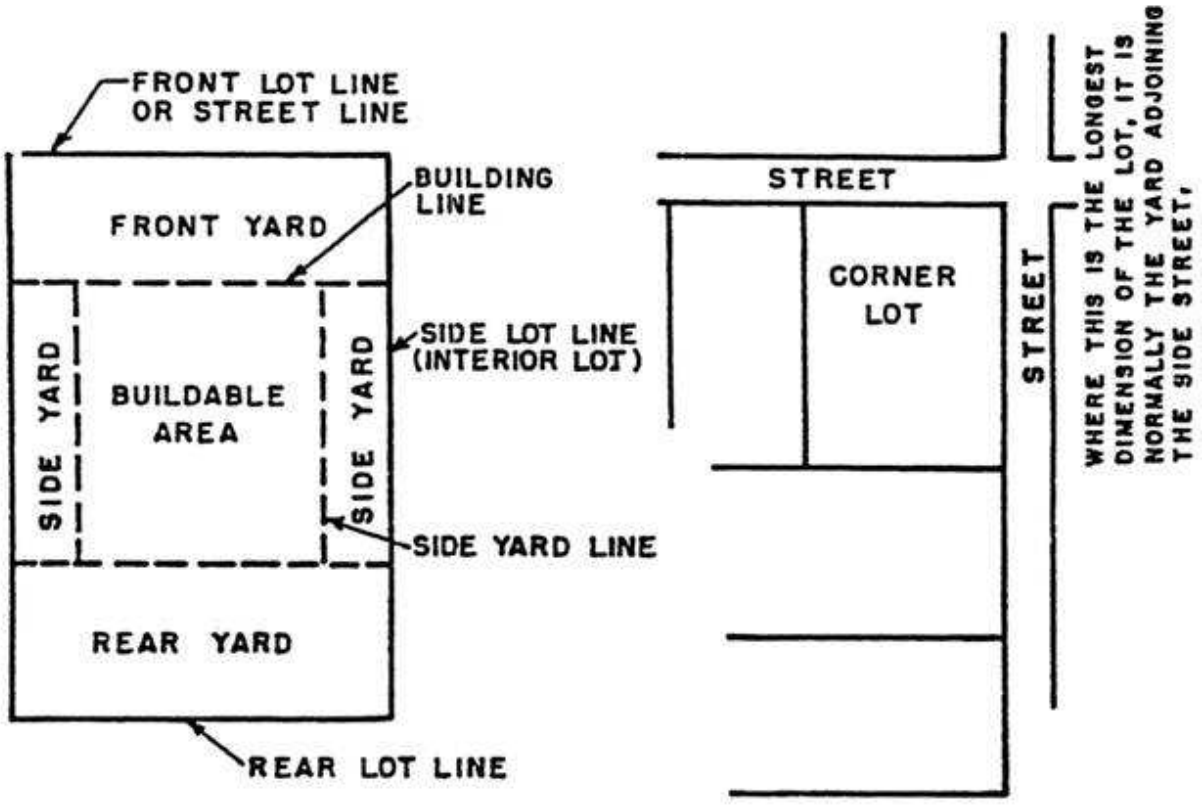
196. *Yacht Club.* Same as Marina.

197. *Yard.* An open space other than a court at existing ground level between a buildable area and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. For the purpose of determining yard measurements, the least horizontal distance between the lot line and the buildable area shall be used.

198. *Yard, Front.* A yard extending across the front of a lot between the side lot lines, and being the required minimum horizontal distance between the street and/or building line and the buildable area. On corner lots the front yard shall be provided facing the street upon which the lot has its lesser dimension.

199. *Yard, Rear.* A yard extending across the rear of a lot between the side lot lines, and being the required minimum horizontal distance between the rear lot line and the rear of the buildable area. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

200. *Yard, Side.* A yard between the main building and the side lot line and extending from the required front yard to the required rear yard, and being the required minimum horizontal distance between a side lot line and the side line of the buildable area. (See diagram of yards, below.)



(Ord. 22,789 § 1 (part), adopted 9/06/07; Ord. 22,751 § 2, adopted 8/09/07; Ord. 21,766 § 1, adopted 11/18/04; Ord. 21,391 § 1, adopted 1/8/04; Ord. 21,047 § 1, adopted 4/16/03; Ord. 20,687 § 1 (part), adopted

5/02/02; Ord. 20,716 § 1 (part), adopted 5/16/02; Ord. 20,700 § 1 (part), adopted 5/02/02; Ord. 19,731 § 1, adopted 7/6/00; Ord. 19,708 § 1, adopted 6/15/00; Ord. 18,762 § 1, adopted 6/18/98; Ord. 18,562 § 2, adopted 12/18/97; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,373 § 1, adopted 7/2/97; Ord. 18,362 § 1, adopted 8/12/97; Ord. 18,325 § 1, adopted 7/2/97; Ord. 18,271 § 1, adopted 6/5/97; Ord. 18,177 § 1, adopted 4/3/97; Ord. 18,039 §§ 1, 2, adopted 2/6/97; Ord. 17,803 § 2, adopted 10/3/96; Ord. 17,664 § 1, adopted 7/3/96; Ord. 17,514 § 1, adopted 5/2/96; Ord. 17,310 § 1, adopted 12/7/95; Ord. 17,254 § 1, adopted 11/2/95; Ord. 17,253 § 1, adopted 11/2/95)
(Ord. No. 024643, § 1, adopted 10/20/11; Ord. No. 25091, § 1, adopted 11/15/12; Ord. No. 25168, § 1, adopted 2/7/13; Ord. No. 25492, § 1, adopted 9/12/13; Ord. No. 25724, § 1, adopted 3/13/14)

ARTICLE 3

ZONING DISTRICTS

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ARTICLE 3 ZONING DISTRICTS

Section 3.1. Districts and Official Zoning Map.

3.1.1. Establishment of Districts.

In order to regulate and restrict the location and use of buildings and land for trade, industry, residence, and other purposes; to regulate and restrict the location, height, and size of buildings hereafter erected or structurally altered, the size of yards and other open spaces and the density of population, the following zoning districts are hereby established:

Single-Family Residential Districts

RS-1 Single-Family Residential District

RS-1A Single-Family Residential District

RS-2 Single-Family Residential District

LRS-1 Lakeview Single-Family Residential District

LRS-2 Lake Vista and Lake Shore Single-Family Residential District

LRS-3 Lakewood and Country Club Gardens Single-Family Residential District

Two-Family Residential Districts

RD-1 Two-Family Residential District

RD-2 Two-Family Residential District

RD-3 Two-Family Residential District

RD-4 Two-Family Residential District

LRD-1 Lake Vista Two-Family Residential District

LRD-2 Lakewood/Parkview Two-Family Residential District

Multiple-Family Residential Districts

RM-1 Multiple-Family Residential District

RM-2 Multiple-Family Residential District

RM-2A Multiple-Family Residential District

RM-2E Eastern New Orleans Multiple-Family Residential District

RM-3 Multiple-Family Residential District

RM-4 Multiple-Family Residential District

LRM-1 Lake Area Low-Rise Multiple-Family Residential District

LRM-2 Lake Area High-Rise Multiple-Family Residential District

Special Commercial Districts

MS Medical Service District

RO General Office District

RO-1 General Office District

Business and Commercial Districts

B-1 Neighborhood Business District

B-1A Neighborhood Business District

B-2 Neighborhood Business District

LB-1 Lake Area Neighborhood Business District

LB-2 Lake Area Neighborhood Business District

SC Shopping Center District

C-1 General Commercial District

C-1A General Commercial District

C-2 General Commercial District

LC Lake Area General Commercial District

CBD-1 Central Business District

CBD-2 Central Business District

CBD-2B Central Business District

CBD-3 Central Business District

CBD-4 Central Business District

CBD-5 Central Business District

CBD-6 Central Business District

CBD-7 Central Business District

CBD-8 Central Business District

CBD-9 Central Business District

Industrial Districts

SI Special Industrial District

BIP Business-Industrial Park District

LI Light Industrial District

HI Heavy Industrial District

MU-A Mixed-Use District

Special Historic Districts

VCR-1 Vieux Carré Residential District

VCR-2 Vieux Carré Residential District

VCC-1 Vieux Carré Commercial District

VCC-2 Vieux Carré Commercial District

VCS Vieux Carré Service District

VCS-1 Vieux Carré Service District

VCE Vieux Carré Entertainment District

VCE-1 Vieux Carré Entertainment District

VCP Vieux Carré Park District

HMR-1 Historic Marigny/Tremé Residential District

HMR-2 Historic Marigny/Tremé Residential District

HMR-3 Historic Marigny/Tremé Residential District

HMC-1 Historic Marigny/Tremé Commercial District

HMC-2 Historic Marigny/Tremé Commercial District

HMLI Historic Marigny/Tremé Light Industrial District

Special Districts

P Park and Recreation District

LP Lake Area Neighborhood Park District

LM Lake Area Marina District

NU Non-Urban District

RP Research Park District

UC Urban Corridor District

Eastern New Orleans Renaissance Corridor District

Highway Urban Corridor District

Inner-City Urban Corridor District

Downtown Design Review District

Lower St. Charles Avenue Design Review District

LADC Lake Area Design Corridor Overlay District

Residential Diversity Overlay District

AC Arts & Cultural Overlay District

Ferret Street AC Arts and Cultural Overlay District

(Ord. No. 25492, § 1, adopted 9/12/13)

3.1.2. Reference to District Names.

For the purpose of reference hereafter in this Ordinance unless specifically provided to the contrary, the term "residential district" shall include all single-family, two-family, and multiple-family districts; the term "commercial district" shall include all commercial, general office, medical service and business districts; and the term "industrial district" shall include all the industrial districts. The Vieux Carré Districts shall be termed, "residential," "commercial," or "service" districts depending on the use of these words in the district name.

3.1.3. Identification of District Boundaries.

The boundaries of the districts are shown on the Official Zoning Map. This map, together with all the notations, references, and other information shown thereon, which show the relationship of lot lines with the boundaries of the zoning districts, is made a part of this Ordinance, the original of which is properly attested and is on file with the Clerk of Council, and is attached hereto and made a part thereof.

(Ord. No. 25492, § 1, adopted 9/12/13)

3.1.4. Publication of Official Zoning Map.

The City shall cause to be published or made available, no later than ninety (90) days following adoption of these regulations, the Official Zoning Map, clearly showing the zoning district boundaries,

zoning district names or letter-number combinations, and special symbols for the boundaries of overlay districts and conditional uses for the City of New Orleans. Thereafter, if there have been any changes in the zoning district boundaries or in reorganization of districts and district classifications that may affect use of the Official Zoning Map, such map shall be made available by the City Planning Commission no later than ninety (90) days following such changes.

(Ord. No. 25492, § 1, adopted 9/12/13)

3.1.5. Interpretation of District Boundaries.

1. A district name or letter-number combination shown on the Official Zoning Map indicates that the regulations pertaining to the district designated by that name or letter-number combination apply to all properties within the boundary lines around the letter-number combination that is shown or indicated, except as otherwise provided by this section.
2. Where uncertainty exists with respect to the boundaries of the various districts as shown on the Official Zoning Map accompanying and made a part of these regulations, the following rules shall apply:
    a. In cases where a boundary line is given a position within a street or alley, canal, navigable or non-navigable stream, it shall be deemed to be in the center of the right-of-way of the street, alley, canal, or stream. If the actual location of such street, alley, canal, or stream varies slightly from the location as shown on the Official Zoning Map, then the actual location shall control.
    b. Where the district boundaries as shown on the Official Zoning Map approximately coincide with lot lines, the lot lines shall be construed to be the district boundary line unless otherwise indicated.
    c. In cases where district boundaries as shown on the Official Zoning Map do not coincide or approximately coincide with street lines, alley lines, canals, streams, or lot lines, the district boundary lines shall be determined by reference to the scale of the map. In such cases, if the location of the district boundary lines cannot be clearly determined by reference to the scale of the Official Zoning Map, the City Planning Commission shall determine the location of such district boundary lines.

(Ord. No. 25492, § 1, adopted 9/12/13)

3.1.6. Regulation of Areas Under Water.

All areas within the corporate limits of the City of New Orleans which are under water are considered to be within a zoning district and controlled by applicable district regulations less and except the Mississippi River. District boundaries over water areas are located by noted or scaled dimensions, by relation to physical features, by coincidence with the corporate limit line, or by a straight line projection of the center lines of streets as indicated on the district maps. Straight line district boundaries over water areas shall be assumed to continue as straight lines until they intersect with each other or with the corporate limit line.

Section 3.2. Uses Not Permitted Are Prohibited.

For the purpose of this Ordinance, uses authorized within a zoning district are listed either as permitted uses, accessory uses or conditional uses. Unless the contrary is clear from the context of the lists or other regulations of the Ordinance, uses not specifically listed are prohibited.

ARTICLE 4

RESIDENTIAL DISTRICTS

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ARTICLE 4

RESIDENTIAL DISTRICTS

Section 4.1. RS-1 Single-Family Residential District.

4.1.1. Purpose of the District.

The purpose of this district is to provide for low-density residential development of a relatively spacious character together with such churches, recreational facilities, and accessory uses as may be necessary or are normally compatible with residential surroundings. The district also is intended to protect existing development of this character.

4.1.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.1.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the RS-1 Single-Family Residential District, except that timeshare buildings and transient vacation rentals are prohibited:

1. Detached single-family dwellings.

2. Home occupations, provided such use does not occupy more than fifteen (15) percent of the floor area of the dwelling unit.

3. Homes for the aged, nursing homes, convalescent homes and orphan homes.* (See Section 11.23)

4. Churches, rectories, parish homes, temples and synagogues, provided that such uses erected after the date of passage of this Ordinance shall be located on a lot of at least 20,000 square feet in area.

5. Recreational uses:

    a. Public parks, parkways and playgrounds, including uses accessory or incidental to their operation. Accessory concession stands not to exceed 150 square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.

    b. Private golf courses operated on sites of not less than seventy-five (75) acres, provided that no building or accessory use is located closer than 100 feet from adjoining property lines.

c. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet in which instance, the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.

6. Farming, including the usual farm buildings and structures, and animal raising, trapping and fishing, on site of five (5) acres or more, provided such use is not in conflict with any other ordinances of the City of New Orleans.

7. Private gardens, truck gardens, and nurseries for the propagation and cultivation of plants only when said plants, flowers, or produce are not offered for sale on the premises.

8. Public and private forests, wildlife reservations, and similar conservation projects.

9. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

10. Gas distribution mains and gas regulator stations.

11. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.

12. Telephone and communications lines and related facilities but excluding telephone exchanges.

13. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cablecasting studios.

14. Underground sewerage lift or pumping stations.* (See Section 11.43)

15. Aboveground sewerage lift or pumping stations.* (See Section 11.42)

16. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.

17. Water pumping stations.* (See Section 11.46)

18. Stormwater pumping stations.* (See Section 11.44)

19. Public telephone (booth or otherwise) when approved by the Department of Utilities.* (See Section 11.41)

20. Public transit waiting stations.* (See Section 11.31)

21. Electric utility substation facilities and transmission facilities.* (See Section 11.40)

22. Telephone exchanges.* (See Section 11.45)

23. Small group homes.* (See Section 11.22)

24. Adult day care centers.* (See Section 11.14)

25. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

26. Artist Community.* (See Section 11.62)

(Ord. 21,766 § 2, adopted 11/18/04; Ord. 21,714 § 1 (part), adopted 10/07/04; Ord. 18,384 § 1 (part), adopted 8/21/97)

4.1.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RS-1 Single-Family Residential District:

1. Accessory uses for farms of ten (10) acres or more as follows:

    a. Accessory structures for sale or processing of farm products raised on the premises.

    b. Accessory, open or closed storage of farm materials, products, or equipment.

    c. Accessory farm buildings, including barns, stables, sheds, tool rooms, shops, bins, tanks and silos.

2. Boat docks and boathouses and boat moorings for private use only.

3. Domestic storage including automobiles in a main building or in an accessory building.

4. Gardens for vegetables, fruits, flowers, trees, or shrubs, orchards, or groves, for the use and enjoyment of the occupants of a dwelling on the premises, but not as a business and not including sale of products.

5. Home barbecue grills.

6. Playhouses, without plumbing, limited in floor area to 150 square feet and in head room to five (5) feet.

7. Private garages.

8. Servants' quarters without culinary facilities, but only within the lot's buildable area.

9. Storage of a boat trailer, boat, or unoccupied camp trailer, not exceeding twenty-five (25) feet in length, but not in a required front yard.

10. Swimming pools and game courts, lighted or unlighted, for use of occupants or their guests.

11. Temporary buildings and trailers used in conjunction with construction operations are permitted provided such temporary facilities are located on the same site as the development. However, temporary facilities may be located on an adjoining site provided the zoning classification of the adjoining site is the same as or less restrictive than the zoning classification of the site which is being developed. Temporary facilities shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years from the date of erection of such temporary facilities, whichever comes first. The establishment of a temporary use pursuant to this paragraph shall not be deemed to establish a nonconforming use under Article 13 of this Ordinance or to allow a change of use under Article 13 of this Ordinance.

12. Temporary offices in a model home for the sale of improved or unimproved lots of record in a subdivision are permitted within the subdivision for a period not to exceed two (2) years, except as provided below. Temporary offices may be continued beyond the two (2) year limitation until such time as the developer owns ten (10) lots or less in the subdivision, provided a temporary Certificate of Use or Occupancy and Compliance shall be obtained each year by the developer and evidence shall be submitted attesting to the developer's ownership of more than ten (10) lots at the time an application is filed. The certificate shall remain in force for one (1) year from the date of its issuance even though the number of lots owned by the developer may be reduced to ten (10) or less during that one (1) year time period. The establishment of a temporary use pursuant to this paragraph shall not be deemed to establish a nonconforming use under Article 13 of this Ordinance or to allow a change of use under Article 13 of this Ordinance.

13. Accessory off-street parking and loading spaces. Open or enclosed space for parking one (1) commercial vehicle of not more than one (1) ton capacity when used by the occupant of a dwelling.

14. Gas mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.

15. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances, but not including transmission facilities.

16. Noncommercial radio and television receiving antenna and noncommercial radio transmitting antennae limited in height to that of the district or sixty (60) feet, whichever is the greater.

17. Small telephone repeater structures when located in public right-of-way, utility easement or buildable area or in a required side or rear yard of a lot.
18. Telephone and communication lines and related facilities but excluding telephone exchanges.
19. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cablecasting studios.
20. Curb cuts and/or driveways.
21. Satellite dish antenna.* (See Section 11.35)
22. Accessory uses to a winery:
    a. Wine tasting and the limited retail sale of wine and souvenirs relative to the products raised, processed or cultivated on the premises.
23. Cinerarium and columbarium as accessory to churches located on a lot not less than 20,000 square feet in area; waiver of the minimum lot area shall not be allowed for churches which provide such accessory uses.
24. A maximum of ten (10) crab traps for the recreational use of the occupant(s) of the residence. More than ten (10) traps shall be prohibited. This restriction shall not be applied by reference to properties located within the NU Non-Urban District.
25. Food service and retail uses limited to standard restaurants (including coffee shops) and retail stores (excluding grocery/convenience stores and other stores selling food not in a ready-to-eat state) with a maximum square footage of ten (10) percent of the gross floor area of the structure or 2,500 square feet, whichever is less, are permitted in public libraries, subject to the supplementary use standards enumerated in Article 11, Section 11.66 Accessory Uses in Public Libraries of the Comprehensive Zoning Ordinance.

(Ord. 22,639 § 1, adopted 5/17/07; Ord. 21,391 § 2, adopted 1/8/04; Ord. 19,887 § 1, adopted 11/2/00; Ord. 18,959 § 1, adopted 11/5/98)
(M.C.S., Ord. No. 024522, § 1, adopted 8/4/11)

4.1.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RS-1 Single-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Airport, heliport or seaplane base.* (See Section 11.1)
2. Bus terminals for local transit facilities.* (See Section 11.32)
3. Cemeteries and mausoleums with the following accessory uses: a storage building for the storage of maintenance equipment used in maintaining cemeteries, a caretaker's house, an administrative office, a crematorium, and a chapel.* (See Section 11.11)
4. Funeral homes and mortuaries.* (See Section 11.19)
5. Private clubs.* (See Section 11.12)
6. Colleges, junior colleges, or institutions of higher learning.* (See Section 11.36)
7. Hunting preserves when located on a site of at least 100 acres and provided the gross floor area of any building(s) or structure(s) shall not exceed 2,500 square feet of floor area.
8. Convents and monasteries when located on a site of at least 25,000 square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty (50) percent of the total site area.
9. Marina and/or yacht club, provided it complies with all applicable City, State or Federal codes, ordinances, regulations, and laws, including the establishment of bulkhead lines.

10. Sewerage treatment plants (public or private) provided such facilities are set back a minimum of fifty (50) feet from any adjoining residential property line and are screened from view of any residential property.
11. Major excavation, filling, petroleum, or mineral exploration or extraction operations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision, or planned residential development.* (See Section 11.16)
12. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices.* (See Section 11.30)
13. Archery ranges provided that when such facilities are unenclosed, no target shall be located closer than fifty (50) feet to any lot line and provided a solid fence, wall or shield approved by the Department of Safety and Permits shall be provided and maintained behind each such target.
14. Batching plant (asphalt, cement or concrete) provided that such facilities shall be set back a minimum of fifty (50) feet from any property developed for other than industrial uses, be contained entirely within the site for which the product is intended and provided that the period of operation does not exceed one (1) year. * (See Section 11.5)
15. Radio, television and microwave relay, transmitting or receiving towers or antennae (including accessory buildings, but excluding broadcast studios and office buildings) when all such facilities are set back a minimum of fifty (50) feet from all property lines.
16. Water towers and aboveground storage tanks when set back a minimum of twenty (20) feet from all property lines in all residential districts and set back in accord with applicable district regulations in all other districts.
17. Museums, public or private, when located on a site of at least four (4) acres and providing an off-street parking area at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space for each 100 feet of gross floor area, whichever is the greater.
18. One (1) flat, double-faced general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roof of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.
19. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
20. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior or senior high schools.* (See Section 11.38)
21. Business or vocational schools providing nonindustrial training provided they utilize existing educational facilities and provided further that off-street parking shall be provided in accordance with Section 15.2. Article 4, Section 4.1, RS-1 District.
22. Real estate office in a residential development of 500 or more acres or of 300 lots which may be undertaken at once or in phases by a single developer, officers of the developer, its

successors or assigns and affiliates, for the sale of lots, the sale and/or facilities, and/or the operation (offices only) of a property owner's association are permitted within the development, provided however, that no real estate agent or company shall be excluded from doing business in the development nor shall the developer insert any language in the original or subsequent sales agreement to restrict the owner from utilizing any licensed real estate broker for resale. Such designated property may be used as offices in connection with the subdivision in which the property is located.

23. Bed and breakfast family home.* (See Section 11.6)
24. A parking lot to provide off-street parking for a main use located within 300 feet of said lot. The design standards included in Section 15.2 of this Ordinance shall apply. Landscaping shall be required in accordance with Section 15.2.5, regardless of the zoning district in which the property is located.
25. Borrow pits.* (See Section 11.16)
26. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and façade-mounted tower installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)
27. Bed and breakfast historic homes.* (See Section 11.8)
28. Commercial child care facilities in existing former school structures or in existing public or semi-public structures with the exception of the following geographical areas: Councilmanic District "D"; the Garden District as defined in the Comprehensive Zoning Ordinance; the Lakeview area, defined as that portion of the City of New Orleans within the following boundaries: the corner of City Park Avenue and Orleans Avenue and proceeding in a westerly direction to the Pontchartrain Expressway, thence in a northerly direction to the intersection of Veteran's Memorial Boulevard, thence in a westerly direction to the 17th Street Canal, thence in a northerly direction to Lake Pontchartrain, thence in an easterly direction to West End Boulevard, thence in a southerly direction to Robert E. Lee Boulevard, thence in an easterly direction to Orleans Avenue and thence in a southerly direction to City Park Avenue.* (See Section 11.15)
29. Winery.

(Ord. 21,714 § 2 (part), adopted 10/07/04; Ord. 21,391 § 2, adopted 1/8/04; Ord. 20,049 § 1, adopted 2/15/01; Ord. 18,762 § 2 (part), adopted 6/18/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,325 § 2, adopted 7/2/97)
(Ord. No. 25724, § 1, adopted 3/13/14)

4.1.6. Permitted Signs.

The following types of signs are permitted within the RS-1 Single-Family Residential District, subject to the general sign regulations in Article 12:

1. A name plate, one (1) square foot in area, to identify the owner or occupant of a dwelling or building or address thereof.
2. Private directional sign, one (1) square foot in area.
3. A sign limited in area to one (1) square foot, for identification of permitted home occupations or office use.
4. A sign limited in area to forty (40) square feet for identification of a subdivision.
5. A customary church bulletin board, limited in area to twenty (20) square feet.

6. A sign, limited in area to twenty-five (25) square feet for identification of permitted public and semipublic uses or clubs.
7. A temporary, nonilluminated sign, not more than six (6) square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed.
8. A temporary sign, limited to one (1) square foot of sign area for each two (2) feet of street frontage not to exceed 100 square feet in area, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in process or for a period of time not to exceed one (1) year, whichever is the less.
9. One (1) temporary, nonilluminated sign per street frontage limited to six (6) square feet in residential districts, and twenty (20) square feet in nonresidential districts, where such sign is designed to influence the action of the voters with respect to a measure appearing on the ballot at any national, State or local election, or which is designed to influence the action of the voters with respect to a candidate for nomination or election to any public office at any national, State or local election; provided that such election pertains to the political jurisdiction within which the property is located; and provided, that no such sign shall be erected more than sixty (60) days prior to the election; and provided, that a total

of five (5) signs, each not to exceed six (6) square feet, may be posted during the seven (7) days immediately preceding such election; and provided, that all such signs shall be removed within ten (10) days following such election.

10. A temporary sign, limited to one (1) square foot of sign area for each two (2) feet of street frontage not to exceed 100 square feet in area, announcing the development of a new subdivision of more than five (5) lots or involving new streets, for a period not to exceed one (1) year.

4.1.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RS-1 Single-Family Residential District are contained in Table 4.A. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.A
Area Regulations for the RS-1 Single-Family Residential District

REQUIREMENTS	TYPE OF DEVELOPMENT	
	Residential	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	6,700 sq. ft.	20,000 sq. ft.
Minimum lot width	60 ft.	100 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum height	35 ft.	35 ft.
Minimum depth of front yard[1]	Average of block per Section 15.5.8.5; otherwise 20 ft.[1]	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	25%	25%
Minimum width of each side yard	3 ft.	10 ft.
Maximum required aggregate width of side yards	15 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.

Table 4.A Notes:

[1] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 4.2. RS-1A Single-Family Residential District.

4.2.1. Purpose of the District.

The purpose of this district is to provide for very low-density residential development of a more spacious character than the RS-1 Single-Family Residential District, together with such churches, recreational facilities, and accessory uses as may be necessary or are normally compatible with residential surroundings. The district is intended to protect existing development of this character.

4.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.2.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the RS-1A Single-Family Residential District, except that timeshare buildings and transient vacation rentals are prohibited:

1. Detached single-family dwellings.
2. Home occupations, provided such use does not occupy more than fifteen (15) percent of the floor area of the dwelling unit.
3. Churches, rectories, parish homes, temples, and synagogues, provided that such churches, temples, or synagogues erected after the date of passage of this Ordinance shall be located on a lot of at least 30,000 square feet in area.
4. Recreational uses:
    a. Public parks, parkways, and playgrounds, including uses accessory or incidental to their operation. Accessory concession stands not to exceed 150 square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.
    b. Private golf courses operated for noncommercial purposes on sites of not less than seventy-five (75) acres and provided no building or accessory use is located closer than 100 feet from adjoining property lines.
    c. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests and not for commercial purposes, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet in which instance, the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.
5. Farming, including the usual farm buildings and structures, and animal raising, trapping and fishing, on sites of five (5) acres or more provided such use is not in conflict with any other ordinances of the City of New Orleans.
6. Private gardens, truck gardens, and nurseries for the propagation and cultivation of plants, only when said plants, flowers, or produce are not offered for sale on the premises.
7. Public and private forests, wildlife reservations, and similar conservation projects.
8. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.
9. Gas distribution mains and gas regulator stations.

10. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.
11. Telephone and communications lines and related facilities but excluding telephone exchanges.
12. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cablecasting studios.
13. Underground sewerage lift or pumping stations.* (See Section 11.43)
14. Aboveground sewerage lift or pumping stations.* (See Section 11.42)
15. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
16. Water pumping stations.* (See Section 11.46)
17. Stormwater pumping stations.* (See Section 11.44)
18. Public telephone (booth or otherwise).* (See Section 11.41)
19. Public transit waiting stations.* (See Section 11.31)
20. Electric utility substation facilities and transmission facilities.* (See Section 11.40)
21. Telephone exchanges.* (See Section 11.45)
22. Small group homes.* (See Section 11.22)
23. Personal wireless communication facilities consisting of mast-mounted and façade-mounted installations.* (See Section 11.55)

(Ord. 21,714 § 1 (part), adopted 10/07/04; Ord. 18,384 § 1 (part), adopted 8/21/97)

4.2.4. Accessory Uses.

Any accessory use permitted in the RS-1 Single-Family Residential District is authorized in the RS-1A Single-Family Residential District.

4.2.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RS-1A Single-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Colleges, junior colleges, or institutions of higher learning.* (See Section 11.36)
2. Convents and monasteries when located on a site of at least 25,000 square feet and provided further that the total gross floor area of the building(s) shall not exceed fifty (50) percent of the total site area.
3. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices.* (See Section 11.30)
4. Museums, public or private, when located on a site of at least four (4) acres and providing an off-street parking area at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space for each 100 feet of gross floor area, whichever is the greater.
5. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
6. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior or senior high schools.* (See Section 11.38)

7. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations* (See Section 11.55)

(Ord. 21,714 § 2 (part), adopted 10/07/04; Ord. 18,384 § 1 (part), adopted 8/21/97)

4.2.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RS-1 Single-Family Residential District.

4.2.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RS-1A Single-Family Residential District are contained in Table 4.B. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.B
Area Regulations for the RS-1A Single-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT Residential	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	10,000 sq. ft.	30,000 sq. ft.
Minimum lot width	60 ft.	100 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum height	35 ft.	35 ft.
Minimum depth of front yard[1]	Average of block per Section 15.5.8.5; otherwise 20 ft.	
Minimum aggregate width of side yards (Percent of actual lot width)	25%	25%
Minimum width of each side yard	3 ft.	10 ft.
Maximum required aggregate width of side yards	20 ft.	NA
Minimum depth of rear yard	20 ft.	20 ft.

Table 4.B Notes:

[1] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 4.3. RS-2 Single-Family Residential District.

4.3.1. Purpose of the District.

The purpose of this district is to provide for single-family residential development on smaller lots than in the RS-1 Single-Family Residential District, together with such churches, recreational facilities, and accessory uses as may be necessary or are normally compatible with residential surroundings. The district is intended to include existing development of this character.

4.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.3.3. Permitted Uses.

Any permitted use authorized in the RS-1 Single-Family Residential District is authorized in the RS-2 Single-Family Residential District.

(Ord. 21,714 § 1 (part), adopted 10/07/04)

4.3.4. Accessory Uses.

Any accessory use authorized in the RS-1 Single-Family Residential District is authorized in the RS-2 Single-Family Residential District.

4.3.5. Conditional Uses.

Any conditional use authorized in the RS-1 Single-Family Residential District is authorized as a conditional use within the RS-2 Single-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations.

(Ord. 21,714 § 2 (part), adopted 10/07/04)

4.3.6. Permitted Signs.

Subject to the general sign regulations in Article 12 any sign authorized in the RS-1 Single-Family Residential District is permitted in the RS-2 Single-Family Residential District.

4.3.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RS-2 Single-Family Residential District are contained in Table 4.C. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.C
Area Regulations for the RS-2 Single-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT Residential	 Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	5,000 sq. ft.	20,000 sq. ft.
Minimum lot width	50 ft.	100 ft.
Minimum lot depth	90 ft.	100 ft.
Maximum height	35 ft.	35 ft.

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT Residential	Nonresidential
Minimum depth of front yard[1]	Average of block per Section 15.5.8.5; otherwise 20 ft.[1]	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%
Minimum width of each side yard	3 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.

Table 4.C Notes:

[1] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 4.4. RD-1 Two-Family Residential District.

4.4.1. Purpose of the District.

The RD-1 Two-Family Residential District is intended to provide for relatively spacious two-family or town house development mixed with single-family dwellings, together with such churches, recreational facilities and with accessory uses as may be necessary and compatible with residential surroundings, generally in the outlying areas of the City.

4.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 4.4.8 of this article, apply to small group homes in certain areas.

4.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RD-1 Two-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Homes for the aged, nursing homes, and convalescent homes.* (See Section 11.23)
5. Small group homes.* (See Section 11.22)

4.4.4. Accessory Uses.

Any accessory use authorized in RS-1 Single-Family Residential District is authorized as an accessory use in the RD-1 Two-Family Residential District.

4.4.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RD-1 Two-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in RS-1 Single-Family Residential District.
2. Orphan home facilities, camps, nurseries (day or boarding), public, private or commercial.* (See Section 11.25)
3. Commercial aquarium, beach, circus or carnival grounds, zoo, exposition center or fair-grounds, amusement park or midway; institutions, educational or philanthropic including museums, art galleries or libraries, when located on a site of at least 50,000 square feet, provided that all structures for such facilities are set back a minimum of fifty (50) feet from any property line abutting any residential district, and provided further that an off-street parking area shall be provided at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space from each 100 feet of gross floor area, whichever is the greater.
4. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
5. Horse or dog race track or training track, when located on a site of at least ten (10) acres and provided such facilities are set back a minimum of twenty (20) feet from a public right-of-way and a minimum of fifty (50) feet from a residential property line and provided further that no parking shall be permitted within twenty (20) feet of any residential property line. In addition,

a masonry fence or a fence constructed of redwood, cedar or cypress board placed vertically, edge to edge, shall be provided along all property lines and shall be at least ten (10) feet in height. The provisions of this section shall apply to the establishment of a new use and to the utilization of property outside of the boundaries of an existing development. The provisions pertaining to the regulation of an existing horse or dog race track or training track are specified in Section 13.10.5.

6. Sports arena or stadium, commercial athletic fields or baseball parks, when located on a site of at least three (3) acres and provided such facilities are set back a minimum of fifty (50) feet from all abutting residential property lines and provided further that no parking shall be authorized within fifty (50) feet of any residential property line.
7. Commercial pony rings, riding academies, public or private stables, when located on sites of at least one (1) acre and provided all structures for such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that any structure used for the stabling, keeping, or handling of any animals shall be set back a minimum of 100 feet from all property lines.
8. Rifle or pistol ranges, trap or skeet shooting, when located on a site of at least one (1) acre provided such uses are not in conflict with any other ordinance of the City of New Orleans and provided further that the location and type of operation is approved by the New Orleans Police Department.
9. Child care facilities.* (See Section 11.15)
10. Bed and breakfast family home.* (See Section 11.6)
11. Bed and breakfast guest home.* (See Section 11.7)
12. Bed and breakfast historic home.* (See Section 11.8)

4.4.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RS-1 Single-Family Residential District.

4.4.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RD-1 Two-Family Residential District are contained Table 4.D. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.D
Area Regulations for the RD-1 Two-Family Residential District

	STANDARDS			
	TYPE OF DEVELOPMENT			
REQUIREMENTS	**One-Family**	**Two-Family[1]**	**Town House[1]**	**Nonresidential**
Minimum lot area per dwelling unit or nonresidential site area	5,000 sq. ft.	3,250 sq. ft.	3,000 sq. ft.	20,000 sq. ft.
Minimum lot width	50 ft.	60 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	35 ft.	35 ft.	35 ft.	35 ft.

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT			
	One-Family	**Two-Family[1]**	**Town House[1]**	**Nonresidential**
Minimum depth of front yard[2]	Average of block per Section 15.5.8.5; otherwise 20 ft.			
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	See Note 1	20%
Minimum width of each side yard	3 ft.	3 ft.	10 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.D Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

4.4.8. Subdistrict Standards.

Within the area zoned as the RD-1 District and bounded by Downman Road, Bundy Road, Hayne Boulevard and Curran Road, small group homes may be authorized as a conditional use, subject to the following conditions:

1. There shall be a maximum number of six (6) handicapped residents plus a maximum of two (2) live-in supervisory personnel.
2. The handicapped residents shall not include those persons handicapped by reason of drug or alcohol abuse, or a person currently under sentence, or on parole from any criminal violation, or who has been found not guilty of a criminal charge by reason of insanity.
3. For the purpose of this use the term "building" shall mean the entire structure and not each separate dwelling unit.
4. No new group home shall be located closer than 1,000 feet radius from any other existing group homes.

Section 4.5. RD-2 Two-Family Residential District.

4.5.1. Purpose of the District.

The RD-2 Two-Family Residential District is intended to provide for two-family developments on smaller lots in older, more densely populated sections of the City. This development may be mixed with single-family dwellings, together with such churches, recreational facilities and with accessory uses as may be necessary or are normally compatible with residential surroundings. Town houses are authorized only as conditional uses.

4.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 4.5.8 of this article, apply to town houses and bed and breakfast facilities in certain areas.

4.5.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RD-2 Two-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Homes for the aged, nursing homes, convalescent homes.* (See Section 11.23)
4. Small group homes.* (See Section 11.22)

4.5.4. Accessory Uses.

The following uses of land are authorized as accessory uses in an RD-2 Two-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District is authorized as an accessory use in the RD-2 Two-Family Residential District.
2. Slot machines are authorized as an accessory use when located on the site of a live horse race track provided that the square footage of the slot machine gaming floor area does not exceed ten (10) percent of the interior square footage of the main use building (Grandstand).

(Ord. 22,052 § 1, adopted 8/18/05)

4.5.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RD-2 Two-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in RS-1 Single-Family Residential District.
2. Orphan home facilities, camps, nurseries (day or boarding), public, private or commercial.* (See Section 11.25)
3. Town houses.* (See Section 11.33; see also Section 4.5.8 of this article)
4. Commercial aquarium, beach, circus or carnival grounds, zoo, exposition center or fairgrounds, amusement park or midway; institutions, educational or philanthropic including museums, art galleries or libraries, when located on a site of at least 50,000 square feet, provided that all structures for such facilities are set back a minimum of fifty (50) feet from any property line abutting any residential district, and provided further that an off-street parking area shall be provided at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space from each 100 feet of gross floor area, whichever is the greater.

5. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
6. Horse or dog race track or training track, when located on a site of at least ten (10) acres and provided such facilities are set back a minimum of twenty (20) feet from a public right-of-way and a minimum of fifty (50) feet from a residential property line and provided further that no parking shall be permitted within twenty (20) feet of any residential property line. In addition, a masonry fence or a fence constructed of redwood, cedar or cypress board placed vertically, edge to edge, shall be provided along all property lines and shall be at least ten (10) feet in height. The provisions of this section shall apply to the establishment of a new use and to the utilization of property outside of the boundaries of an existing development. The provisions pertaining to the regulation of an existing horse or dog race track or training track are specified in Sections 13.10.4 and 13.10.5.
7. Sports arena or stadium, commercial athletic fields or baseball parks, when located on a site of at least three (3) acres and provided such facilities are set back a minimum of fifty (50) feet from all abutting residential property lines and provided further that no parking shall be permitted within fifty (50) feet of any residential property line.
8. Commercial pony rings, riding academies, public or private stables, when located on sites of at least one (1) acre and provided all structures for such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that any structure used for the stabling, keeping, or handling of any animals shall be set back a minimum of 100 feet from all property lines.
9. Rifle or pistol ranges, trap or skeet shooting, when located on a site of at least one (1) acre provided such uses are not in conflict with any other ordinance of the City of New Orleans and provided further that the location and type of operation is approved by the New Orleans Police Department.
10. Child care facilities.* (See Section 11.15)
11. Bed and breakfast family home.* (See Section 11.6)
12. Bed and breakfast guest home.* (See Section 11.7)
13. Bed and breakfast historic home.* (See Section 11.8)

4.5.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RS-1 Single-Family Residential District.

4.5.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RD-2 Two-Family Residential District are contained Table 4.E. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.E
Area Regulations for the RD-2 Two-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT		
	One-Family	Two-Family[1]	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	4,400 sq. ft.	2,500 sq. ft.	20,000 sq. ft.
Minimum lot width	40 ft.	50 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.
Minimum depth of front yard[2]	Average of block per Section 15.5.8.5; otherwise 20 ft.		
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%
Minimum width of each side yard	3 ft.	3 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.

Table 4.E Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

4.5.8. Subdistrict Standards.

1. No town houses shall be permitted within the area zoned as the RD-2 Two-Family Residential District and bounded by St. Charles Avenue, the downtown side of Jackson Avenue, Magazine Street and the uptown side of Louisiana Avenue, inclusive of lots bordering on said boundary frontages where RD-2 zoning is applicable, the area commonly referred to as the Garden District.
2. No town houses shall be permitted within the area zoned as the RD-2 Two-Family Residential District and bounded by Robert E. Lee Boulevard, Canal Boulevard, Harrison Avenue and West End Boulevard, inclusive of lots bordering on said boundary frontages where RD-2 Two-Family Residential District zoning is applicable, the area commonly referred to as Old Lakeview.
3. With the exception of those bed and breakfast establishments listed below,[1] no bed and breakfast facilities are permitted within the area referred to as the Garden District, bounded by St. Charles Avenue, the downtown side of Jackson Avenue, Magazine Street and the downtown side of Louisiana Avenue. Exceptions:

[1] The municipal addresses shown were grandfathered in pursuant to Ordinance No. 14,168 M.C.S., November 12, 1990.

Location	Number of Rooms
a. 628 Baronne Street	2
b. 1146 Constantinople	2
c. 405 Delaronde	1
d. 3020 DeSoto Street	1
e. 43 Fountainbleau Drive	2
f. 6857 Gen. Diaz Drive	1
g. 2231 Gen. Pershing Street	2
h. 3336 Gentilly Boulevard	2
i. 3660 Gentilly Boulevard	2
j. 2448 Gladiolus Street	2
k. 2857 Grand Rt. St. John	2
l. 1221 Harmony Street	2
m. 923 Louisiana Avenue	2
n. 1716 Milan Street	2
o. 1318 Moss Street	2
p. 3115 Napoleon Avenue	2
q. 1617 Peniston Street	2
r. 1629 Pine Street	2
s. 6022 Pitt Street	2
t. 8422 Pritchard Place	2
u. 2631 Prytania Street	2
v. 7933 St. Charles Avenue	2
w. 1631 Seventh Street	2
x. 1432 Sixth Street	2
y. 830 State Street	2
z. 3500 Upperline Street	2
aa. 1318 Washington Avenue	2
bb. 1715 Webster Street	1

(Ord. 18,374 § 1, adopted 8/12/97)

Section 4.6. RD-3 Two-Family Residential District.

4.6.1. Purpose of the District.

The RD-3 Two-Family Residential District is intended to provide for two-family or town house development on smaller lots in older, more densely populated sections of the City, as well as in the outlying areas of the City. The district provides for such development to be mixed with single-family dwellings; also provided for are uses such as churches, recreational facilities and accessory uses as may be necessary and compatible with residential surroundings.

4.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.6.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RD-3 Two-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Homes for the aged, nursing homes and convalescent homes.* (See Section 11.23)
5. Small group homes.* (See Section 11.22)

4.6.4. Accessory Uses.

Any accessory use authorized in RS-1 Single-Family Residential District is authorized as an accessory use in the RD-3 Two-Family Residential District, subject to any special regulations made applicable to such use within such district, unless such special regulations have been expressly modified by provisions of this zoning district.

4.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RD-3 Two-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in RS-1 Single-Family Residential District.
2. Orphan home facilities, camps, nurseries (day or boarding), public, private or commercial.* (See Section 11.25)
3. Commercial aquarium, beach, circus or carnival grounds, zoo, exposition center or fair-grounds, amusement park or midway; institutions, educational or philanthropic including museums, art galleries or libraries, when located on a site of at least 50,000 square feet, provided that all structures for such facilities are set back a minimum of fifty (50) feet from any property line abutting any residential district, and provided further that an off-street parking area shall be provided at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space from each 100 feet of gross floor area, whichever is the greater.
4. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
5. Horse or dog race track or training track, when located on a site of at least ten (10) acres and provided such facilities are set back a minimum of twenty (20) feet from a public right-of-way

and a minimum of fifty (50) feet from a residential property line and provided further that no parking shall be permitted within twenty (20) feet of any residential property line. In addition, a masonry fence or a fence constructed of redwood, cedar or cypress board placed vertically, edge to edge, shall be provided along all property lines and shall be at least ten (10) feet in height. The provisions of this section shall apply to the establishment of a new use and to the utilization of property outside of the boundaries of an existing development. The provisions pertaining to the regulation of an existing horse or dog race track or training track are specified in Section 13.10.4.

6. Sports arena or stadium, commercial athletic fields or baseball parks, when located on a site of at least three (3) acres and provided such facilities are set back a minimum of fifty (50) feet from all abutting residential property lines and provided further that no parking shall be permitted within fifty (50) feet of any residential property line.
7. Commercial pony rings, riding academies, public or private stables, when located on sites of at least one (1) acre and provided all structures for such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that any structure used for the stabling, keeping, or handling of any animals shall be set back a minimum of 100 feet from all property lines.
8. Rifle or pistol ranges, trap or skeet shooting, when located on a site of at least one (1) acre provided such uses are not in conflict with any other ordinance of the City of New Orleans and provided further that the location and type of operation is approved by the New Orleans Police Department.
9. Child care facilities.* (See Section 11.15)
10. Bed and breakfast family home.* (See Section 11.6)
11. Bed and breakfast guest home.* (See Section 11.7)
12. Bed and breakfast historic home.* (See Section 11.8)

4.6.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RS-1 Single-Family Residential District.

4.6.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RD-3 Two-Family Residential District are contained Table 4.F. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.F
Area Regulations for the RD-3 Two-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT			
	One-Family	Two-Family[1]	Town House[1]	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	3,600 sq. ft.	1,800 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	18 ft.	100 ft.

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT			
	One-Family	Two-Family[1]	Town House[1]	Nonresidential
Minimum lot depth	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.
Minimum depth of front yard[2]	Average of block per Section 15.5.8.5; otherwise 20 ft.			
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	See Note 1	20%
Minimum width of each side yard	3 ft.	3 ft.	10 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.F Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 4.7. RD-4 Two-Family Residential District.

4.7.1. Purpose of the District.

The RD-4 Two-Family Residential District is intended to provide for development on smaller lots in older, more densely populated sections of the City, mixed with single-family dwellings, together with such churches, recreational facilities and with accessory uses as may be necessary and compatible with residential surroundings.

4.7.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.7.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RD-4 Two-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Homes for the aged, nursing homes and convalescent homes.* (See Section 11.23)
4. Small group homes.* (See Section 11.22)

4.7.4. Accessory Uses.

Any accessory use authorized in RS-1 Single-Family Residential District is authorized as an accessory use in the RD-4 Two-Family Residential District.

4.7.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RD-4 Two-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in RS-1 Single-Family Residential District.
2. Orphan home facilities, camps, nurseries (day or boarding), public, private or commercial.* (See Section 11.25)
3. Town houses.* (See Section 11.33)
4. Commercial aquarium, beach, circus or carnival grounds, zoo, exposition center or fair-grounds, amusement park or midway; institutions, educational or philanthropic including museums, art galleries or libraries, when located on a site of at least 50,000 square feet, provided that all structures for such facilities are set back a minimum of fifty (50) feet from any property line abutting any residential district, and provided further that an off-street parking area shall be provided at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space from each 100 feet of gross floor area, whichever is the greater.
5. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
6. Horse or dog race track or training track, when located on a site of at least ten (10) acres and provided such facilities are set back a minimum of twenty (20) feet from a public right-of-way and a minimum of fifty (50) feet from a residential property line and provided further that no parking shall be permitted within twenty (20) feet of any residential property line. In addition, a masonry fence or a fence constructed of redwood, cedar or cypress board placed vertically,

edge to edge, shall be provided along all property lines and shall be at least ten (10) feet in height. The provisions of this section shall apply to the establishment of a new use and to the utilization of property outside of the boundaries of an existing development. The provisions pertaining to the regulation of an existing horse or dog race track or training track are specified in Section 13.10.4.

7. Sports arena or stadium, commercial athletic fields or baseball parks, when located on a site of at least three (3) acres and provided such facilities are set back a minimum of fifty (50) feet from all abutting residential property lines and provided further that no parking shall be permitted within fifty (50) feet of any residential property line.
8. Commercial pony rings, riding academies, public or private stables, when located on sites of at least one (1) acre and provided all structures for such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that any structure used for the stabling, keeping, or handling of any animals shall be set back a minimum of 100 feet from all property lines.
9. Rifle or pistol ranges, trap or skeet shooting, when located on a site of at least one (1) acre provided such uses are not in conflict with any other ordinance of the City of New Orleans and provided further that the location and type of operation is approved by the New Orleans Police Department.
10. Child care facilities.* (See Section 11.15)
11. Bed and breakfast family home.* (See Section 11.6)
12. Bed and breakfast guest home.* (See Section 11.7)
13. Bed and breakfast historic home.* (See Section 11.8)

4.7.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RS-1 Single-Family Residential District.

4.7.7. Height, Area and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the RD-4 Two-Family Residential District are contained Table 4.G. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.G
Area Regulations for the RD-4 Two-Family Residential District

	STANDARDS			
	TYPE OF DEVELOPMENT			
REQUIREMENTS	**One-Family**	**Two-Family[1]**	**Town House[1]**	**Nonresidential**
Minimum lot area per dwelling unit or nonresidential site area	3,600 sq. ft.	1,800 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT			
	One-Family	**Two-Family[1]**	**Town House[1]**	**Nonresidential**
Minimum depth of front yard[2]	Average of block per Section 15.5.8.5; otherwise 20 ft.			
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	See Note 1	20%
Minimum width of each side yard	3 ft.	3 ft.	10 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.G Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 4.8. RM-1 Multiple-Family Residential District.

4.8.1. Purpose of the District.

The RM-1 Multiple-Family Residential District is intended to maintain low-medium residential densities as might be appropriate for garden apartment developments in outlying areas, and, at the same time, to permit a variety of housing types. Population density and height of buildings are low enough to be generally compatible with single-family residential development in the same general neighborhood. Permitted community facilities are the same as for the single-family residential districts.

4.8.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Bonuses for the retention of historic structures, which are set forth in Section 4.8.8 of this article, apply in certain areas.

4.8.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RM-1 Multiple-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Multiple-family dwellings.
5. Homes for the aged, nursing homes, convalescent homes and orphans homes.
6. Convents and monasteries.
7. Child care facilities.* (See Section 11.15)
8. Small group homes.* (See Section 11.22)

4.8.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-1 Multiple-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. A laundry room for use of occupants of a multiple-family dwelling development.
4. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks, and sundries inside a building with ten (10) or more dwelling units or guest rooms.

4.8.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-1 Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the RD-1, RD-2, RD-3, and RD-4 Two-Family Residential Districts, subject to any special regulations made applicable to such use within such districts, unless such special regulations have been expressly modified by provisions of this zoning district.
2. Storage garage, when vehicular entrances and exits are approved by the Department of Streets and when on the premises temporary vehicular storage is provided between the property line and the permanent parking spaces, said storage space being either ten (10) percent of the designed vehicular capacity of the facility or six (6) vehicular spaces, whichever is the lesser.

3. Trailer park and trailer court.* (See Section 11.39)
4. Child care facilities.* (See Section 11.15)
5. Fraternities and sororities, private clubs and lodges, excepting those the chief activity of which is a service customarily carried on as a business.* (See Section 11.18)
6. Apartment hotel.* (See Section 11.2)
7. (Repealed)

(Ord. 18,762 § 2 (part), adopted 6/18/98)

4.8.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs shall be permitted in the RM-1 Multiple-Family Residential District:

1. Any sign authorized in the RS-1 Single-Family Residential District.
2. A sign limited in area to one (1) square foot for each dwelling unit up to a maximum of fifty (50) square feet, giving the name and/or address or management of a multiple-family dwelling or group of multiple-family dwellings, or a convent or monastery, or similar public or semipublic institutional use permitted within the district.

4.8.7. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height and Floor Area Ratio for the RM-1 Multiple-Family Residential District are contained in Table 4.H. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.H
Lot, Height and Bulk Standards for RM-1 Multiple-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT One-Family	Two-Family[1]	Three+ Family	Town House[1]	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	3,600 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	50 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.	40 ft.
Maximum floor area ratio	0.30	0.60	0.60	0.60	0.60
Minimum open space ratio	0.40	0.40	0.40	0.40	0.40
Minimum depth of front yard[2]	Average of block per Section 15.5.8.5; otherwise 20 ft.				
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%	See Note 1	20%

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT One-Family	Two-Family[1]	Three+ Family	Town House[1]	Nonresidential
Minimum width of each side yard	3 ft.	3 ft.	5 ft.	5 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft.	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.H Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

4.8.8. (Repealed by Ord. 18,502 §5, adopted 11/6/97)

Section 4.9. RM-2 Multiple-Family Residential District.

4.9.1. Purpose of the District.

The RM-2 Multiple-Family Residential District is intended to maintain a residential environment while permitting a variety of dwelling types. Population density is maintained in the high-medium range, while buildings are permitted to rise to seventy-five (75) feet. Larger buildings are permitted to contain certain necessary commercial uses for the convenience of tenants. The district should be useful in the gradual rebuilding of certain older sections of the City.

4.9.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 4.9.9 of this article, apply to bed and breakfast facilities in certain areas.

4.9.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RM-2 Multiple-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Multiple-family dwellings.
5. Homes for the aged, nursing homes, convalescent homes, and orphan homes.
6. Convents and monasteries.
7. Child care facilities.* (See Section 11.15)
8. Small group homes.* (See Section 11.22)

4.9.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-2 Multiple-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. A laundry room for use of occupants of a multiple-family dwelling development.
4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.
5. Public telephones inside a main building.
6. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks, and sundries, inside a building with ten (10) or more dwellings units or guest rooms.
7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and to contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.

4.9.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-2 Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the RM-1 Multiple-Family Residential District.
2. Child care facilities.* (See Section 11.15)
3. Fraternities and sororities, private clubs and lodges, excepting those the chief activity of which is a service customarily carried on as a business.* (See Section 11.18)
4. (Repealed)

(Ord. 18,762 § 2 (part), adopted 6/18/98)

4.9.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RM-1 Multiple-Family Residential District.

4.9.7. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height and floor area ratio for the RM-2 Multiple-Family Residential District are contained in Table 4.I. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.I
Area Regulations for the RM-2 Multiple-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT						
	One-Family	Two-Family[1]	Three-Family	Four-Family	Five+ Family	Town House[1]	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	3,125 sq. ft.	1,750 sq. ft.	1,500 sq. ft.	1,200 sq. ft.	1,000 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	40 ft.	50 ft.	50 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.	75 ft.	40 ft.	40 ft.
Maximum floor area ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Minimum open space ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Minimum depth of front yard[2]	Average of block per Section 15.5.8.5; otherwise 20 ft.						
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%	20%	20%	See Note[1]	20%
Minimum width of each side yard	3 ft.	3 ft.	3 ft.	3 ft.	5 ft.	5 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft.	12 ft.	15 ft.	12 ft.	20 ft.
Minimum depth of rear yard	15 ft.	15 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.I Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

(Ord. No. 25122, § 1, adopted 12/6/12)

4.9.8. Special Regulations.

For properties abutting Esplanade Avenue, the height of residential and nonresidential structures shall not exceed fifty (50) feet; this height limitation shall not be waived by the Board of Zoning Adjustments but only by direct appeal to the City Council after review and comment by the Historic District Landmarks Commission. This height limitation shall not apply to Lot 21 and an undesignated lot in Square 381, bounded by Esplanade Avenue, St. Claude Avenue, Kerlerec Street and Marais Street. Said lots form the corner of Esplanade Avenue and St. Claude Avenue and measure 128.11 feet in width along Esplanade Avenue and 165.45 feet in depth and frontage along St. Claude Avenue.

4.9.9. Subdistrict Standards.

The following uses of land are authorized as permitted uses within the area zoned as RM-2 and fronting on Esplanade Avenue between North Claiborne Avenue and North Broad Street only:

1. Bed and breakfast family homes, subject to the standards in Section 11.6;
2. Bed and breakfast guest homes, subject to the standards in Section 11.7;
3. Bed and breakfast historic homes, subject to the standards in Section 11.8; and
4. Bed and breakfast inns, subject to the standards in Section 11.9.

Section 4.10. RM-2A Multiple-Family Residential District.

4.10.1. Purpose of the District.

The RM-2A Multiple-Family Residential District is intended to bring zoning more in harmony with existing development in the older residential neighborhoods of the City. It seeks to encourage the retention and maintenance of historic residential structures, to ensure that new infill construction is compatible with the patterns and dimensions of the existing built environment, and to provide residential units near employment areas. The district is intended to maintain a residential environment while permitting a variety of dwelling types, and population density is maintained in the medium range. The district is particularly appropriate for neighborhoods which have been designated as local or national historic districts.

(Ord. 18,502 § 1, adopted 11/6/97)

4.10.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Bonuses for the retention of historic structures are set forth in Section 4.10.8 of this article.

4.10.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RM-2A Multiple-Family Residential District except that time share buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Multiple-family dwellings.
5. Convents and monasteries.
6. (Repealed)

(Ord. 17,8112 § 1, adopted 10/17/96)

4.10.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-2A Multiple-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. A laundry room for use of occupants of a multiple-family dwelling development.
4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.
5. Public telephones inside a main building.
6. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks, and sundries, inside a building with ten (10) or more dwellings units or guest rooms.
7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.

4.10.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-2A Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the RD-1 Two-Family Residential District, subject to any special regulations made applicable to such use within such district, unless such special regulations have been expressly modified by provisions of this zoning district.
2. Structures located on a lot fronting on a major street (as identified on the Major Street Plan) attaining a height in excess of forty (40) feet but less than sixty (60) feet.
3. Child care facilities.* (See Section 11.15)
4. Homes for the aged, nursing homes, convalescent homes, and orphan homes.* (See Section 11.23)
5. Large group home.* (See Section 11.21)

(Ord. 18,502 § 2, adopted 11/6/97; Ord. 17,812 § 5, adopted 10/17/96)

4.10.6. Permitted Signs.

Subject to the general sign regulations of Article 12, any accessory sign authorized in the RM-1 Multiple-Family Residential District is permitted in the RM-2A Multiple-Family Residential District.

4.10.7. Height, Area, and Bulk Requirements.

Minimum requirements for lot areas, yards, and maximum height and Floor Area Ratio for the RM-2A Multiple-Family Residential District are contained in Table 4.J. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.J
Area Regulations for the RM-2A Multiple-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT						
	One-Family	**Two-Family[1]**	**Three-Family**	**Four-Family**	**Five+ Family**	**Town House[1]**	**Nonresidential**
Minimum lot area per dwelling unit or nonresidential site area[1]	3,000 sq. ft.	1,700 sq. ft.	1,400 sq. ft.	1,100 sq. ft.	1,000 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	40 ft.	40 ft.	40 ft.	18 ft.	100 ft.
Minimum lot depth	75 ft.	75 ft.	90 ft.	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height[3]	40 ft.	40 ft.	40 ft.	40 ft.	40 ft.	40 ft.	40 ft.
Maximum Floor Area Ratio	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Minimum Open Space Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Minimum depth of front yard	See Note 4	See Note 4	See Note 4	See Note 4	See Note 4	See Note 4	See Note 4
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%	20%	20%	2	20%
Minimum width of each side yard	3 ft.	3 ft.	3 ft.	3 ft.	5 ft.	3 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft.	12 ft.	15 ft.	12 ft.	50 ft.

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT						
	One-Family	Two-Family[1]	Three-Family	Four-Family	Five+ Family	Town House[1]	Nonresi-dential
Minimum depth of rear yard	15 ft.	15 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.J Notes:

[1] These density regulations apply to all new construction, and to all existing single-family and two-family structures (including mixed-use structures with one (1) or two (2) units). For all multiple-family structures and all mixed-use structures with three (3) or more units, the number of dwelling units is calculated according to the interior floor area of the structure, with 850 square feet minimum per unit. These regulations apply to historic as well as nonhistoric structures.

[2] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[3] A maximum height of sixty (60) feet may be attained for structures on a lot fronting on a major street, as identified on the Major Street Plan subject to the conditional use provisions of Article 15.

[4] Where a lot or site (meaning a lot or lots considered as a unit for development purposes) is situated between two (2) developed sites, the maximum front yard permitted shall not exceed the average of the front yards provided by the main buildings on the adjacent developed sites. Where a lot adjoins only one (1) or no developed site, the maximum front yard permitted shall not be more than the average of the nearest front yard lines established by the main building on said lots. For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street. No more than forty (40) percent of a front yard shall be paved with a hard surface. Said hard surface shall be used for pedestrian access to the building or vehicular access to a parking area. The remaining sixty (60) percent of the front yard shall be maintained as either a lawn or an area containing ornamental landscaping. The supplemental regulations regarding yards and open space of Section 15.5.7 do not apply in the RM-2A Multiple-Family Residential District.

(Ord. 18,502 § 4, adopted 11/6/97)

4.10.8. Special Regulations.

Off-Street Parking Regulations. Multiple-family uses require one (1) space for each dwelling unit. Off-street parking for other uses is required according to the standards for medium density districts as described in Section 15.2.

(Ord. 18,502 § 3, adopted 11/6/97)

4.10.9. Subdistrict Regulations.

The establishment of bed and breakfast uses are prohibited in the area bounded by Prytania Street, Pontchartrain Expressway, Magazine Street and the downtown side of Felicity Street from Prytania Street to Coliseum Street and the uptown side of Felicity Street from Coliseum Street to Magazine Street.

(Ord. 19,033 § 1, adopted 12/17/98)

Section 4.11. RM-3 Multiple-Family Residential District.

4.11.1. Purpose of the District.

The purpose of this district is to provide for a variety of dwelling types of medium-high density while protecting the character of surrounding areas by limiting uses and signs. Buildings are limited in height to seventy-five (75) feet.

4.11.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 4.11.9 of this article, apply to bed and breakfast facilities in certain areas.

4.11.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RM-3 Multiple-Family Residential District subject to the prohibition of timeshare buildings and transient vacation rentals:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Multiple-family dwellings.
5. Rooming, boarding, and lodging houses.* (See Section 11.34)
6. Convents and monasteries.
7. Child care facilities.* (See Section 11.15)
8. (Repealed)

(Ord. 17,812 § 2, adopted 10/17/96)

4.11.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-3 Multiple-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. A laundry room for use of occupants of a multiple-family dwelling.
4. A newsstand within and operated primarily for the convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with the specifications set forth in Section 15.5.14.
5. Public telephones inside a main building.
6. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks and sundries inside a building with ten (10) or more dwelling units or guest rooms.
7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no exterior entrances or exits in accordance with the specifications set forth in Section 15.6.3, and contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.
8. Retail and service facilities within a building containing 100 or more dwelling units or guest rooms, such facilities to have no exterior entrances or exits in accordance with the specifications set forth in Section 15.6.3. Retail and service facilities may include barbershops, beauty

shops, dining rooms, newsstands, restaurants, cocktail lounges which shall be limited to residents and their guests, valet service, retail stores for tobacco, drugs and sundries. Such retail area shall not exceed ten (10) percent of the gross floor area of the building.

4.11.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-3 Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the RD-1, RD-2 and RD-3 Two-Family Residential Districts.
2. Dance studios when located on a site of at least 15,000 square feet, provided such facility is set back a minimum of twenty (20) feet from any property line abutting any residential district and provided further that off-street parking shall be provided at a minimum of one (1) parking space for each 400 square feet with a minimum of three (3) parking spaces.
3. Child care facilities.* (See Section 11.15)
4. Fraternities and sororities, private clubs and lodges, excepting those the chief activity of which is a service customarily carried on as a business.* (See Section 11.18)
5. (Repealed)
6. Large group home.* (See Section 11.21)
7. A medical clinic within a building containing a minimum of 350 dwelling units subject to the following: The floor area of the clinic shall be limited to a maximum of 2,000 square feet; only one clinic per development shall be allowed; access to the clinic shall be in accordance with Section 15.6.3; and no signs shall be displayed in any manner that are visible from the exterior. These standards shall not be subject to variance by the Board of Zoning Adjustments. This subsection shall not be applicable in any other zoning district.

(Ord. 18,980 § 1, adopted 11/5/98; Ord. 18,762 § 2 (part), adopted 6/18/98; Ord. 17,812 § 6, adopted 10/17/96)

4.11.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs shall be permitted in the RM-3 Multiple-Family Residential District:

1. Any sign authorized in the RS-1 Single-Family Residential District.
2. A sign limited in area to one (1) square foot for each dwelling unit up to a maximum of fifty (50) square feet, giving the name and/or address or management of a multiple-family dwelling, rooming, boarding, or lodging house, convent, monastery, or apartment hotel, or similar public or semipublic institutional use permitted within the district.
3. Two (2) signs, illuminated or nonilluminated, which give directions to a parking area, service area, access way or entrance, or exit, with sign area limited to five (5) square feet.

4.11.7. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height and Floor Area Ratio for the RM-3 Multiple-Family Residential District are contained in Table 4.K. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.K
Area Regulations for the RM-3 Multiple-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT 1 DU[1]	2 DU	3 DU	4 DU	5-11 DU	12-16 DU	17-40 DU	41+ DU	Town House[2]	Non-residential[3]
Minimum lot area per DU/ (minimum lot area subject to approval of a residential planned community)[6]	3,125 sq. ft.	1,750 sq. ft.	1,200 sq. ft.	1,000 sq. ft.	1,000/ (800) sq. ft.	1,000/ (600) sq. ft.	1,000/ (600) sq. ft.	1,000/ (400) sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	40 ft.	40 ft.	50 ft.	60 ft.	75 ft.	100 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	100 ft.	100 ft.	100 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.	40 ft.	4	4	4	40 ft.	4
Maximum floor area ratio	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
Minimum open space ratio	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.10	0.30	0.20
Minimum depth of front yard[5]	Average of block per Section 15.5.8.5; other-wise 20 ft.									
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%	20%	20%	20%	20%	20%	2	20%
Minimum width of each side yard	3 ft.	3 ft.	3 ft.	3 ft.	5 ft.	5 ft.	6 ft.	6 ft.	5 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	15 ft.	15 ft.	12 ft.	20 ft.
Minimum depth of rear yard	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

Table 4.K Notes:

[1] DU — Dwelling units per lot or building site.

[2] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[3] Nonresidential requirements of this table only apply when not elsewhere specified.

[4] No building shall exceed a height equal to the width of the right-of-way of the street upon which the building fronts, provided that in no case shall the height of any building exceed seventy-five (75) feet.

[5] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

[6] Residential densities may be increased up to a maximum of one (1) dwelling unit per square footage as indicated in the parentheses when approved as part of a residential planned community district under Article 10 of these zoning regulations.

(Ord. No. 25122, § 1, adopted 12/6/12)

4.11.8. Special Regulations.

For properties zoned as RM-3 Multiple-Family Residential District and abutting Esplanade Avenue, the height of residential and nonresidential structures shall not exceed fifty (50) feet; this height limitation shall not be waived by the Board of Zoning Adjustments but only by direct appeal to the City Council after review and comment by the Historic District Landmarks Commission. This height limitation shall not apply to Lot 21 and an undesignated lot in Square 381, bounded by Esplanade Avenue, St. Claude Avenue, Kerlerec Street and Marais Street. Said lots form the corner of Esplanade Avenue and St. Claude Avenue and measure 128.11 feet in width along Esplanade Avenue and 165.45 feet in depth and frontage along St. Claude Avenue.

4.11.9. Subdistrict Standards.

The following uses of land are authorized as permitted uses within the area zoned as RM-3 and fronting on Esplanade Avenue between North Claiborne Avenue and North Broad Street only:

1. Bed and breakfast family homes, subject to the standards in Section 11.6;
2. Bed and breakfast guest homes, subject to the standards in Section 11.7;
3. Bed and breakfast historic homes, subject to the standards in Section 11.8; and
4. Bed and breakfast inns, subject to the standards in Section 11.9.

Section 4.12. RM-4 Multiple-Family Residential District.

4.12.1. Purpose of the District.

The purpose of this district is to provide for a variety of dwelling types, including apartment hotels, the larger of these being accompanied by accessory commercial uses, including restaurants and shops. High population density is permitted. The height of buildings is not limited. Signs are limited and access to commercial facilities is limited to maintain a predominantly residential character in the district. This district is appropriate for application in central city areas and to accommodate institutions for higher learning.

4.12.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.12.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the RM-4 Multiple-Family Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the RS-1 Single-Family Residential District.
2. Two-family dwellings.* (See Section 11.33)
3. Town houses.* (See Section 11.33)
4. Multiple-family dwellings.
5. Rooming, boarding, and lodging houses.* (See Section 11.34)
6. Colleges and universities, and uses normally associated therewith.* (See Section 11.36)
7. Convents and monasteries.
8. Apartment hotels.
9. Homes for the aged, nursing homes, convalescent homes and orphan homes.
10. Child care facilities.* (See Section 11.15)
11. Small group homes.* (See Section 11.22)
12. Residential care centers.

(Ord. 17,812 §§ 3, 7, adopted 10/17/96)

4.12.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-4 Multiple-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District, and RM-2 Multiple-Family Residential District.
2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. A laundry room for use of occupants of a multiple-family dwelling development.
4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with the specifications set forth in Section 15.6.3.
5. Public telephones inside a main building.
6. Coin-operated vending machines for candy, tobacco, ice, soft drinks, and sundries inside a building with ten (10) or more dwellings units or guest rooms.
7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no

exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.

8. Retail and service facilities within a building containing 100 or more dwellings units or guest rooms, such facilities to have no exterior entrances or exits in accordance with the specifications set forth in Section 15.6.3. Retail and service facilities may include barbershops, beauty shops, dining rooms, laundries, massage service, newsstands, restaurants, cocktail lounges, valet service, travel service, automobile rental office, and retail stores for wearing apparel, books, gifts, flowers, package liquor, packaged fruits, tobacco, drugs, and sundries. Such retail area shall not exceed ten (10) percent of the gross floor area of the building.
9. Boat docks and boathouses for occupants of a building and their guests.

4.12.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-4 Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the RM-1 Multiple-Family Residential District.
2. A helistop.* (See Section 11.1)
3. Child care facilities.* (See Section 11.15)
4. Fraternities and sororities, private clubs and lodges, excepting those the chief activity of which is a service customarily carried on as a business.* (See Section 11.18)
5. Large group home.* (See Section 11.21)

(Ord. 17,812 § 8, adopted 10/17/96)

4.12.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs shall be permitted in the RM-4 Multiple-Family Residential District:

1. Any sign authorized in the RS-1 and RS-2 Single-Family Residential Districts.
2. A sign, illuminated or non-illuminated, limited to one (1) square foot for each dwelling unit up to a maximum of 100 square feet, giving the name and/or address or management of a multiple-family dwelling, or group of multiple-family dwellings, rooming, boarding or lodging house, fraternity or sorority, private club or lodge, college or university, convent, monastery or apartment hotel, or similar public or semipublic institutional use permitted within the district.
3. Two (2) signs, illuminated or non-illuminated, which give directions to a parking area, service area, access way or entrance, or exit, with sign area limited to five (5) square feet.

4.12.7. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height and Floor Area Ratio for the RM-4 Multiple-Family Residential District are contained in Table 4.L. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 4.L
Area Regulations for the RM-4 Multiple-Family Residential District

REQUIREMENTS	STANDARDS TYPE OF DEVELOPMENT										
	1 DU[1]	2 DU	3 DU	4 DU	5-11 DU	12-16 DU	17-40 DU	41+ DU	Town House[2]	Education Inst.	Nonresidential[3]
Minimum lot area per dwelling unit/ (minimum lot area subject to approval of residential planned community)[5]	3,125 sq. ft.	1,750 sq. ft.	1,200 sq. ft.	1,000 sq. ft.	1,000/ (800) sq. ft.	1,000/ (600) sq. ft.	1,000/ (600) sq. ft.	1,000/ (400) sq. ft.	2,000 sq. ft.	2 acres	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	40 ft.	40 ft.	50 ft.	60 ft.	75 ft.	100 ft.	18 ft.	N/A	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	100 ft.	100 ft.	100 ft.	90 ft.	N/A	100 ft.
Maximum height (ft.)	no limit	no limit	no limit	no limit	no limit	no limit	no limit	no limit	40 ft.	no limit	no limit
Maximum floor area ratio	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
Minimum open space ratio	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.10	0.30	0.10	0.20
Minimum depth of front yard[4]	Average of block per Section 15.5.8.5; otherwise 20 ft.										
Minimum aggregate width of side yards (Percent of lot width)	20%	20%	20%	20%	20%	20%	20%	20%	2	30%	20%
Minimum width of each side yard	3 ft.	3 ft.	3 ft.	3 ft.	5 ft.	5 ft.	6 ft.	6 ft.	5 ft.	20 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	15 ft.	12 ft.	12 ft.	40 ft.	20 ft.
Minimum depth of rear yard	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Maximum lot coverage of main structure and necessary buildings (Percent of lot area)	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%

Table 4.L Notes:

[1] DU — Dwelling units per lot or building site.

[2] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[3] Nonresidential requirements of this table only apply when not elsewhere specified.

[4] For a corner lot, a yard setback shall be provided along the side street equal to the average of the front yards of the structures fronting on the side street, in accordance with the provisions of Section 15.5.8.5. If no such front yard average exists, a yard of ten (10) feet shall be provided on the side street, provided that the buildable width of a lot of record shall not be reduced to less than twenty-four (24) feet.

[5] Residential densities may be increased up to a maximum of one (1) dwelling unit per square footage as indicated in the parentheses when approved as part of a residential planned community district under Article 10 of these zoning regulations.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 4.13. RM-2E Eastern New Orleans Multiple-Family Residential District.

4.13.1. Purpose of the District.

The RM-2E Eastern New Orleans Multiple-Family Residential District is intended to maintain a residential environment while permitting a variety of dwelling types. Population density is maintained in the medium range, while buildings are permitted to rise to forty-five (45) feet. The district is intended to assist in the gradual rebuilding of multi-family dwellings in Eastern New Orleans.

4.13.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

4.13.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the RM-2E Eastern New Orleans Multiple-Family Residential District:

1. Adult day care centers.* (Section 11.14)
2. Artist Community.* (Section 11.62)
3. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cable casting studios.
4. Child care facilities.* (Section 11.15)
5. Churches, rectories, parish homes, temples and synagogues, provided that such uses shall be located on a lot of at least twenty thousand (20,000) square feet in area.
6. Detached single-family dwellings.
7. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.* (Section 11.40)
8. Electric utility substation facilities and transmission facilities.
9. Gas distribution mains and gas regulator stations.
10. Home occupations, provided such use does not occupy more than fifteen percent (15%) of the floor area of the dwelling unit.
11. Homes for the aged, nursing homes, and convalescent homes.* (Section 11.23)
12. Multi-family dwellings subject to the requirements of Section 18.50.8 and 18.50.9.
13. Personal wireless communication facilities consisting of façade-mounted installations.* (Section 11.55)
14. Private golf courses operated on sites of not less than seventy-five (75) acres, provided that no building or accessory use is located closer than one-hundred (100) feet from adjoining property lines.
15. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet in which instance, the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.
16. Public parks, parkways and playgrounds, including uses accessory or incidental to their operation. Accessory concession stands not to exceed one-hundred fifty (150) square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.

17. Public and private forests, wildlife reservations, and similar conservation projects.
18. Public telephone (booth or otherwise) when approved by the Department of Utilities.* (Section 11.41)
19. Public transit waiting stations.* (Section 11.31)
20. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.
21. Sewerage lift or pumping stations, aboveground or underground.* (Sections 11.42 and 11.43)
22. Small group homes.* (Section 11.22)
23. Storm water pumping stations.* (Section 11.44)
24. Telephone and communications lines and related facilities but excluding telephone exchanges.
25. Telephone exchanges.* (Section 11.45)
26. Town house.* (Subject to the requirements of Section 18.50.8 and 18.50.9)
27. Two-family dwellings.* (Section 11.33)
28. Water distribution systems, meters, sanitary and storm water sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
29. Water pumping stations.* (Section 11.46)

4.13.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-2E Eastern New Orleans Multiple-Family Residential District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two percent (2%) of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. Each dwelling unit shall contain clothing washers and dryers. No common laundry rooms or common laundry facilities shall be permitted.
4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.
5. A meeting room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units; such meeting room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and contain no more than two thousand (2,000) square feet of floor area.

4.13.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-2E Eastern New Orleans Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Advertising sign—One (1) flat, double-faced general, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roof of the public transit waiting station, whichever is lower.
2. Borrow pits.* (Section 11.16)

3. Business or vocational schools providing non-industrial training provided they utilize existing educational facilities and provided further that off-street parking shall be provided in accordance with Section 15.2 Article 4, Section 4.1, RS-1 District.
4. Cemeteries and mausoleums with the following accessory uses: a storage building for the storage of maintenance equipment used in maintaining cemeteries, a caretaker's house, an administrative office, a crematorium, and a chapel.* (Section 11.11)
5. Child care facilities.* (Section 11.15)
6. Colleges, junior colleges, or institutions of higher learning.* (Section 11.36)
7. Convents and monasteries when located on a site of at least 25,000 square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty percent (50%) of the total site area.
8. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
9. Personal wireless communication facilities consisting of: a) standard and nonstandard monopoles, b) mast-mounted tower installations and c) façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55.
10. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices.* (Section 11.30)
11. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (Section 11.37)
12. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior or senior high schools.* (Section 11.38)
13. Radio, television and microwave relay, transmitting or receiving towers or antennae (including accessory buildings, but excluding broadcast studios and office buildings) when all such facilities are set back a minimum of fifty (50) feet from all property lines.
14. Real estate office in a residential development of 500 or more acres or of 300 lots which may be undertaken at once or in phases by a single developer, officers of the developer, its successors or assigns and affiliates, for the sale of lots, the sale and/or facilities, and/or the operation (offices only) of a property owner's association are permitted within the development, provided however, that no real estate agent or company shall be excluded from doing business in the development nor shall the developer insert any language in the original or subsequent sales agreement to restrict the owner from utilizing any licensed real estate broker for resale. Such designated property may be used as offices in connection with the subdivision in which the property is located.

4.13.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RM-1 Multiple-Family Residential District.

4.13.7. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change, or alteration of any use, other than single- and two-family uses, within the RM2-E District, an

administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7 and augmented by the Design Standards listed in Section 9. Upon approval of such plan, the Executive Director shall affix his/her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

4.13.8. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height for the RM-2E Eastern New Orleans Multiple-Family Residential District are contained in Table 4.M. These standards apply to all permitted, accessory, and conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6. The design standards of Sections 4.13.8 and 4.13.9 below apply to all multiple-family and townhouse dwellings.

Table 4.M
Area Regulations for the RM-2E Eastern New Orleans Multiple-Family Residential District

	TYPE OF DEVELOPMENT						
	Single-Family	**Two-Family**	**Three-Family**	**Four-Family**	**Town-house**	**Multi-Family**	**Nonresi-dential**
Minimum Lot Area	3,125 sf/du	1,750 sf/du	1,500 sf/du	1,200 sf/du	2,000 sf/du	2,722.5 sf/du	20,000 sf
Minimum Lot Width	30'	30'	40'	50'	80'	50'	100'
Minimum Lot Depth	90'	90'	90'	90'	100'	130'	100'
Maximum Building Height	40'	40'	45'	45'	40', but not more than 3.5 stories	45', but not more than 3 total stories including the ground floor accessory uses and 2 floors of residential living space	45'
Minimum ceiling height of residential floors					9'	9'	
Maximum FAR					1.0	1.0	1.0
Minimum Open Space Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Maximum Lot Coverage	60%	60%	60%	60%	60%	50%	60%
Maximum Density						16 DU/acre	
Minimum Space Between Buildings for multiple buildings on a lot	See Setback Requirements						
Building side to building side						20' for a yard without curb cut access; 40' for a yard with curb cut access (see section 9.D)	See Setback Requirements
Building side to building rear						40'	
Building rear to building rear						60' for residential façades	
Maximum Space Between Buildings					30'	40'	
Maximum Building Length (see figures 1 and 2)					180'	180'	
Minimum Number of Attached Dwelling Units					3		
Maximum Number of Attached Dwelling Units					6		

	TYPE OF DEVELOPMENT						
	Single-Family	**Two-Family**	**Three-Family**	**Four-Family**	**Town-house**	**Multi-Family**	**Nonresi-dential**
Maximum Number of Dwelling Units Per Building					6	40	
Minimum Unit Width (see figure 1)					20'		
Maximum Number of Buildings Per Lot	1	1	1	1	1		1
Minimum Unit Size						1 br: 900 sf 2 br: 1,200 sf 3 br: 1,800 sf 4 br: 2,000 sf (More than 4 bedrooms prohibited)	
SETBACK REQUIREMENTS							
Minimum Front Yard							20'
Minimum Front Yard (see figures 3 and 4)	20'	20'	20'	20'	20'	20'	
Minimum Interior Side Yard	3'	3'	3'	3'	10'	10'	10'
Maximum Interior Side Yard (see figures 3 and 4)							
When building is adjacent to property line				15'	15'		
When curb cut access is provided between building and property line				40'	40'		
Minimum Corner Side Yard	10'	10'	10'	10'			10'
Maximum Corner Side Yard (see figures 3 and 4)					20'	20'	
Minimum Required Aggregate Width of Side Yards	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'			20% to a maximum required aggregate of 20'
Minimum Rear Yard	15'	15'	20'	20'	30'	30'	20'

Figure 1. Townhouse minimum unit width and maximum building length

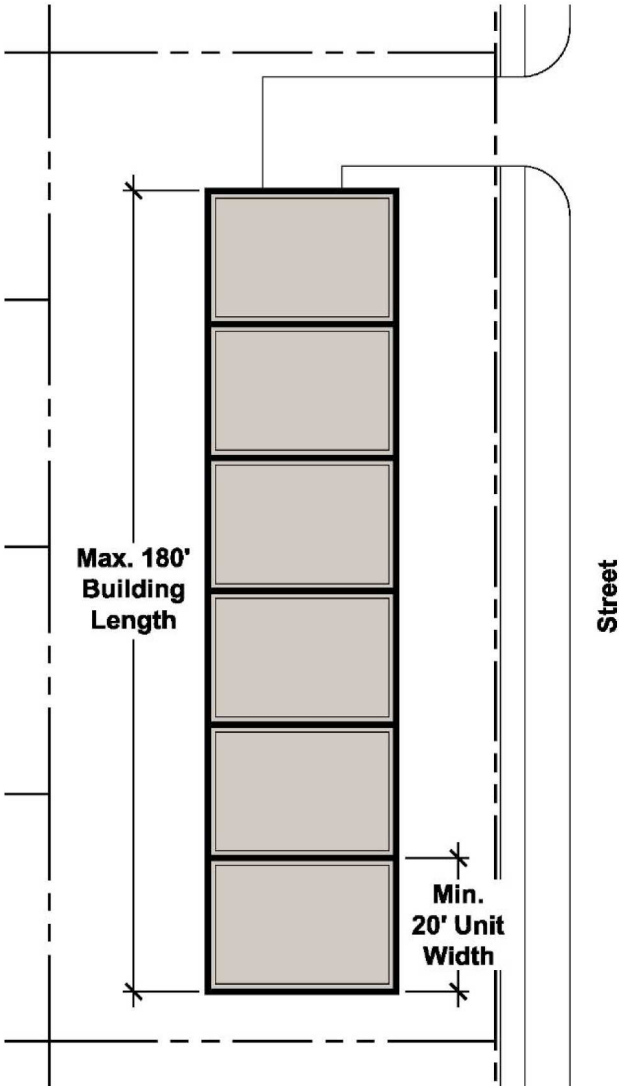


Figure 2. Multi-family maximum building length

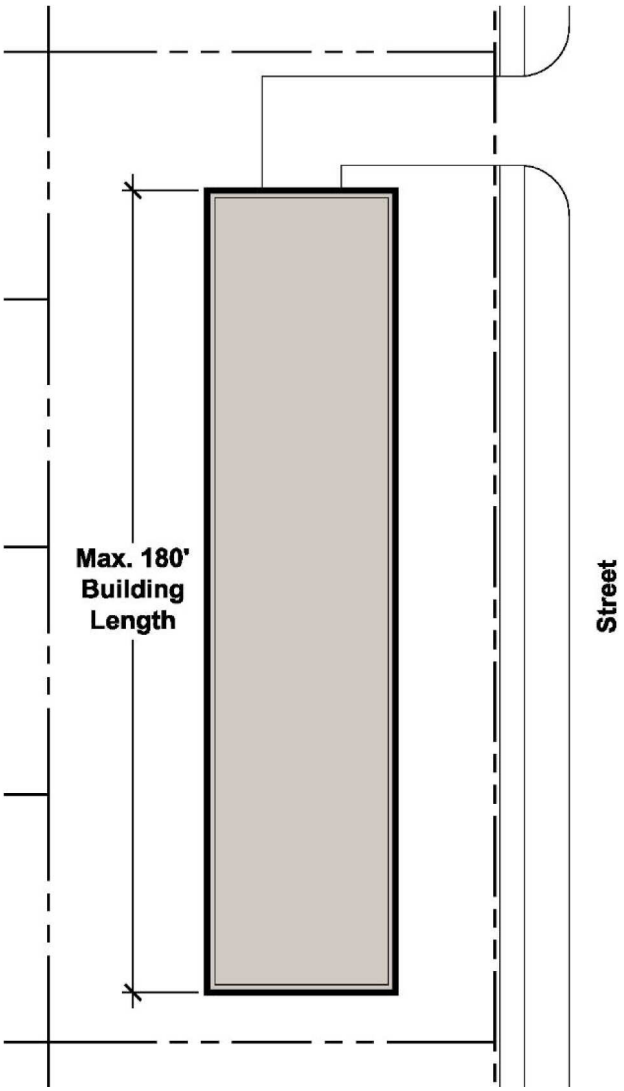


Figure 3. Townhouse Build-to Zones and Yards for interior lots (top) and corner lots (bottom)

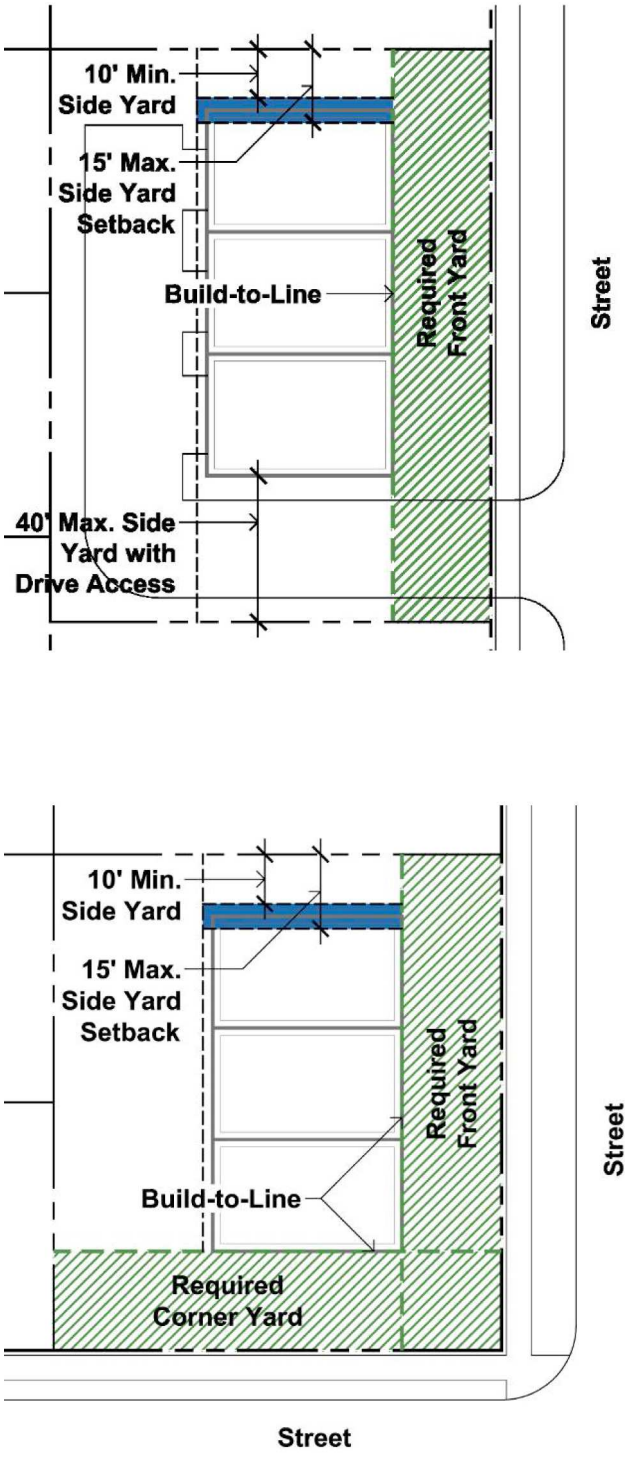
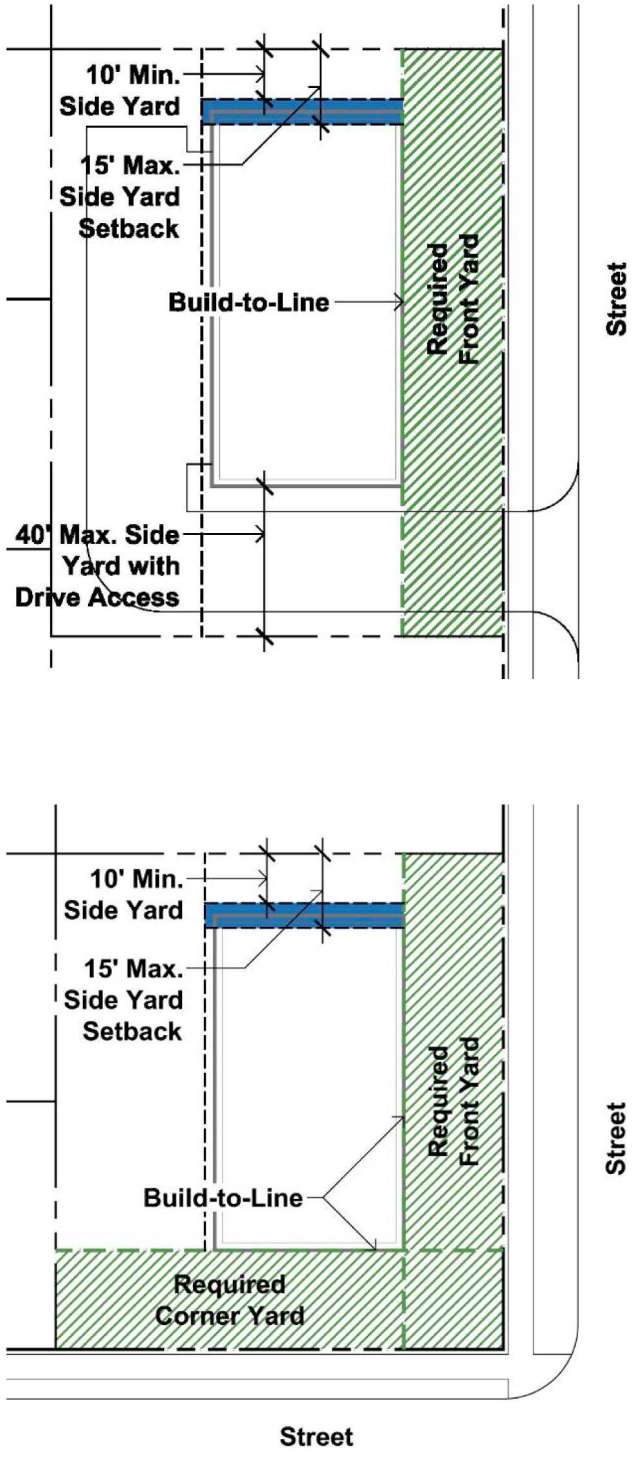


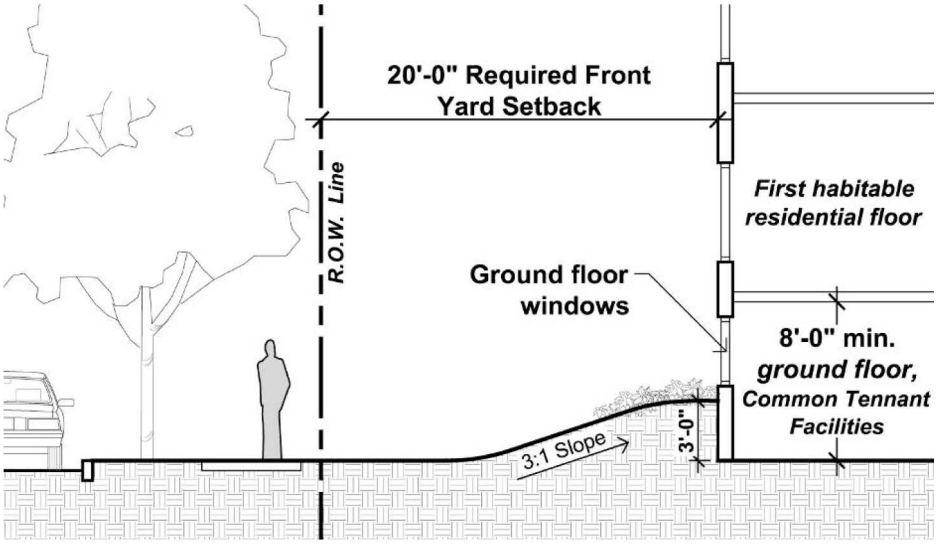
Figure 4. Multi-family Build-to Zones and Yards for interior lots that do not include curb cuts (top) and corner lots (bottom)



4.13.9. Design Standards.

1. Ground Floor of Multiple-Family Dwellings and Townhomes.
   a. For any residential unit built after the effective date of this Ordinance, no habitable units are allowed on the ground floor of any multiple-family unit or institutional facility designed to accommodate overnight stay. The first habitable floor of all multiple-family buildings shall be a minimum of eight (8) feet above grade. Parking, entry and public areas may be located on the first floor.
   b. Portions of the non-habitable ground floor façade not used for building access or fenestration shall be designed according to the following requirements:
      (1) For multi-family buildings that use the ground floor for common tenant facilities (such as a fitness room, or meeting space), foundation landscaping and/or grading shall be used to screen the portion of the wall between the existing grade and a line three (3) feet above the existing grade. (See Figure 5) On the portion of the ground floor façade above this line, windows shall be provided that create an appropriate level of transparency and reflect the character of the upper floor façade design. Landscaping may be omitted directly in front of windows or doors in order to provide adequate interior light and access.

Figure 5. Multi-family grading with common tenant facilities



      (2) For multi-family buildings that do not use the ground floor for common resident facilities, or use it for utility spaces (such as vehicular parking, storage, or building infrastructure), foundation grading shall be provided such that the grading meets the building façade at a point four (4) feet above the existing grade. In addition, foundation landscaping shall be provided in accordance with Section 6 of this section.
      (3) Ground floor parking areas shall be designed in such a way that they are fully integrated into the design of the structure rather than appearing as separate elements of the building's design. Simple screening of the areas shall not suffice; rather, the areas should be treated with a continuation of the structures façade treatment, subject to the review and approval of the City Planning Commission staff.

(4) For townhouses, the entire portion of the ground floor façade between the existing grade and a line four (4) feet above the existing grade shall be screened. (See Figure 6) Screening techniques may include grading and landscaping, or stairs and hardscape that provide access to the first habitable floor, or a combination of both. (See Figure 7) However, no flight of stairs shall account for more than four (4) feet in elevation change without providing a landing area.

Figure 6. Multi-family grading without common tenant facilities

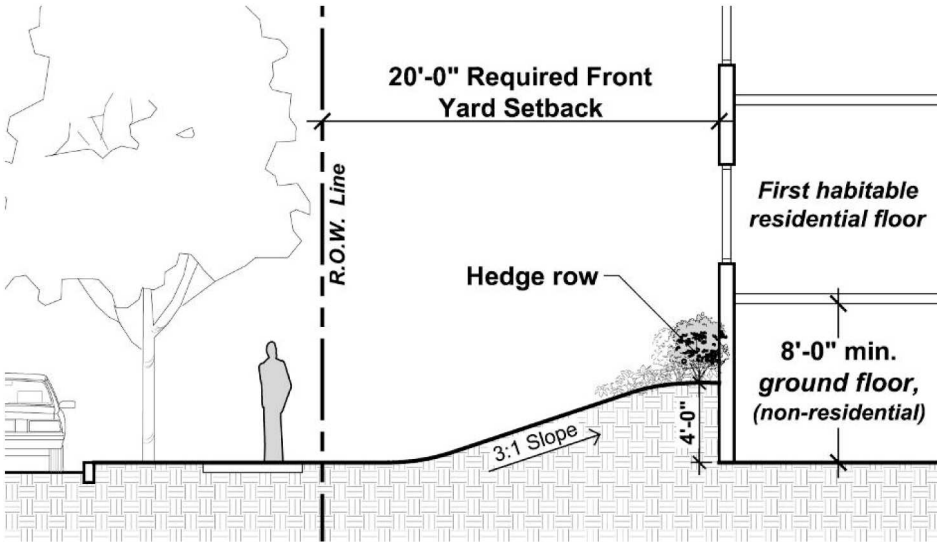


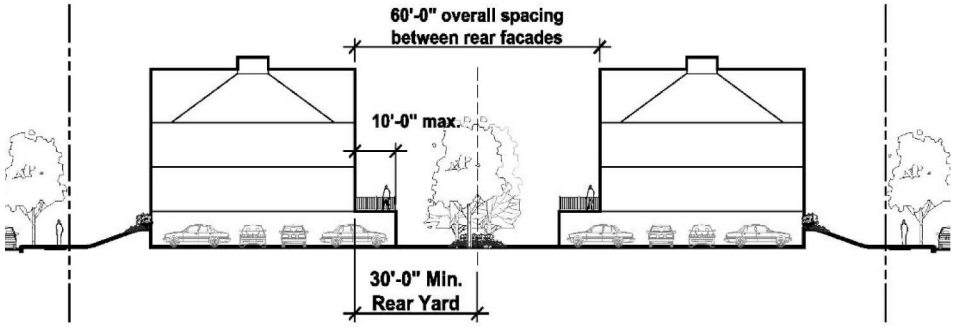
Figure 7. Townhouse grading and hardscape example



2. Façade Articulation and Reduction of Mass and Scale.
   a. All buildings should be oriented towards the public street in terms of architectural interest and materials, façade transparency, and building access.
   b. All buildings shall provide a clearly articulated entry from the public sidewalk and from rear parking areas.

c. Large, flat façades shall be prohibited. The building mass shall be articulated to create substantial shadows and visual interest. Form giving elements such as, but not limited to, windows, dormers, projected entrances and overhangs are required on the street facing façade.

Figure 8. Townhouse rear spacing requirement cross-section



d. For townhouses, the rear façade of a building shall not be within sixty (60) feet of the rear façade of another townhouse building. Non-residential ground-floor façades are permitted to encroach into the required yard up to ten (10) feet beyond the edge of the upper story residential façade.

e. Façades shall be designed to be viewed from multiple directions and, therefore, they shall be designed with consistent materials and treatment that wraps around all façades. There shall be a unifying architectural theme for an entire multiple-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials and colors around the entire structure.

f. To avoid the appearance of blank walls facing the street, when the side walls of a multiple-family or townhouse dwelling face a street, building façades shall be designed with elements of a front façade, including doors and/or windows. However, fire stairs shall be completely enclosed within the structure.

g. Windows and doors shall have raised elements to create shadow and articulation. In addition, three-dimensional elements, such as balconies and bay windows, shall be incorporated to provide dimensional elements on a façade. Windows shall be set back ("punched") into or projected out from the façade to provide façade depth and shadow, vertical in orientation and a consistent style.

h. All attached townhouse units within the same building shall have the same unit width.

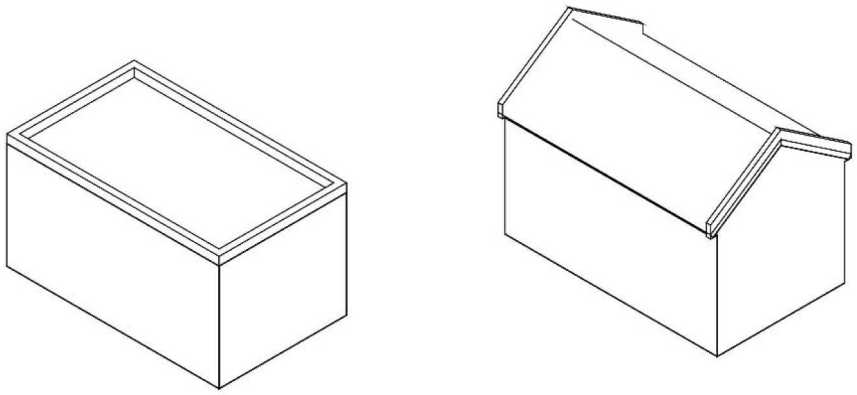
3. Roof Forms.

a. Allowable roof types include:

(1) For townhouses, pitched gable roofs

(2) For multi-family buildings, pitched gable roofs and flat roofs shall be allowable, although flat roofs shall be discouraged unless they contribute to the overall aesthetic quality of the structure.

Figure 9. Allowable Roof Forms



b. To ensure that new developments are consistent and compatible with the surrounding neighborhood character, consistency in the roofline shall be achieved by using similar roof forms with varying height and proportion.

c. Varied roof planes should be used to create visual interest and reflect articulated façade massing. However, roof planes should be similar in slope, materials and detail to create a unified theme and silhouette.

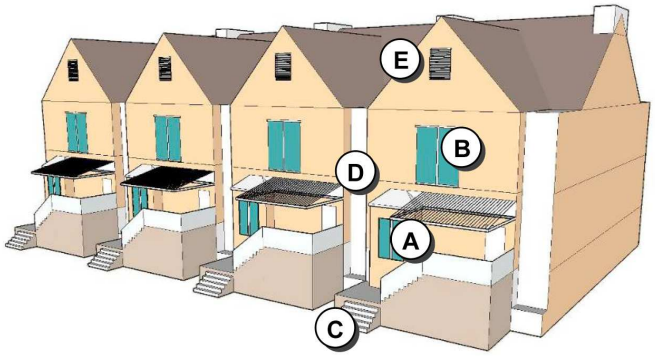
d. Large, monotonous, simple pitched roofs, without breaks in the expanse of the roof, shall be avoided. Dormers and gables can be used to break up large expanses of roof area. For flat roofs, cornices and parapets shall be used to add variety and break up the roofline. Rooflines shall be modulated every seventy-five (75) feet through the use of varied roof heights.

e. All roof top mechanical equipment shall be screened from view from the adjacent rights-of-way and shall not be visible from ground level or elevated roadways.

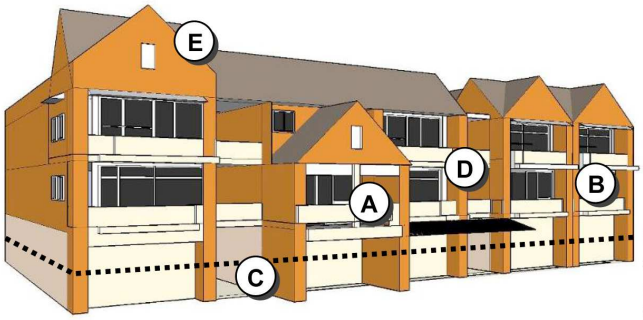
4. Representative Building Types. The following images in Figure 10 represent desired building design concepts for future development. Building design should generally emulate the scale, massing and design detail as illustrated, and reflect the noted principles.

Figure 10. Representative Building Types

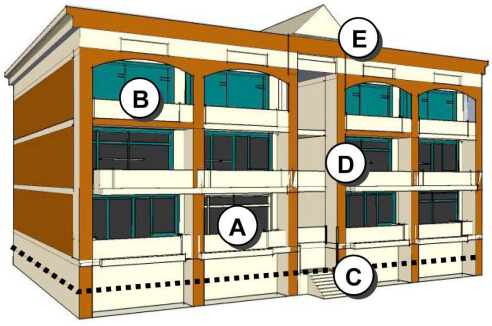
Townhouse Development



Multi-family Development



Minimum façade screening line as regulated in section 9.A.2 of this chapter



Minimum façade screening line as regulated in section 9.A.2 of this chapter

- A — First residential floor (min. 8' above grade)
- B — Transparency and balconies oriented towards the street
- C
- D — Direct building access from public sidewalk
- E — Articulated façade elements

5. Parking Areas and Pedestrian Walkways (See Figures 11 and 12).
   a. No parking shall be located in the required front and corner side yards. Such yards must be landscaped. Any surface parking shall be located to the rear of the lot, in areas that are less visible or prominent from the street. Large parking areas shall be broken into smaller segments separated by landscaping but still linked to provide adequate on-site circulation and access.
   b. Driveways shall be consolidated, where possible, in order to reduce curb cuts. Adjacent townhouse or multi-family buildings should, where possible, share driveway access.
   c. Clearly defined pedestrian access from any parking areas to the building shall be required. A clearly defined visible and identifiable network of pedestrian connections shall be provided in and between parking lots, street sidewalks, open spaces and buildings.
   d. Interior lots may provide access from the primary street, although the number of access points should be minimized to the extent possible. Corner lots shall provide access to parking from the less prominent street to be determined through site plan review.
   e. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.

Figure 11. Townhouse vehicular access for interior lots (top) and corner lots (bottom)

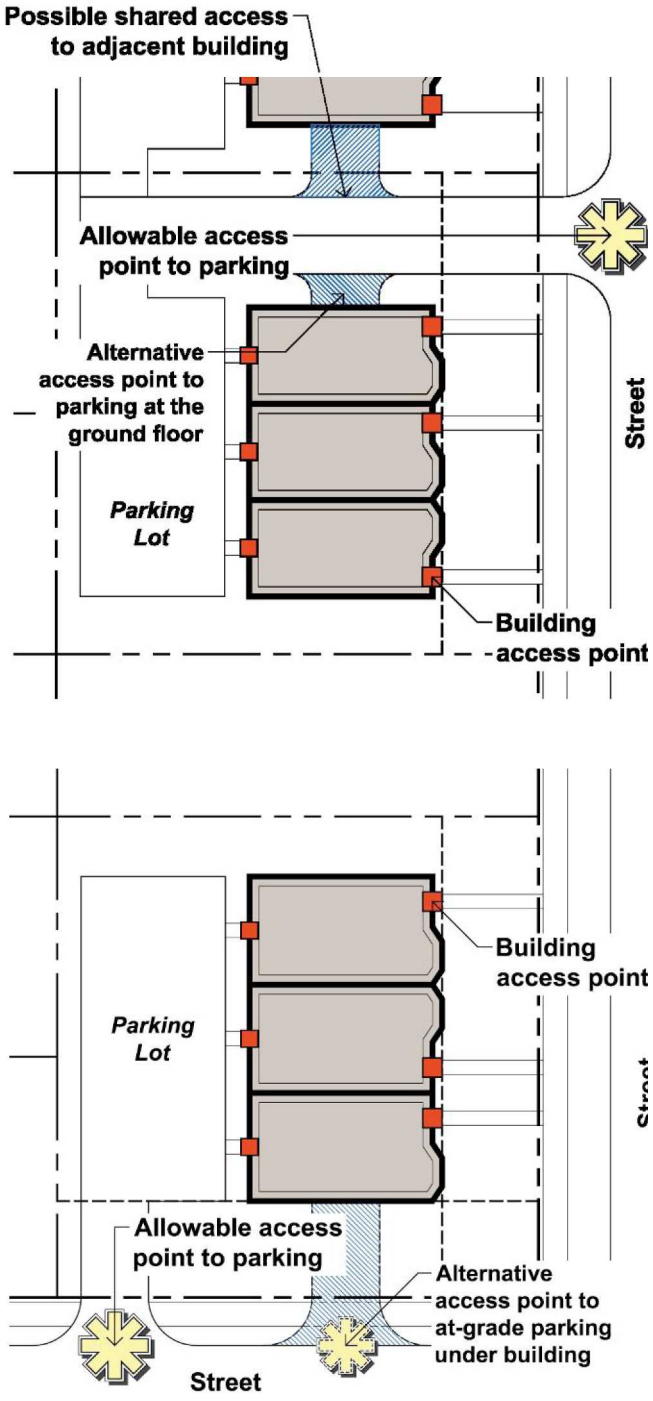
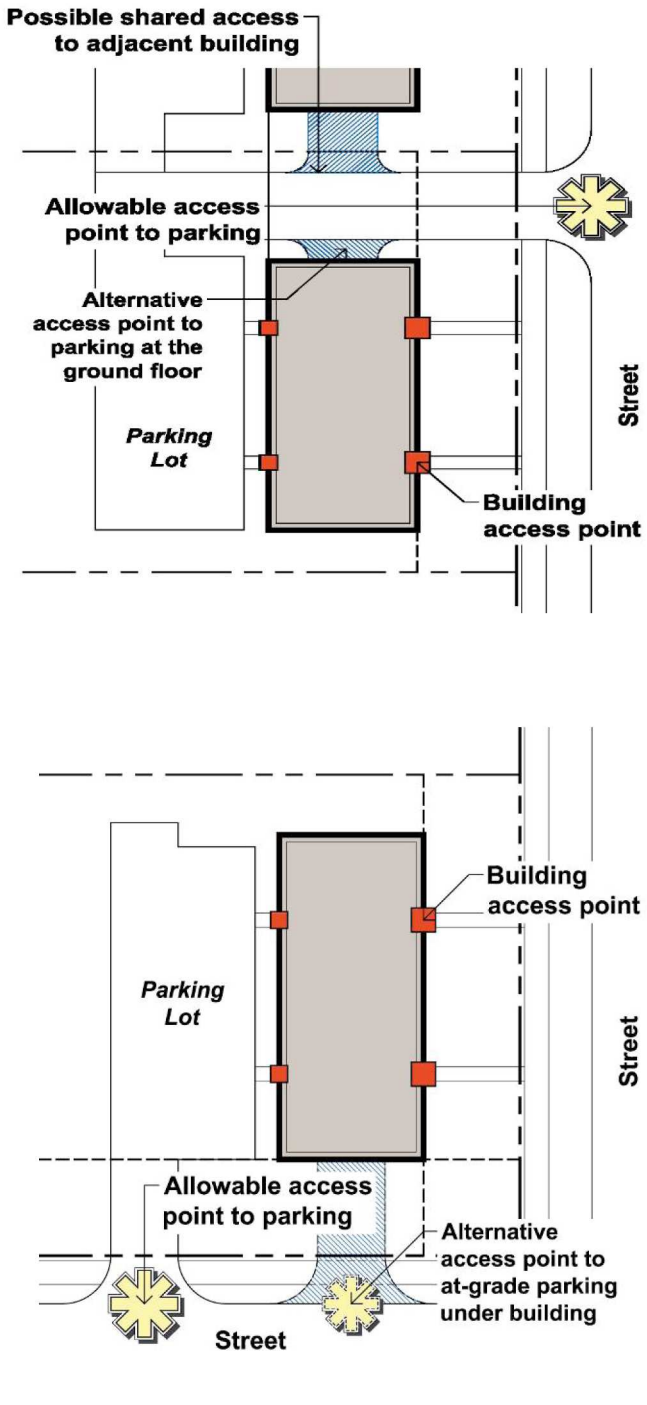


Figure 12. Multi-family vehicular access for interior lots (top) and corner lots (bottom)



6. Building Materials. A list of permitted and prohibited building materials is included as follows.
   a. Permitted Building Materials. Approved materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Clay brick.
      (2) Natural or cast stone (minimum four (4) inch thickness).
      (3) Cedar or equivalent simulated wood, or fiber-cement, horizontal siding.
      (4) Cementitious stucco.
      (5) Wood, molded polymer, copper, and fiber cement material for trim, freeze boards, soffits and fascia boards; aluminum or vinyl material may be used for soffits and fascia boards only.
      (6) Architectural concrete block for a foundation course only and for a maximum of six (6) feet above the three (3) foot required berm.
      (7) Slate or tile roofing material.
      (8) Terra cotta or similar glazed masonry units.
      (9) Architectural grade asphalt and fiberglass shingles for roofs only.
      (10) Glass block for accenting purposes (glass block walls are not included in this category).
      (11) Fiber cement siding (i.e., hardi plank).
   b. Prohibited Materials. Prohibited materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Standard concrete masonry units (CMU).
      (2) King-size or jumbo brick.
      (3) Exposed aggregate (rough finish) concrete wall panels.
      (4) Plywood, composite plywood or masonite sidings (T-111).
      (5) Panel brick or thinset stone veneers.
      (6) Plastic.
      (7) Glass curtain wall systems.
      (8) Reflective glass.
      (9) Bright wall flashings and copings.
      (10) Metal wall panels.
      (11) Exterior insulation finish systems (EIFS) (e.g."Dryvit").
      (12) Miscellaneous metals.
      (13) Stuccato board.
      (14) Wood shake shingles.
7. Landscaping. All proposed trees and shrubs shall be identified as acceptable by the LSU AgCenter.
   a. No less than fifty percent (50%) of the entire site shall contain landscape or other pervious materials.
   b. Required Screening. The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
      (1) When a vehicular use area abuts any residential district or permitted residential use, a six (6) foot high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.
      (2) When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas

and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian access ways.

(3) Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.

c. Interior Landscaping of Vehicular Use Area. Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over 5,000 square feet. The following conditions apply to these interior landscaped areas:

(1) The total of all interior landscaped areas shall occupy a minimum of ten percent (10%) of the vehicular use area.

(2) Each interior landscape area shall be at least 100 square feet in area.

(3) The length of any side shall be at least five (5) feet.

(4) The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety (90) degree height of six (6) inches.

(5) Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per 100 square feet of interior landscape island. Trees shall be a minimum of 12 feet in height and a minimum of three (3) inches diameter breast height (d.b.h.).

(6) There shall be at least three (3) shrubs, each having minimum height of two (2) feet and a minimum spread of 18" upon installation, for each tree planted within the development. Such shrubs may be planted in any combination or configuration. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, bulbs, or other herbaceous perennials, providing they meet the minimum size requirement.

(7) All residual areas not specified for parking, travel lanes or pedestrian circulation shall be landscaped.

d. Perimeter Landscape Strip. The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement, as described in subsection (c)(1), above.

(1) A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:

(a) Where access ways exist between vehicular use areas of separate developments.

(b) Where required landscape buffer is located.

(c) Where service drives or loading zones are located behind a main building, and are not visible from the main parking area or abutting property.

(d) Where a vehicular use area abuts a building.

(2) Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:
   (a) The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.
   (b) Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

(3) Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems. Design priority shall be given to the area first approved.

(4) Trees shall be planted within the perimeter strips at the same rate and at the same minimum height and d.b.h. as for the interior landscape areas, that is, one (1) tree per 100 square feet of landscape area, a minimum height of twelve (12) feet, and a minimum three (3) inches d.b.h. They may be planted either evenly spaced or in groups or clusters.

e. Credit for Preserved Trees. Trees which have been identified by the LSU Cooperative Extension Service tree rating guide as acceptable may be included for credit towards the requirements of this Ordinance according to the following criteria:

Diameter of Trunk Measured 4½ Feet Above Ground	**Number of Trees Credited**
36" or greater	9
26"—35"	7
13"—25"	5
4"—12"	3

(1) If any preserved tree dies within three (3) years of construction, one (1) tree shall be replaced for each tree credited against such a preserved tree.

(2) For each tree to be credited, a planting area or open ground area of at least twenty-five (25) square feet shall be included around trees up to four (4) inches in diameter. An additional twenty-five (25) square feet is required for each additional two (2) inches of tree trunk diameter, measured four and one-half (4½) feet above the natural grade.

(3) In no case shall the trunk area of a preserved tree be closer to the edge of the planting area than one-third (⅓) of the length of the longest side of the open ground area in which it is planted.

(4) If the developer is to utilize the above tree credit program, then the health and measurement of all trees proposed for credit shall be verified by a certified licensed arborist.

8. Storm Water Management. For all sites greater than or equal to one (1) acre in total site area, the developer shall submit a storm water management plan to the City Planning Commission staff and the Sewerage and Water Board for review and approval.

(Ord. No. 25007, § 1, adopted 9/6/12)

ARTICLE 5

BUSINESS AND COMMERCIAL DISTRICTS

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ARTICLE 5 BUSINESS AND COMMERCIAL DISTRICTS

Section 5.1. MS Medical Service District.

5.1.1. Purpose of the District.

The purpose of this district is to encourage an appropriate grouping of medical service facilities. In most cases, the district would include a hospital or group of hospitals as the center for such hospital-related service as offices, drugstores, restaurants and shops. Apartments are permitted in the district and height of buildings is not limited.

5.1.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

5.1.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the MS Medical Service District subject to the performance standards of Section 7.5. All new developments and expansions of existing developments over 25,000 square feet are conditional uses if located within 150 feet of a residential district:

1. Any use permitted in the RM-2 Multiple-Family Residential District.
2. Hospitals.
3. Clinics.
4. Offices of physicians, surgeons, dentists, psychiatrists, physiotherapists, or practitioners in related specialties.
5. Parking lots.
6. Parking garages.
7. Pharmacies, drugstores, beauty parlors, barbershops, banks, flower shops, and retail shops dispensing medical or surgical supplies.
8. Standard restaurants but not drive-in or fast food restaurants.
9. Tourist homes.
10. Dormitories.
11. Hotels and motels containing not more than 100 rooms.
12. Medical education buildings when on a site of two (2) acres, or one (1) city square whichever is the lesser.
13. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
14. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)
15. Child care facilities.* (See Section 11.15)
16. Residential care center.
17. Catering business.
18. Rehabilitative-recovery/care centers provided that there shall be a minimum distance between rehabilitative-recovery/care centers, large group homes and small group homes of a 2,500-foot radius.

19. Adult day care centers.* (See Section 11.14)
20. Chilled water, hot water and/or steam generation and distribution facility.* (See Article 11, Section 11.56)
21. Guidance service.

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 20,716 § 1 (part), adopted 5/16/02; Ord. 19,037 § 1, adopted 12/17/98; Ord. 18,574 § 1, adopted 1/8/98)

5.1.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the MS Medical Service District:

1. Any accessory use allowed in the RM-2 Multiple-Family Residential District.
2. Storage of office supplies or merchandise normally carried in stock in connection with a permitted office or business use subject to applicable district regulations.

5.1.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the MS Medical Service District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use allowed in the RM-4 Multiple-Family Residential District.
2. Blood banks or similar facilities engaged in collecting, preparing or processing blood or blood products.
3. Fast food and drive-in restaurants.
4. Timeshare buildings and transient vacation rentals.
5. Any permitted use listed in Section 5.1.3 which is located within 150 feet of a residential district and which exceeds 25,000 square feet.
6. Cafeteria restaurants.
7. Reception facility.* (See Section 11.63)

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 18,574 § 2, adopted 1/8/98)

5.1.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs shall be permitted in the MS Medical Service District.

1. Any sign allowed in a RM-4 Multiple-Family Residential District.
2. For a hospital containing at least 100 beds, a flat sign or detached sign, illuminated or nonilluminated, limited in area to 100 square feet plus such other directional signs as are necessary to mark emergency entrances, service areas, special facilities and parking areas, such signs to be illuminated or nonilluminated, flat, projecting, marquee or detached, and limited in area to ten (10) square feet each.
3. For each permitted nonresidential use:
   a. A flat sign, illuminated or nonilluminated, limited in area to thirty (30) square feet.
   b. A detached sign or projecting sign illuminated or nonilluminated, limited in area to ten (10) square feet. If placed on a marquee or canopy, two (2) such signs are permitted for each street frontage.
4. For a parking lot or garage, a detached sign, illuminated or nonilluminated, limited in area to ten (10) square feet.
5. Two (2) signs, illuminated or nonilluminated, which give directions to a parking area, accessway or entrance or exit, with sign area limited to ten (10) square feet each.

6. One (1) flat, double-faced general advertising sign illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

5.1.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the MS Medical Service District are contained in Table 5.A. Area requirements for residential uses are the same as for the RM-2 Multiple-Family Residential District regulations in Section 4.9. Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.A
Area Regulations for the MS Medical Service District

Requirements	**Standards**
Maximum Height (ft.)	
• on lots adjacent to residential districts	• maximum height permitted in adjacent residential district[1]
• on lots adjacent to nonresidential districts	• none
Minimum depth of front yard	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum side yard	10 ft.
Minimum rear yard	10 ft.
Minimum floor area (for permitted office building, restaurant, clinic or nonaccessory shop)	1,000 sq. ft.
Maximum Floor Area Ratio[2]	4.00

Table 5.A Notes:

1 No buildings shall be within ten (10) feet of any property line. Whenever a building is located upon a lot adjoining or across the street from a residential district, buildings shall not exceed the maximum height permitted in the residential district. Maximum height may be increased by a maximum of twenty (20) feet in excess of the maximum height permitted in the adjacent residential district when the structure is set back an additional three (3) feet for each additional five (5) feet in height from the residential district line or street right-of-way line.
Appurtenances such as elevator shafts, cooling towers, etc., located on the roof may exceed the above height limits of the structure, provided that such appurtenances are set back from the structural wall adjacent to a residential district a distance of three (3) feet for each additional five (5) feet in height that said appurtenances exceed the maximum height limitation set forth in the preceding sentence.

2 This standard applies to nonresidential buildings. Floor Area Ratios for residential buildings are determined by the regulations pertaining to residential development.

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 5.2. RO General Office District.

5.2.1. Purpose of the District.

The purpose of this district is to create an environment especially suited to a group of professional, general administrative, and general sales offices, together with certain commercial uses primarily to serve employees in the district. The residential alternatives to office use are the same as permitted in the RM-2 Multiple-Family Residential District.

5.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

5.2.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the RO General Office District subject to the performance standards of Section 7.5:

1. Any use permitted in the RM-2 Multiple-Family Residential District.
2. General business offices, including, but not limited to, general administrative offices and sales offices with or without interior or show window display of products incidental to the office use.
3. Professional offices.
4. Banks, drive-in or otherwise, provided driveway space is made available off the street for vehicles waiting for drive-in service.* (See Section 11.4)
5. Clinics, but not animal clinics, and hospitals.
6. Data processing center.
7. Health or athletic club or studios, bath or massage parlors, commercial or private.
8. Hotels, motels, or motor lodges.
9. Laboratories; medical and dental, research, experimental or testing, but not animal research or testing.
10. Private clubs.
11. Standard restaurants but not drive-in or fast food restaurants.
12. Studios for artists, photographers, teachers, sculptors, musicians, or dance instruction.
13. Parking lots and parking garages.
14. Undertaking business or establishment or funeral home.
15. Retail and service facilities within an office building containing at least 20,000 square feet of floor area devoted to office uses, or in a hotel, motel, motor lodge, or a multiple dwelling with 100 or more rental units or dwelling units, such facilities to have no exterior entrances or exits other than in accordance with the specifications set forth in Section 15.6.3. Retail and service facilities may include barbershops, beauty shops, cocktail lounges, newsstands, valet service and retail stores for sale of books, stationery supplies, gifts, flowers, tobacco, drugs, and sundries. However, in no event shall retail and service facilities include pawnshops.
16. Business schools.
17. Public elementary schools, or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)

18. Public junior high or senior high schools, or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)
19. Child care facilities.* (See Section 11.15)
20. Adult day care centers.* (See Section 11.14)

(Ord. 23,087 § 1 (part), adopted 5/1/08)

5.2.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RO General Office District:

1. Any accessory use allowed in the RM-2 Multiple-Family Residential District.
2. Storage of office supplies or merchandise normally carried in stock in connection with a permitted office or business use subject to applicable district regulations.

5.2.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RO General Office District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations:

1. Any conditional use allowed in the MS Medical Service District.
2. Prisons and related uses.
3. Fast food and drive-in restaurants.
4. Timeshare buildings and transient vacation rentals.
5. Reception facility.* (See Section 11.63)

(Ord. 22,789 § 1 (part), adopted 9/6/07)

5.2.6. Permitted Signs.

Subject to general sign regulations of Article 12, the following accessory signs shall be permitted in the RO General Office District:

1. Any sign allowed in the RM-4 Multiple-Family Residential District.
2. For a permitted nonresidential use, a flat sign, illuminated or nonilluminated, limited in area to thirty (30) square feet.
3. For each permitted nonresidential structure, a detached or projecting sign, illuminated or nonilluminated, limited in area to ten (10) square feet. If placed on a marquee or canopy, two (2) such signs are permitted for each street frontage.
4. One (1) flat, double-faced general advertising sign illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

5.2.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the RO General Office District are contained in Table 5.B. Area requirements for residential uses are the same as for the RM-2 Multiple-Family Residential District regulations in Section 4.9. Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.B
Area Regulations for the RO General Office District

Requirements	Standards
Maximum height	100 ft.
Minimum depth of front yard	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum side yard	10 ft.
Minimum rear yard	10 ft.
Minimum floor area (for a permitted office building, clinic, restaurant or nonaccessory shop)	1,000 sq. ft.
Maximum Floor Area Ratio	4.00

(Ord. No. 25122, § 1, adopted 12/6/12)

Section 5.3. RO-1 General Office District.

5.3.1. Purpose of the District.

The purpose of the district is to encourage an attractive appearance along Canal Street and to minimize potential adverse affects of nonresidential uses on adjacent residential areas while providing a variety of retail shopping, professional services, personal services, office and residential uses. Retention and renovation of harmonious existing structures is to be encouraged.

5.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Bonuses for the retention of existing structures, which are set forth in Section 5.3.8 of this article, apply in certain areas.

5.3.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the RO-1 General Office District, and provided that permitted stores and shops shall be limited to 3,000 square feet of floor area:

1. Any use permitted in the RM-2 Multiple-Family Residential District.
2. Bakeries for the sale of pastry products only. No baking shall be permitted on the premises.
3. Professional offices, including but not limited to those of lawyers, engineers, architects, physicians or dentists.
4. Flower shops.
5. Custom dressmaking, boutiques, millinery and tailoring shops.
6. Photographers' studios.
7. Art studios.
8. Interior decorating shops, displays and sales.
9. Bookstores.
10. Antique shops.
11. Jewelry shops.
12. Beauty parlors and barbershops.
13. Standard restaurants but not cafeteria, fast food or drive-in restaurants.
14. Dance studios.
15. Catering and delicatessen businesses.
16. Health or athletic clubs, commercial or private but not bath or massage parlors.
17. Banks with or without drive-in windows but not drive-in banks or banks with drive-in windows on separate sites.
18. Funeral homes and undertaking businesses.
19. Boutiques or retail clothing shops limited to 3,000 square feet of floor area.
20. Schools, public and private, elementary or high school.
21. Stores or shops, unless otherwise prohibited herein, for the conduct of a retail business and occupying not more than 3,000 square feet of floor area. Retail business shall not include pawnshops.
22. Lodges, meeting or reception halls.
23. Homesteads.
24. Laboratories, medical and dental.
25. Drugstores and pharmacies.

26. General business offices, including, but not limited to, general administrative offices and sales offices with or without interior or show window display of products incidental to the office use.
27. Retail and service facilities within an office building containing at least 20,000 square feet of floor area devoted to office uses, or in a multiple dwelling with 100 or more rental units or dwelling units, such facilities to have no exterior entrances or exits other than in accordance with the specifications set forth in Section 15.6.3. Retail and service facilities may include barbershops, beauty shops, cocktail lounges, newsstands, valet service and retail stores for sale of books, stationery supplies, gifts, flowers, tobacco, drugs and sundries.
28. Hospitals and clinics, but not animal clinics.
29. Data processing centers.
30. Child care facilities.* (See Section 11.15)
31. Bed and breakfast family homes.
32. Bed and breakfast guest homes.
33. Bed and breakfast historic homes.
34. Bed and breakfast inns.
35. Reception facility.* (See Section 11.63)

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 20,031 § 1 (part), adopted 2/01/01)

5.3.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the RO-1 General Office District:

1. Any accessory use allowed in the RM-2 Multiple-Family Residential District.
2. Storage of office supplies or merchandise normally carried in stock in connection with a permitted office or business use subject to applicable district regulations.
3. Parking lots and parking garages serving only patrons and employees in connection with a permitted office or business use.

5.3.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RO-1 General Office District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations:

1. Any conditional use allowed in the MS Medical Service District.
2. Hotels.
3. Motels.
4. Parking lots.
5. Parking garages.
6. Timeshare buildings and transient vacation rentals.

5.3.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs shall be permitted in the RO-1 General Office District:

1. Any sign allowed in the RM-2 Multiple-Family Residential District.
2. For a permitted nonresidential use, a flat sign, illuminated or nonilluminated, limited in area to thirty (30) square feet.
3. For each permitted nonresidential structure, a detached or projecting sign, illuminated or nonilluminated, limited in area to ten (10) square feet. If placed on a marquee or canopy, two (2) such signs are permitted for each street frontage.

5.3.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the RO-1 General Office District are contained in Table 5.C. Area requirements for residential uses are the same as for the RM-2 Multiple-Family Residential District regulations in Section 4.9. Standards for nonresidential and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.C
Area Regulations for the RO-1 General Office District

Requirements	Standards
Maximum height	100 ft.
Minimum depth of front yard	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum side yard	10 ft.
Minimum rear yard	10 ft.
Minimum floor area (for a permitted office building, clinic, restaurant or nonaccessory shop)	1,000 sq. ft.
Maximum Floor Area Ratio	4.00

(Ord. No. 25122, § 1, adopted 12/6/12)

5.3.8. Special Regulations.

1. The following bonus provisions are applicable to lots which have a lot line which touches Canal Street and to lots in the same ownership which adjoin lots having a lot line which touches on Canal Street.
   a. When an existing structure constructed prior to 1930 is to be retained and used for residential purposes in whole or in part with no increase of the floor area of the existing structure, the maximum number of dwelling units allowed shall be at the rate of one dwelling unit for each 700 square feet of floor area of the structure and no additional off-street parking spaces shall be required.
   b. When an existing structure constructed prior to 1930 is to be retained and developed in whole or in part with commercial uses permitted by the requirements of this district with no increase of the floor area of the existing structure, no additional off-street parking spaces shall be required for the first 1,500 square feet of floor area of the existing structure so utilized or one-half (½) of the square feet of the existing structure so utilized, whichever is the greater.
2. The following bonus provision is applicable to lots which do not have a lot line which touches on Canal Street or which do not adjoin or are not in the same ownership as said lots.
   a. When an existing structure constructed prior to 1930 is to be retained and used for residential purposes with no increase of the floor area of the existing structure, the maximum number of dwelling units allowed shall be at the rate of one dwelling unit for each 700 square feet of floor area of the structure and no additional off-street parking spaces shall be required.

The bonus provisions of this section shall continue to be available as long as existing structures are retained and maintained in accordance with City standards of construction and safety as provided in the Building Code of the City of New Orleans. These bonus provisions contained herein shall not be subject to waiver, variances or exceptions that could be granted under the provisions of Article 14 of this Ordinance.

Section 5.4. B-1 Neighborhood Business District.

5.4.1. Purpose of the District.

The purpose of this district is to provide primarily for retail shopping and personal service uses, to be developed either as a unit or in individual parcels, to serve the needs of a relatively small area, primarily nearby, low-density residential neighborhoods. To enhance the general character of the district and its compatibility with its residential surroundings, signs are limited to those accessory to businesses conducted on the premises and the number, area, and types of signs are limited.

5.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 5.4.9 of this article, apply to car washes and automobile laundries in certain areas.

5.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the B-1 Neighborhood Business District subject to the performance standards of Section 7.5, except that timeshare buildings, transient vacation rentals, bowling alleys, and uses which sell alcohol for consumption on the premises or for consumption off the premises occupying 5,000 square feet or less are prohibited.

1. Any use permitted in the RM-1 Multiple-Family Residential District.
2. Automatic ice distribution station or other drive-in automatic vending machine station. Groups of vending machines shall be contained in a completely enclosed building.
3. Banks without drive-in facilities.
4. Banks with drive-in facilities, provided all the requirements listed in the supplemental use standards are met.* (See Section 11.4)
5. Bakeries occupying not more than 2,500 square feet of floor area and provided all products produced on the premises shall be sold at retail on the premises.
6. Barbershops, beauty parlors, chiropody, or similar personal service shops, except massage parlors.
7. Bicycle sales and repair shops.
8. Car wash or automobile laundry, providing reservoir space at the entrance of an automatic car wash for not less than ten (10) vehicles for each washing lane, and providing reservoir space at the entrance of a self-service facility for no less than three (3) vehicles for each washing lane. (See subdistrict regulations, Section 5.4.9)
9. Catering and delicatessen business.
10. Clinics (medical and dental for human patients only) less than 2,500 square feet of floor area, having no more than three (3) practitioners, and providing off-street parking of one (1) space per 300 square feet of floor area. (These requirements are not subject to waiver by the Board of Zoning Adjustments.)
11. (Repealed)
12. Custom dressmaking, millinery, tailoring, or similar retail trades occupying not more than 2,500 square feet of floor area.
13. Dry cleaning shops occupying not more than 2,500 square feet of floor area and using no cleaning fluid whose base is petroleum or one of its derivatives.
14. Gasoline Service Station, but with no lighting fixture extending to a height greater than fifteen (15) feet.

15. Flower shop and greenhouses incidental thereto.
16. Laundromats.
17. Laundries occupying not more than 2,500 square feet of floor area.
18. Locksmith shops.
19. Messenger and telegraph service stations.
20. Offices, general business or professional.
21. Parking lots, parking spaces and parking areas, other than automobile sales or storage lots.
22. Photographers' studios.
23. Standard restaurants.
24. Fast food and drive-in restaurants on sites greater than two and one-half (2.5) acres in size, uninterrupted by and exclusive of public rights-of-way.
25. Shoe repairing shops occupying not more than 2,500 square feet of floor area.
26. Shops for the repair of electrical and radio equipment occupying not more than 2,500 square feet of floor area.
27. Stores or shops for the conduct of a retail business occupying not more than 5,000 square feet of gross floor area, except automobile/vehicular parts sales/non-service, and pawnshops.
28. Dance studios.
29. Hospital or clinic for small animals, dogs, cats, birds, and the like provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls.
30. Cablecasting studios and distribution or switching centers, but not towers more than 125 feet in height above grade and providing such towers are set back a minimum of fifty (50) feet from all lot lines.
31. Public elementary schools, or private elementary schools having curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
32. Public junior high or senior high schools, or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)
33. Child care facilities.* (See Section 11.15)
34. Adult day care centers.* (See Section 11.14)
35. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns as permitted uses in B-1 Neighborhood Business Districts. (See Sections 11.6, 11.7, 11.8, 11.9)
36. Reception facility within a completely enclosed building.* (See Section 11.63)

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 18,762 § 3 (part), adopted 6/18/98; Ord. 18,229 §§ 1, 4, adopted 5/15/97)

5.4.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the B-1 Neighborhood Business District:

1. Any accessory use allowed in the RM-1 Multiple-Family Residential District.
2. Storage in connection with a permitted use, where storage is incidental or integral to the approved occupancy of the building and provided the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure. All products

and material must be used or stored in a completely enclosed building or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars or trucks used in connection with the permitted trade or business is permitted within the walled or screened area, but not including storage of heavy equipment, such as road-building or excavating equipment.

3. The rental, display and/or storage for rental purposes of utility rental trailers, as defined, at gasoline service stations. The rental, display and/or storage for rental purposes of household moving rental trucks when such locations have direct access to major, boulevard or collector-type street. The foregoing uses are authorized as accessory uses provided that the percent of the lot used for such vehicles shall not exceed the following, if the adjoining property on any two (2) of the three (3) sides of the involved parcel not abutting the main street are zoned as indicated:

Maximum Percentage of Lot Used for Vehicles

District	Maximum
RS Single-Family Residential or RD Two-Family Residential District	10%
RM Multiple-Family Residential District	15%
MS Medical Service, RO General Office or B Business District	20%
C Commercial District	25%
I Industrial District	30%

Any interior lot line abutting a residential district shall have along its entire length a landscaped screening fence or hedge a minimum of six (6) feet in height. All lots used for such purposes shall have a minimum area of 10,000 square feet, with a maximum area of 20,000 square feet and be hard surfaced. Placement of rental equipment shall be limited to the rear portion of the station lot, behind the front building setback line parallel to the street and the side building setback line parallel to the street where the side property line of the main lot also abuts a street or streets. Where the storage of vehicles commences in the exterior side of a corner lot, a landscaped area shall be required to ameliorate the effects of the storage of vehicles.

4. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 2,500 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machines shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:
   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.
   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.
   c. The color of these units shall be unobtrusive. They may be steel gray, or neutral tones only.

5.4.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the B-1 Neighborhood Business District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations:

1. Any conditional use allowed in the RM-4 Multiple-Family Residential District.
2. Prisons and related uses.
3. Cocktail lounges or bars.* (See Section 11.13)
4. Fast food and drive-in restaurants.
5. Household moving centers when on a site of not less than 10,000 square feet with a maximum of 20,000 square feet.
6. Banks with drive-in facilities which do not meet all the requirements listed in the supplemental use standards.* (See Section 11.4)
7. Automobile service centers.* (See Section 11.3)
8. Automobile/vehicular parts sale/non-service.
9. Flea market.* (See Section 11.17)
10. Clinics (medical or dental for human patients only) having between 2,500 and 5,000 square feet of floor area, or having four (4) practitioners, or not meeting the minimum off-street parking requirement of one (1) space per 300 square feet of floor area.
11. Clinics that are licensed as substance abuse treatment centers or psychiatric counseling facilities, regardless of size or number of practitioners, subject to the overall 5,000 square feet of floor area and four (4) practitioner limitations.
12. Any permitted use allowed in the B-1 Neighborhood Business District which sells alcohol for consumption on the premises, or which sells alcohol for consumption off the premises occupying 5,000 square feet or less.* (See Section 11.13).
13. Cafeteria restaurants.

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 18,229 § 6, adopted 5/15/97)

5.4.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated accessory signs shall be permitted in the B-1 Neighborhood Business District:

1. Flat signs, limited in area to three (3) square feet per lineal foot of street frontage or fifteen (15) percent of the area of the wall on which the business has its main entrance, whichever is the greater. Illuminated signs inside of show windows and within five (5) feet of such windows shall be included in the computation of sign area, and, in addition, shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing, outlining a show window, shall be included in the sign area and measured by multiplying the length of the tubing by six (6) inches.
2. If there are no marquee or detached signs, projecting signs, one (1) for each business on the premises, with sign area for each sign limited to twenty (20) square feet each.
3. If there are no projecting signs, detached signs, stationary or rotating signs, limited in area to one-half (½) a square foot for each foot of street frontage to a maximum of eighty (80) square feet, and limited in height to thirty (30) feet.
4. Canopy signs, two (2) for each business on the premises, with sign area for each sign limited to three (3) square feet.
5. Temporary nonilluminated paper signs in show windows, limited to twenty (20) percent of the total glass area of the window in which they are placed.

6. Directional signs limited in area to ten (10) square feet each giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.
7. One (1) flat, double-faced general advertising sign illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

5.4.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the B-1 Neighborhood Business District are contained in Table 5.D. Area requirements for residential uses are the same as for the RM-1 Multiple-Family Residential District regulations in Section 4.8. Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.D
Area Regulations for the B-1 Neighborhood Business District

Requirements	Standards
Maximum height	40 ft.
Minimum depth of front yard	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum yard on a side street	none
Minimum interior side yard	none
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	1.00

(Ord. No. 25122, § 1, adopted 12/6/12)

5.4.8. Special Regulations

The height of residential and nonresidential structures shall not exceed fifty (50) feet for properties abutting both sides of Esplanade Avenue; this height limitation shall not be waived by the Board of Zoning Adjustments, but only by direct appeal to the City Council after review and comment by the Historic District Landmarks Commission. This height limitation shall not apply to Square 380, bounded by Esplanade Avenue, St. Claude Avenue, Kerlerec Street and North Rampart Street.

5.4.9. Subdistrict Standards

No car wash, whether automatic or self-service, or automobile laundry is authorized in a B-1 Neighborhood Business District on General DeGaulle Drive

Section 5.5. B-1A Neighborhood Business District.

5.5.1. Purpose of the District.

The purpose of this district is to provide primarily for convenient retail uses, selected personal uses, and professional offices to serve the needs of surrounding residential areas. The district is intended for application in the older developed areas where there exists a grouping of commercial uses within the district and where residential areas are in close proximity. The district regulations are designed to encourage compatibility with adjacent or nearby land uses and the general character of the area. In addition to being appropriate for older areas that justifiably possess characteristics of a neighborhood business district, the B-1A District is capable of replacing some of the existing B-1 and B-2 Neighborhood Business Districts in the inner City.

5.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Special regulations relating to off-street parking and loading, and to corner lots, are set forth in Section 5.5.8 of this article.

5.5.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the B-1A Neighborhood Business District subject to the performance standards of Section 7.5, provided that no use shall exceed 5,000 square feet of floor area, and further provided that timeshare buildings, transient vacation rentals and uses which sell alcohol for consumption on the premises or for consumption off the premises occupying 5,000 square feet or less are specifically prohibited:

1. Any use permitted in the RM-2 Multiple-Family Residential District except rooming and boardinghouses.
2. Bakeries, provided all bakery products produced on the premises shall be sold at retail on the premises.
3. Custom dressmaking, millinery, tailoring or similar retail trades.
4. Dry cleaning shops.
5. Laundromats.
6. Shoe repair shops.
7. Shops for the repair of electrical, radio and television equipment.

8. Barbershops, beauty shops.

9. Plumbing shops.

10. Hardware stores.

11. Banks, loan companies, or other financial institutions, provided said facilities do not contain drive-up windows.

12. Bicycle and moped sales, service and rental in an enclosed building.

13. Bookstores.

14. Medical or dental offices, clinics and laboratories. Clinics shall be medical or dental for human patients only, shall have less than 2,500 square feet of floor area, and no more than three (3) practitioners. (These requirements are not subject to waiver by the Board of Zoning Adjustments.)

15. Messenger and telegraph service stations.

16. Florist shops.

17. Locksmith shops.

18. Musical instrument sales, service and rental.

19. Offices, general business and professional.

20. Photographers' studios.

21. Meeting halls.

22. Health or athletic club or studio.

23. Printing shops.

24. Dance studios.

25. Standard restaurants.

26. Pet shops.

27. Business machine, retail sales and service.

28. Catering and delicatessen business.

29. Hospital or clinic for small animals provided that such hospitals or clinics and any treatment rooms, cages, pens or kennels be maintained within a completely enclosed soundproofed building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls.

30. Antique stores.

31. General retail, service and repair establishments similar in character to those enumerated in this section, excepting automobile vehicular parts sales/non-service, which is a permitted conditional use, and pawnshops, but occupying not more than 5,000 square feet of floor area.

32. Existing funeral homes.

33. Child care facilities.* (See Section 11.15)

34. Adult day care centers.* (See Section 11.14)

35. Jewelry assembly and studio. Design, assembly, repair and service of jewelry, watches and fine instruments, and similar products where the ratio of value to weight is high but where only light soldering is involved, with no smelting, castings, or other use of molten metals or glass. The use may not create any danger to health and safety in surrounding areas through any offensive noise, vibration, smoke, dust, lint, odor, heat or glare.

36. Light manufacturing of foods in existing buildings of 3,000 square feet or less.

37. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns.* (See Sections 11.6, 11.7, 11.8, 11.9)

38. Reception facility within a completely enclosed building.* (See Section 11.63)

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 19,886 § 1, adopted 11/2/00; Ord. 18,762 § 3 (part), adopted 6/18/98; Ord. 18,229 § 8, adopted 5/15/97; Ord. 17,901 § 1, adopted 12/5/96; Ord. 17,658 § 1, adopted 7/3/96)

5.5.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the B-1A Neighborhood Business District:

1. Any accessory use allowed in the RM-2 Multiple-Family Residential District.

2. Storage in connection with a permitted use where storage is incidental to the approved occupancy of the building, provided all products and material used or stored are in a completely enclosed building or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars or trucks used

in connection with the permitted trade or business is permitted within the walled or screened area, but not including storage of heavy equipment, such as road-building or excavating equipment and provided the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure.

3. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 2,500 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machines shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:

   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.

   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

   c. The color of these units shall be unobtrusive. They may be steel gray, or neutral tones only.

5.5.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the B-1A Neighborhood Business District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations, provided that no use shall exceed 10,000 square feet of floor area.

1. Any conditional use allowed in the RM-2 Multiple Family Residential District, subject to the height, area and bulk regulations of the B-1A District.

2. With the exception of clinics, any permitted use in the B-1A Neighborhood Business District (see Section 5.5.3) which exceeds 5,000 square feet of floor area, up to 10,000 square feet of floor area.

3. Rooming and boarding houses.

4. Cocktail lounges or bars provided there is no more than one (1) such use per block face.

5. Gasoline service stations provided there is no more than one (1) such use per block face.

6. Banks, loan companies or other financial institutions containing drive-up windows.

7. Nonaccessory parking lots.

8. Fast food or drive-in restaurants.

9. Public and governmental buildings including but not limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices.

10. Automobile service centers.* (See Section 11.3)

11. Automobile/vehicular parts sale/non-service.

12. Fraternities, sororities, private clubs and lodges, excepting those the activity of which is a service customarily carried on as a business.* (See Section 11.18)

13. (Repealed)

14. (Repealed)

15. (Repealed)

16. (Repealed)

17. Flea market.* (See Section 11.17)

18. Clinics (medical or dental for human patients only) having between 2,500 and 5,000 square feet of floor area, or having four (4) practitioners.

19. Clinics that are licensed as substance abuse treatment centers or psychiatric counseling facilities, regardless of size or number of practitioners, subject to the overall 5,000 square feet of floor area and four (4) practitioner limitations.

20. Any permitted use allowed in the B-1A Neighborhood Business District which sells alcohol for consumption on the premises or for consumption off the premises occupying less than 5,000.* (See Section 11.13)

21. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

22. Cafeteria restaurants.

(Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 18,762 § 3 (part), adopted 6/18/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,229 § 7, adopted 5/15/97)

5.5.6. Permitted Signs.

Subject to the general regulations of Article 12, the following illuminated or nonilluminated accessory signs shall be permitted in the B-1A Neighborhood Business District:

1. One (1) flat sign limited to twenty-five (25) square feet per business or .75 square feet per lineal foot of street frontage, whichever is the greater; or

2. One (1) double-faced projecting sign limited to sixteen (16) square feet per business and not more than fifteen (15) feet to the top of the sign above the ground level; or

3. One (1) canopy sign with sign area limited to three (3) square feet per business;

4. Directional signs;

5. Temporary signs;

6. One (1) flat double-faced general advertising sign on public transit waiting stations. HDLC approval required in Historic Districts;

7. In any commercial center where the commercial uses are linked as a unit, including but not limited to, sharing parking or loading areas, signs shall be unified at a single location in an architecturally integrated and compatible manner.

5.5.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio in the B-1A Neighborhood Business District are contained in Table 5.E. These standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.E
Area Regulations for the B-1A Neighborhood Business District

REQUIREMENTS	STANDARDS
Maximum height	45 ft
Minimum depth of front yard	none[1]
Maximum front yard	20 ft.[2]
Maximum front yard paving	40%[3]
Minimum side yard	none[4]
Minimum rear yard	none[5]
Maximum depth of front and side yards on corner lots	5 ft.
Maximum Floor Area Ratio - nonresidential - residential or mixed use with at least 50% of floor area used for residential	 1.5 2.0

Table 5.E Notes:

[1] Minimum Front Yard Required. No minimum front yard is required except where a lot abuts a residential district (applies to an interior lot or corner lot) in which instance a front yard shall be provided in accordance with the requirements of the residential district or in conformance with the adjacent residential structure, whichever is lesser.

[2] Maximum Front Yard Permitted. Where a lot or site (meaning a lot or lots considered as a unit for development purposes) is situated between two (2) developed sites, the maximum front yard permitted shall not exceed the average of the front yards provided by the main buildings on the two (2) adjacent sites. Where a lot adjoins only one (1) developed site, the maximum front yard permitted shall not exceed the front yard established by the main building on that adjacent lot. In no instance shall a front yard exceed twenty (20) feet.

[3] Maximum Front Yard Paving Permitted. Where a front yard is provided, no more than forty (40) percent of the front yard shall be paved with a hard surface. Said hard surface shall be used for pedestrian access to the building or vehicular access to a parking area. The remaining sixty (60) percent of the front yard shall be maintained as either a lawn area or an area containing ornamental landscaping.

[4] *Side Yard. A side yard is not required except on the interior lot abutting on a residential district in which instance* there shall be a minimum side yard of five (5) feet. Where a side yard is provided, but not required, such side yard shall not be less than three (3) feet in width.

[5] Rear Yard. A rear yard is not required except where a lot abuts on a residential district, in which case, there shall be a rear yard of not less than twenty (20) feet in depth. Where a rear yard is provided, but not required, such rear yard shall not be less than three (3) feet in depth.

5.5.8. Special Regulations.

1. Off-Street Parking Regulations

   a. No minimum off-street parking is required for commercial uses under 5,000 square feet. Multiple-family uses require one (1) parking space for each dwelling unit.

b. The maximum number of off-street parking spaces permitted for uses under 5,000 square feet shall not exceed the standards which are required for uses in the low and medium density commercial districts as described in Section 15.2.

c. For uses greater than 5,000 square feet, parking spaces are required according to the standards of the low and medium density commercial districts as described in Section 15.2. Said standards may be modified under the conditional use process.

d. Parking in the front yard is prohibited.

e. All off-street parking shall be subject to the following conditions:

(1) *Minimum Area.* For the purpose of these regulations, an off-street parking space is a paved area not in a street or alley, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for an automobile without requiring another automobile to be moved; provided, however, that the paving requirements shall not apply to a single-family or two-family dwelling. The size of a small car off-street parking space must be a minimum of seven (7) feet six (6) inches in width and a minimum of sixteen (16) feet in length (120 square feet) exclusive of driveways; not more than forty (40) percent of the spaces in any parking facility may be designated and labeled as small car spaces. The size of a large car off-street parking space must be a minimum of eight (8) feet six (6) inches in width and a minimum of eighteen (18) feet in length (153 square feet) exclusive of driveways. The size of a handicapped off-street parking space must be a minimum of ten (10) feet in width and a minimum of eighteen (18) feet in length (180 square feet) exclusive of driveways.

(2) *Drainage and Maintenance.* Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys and surfaced with erosion-resistant material in accordance with applicable City specifications. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, materials or supplies.

(3) *Prohibition of Extended Storage.* All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall not be stored in such off-street parking facilities for a continuous period of time in excess of forty-eight (48) hours.

(4) *Landscaping Maintenance.* All planting areas shall be maintained in perpetuity and may be inspected periodically by the Department of Safety and Permits and Park and Parkway Commission for compliance with regulations provided herein.

(5) *Separation from Walkways and Streets (Spaces).* Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys by a wall, fence, or curbing or

other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.

(6) *Separation from Walkways and Streets (Lots).* Off-street parking areas shall be separated from vacant lots; public walkways, sidewalks, streets, or alleys by an opaque wall, fence, or a continuous opaque evergreen vegetated screen a minimum of four (4) feet in height.

(7) *Entrances and Exits.* Location and design of entrances and exits shall be in accord with the requirements of applicable City traffic regulations and standards. Landscaping, curbing or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

(8) *Interior Drives.* Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.

(9) *Marking.* Parking spaces in lots of more than ten (10) spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation of the lot.

(10) *Lighting.* Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential property by location of light fixtures or uses of fixtures designed to eliminate direct view of luminaries in fixture from residential property.

(11) *Residential Screening.* When surface off-street parking areas are located adjacent to any lot upon which there is a dwelling as a permitted use under these regulations, there shall be provided along the side lot line a continuous visual screen with a minimum height of six (6) feet. Such screen may consist of a compact evergreen hedge or foliage screening, or an opaque wall or fence.

(12) *Residential District Screening.* When surface off-street parking areas are located adjacent to a residentially zoned district, there shall be provided along the district line a continuous evergreen hedge and a six (6) foot opaque wall or fence. Curb and wheel stops shall be located a minimum of five (5) feet from the property line.

(13) *Commercial Screening.* When surface off-street parking areas are located adjacent to a commercial use, no fence is required. There shall be a landscaped border consisting of a continuous, opaque, evergreen hedge a minimum of four (4) feet in height.

(14) *Sight Triangle.* At all points of ingress and egress, a sight-distance triangle shall be provided. The triangle shall be measured from the points where each side of the driveway intersect the inside of the sidewalk or property line whichever is the greatest distance from the street. At ten (10) feet from the points of intersection along each side of the driveway and the property line, a line shall be drawn to connect the ten (10) foot

distances to form a triangle. No parking, fencing, planting material larger than one (1) foot in height, or other obstructions to the view of the driver entering or exiting the premises shall be allowed.

(15) *Entrances and Exits.* Entrances and exits shall be required to be of porous material when necessary to protect City-owned trees when deemed necessary by Park and Parkway Commission.

(16) The Department of Safety and Permits shall adopt plans and outline specifications clearly indicating the acceptable design and minimum construction standards for surface off-street parking facilities. Such standards shall be revised from time to time to be in conformity with acceptable current practices and shall be available for public study and consideration.

2. *Off-Street Loading Regulations.*

a. No minimum off-street loading is required for uses under 5,000 square feet.

b. The maximum number of off-street loading spaces for uses under 5,000 square feet are two (2).

c. One (1) off-street loading space is required for uses greater than 5,000 square feet. Said standards may be modified under the conditional use process.

3. *Special Regulations Applicable to Corner Lots.*

a. On corner lots, the main building shall be constructed so that two (2) of its perimeter walls are located within five (5) feet of adjacent public rights-of-way.

b. At least one (1) principal entrance to the building shall open directly to one (1) of the adjacent rights-of-way.

5.5.9. Subdistrict Standards.

Business engaging in the retail sale of alcoholic beverages along the section of Magazine Street between Philip and Melpomene Street zoned B-1A Neighborhood Business are required to have a minimum of 5,000 square feet interior floor area. (Ord. 18,502 § 8, adopted 11/6/97)

Section 5.6. B-2 Neighborhood Business District.

5.6.1. Purpose of the District.

The purpose of this district is to provide primarily for retail shopping and personal service uses to be developed either as a unit or in individual parcels, to serve the needs of a relatively small area, primarily nearby medium-density residential areas. Floor area requirements have been imposed on the permitted uses to restrict the size of retail services. To enhance the general character of the district and its compatibility with its residential surroundings, signs are limited in number, area and types.

5.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Certain uses that appear in the use lists are authorized only in subdistricts; see Section 5.6.8. Subdistrict standards, which are set forth in Section 5.6.9 of this article, apply to car washes and automobile laundries in certain areas.

5.6.3. Permitted Uses.

The following uses of land are permitted uses within the B-2 Neighborhood Business District subject to the performance standards of Section 7.5, except that timeshare buildings, transient vacation rentals, and bowling alleys are prohibited:

1. Any use permitted in the B-1 Neighborhood Business District or the RM-2 Multiple-Family Residential District.

2. Bakeries occupying not more than 5,000 square feet of floor area.

3. Custom dressmaking, millinery, tailoring, or similar retail trades occupying not more than 5,000 square feet of floor area.

4. Dancing or music academies, or similar nonindustrial training schools.

5. Dry cleaning shops occupying not more than 5,000 square feet of floor area and using no cleaning fluid whose base is petroleum or one (1) of its derivatives.

6. General retail, service, and repair establishments similar in character to those enumerated in this section, but occupying not more than 25,000 square feet of floor area, except automobile/vehicular parts sales/non-service and pawnshops.

7. Health or athletic club or studio.

8. Hospital or clinic for small animals, dogs, cats, birds, and the like provided that such hospital or clinic and any treatment rooms, cages, pens, or kennels, be maintained within a completely enclosed soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls.

9. Laundries occupying not more than 5,000 square feet of floor area.

10. Lawnmower, yard and garden equipment, rental, sales, and services.

11. Lumber and building materials store, retail only and provided entire operation is conducted in a completely enclosed building and where such use abuts a residential district all buildings will set back a minimum of twenty (20) feet from the property line abutting said residential district.

12. Plumbing shops occupying not more than 5,000 square feet of floor area.

13. Printing shops occupying not more than 5,000 square feet of floor area.

14. Meeting hall.

15. Radio and television stations or recording studios, but not towers more than 125 feet in height above grade and providing such towers are set back a minimum of fifty (50) feet from all lot lines.

16. Rental of single axle luggage trailers with total trailers in storage limited to ten (10), but not including truck trailer bodies.

17. Standard restaurants.

18. Fast food and drive-in restaurants on sites greater than two and one-half (2.5) acres in size, uninterrupted by and exclusive of public rights-of-way.

19. Shoe repairing shops occupying not more than 5,000 square feet of floor area;

20. Shops for the repair of electrical and radio equipment occupying not more than 5,000 square feet of floor area.

21. Studios for artists, photographers, teachers, sculptors, or musicians.

22. Tinsmithing shops occupying not more than 5,000 square feet of floor area.

23. Funeral homes and mortuaries.

24. Cablecasting studios and distribution or switching centers, but not towers more than 125 feet in height above grade and providing such towers are set back a minimum of fifty (50) feet from all lot lines.

25. Child care facilities.* (See Section 11.15)

26. Adult day care centers.* (See Section 11.14)

27. Car wash or automobile laundry, providing reservoir space at the entrance of an automatic car wash for not less than ten (10) vehicles for each washing lane, and providing reservoir space at the entrance of a self-service facility for no less than three (3) vehicles for each washing lane. (See subdistrict standards, Section 5.6.9)

28. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns.* (See Sections 11.6, 11.7, 11.8, 11.9)

29. Light manufacturing of foods in existing buildings consisting of a maximum of 25,000 square feet of total floor area.

30. Reception facility within a completely enclosed building.* (See Section 11.63)

31. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)

(Ord. 23,147 § 1 (part), adopted 7/10/08; Ord. 23,087 § 1 (part), adopted 5/1/08; Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 20,744 § 1 (part), adopted 6/06/02; Ord. 18,762 § 3 (part), adopted 6/18/98)

5.6.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the B-2 Neighborhood Business District:

1. Any accessory use allowed in the RM-2 Multiple-Family Residential District.

2. Storage in connection with a permitted use where storage is incidental to the approved occupancy of the building, provided all products and materials used are enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted within the walled or screened area, but not including storage of heavy equipment, such as road building or excavating equipment and provided that the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure.

3. The rental, display and/or storage for rental purposes of utility rental trailers, as defined, at gasoline service stations. The rental, display and/or storage for rental purposes of household moving rental trucks when such locations have direct access to major, boulevard or collector-type street. The foregoing uses are authorized as accessory uses provided that the percent of the lot used for such vehicles shall not exceed the following, if the adjoining property on any two (2) of the three (3) sides of the involved parcel not abutting the main street are zoned as indicated:

Maximum Percentage of Lot Used for Vehicles

District	Maximum
RS Single-Family Residential or RD Two-Family Residential District	10%
RM Multiple-Family Residential District	15%
MS Medical Service, RO General Office or B Business District	20%
C Commercial District	25%
I Industrial District	30%

Any interior lot line abutting a residential district shall have along its entire length a landscaped screening fence or hedge a minimum of six (6) feet in height. All lots used for such purposes shall have a minimum area of 10,000 square feet, with a maximum of 20,000 square feet and be hard surfaced. Placement of rental equipment shall be limited to the rear portion of the station lot, behind the front building setback line parallel to the street and the side building setback line parallel to the street where the side property line of the main lot also abuts a street or streets. Where the storage of vehicles commences in the exterior side of a corner lot, a landscaped area shall be required to ameliorate the effects of the storage of vehicles.

4. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 2,500 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machines shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:

   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.

   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

   c. The color of these units shall be unobtrusive. They may be steel gray, or neutral tones only.

5.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the B-2 Neighborhood Business District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations.

1. Any conditional use allowed in the B-1 Neighborhood Business District.

2. Rooming, boarding, and lodging houses.
3. Mini-warehouse, limited in size to 25,000 square feet and not to exceed one (1) story in height (twenty-five (25) feet). Hours of operation shall be restricted to 8:00 a.m. to 10:00 p.m. (seven (7) days a week).
4. Business, vocational, and proprietary schools; schools for industrial training, trade, or business.
5. Leased bingo hall facilities.* (See Section 11.10)
6. Flea market.* (See Section 11.17)

5.6.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated accessory signs shall be permitted in the B-2 Neighborhood Business District.

1. Accessory flat signs, limited in area to four (4) square feet per lineal foot of street frontage, or twenty (20) percent of the area of the wall on which the business has its main entrance, whichever is the lesser. Illuminated signs inside the show windows and within five (5) feet of such windows shall be included in the computation of aggregate sign area and, in addition, shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outlining a show window shall be included in aggregate sign area and shall be measured by multiplying the length of tubing by six (6) inches.
2. If there are no detached signs, accessory projecting signs, one (1) for each business on the premises with sign area limited to forty (40) square feet each.
3. If there are no projecting signs, accessory detached signs, stationary or rotating, limited in area to one-half (½) a square foot of street frontage to a maximum of 100 square feet, and limited in height to thirty (30) feet.
4. Accessory canopy signs, two (2) for each business on the premises with sign area limited to three (3) square feet each.
5. Temporary, nonilluminated paper signs in the show windows limited to twenty (20) percent of the total glass area of the window in which they are placed.
6. Directional signs limited in area to ten (10) square feet each giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.
7. One (1) flat, double-faced general advertising sign illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

5.6.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the B-2 Neighborhood Business District are contained in Table 5.F. Area requirements for residential uses are the same as for the RM-2 Multiple-Family Residential District regulations in Section 4.9. Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.F
Area Regulations for the B-2 Neighborhood Business District

Requirements	Standards
Maximum height	55 ft.
Minimum depth of front yard	Average of block per Section 15.5.8.5; otherwise 20 ft.
Minimum yard on a side street	none
Minimum interior side yard	none
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum rear yard	none
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	2.00

(Ord. No. 25122, § 1, adopted 12/6/12)

5.6.8. Special Regulations.

The height of residential and nonresidential structures shall not exceed fifty (50) feet for properties abutting both sides of Esplanade Avenue; this height limitation shall not be waived by the Board of Zoning Adjustments, but only by direct appeal to the City Council after review and comment by the Historic District Landmarks Commission. This height limitation shall not apply to Square 380, bounded by Esplanade Avenue, St. Claude Avenue, Kerlerec Street and North Rampart Street.

5.6.9. Subdistrict Standards.

No car wash or automobile laundry is authorized in a B-2 Neighborhood Business District on General DeGaulle Drive.

Section 5.7. C-1 General Commercial District.

5.7.1. Purpose of the District.

The purpose of this district is to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor, and noise, associated with manufacturing. The district is intended for application in intensely developed areas. Tall buildings are permitted, no front yards are required and signs are less restricted than in the B-2 Neighborhood Business District.

5.7.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, set forth in Section 5.7.9 of this article, apply to a temporary casino in a certain area.

5.7.3. Permitted Uses.

The following uses of land are authorized as permitted uses with the C-1 General Commercial District subject to the performance standards of Section 7.5:

1. Any use permitted in the B-1 or B-2 Neighborhood Business District without limitations to floor area.

2. Apartment hotels.

3. Boarding and lodging houses.

4. Boathouses and wharves including a marina.

5. Garages, parking or storage.

6. Hotels, motels, or motor lodges.

7. Tourist homes.

8. Automobiles and boat sales and displays (new or used) and corresponding repair and service facilities in conjunction with new automobile and boat sales and display, but excluding truck and trailer lots and provided any exterior storage or display shall be screened from any abutting residential district.

9. Multiple-family dwellings of three (3) or more dwelling units in accord with the requirements of the RM-4 Multiple-Family Residential District, provided that the minimum lot area per dwelling unit shall be no less than that specified for such multiple-family residential uses in the RM-4 Multiple-Family Residential District.

10. Electric substations.* (See Section 11.40)

11. Telephone exchanges.* (See Section 11.45)

12. Hospitals, only when located in an SC Shopping Center District.

13. Restaurants, all types.

14. Household moving centers, providing any exterior storage shall be screened along interior lot lines where such commercial use abuts a residential district and such screening shall consist of a landscape screening fence or hedge a minimum of six (6) feet in height.

15. Timeshare buildings and transient vacation rentals except in Historic Algiers Point, bounded by the Mississippi River, Atlantic and Newton Streets.

16. Mini-warehouse, limited in height to fifty (50) feet, and when set back a minimum of ten (10) feet from all property lines. A landscaped screening hedge a minimum of six (6) feet in height shall be provided along all interior and rear lot lines.

17. Automobile service centers.* (See Section 11.3)

18. Bowling alleys.

19. Automobile/vehicular parts sale/non-service.

20. Child care facilities.* (See Section 11.15)

21. Amusement places and theaters but excluding amusement parks and drive-in theaters.

22. Massage parlors.

23. Rehabilitative-recovery/care centers provided that there shall be a minimum distance between rehabilitative/care-recovery/care centers, large group homes and small group homes of a 2,500 foot radius.

24. Bed and breakfast family home.* (See Section 11.6)

25. Bed and breakfast guest home.* (See Section 11.7)

26. Bed and breakfast historic home.* (See Section 11.8)

27. Bed and breakfast inns.* (See Section 11.9)

28. Flea markets.* (See Section 11.17)

29. Farm equipment, tractors and related items sales and service, provided that any exterior storage or display shall be screened on three (3) sides and that the servicing of vehicles take place in a completely enclosed building.

30. (Repealed).

31. Medical clinics.

32. Cocktail lounges or bars.

33. Personal wireless communication facilities consisting of standard monopole installations, if the installation does not abut a residential district.* (See Section 11.55)

34. Light manufacturing of foods in existing buildings consisting of a maximum of 25,000 square feet of total floor area.

35. Check cashing establishments.

36. Retail uses greater than 25,000 square feet in floor area.* (See Article 5, Section 5.7.8 and Article 11, Section 11.61)

37. Reception facility.* (See Section 11.63)

(Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 20,744 § 1 (part), adopted 6/06/02; Ord. 20,687 § 1 (part), adopted 5/02/02; Ord. 19,613 § 1 (part), adopted 4/06/00; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,229 § 1, adopted 5/15/97; Ord. 17,900 § 1, adopted 12/5/96; Ord. 17,812 § 4, adopted 10/17/96; Ord. 17,530 § 1, adopted 5/12/96)

5.7.4. Accessory Uses.

The following uses of land are authorized as accessory uses with the C-1 General Commercial District:

1. Any accessory use permitted in the RM-4 Multiple-Family Residential District.

2. Storage in connection with a permitted use where storage is incidental to the approved occupancy of the building, provided all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted within the walls or screen, but not including storage of heavy equipment, such as road-building or excavating equipment and provided the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure.

3. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 2,500 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machines shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:

   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.

   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

   c. The color of these units shall be unobtrusive. They may be steel gray, or neutral tones only.

5.7.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the C-1 General Commercial District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the B-1 Neighborhood Business District.

2. Drive-in theater, provided such theater:

   a. Shall have its entrances and exits approved by the Department of Streets.

   b. Shall provide automobile storage facilities in accordance with the requirements of the Department of Streets.

   c. Shall have no structure other than an enclosure fence within fifty (50) feet of any site boundary line and shall have the theater screen located not less than 100 feet from any national or state highway, arterial highway, or property line unless the face of the screen is not visible therefrom because of natural or artificial barriers.

   d. Shall have individual car sound speakers, but low volume speakers may supply sound to walk-in seat area, refreshment stands and other service areas, and may have accessory uses and structures incident to the theater operation (including refreshment stands and toilet facilities) provided they serve only the patrons while within the theater enclosure.

3. Commercial kennels for domestic animals provided that if such facilities adjoin any residential district any structure or area used for the display, boarding, treatment or exercising of pets and other domestic animals shall be located at least fifty (50) feet from any property line abutting any residential district. In addition, provide one (1) off-street parking space for each 300 square feet of enclosed floor space with a minimum provision of at least three (3) off-street parking spaces.

4. Miniature golf course or driving range when located on a site of at least one (1) acre. Such facility shall provide four (4) off-street parking spaces for each tee. All lighting of such facilities shall be arranged in such a fashion that the source of illumination is not visible from any adjacent property.

5. Amusement parks.

6. Teen clubs provided that:

   a. Required off-street parking shall be determined at no less than a rate of one (1) space per 200 square feet of floor space.

   b. No alcoholic beverages to be possessed, sold, served or consumed on the premises.

   c. The establishment shall not be located within a 300-foot radius of a cocktail lounge or barroom or other establishment where alcoholic beverages are sold or consumed.

   d. The establishment shall not be located within a 300-foot radius of a residential district.

   e. Security shall be provided during operating hours and one (1) hour beyond closing.

   f. Such facility shall not operate during regular elementary or high school hours. All applicable curfew hours shall be enforced by the operator of the facility.

   g. Smoking on the premises is prohibited.

   h. Admission shall be restricted to persons (teenagers) thirteen (13) to eighteen (18) years of age, except for parents, chaperons, or legal guardians.

   i. The maximum number of persons allowed on the premises (according to the Fire Code) shall be posted.

7. Off-track wagering facilities, but only in the C-1 General Commercial District, of two and one-half (2½) contiguous acres uninterrupted by street right-of-way.

8. Business, vocational, and proprietary schools; schools for industrial training, trade or business.

9. Leased bingo hall facilities.* (See Section 11.10)

10. (Reserved)

11. Brew pub.

12. Guest houses.* (See Sections 11.50 and 15.2.11)

13. Interactive theater.

14. Large group homes.* (See Section 11.21)

15. Green markets.* (See Section 11.52)

16. Personal wireless communication facilities consisting of (a) nonstandard monopole installations, (b) standard monopole installations if the installation abuts a residential district and (c) standard monopole installations if the installation does not abut a residential district but the installation does not satisfy the requirements for such installations as a permitted use under Section 11.55 of these regulations.* (See Section 11.55)

17. Personal wireless communication facilities consisting of cellular/PCS tower installations if (a) the proposed installation will result in two (2) or more companies co-locating antennas on the same cellular/PCS tower, and (b) the installation does not abut a residential district. (See Section 11.55)

18. Adult cabarets.

19. Motion picture studios.* (See Section 11.64)

(Ord. 22,857 § 1, adopted 10/18/07; Ord. 18,562 § 3, adopted 12/18/97; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,177 § 2, adopted 4/3/97; Ord. 17,812 § 9, adopted 10/17/96; Ord. 17,803 § 3 (part), adopted 10/3/96; Ord. 17,310 § 2, adopted 12/7/95; Ord. 17,254 § 4, 11/2/95)

5.7.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated signs shall be permitted in the C-1 General Commercial District:

1. Accessory flat signs limited in area to five (5) square feet per lineal foot of street frontage or twenty-five (25) percent of the area of the wall on which the business has its main entrance, whichever is the lesser. Illuminated signs inside of show windows shall not be included in the computation of sign area, nor shall neon tubing outlining store windows or temporary nonilluminated signs in show windows.

2. If there are no detached signs, accessory projecting signs, one (1) for each business on the premises, with sign area limited to eighty (80) square feet each.

3. If there are no projecting signs, accessory detached signs, stationary or rotating, limited in area to one-half (½) a square foot for each foot of street frontage to a maximum of 110 square feet and limited in height to thirty-five (35) feet. Where a permitted commercial use has a frontage of 150 feet or more, along an officially designated major street, one (1) accessory detached sign when such sign is displayed at least fifty (50) feet above grade and limited in height to 100 feet and limited in area to 350 square feet or, when adjacent to a limited access road, one (1) accessory detached sign when such sign is displayed at least fifty (50) feet above grade and limited in height to sixty-five (65) feet and limited in area to 210 square feet.

4. Permitted sign area of one (1) accessory flat sign may be increased by 100 square feet for each story above the fourth story on which the sign is located.

5. General advertising signs, flat or detached, limited in area to five (5) square feet per lineal foot of street frontage, with total sign area for any one (1) sign limited to 1,050 square feet and limited in height to fifty (50) feet above grade.

6. Temporary nonilluminated signs in show windows shall be limited to twenty (20) percent of the total glass area of the window in which they are placed.

7. Directional signs limited in area to ten (10) square feet each giving directions to motorists regarding the location of parking areas and access and egress drives, shall be permitted as accessory signs and not included in any computation of sign area.

5.7.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the C-1 General Commercial District are contained in Table 5.G. Area requirements for residential uses are the same as for the RM-4 Multiple-Family Residential District regulations in Section 4.12. Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.G
Area Regulations for the C-1 General Commercial District

REQUIREMENTS	STANDARDS
Maximum height	100 ft.
Minimum depth of front yard	none
Minimum yard on a side street	none
Minimum interior side yard	none
Minimum interior side yard abutting a residential district	5 ft.
Minimum rear yard	none
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	4.0

5.7.8. Special Regulations.

1. The height of residential and nonresidential structures shall not exceed fifty (50) feet for properties abutting both sides of Esplanade Avenue; this height limitation shall not be waived by the Board of Zoning Adjustments, but only by direct appeal to the City Council after review and comment by the Historic District Landmarks Commission. This height limitation shall not apply to Square 380, bounded by Esplanade Avenue, St. Claude Avenue, Kerlerec Street and North Rampart Street.

2. The height of residential and nonresidential structures shall not exceed sixty-five (65) feet for properties adjacent to the New Basin Canal; this height limitation shall not be waived by the Board of Zoning Adjustments but only by direct appeal to the City Council after review and comment by the City Planning Commission.

3. The maximum height shall be sixty (60) feet for the properties fronting on North Rampart Street between St. Philip Street and Esplanade Avenue.

5.7.9. (Repealed by Ord. 17,803 § 3 (part), adopted 10/3/96)

Section 5.8. C-1A General Commercial District.

5.8.1. Purpose of the District.

The purpose of this district is to provide for a wide variety of commercial, miscellaneous service activities and residential uses, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial, service and residential activities now exist. The district is intended for application in older developed areas of the City. The district regulations are designed to encourage a proportionate mixture of commercial and residential activity, to encourage the retention of existing historic and architecturally significant structures, and to encourage compatibility with adjacent or nearby land uses and the general character of the area.

5.8.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Special regulations relating to off-street parking and loading, and to corner lots, are set forth in Section 5.8.8 of this article.

5.8.3. Permitted Uses.

The following uses are authorized as permitted uses in the C-1A General Commercial District subject to the performance standards of Section 7.5, provided that the floor area for any permitted use shall be limited to 10,000 square feet, and further provided that timeshare buildings and transient vacation rentals are specifically prohibited:

1. Any use permitted in RM-2 Multiple-Family Residential District, except for timeshare buildings and transient vacation rentals. All structures shall be subject to the height, area, and bulk regulations of the C-1A District. The lot area per dwelling unit specification shall be subject to the RM-4 Multiple-Family District regulations in Article 4, Table 4L.

2. Antique shops.

3. Art studios.

4. Automobile and boat sales and displays (new or used) and corresponding repair and service facilities in conjunction with new automobile and boat sales and display provided that all activity and storage is contained within a completely enclosed soundproof building, and that such use be operated in such a way as to produce no objectionable noise outside its walls.

5. Bakeries, provided that all products produced on the premises shall be sold at retail on the premises.

6. Banks, loan companies, or other financial institutions with or without drive-in windows but not drive-in banks or banks with drive-in windows on separate sites.

7. Bicycle and moped sales, service and retail in an enclosed building.

8. Bookstores.

9. Barbershops, beauty shops.

10. Business machines, retail sales and services.

11. Catering and delicatessen business.

12. Custom dressmaking, millinery, tailoring or similar retail sales.

13. Data processing center.

14. Dance studio.

15. Drugstore.

16. Dry cleaning.

17. Florist shop.

18. Funeral homes and mortuaries.

19. Hardware stores.

20. Health or athletic club or studio.

21. Hospitals.

22. Interior decorating; display and sales.

23. Jewelry shop.

24. Laundromat.

25. Lawnmower sales, service and rental.

26. Locksmith shop.

27. Lumber and building materials stores.

28. Medical or dental office, clinic and laboratories.

29. Messenger and telegraph service stations.

30. Musical instruments sales, service and rentals.

31. Office, general business and professional.

32. Pet shop.

33. Photographer's shop.

34. Plumbing shop.

35. Printing shop.

36. Meeting hall.

37. Radio and TV stations.

38. Shoe repair shops.

39. Standard or cafeteria restaurant.

40. Shops for the repair of electrical, radio and television equipment.

41. Tinsmithing shop.

42. Hospital or clinic for small animals provided that such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odor outside of its walls.

43. General retail, service and repair establishments similar in character to those enumerated in this section, except pawnshops.

44. Electric substation.* (See Section 11.40)

45. Telephone exchanges.* (See Section 11.45)

46. Child care facilities.* (See Section 11.15)

47. Rehabilitative-recovery/care center provided that:

a. There shall be a minimum distance between rehabilitative-recovery/care centers, large group homes and small group homes of a 2,500-foot radius and,

b. There shall be a minimum distance between rehabilitative-recovery/care centers and any residential zoning district of 500 feet.

48. Adult day care centers.* (See Section 11.14)

49. Medical clinics, provided that such clinics located within 500 feet of any residential district shall be subject to the B1-A Neighborhood Business District requirements regarding floor area and number of practitioners.

50. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

51. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns.* (See Sections 11.6, 11.7, 11.8, 11.9)

52. Light manufacturing of foods in existing buildings consisting of a maximum of 25,000 square feet of total floor area.

53. Check cashing establishment.

54. Reception facility.* (See Section 11.63)

55. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)

(Ord. 23,147 § 1 (part), adopted 7/10/08; Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 20,744 § 1 (part), adopted 6/02/02; Ord. 20,687 § 1 (part), adopted 5/02/02; Ord. 18,762 § 3 (part), adopted 6/18/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 17,900 § 2, adopted 12/5/96)

5.8.4. Accessory Uses.

The following uses of land are authorized as accessory uses with the C-1A General Commercial District:

1. Any accessory uses permitted in the RM-2 Multiple-Family Residential District.

2. Storage in connection with a permitted use.

3. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 2,500 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machines

shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:

a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.

b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

c. The color of these units shall be unobtrusive. They may be steel gray, or neutral tones only.

5.8.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the C-1A General Commercial District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any permitted use in the C-1A General Commercial District occupying more than 10,000 square feet of floor area.

2. Boarding and lodging houses.

3. Automatic ice distribution stations or other drive-in automatic vending machine stations.

4. Automobile and boat sales and displays (new and used) and corresponding repair and service facilities in conjunction with new automobile sales and display in the case where vehicles are stored or displayed in unenclosed areas or lots.

5. Car washes.

6. Chiropody, massage or similar personal service shops.

7. Cocktail lounges or bars.

8. Drive-in banks.

9. Fast food or drive-in restaurants.

10. Garages, parking and storage.

11. Gasoline service stations.

12. Hotels, motels, motor lodges and timeshare buildings and transient vacation rentals.

13. Kennels (commercial) for domestic animals provided that if such facilities adjoin any residential district, any structure or area used for the display, boarding, treatment or exercising of pets and other domestic animals shall be located at least fifty (50) feet from any property line abutting any residential district.
14. Miniature golf courses, driving ranges, or pistol ranges when located within an enclosed structure. Such facility shall be operated in such a way as to produce no noise outside of its walls.
15. Nonaccessory parking lots.
16. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations, and branch administrative offices.
17. One (1) flat, double-faced general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.
18. Automobile service centers.* (See Section 11.3)
19. Automobile/vehicular parts sale/non-service.
20. Fraternities, sororities, private clubs and lodges, excepting those the activity of which is a service customarily carried on as a business.* (See Section 11.18)
21. Business, vocational, and proprietary schools; schools for industrial training, trade or business.
22. (Repealed).
23. (Repealed).
24. (Repealed).
25. (Repealed).
26. Amusement places, limited to theaters or music halls.
27. Leased bingo hall facilities.* (See Section 11.10)
28. Flea markets.* (See Section 11.17)
29. Guest houses.* (See Sections 11.50 and 15.2.11)
30. Radio, television and microwave relay transmitting or receiving towers or antennas, including ac-cessory buildings.
31. Mini-warehouse. For the C-1A General Commercial District, a mini-warehouse shall be defined as an existing structure in excess of 20,000 square feet of floor area which is used for storing personal effects such as households goods, clothing or small retail merchandise. Each individual compartment shall not exceed 1,000 square feet; off-street parking and the loading area must be located inside the petitioned structure. The following development standards shall apply:
    a. When the structure is located above ground, retail uses permitted in the underlying zoning district are required in a minimum of one third (1/3) of the ground floor area with frontages on a major street;

b. There shall be a minimum setback of ten (10) feet from all property lines to allow for landscaping. A landscaped screening hedge a minimum of six (6) feet in height shall be provided along the lot lines abutting a residential use;
c. The parking requirement for a mini-warehouse shall be one space for each 5,000 square feet of the area used for storage; the parking standards for retail uses shall be in accordance with the underlying zoning district;
d. The hours of operation shall be limited to 6:00 a.m. to 10:00 p.m. (seven (7) days a week).

32. Supper clubs, provided that no adult entertainment is allowed.
33. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)
34. Pharmacies with drive-thru facilities.
35. Retail uses greater than 25,000 square feet in floor area.* (See Article 5, Section 5.8.9 and Article 11, Section 11.61)
36. Micro-Distillery.

(Ord. 19,613 § 1 (part), adopted 4/06/00; Ord. 19,106 § 1, adopted 2/18/99; Ord. 18,762 § 3 (part), adopted 6/18/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,021 § 1, adopted 1/23/97; Ord. 17,529 § 1, adopted 5/2/96; Ord. 17,438 § 1, adopted 3/7/96; Ord. 17,254 § 5, adopted 11/2/95)
(Ord. No. 024643, § 2, adopted 10/20/11)

5.8.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated signs shall be permitted in the C-1A General Commercial District.

1. Accessory flat signs, limited in area to four (4) square feet per lineal foot of street frontage, or twenty (20) percent of the area of the wall on which the business has its main entrance, whichever is the lesser. Illuminated signs inside the show windows and within five (5) feet of such windows shall be included in the computation of aggregate sign area and, in addition, shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outlining a show window shall be included in aggregate sign area and shall be measured by multiplying the length of tubing by six (6) inches.
2. If there are no detached signs, accessory projecting signs, one (1) for each business on the premises with sign area limited to forty (40) square feet each.
3. If there are no projecting signs, accessory detached signs, stationary or rotating, limited in area to one-half (½) a square foot for each foot of street frontage to a maximum of 100 square feet, and limited in height to thirty (30) feet.
4. Accessory canopy signs, two (2) for each business on the premises with sign area limited to three (3) square feet each.
5. Temporary, nonilluminated paper signs in the show windows limited to twenty (20) percent of the total glass area of the window in which they are placed.
6. Directional signs limited in area to ten (10) square feet each giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.

5.8.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio in the C-1A General Commercial District are contained in Table 5.H. Standards for nonresidential

uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.H
Area Regulations for the C-1A General Commercial District

Requirements	Standards
Maximum height	See Note[1]
Minimum front yard	none[2]
Maximum front yard	See Note[3]
Maximum front yard on corner lots	5 ft.
Maximum front yard paving	40%[4]
Maximum exterior side yard on corner lots	5 ft.
Minimum interior side yard abutting a residential district	5 ft.
Minimum side yard if provided	3 ft.
Minimum rear yard	none
Minimum rear yard abutting a residential district	20 ft.
Minimum rear yard if provided	3 ft.
Maximum Floor Area Ratio:	
• nonresidential structures	2.25
•residential structures	3.50
•mixed use with at least 50% of floor area used for residential purposes	3.50

Table 5.H Notes:

[1] Height Regulations.

A. On a major street, listed on the New Orleans Major Street Plan, the maximum height of a nonresidential structure shall be 100 feet. A structure with over fifty (50) percent of its floor area containing residential use shall not exceed 125 feet. On all other streets, except as provided in Note 1.C below, the height of structures shall not exceed the width of the right-of-way, but in no case shall it exceed seventy-five (75) feet.

Table 5.H Notes (Continued):

B. In the event that a structure is located on a through lot and has frontage on a street listed on the New Orleans Major Street Plan (hereinafter also referred to as a major street) and also has frontage on a street not listed on the New Orleans Major Street Plan (hereinafter also referred to as a minor street) or which is located within fifty (50) feet of a minor street that does not intersect the major street in the square in which the development takes place, the maximum height of that portion of such structure located within fifty (50) feet of such minor street shall not exceed the width of the right-of-way, but in no case shall it exceed seventy-five (75) feet.

C. Notwithstanding the provisions of Note 1.A above, the height of a building or structure which adjoins or abuts or is across the street from a residential district shall not exceed fifty (50) feet unless set back one (1) foot from all required yard lines for each foot of additional height thereof above fifty (50) feet.

[2] Minimum Front Yard Required. No minimum front yard is required except where a lot abuts a residential district (applies to an interior lot or corner lot) in which instance a front yard shall be provided in accordance with the requirements of the residential district or in conformance with the adjacent residential structure, whichever is lesser.

[3] Maximum Front Yard Permitted. Where a lot or site (meaning a lot or lots considered as a unit for development purposes) is situated between two (2) developed sites, the maximum front yard permitted shall not exceed the average of the front yards provided by the main buildings on the two (2) adjacent sites. Where a lot adjoins only one developed site, the maximum front yard permitted shall not exceed the front yard, established by the main building on that adjacent lot.

[4] Maximum Front Yard Paving Permitted. Where a front yard is provided, no more than forty (40) percent of the front yard shall be paved with a hard surface. Said hard surface shall be used for pedestrian access to the building or vehicular access to a parking area. The remaining sixty (60) percent of the front yard shall be maintained as either a lawn area or an area containing ornamental landscaping. In no instance shall a front yard exceed twenty (20) feet.

5.8.8. Special Regulations.

1. *Off-Street Parking Regulations.*

a. The minimum number of off-street parking spaces required shall be in compliance with standards which are required for uses in the high density districts as described in Section 15.2 of the these regulations unless specified otherwise.

b. Parking is prohibited in the front yard and the side yard.

c. The minimum number of off-street parking spaces required for new construction or increase in floor area shall be in compliance with standards which are required for uses in the high density commercial districts as described in Section 15.2.

d. Parking Bonuses.

(1) When an existing structure is to be retained and converted to residential or mixed use in which greater than fifty (50) percent of the floor area is residential in nature and there is no increase in floor area, no minimum off-street parking shall be required. The granting of this bonus shall be contingent upon the following:

(a) The maximum front yard of the structure does not exceed the median front yards provided by main buildings on the block frontage. In the event that the structure

is located adjacent to vacant land on the block frontage, the maximum front yard of the structure does not exceed the median front yards provided by main buildings on the two (2) adjacent block frontages.

(b) There is no parking or parking area in the front yard.

(2) When an existing structure is to be retained and developed in whole or in part with commercial uses permitted by the requirements of this district with no increase of the floor area of the existing structure, no additional off-street parking spaces shall be required for the first 1,500 square feet of floor area of the existing structure so utilized or one-half (½) of the square feet of the existing structure so utilized, whichever is greater. The granting of this bonus shall be contingent upon the following:

(a) The maximum front yard of the structure does not exceed the median front yards provided by main buildings on the block frontage. In the event that the structure is located adjacent to vacant land on the block frontage, the maximum front yard of the structure does not exceed the median front yards provided by main buildings on the two (2) adjacent block frontages.

(b) There is no parking or parking area in the front yard.

(3) The bonus provisions contained herein shall continue to be available as long as existing structures are retained and maintained in accordance with City standards of construction and safety as provided in the Building Code of the City of New Orleans.

(4) The bonus provisions contained herein shall not be subject to waivers, variances or exceptions that could be granted under the provisions of Article 13 of this Ordinance.

e. Parking Lot Design Standards.

(1) *Minimum Area.* For the purpose of these regulations, an off-street parking space is a paved area not in a street or alley, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for an automobile without requiring another automobile to be moved; provided, however, that the paving requirements shall not apply to a single-family or two-family dwelling. The size of a small car off-street parking space must be a minimum of seven (7) feet six (6) inches in width and a minimum of sixteen (16) feet in length (120 square feet) exclusive of driveways; not more than forty (40) percent of the spaces in any parking facility may be designated and labeled as small car spaces. The size of a large car off-street parking space must be a minimum of eight (8) feet six (6) inches in width and a minimum of eighteen (18) feet in length (153 square feet) exclusive of driveways. The size of a handicapped off-street parking space must be a minimum of ten (10) feet in width and a minimum of eighteen (18) feet in length (180 square feet) exclusive of driveways.

(2) *Drainage and Maintenance.* Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys and surfaced with erosion-resistant material in accordance with applicable City specifications. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, materials or supplies.

(3) *Prohibition of Extended Storage.* All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall not be stored in such off-street parking facilities for a continuous period of time in excess of forty-eight (48) hours.

(4) *Landscaping Maintenance.* All planted areas shall be maintained in perpetuity and may be inspected periodically by the Department of Safety and Permits and Park and Parkway Commission for compliance with regulations provided herein.

(5) *Separation of Parking Spaces from Walkway and Streets.* Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys by a wall, fence, or curbing or other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.

(6) *Separation of Parking Areas from Walkways and Streets.* Off-street parking areas shall be separated from vacant lots, public walkways, sidewalks, streets, or alleys by an opaque wall, fence, or a continuous opaque evergreen vegetation screen a minimum of four (4) feet in height.

(7) *Entrances and Exits.* Location and design of entrances and exits shall be in accord with the requirements of applicable City traffic regulations and standards. Landscaping, curbing or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

(8) *Interior Drives.* Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.

(9) *Marking.* Parking spaces in lots of more than ten (10) spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation of the lot.

(10) *Lighting.* Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential property by location of light fixtures or uses of fixtures designed to eliminate direct view of luminaries in fixtures from residential property.

(11) *Residential Screening.* When surface off-street parking areas are located adjacent to any lot upon which there is a dwelling as a permitted use under these regulations, there shall be provided along the side lot line a continuous visual screen with a minimum

height of six (6) feet. Such screen may consist of a compact evergreen hedge or foliage screening, or an opaque wall or fence.

(12) *Residential District Screening.* When surface off-street parking areas are located adjacent to a residentially zoned district, there shall be provided along the district line a continuous evergreen hedge and a six (6) feet opaque wall or fence. Curb and wheel stops shall be located a minimum of five (5) feet from the property line.

(13) *Commercial Screening.* When surface off-street parking areas are located adjacent to a commercial use, no fence is required. There shall be a landscaped border consisting of a continuous, opaque, evergreen hedge a minimum of four (4) feet in height.

(14) *Sight Triangle.* At all points of ingress and egress, a sight-distance triangle shall be provided. The triangle shall be measured from the points where each side of the driveway intersects the inside of the sidewalk or property line, whichever is the greatest distance from the street. At ten (10) feet from the points of intersection along each side of the driveway and the property line, a line shall be drawn to connect the ten (10) foot distances to form a triangle. No parking, fencing, planting material larger than one (1) foot in height, or other obstructions to the view of the driver entering or exiting the premises shall be allowed.

(15) *Entrances and Exits.* Entrances and exits shall be required to be of porous material when necessary to protect City-owned trees when deemed necessary by Park and Parkway Commission.

(16) The Department of Safety and Permits shall adopt plans and outline specifications clearly indicating the acceptable design and minimum construction standards for surface off-street parking facilities. Such standards shall be revised from time to time to be in conformity with acceptable current practices and shall be available for public study and consideration.

2. *Off-Street Loading Regulations.*

a. The minimum number of off-street loading spaces for uses under 10,000 square feet is one (1). For uses greater than 10,000 square feet, the minimum number of off-street loading spaces is two (2).

3. *Special Regulations Applicable to Corner Lots.*

a. On corner lots, the main building shall be constructed so that two (2) of its perimeter walls are located within five (5) feet of the two (2) adjacent public rights-of-way.

b. At least one (1) principal entrance to the building shall open directly to one (1) of the adjacent rights-of-way.

Section 5.9. C-2 General Commercial District.

5.9.1. Purpose of the District.

The purpose of this district is to provide sufficient space in appropriate locations for a wide variety of commercial, miscellaneous service activities, and multiple-family uses, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial, service and residential activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor, and noise, associated with manufacturing. The district is intended for application in intensely developed or developing areas. Buildings are permitted without limitation to height, no front yards are required and signs are less restricted than in the B-2 Neighborhood Business District. The Floor Area Ratio is higher than in the C-1 General Commercial District.

5.9.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

5.9.3. Permitted Uses.

The following uses are authorized as permitted uses in the C-2 General Commercial District subject to the performance standards of Section 7.5:

1. Any use permitted in the B-1 or B-2 Neighborhood Business Districts without limitations as to floor area except multiple-family dwellings, which uses shall be permitted in accord with the requirements of the RM-4 Multiple-Family Residential District.

2. Apartment hotels.

3. Boarding and lodging houses.

4. Boathouses and wharves including a marina.

5. Garages, parking or storage.

6. Hotels, motels or motor lodges.

7. Tourist homes.

8. Automobiles and boat sales and displays (new or used) and corresponding repair and service facilities in conjunction with new automobile or boat sales and display, but excluding truck and trailer lots and provided any exterior storage or display shall be screened from any abutting residential district.

9. Multiple-family residential uses, in accord with the requirements of the RM-4 Multiple-Family Residential District.

10. Electric substations.* (See Section 11.40)

11. Telephone exchanges.* (See Section 11.45)

12. Household moving centers, providing any exterior storage shall be screened along interior lot lines where such commercial use abuts a residential district and such screening shall consist of a landscape screening fence or hedge a minimum of six (6) feet in height.

13. Timeshare buildings and transient vacation rentals.

14. Mini-warehouse, limited in height to fifty (50) feet and when set back a minimum of ten (10) feet from all property lines. A landscaped screening hedge a minimum of six (6) feet in height shall be provided along all interior and rear lot lines.

15. Automobile service centers.* (See Section 11.3)

16. Bowling alleys.

17. Restaurants—all types.

18. Automobile/vehicular parts sales/non-service.

19. Child care facilities.* (See Section 11.15)

20. Amusement places and theaters, but excluding amusement parks and drive-in theaters.

21. Massage parlors.

22. Rehabilitative-recovery/care center provided that there shall be a minimum distance between rehabilitative recovery/care centers, large group homes and small group homes of a 2,500-foot radius.

23. Bed and breakfast family home.* (See Section 11.6)

24. Bed and breakfast guest home.* (See Section 11.7)

25. Bed and breakfast historic home.* (See Section 11.8)

26. Bed and breakfast inns.* (See Section 11.9)
27. Flea markets.* (See Section 11.17)
28. Brew pubs.
29. Cocktail lounges or bars.
30. Medical clinics.
31. Personal wireless communication facilities consisting of standard monopole installations, if the installation does not abut a residential district.* (See Section 11.55)
32. Satellite campuses meeting the following standards:
    1. Satellite facilities shall not include any storage or instructional space involving volatile or noxious chemicals or similar materials and activities.
    2. Any demolition or new construction shall require a conditional use approval.
33. Light manufacturing of foods in existing buildings consisting of a maximum of 25,000 square feet of total floor area.
34. Check cashing establishments.
35. Retail uses greater than 25,000 square feet in floor area.* (See Article 5, Section 5.9.8 and Article 11, Section 11.61)
36. Reception facility.* (See Section 11.63)
37. Indoor rifle and pistol ranges, when located on a site with an area of at least one (1) acre provided that such uses are not in conflict with any other ordinance of the City of New Orleans and provided further that the location and type of operation is approved by the New Orleans Police Department.

(Ord. 22,789 § 1 (part), adopted 9/6/07; Ord. 20,744 § 1 (part), adopted 6/06/02; Ord. 20,687 § 1 (part), adopted 5/02/02; Ord. 19,708 § 2, adopted 6/15/00; Ord. 19,613 § 1 (part), adopted 4/06/00; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,229 § 3, adopted 5/15/97; Ord. 17,900 § 3, adopted 12/5/96)
(M.C.S., Ord. No. 024181, § 1, 11-4-10)

5.9.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the C-2 General Commercial District:

1. Any accessory use permitted in the RM-4 Multiple-Family Residential District.
2. Storage in connection with a permitted use where storage is incidental to the approved occupancy of the building, provided all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted within the walls or screen, but not including storage of heavy equipment, such as road-building or excavating equipment and provided the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure.

5.9.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the C-2 General Commercial District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the C-l General Commercial District.

2. Outdoor rifle or pistol ranges, trap or skeet shooting, when located on a site of at least one (1) acre provided that such uses are not in conflict with any other ordinance of the City of New Orleans and provided further that the location and type of operation is approved by the New Orleans Police Department.

(M.C.S., Ord. No. 024181, § 2, 11-4-10)

5.9.6. Permitted Signs.

Subject to the general sign regulations of Article 6, the following illuminated or nonilluminated signs shall be permitted in the C-2 General Commercial District:

1. Any sign permitted in the C-1 General Commercial District.
2. Signs to be located in regional shopping centers with frontage on a limited access highway shall:
   a. Consist of a single detached accessory sign, not to exceed 1,000 square feet, and which may be located within twenty (20) feet of the setback of the frontage of the limited access highway and 500 feet from any residential zoning district, limited to a height of sixty (60) feet above grade or;
   b. Consist of one (1) detached sign for each frontage on a major street where no individual sign shall exceed the permitted signage of the underlying zoning district, and the total area of all detached accessory signs shall not exceed 1,000 square feet.

5.9.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for nonresidential uses in the C-2 General Commercial District are contained in Table 5.I. Area requirements for residential uses are the same as for the RM-4 Multiple-Family Residential District regulations in Section 4.12. Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 5.I
Area Regulations for the C-2 General Commercial District

Requirements	Standards
Maximum height	none
Minimum depth of front yard	none
Minimum yard on a side street	none
Minimum interior side yard	none
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	6.0

5.9.8. Subdistrict Standards.

In the C-2 General Commercial District generally bounded by Leake Avenue, Broadway and Prytania Streets, the development or redevelopment of a multiple family dwelling, dormitory, or any similar residential use shall require a conditional use approval.
(Ord. 20,355 § 1, adopted 9/06/01)

ARTICLE 6

CENTRAL BUSINESS DISTRICTS

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ARTICLE 6

CENTRAL BUSINESS DISTRICTS

Section 6.1. CBD-1 Central Business District.

6.1.1. Purpose of the District.

This district is intended to encompass the office core of the central business district, and permits a wide variety of uses to provide basic services to the entire City, the New Orleans Metropolitan Area and the South Central Region of the United States and to serve important national and international functions. In addition to the businesses and services typically supplied in other types of commercial districts, some services and facilities not available elsewhere, including a few light manufacturing uses, are permitted, but general manufacturing and warehousing, or uses which tend to generate heavy truck traffic or require storage of materials are prohibited. High land values, existing development and public convenience justify a high intensity of use. Off-street parking is permitted at demand levels but not required in order to encourage transit riding. Residential development is encouraged to promote a balanced downtown community.

6.1.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 6.1.9 of this article, apply to timeshare buildings, vacation rentals, sidewalk cafes and fast food restaurants in certain areas.

6.1.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-1 Central Business District subject to the performance standards in Section 7.5:

1. Any use permitted in the RM-4 Multiple-Family Residential District.

2. Stores and shops for retail sale of food, drugs, liquor* (see Section 11.48), general merchandise, apparel, furniture, appliances, art, antiques, books, stationery, sporting goods, and similar sales establishments in a completely enclosed building unless in conjunction with a specialty urban marketplace, provided that at least fifty (50) percent of the ground floor area shall be occupied by retail uses or the amount of retail use to be provided shall be located on the ground floor whichever is lesser.

3. T-shirt shops, novelty shops or the retail stores which specialize in T-shirts or novelty products, which shall be limited to one such use within a block face or within 150 feet from another such use when located across the street. Said distance shall be measured along the center line of the adjacent public right-of-way from the nearest point of the lot on which such use is proposed to be located to the nearest point of the lot on which any other existing use is located.

4. Alcoholic beverage outlets.* (See Section 11.48)

5. Meeting places, theaters, except open-air drive-in theaters, in a completely enclosed building.

6. Art galleries or museums, commercial or noncommercial.

7. Bakeries, retail with baking on premises.

8. Banks, except drive-in banks.

9. Barbershops, beauty parlors, chiropody, massage or similar personal service shops or uses.

10. Bars or cocktail lounges, except that live entertainment is expressly prohibited.* (See Section 11.48)

11. Business or professional schools.

12. Child care facilities.* (See Section 11.15)

13. Clinics, but not animal clinics or hospitals.

14. Clothing and costume rental stores.

15. Data processing center.

16. Depositories for record storage.

17. Employment agencies.

18. Furrier shops, custom.

19. Health or athletic club or studios, commercial or private.

20. Hospitals.

21. Hotels, motels or motor lodges.

22. Interior decorating shops.

23. Laboratories, medical or dental.

24. Loan offices.

25. Locksmith shops.

26. Manufacture, repair, and service of jewelry, art objects, art needlework, watches and fine instruments, optical, dental and medical equipment, and similar products where the ratio of value to weight is high.
27. Medical or dental laboratories for research testing.
28. Medical or orthopedic appliance stores.
29. Musical instrument repair shops.
30. Newsstands.
31. Offices, business, professional or governmental.
32. Opticians or optometrist establishments.
33. Parking lots, accessory only, providing that such accessory lots conform to all design criteria contained in Section 15.2.5.
34. Photocopy, photostating or blueprinting establishments.
35. Photographic developing or printing (wholesale).
36. Picture framing studios.
37. Plumbing, heating or ventilating equipment showrooms.
38. Printing, publishing, and engraving establishments, including blueprinting and photostating, provided that no such use shall occupy more than 2,500 square feet of floor area.
39. Private clubs.
40. Public auction rooms.
41. Public and governmental buildings.
42. Radio and television stations and studios or recording studios, including accessory towers not more than 125 feet in height as measured from the base.
43. Cablecasting studios and distribution or switching centers, but not towers more than 125 feet in height above grade and providing such towers are set back a minimum of fifty (50) feet from all lot lines.
44. Repair and maintenance of business machines and office equipment.
45. Restaurants, but not drive-ins or fast food restaurants. Live entertainment may be provided, limited to a soloist or combos (up to three (3) members), subject to applicable laws and ordinances.
46. Studios for artists, teachers, sculptors, musicians, or dance instruction.
47. Studios for photographers.
48. Telegraph offices.
49. Telephone exchanges.
50. Television, radio, phonographic or household appliance repair shops.
51. Trade schools for adults.
52. Travel bureaus.
53. Upholstering shops.
54. Valet service shops, including shoe repair, minor repair of garments, cleaning and pressing service, and laundry pick-up service.
55. Watch or clock stores or repair shops.
56. Wedding chapels or banquet halls.
57. Wholesaling of hair products including styling.
58. Wholesale display and sales of merchandise, but not warehousing.
59. Electric substations.* (See Section 11.40.5)

60. Gas facility service centers and electric utility facilities, except that electric transmission line facilities shall be in accord with the provisions of Section 11.40.* (See Section 11.40.1)
61. Public elementary schools or private elementary schools having curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
62. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)
63. Specialty urban marketplaces.
64. Sidewalk cafes. (See subdistrict regulations, Section 6.1.9)
65. Multi-discipline arts center.* (See Section 11.48)
66. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns.* (See Sections 11.6, 11.7, 11.8, 11.9)
67. Chilled water, hot water andqor steam generation and distribution facilities.* (See Article 11, Section 11.56)
68. Satellite campuses meeting the following standards:
    1. Satellite facilities shall not include any storage or instructional space involving volatile or noxious chemicals or similar materials and activities.
    2. Any demolition or new construction shall require a conditional use approval.
69. Check cashing establishments.
70. Guidance services.

(Ord. 20,716 § 1 (part), adopted 5/16/02; Ord. 20,687 § 1 (part), adopted 5/02/02; Ord. 19,708 § 3, adopted 6/15/00; Ord. 19,036 § 1, adopted 12/17/98; Ord. 18,762 § 4 (part), adopted 6/18/98; Ord. 18,373 § 2, adopted 8/12/97; Ord. 17,811 § 1, adopted 10/17/96)
(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.1.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the CBD-1 Central Business District:

1. Any accessory use permitted in the RM-4 Multiple-Family Residential District, provided that a satellite dish antenna shall comply with all applicable requirements of the CBD Districts, specifically, but not limited to height requirements, and all applicable requirements of the Building Code.
2. Storage of office supplies or merchandise normally carried in stock in connection with a permitted office, business, or commercial use subject to applicable district regulations.
3. Accessory off-street parking spaces provided that all such spaces shall be located within a parking garage, subject to the restrictions on number of spaces and other applicable regulations set forth in Section 15.2.7.
4. Package liquor sales in retail stores, shops, drugstores with pharmacies and in grocery stores occupying more than 5,000 square feet of floor area.* (See Section 11.26; see also Section 11.48)
5. Live entertainment, when in a hotel or shopping center (mall) containing in excess of 50,000 square feet of floor area.

6.1.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-1 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Bus terminals for local transit facilities when approved as to location, need and design by the Department of Utilities and the Department of Streets, and when so established become a part of the Comprehensive Transportation Plan.
2. Radio, television and microwave relay, transmitting or receiving towers or antennae including accessory buildings, but excluding broadcast studios and office buildings, provided all such facilities are set back a minimum of fifty (50) feet from all property lines.
3. Trade exposition center, provided that all structures comprising such center are set back a minimum of fifty (50) feet from any property line abutting any residential district.
4. A helistop, provided that it shall comply with the requirements of the Federal Aviation Agency.
5. Parking garages providing nonaccessory off-street parking spaces.
6. An increase in the number of accessory off-street parking spaces not to exceed fifty (50) percent of the number permitted as a matter of right.
7. Parking lots.* (See Section 11.28)
8. World's fairs, world expositions.* (See Section 11.47)
9. Timeshare buildings and transient vacation rentals. (See subdistrict regulations, Section 6.1.9)
10. Off-track wagering facilities.
11. Fast food restaurants. (See subdistrict regulations, Section 6.1.9)
12. Amusement places.
13. (Reserved)
14. (Reserved)
15. (Reserved)
16. (Reserved)
17. Leased bingo hall facilities.* (See Section 11.10)
18. Guest houses.* (See Sections 11.50 and 15.2.11)

19. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

(Ord. 18,762 § 4 (part), adopted 6/18/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 17,254 § 9, adopted 11/2/95)

6.1.6. Permitted Signs.

Subject to the general sign regulations of Article 12:

1. The following illuminated or nonilluminated signs shall be permitted in the CBD-1 Central Business District:

   a. Accessory flat signs with total aggregate sign area not more than twenty-five (25) percent of the area of walls on which the business has its main entrance, and no one (1) sign with sign area of more than 300 square feet. Illuminated signs inside of show windows shall not be included in the computation of aggregate sign area nor shall neon tubing outlining store windows or temporary nonilluminated signs in show windows.

   b. Accessory canopy signs, two (2) for each business, with sign area for each sign limited to twenty (20) square feet.

   c. Permitted sign area of one (1) accessory flat sign may be increased by 100 square feet for each story above the fourth story on which the sign is located.

   d. Total aggregate sign area for all signs at any height shall be limited to 400 square feet for each fifty (50) feet of street frontage, or building frontage, whichever is the greater.

   e. Temporary, nonilluminated signs in show windows shall be limited to twenty (20) percent of the total glass area of the window in which they are placed.

   f. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access and egress drives, shall be permitted as accessory signs and not included in any computation of sign area.

2. The following general advertising signs shall be permitted in the CBD-1 District:

   One (1) flat, double-faced, general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet, and limited to a height of nine (9) feet, shall be permitted on public transit waiting stations.

3. One (1) detached sign per building shall be permitted, except in Historic Districts in accordance with the following standards:

a. The maximum number of signs permitted shall be one (1) detached monument sign per building, limited to a maximum height of ten (10) feet. The monument sign may be double-faced with a maximum allowable size of one-half (1/2) square foot per linear foot of street frontage, to a maximum area of forty (40) square feet, and shall only identify the name and/or street address of the building.

b. The detached monument sign shall be set back a minimum of ten (10) feet from the public right-of-way.

c. The detached monument sign shall be constructed of natural materials, metal, and/or materials similar to that utilized on the exterior of the building or plaza surface.

d. Flashing, rotating, back lighted and/or plastic signs shall be prohibited.

e. In the case of a building having at least 50,000 square feet of floor area devoted to the conduct of retail businesses, a detached sign may exceed the height limitation, to a maximum of thirty-five (35) feet, and the square foot area limitation in Section 6.1.6(3)(a), provided that any such sign is subject to design review by the Executive Director of the City Planning Commission.

(Ord. 20,274 § 1 (part), adopted 8/02/01)

6.1.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks in the CBD-1 Central Business District are contained in Table 6.A. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.A
Area Regulations for the CBD-1 Central Business District

REQUIREMENTS	STANDARDS
Maximum FAR[1] base	
Nonresidential[2]	13 [maximum: 16]
Residential[3]	7
Mixed buildings[2,4]	14 [maximum: 18]
Maximum height of building	No limit, except along certain streets as set forth in Section 6.13.[5]
Transfer of development rights	From any CBD District to CBD-1; from CBD-1 to CBD-2 and CBD-2B

Requirements	Standards
For residential buildings[3]	
•minimum rear building setback at lowest residential floor	20 ft.
•minimum interior lot building setback from lowest5 residential level with windows	20 ft.
•minimum lot area per dwelling unit	none
•minimum Open Space Ratio[6]	0.07

Table 6.A Notes:

[1] Bonuses may enable development to exceed the base FAR up to the maximum under the provisions of Section 6.11.

[2] Under the provisions of Section 10.9, the base and/or maximum FAR may be increased by an additional fifteen (15) percent.

[3] Residential buildings or residential portions of buildings.

[4] Buildings with residential (including hotels and motels) and nonresidential portions.

[5] Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations also are subject to Section 15.5.

[6] Required open space shall conform to the definition of open space in Section 15.5.7. Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

6.1.8. Special Regulations.

The following special regulations apply within the CBD-1 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments of at least 50,000 square feet in aggregate floor area, or building renovations or additions to any existing structure which create a total aggregate floor area greater than 50,000 square feet, are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.
4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.
5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

6.1.9. Subdistrict Standards.

1. Timeshare buildings and transient vacation rentals are authorized as a conditional use in the CBD-1 District between Canal Street and Poydras Street.
2. Sidewalk cafés are subject to the standards in the Code of the City of New Orleans.
3. Fast food restaurants are authorized as a conditional use, except for properties having any lot lines abutting Canal Street, provided that drive-ins and through windows are prohibited. The location and size of signs are subject to prior approval of the Central Business District Historic District Landmarks Commission.

(M.C.S., Ord. No. 024523, § 1, adopted 8/14/11)

Section 6.2. CBD-2 Central Business District.

6.2.1. Purpose of the District.

The purpose of this district is to provide for central business district growth at lower intensities than are justified for the main office core. The district recognizes the unique areas of the business district that relate (1) to the Superdome and Poydras Street and (2) to the riverfront. Mixed use development is encouraged and parking is required at levels approaching demand.

6.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 6.2.9 of this article, apply to timeshare buildings, vacation rentals, fast food restaurants, blood banks and similar facilities, and a casino in certain areas.

6.2.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-2 Central Business District subject to the performance standards in Section 7.5:

1. Any permitted use authorized in the CBD-1 District.
2. Banks, except drive-in banks; provided, however, that drive-up windows are permitted as ancillary uses to main bank office, provided that there shall be no more than two (2) drive-up windows and there shall be sufficient off-street driveway space to accommodate five (5) vehicles for each drive-up window.
3. Check cashing establishment.

(Ord. 20,687 § 1 (part), adopted 5/02/02)
(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.2.4. Accessory Uses.

Any accessory use authorized in the CBD-1 Central Business District is authorized as an accessory use in the CBD-2 Central Business District.

6.2.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-2 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the CBD-1 District.
2. Blood banks or similar facilities engaged in collecting, preparing or processing blood or blood products. (See subdistrict regulations, Section 6.2.9)
3. Casinos. (See subdistrict regulations, Section 6.2.9)
4. Guest houses.* (See Sections 11.50 and 15.2.11)
5. Interactive theater.

(Ord. 17,310 § 3, adopted 12/7/95; Ord. 17,254 § 10, adopted 11/2/95)

6.2.6. Permitted Signs.

Subject to the general sign regulations of Article 12:

1. The following illuminated or nonilluminated signs shall be permitted in the CBD-2 Central Business District:
   a. Accessory flat signs with total aggregate sign area not more than twenty-five (25) percent of the area of walls on which the business has its main entrance, and no one (1) sign with

sign area of more than 300 square feet. Illuminated signs inside of show windows shall not be included in the computation of aggregate sign area nor shall neon tubing outlining store windows or temporary nonilluminated signs in show windows.

b. Accessory canopy signs, two (2) for each business, with sign area for each sign limited to twenty (20) square feet.
c. Permitted sign area of one (1) accessory flat sign may be increased by 100 square feet for each story above the fourth story on which the sign is located.
d. Total aggregate sign area for all signs at any height shall be limited to 400 square feet for each fifty (50) feet of street frontage, or building frontage, whichever is the greater.
e. Temporary, nonilluminated signs in show windows shall be limited to twenty (20) percent of the total glass area of the window in which they are placed.
f. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access and egress drives, shall be permitted as accessory signs and not included in any computation of sign area.

2. The following general advertising signs shall be permitted in the CBD-2 District.

a. One (1) flat, double-faced, general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet, and limited to a height of nine (9) feet, shall be permitted on public transit waiting stations.'

3. One (1) detached sign per building shall be permitted, except in Historic Districts in accordance with the following standards:

a. The maximum number of signs permitted shall be one (1) detached monument sign per building, limited to a maximum height of ten (10) feet. The monument sign may be double-faced with a maximum allowable size of one-half (1/2) square foot per linear foot of street frontage, to a maximum area of forty (40) square feet, and shall only identify the name and/or street address of the building.

b. The detached monument sign shall be set back a minimum of ten (10) feet from the public right-of-way.

c. The detached monument sign shall be constructed of natural materials, metal, and/or materials similar to that utilized on the exterior of the building or plaza surface.

d. Flashing, rotating, back lighted and/or plastic signs shall be prohibited.

e. In the case of a building having at least 50,000 square feet of floor area devoted to the conduct of retail businesses, a detached sign may exceed the height limitation, to a maximum of thirty-five (35) feet, and the square foot area limitation in Section 6.2.3(2)(a), to provide that any such sign is subject to design review by the Executive Director of the City Planning Commission.

(Ord. 20,274 § 1 (part), adopted 8/02/01)

6.2.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks in the CBD-2 Central Business District are contained in Table 6.B. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.B
Area Regulations for the CBD-2 Central Business District

REQUIREMENTS	STANDARDS
Maximum FAR[1] base	
Nonresidential[2]	10 [maximum: 13]
Residential[3]	7
Mixed buildings[2,4]	12 [maximum: 13]
Maximum height of building	No limit, except along certain streets as set forth in Section 6.13.[5]
Transfer of development rights	From any CBD District to CBD-2; from CBD-2 to CBD-1 and CBD-2B
For residential buildings[3]	
- minimum rear building setback at lowest residential floor	20 ft.
- minimum interior lot building setback from lowest residential level with windows	20 ft.
- minimum lot area per dwelling unit	none
- minimum Open Space Ratio[6]	0.07

Table 6.B Notes:

1 Bonuses may enable development to exceed the base FAR up to the maximum under the provisions of Section 6.11.

2 Under the provisions of Section 10.9, the base and/or maximum FAR may be increased by an additional fifteen (15) percent.

3 Residential buildings or residential portions of buildings.

4 Buildings with residential (including hotels and motels) and nonresidential portions.

5 Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations also are subject to Section 15.5.

6 Required open space shall conform to the definition of open space in Section 15.5.7. Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

6.2.8. Special Regulations.

The following special regulations apply within the CBD-2 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.

2. All new developments of at least 50,000 square feet in aggregate floor area, or building renovations or additions to any existing structure which create an aggregate floor area of at least 50,000 square feet, are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.

3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.

4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.

5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

6.2.9. Subdistrict Standards.

1. Timeshare buildings and transient vacation rentals are authorized as a conditional use in the CBD-2 District between Canal Street and Poydras Street.

2. Fast food restaurants are authorized as a conditional use, except for properties having any lot lines abutting Canal Street, provided that drive-ins and through windows are prohibited. The location and size of signs are subject to prior approval of the Central Business District Historic District Landmarks Commission.

3. Blood banks or similar facilities engaged in collecting, preparing, or processing blood or blood products are authorized as a conditional use in the CBD-2 District bounded by South Claiborne Avenue, North Claiborne Avenue, Iberville Street, Tremé Street, South Liberty Street, Cleveland Avenue, Elks Place, Loyola Avenue and Perdido Street.

4. Casino, including lodging, bars/lounges, live entertainment and retail, food and beverage facilities as permitted by State law, located in the area bounded by Convention Center Boulevard, Poydras, South Peters and Canal Streets, and in the underground parcels, adjacent to this area, that were part of the abandoned Riverfront Expressway, containing a minimum of 50, 000 square feet of gaming area, provided that the casino gaming operator shall not give any hotel an advantage or preference not available to all similarly situated hotels. A casino may be built or located on more than one lot of record or on property which is not a lot of record. In addition to all other signs permitted herein, provided the signage is reviewed by the City Planning Commission staff and approved by motion of the City Council, a casino may install up to one detached sign/kiosk and one attached or detached variable message sign per street frontage. A variable message sign is an electronic sign with changing graphics and letters. Notwithstanding the requirements of Section 1.4 and Section 16.9.10(4), the final plans shall be recorded in the Conveyance Office of Orleans Parish no later than thirty (30) days following the date of its final approval as evidenced by the stamped approval of the plat by the Director of the City Planning Commission. The approval of a casino shall be subject to the following:

   a. Preliminary architectural and site plans, as required in Section 16.5.3, and Section 16.6 of this Ordinance relative to the application procedures for conditional uses.

   b. A market study which evaluates the patron market and the effect of the proposed development on the patron market.

   c. Traffic and transportation impact analysis, as provided for in Section 6.12 of this Ordinance. All impacts that deteriorate the level of service lower than D on the surrounding street system shall be mitigated to a level of service of D or better as determined by the Department of Streets.

d. Public facilities and service impact analysis, including but not limited to sewer, water, drainage, transit, sanitation, garbage and utilities.

e. Economic and fiscal impact assessment.

f. Prior to the issuance of a use and occupancy permit, evidence that the casino's security system, management and game regulations have been approved by the Louisiana Gaming Board (or its successor) and/or the Louisiana State Police shall be submitted.

g. Minimum parking requirements for a casino and all bars, lounges, live entertainment facilities and limited retail, food and beverage facilities located therein shall be in accordance with Section 15.2.7 of this Ordinance pertaining to parking requirements for amusement places alone without regard to the mixture of uses within the casino. There shall be no maximum limit on the number of parking spaces excepting that for any given location a maximum may be established in relation to street capacities and circulation plans. The location of all required parking shall be subject to review and approval by the staff of the City Planning Commission in coordination with the Department of Streets. The requirements of this paragraph shall be in lieu of any conflicting parking requirements set forth in the Ordinance.

h. Off-street loading requirements for a casino and all uses permitted therein shall be in accordance with Section 15.3 of this Ordinance for places of public assembly without regard to the mixture of uses within a casino.

i. (Repealed)

j. (Repealed)

k. Bars and lounges and live entertainment shall be subject to such restrictions as may be imposed by proviso.

l. A traffic circulation and parking plan for tour buses, taxis and other for-hire vehicles, satisfactory to the Department of Streets, as evidenced by a letter of approval from the Director of the Department of Streets, shall be made a part of the final drawings submitted for approval to the Executive Director of the City Planning Commission. Such loading, off-street parking and queuing locations as may be shown on such plan shall be in addition to and not considered a part of the required off-street parking or loading for the casino and may be located off-site from the casino at a location or locations approved by the City Planning Commission staff in coordination with the Department of Streets.

m. Agreement to fund four studies by third parties, agreed to in consultation with the City Planning Commission staff, to monitor the effects of gaming on:

(1) Tourism and other existing business activities;
(2) Pathological gamblers on the local economy, social services agencies, and churches;
(3) The changes in the crime rates associated with the casino;
(4) Real estate speculation, fluctuation of rental prices, home ownership and housing displacement in the Central Business District, Central City/Magnolia area, St. Thomas area, Irish Channel/Lower Garden District and Tremé.
(5) Funding up to $100,000 per year will be provided by the developer each year during the period of operation of the casino for up to five (5) years.

n. During construction of the casino, the casino may display construction signs at the casino site only, to announce the opening of the casino; the casino shall be permitted up to a total of seven (7) such signs, each sign no greater than 300 square feet for a total square footage not to exceed 1,600 square feet, which all such signs and locations to be approved by the staff of the City Planning Commission. Such signs shall be permitted only during the construction of the casino and shall be removed prior to the opening of Phase I of the casino.

(Ord. 20,082 § 1 (part), adopted 3/15/01; Ord. 17,803 § 4, adopted 10/3/96)

Section 6.3. CBD-2B Central Business District.

6.3.1. Purpose of the District.

The purpose of this district is to provide for central commercial and high density residential development in areas near the office and retail cores. The district permits the same uses as the CBD-1 District, but at somewhat lower development intensities. Off-street parking is required for new developments at levels approaching generated parking demand. Permitted Floor Area Ratios and parking requirements are designed to be generally consistent with street capacities.

6.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 6.3.9 of this article, apply to timeshare buildings, transient vacation rentals, fast food restaurants, rehabilitative-recovery care centers and sidewalk cafes in certain areas.

6.3.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-2B Central Business District subject to the performance standards in Section 7.5:

1. Any use permitted in the CBD-1 District.
2. Automobile and boat sales and displays but excluding truck and trailer lots and provided that any storage or display shall be in a completely enclosed building.
3. Rehabilitative-recovery/care centers. (See subdistrict regulations, Section 6.3.9)
4. Sidewalk cafes. (See subdistrict regulations, Section 6.3.9)

(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.3.4. Accessory Uses.

Any accessory use authorized in the CBD-1 Central Business District is authorized as an accessory use in the CBD-2B Central Business District.

6.3.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-2B Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the CBD-1 District.
2. Only in the CBD-2B District, blood banks or similar facilities engaged in collecting, preparing or processing blood or blood products.
3. Expansion of existing gasoline stations subject to the conditional use site plan including the existing service station as well as the proposed enlargement and the entirety of the site shall become subject to the standards of the conditional use.

6.3.6. Permitted Signs.

Subject to the general sign regulations of Article 12:

1. The following illuminated or nonilluminated signs shall be permitted in the CBD-2B Central Business District:
   a. Accessory flat signs with total aggregate sign area not more than twenty-five (25) percent of the area of walls on which the business has its main entrance, and no one (1) sign with sign area of more than 300 square feet. Illuminated signs inside of show windows shall not be included in the computation of aggregate sign area nor shall neon tubing outlining store windows or temporary nonilluminated signs in show windows.

b. Accessory canopy signs, two (2) for each business, with sign area for each sign limited to twenty (20) square feet.
c. Permitted sign area of one (1) accessory flat sign may be increased by 100 square feet for each story above the fourth story on which the sign is located.
d. Total aggregate sign area for all signs at any height shall be limited to 400 square feet for each fifty (50) feet of street frontage, or building frontage, whichever is the greater.
e. Temporary, nonilluminated signs in show windows shall be limited to twenty (20) percent of the total glass area of the window in which they are placed.
f. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access and egress drives, shall be permitted as accessory signs and not included in any computation of sign area.

2. One (1) detached sign per building shall be permitted, except in Historic Districts in accordance with the following standards:
   a. The maximum number of signs permitted shall be one (1) detached monument sign per building, limited to a maximum height of ten (10) feet. The monument sign may be double-faced with a maximum allowable size of one-half (1/2) square foot per linear foot of street frontage, to a maximum area of forty (40) square feet, and shall only identify the name and/or address of the building.
   b. The detached monument sign shall be set back a minimum of ten (10) feet from the public right-of-way.
   c. The detached monument sign shall be constructed of natural materials, metal, and/or materials similar to that utilized on the exterior of the building or plaza surface.
   d. Flashing, rotating, back lighted and/or plastic signs shall be prohibited.
   e. In the case of a building having at least 50,000 square feet of floor area devoted to the conduct of retail businesses, a detached sign may exceed the height limitation, to a maximum of thirty-five (35) feet, and the square foot area limitation in Section 6.3.6(2)(a), provided that any such sign is subject to design review by the Executive Director of the City Planning Commission.

(Ord. 20,274 § (part), adopted 8/02/01)

6.3.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks in the CBD-2B Central Business District are contained in Table 6.C. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.C
Area Regulations for the CBD-2B Central Business District

Requirements	Standards
Maximum FAR[1] base	
Nonresidential[2]	6 [maximum: 8]
Residential[3]	7
Mixed buildings[2,4]	8 [maximum: 11]

Requirements	Standards
Maximum height of building	No limit, except along certain streets as set forth in Section 6.13.[6]
Transfer of development rights	From any CBD District to CBD-2B; from CBD-2B to CBD-1 and CBD-2
For residential buildings[3]	
•minimum rear building setback at lowest residential floor	20 ft.
•minimum interior lot building setback from lowest6 residential level with windows	20 ft.
•minimum lot area per dwelling unit	none
•minimum Open Space Ratio5	0.07

Table 6.C Notes:

[1] Bonuses may enable development to exceed the base FAR up to the maximum under the provisions of Section 6.11.

[2] Under the provisions of Section 10.9, the base and/or maximum FAR may be increased by an additional fifteen (15) percent.

[3] Residential buildings or residential portions of buildings.

[4] Buildings with residential (including hotels and motels) and nonresidential portions.

[5] Required open space shall conform to the definition of open space in Section 15.5.7.

[6] Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations are also subject to Section 15.5.

6.3.8. Special Regulations.

The following special regulations apply within the CBD-2B Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7 and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.
4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.
5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

6.3.9. Subdistrict Standards.

1. Timeshare buildings and transient vacation rentals are authorized as a conditional use in the CBD-2B District between Canal Street and Poydras Street.
2. Fast food restaurants are authorized as a conditional use, except for properties having any lot lines abutting Canal Street, provided that drive-ins and through windows are prohibited. The location and size of signs are subject to prior approval of the Central Business District Historic District Landmarks Commission.
3. Rehabilitative-recovery/care centers shall be permitted only in the CBD-2B District in the area bounded by South Claiborne Avenue, North Claiborne Avenue, Iberville Street, Tremé Street, South Liberty Street, Cleveland Street, Elks Place, Loyola Avenue and Perdido Street.
4. Sidewalk cafés are subject to the standards in the Code of the City of New Orleans.

(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

Section 6.4. CBD-3 Central Business District.

6.4.1. Purpose of the District.

The district is intended to preserve and enhance that portion of Canal Street lying within the Central Business District by requiring retail consumer and service establishments on the lower floors as a condition for new development, to maintain the scale and height of existing development, to preserve and enhance the pedestrian environment, to foster a sense of historic continuity, to control traffic generation and to protect the adjacent Vieux Carré from tall buildings on its boundaries and from excessive concentrations of vehicles, activities and noise.

6.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 6.4.9 of this article, apply to off-track wagering facilities, timeshare buildings, vacation rentals, fast food restaurants, hotels and sidewalk cafes in certain areas. Subdistrict standards, which are set forth in Section 6.4.10 of this article apply to all new development, and, to the extent indicated in Section 6.4.10.5, to enlargements, alterations or changes of use, pertaining to properties abutting Canal Street.
(Ord. 23,056 § 1 (part), adopted 4/3/08; Ord. 18,616 § 1 (part), adopted 2/5/98)

6.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-3 Central Business District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, package liquor stores, bars/cocktail lounges, T-shirt shops, novelty shops or those retail stores which specialize in T-shirts or novelty products are prohibited:

1. Any use permitted in the CBD-1 District, except hotels, motels, and motor lodges, amusement places, theaters, bars and cocktail lounges, package liquor stores, nightclubs, T-shirt shops, novelty shops or those retail stores which specialize in T-shirts or novelty products, fast food restaurants, and guidance services.
2. Sidewalk cafes. (See subdistrict regulations, Section 6.4.9)
3. New alcoholic beverage outlets.* (See Section 11.48)

(Ord. 23,056 § 1 (part), adopted 4/3/08; Ord. 20,716 § 1 (part), adopted 5/16/02; Ord. 19,983 § 1 (part), adopted 1/04/01)
(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.4.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the CBD-3 Central Business District:

1. Any accessory use permitted in the CBD-1 District.
2. Stores and shops for retail sale, except pawnshops, in a completely enclosed building (such facilities to have no exterior entrances or exits in accordance with specifications set forth in Section 15.5), of food, drugs, liquor, general merchandise, apparel, furniture, appliances, art, antiques, books, stationery, sporting goods and similar sales establishments, when located in buildings which do not front on Canal Street and are located on the Vieux Carré side of Canal Street.

(Ord. 22,237 § 1, adopted 5/25/06)

6.4.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-3 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Radio, television and microwave relay, transmitting or receiving towers or antennae including accessory buildings, but excluding broadcast studios and office buildings, provided all such facilities are set back a minimum of fifty (50) feet from all property lines.
2. A helistop, provided that it shall comply with the requirements of the Federal Aviation Agency.
3. Timeshare buildings and transient vacation rentals, above the first floor only. (See subdistrict regulations, Section 6.4.9)
4. Existing timeshare buildings and transient vacation rentals. (See subdistrict regulations, Section 6.4.9)
5. Fast food restaurants. (See subdistrict regulations, Section 6.4.9)
6. Theaters. For the purpose of this section the term theater(s) shall mean any building or part thereof which contains an assembly hall, having a performance area which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures and performances. The following standards apply:
   a. The assembly hall shall have a minimum of 100 permanently fixed seats per permanent stage or screen; and
   b. The lobby areas shall not be visible from the street or sidewalk; and
   c. All applicable sign regulations of the VCE District shall be observed, except that inventory signs shall not be permitted;
   d. The City Council determines that:
      (1) The proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Ordinance will be observed,
      (2) The establishment of an additional use of this type in the area will not be contrary to any program of neighborhood conservation or improvement, either residential or nonresidential, and
      (3) All applicable regulations of this Ordinance will be observed.
7. Hotels. (See subdistrict regulations, Section 6.4.9)
8. Parking garages. The provisions of Section 15.2 are inapplicable to the uses permitted hereby.
9. (Reserved)
10. (Reserved)
11. (Reserved)
12. (Reserved)
13. Amusement places.
14. Leased bingo hall facilities.* (See Section 11.10)
15. Guest houses.* (See Sections 11.50 and 15.2.11)
16. Interactive theater, upriver side of Canal Street only.
17. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

(Ord. 18,762 § 4 (part), adopted 6/18/98; Ord. 18,562 § 4, adopted 12/18/97; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 17,310 § 4, adopted 12/7/95; Ord. 17,254 § 11, adopted 11/2/95)

6.4.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated signs shall be permitted in the CBD-3 Central Business District:

1. Any sign permitted in the CBD-1 Central Business District shall be permitted to those buildings which front on Canal Street, or are located on the uptown side of Canal Street.
2. Buildings which do not front on Canal Street and are located on the Vieux Carré side of Canal Street shall comply with the following regulations:
   a. Each business shall be allowed to erect one (1) category sign and one (1) inventory sign.
   b. One (1) category sign may be erected for each bona fide business operated on the premises with public space immediately behind the facade of the premises, identifying the name and/or address of the business being advertised.
      (1) The allowable sign area shall be computed at eight (8) percent of the public space area of the facade area delineated by the height times the base. Base is defined as the linear frontage fronting on the street. Thus, height times base times eight (8) percent equals a sign area.
         (a) The only portion of the facade of any building that may be used to calculate the sign area is that portion immediately behind the front facade used to invite the occupancy of the public or customer, thus excluding therefrom warehouse, storage, office, and similar ancillary uses as well as halls, stairways, and other common passages.
         (b) Business operations at upper floors shall not consider any doorway or other access at the street level as part of the area of the facade.
         (c) In no case shall the category sign for any business be larger than fifty (50) square feet if a double-faced sign or twenty-five (25) square feet if a single-faced flat sign.
      (2) Category signs may be single-faced flat signs attached to, erected parallel to the facade of, or painted on the facade of the building. Such sign shall not cover any window, door or other architectural detail.
      (3) Category signs may be double-faced signs with two (2) faces back to back, the angle between which is no greater than eighteen (18) inches.
   c. In addition to one category sign, each business shall be allowed one inventory sign which shall be a single-faced flat sign limited to a maximum allowable size of two (2) square feet which shall advertise the products, services, and/or prices of the business. No more than thirty (30) square inches may be used to identify the name or type of the business.
   d. No signs whatsoever shall be erected above the first floor level of any building. Category and inventory signs of businesses other than those operated on the first floor fronting Bourbon Street may erect allowable signs at the doorway, carriageway or other ground floor access to the premises.

6.4.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks in the CBD-3 Central Business District are contained in Table 6.D. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.D
Area Regulations for the CBD-3 Central Business District

Requirements	Standards
Maximum FAR	
Nonresidential[1]	6
Residential[2]	4.5
Mixed buildings[1,3]	6
Maximum height of building	85 ft. except along certain streets as set forth in Section 6.13.[4]
Transfer of development rights	From any CBD-3 to CBD-1, CBD-2, and CBD-2B
For residential buildings[3]	
•minimum rear building setback at lowest residential floor	20 ft.
•minimum interior lot building setback from lowest[4] residential level with windows	20 ft.
•minimum lot area per dwelling unit	none
•minimum Open Space Ratio5	0.07

Table 6.D Notes:

[1] Under the provisions of Section 10.9, the FAR may be increased by an additional fifteen (15) percent.

[2] Residential buildings or residential portions of buildings.

[3] Buildings with residential (including hotels and motels) and nonresidential portions.

[4] Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations also are subject to Section 15.5.

[5] Required open space shall conform to the definition of open space in Section 15.5.7. Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

6.4.8. Special Regulations.

The following special regulations apply within the CBD-3 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.
4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.
5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

6.4.9. Subdistrict Standards.

1. Timeshare buildings and transient vacation rentals, above the first floor only, are authorized as a con-ditional use in the area bounded by Canal, Tchoupitoulas, Common, and South Saratoga Streets.
2. Existing timeshare buildings and transient vacation rentals are authorized as a conditional use in the area bounded by Canal, Crozat, Iberville and N. Peters Streets only. The existing timeshare

buildings and transient vacation rentals must be registered in the Department of Safety and Permits at the time of the adoption of the Ordinance effectuating this text change and shall be allowed to expand after approval of the conditional use application.

3. Fast food restaurants are authorized as a conditional use, except for properties having any lot lines abutting Canal Street. The location and size of signs are subject to prior approval of the Central Business District Historic District Landmarks Commission.
4. Hotels are authorized as a conditional use in the area bounded by Canal, Crozat, Iberville and North Peters Streets.
5. Sidewalk cafés are subject to the standards in the Code of the City of New Orleans.

(Ord. 23,056 § 1 (part), adopted 4/3/08; Ord. 19,983 § 1 (part), adopted 1/04/01; Ord. 19,763 § 1, adopted 8/3/00)

(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.4.10. Subdistrict Standards—Required Uses for Properties Abutting Canal Street.

The requirements of this Section are designed to preserve and strengthen the district's function as a major retail center. The requirements apply to all new development and, to the extent indicated in subsection 5 of this section, to enlargements, alterations or changes of use, pertaining to properties abutting Canal Street.

1. Floor space at least equivalent to the lot area shall be allocated for occupancy by one or more of the uses listed below. Only the net floor space for lease and actual physical occupancy by individual uses and not including corridors or other spaces used in common will be counted in determining the amount of space so allocated.

   List of Uses which May Occupy Required Floor Space:

   a. Restaurants, but not drive-in restaurants or fast food restaurants. (Standard and cafeteria restaurants only for buildings which do not front on Canal Street and are located on the Vieux Carré side of Canal Street). In standard restaurants, live entertainment limited to a soloist or combo (up to three (3) members) may be provided, subject to applicable laws and ordinances.
   b. Stores and shops for retail sale, in a completely enclosed building, of food, drugs, general merchandise, apparel, furniture, appliances, art, antiques, books, stationery, sporting goods and similar sales establishments.* (See Section 11.48)
   c. Art galleries or museums, commercial or noncommercial.
   d. Bakeries, retail, provided that floor area used for production shall be limited to 750 square feet per establishment.
   e. Barbershops, beauty parlors, chiropody, or similar personal service shops or uses.
   f. Clothing and costume rental stores.
   g. Furrier shops, custom.
   h. Interior decorating shops.
   i. Locksmith shops.
   j. Manufacturing, repair, and service of jewelry, art objects, art needlework, watches and fine instruments.
   k. Medical or orthopedic appliance stores.
   l. Musical instrument repair shops.
   m. Newsstands.
   n. Optician or optometrist establishment.
   o. Photocopy, photostating or blueprinting establishments.

p. Photographic studios.
q. Picture framing studios.
r. Plumbing, heating or ventilating equipment showrooms.
s. Telegraph offices.
t. Television, radio, phonograph or household appliance repair shops.
u. Travel bureaus.
v. Valet service shop, including shoe repair, minor repair of garments, cleaning and pressing service, and laundry pick-up service.
w. Watch or clock stores or repair shops.

2. For the purposes of meeting the minimum space requirements for such uses, space will be counted as qualifying only if accessible to the public and situated as follows:
   a. Space at street level and directly accessible from a public sidewalk, other public pedestrian way or an arcade.
   b. Space on levels immediately above or below street level and publicly accessible by stairs or escalator.
   c. Space on additional levels if publicly accessible by escalator from qualifying space on the level below.
3. For structures abutting Canal Street, at least seventy (70) percent of such Canal Street frontage at the level of the ground floor shall be allocated to uses listed in subsection 1 of this section.
4. Additional requirements for buildings subject to the provisions of subsection 3 of this section are as follows:
   a. Frontage shall count as allocated to the required uses only if space occupied by such uses is at least fifteen (15) feet in depth.
   b. Frontage on Canal Street which is not needed to satisfy the use requirements of this section and which is allocated to other permitted uses, building entrances, access to off street loading berths or which otherwise does not qualify as frontage allocated to required uses, shall be so arranged that no single segment of such frontage exceeds forty (40) feet in length.
5. Applicability to Enlargement, Alterations of Change or Use. For building enlargements involving horizontal expansion, the requirements of this section applicable to new developments shall apply on the additional lot area covered by the enlargement, but only to the extent that the enlarged lot would not otherwise comply. For alterations of existing buildings or changes of use therein, floor space or frontage allocations of the existing developed lot shall not be changed so as to create a new noncompliance or increase the degree of an existing noncompliance with the foregoing paragraphs of this section.

(Ord. 23,056 § 1 (part), adopted 4/3/08; Ord. 18,616 § 1 (part), adopted 2/5/98)

Section 6.5. CBD-4 Central Business District.

6.5.1. Purpose of the District.

The district is intended to provide space adjacent to the Central Business District's office and retail cores for retail and service uses ancillary to the high intensity development of the adjacent areas, to preserve the district's historic character and scale and maintain existing buildings of quality, to control traffic congestion in the district's narrow streets and preserve and enhance the pedestrian environment.

6.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

6.5.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-4 Central Business District subject to the performance standards in Section 7.5:

1. Any use permitted in the CBD-1 District, except guidance services.
2. New alcoholic beverage outlets.* (See Section 11.48)
3. Bakeries.
4. Bicycle sales and repairs.
5. Catering establishments.
6. Contractors' offices or shops in a completely enclosed building.
7. Custom dressmaking, millinery, tailoring or similar retail trades.
8. Dry cleaning establishments.
9. Electrical repair shops.
10. Laboratories, research, experimental or testing, but not combustion engines.
11. Laundries.
12. Laundromats.
13. Lawnmower, yard and garden equipment, rental, sales, and services.
14. Motion picture production studios.
15. Pest control agency.
16. Plumbing shops.
17. Printing and publishing.
18. Roasting of coffee.
19. Schools for industrial training, but not including internal combustion engines.
20. Tinsmithing shops.
21. Venetian blind, window shade, or awning shops, custom.
22. Warehousing and wholesaling establishments in a completely enclosed building.
23. General wholesale, service and repair establishments similar in character to those enumerated in this section.

(Ord. 20,716 § 1 (part), adopted 5/16/02)
(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.5.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the CBD-4 Central Business District:

1. Any accessory use permitted in the CBD-1 District.

2. Storage of goods used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.

6.5.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-4 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the CBD-3 Central Business District.
2. Off-track wagering facilities.
3. Fast food restaurants provided that:
   a. The use is located in an existing building;
   b. No drive-through service allowed;
   c. A minimum 300-foot spacing requirement as measured along the sidewalk.
4. Timeshare buildings and transient vacation rentals, above the first floor only, subject to a "Certificate of Appropriateness" from the CBD Historic District Landmarks Commission.
5. Guest houses.* (See Sections 11.50 and 15.2.11)

(Ord. 17,254 § 12, adopted 11/2/95)

6.5.6. Permitted Signs.

Subject to the general sign regulations in Article 12, any illuminated or nonilluminated sign permitted in the CBD-1 Central Business District shall be permitted in the CBD-4 Central Business District.

6.5.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks for the CBD-4 Central Business District are contained in Table 6.E. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.E
Area Regulations for the CBD-4 Central Business District

Requirements	**Standards**
Maximum FAR	
Nonresidential[1]	6
Residential[2]	4.5
Mixed buildings[1,3]	6
Maximum height of building	85 ft. except along certain streets as set forth in Section 6.13.[4]
Transfer of development rights	From CBD-4 to CBD-1, CBD-2, and CBD-2B
For residential buildings[3,5]	
•minimum rear building setback at lowest residential floor	20 ft.
•minimum interior lot building setback from lowest4 residential level with windows	20 ft.
•minimum lot area per dwelling unit	none

Requirements	Standards
•minimum open space (percent of lot area)	
•for interior lots	30%
•for exterior lots	20%

Table 6.E Notes:

[1] Under the provisions of Section 10.9, the FAR may be increased by an additional fifteen (15) percent.

[2] Residential buildings or residential portions of buildings.

[3] Buildings with residential (including hotels and motels) and nonresidential portions.

[4] Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations also are subject to Section 15.5.

[5] Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

6.5.8. Special Regulations.

The following special regulations apply within the CBD-4 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.
4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.
5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

Section 6.6. CBD-5 Central Business District.

6.6.1. Purpose of the District.

The purpose of this district is to accommodate central commercial and residential developments and to provide for parking facilities needed to serve central business district firms and their employees located in and near the office and retail cores as well as in the district itself. Permitted uses are the same as in the CBD-1 District, but lower intensities are permitted to allow the district's several purposes to be fulfilled within the constraints set by street system capacities.

6.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

6.6.3. Permitted Uses.

Any permitted use authorized in the CBD-1 Central Business District is authorized as a permitted use in the CBD-5 Central Business District, except that the following uses shall not be permitted:

1. Rooming houses.
2. Bars and cocktail lounges.
3. Guidance service.

(Ord. 20,716 § 1 (part), adopted 5/16/02)
(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.6.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the CBD-5 Central Business District:

1. Any accessory use permitted in the CBD-1 District.
2. Cocktail lounges (bars) within a restaurant provided that:
   a. The restaurant shall have a full kitchen serving hot food in compliance with all health codes;
   b. The restaurant shall have separate sanitary facilities for males and females;
   c. The cocktail lounge (bar) shall occupy no more than twenty-five (25) percent of the floor area of the restaurant;
   d. The restaurant shall provide seating for patrons;
   e. The cocktail lounge (bar) shall have no exterior entrances or exits according to Section 15.6.3; and
   f. Live entertainment is limited to a soloist or combo (up to three (3) members), and complies with all applicable laws and ordinances.
3. Cocktail lounges (bars) within a hotel provided an inspection of the hotel be conducted for compliance with hotel definitions and standards, and further provided that live entertainment is limited to a soloist or combo (up to three (3) members) and complies with all applicable laws and ordinances.

6.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-5 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the CBD-1 District, except timeshare buildings and transient vacation rentals.

2. Automobile and boat sales and display, but excluding truck and trailer lots.
3. Interactive theater.

(Ord. 17,310 § 5, adopted 12/7/95)

6.6.6. Permitted Signs.

Subject to the general sign regulations of Article 12:

1. Any illuminated or nonilluminated, flashing or nonflashing signs permitted in the CBD-6 Central Business District shall be permitted in the CBD-5 Central Business District.
2. One (1) flat, double-faced, general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet, and limited to a height of nine (9) feet, shall be permitted on public transit waiting stations.
3. One (1) detached sign per building shall be permitted, except in Historic Districts in accordance with the following standards:
   a. The maximum number of signs permitted shall be one (1) detached monument sign per building, limited to a maximum height of ten (10) feet. The monument sign may be double-faced with a maximum allowable size of one-half (1/2) square foot per linear foot of street frontage, to a maximum area of forty (40) square feet, and shall only identify the name and/or street address of the building.
   b. The detached monument sign shall be set back a minimum of ten (10) feet from the public right-of-way.
   c. The detached monument sign shall be constructed of natural materials, metal, and/or materials similar to that utilized on the exterior of the building or plaza surface.
   d. Flashing, rotating, back lighted and/or plastic signs shall be prohibited.
   e. In the case of a building having at least 50,000 square feet of floor area devoted to the conduct of retail businesses, a detached sign may exceed the height limitation, to a maximum of thirty-five (35) feet, and the square foot area limitation in Section 6.6.6(3)(a), provided that any such sign is subject to design review by the Executive Director of the City Planning Commission.

(Ord. 20,274 § 1 (part), adopted 8/02/01)

6.6.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks in the CBD-5 Central Business District are contained in Table 6.F. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.F
Area Regulations for the CBD-5 Central Business District

Requirements	Standards
Maximum FAR	
Nonresidential[1]	6
Residential[2]	6
Mixed buildings[1,3]	6

Requirements	Standards
Maximum height of building	No limit, except along certain streets as set forth in Section 6.13.[4]
Transfer of development rights	From CBD-5 to CBD-1, CBD-2 and CBD-2B
For residential buildings[3,5]	
•minimum rear building setback at lowest residential floor	20 ft.
•minimum interior lot building setback from lowest4 residential level with windows	20 ft.
•minimum lot area per dwelling unit	none
•minimum Open Space Ratio	0.10

Table 6.F Notes:

[1] Under the provisions of Section 10.9, the FAR may be increased by an additional fifteen (15) percent.

[2] Residential buildings or residential portions of buildings.

[3] Buildings with residential (including hotels and motels) and nonresidential portions.

[4] Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations also are subject to Section 15.5.

[5] Required open space shall conform to the definition of open space in Section 15.5.7. Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

6.6.8. Special Regulations.

The following special regulations apply to specified developments within the CBD-5 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.
4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.
5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

Section 6.7. CBD-6 Central Business District.

6.7.1. Purpose of the District.

This district is intended to provide facilities and services along an entrance corridor to the Central Business District for persons making daily or occasional visits to the area for business or recreation purposes. Because of the district's important function in moving traffic and providing parking and other services for this traffic and because of the especially high generation of traffic by existing developments in the immediately adjacent area, development intensity is restricted to moderate levels and new generators of heavy traffic are prohibited or subject to conditional use provision.

6.7.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

6.7.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-6 Central Business District subject to the performance standards in Section 7.5:

1. Any use permitted in the CBD-1 District, except that the following uses shall not be permitted:
   a. Theaters or other amusement places with more than 4,000 square feet of floor area.
   b. Rooming houses.
   c. Bars and cocktail lounges.
   d. Package liquor stores.
   e. Guidance service.
2. Automatic ice distribution station or other drive-in automatic vending machine station. Groups of vending machines shall be contained in a completely enclosed building.
3. Automobile and boat sales and displays but excluding truck and trailer lots, provided that any storage or display shall be in a completely enclosed building.
4. Bicycle sales and repairs.
5. Catering establishments.
6. Custom dressmaking, millinery, tailoring or similar retail trades.
7. Banks, except drive-in banks.
8. Dry cleaning shops occupying not more than 2,500 square feet of floor area and using no cleaning fluid whose base is petroleum or one of its derivatives.
9. Electrical, glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishment in a completely enclosed building and limited to 2,500 square feet of floor area per establishment.
10. Laundries occupying not more than 2,500 square feet of floor area.
11. Laundromats.
12. Lumber and building materials stores, retail only, provided the entire operation is conducted in a completely enclosed building limited to 5,000 square feet of floor area.
13. Motion picture production studios.
14. Pest control agency.
15. Tourist homes.
16. Venetian blind, window shade or awnings shops, custom.

(Ord. 20,716 § 1 (part), adopted 5/16/02)

(M.C.S., Ord. No. 024523, § 1, adopted 8/4/11)

6.7.4. Accessory Uses.

Any accessory use authorized in the CBD-1 Central Business District is authorized as an accessory use in the CBD-6 Central Business District.

6.7.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-6 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Bus terminals for local transit facilities.* (See Section 11.32)
2. Gasoline service stations, not including truck or trailer storage or mechanical servicing.
3. Undertaking business or establishment, or funeral home.
4. Radio, television and microwave relay, transmitting or receiving towers or antennae including accessory buildings, but excluding broadcast studios and office buildings, provided such facilities are set back a minimum of fifty (50) feet from all property lines.
5. A helistop, provided that it shall comply with the requirements of the Federal Aviation Agency.
6. Parking garages providing nonaccessory parking spaces.
7. Accessory parking lots.* (See Section 11.27)
8. Parking lots.* (See Section 11.28)
9. (Reserved)
10. (Reserved)
11. (Reserved)
12. (Reserved)
13. Fast food restaurants except that drive-ins and through windows are prohibited. Location and size of all signs are subject to prior approval of the Central Business District Historic District Landmarks Commission.
14. Amusement places.
15. Leased bingo hall facilities.* (See Section 11.10)
16. Self-storage (mini-warehouse) shall be defined as an existing or new structure with a minimum size of 20,000 square feet of floor area which is used for storing personal effects such as household goods, clothing or small retail merchandise. Each individual compartment shall not exceed 1,000 square feet; off-street parking and loading area must be located within the structure on site whenever possible. The following development standards shall apply:
    a. When the structure is located above ground, retail uses permitted in the underlying zoning district are required in a minimum of one third (1/3) of the ground floor area with frontages on a major street;
    b. The parking requirement for a mini-warehouse shall be one (1) space for each 5,000 square feet of the area used for storage; the parking standards for retail uses shall be in accordance with the underlying zoning district.
17. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

(Ord. 22,344 § 1, adopted 8/17/06; Ord. 18,762 § 4 (part), adopted 6/18/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 17,929 § 1, adopted 12/19/95)

6.7.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following signs are permitted in the CBD-6 Central Business District:

1. Illuminated or nonilluminated signs, which may be flashing or nonflashing, as follows:
   a. Accessory flat signs with the total aggregate sign area not more than twenty-five (25) percent of the area of walls on which the business has its main entrance, and no one sign with sign area of more than 300 square feet. Illuminated signs inside of show windows shall not be included in the computation of aggregate sign area, nor shall neon tubing outlining store windows or temporary nonilluminated signs in show windows.
   b. If there are no detached signs, accessory projecting signs are permitted, one (1) for each business on the premises, with sign area for each sign limited as follows, depending on the amount of its projection from the face of the building:

MAXIMUM PROJECTIONS FROM FACE OF BUILDING	MAXIMUM SIGN AREA
Two feet or less	80 sq. ft.
More than two feet but not more than three feet	60 sq. ft.
More than three feet but not more than four feet	40 sq. ft.
More than four feet	20 sq. ft.

c. If there are no projecting signs, accessory detached signs are permitted, stationary or rotating, limited in area to forty (40) square feet each, one (1) for each business or one (1) for each fifty (50) feet of street frontage, whichever is the less restrictive, and limited in height to thirty-five (35) feet. Permitted sign area for detached signs may be accumulated but no one (1) sign shall exceed 100 square feet in area.

d. Accessory canopy signs, two (2) for each business, with sign area for each sign limited to twenty (20) square feet.

e. Permitted sign area of one (1) accessory flat sign may be increased by 100 square feet for each story above the fourth story on which the sign is located.

f. Total aggregate sign area for all accessory signs at any height shall be limited to 400 square feet for each fifty (50) feet of street frontage or building frontage, whichever is the greater.

g. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access and egress drives, shall be permitted as accessory signs and not included in any computation of sign area.

2. One (1) flat, double-faced, general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet, and limited to a height of nine (9) feet, shall be permitted on public transit waiting stations.

6.7.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks for the CBD-6 Central Business District are contained in Table 6.G. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.G
Area Regulations for the CBD-6 Central Business District

REQUIREMENTS	STANDARDS
Maximum FAR[1] base	
Nonresidential[2]	3 [maximum: 6]
Residential[3]	3
Mixed buildings[2,4]	3 [maximum: 6]
Maximum height of building	60 ft., except along certain streets as set forth in Section 6.13.[5]
Transfer of development rights	From CBD-6 to CBD-1, CBD-2, and CBD-2B
For residential buildings	
- minimum rear building setback at lowest residential floor	20 ft.
- minimum interior lot building setback from lowest residential level with windows	20 ft.
- minimum lot area per dwelling unit	none
- required open Space Ratio[6]	0.10

Table 6.G Notes:

[1] Bonuses may enable development to exceed the base FAR up to the maximum under the provisions of Section 6.11.

[2] Under the provisions of Section 10.9, the base and/or maximum FAR may be increased by an additional fifteen (15) percent.

[3] Residential buildings or residential portions of buildings.

[4] Buildings with residential (including hotels and motels) and nonresidential portions.

[5] Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations also are subject to Section 15.5.

[6] Required open space shall conform to the definition of open space in Section 15.5.7.

6.7.8. Special Regulations.

The following special regulations apply to specified developments within the CBD-6 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.

2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.

3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.

4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.

5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

Section 6.8. CBD-7 Central Business District.

6.8.1. Purpose of the District.

In addition to the purpose it has in common with the CBD-6 District of providing facilities and services along an entrance corridor to the Central Business District, a special objective for the CBD-7 District is to enrich the Central Business District as a whole by providing living accommodations conveniently situated with respect to employment opportunities and supportive of a broad range of commercial and entertainment activities. Residential developments, mixed buildings of no less than fifty (50) percent residential use, and hotels or motels are encouraged by relatively liberal Floor Area Ratio controls. In appropriate locations within the district off-street parking facilities should be accommodated to serve Central Business District firms and their employees. Special facade controls are included on street frontages where the maintenance of historic character and scale are important.

6.8.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

6.8.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-7 Central Business District subject to the performance standards in Section 7.5:

1. Trade schools.

2. Any permitted use authorized in the CBD-6 Central Business District is authorized as a permitted use in the CBD-7 Central Business District, except that automobile and boat sales and displays are prohibited in the CBD-7 District.

(Ord. 18,581 § 1, adopted 1/8/98)

6.8.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the CBD-7 Central Business District:

1. Any accessory use authorized in the CBD-1 Central Business District.

2. Cocktail lounges (bars) within a restaurant provided that:

   a. The restaurant shall have a full kitchen serving hot food in compliance with all health codes;

   b. The restaurant shall have separate sanitary facilities for males and females;

c. The cocktail lounge (bar) shall occupy no more than twenty-five (25) percent of the floor area of the restaurant;

d. The restaurant shall provide seating for patrons;

e. The cocktail lounge (bar) shall have no exterior entrances or exits according to Section 15.6.3; and

f. Live entertainment is limited to a soloist or combo (up to three (3) members) and complies with all applicable laws and ordinances.

3. Cocktail lounges (bars) within a hotel, provided an inspection of the hotel be conducted for compliance with hotel definitions and standards, and further provided that live entertainment is limited to a soloist or combo (up to three (3) members) and complies with all applicable laws and ordinances.

6.8.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-7 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use permitted in the CBD-6 District, subject to any special regulations made applicable to such use within such district, unless such special regulations have been expressly modified by provisions of this zoning district.

2. Automobile and boat sales and display, but excluding truck and trailer lots.

3. Off-track wagering facilities.

4. Guest houses.* (See Sections 11.50 and 15.2.11)

5. Retail stores selling packaged alcoholic beverages.

(Ord. 21,664 § 1, adopted 9/9/04; Ord. 18,581 § 2, adopted 1/8/98; Ord. 17,254 § 13, adopted 11/2/95)

6.8.6. Permitted Signs.

Subject to the general sign regulations of Article 12:

1. The following illuminated or nonilluminated signs shall be permitted in the CBD-7 Central Business District. Flashing signs are not permitted in the CBD-7 District:

a. Accessory flat signs with the total aggregate sign area not more than twenty-five (25) percent of the area of walls on which the business has its main entrance, and no one (1) sign with

sign area of more than 300 square feet. Illuminated signs inside of show windows shall not be included in the computation of aggregate sign area, nor shall neon tubing outlining store windows or temporary nonilluminated signs in show windows.

b. If there are no detached signs, accessory projecting signs are permitted, one (1) for each business on the premises, with sign area for each sign limited as follows, depending on the amount of its projection from the face of the building:

MAXIMUM PROJECTIONS FROM FACE OF BUILDING	MAXIMUM SIGN AREA
Two feet or less	80 sq. ft.
More than two feet but not more than three feet	60 sq. ft.
More than three feet but not more than four feet	40 sq. ft.
More than four feet	20 sq. ft.

c. If there are no projecting signs, accessory detached signs are permitted, stationary or rotating, limited in area to forty (40) square feet each, one (1) for each business or one (1) for each fifty (50) feet of street frontage, whichever is the less restrictive and limited in height to thirty-five (35) feet. Permitted sign area for detached signs may be accumulated but no one (1) sign shall exceed 100 square feet in area.

d. Accessory canopy signs, two (2) for each business, with sign area for each sign limited to twenty (20) square feet.

e. Permitted sign area of one (1) accessory flat sign may be increased by 100 square feet for each story above the fourth story on which the sign is located.

f. Total aggregate sign area for all accessory signs at any height shall be limited to 400 square feet for each fifty (50) feet of street frontage or building frontage, whichever is the greater.

g. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access and egress drives, shall be permitted as accessory signs and not included in any computation of sign area.

2. One (1) flat, double-faced, general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet, and limited to a height of nine (9) feet, shall be permitted on public transit waiting stations.

6.8.7. Height, Area and Bulk Requirements.

Regulations on maximum floor area ratio, maximum height, required open space, yards, window outlooks and building setbacks for the CBD-7 Central Business District are contained in Table 6.H. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.H
Area Regulations for the CBD-7 Central Business District

REQUIREMENTS	STANDARDS
Maximum FAR	
Nonresidential[1]	4.5
Residential[2]	8
Mixed buildings[1,3]	8
Maximum height of building[4]	
- within 30 feet of a street line[5]	50 ft.
- more than 30 feet from a street line	125 ft.
Transfer of development rights	From CBD-7 to CBD-1, CBD-2, and CBD-2B
For residential buildings[3,6]	
- minimum rear building setback at lowest residential floor	20 ft.
- minimum interior lot building setback from lowest residential level with windows	20 ft.
- minimum lot area per dwelling unit	none
- required open space[7]	0.10

Table 6.H Notes:

[1] Under the provisions of Section 10.9, the FAR may be increased by an additional fifteen (15) percent.

[2] Residential buildings or residential portions of buildings.

[3] Buildings with residential (including hotels and motels) and nonresidential portions.

[4] The maximum height of buildings along certain streets within the CBD-7 District is set forth in Section 6.13. Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provision of Section 16.6. Height regulations are also subject to Section 15.5.

[5] Height regulations also are subject to Sections 6.13 and 15.5. The maximum allowable height within thirty (30) feet of a street line shall not exceed the average of existing street facade heights on the three (3) closest block faces.

[6] Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

[7] Required open space shall conform to the definition of open space in Section 15.5.7.

6.8.8. Special Regulations.

The following special regulations apply to specified developments within the CBD-7 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.

2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.

3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.

4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.

5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

Section 6.9. CBD-8 Central Business District.

6.9.1. Purpose of the District.

This district is intended to accommodate a variety of businesses, including warehousing, wholesaling, servicing, processing, repair and other commercial activities, and some light manufacturing uses, some of which uses would not be compatible with the principal uses which other CBD Districts are designed to accommodate, but which are needed and appropriate in the central area. A desirable objective for the CBD-8 District is to enrich the Central Business District as a whole by providing living accommodations conveniently situated with respect to employment opportunities. Residential developments and mixed buildings of no less than fifty (50) percent residential use are encouraged by relatively liberal floor area controls. Bonus Floor Area Ratios are provided for commercial developments with off-site residential or mixed use projects in the CBD-8 area. Preservation of the district's character and scale are provided for by restricting building heights at specified distances from the street line or by utilizing the average of existing distances from the street line or by utilizing the average of existing street facade heights from adjacent block faces.

6.9.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

6.9.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the CBD-8 Central Business District subject to the performance standards in Section 7.5:

1. Any use permitted in the CBD-4 Central Business District, except rooming houses, T-shirt shops, souvenir shops, massage parlors, adult establishments, cocktail lounges, bars and package liquor stores.

2. Alcoholic beverage outlets. (See Section 11.48)

3. Automatic ice distribution station or other drive-in automatic vending machine station. Groups of vending machines shall be contained in a completely enclosed building.

4. Bottling establishment, milk or soft drinks.

5. Brewing of beer.

6. Car wash or automobile laundry, automatic or otherwise, providing reservoir space at the entrance for not less than ten (10) vehicles for each washing lane.

7. Flower shops and greenhouses incidental thereto.

8. Hospitals or clinics for small animals.
9. Light manufacturing uses limited to machine shops, apparel manufacture, furniture manufacture, ice manufacture, casket manufacture and ink manufacturing (mixing only).
10. Lumber and building materials stores, retail only, provided the entire operation is conducted in a completely enclosed building.
11. Rental of single-axle luggage trailers with total trailers in storage limited to ten (10) but not including truck trailer bodies.
12. Tourist home.
13. (Repealed)
14. Undertaking business or establishment, or funeral home.
15. General wholesale, service and repair establishments similar in character to those enumerated in this section.
16. Trade schools.

(Ord. 18,581 § 3, adopted 1/8/98; Ord. 18,362 § 2, adopted 2/5/98)

6.9.4. Accessory Uses.

The following uses of land are authorized as accessory uses in the CBD-8 Central Business District:

1. Any accessory use permitted in the CBD-1 Central Business District, except parking garages providing accessory parking for uses located outside the CBD-8 Central Business District.
2. Cocktail lounges (bars) within a restaurant provided that:
   a. The restaurant shall have a full kitchen serving hot food in compliance with all health codes;
   b. The restaurant shall have separate sanitary facilities for males and females;
   c. The cocktail lounge (bar) shall occupy no more than twenty-five (25) percent of the floor area of the restaurant;
   d. The restaurant shall provide seating for patrons;
   e. The cocktail lounge (bar) shall have no exterior entrances or exits according to Section 15.6.3; and
   f. Cocktail lounges in a restaurant may provide live entertainment limited to a soloist or combo (up to three (3) members), subject to applicable laws and ordinances.
3. Cocktail lounges (bars) within a hotel, provided an inspection of the hotel be conducted for compliance with hotel definitions and standards. Live entertainment may be provided, limited to a soloist or combo (up to three (3) members), subject to applicable laws and ordinances.

(Ord. No. 25643, § 1, adopted 12/19/13)

6.9.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the CBD-8 Central Business District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Bus terminals for local transit facilities.* (See Section 11.32)
2. Gasoline service stations.
3. Radio, television and microwave relay, transmitting or receiving towers or antennae including accessory buildings, but excluding broadcast studios and office buildings, provided all such facilities are set back a minimum of fifty (50) feet from all property lines.
4. Trade exposition center, provided that all structures comprising such center are set back a minimum of fifty (50) feet from any property line abutting any residential district.

5. A helistop, provided that it shall comply with the requirements of the Federal Aviation Agency.
6. Parking garages, providing nonaccessory parking spaces.
7. Parking garages providing accessory parking spaces for uses located outside the CBD-8 District.
8. Accessory parking lots.* (See Section 11.27)
9. Automobile and boat sales and display, but excluding truck and trailer lots.
10. World's fairs, world expositions.* (See Section 11.47)
11. Cocktail lounges and bars, provided live entertainment is limited to a soloist or combo (up to three (3) members) and complies with all applicable laws and ordinances.
12. Car wash or automobile laundry, automatic or otherwise providing reservoir space at the entrances for not less than ten (10) vehicles for each washing lane.
13. Parking lots.* (See Section 11.28)
14. Off-track wagering facilities.
15. (Repealed)
16. (Repealed)
17. (Repealed)
18. (Repealed)
19. Fast food restaurants except that drive-ins and through windows are prohibited. Location and size of all signs are subject to prior approval of the Central Business District Historic District Landmarks Commission.
20. Amusement places.
21. Leased bingo hall facilities.* (See Section 11.10)
22. Brew pub, including live entertainment only if specifically approved through the conditional use process.
23. Green markets.* (See Section 11.52)
24. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)
25. Retail stores selling packaged alcoholic beverages.
26. Expansion of existing timeshare buildings and transient vacation rentals. The existing timeshare buildings and transient vacation rentals must have been issued a Use and Occupancy Certificate prior to May 9, 1985 (the date of adoption of the authorizing text change).
27. Cooking Schools.
28. Wine Schools.

(Ord. 22,751 § 3, adopted 8/9/07; Ord. 18,762 § 4 (part), adopted 6/18/98; Ord. 18,609 § 1, adopted 2/5/98; Ord. 18,581 § 4, adopted 1/8/98; Ord. 18,384 § 1 (part), adopted 8/21/97)
(M.C.S., Ord. No. 024188, § 1, 11/4/10)

6.9.6. Permitted Signs.

Subject to the general sign regulations in Article 12, any illuminated or nonilluminated, flashing or nonflashing signs permitted in the CBD-6 Central Business District shall be permitted in the CBD-8 Central Business District.

6.9.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks for the CBD-8 Central Business District are contained in Table 6.I. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.I
Area Regulations for the CBD-8 Central Business District

Requirements	Standards
Maximum FAR	
Nonresidential[1]	4
Residential[2]	8
Mixed buildings[1,3]	8
Maximum height of building[4]	
within thirty (30) feet of a street line[5]	50 ft.
more than thirty (30) feet from a street line	100 ft.
Transfer of development rights	From CBD-8 to CBD-1, CBD-2, and CBD-2B
For residential buildings[3,6]	
•minimum interior lot building setback from lowest residential level with windows	20 ft.
•minimum lot area per dwelling unit	none
•required open space[7]	0.10

Table 6.I Notes:

[1] Under the provisions of Section 10.9, the FAR may be increased by an additional fifteen (15) percent.

[2] Residential buildings or residential portions of buildings.

[3] Buildings with residential (including hotels and motels) and nonresidential portions.

[4] The maximum height of buildings along certain streets within the CBD-8 District is set forth in Section 6.13. Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations are also subject to Section 15.5.

[5] Height regulations also are subject to Sections 6.13 and 15.5. The maximum allowable height within thirty (30) feet of a street line shall not exceed the average of existing street facade heights on the three (3) closest block faces.

[6] Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

[7] Required open space shall conform to the definition of open space in Section 15.5.7.

6.9.8. Special Regulations.

The following special regulations apply to specified developments within the CBD-8 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.

4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.
5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

Section 6.10. CBD-9 Central Business District.

6.10.1. Purpose of the District.

The CBD-9 District contains structures larger in scale than those within the CBD-8 Central Business District. In addition to the purposes that it has in common with the CBD-8 District, the purpose of the CBD-9 District is to permit the construction of somewhat larger new structures that will not have a negative impact upon the scale and character of the surrounding area. The district regulations provide for a floor area bonus to induce the construction of residential units. The dwelling units may be incorporated into the development proposal or in an appropriate building in the CBD-9 District.

6.10.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

6.10.3. Permitted Uses.

Any permitted use authorized in the CBD-8 Central Business District is authorized as a permitted use in the CBD-9 Central Business District.

6.10.4. Accessory Uses.

Any accessory use authorized in the CBD-8 Central Business District is authorized as an accessory use in the CBD-9 Central Business District.

6.10.5. Permitted Conditional Uses.

Any conditional use authorized in the CBD-8 Central Business District is authorized as a conditional use in the CBD-9 Central Business District, except that the expansion of existing timeshare, transient vacation rentals and green markets is not authorized.

(Ord. 18,177 § 7, adopted 4/3/97)

6.10.6. Permitted Signs.

Subject to the general sign regulations in Article 12, any illuminated or nonilluminated, flashing or nonflashing signs permitted in the CBD-6 Central Business District shall be permitted in the CBD-9 Central Business District.

6.10.7. Height, Area and Bulk Requirements.

Regulations on maximum Floor Area Ratio, maximum height, required open space, yards, window outlooks and building setbacks are contained in Table 6.J. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 6.J
Area Regulations for the CBD-9 Central Business District

Requirements	Standards
Maximum FAR	
Nonresidential[1,2]	6
Residential[3]	8
Mixed buildings[1,2,4]	-
Maximum height of building[5]	

Requirements	Standards
•within thirty (30) feet of a street line[6]	85 ft.
•more than thirty (30) feet from a street line	No limit
Transfer of development rights	From CBD-9 to CBD-1, CBD-2, or CBD-2B
For residential buildings[4,7]	
•minimum rear building setback at lowest residential floor	20 ft.
•minimum interior lot building setback from lowest residential level with windows	20 ft.
•minimum lot area per dwelling unit	none
•required open space8	0.10

Table 6.J Notes:

[1] Under the provisions of Section 10.9, the FAR may be increased by an additional fifteen (15) percent.

[2] In the CBD-9 District the FAR may be increased under the following circumstances:

A. A development proposed as a Central Business Planned Community District (CBPCD) in accordance with the provisions of Section 10.8 may receive an increase of fifteen (15) percent.

B. The use of a special permit for transfer of development rights when applied in accordance with the provisions of Section 16.8.

C. A development that includes on-site residential use constituting fifty (50) percent or more of the total floor area of the structure shall be permitted an FAR of 8.

D. A development that includes on-site residential use constituting twenty-five (25) percent of the total floor area of the structure shall be permitted an FAR of 7.

E. A development that provides for off-site residential development may receive a floor area bonus in accordance with the provisions of Section 6.11.2.

[3] In the CBD-9 District, residential use shall apply to any building, or portion thereof, designed or used exclusively for residential occupancy, but not including trailers, hotels, tourist courts, tourist homes, timeshare buildings or transient vacation rentals.

[4] Buildings with residential and nonresidential portions.

[5] The maximum height of buildings along certain streets within the CBD-9 District is set forth in Section 6.13. Applications for variance of the height limitation shall be submitted to the City Planning Commission for hearing and action in accord with the provisions of Section 16.6. Height regulations are also subject to Section 15.5.

[6] Height regulations also are subject to Sections 6.13 and 15.5. The maximum allowable height within thirty (30) feet of a street line shall not exceed the average of existing street facade heights on the three (3) closest block faces.

[7] Open space, rear yard requirements or window outlook requirements may be waived or reduced to permit conversions of existing buildings to residential use.

[8] Required open space shall conform to the definition of open space in Section 15.5.7.

6.10.8. Special Regulations.

The following special regulations apply to specified developments within the CBD-9 Central Business District:

1. Floor area bonus provisions may be granted in accordance with Section 6.11.
2. All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more are subject to site plan review under Section 16.7, and to approval of a traffic impact analysis under the provisions of Section 6.12.
3. Special off-street parking standards apply in accordance with the regulations in Section 15.2.
4. The provisions of the Downtown Design Review District combine with the provisions of this district, in accordance with Section 10.10.

5. This district may be combined with a Central Business Planned Community District in accordance with the provisions in Section 10.9.

Section 6.11. Central Business District Bonus Provisions.

6.11.1. Bonus Provisions for CBD-1, CBD-2, CBD-2B and CBD-6 Central Business Districts.

The base maximum Floor Area Ratios permitted in the CBD-1, CBD-2, CBD-2B, or CBD-6 Central Business Districts may be increased in accordance with the provisions contained in Table 6.K, provided that in no event may the maximum Floor Area Ratio achievable by earning bonus floor area exceed the maximums authorized in each district.

Table 6.K
Central Business Districts Floor Area Bonuses for Feature Provided

Feature	Attribute of Feature	Bonus Floor Area for Entire Building
Mini-park[1]	For each square foot	12 sq. ft.
Galleria[2]	For each square foot	7 sq. ft.
Arcade[3]	For each square foot	Alt. 1: 8
		Alt. 2: Mandatory if 15% bonus is applied for
Through arcade[4]	For each square foot	7 sq. ft. Commercial on both sides amounting to 25% of total combined length of bounding walls
Elevated pedestrian way[5]	For each linear foot	120 sq. ft.
Elevated pedestrian plaza[6]	For each square foot	9 sq. ft.
Residential use[7]	For each square foot of residential floor area	3 sq. ft. With no provision for area in excess of a residential FAR of 1

Table 6.K Notes:

[1] *Mini-Park*. For the purpose of this Ordinance, a mini-park is a landscaped open area which conforms to the following requirements:

A. Extends along a street line for a length of at least twenty (20) feet; except that in the case of a street line to which the provisions of Section 6.13 apply, such dimension shall not exceed twenty (20) feet.

B. Is considered a public space and is accessible to the public from the adjoining public sidewalk for a length of at least twenty (20) feet. This shall not preclude the regulation of operational hours by an agreement of the developer and the city. A mini-park is not a residual parcel of ground but a facility planned as an integral part of a project.

C. Has a minimum depth of twenty (20) feet measured perpendicular to the street line, and has landscaping on its periphery.

D. Is not at any point more than three (3) feet above or below the level of the public sidewalk which it adjoins. Variances to this requirement are subject to review and approval by the City Planning Commission.

E. Is fifty (50) percent landscaped with shade trees at a standard of one (1) tree of three and one-half (3.5) inches caliper or more per 800 square feet of area, shrubs or other plant materials, has a seating area equal to thirty (30) linear feet per 1,000 square feet of mini-park space, and shall contain at least one (1) of the following: public art, fountains, cafe furniture, or similar public features, provided that the surface area occupied by such planting or features does not exceed seventy-five (75) percent of the area of the mini-park and the balance of the mini-park is suitable for pedestrian movement.

F. Mini-parks which contain at least 2,500 square feet or are abutting Canal Street, Loyola Avenue, Poydras Street, South Front Street, Lafayette Street, St. Charles Avenue and Howard Avenue, must provide public art in addition to other requirements.

G. Mini-parks may be partially roofed or covered provided that no more than fifty (50) percent of the park is covered and there is a minimum height clearance of fourteen (14) feet.

[2] *Galleria*. For the purpose of this Ordinance, a galleria conforms to the following requirements:

A. Is accessible by the public directly from an adjoining street or another urban pedestrian facility.

B. Is covered by a roof at least two (2) stories high and enclosed on at least two (2) sides. The development must be at least two (2) stories high with galleries extending along the second floor.

C. May be illuminated by skylight or windows permitting natural light to enter, or illuminated by interior lighting so that at least fifty (50) percent lighting should be an integral part of the design and fixtures, and lighting devices should strive for creative design and artistic interest. Where natural lighting is used, it must not exceed fifty (50) percent of the lighting requirement of the galleria.

D. Has a minimum dimension of thirty (30) feet when the galleria connects two (2) streets and a minimum dimension of forty (40) feet when the galleria is accessible directly from only one (1) street. However, in no event may the entrance to a galleria exceed twenty (20) feet in width on any street line to which the provisions of Section 6.13 apply. The access to the galleria may be part of a regulated hours program agreed upon jointly by the city and the developer.

E. Has a ceiling height at no point less than twenty (20) feet above the walking surface. Pedestrian bridges, balconies or mezzanines are permitted overhead obstruction, provided that they do not cover in the aggregate more than fifty (50) percent of the area of the galleria.

F. Shall contain at least one (1) major work of public art in the form of sculpture, mobile, bas relief, mosaic or sculptural fountain, and may be landscaped with trees, shrubs or other plant materials, including cafe furniture, kiosks, fountains or similar features, provided that the surface occupied by such planting or features does not exceed fifty (50) percent of the area of the galleria and provided that a continuous way not less than fifteen (15) feet wide remains free of obstructions and available for unimpeded pedestrian circulation.

G. Has uses authorized in the CBD-1 District fronting and having its main entrance along not less than sixty (60) percent of the length of the bounding walls of the galleria, except that if one (1) wall is a party wall, it may be excluded from such length count. Emphasis must be given to retail and other rental uses.

[3] *Arcade*. For the purpose of this Ordinance an arcade is a continuous area open to a street or to a mini-park adjoining a street which is accessible to the public at all times and conforms to the following requirements:

A. It shall adjoin a front lot line or mini-park boundary and extend for the full length of such front lot line or mini-park boundary, and at any point shall be at the same elevation as the public sidewalk or adjoining mini-park.

B. It shall be covered by part of a building allowing at least ten (10) feet of headroom.

C. It shall have a minimum depth of eight (8) feet and a maximum creditable depth of twenty (20) feet (for purposes of bonus floor area calculations) measured perpendicular to the front lot line.

D. Portions of an arcade which are obstructed by columns, building service areas or similar features do not qualify as arcade areas. There shall be a minimum unobstructed distance of at least six (6) feet between any building column and the ground floor or window of the main building.

[4] *Through Arcade*. For the purpose of this Ordinance a through arcade is a continuous area within a building which:

A. Is directly accessible during regulated hours, as agreed upon by the City and the developer from a street or urban pedestrian space which is perpendicular to the street or urban pedestrian space.

B. Has a minimum width of twelve (12) feet. However, in no event may the entrance to a through arcade exceed twenty (20) feet on any street line to which the provisions of Section 6.13 apply.

C. Is covered by part of a building allowing at least ten (10) feet of headroom.

D. Is at the same elevation at each end as the public sidewalk or urban pedestrian space which it connects, except where it connects to an elevated walkway system or pedestrian way of another building's lobby or plaza.

E. Has retail and commercial uses covering twenty-five (25) percent of the total combined length of both bounding walls, and provides public art.

[5] *Elevated Pedestrian Way*. For the purposes of this Ordinance, an elevated pedestrian way is a continuous way which is accessible to the public and conforms to all of the following requirements:

A. Is connected directly or indirectly with a pedestrian bridge over a street.

B. Is not intersected by a vehicular street or parking access drive.

C. Links at each end an element of public pedestrian amenities.

i. Such a circulation element may be a pedestrian bridge over a street which is connected to grade level, an intermediate elevated pedestrian way connecting with such a bridge, or a continuation of the elevated pedestrian way as a public promenade. The pedestrian way will be operated as part of a regulated hours program agreed upon jointly by the City and the developer.

ii. Such a public pedestrian amenity shall have an area of at least 2,000 square feet and may consist of an open elevated pedestrian plaza or other public open landscaped sitting area, or an area, open or enclosed, devoted to public cultural or recreational facilities or cafe or restaurant use.

D. Has a minimum width of fifteen (15) feet.

E. May be open, or entirely enclosed within a building, or covered overhead but open on one (1) side.

F. If covered or entirely enclosed, has a minimum headroom of ten (10) feet.

G. An elevated pedestrian way is permitted over sidewalk area with a minimum vertical clearance of fifteen (15) feet but no closer than two (2) feet to the curb unless it is a cross street connection and it received appropriate franchise approval.

[6] *Elevated Pedestrian Plaza*. For the purposes of this Ordinance, an elevated pedestrian plaza is a landscaped open area which conforms to the following requirements:

A. Is accessible to the public from an elevated pedestrian way during regulated hours approved by the City and the developer.

B. Adjoins to the elevated pedestrian way from which it is accessible for a length of at least twenty (20) feet.

C. Is not at any point more than three (3) feet above or below the level of the adjoining elevated pedestrian way.

D. Has at least a dimension of not less than twenty (20) feet and a minimum area of 2,000 square feet.

E. Is twenty-five (25) percent landscaped with trees, shrubs or other plant materials, has seating area equal to thirty (30) linear feet per 1,000 square feet of plaza, and shall contain at least one (1) of the following: public art, fountains, cafe furniture, or similar public features, provided that the surface area occupied by such planting or features does not exceed seventy-five (75) percent of the area of the elevated plaza and the balance of the elevated plaza is suitable for pedestrian movement.

[7] For the purpose of this bonus application, residential use shall apply to any building, or portion thereof, designed or used exclusively for residential occupancy, but not including trailers, hotels, motels, motor lodges, boarding and lodging homes, tourist courts or tourist homes, or timeshare buildings or transient vacation rentals.

6.11.2. Floor Area Bonus for Off-Site Residential Development.

The City Council may authorize an increase in Floor Area Ratio (FAR) from four (4) to a maximum of six (6) in the CBD-8 District and an increase in FAR from six (6) to a maximum of eight (8) in the CBD-9 District for an application for nonresidential developments which include a plan to develop off-site nontransient residential uses in the CBD-8 or CBD-9 Districts. A permit authorizing an increase in the FAR for a nonresidential development shall be granted in accordance with the following standards and procedures:

1. *Requirements for Application.* An application for a floor area bonus for a nonresidential development in the CBD-8 and CBD-9 Districts in conjunction with the development of off-site residential uses in the CBD-8 or CBD-9 Districts shall conform to the application requirements set forth in Section 16.6. Fees shall be charged in accordance with the Administrative Amendment fees set forth in Section 47.7-1 of Chapter 47 of the City Code.
2. *Requirements for Public Hearing*. A public hearing shall be held by the City Planning Commission with a notice published three (3) times in the official journal with the first notice appearing no later than ten (10) days prior to the date of the City Planning Commission hearing. The applicant shall be responsible for the cost of the advertisement.
3. *Standards for Floor Area Bonus in Conjunction with Off-Site Residential Development.* No floor area bonus for nonresidential development in the CBD-8 and CBD-9 Districts in exchange for off-site residential development shall be authorized by the City Council unless the Council shall determine that:
    a. The increase in the FAR for the proposed nonresidential use in the CBD-8 or CBD-9 Districts will not conflict with the scale and character of the surrounding area.
    b. The proposed nonresidential use in the CBD-8 or CBD-9 Districts conforms in all respects with the applicable district regulations.
    c. The proposed nonresidential use conforms to any additional conditions which shall be deemed necessary by the City Council, upon the recommendation of the City Planning Commission and the Historic District Landmarks Commission, to secure the general objectives of this Ordinance so as not to adversely affect other properties in the neighborhood.
    d. The proposed off-site residential development is compatible with the surrounding uses in the neighborhood.

4. *Limitations.* Authorizations for off-site residential developments shall be granted subject to the following limitations:
   a. Off-site residential development shall be limited to a maximum FAR of eight (8).
   b. No nonresidential development shall receive the maximum permitted FAR of eight (8) unless the off-site residential development shall contain a minimum floor area equal to fifty (50) percent of the total floor area of the nonresidential development.
   c. As a condition of any permit granting an increase in FAR for the nonresidential development, the site of the off-site residential development shall be devoted irrevocably to residential use with the amount of residential floor area approved under the permit. In the event that the off-site residential use is destroyed in whole or in part and subsequently redeveloped, the site shall be devoted to residential use at the minimum residential floor area originally approved.
5. *Notice of Restriction.* The owner or owners, as the case may be, of the lot proposed for nonresidential development and of the lot proposed for off-site residential development shall submit to the City Council a certified copy of the notice of restrictions, which shall be filed by such owner(s) in the place designated by law for the filing of deeds and restrictions on real property. The notice of restriction shall specify the amount of residential floor area approved for the off-site residential development and shall specify by lot and block numbers the lots or site of the nonresidential development that receives the increased FAR.
6. *Approval Procedure.* Plans and documents meeting the above stipulations shall be approved by the signature of the Executive Director of the City Planning Commission after the City Council has approved the off-site residential development by motion and prior to the filing of the plans and documents in the place designated by law for the filing of deeds and restrictions on real property. The Official Zoning Map shall be amended by outlining the subject properties and designating them with the following symbol "FAB" to represent "floor area bonus".

(Ord. No. 25492, § 1, adopted 9/12/13)

Section 6.12. Central Business District Traffic Impact Analysis.

6.12.1. Applicability of Section.

All new developments or building renovations or additions which create a total aggregate floor area of 50,000 square feet or more, or additions or changes of use to any existing structure(s) which create a total aggregate floor area of 50,000 square feet or more and which generate ten (10) percent more trips than those of existing development are required to submit a traffic impact analysis describing the impact which the project will have on the Central Business District transportation system in accordance with this section.

6.12.2. Procedure.

1. In the case of additions or changes to an existing structure, the determination about whether the project generates trips more than ten (10) percent over those of the existing development will be evaluated by the City Planning Commission staff on the basis of a site plan which includes the total number of new square feet of the development and the total number of additional employees at the proposed site of the project. If the trip generation rate is more than ten (10) percent of existing traffic for the development on the site, a traffic impact analysis must be prepared under this section; otherwise, the developer need only submit a site plan subject to the provisions of Section 16.8.
2. Prior to undertaking a traffic impact analysis, the developer shall meet with the City Planning Commission staff in order to determine the scope of the traffic impact analysis which shall include but not be limited to the geographic area of the study, all other pertinent issues, and the manner in which those issues shall be evaluated. In the event of a conflict as to the location of the development, the requirements of the more restrictive design review area shall apply.
3. The traffic impact analysis shall be submitted to the City Planning Commission staff for review and approval by the Commission staff with advice from the Department of Streets. Approval shall be evidenced by the signature of the Executive Director of the City Planning Commission. Appeal of the Director's decision may be made to the City Council, in accordance with Section 16.2.

6.12.3. Nature of Study.

The traffic impact analysis shall be signed by a certified traffic engineer or other qualified individual responsible for the supervision and preparation of the analysis, and shall include, but not be limited to, the following:

1. A site location analysis which shall include a description of the existing site; surrounding land use and zoning; existing street network, including adjacent streets and nearest intersections; and existing vehicular and pedestrian circulation systems.
2. A description of existing traffic conditions and operations which shall include current peak hour traffic volumes, current average daily traffic counts, modal splits, levels of service, and turning movement counts for adjacent streets and nearest intersections.

3. A trip generation, assignment and capacity analysis which shall include estimates of site-generated traffic for peak hour of surrounding streets including an estimate of the number of daily employee and visitor trips according to mode (auto, transit, walk, other) which the development will generate, assuming full occupancy; and an evaluation of the impact of site-generated traffic on surrounding street system and intersections.

4. A parking analysis which shall include the number and location of parking spaces required; parking layout; location of ingress and egress points, and possible impacts on through traffic; number and location of loading docks.

5. A plan to address traffic impacts which shall include alternative measures for addressing impacts which may include but not be limited to the employment of an individual as a transportation coordinator, the promotion of ridesharing and transit usage, employer-subsidized transit passes, active participation in vanpooling programs, flexible working schedules, unsubsidized employee parking, contributions to improved street capacity and operations, and geometric improvements to the interface of parking lot design with the City street system; and cost estimates for each measure.

6. The City Planning Commission staff may require additional information, diagrams and drawings in order to evaluate the impacts of the proposed use.

6.12.4. Approval Criteria.

1. Trip generations, assignment and capacity analysis must be performed in accordance with standard procedures outlined in the current Institute of Transportation Engineers "Trip Generation Manual" and the "Highway Capacity Manual," or other methodologies approved by the City Planning Commission staff. Trip generation shall be measured on the basis of the average trip rate of either Peak Hour of Adjacent Street Traffic (A.S.T.) or Peak Hour of the Generator, whichever is greater. If more than one (1) independent variable exists in the Trip Generation Manual for the appropriate land use category, the category which has a higher average total trip rate for Peak Hour of Adjacent Street Traffic or Generator shall be used.

2. Criteria used to determine the degree of impact on the transportation system include, but are not limited to:

   a. Changes in level of service on adjacent streets and/or at nearby intersections.

   b. Requirements for changes in the circulation pattern to accommodate site development.

   c. Adequacy of parking supply.

6.12.5. Mitigation Measures.

Should significant adverse impact to the transportation system be determined as a result of the development, mitigation measures will be required of the developer. These may include, but are not limited to:

1. Requirements to reduce vehicle trips to the site by active participation in regional employee ridesharing programs, and employment of a transportation coordinator for the site;

2. Contribution toward roadway and/or signalization improvements in the immediate vicinity of the development;

3. Participation in Regional Transit Authority (RTA) employer-subsidized transit pass programs for employees or any other mechanism which would reduce drive-alone vehicles through encouraging transit usage.

Section 6.13. Special Regulations for Front Building Walls in CBD Districts.

6.13.1. Applicability of Section.

In any CBD District, the following regulations relating to front building walls shall apply to new developments or enlargements on parcels having frontages on the streets designated herein:

1. The street frontages on which such regulations (set forth in subsection (2)(b) of this section) apply and height limits above grade, if any, are as follows:

STREET (BOTH FRONTAGES UNLESS OTHERWISE SPECIFIED)	**HEIGHT LIMIT**
Camp Street, St. Joseph Street to Lafayette Street	50 feet
Camp Street, Poydras to Gravier Street	50 feet
Camp Street, Gravier to Canal Street	70 feet
Canal Street, south side, Elk Place to Tchoupitoulas Street	70 feet
Canal Street, north side, Basin Street to Decatur Street	70 feet
Carondelet Street, Julia Street to Lafayette Street	50 feet
Chartres Street, Canal Street to Iberville Street	70 feet
Church Street, Julia Street to Girod Street	50 feet
Commerce Street, Diamond Street to Lafayette Street	50 feet
Convention Center Boulevard (river side), Girod Street to Howard Avenue	70 feet
Convention Center Boulevard (river side), Howard Avenue to Mississippi Bridge	85 feet
Exchange Alley, Canal Street to Iberville Street	70 feet
Girod Street, Carondelet Street to Magazine Street	50 feet
Gravier Street, Camp Street to Tchoupitoulas Street	50 feet
Julia Street, south side, St. Charles to Camp Street	50 feet
Lafayette Street, Loyola Avenue to South Front Street	50 feet
Magazine Street, Poydras Street to Gravier Street	50 feet
Magazine Street, Gravier Street to Canal Street	70 feet
Natchez Street, Camp Street to Tchoupitoulas Street	50 feet
North Diamond Street, Tchoupitoulas Street to South Peters Street	50 feet
St. Charles Street, Lee Circle to Lafayette Street	50 feet
St. Charles Street, Poydras Street to Common Street	50 feet
South Diamond Street, Tchoupitoulas to South Peters Street	50 feet
Tchoupitoulas Street, Lafayette Street to Gravier Street	50 feet
Tchoupitoulas Street, west side, Gravier Street to Canal Street	70 feet
Tchoupitoulas Street, east side, Gravier to Common Street	70 feet

2. Building to Property Line. Any new development or horizontal enlargement on a parcel having a street frontage listed in subsection 1 of this section shall be built so that:

   a. An exterior wall coincides with the property line along the entire length of such frontage except that such wall may be interrupted for a width of not more than twenty (20) feet for a mini-park, a through arcade or a galleria; and

   b. The exterior wall along such property line shall be not less than two (2) stories above grade; however, the lower story may be set back to accommodate an arcade.

3. Special Height Limits. On those street frontages listed in subsection 1 of this section with a special height limit, front building walls shall not exceed the specified height limit at the street line or within twenty (20) feet thereof. Special height limits do not apply to portions of buildings twenty (20) feet or more from the street line on a designated street frontage.

ARTICLE 7

INDUSTRIAL DISTRICTS

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ARTICLE 7

INDUSTRIAL DISTRICTS

Section 7.1. BIP Business Industrial Park District.

7.1.1. Purpose of the District.

The purpose of this district is to provide sufficient space in appropriate locations for certain types of business and related distribution and service facilities, in well-designed and landscaped buildings, to make available more attractive locations for these businesses and related facilities, and to provide opportunities for employment closer to places of residence with corresponding reduction of travel time from home to work. Certain commercial uses are permitted, primarily for service to employees in the district. Typical development in the district would be that which is commonly known as a "business and/or industrial park." Accessory signs of limited area and application are permitted.

7.1.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

7.1.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the BIP Business Industrial Park District subject to the performance standards in Section 7.5, provided that for the following permitted uses followed by a "†," there shall not be more than one (1) such use per twenty (20) acres and one (1) additional such use per each ten (10) additional acres, and further provided that for the permitted uses followed by a "†," such uses shall not be located closer than 500 feet on a single street frontage from uses of a similar nature, unless situated within a multitenant building:

1. Generally, those light manufacturing uses similar to those listed below which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, lint, odor, heat or glare, than that which is generally associated with light industries of the types specifically permitted below:

    a. Manufacture or assembly and sale of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games, and electrical or electronic apparatus.

    b. Manufacture or assembly and sale of boats, limited to boats of less than three (3) tons if not located on a navigable waterway, ornamental wrought iron products, electrical appliances, and sheet metal products.

c. Beverage blending or bottling, bakery products, candy manufacture, dairy products, and ice cream, but no fruit and vegetable processing and canning, packing and processing of fish, meat, and poultry products, distilling of beverages or slaughtering of poultry or animals.

d. Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics, printing, and finishing of textiles and fibers into fabric goods.

e. Manufacture of furniture, boxes, cabinets, baskets, and other wood products of similar nature.

f. Compounding of cosmetics, toiletries, drugs and pharmaceutical products.

2. Auditorium or lecture hall and recreation facilities primarily for employees in the district.

3. Banks, drive-in or otherwise.

4. Dwelling for resident watchmen and caretakers employed on the premises.

5. Gasoline service station, if located on a lot having an area not less than one (1) acre, and not including truck or trailer storage or mechanical servicing of trucks or trailers.†

6. Hotel, motel, or motor lodge.†

7. Laboratories, research, experimental or testing.

8. Offices and office buildings.

9. General business offices, including, but not limited to, general administrative offices and/or sales offices with or without interior or show window display of products, related servicing or storage facilities incidental to the office use.

10. Merchandise or storage warehouses, with or without floor area devoted to display, sale, servicing, warehousing and handling of merchandise.

11. Sales, display, storage and servicing of road-building, excavating or other heavy equipment (new or used), subject to the restrictions on storage provided in the special regulations for this district (Section 7.1.8).

12. Motion picture studio.

13. Nursery for growing or propagation of plants, trees, and shrubs.

14. Photographic processing or blueprinting.

15. Printing and publishing.

16. Private clubs or lodges excepting those the chief activity of which is a service customarily carried on as a business.* (See Section 11.12)

17. Restaurants, but not drive-in restaurants.†

18. Gas distribution mains and gas regulator stations.

19. Electric utility distribution lines, meters, service lines, distribution transformers, and related appurtenances and transmission facilities.* (See Section 11.40)

20. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of twenty-five (25) feet from all lot lines, and not exceeding seventy-five (75) feet in height.

21. Underground sewerage lift or pumping stations.

22. Aboveground sewerage lift or pumping stations.

23. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances.

24. Public water towers and aboveground water storage tanks.

25. Water pumping stations.

26. Stormwater pumping stations providing at least two (2) off-street parking spaces.

27. Electric substations.* (See Section 11.40)

28. Telephone exchanges.* (See Section 11.45)

29. Public telephones (booth or otherwise).* (See Section 11.41)

30. Public transit waiting stations.* (See Section 11.31)

31. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

32. Child care facilities.* (See Section 11.15)

33. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations. Standard monopole and cellular/PCS tower installations shall also be permitted if the installation does not abut a residential district.* (See Section 11.55)

34. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)

(Ord. 23,147 § 2 (part), adopted 7/10/08; Ord. 18,384 § 1 (part), adopted 8/21/97)

7.1.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the BIP Business Industrial Park District:

1. Storage of goods used in or produced by permitted commercial and industrial uses or related activities.

2. Gas distribution mains, service piping, service regulators, meters, gas regulator stations and related appurtenances.

3. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances.* (See Section 11.40)

4. Underground cable communication system cables, amplifiers and related facilities but excluding distribution and switching centers or cablecasting studios.

5. Satellite dish antenna.* (See Section 11.35)

7.1.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the BIP Business Industrial Park District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the C-2 General Commercial District.

2. Town houses.

3. Multiple-family dwellings.

4. Trade schools, colleges and universities including usual housing and social facilities when located on a site of at least ten (10) acres and provided that any accessory use which has accompanying hazards, such as fire, explosion, noise, vibration, dust, or emission of smoke, odors, or toxic gases, or other hazards to public health, safety or welfare may be permitted only in accord with the provisions of Section 7.4.4, Hazardous Industrial Uses.

5. Apartment hotels.

6. Homes for the aged, nursing homes, convalescent homes and orphan homes, whether operated by public or private agencies.

7. Timeshare buildings and transient vacation rentals.

8. One (1) flat, double-faced general advertising sign, illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

9. Destination resort/entertainment centers, when approved through the conditional use process and located within the boundaries of the conditional use or any other use permitted in the underlying zoning district, subject to the following conditions:

   a. There shall be a 300-foot buffer zone around the perimeter of the destination resort/ entertainment center. No construction or activity shall take place in this area unless specifically approved through the conditional use process. Any construction permitted within 300 feet must meet all special requirements of the BIP District.

   b. A Transportation Impact Analysis shall be conducted in accordance with Section 6.12.

   c. An Environmental Impact Analysis shall be conducted in accordance with the requirements of the staff of the City Planning Commission.

   d. All uses to be located in the boundaries of the destination resort/entertainment center, whether permitted by right, an accessory use or a permitted conditional use, shall be indicated in the preliminary plans.

   e. The following uses shall be considered accessory to this main use:

      (1) Amphitheaters.

      (2) Amusement places.

      (3) Amusement rides and devices, including merry-go-rounds, roller coasters, Ferris wheels, rapids rides, log flume rides, swinging rides, toboggans, slides, rebound-tumbling and similar equipment.

      (4) Archery ranges.

      (5) Art galleries, museums.

      (6) Cabarets, cocktail lounges and nightclubs.

      (7) Campgrounds, including trailers and recreational vehicle parks, providing overnight accommodations.

(8) Carnivals, commercial, including pony rides.

(9) Circuses and animal exhibitions, including the use of domestic and wild animals in conjunction therewith.

(10) Dog kennels.

(11) Exhibition grounds.

(12) Family entertainment center.

(13) Fishing and casting ponds.

(14) Games of skill.

(15) General retail sales including sale of alcoholic beverages for consumption on- or off-premises.

(16) Golf courses, including customary clubhouse, appurtenant facilities, driving ranges, and miniature golf courses.

(17) Go-Kart race tracks.

(18) Outdoor festivals and parades.

(19) Parks, athletic facilities, playgrounds and beaches.

(20) Riding and hiking trails.

(21) Swimming pools and water parks.

(22) Automobile, boat, bicycle and motor scooter rentals.

(23) Fire stations.

(24) First-aid stations.

(25) Flea market/swap meet.

(26) Heliports and helistops in connection with hotels.

(27) Hotels, motels and motor lodges.

(28) Keeping of animals or birds used in the operation of the theme park, provided that such animals or birds shall be maintained in physical confinement sufficient to restrain the movement of said animals or birds upon any immovable property not owned or under the lawful possession or control of the person or entity owning or controlling said animals or birds.

(29) Laundries and cleaners, self-service and otherwise.

(30) Living quarters for persons employed and deriving a major portion of their income on the premises if occupied by such persons and their families.

(31) Parking lots and garages.

(32) Radio and television stations and towers, including studios.

(33) Recreation clubs, health clubs, retreats and gymnasiums, private or commercial, including tennis, polo, swimming and other similar activities with outdoor or indoor facilities; such use may include a pro shop, restaurant and bar as appurtenant uses.

(34) Refreshment stands.

(35) Restaurants (standard, cafeteria, fast food and specialty food restaurants) and other eating establishments, including food take-out and alcohol services.

(36) Station, bus and taxi.

(37) Tourist information centers.

(38) Veterinary medicine facilities and animal boarding facilities.

(39) Administrative, processing, maintenance and storage facilities necessary to support the operation of the complex.

(40) Accessory parking.

(41) Sewage treatment plants.

(42) Water reservoirs, dams, treatment plants, gaging stations, pumping stations, tanks, wells and any use normal and appurtenant to the storage and distribution of water.

10. Personal wireless communication facilities consisting of (a) nonstandard monopole installations, (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations, (c) standard monopole and cellular/PCS tower installations if the installation abuts a residential district, and (d) standard monopole or cellular/PCS tower installations if the installation does not abut a residential district, but the

monopole or cellular/PCS tower installation does not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.*(See Section 11.55)

11. Places of worship, including, but not limited to churches, synagogues, temples, and mosques. *(See Article 11, Section 11.60). Requiring a site plan review would help to mitigate the possible negative impacts of places of worship in a BIP Business Industrial Park District on adjacent residential and commercially zoned parcels.

(Ord. 21,208 § 1, adopted 8/15/03; Ord. 18,384 § 1 (part), adopted 8/21/97)

7.1.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated accessory signs are permitted in the BIP Business and Industrial Park District; provided that no signs shall be located within fifty (50) feet of a residential district boundary:

1. A subdivision identification sign limited to forty (40) square feet shall be permitted at each access street.

2. Where an access drive or road to a subdivision has a median strip or island at the entry, the subdivision identification sign may be placed on that median or island with approval of the Department of Streets and the Park and Parkway Commission if on a public right-of-way.

3. Temporary signs announcing the development of a new subdivision shall be permitted at each access for a period not to exceed one (1) year. These signs shall not exceed 300 square feet or thirty (30) feet in height.

4. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.

5. Single-tenant or multitenant buildings — other than multistory office buildings — may have one (1) flat sign per business with a total sign area of not more than ten (10) percent of the wall area on which the business has its main entrance. Each such sign shall be limited, however, in area to not more than 100 square feet.

6. Individual buildings will be permitted one (1) detached building or address identification sign of single-face or double-face design on each street frontage. Such signs may be erected within ten (10) feet of the right-of-way. There shall be no minimum height. The maximum height shall be twenty (20) feet. The sign area shall not exceed 300 square feet on any face and not in excess of an aggregate of 600 square feet.

7. Detached signs for multitenant buildings may list building tenants. The portion of the sign area devoted to such a listing shall be limited to sixty (60) percent of the total permitted sign area, and the tenant listings shall be uniform in size, type and lettering. It is understood, however, that tenant logos are permitted to be depicted on such signs, the size of the logo to be appropriate to the size of the sign lettering.

8. In the event of street frontages exceeding 300 feet, one (1) detached sign will be permitted for each 300 feet of frontage or part thereof. In any case, each street frontage for a particular building will be treated separately. These regulations have reference to buildings and do not have reference to lots.

7.1.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards, maximum height and Floor Area Ratio for nonresidential uses in the BIP Business Industrial Park District are contained in Table 7.A. Residential uses shall comply with the requirements for the RM-2 Residential District contained in Section 4.9.7. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 7.A
Area Regulations for the BIP District

REQUIREMENTS	STANDARDS
Maximum height	60 ft.
Minimum depth of front yard	25 ft.
Minimum depth of rear yard	20 ft.
Minimum depth of side yards	15 ft.
Maximum Floor Area Ratio	2.0

7.1.8. Special Regulations.

The uses authorized in this district shall be subject to the following special requirements:

1. All uses except public and private utilities shall be conducted within a completely enclosed building. Where storage is incidental to the approved occupancy of the building, all products and materials used or stored shall be in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge, not less than seven (7) feet nor more than fourteen (14) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of vehicles used in connection with the permitted trade or business is permitted only within the walled or screened area; but storage of heavy equipment shall not be permitted except as hereinafter provided. Road-building, excavating or other heavy equipment shall not be stored except as a part of the inventory of a sales outlet. Walls or fences shall be of a height not less than the utility facility to be enclosed or a maximum height of ten (10) feet, whichever is less. Those utilities specifically designed to be installed in an open area, such as pad-mounted transformers and switchgear and wood distribution line poles are exempted from this requirement. In the case of destination resort/entertainment centers, all uses which are located 300 feet away from a perimeter property line are exempt from this requirement.

2. Notwithstanding the yard regulations for the district, no part of any building or accessory structure shall be located closer than 150 feet to any residential zoning district boundary except where the said adjacent property is zoned residential and is owned by a governmental agency or body and used for public or semipublic purposes, in which case no part of any building or accessory structure shall be located closer than fifty (50) feet to said residential zoning district boundary; nor shall any part of any building or accessory structure be located closer than fifty (50) feet to a public right-of-way. Within the first thirty (30) feet of this 150-foot space, there shall be a twenty (20) foot planted buffer with two (2) rows of trees on a staggered ten (10) foot grid. Within the first thirty (30) feet of the fifty (50) foot space abutting any Interstate Highway or a major street as designated on the Major Street Plan, or any residentially zoned property as hereinabove permitted, there shall be a twenty (20) foot planted buffer with two (2) rows of trees on a staggered

twenty (20) foot grid. The trees shall be such that, within three (3) years of planting, tree height shall be not less than twenty (20) feet and foliage body diameter not less than ten (10) feet.

3. Loading operations shall be screened and conducted in such a way that in the process of loading or unloading, no vehicle will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation.

4. No parking, loading or storage of materials or products shall be permitted in the required front yard. Not less than sixty-five (65) percent of this required front yard shall be landscaped with trees, grass, and shrubs, or other ornamental plantings and maintained in a neat and attractive condition.

5. All exterior building walls, exclusive of trim, whether principal or accessory buildings, shall be of masonry construction. In the case of destination resort/entertainment centers, all uses which are located 300 feet away from a perimeter property line are exempt from this requirement.

6. All employee and customer parking lots shall be enclosed by a masonry fence or screening wall or berm not less than four (4) feet in height or shall have interior as well as peripheral landscaping of not less than ten (10) percent of the total parking area.

7. Subdivisions located in such district shall be exempted from the requirements of underground electric distribution systems provided that such subdivisions will be serviced by overhead utility systems mounted on improved appearance poles without crossarms or extensions, that services to buildings and structures from such distribution systems shall be located underground and that overhead distribution systems shall be located along the rear property lines except where abutting a residential district. Utility easements shall be included in calculating compliance with yard requirements.

8. Any such district must contain a minimum of twenty (20) acres.

9. In the establishment of a BIP District, as provided in Section 16.2 of this Ordinance, the City Council, in order to protect adjoining residentially zoned property, may require the imposition, by the owner, of deed restrictions enforceable by the City of New Orleans governing the permitted uses and/or development of those areas of such district situated within 300 feet of an adjoining residential district. Not later than thirty (30) days following date of approval by the City Council, a certified copy of the ordinance approving the district, an authentic or private act of the owner imposing the required deed restrictions, and a copy of the plan showing location of the district shall be filed and recorded in the Conveyance Office of Orleans Parish or said approval shall be deemed null.

10. Whenever the owner of property situated within a BIP District shall impose private deed restrictions thereon related to the public health and welfare, the City of New Orleans may, but shall not be required to, enforce such restrictions as a party in interest.

11. The maintenance of the landscaping required in this district shall be subject to inspection and enforcement by the appropriate agency of the City of New Orleans.

12. Any variation or waiver of height, area and bulk regulations, building materials, signs and landscaping as set forth herein shall be reviewed and approved by the City Council prior to construction. The City Planning Commission, within thirty (30) days from receipt of a request for variance or waiver, shall forward its recommendation to the City Council for decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver requested.

Section 7.2. SI Special Industrial District.

7.2.1. Purpose of the District.

The purpose of this district is to provide sufficient space in appropriate locations for certain types of business and manufacturing relatively free from offense, in modern landscaped buildings, to make available more attractive locations for these businesses and industries, and to provide opportunities for employment closer to places of residence with corresponding reduction of travel time from home to work. Certain commercial uses are permitted, primarily for service to employees in the district. Typical development in the district would be that which is commonly known as an "industrial park." Accessory signs of limited area and application are permitted.

7.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

7.2.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the SI Special Industrial District subject to the performance standards of Section 7.5:

1. Generally, those light manufacturing uses similar to those listed below which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, lint, odor, heat or glare, than that which is generally associated with light industries of the types specifically permitted below:

    a. Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games, and electrical or electronic apparatus.

    b. Manufacture or assembly of boats of less than three (3) tons, ornamental wrought iron products, electrical appliances, and sheet metal products.

    c. Beverage blending or bottling, bakery products, candy manufacture, dairy products, and ice cream, but not fruit and vegetable processing and canning, packing and processing of fish, meat, and poultry products, distilling of beverages or slaughtering of poultry or animals.

    d. Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics, printing, and finishing of textiles and fibers into fabric goods.

    e. Manufacture of furniture, boxes, cabinets, baskets, and other wood products of similar nature.

    f. Compounding of cosmetics, toiletries, drugs, and pharmaceutical products.

2. Auditorium or lecture hall and recreation facilities primarily for employees in the district.

3. Banks, drive-in or otherwise.

4. Dwelling for resident watchmen and caretakers employed on the premises.

5. Gasoline service station located in a district of twenty (20) acres or more, and located on a site with no more than one (1) acre of land area, and not including truck or trailer storage or mechanical servicing.

6. Hotel, motel, or motor lodge, if located in a district of twenty (20) acres or more.

7. Laboratories, research, experimental or testing.

8. Offices and office buildings.

9. Motion picture studio.

10. Nursery for growing or propagation of plants, trees, and shrubs.

11. Photographic processing or blueprinting.

12. Printing and publishing.

13. Private club.

14. Restaurants, but not drive-in restaurants.

15. Wholesale merchandise or storage warehouses, with floor area devoted to warehousing and handling of merchandise limited to 50,000 square feet.

16. Gas distribution mains and gas regulator stations.

17. Electric utility distribution lines, meters, service lines, distribution transformers, and related appurtenances and transmission facilities.* (See Section 11.40)

18. Telephone and communications lines and related facilities.

19. Cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

20. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of fifty (50) feet from all lot lines.

21. Underground sewerage lift or pumping stations.

22. Aboveground sewerage lift or pumping stations.

23. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.

24. Public water towers and aboveground water storage tanks.

25. Water pumping stations.

26. Stormwater pumping stations providing at least two (2) off-street parking spaces.

27. Electric substation.* (See Section 11.40)

28. Telephone exchanges.* (See Section 11.45)

29. Public telephones (booth or otherwise).* (See Section 11.41)

30. Public transit waiting stations.* (See Section 11.31)

31. Child care facilities.* (See Section 11.15)

32. Automobile body shops, provided that no vehicles or parts are stored in a manner that they are visible from any public right-of-way or abutting property.

33. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations. Standard monopole and cellular/PCS tower installations shall also be permitted if the installation does not abut a residential district.* (See Section 11.55)

34. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)

(Ord. 23,147 § 2 (part), adopted 7/10/08; Ord. 18,384 § 1 (part), adopted 8/21/97)

7.2.4. Accessory Uses.

The following uses of land are authorized as accessory uses in the SI Special Industrial District:

1. Storage of goods used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.

2. Gas distribution mains, service piping, service regulators, meters, gas regulator stations and related appurtenances.

3. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances.* (See Section 11.40)

4. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of fifty (50) feet from all lot lines.

5. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area or required side or rear yard of a lot.

6. Telephone and communication lines and related facilities.

7. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cablecasting studios.

7.2.5. Conditional Uses.

The following uses are authorized as conditional uses within the SI Special Industrial District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the C-2 General Commercial District.

2. A detached single-family dwelling; provided that such new dwelling must provide a minimum front yard of twenty (20) feet, a side yard on each side of at least ten (10) feet and a rear yard of at least fifteen (15) feet, and provided further that such structures may not exceed thirty-five (35) feet in height.

3. Two-family dwellings.

4. Town houses.

5. Multiple-family dwellings.

6. Rooming, boarding, and lodging houses.* (See Section 11.34)

7. Fraternities, sororities, private clubs, and lodges.* (See Sections 11.12 and 11.18)

8. Colleges and universities.* (See Section 11.36)

9. Convents and monasteries.

10. Apartment hotels.

11. Homes for the aged, nursing homes, convalescent homes and orphan homes.

12. Timeshare buildings and transient vacation rentals.

13. Guest houses.* (See Sections 11.50 and 15.2.11)

14. Personal wireless communication facilities consisting of (a) nonstandard monopole installations, (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such

installations as permitted uses under Section 11.55 of these regulations, (c) standard monopole and cellular/PCS tower installations if the installation abuts a residential district, and (d) standard monopole or cellular/PCS tower installations if the installation does not abut a residential district, but the monopole or cellular/PCS tower installation does not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 17,254 § 6, adopted 11/2/95)

7.2.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated accessory signs are permitted in the SI Special Industrial District:

1. Flat signs limited in area to 100 square feet each, one (1) for each street frontage or one (1) for each industrial building of more than 20,000 square feet of floor area on the premises, whichever is the greater.

2. Detached signs, stationary or rotating, limited in area to 100 square feet each and limited in height to thirty (30) feet, one (1) for each street frontage.

3. Directional signs of any type, limited in area to ten (10) square feet each in such number and in such locations as required for proper management of the premises. Such signs shall not be included in any computation of sign area.

4. Roof signs, limited to one sign for each 200 feet of street frontage, with a maximum of one (1) sign per building, and limited in area to 100 square feet.

7.2.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards, and maximum height and Floor Area Ratio for nonresidential uses in the SI Special Industrial District are contained in Table 7.B. Residential uses shall comply with the requirements for the RM-2 Residential District contained in Section 4.9.7. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 7.B
Area Regulations for the SI Special Industrial District

REQUIREMENTS	STANDARDS
Maximum height	40 ft.
Minimum depth of front yard	20 ft.
Minimum depth of rear yard	35 ft.
Minimum depth of interior side yard	15 ft.
Minimum depth of exterior side yard	none
Maximum Floor Area Ratio	1.5

7.2.8. Special Regulations.

The uses authorized in this district shall be subject to the following special requirements:

1. All uses except horticultural nurseries and electric and gas facilities shall be conducted within a completely enclosed building. Where storage is incidental to the approved occupancy of the building, all products and materials used or stored shall be in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted only within the walled or

screened area but not including storage of heavy equipment, such as road-building or excavating equipment used in the business permitted on the premises.

2. Notwithstanding the yard regulations for the district, no part of any building, accessory structure, or sign shall be located closer than 100 feet to any residential district boundary.

3. Loading operations shall be conducted at the side or rear of buildings. Service drives or other areas shall be provided for off-street loading, and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation.

4. No parking or storage of materials or products shall be permitted in the required front yard.

5. The front yard shall be landscaped with trees, grass, shrubs, or pedestrian walks and maintained in a neat and attractive condition.

6. All fencing shall have a uniform and durable character and shall be properly maintained.

7. Any such district must contain a minimum of two (2) acres or one City square, whichever is the lesser.

8. Site Plan Review. Prior to the issuance of any permit within the SI Special Industrial District, a site plan shall be submitted to the City Planning Commission staff for approval in accordance with Section 16.7. Said plan shall include site plan, building elevations, landscape plan, signage diagrams and any information deemed necessary by the City Planning Commission staff.

Section 7.3. LI Light Industrial District.

7.3.1. Purpose of the District.

The purpose of this district is to provide for a wide variety of light manufacturing, fabricating, processing, wholesale distributing and warehousing uses appropriately located near or adjacent to major thoroughfares or railroads for access. Commercial uses and open storage of materials are permitted; new residential development is excluded except for certain specified uses deemed appropriate adjunct to industrial operations. All permitted uses, accessory uses and conditional uses authorized are subject to the performance standards of Section 7.5.

7.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

7.3.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LI Light Industrial District: (A) General light industry, warehousing, and storage uses including certain open or enclosed storage of products, materials and vehicles; and (B) Those uses and other similar uses contained in the list below including wholesale establishments, service industries, and light industries that manufacture, process, store, and distribute material refined elsewhere, as well as the manufacturing, compounding, processing, packaging or treatment, unless otherwise stipulated, of the products or similar products contained in the list below:

1. Dwelling for resident watchmen and caretakers employed on the premises.

2. Farm dwellings and accessory farm buildings located on a farm of ten (10) acres or more.

3. Any business, commercial or office uses permitted in any business or commercial district, except child care centers, hospitals and related accessory uses.

4. Agriculture or farm implements.

5. Animal pound.

6. Animal, poultry, and bird raising, commercial.

7. Automobile truck trailer, motorcycle and bicycle, repair and assembly.

8. Bakery products, wholesale (manufacturing permitted).

9. Basket and hamper (wood, reed, rattan, etc.).

10. Bedding (mattresses, pillow and quilt).

11. Beverage, blending, bottling (all types), but not distilling.

12. Boat sales, service, and rentals.

13. Box and crate.

14. Building materials (cement, lime in bags or containers, sand, gravel, shell, lumber, and the like), storage and sales.

15. Bus garage and repair shop.

16. Candy, wholesale (manufacturing permitted).

17. Carbon paper and inked ribbons manufacture.

18. Carpet, rug, and mat, including cleaning.

19. Cigar and cigarette manufacture.

20. Cleaning and dyeing of garments, hats, and rugs.

21. Coal and coke storage and sales.

22. Condensed and evaporated milk, processing and canning.

23. Contractor's shop and storage yard.

24. Creamery and bottling operations.

25. Dairy products.

26. Exposition building and center.

27. Exterminating establishment.

28. Fireplace logs.

29. Fish, shrimp, oysters, and other seafood, processing, packing or storing, except fish curing or smoking.

30. Fruit and vegetable processing (including canning, preserving, drying and freezing).

31. Fur finishing.

32. Grain blending and packaging, but not milling.

33. Greenhouses, commercial, wholesale, or retail.

34. Heating, ventilating, cooking and refrigeration supplies and appliances.

35. Heliport or helistop.* (See Section 11.1)

36. Hosiery mill.

37. Ice cream, wholesale (manufacturing permitted).

38. Ice manufacture, including dry ice.

39. Industrial vocational training school, including internal combustion engines.

40. Ink manufacturing (mixing only).

41. Insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only).

42. Iron (ornamental) fabrication.

43. Kennels, boarding or otherwise.

44. Knitting, weaving, printing, finishing of textiles, and fibers into fabric goods.

45. Laboratories, research or experimental, but not combustion engines.

46. Laundries, linen service.

47. Leather goods manufacture, but not including tanning operations.

48. Livery stables and riding academies.

49. Macaroni and noodle manufacture.

50. Malt products manufacture (except breweries).

51. Market, wholesale.

52. Meat products, packing, and processing (no slaughtering).

53. Milk distributing stations, including bottling.

54. Monument processing and shaping, including sales.

55. Motion picture studio.

56. Oleomargarine (compounding and packing only).

57. Open storage of products manufactured on the premises.

58. Open storage of building materials, cement or lime in bags or containers, sand, gravel, shell, lumber, structural or reinforcing steel, and the like, storage and sales, but not steel fabrication or junk storage.

59. Perfumes and perfumed soap (compounding only).

60. Pharmaceutical products, drugs.

61. Plating, electrolytic process.

62. Printing, publishing and engraving.

63. Produce and storage warehouse.

64. Radiator repair, cleaning and flushing.

65. Radio or television broadcasting station, studios, and office.

66. Railroad passenger and freight station.

67. Research centers.

68. Sheet metal products.

69. Shipping container (corrugated board, fiber or wire bound).

70. Sign fabrication and painting shop.

71. Silverware and plated wire.

72. Theaters, including open-air drive-in theaters.

73. Tire retreading, recapping and vulcanizing shop.

74. Transportation terminals, rail, bus, or water, excluding truck terminals and truck stops.

75. Truck repair.

76. Warehouses.

77. Welding or soldering shops.

78. Wholesale houses and distributors.

79. Trailer parks.* (See Section 11.39)

80. Gas distribution facilities and gas service centers.

81. Electric utility generating, transmission and distribution facilities and electric service centers.

82. Telephone and communications lines and related facilities.

83. Transit service centers.

84. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of fifty (50) feet from all lot lines.

85. Underground sanitary sewerage lift or pumping station.

86. Aboveground sewerage lift or pumping stations.

87. Water distributions systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.

88. Public water towers and aboveground water storage tanks.

89. Water pumping stations.

90. Stormwater pumping stations.

91. Electric substations.* (See Section 11.40)

92. Telephone exchanges.* (See Section 11.45)

93. Public transit waiting stations.* (See Section 11.31)

94. Public and commercial incinerators.

95. Electric transmission facilities.* (See Section 11.40)

96. Cable communication system cables, amplifiers, and related facilities.

97. Flea market.* (See Section 11.17)

98. Planning and millwork, where the manufacturing area:
    a. Does not exceed 10,000 square feet;
    b. Occurs within an enclosed structure (ventilated);
    c. Hours of operation are limited to 8:00 a.m. to 6:00 p.m. and not on Sunday, if located closer than 300 feet from a residential district; and
    d. Meets all city codes (e.g., noise ordinance), as well as the submittal of satisfactory evidence from all applicable State and Federal agencies.
99. Furniture (wood, reed, rattan, etc.) where the manufacturing area:
    a. Does not exceed 10,000 square feet;
    b. Occurs within an enclosed structure (ventilated);
    c. Hours of operation are limited to 8:00 a.m. to 6:00 p.m. and not on Sunday, if located closer than 300 feet from a residential district; and
    d. Meets all city codes (e.g., noise ordinance), as well as the submittal of satisfactory evidence from all applicable State and Federal agencies.
100. Local brewery.
101. Brew pub.
102. Colleges and universities.* (See Section 11.36)
103. Class I and II truck terminals (freight transfer facilities and truck storage yards) over 300 feet from a residential zoning district.* (See Sections 7.6, 11.54 and 15.2.12)
104. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations. Standard monopole and cellular/PCS tower installations shall also be permitted if the installation does not abut a residential district.* (See Section 11.55)
105. Adult cabarets.
106. Labor pool job placement services.
107. Check cashing establishment.
108. Guidance service.
109. Retail uses greater than 25,000 square feet in floor area.* (See Article 7, Section 7.3.9 and Article 11, Section 11.61)
110. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)
111. Micro-Distillery.

(Ord. 23,147 § 1 (part), adopted 7/10/08; Ord. 20,716 § 1 (part), adopted 5/16/02; Ord. 20,687 § 1 (part), adopted 5/02/02; Ord. 19,731 § 2, adopted 7/6/00; Ord. 19,613 § 1 (part), adopted 4/06/00; Ord. 18,562 § 5, adopted 12/18/97; Ord. 18,834 § 1 (part), adopted 8/21/97; Ord. 18,362 § 3, adopted 8/12/97; Ord. 18,140 § 1, adopted 3/6/97)
(Ord. No. 024643, § 3, adopted 10/20/11)

7.3.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the LI Light Industrial District:

1. Storage of goods used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.
2. Gas distribution mains, service piping, service regulators, meters, gas regulator stations and related appurtenances.
3. Electric utility lines, transformers, and related appurtenances.
4. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of fifty (50) feet from all lot lines.
5. Small telephone repeater structures when located in a public right-of-way utility easement or buildable area or required side or rear yard.
6. Telephone and communication lines and related facilities.
7. Cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.
8. Satellite dish antenna.
9. Incinerators, nonindustrial (Type II-A).* (See Section 11.24)

7.3.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the LI Light Industrial District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the SI Special Industrial District.
2. Auto dismantling, storage, and/or used parts sales, subject to the following conditions:
   a. The site shall be completely enclosed with a ten (10) foot high opaque fence.
   b. Landscaping requirements shall be as follows:
      (1) The required thirty (30) foot setback shall be preserved as permeable landscaped areas, allowing only for curb cuts or driveways.
      (2) A large evergreen continuous hedge to a minimum height of five (5) feet shall be planted along the front property line.
      (3) Medium to large trees in accordance with LA Cooperative Extension tree rating system shall be planted every twenty-five (25) feet along the front right-of-way and any interior lot lines adjacent to residential property.
   c. The hours of operation shall be 8:00 a.m. to 8:00 p.m., six (6) days a week (not including Sunday).
   d. No automobile bodies shall be compacted or reduced on the site.
   e. The decibel level of the operation shall not exceed that which is permitted under the Noise Ordinance, which is part of the City Code, Ordinance No. 828 M.C.S., as amended.
   f. Any other applicable conditions which may be necessary to protect the public welfare.
   g. Where said uses abut residential uses or residential districts, more stringent regulations may be required.
3. Scrap metal collection and transfer centers.
4. Child care facilities.* (See Section 11.15)
5. Tire collection, reduction and transfer facility.* (See Section 11.49)
6. Flea market which cannot meet the special standards in Section 11.17.
7. Composting facilities, separation/recovery facilities, construction/demolition debris landfills, and sanitary landfills.* (See Section 11.24)

8. Brewery.
9. Guest houses.* (See Sections 11.50 and 15.2.11)
10. Green markets.* (See Section 11.52)
11. Radioactive uses provided that such uses are not located within 500 feet of any residential district.
12. Truck stops.* (See Sections 7.6, 11.54 and 15.2.12)
13. Class I and II truck terminals (freight transfer facilities and truck storage yards) when located 300 feet or less from a residential zoning district.* (See Sections 7.6, 11.54 and 15.2.12)
14. Live entertainment uses located within 300 feet of a residential district that do not meet all of the following criteria:
    a. All off-street parking shall be provided on the site of the proposed use;
    b. The use shall be 10,000 square feet or less in size;
    c. No variances shall be granted by the Board of Zoning Adjustments relative to these requirements; and
    d. To assist in minimizing adverse impacts caused by sound, the use shall provide an entrance foyer for ticket sales between two (2) sets of entrance doors. Sound insulation shall be provided as necessary and the stage and sound equipment located in order to minimize the effects of noise. The use shall comply with Ordinance No. 18,399 M.C.S., the noise ordinance of the City Code.
15. Batching Plant (Asphalt, Cement or Concrete) *(See Section 11.5)

(Ord. 18,639 § 1, adopted 3/5/98; Ord. 18,362 § 4, adopted 8/12/97; Ord. 18,361 § 1, adopted 8/12/97; Ord. 18,177 § 4, adopted 4/3/97; Ord. 17,254 § 7, adopted 11/2/95; Ord. 17,253 § 2, adopted 11/2/95)
(Ord. No. 25724, § 1, adopted 3/13/14)

7.3.6. Permitted Signs

Subject to the general sign regulations of Article 12, the following illuminated and nonilluminated, flashing or nonflashing signs are permitted in the LI Light Industrial District:

1. Any accessory sign permitted in the CBD-2 Central Business District.
2. General advertising signs, flat or detached, limited in area to six (6) square feet per lineal foot of street frontage, with total sign area for any one (1) sign limited to 1,200 square feet and limited in height to seventy-five (75) feet above grade.
3. Total aggregate sign area for all accessory signs at any height shall be limited to 600 square feet for each fifty (50) feet of street frontage.
4. Historic signs, subject to the following criteria: Only signs nominated or designated as local historic landmarks shall be considered historic. Such historic signs shall be allowed to remain and to be replaced, repaired, restored and structurally altered, subject to approval by the Historic District Landmarks Commission. Such historic signs also shall be exempt from the provisions of this Ordinance governing location, placement, design, illumination, area and size as long as they are maintained in a functioning condition as historically intended to the greatest degree possible as determined by the Historic District Landmarks Commission.

In determining whether a sign is historic, the Historic District Landmarks Commission shall consider whether it has merit and is worthy of preservation as a result of its age, particular location, unique design, construction technique or association with a historic figure, notable craftsman or company in addition to whether it has been nominated as a national landmark and any other criteria that the Historic District Landmarks Commission deems appropriate.
(Ord. 23,717, adopted 9/17/09)

7.3.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards, and maximum height and Floor Area Ratio for nonresidential uses in the LI Light Industrial District are contained in Table 7.C. Residential uses shall comply with the requirements for the RM-2 Residential District contained in Section 4.9.7. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 7.C Area Regulations for the LI Light Industrial District

Requirements	**Standards**
Maximum height	75 ft.[1]
Minimum depth of front yard	none
Minimum yard on a side street	none
Minimum interior side yard	none
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	1.00

Table 7.C Notes:

[1] The height of a building or structure which adjoins or abuts on a residential district shall not exceed fifty (50) feet unless set back one (1) foot from all required yard lines for each foot of additional height above fifty (50) feet.

7.3.8. Special Regulations for Existing Buildings/Uses.

An existing residential use in a LI Light Industrial District which has lost legal nonconforming status may be reestablished, structurally altered, and additions to existing structures may be permitted in accordance with the LI Light Industrial District regulations for residential uses, provided that no additional dwelling units shall be permitted other than those which had existed prior to the loss of legal nonconforming status.

In the LI Light Industrial District, additions and structural alterations to existing residential uses shall be permitted in accordance with LI Light Industrial District regulations for residential uses provided that no additional residential units may be created through such structural alterations or additions.

Section 7.4. HI Heavy Industrial District.

7.4.1. Purpose of the District.

The purpose of this district is to provide for industrial operations of all types except that certain potentially hazardous industries are permitted only after public hearing and review to assure protection of the public interest and surrounding property and persons. New residential development is excluded except for certain specified uses deemed appropriate adjuncts to industrial operations.

7.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

7.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the HI Heavy Industrial District subject to the performance standards in Section 7.5: (A) General industry, warehousing and storage uses including certain open or enclosed storage of products, materials and vehicles; and (B) Those uses and similar other uses contained in the list below including wholesale establishments, service industries and industries that manufacture, process, store, and distribute material refined elsewhere, as well as the manufacturing, compounding, processing, packaging or treatment, unless otherwise stipulated, of the products or similar products contained in the list below:

1. Any use authorized in the LI District except residential uses, truck terminals, or truck stops.
2. Aircraft and aircraft parts.
3. Aluminum extrusion, rolling, fabrication and forming.
4. Animal import-export quarantine station.
5. Blacksmith shops, including gas and steam fitting shops.
6. Boat manufacture and repair.
7. Bolts, nuts, screws, washers, and rivets.
8. Button manufacture.
9. Carbon paper and inked ribbons manufacture.
10. Chewing gum.
11. Chocolate, cocoa, and cocoa products.
12. Coffee, tea, and spices.
13. Container (metal).
14. Cooperage works (except cooperage stock mill).
15. Cosmetics and toiletries.
16. Creamery and dairy operations.
17. Foundry products manufacture (electrical only).
18. Furniture (wood, reed, rattan, etc.).
19. Gelatin products.
20. Glucose and dextrin.
21. Hat bodies of fur and wool felt (including men's hats).
22. Laboratories, research, experimental, including combustion engine testing.
23. Machinery manufacture; machine shops.
24. Nails, brads, tacks, spikes, and staples.
25. Needles and pins.
26. Pencils.

27. Planing and millwork.
28. Plumbing supplies.
29. Pulp goods, pressed or molded (including papier mache products).
30. Poultry packing and slaughtering (wholesale).
31. Rubber and synthetic treated fabrics (excluding all rubber and synthetic processing).
32. Safes and vaults.
33. Soap, washing or cleaning, powder or soda (compounding only).
34. Stove and range.
35. Tool, dye, gauge and machine shops.
36. Tools and hardware products.
37. Trailers, carriage and wagon.
38. Veneer.
39. Vitreous enameled products.
40. Wood products.
41. Yarn, threads and cordage.
42. Flea market.* (See Section 11.17)
43. Class I and II truck facilities (truck terminals and truck storage yards) over 300 feet from a residential zoning district.* (See Sections 7.6, 11.54 and 15.2.12)
44. Labor pool job placement services.
45. Retail uses greater than 25,000 square feet in floor area.* (See Article 7, Section 7.4.9 and Article 11, Section 11.61)
46. Micro-Distillery.
47. Batching Plant (Asphalt, Cement or Concrete) located a distance of 600 feet or greater from a residential zoning district *(See Section 11.5)

(Ord. 19,731 § 3, adopted 7/6/00; Ord. 19,613 § 1 (part), adopted 4/6/00; Ord. 18,362 § 5, adopted 8/12/97) (Ord. No. 024643, § 3, adopted 10/20/11; Ord. No. 25724, § 1, adopted 3/13/14)

7.4.4. (Repealed by Ord. 18,198 § 1, adopted 4/17/97)

7.4.5. Accessory Uses.

Any accessory use authorized in the LI Light Industrial District is authorized as an accessory use in the HI Heavy Industrial District.

7.4.6. Conditional Uses.

The following uses of land are authorized as conditional uses within the HI Heavy Industrial District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the C-2 General Commercial District, except green markets.
2. World's fairs, world expositions.* (See Section 11.47)
3. Child care facilities.* (See Section 11.15)
4. Tire collection, reduction and transfer facility.* (See Section 11.49)
5. Flea markets which cannot meet the special standards in Section 11.17.
6. Composting facilities, separation/recovery facilities, construction/demolition debris landfills and sanitary landfills.* (See Section 11.24)
7. Radiopharmacy, provided that such pharmacy shall not be located within one-half (½) mile of any residential district.

8. Radioactive uses provided that such uses are not located within 500 feet of any residential district.
9. Acetylene, generation and storage.
10. Acids and derivatives.
11. Alcohol, industrial.
12. Aluminum, powder and paint manufacture.
13. Ammonia.
14. Aniline dyes.
15. Asphalt or asphalt products.
16. Atomic reactor.
17. Auto dismantling, storage, and/or used parts sales.* (See Section 11.53)
18. Blast furnace, cupolas.
19. Bleaching products.
20. Blooming mill.
21. Boiler manufacture (other than welded).
22. Brick, firebrick refractories and clay products (coal fired).
23. Carbide.
24. Casein.
25. Caustic soda.
26. Cellulose and cellulose storage.
27. Cement lime, gypsum, or plaster of paris.
28. Charcoal and pulverizing.
29. Charcoal, lampblack, or fuel briquettes.
30. Chlorine.
31. Cider and vinegar.
32. Cleaning and polishing preparations, dressings and blackings.
33. Coke oven products (including fuel gas) and coke oven products storage.
34. Cotton ginning.
35. Cotton wadding and linter.
36. Cottonseed oil, refining.
37. Creosote.
38. Distillation, manufacture, or refining of coal, tar, asphalt, wood and bones.
39. Distillery (alcoholic), breweries and alcoholic spirits (nonindustrial).
40. Dyestuff.
41. Excelsior.
42. Explosives, including ammunition and fireworks, and explosive storage.
43. Fat rendering.
44. Film, photographic.
45. Fertilizer, organic or nonorganic.
46. Fish curing or smoking.
47. Fish oils and meal.
48. Flour, feed, and grain milling.
49. Forge plant, pneumatic drop and forge hammering.
50. Foundries.
51. Glue, gelatin (animal), or glue and size (vegetable).

52. Graphite or graphic products.
53. Hair, felt, or feathers, washing, curing, and dyeing.
54. Hair, hides and raw fur, curing, tanning, dressing, dyeing, and storage.
55. Hydrogen and oxygen.
56. Insecticides, fungicides, disinfectants, or related industrial or household chemical compounds.
57. Junkyards, open or enclosed storage of junk.* (Section 11.53)
58. Jute, hemp and sisal products.
59. Lampblack, carbon black, and boneblack.
60. Lead oxide.
61. Leather tanning and curing.
62. Linoleum and other hard-surface floor coverings (except wood).
63. Linoleum or oil cloth.
64. Match manufacture.
65. Meat or fish products, including slaughtering of meat or preparation of fish for packing.
66. Metal and metal ores, reduction, refining, smelting and alloying.
67. Minerals and earths: quarrying, extracting, grinding, crushing, and processing.
68. Molasses.
69. Nitrate (manufactured and natural) of an explosive nature and storage.
70. Nitrating of cotton or other material.
71. Nylon.
72. Oil or gas wells.
73. Oilcloth, oil treated products and artificial leather.
74. Ore dumps and elevators.
75. Petroleum, gasoline and lubricating oil, refining and wholesale storage.
76. Pickles, vegetable relish and sauces.
77. Plastic material and synthetic resins.
78. Potash.
79. Pyroxylin.
80. Radioactive waste handling.
81. Rayon.
82. Rayon yarns.
83. Rendering and storage of dead animals, offal garbage, and waste products.
84. Rubber (natural or synthetic, including tires, tubes, or similar products) gutta-percha, chicle, and balata processing.
85. Sauerkraut.
86. Scrap metal collection and transfer.* (See Section 11.53)
87. Shell grinding.
88. Shoddy.
89. Slaughtering of animals.
90. Soaps or detergents including fat rendering.
91. Solvent extraction.
92. Starch manufacture.
93. Steel work and rolling mills (ferrous).
94. Stockyard.

95. Storage battery (wet cell).
96. Sugar refining.
97. Testing of jet engines or rockets.
98. Textile bleaching.
99. Turpentine and resin.
100. Wool pulling or scouring.
101. Wood preserving treatment by creosote.
102. Wood pulp or fiber; reduction or processing including paper mill operation.
103. Yeast.
104. Any manufacturing, industrial, or storage use not in conflict with any ordinance of the City of New Orleans regulating nuisances and not similar to the HI Heavy Industrial District permitted uses in Section 7.4.3 and not specifically listed as a permitted conditional use.
105. Auto crushing.* (See Section 11.53)
106. Truck stops.* (See Sections 7.6, 11.54 and 15.2.12)
107. Class I and II truck terminals (freight transfer facilities and truck storage yards) when located 300 feet or less from a residential zoning district.* (See Sections 7.6, 11.54 and 15.2.12)
108. Personal wireless communication facilities consisting of (a) nonstandard monopole installations, (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations, (c) standard monopole and cellular/PCS tower installations if the installation abuts a residential district, and (d) standard monopole or cellular/PCS tower installations if the installation does not abut a residential district, but the monopole or cellular/PCS tower installation does not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)
109. Live entertainment uses located within 300 feet of a residential district that do not meet all of the following criteria:
    a. All off-street parking shall be provided on the site of the proposed use;
    b. The use shall be 10,000 square feet or less in size;
    c. No variances shall be granted by the Board of Zoning Adjustments relative to these requirements; and
    d. To assist in minimizing adverse impacts caused by sound, the use shall provide an entrance foyer for ticket sales between two (2) sets of entrance doors. Sound insulation shall be provided as necessary and the stage and sound equipment located in order to minimize the effects of noise. The use shall comply with Ordinance No. 18,399 M.C.S., the noise ordinance of the City Code.
110. Batching Plant (Asphalt, Cement or Concrete) located within 600 feet of a residential zoning district *(See Section 11.5)

(Ord. 18,639 § 2, adopted 3/5/98; Ord. 18,384 § 1 (part), adopted 8/21/97; Ord. 18,362 § 6, adopted 8/12/97; Ord. 18,361 § 2, adopted 8/12/97; Ord. 18,198 § 2, adopted 4/17/97; Ord. 18,177 § 8, adopted 4/3/97; Ord. 17,253 § 3, adopted 11/2/95)

(Ord. No. 25724, § 1, adopted 3/13/14)

7.4.7. Permitted Signs.

Subject to the general sign relations of Article 12, the following illuminated or nonilluminated, flashing or nonflashing signs are permitted in the HI Heavy Industrial District:

1. Accessory signs without limitation on number, size, area, or height.

2. General advertising sign, flat or detached, limited in area to six (6) square feet per lineal foot of street frontage, with total sign area for any one (1) sign limited to 1,200 square feet and limited in height to seventy-five (75) feet above grade. Total aggregate sign area for all signs at any height shall be limited to 600 square feet for each fifty (50) feet of street frontage.

7.4.8. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards, and maximum height and Floor Area Ratio for the HI Heavy Industrial District are contained in Table 7.D. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 7.D Area Regulations for the HI Heavy Industrial District

Requirements	**Standards**
Maximum height	none[1]
Minimum depth of front yard	none
Minimum yard on a side street	none
Minimum interior side yard	none
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	1.5

Table 7.D Notes:

[1] The height of a building which adjoins a residential district shall not exceed fifty (50) feet unless set back one (1) foot from all required yards for each foot of additional height above fifty (50) feet.

Section 7.4A. MU-A Mixed Use District.

7.4A.1. Purpose of the District.

The purpose of this district is to provide for a wide variety of uses in the older industrial and warehousing areas of the City. The district encourages adaptive reuse of large, older structures for mixed-use development, which could include commercial, office, residential and certain light manufacturing uses. Site design review is required to promote compatibility between existing and new developments, and to enhance the historic character of the area. Accessory signs of limited area and application are permitted. Special regulations apply to MU-A Mixed-Use Districts located on a waterfront.

(Ord. 18,709 § 1 (part), adopted 5/7/98)

7.4A.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Special standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

(Ord. 18,709 § 1 (part), adopted 5/7/98)

7.4A.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the MU-A Mixed-Use District subject to the performance standards of Section 75:

1. Generally, those light manufacturing uses similar to those listed below which do not create any danger to health and safety in surrounding areas and which do not creme any offensive noise, vibration, smoke, dust, lint, odor, heat or glare, other than that which is generally associated with light industries of the types specifically permitted below:
    a. Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games, and electrical or electronic apparatus;
    b. Manufacture, assembly or repair of boats of less than three (3) tons, electrical appliances, sheet metal products, iron fabrication and other similar Port-related service or repair;
    c. Beverage blending or bottling, bakery products, candy manufacture, dairy products, and ice cream, but not fruit and vegetable processing and canning, packing and processing of fish, meat, and poultry products, distilling of beverages or slaughtering of poultry or animals;
    d. Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics, printing, and finishing of textiles and fibers into fabric goods;
    e. Manufacture of furniture, boxes, cabinets, baskets, and other wood products of similar nature;
    f. Compounding of cosmetics, toiletries, drugs, and pharmaceutical products.
2. Auditorium or lecture hall.
3. Banks, drive-in or otherwise.
4. Standard or cafeteria restaurants, but not fast food or drive-in restaurants.
5. General retail, service and repair establishments similar to those enumerated in Section 5.8.3. (C-1A General Commercial District).
6. Dwelling for resident watchmen and caretakers employed on the premises.
7. Town houses.
8. Single-family, two-family, and multiple-family dwellings.
9. Hotel, motel or motor lodge.
10. Research, experimental or testing, laboratories.

11. Offices, general business or professional.
12. Studios and galleries.
13. Motion picture studio.
14. Nursery for growing or propagation of plants, trees and shrubs.
15. Photographic processing or blueprinting.
16. Printing and publishing.
17. Health or athletic clubs, commercial or private but not bath or massage parlors.
18. Public elementary schools, or private elementary schools having essentially the same curriculum as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
19. Public junior or senior high schools, or private junior or senior high schools having essentially the same curriculum as ordinarily given in public junior or senior high schools.* (See Section 11.38)
20. Child care facilities.* (See Section 11.15)
21. Automobile body shops, provided that no vehicles or parts are stored in a manner that they are visible from any public right-of-way or abutting property.
22. Wholesale merchandise or storage warehouses, with floor area devoted to warehousing and handling of merchandise limited to 50,000 square feet.
23. Gas distribution mains and gas regulator stations.
24. Electric utility distribution lines, meters, service lines, distribution transformers, and related appurtenances and transmission facilities.* (See Section 11.40)
25. Telephone and communications lines and related facilities.
26. Cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.
27. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of fifty (50) feet from all lot lines.
28. Underground sewerage lift or pumping stations.
29. Above ground sewerage lift or pumping stations.
30. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.
31. Public water towers and aboveground water storage tanks.
32. Water pumping stations.
33. Stormwater pumping stations providing at least two (2) off-street parking spaces.
34. Electric substation.* (See Section 11.40)
35. Telephone exchanges.* (See Section 11.45)
36. Public telephones (booth or otherwise).* (See Section 11.41)
37. Public transit waiting stations.* (See Section 11.31)
38. Parks, playgrounds and swimming pools.
39. Churches.
40. Medical clinics.
41. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)

(Ord. 23,147 § 1 (part), adopted 7/10/08; Ord. 18,709 § 1 (part), adopted 5/7/98)

7.4A.4. Accessory Uses.

The following uses of land are authorized as accessory uses in the MU-A Mixed-Use District:

1. Storage of goods used in, or produced by, permitted commercial and industrial uses or related activities, subject to applicable district regulations.
2. Gas distribution mains, service piping, service regulators, meters, gas regulator stations and related appurtenances.
3. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances.* (See Section 11.40)
4. Radio, television and microwave relay, transmitting or receiving towers or antennae when set back a minimum of fifty (50) feet from all lot lines.
5. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area or required side or rear yard of a lot.
6. Telephone and communication lines and related facilities.
7. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cablecasting studios.

(Ord. 18,709 § 1 (part), adopted 5/7/98)

7.4A.5. Conditional Uses.

The following uses are authorized as conditional uses within the MU-A Mixed-Use District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the C-1 General Commercial District.
2. Amusement places and theaters.
3. Rooming, boarding and lodging houses.* (See Section 11.34)
4. Fraternities, sororities, private clubs and lodges.* (See Sections 11.12 and 11.18)
5. Colleges and universities.* (See Section 11.36)
6. Convents and monasteries.
7. Apartment hotels.
8. Homes for the aged, nursing homes, convalescent homes and orphan homes.
9. Trade exposition center, provided that all structures comprising such center are set back a minimum of fifty (50) feet from any property line abutting any residential district.
10. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installation and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)
11. Cocktail lounges and bars.
12. Fast food and specialty food restaurants, but with no drive through.
13. Gasoline service stations.

(Ord. 18,709 § 1 (part), adopted 5/7/98)
(Ord. No. 25143, § 1, adopted 1/10/13)

7.4A.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or non-illuminated accessory signs are permitted in the MU-A Mixed-Use District:

1. Flat signs limited in area to 100 square feet each, either one for each street frontage, or one (1) for each industrial building of more than 20,000 square feet of floor area on the premises, whichever is the greater.

2. Detached signs limited in area to 100 square feet each, and limited in height to thirty (30) feet, one (1) for each street frontage.
3. Directional signs of any type, limited in area to ten (10) square feet each, in such number and in such locations as required for proper management of the premises. Such signs shall not be included in any computation of sign area.

(Ord. 18,709 § 1 (part), adopted 5/7/98)

7.4A.7. Height, Area and Bulk Requirements.

Minimum requirements for lot area, yards, and maximum height and Floor Area Ratio for nonresidential uses in the MU-A Mixed-Use District are contained in Table 7.E. Residential uses shall comply with the requirements for the RM-2A Residential District contained in Section 4.10. These standards apply to all permitted uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.8 and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 7. Area Regulations for the MU-A Mixed-Use District

Requirements	Standards
Maximum height	75 ft.[1 2 6]
Minimum depth of front yard	none[3]
Minimum rear yard if provided	3 ft.[4]
Minimum side yard if provided	3 ft.[5]
Minimum depth of exterior side yard	none
Maximum Floor Area Ratio	4.00[6]

Table 7.E Notes:

[1] The maximum height of a structure with over fifty (50) percent of its floor area containing residential use shall be 100 feet. Any building or structure which adjoins, abuts or is across the street from a residential district shall not exceed fifty (50) feet unless set back one (1) foot from all required yard lines for each foot of additional height thereof above fifty (50) feet.

[2] In any MU-A District located in the Lower Garden District and along its waterfront, the following additional height regulations apply:

(a) Between the floodwall and Tchoupitoulas Street, from Felicity Street to the Pontchartrain Expressway, the maximum height is 200 feet with a minimum of thirty percent (30%) open space;

(b) Between Religious and Annunciation Streets, from Orange to St. James Streets, the maximum height is fifty-five (55) feet.

[3] No minimum front yard is required except where a lot abuts a residential district (applies to an interior lot or corner lot) in which instance a front yard shall be provided in accordance with the requirements of the residential district or in conformance with the adjacent residential structure, whichever is lesser.

[4] Any rear yard abutting a residential district must be set back a minimum of twenty (20) feet.

[5] Any interior side yard abutting a residential district must be set back a minimum of five (5) feet.

[6] These maximum height and Floor Area Ratio (FAR) limitations shall not apply if a planned community district regulating the permissible height and FAR on the property has been approved by the City Council in accordance with the Planned Development District procedures set forth in Section 16.5.

(Ord. 22,655 § 1, adopted 6/7/07; Ord. 18,709 § 1 (part), adopted 5/7/98)

7.4A.8. Special Regulations.

The uses authorized in this district shall be subject to the following special requirements:

1. All uses except horticultural nurseries and electric and gas facilities shall be conducted within a completely enclosed building. Where storage is incidental to the approved occupancy of the building, all products and materials used or stored shall be in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted only within the walled or screened area but not including storage of heavy equipment, such as road building or excavating equipment used in the business permitted on the premises.
2. Notwithstanding the yard regulations for the district, no part of any building, accessory structure, or sign shall be located closer than 100 feet to any residential district boundary.
3. Loading operations shall be conducted at the side or rear of buildings. Service drives or other areas shall be provided for off-street loading, and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation.
4. No parking or storage of materials or products shall be permitted in the required front yard.
5. The front yard, if one is provided, shall be landscaped with trees, grass, shrubs, or pedestrian walks and maintained in a neat and attractive condition.
6. All fencing shall have a uniform and durable character and shall be properly maintained.
7. Any such district must contain a minimum of two (2) acres or one City square, whichever is the lesser.
8. Site Plan Review. Prior to the issuance of any permit within the MU-A Mixed-Use District, a site plan shall be submitted to the City Planning Commission staff for approval in accordance with Section 16.7. Said plan shall include a site plan, building elevations, landscape plan, signage diagrams and any information deemed necessary by the City Planning Commission staff.
9. Off-street parking shall be provided in the amount set forth in Section 15.2 for high density districts. Existing structures which are to be retained or developed with no increase in floor area shall not be required to comply with off-street parking requirements to the extent that such compliance would necessitate demolition or partial demolition of other structures.

(Ord. 18,709 § 1 (part), adopted 5/7/98)

Section 7.5. Performance Standards.

All uses subject to this section shall be so operated as to comply with standards of performance or their equivalent which have been or which may be adopted or amended from time to time by the Air Control Commission of the State of Louisiana pursuant to Section 2204 et seq. of Title 40 of the Revised Statutes of Louisiana.

All uses subject to this section shall be so operated as to comply with the performance standards described in this section below, and, in addition to the performance standards hereinafter specified, all uses shall be so constructed, maintained, and operated as not to be injurious to the use and occupation of the adjacent premises by reason of the emission or creation of noise, vibration, radiation, fire, and explosive hazard or glare.

Nothing in this section shall be construed to alter, change, modify or abrogate any authority granted exclusively to any State commission.

7.5.1. Smoke, Dust, Particulate Matter, Toxic or Noxious Airborne Media.

All uses subject to this section shall be so operated as to comply with standards of performance or their equivalent which have been or which may be adopted or amended from time to time by the Louisiana Department of Environmental Quality.

(Ord. No. 25724, § 1, adopted 3/13/14)

7.5.2. Radiation Hazards.

All uses subject to this section shall be so operated as to comply with standards of performance or their equivalent which have been or which may be adopted or amended from time to time by the Division of Radiation Control, Louisiana Board of Nuclear Energy.

7.5.3. Vibrations.

No use subject to this section shall be operated so as to produce ground vibration, noticeable without instruments, at the lot line of the premises on which the use is located.

7.5.4. Electromagnetic Interference.

No use, activity, or process subject to this section shall be conducted which produces electromagnetic interference with normal radio or television reception in any residential or commercial district.

7.5.5. Fire and Explosion Hazards.

Each use subject to this section shall be operated so as to minimize the danger from fire and explosion and to comply with the regulations contained in the Building Code of the City of New Orleans and applicable fire prevention ordinances.

7.5.6. Humidity, Heat, or Glare.

In any commercial or SI Special Industrial District, any activity producing humidity in the form of steam or moist air, or producing heat or glare, shall be carried on in such a manner that steam, humidity, heat, or glare is not perceptible at any lot line.

In other industrial districts, any activity producing humidity in the form of steam or moist air, or producing heat or glare, shall be carried on in such a manner that the steam, humidity, heat, or glare is not perceptible at or beyond the boundary of the district in which the use is located or at or beyond any residential or commercial district boundary.

7.5.7. Stormwater Pollution Prevention.

All uses subject to this section shall be so operated as to comply with stormwater runoff standards of performance or their equivalent which have been or which may be adopted or amended from time to time by the United States Environmental Protection Agency (USEPA) or equivalent regulating authority.

(Ord. No. 25724, § 1, adopted 3/13/14)

Section 7.6. Traffic Impact Analysis Requirements.

7.6.1. Applicability.

All truck stop developments are required to submit a traffic impact analysis, in accordance with this section, that describes the impacts which the project will have on the adjacent streets to the development. Truck terminals, both Class I and II, that are located within 300 feet of a residential district must also submit a traffic impact analysis. Class I and II truck terminals that are located greater than 300 feet from a residential district shall be required to perform a traffic impact analysis if upon visual inspection of vehicular volumes on the roadway and investigation of traffic accident records, the City Planning Commission staff finds that congestion or safety problems would be produced or exacerbated by the truck terminal.

(Ord. 18,362 § 7 (part), adopted 8/12/97)

7.6.2. Procedure.

1. Prior to undertaking a traffic impact analysis, the developer shall meet with the City Planning Commission staff to determine the scope of the traffic impact analysis which shall include but not be limited to the geographic area of the study, all other pertinent issues, and the manner in which those issues shall be evaluated. In the event of a conflict as to the location of the development, the more restrictive of the design transportation impact analysis requirements concerning location shall apply.
2. The traffic impact analysis shall be submitted to the City Planning Commission staff for review and approval by the Commission staff with advice from the Department of Public Works. Approval shall be evidenced by the signature of the Executive Director of the City Planning Commission. Appeal of the Executive Director's decision may be made to the City Council, in accordance with Section 16.2.

(Ord. 18,362 § 7 (part), adopted 8/12/97)

7.6.3. Nature of the Study.

The nature of the traffic impact analysis shall be in accordance with Section 6.12.3 of the Comprehensive Zoning Ordinance.

(Ord. 18,362 § 7 (part), adopted 8/12/97)

7.6.4. Approval Criteria.

The approval criteria for the traffic impact analysis shall be in accordance with Section 6.12.4 of the Comprehensive Zoning Ordinance.

(Ord. 18,362 § 7 (part), adopted 8/12/97)

7.6.5. Mitigation Measures.

Mitigation measures against negative traffic impacts shall be in accordance with Section 6.12.5 of the Comprehensive Zoning Ordinance. All negative traffic impacts shall be mitigated so that the level of service for any portion of the evaluated street network is not worse than level D as described in the Highway Capacity Manual published by the National Transportation Research Board.

(Ord. 18,362 § 7 (part), adopted 8/12/97)

ARTICLE 8

VIEUX CARRÉ HISTORIC DISTRICTS

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ARTICLE 8

VIEUX CARRÉ HISTORIC DISTRICTS

Section 8.1. Procedures in Vieux Carré Historic Districts.

No occupancy permit shall be issued by the Director of Safety and Permits, for any change in the use of any existing building until and unless a special permit shall have been issued by the Vieux Carré Commission, except that where no change of exterior appearance is contemplated such permit by the Vieux Carré Commission shall not be required. Where any change in exterior appearance is contemplated, the Vieux Carré Commission shall hold a hearing, and if it approves such change, it shall issue a special permit to continue the same use, or for any other use not otherwise prohibited in this district, subject to the following conditions and safeguards:

1. The historic character of the Vieux Carré shall not be injuriously affected.

2. Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted.

3. Building designs shall be in harmony with the traditional architectural character of the Vieux Carré.

4. The value of the Vieux Carré as a place of unique interest and character shall not be impaired.

Section 8.2. VCR-1 Vieux Carré Residential District.

8.2.1. Purpose of the District.

The purpose of this district is to protect existing residential development and to maintain a desirable character of such development within the historic Vieux Carré. Incompatible uses should be excluded from this residential district and rehabilitation and good maintenance should be encouraged.

8.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10 of this article. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts. (Ord. 19,151 § 1 (part), adopted 3/31/99)

8.2.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCR-1 Vieux Carré Residential District except that timeshare buildings and transient vacation rentals are prohibited:

1. Single-family dwellings.

2. Two-family dwellings.

3. Multiple-family dwellings.

4. Churches, synagogues and temples.

5. Public elementary, junior high and high schools, and private elementary, junior high and high schools having curriculum essentially the same as that ordinarily given in public elementary, junior high and high schools, and public or private nursery schools or kindergartens.

6. Gas distribution mains and gas regulator stations.

7. Underground electric utility distribution facilities and meters and service lines.

8. Underground telephone and communications lines and related facilities.

9. Underground sewerage lift or pumping stations.* (See Section 11.43)

10. Aboveground sewerage lift or pumping stations.* (See Section 11.42)

11. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.

12. Public telephones (booth or otherwise).* (See Section 11.41)

13. Public transit waiting stations.* (See Section 11.31)

14. Electric utility substation facilities and transmission facilities.* (See Section 11.40)

15. Telephone exchanges.* (See Section 11.45)

16. Museums, public or nonprofit relating to the history and character of the Vieux Carré.

17. Convents and monasteries.

18. For the purpose of Sections 8.2.1, 8.2.3, and 8.2.4, of this article, the word "dwellings" shall mean a building or portion thereof, designed or used exclusively for residential occupancy by the same person or by the same group of persons for at least sixty (60) consecutive days, but not including trailers, hotels, motels, motor lodges, boarding and lodging homes, tourist courts, or tourist homes.

19. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

20. Child care facilities.* (See Section 11.15)

21. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

8.2.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCR-1 Vieux Carré Residential District:

1. Domestic storage including automobiles either in the main building or in any accessory building.

2. A laundry room for the use of occupants of a multiple-family dwelling.

3. Coin-operated vending machines such as candy, tobacco, ice, soft drinks, and sundries inside a building with ten (10) or more dwelling units or guest rooms.

4. Home occupations.

5. Gas distribution mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.

6. Electric utility distribution and service lines, distribution transformers, meters and related appurtenances.

7. Noncommercial radio and television and receiving antennae and noncommercial radio transmitting antennae limited in height above grade to fifty (50) feet.

8. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area of a lot.

9. Underground telephone and communication lines and related appurtenances.

10. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

11. Satellite dish antenna.* (See Section 11.35)

8.2.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCR-1 Vieux Carré Residential District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Homes for the aged and nursing homes.* (See Section 11.23)

2. Small group homes.

8.2.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs are permitted within the VCR-1 Vieux Carré Residential District:

1. A name plate, one (1) square foot in area, to identify the owner or occupant of a dwelling or building.

2. A private directional sign, one (1) square foot in area.

3. A sign limited in area to one (1) square foot, for identification of a permitted home occupation or office use.

4. A customary church bulletin board, limited in area to eight (8) square feet.

5. A sign limited in area to eight (8) square feet, giving the name and/or address or management of a multiple-family dwelling or group of multifamily dwellings. If such sign is placed on a marquee, awning, or canopy, the height of letters shall not exceed one (1) foot.

6. A temporary, nonilluminated sign, not more than two (2) square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed.

7. A temporary sign, not more than eight (8) square feet in area, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in process.

8.2.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the VCR-1 Vieux Carré Residential District are contained in Table 8.A. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.A
Area Regulations for the VCR-1 Vieux Carré Residential District

REQUIREMENTS	STANDARDS
Minimum lot area per dwelling unit	
One-family	1,500 sq. ft.
Two-family	1,200 sq. ft.
Three-or-more-family	900 sq. ft.
Minimum lot width	none
Minimum lot depth	none
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum width of side yard	none
Minimum depth of rear yard	none
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.A Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

Section 8.3. VCR-2 Vieux Carré Residential District.

8.3.1. Purpose of the District.

The purpose of this district is to protect existing residential development and to maintain a desirable character of such development within the historic Vieux Carré on somewhat smaller parcels than are permitted in the VCR-1 Vieux Carré Residential District. Incompatible uses should be excluded from this residential district and rehabilitation and good maintenance should be encouraged.

8.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts. (Ord. 19,151 § 1 (part), adopted 3/31/99)

8.3.3. Permitted Uses.

Any permitted use authorized in the VCR-1 Vieux Carré Residential District is authorized as a permitted use in the VCR-2 Vieux Carré Residential District.

8.3.4. Accessory Uses.

Any accessory use authorized in the VCR-1 Vieux Carré Residential District is authorized as an accessory use in the VCR-2 Vieux Carré Residential District.

8.3.5. Conditional Uses.

Any conditional use authorized in the VCR-1 Vieux Carré Residential District is authorized as a conditional use in the VCR-2 Vieux Carré Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations.

8.3.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs are permitted within the VCR-2 Vieux Carré Residential District:

1. A name plate, one (1) square foot in area, to identify the owner or occupant of a dwelling or building.

2. A private directional sign, one (1) square foot in area.

3. A sign limited in area to one (1) square foot, for identification of a permitted home occupation or office use.

4. A customary church bulletin board, limited in area to eight (8) square feet.

5. A sign limited in area to eight (8) square feet, giving the name and/or address or management of a multiple-family dwelling or group of multifamily dwellings. If such sign is placed on a marquee, awning, or canopy, the height of letters shall not exceed one (1) foot.

6. A temporary, nonilluminated sign, not more than two (2) square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed.

7. A temporary sign, not more than eight (8) square feet in area, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in process.

8.3.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCR-2 Vieux Carré Residential District are contained in Table 8.B. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.B
Area Regulations for the VCR-2 Vieux Carré Residential District

REQUIREMENTS	STANDARDS
Minimum lot area per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum lot width	none
Minimum lot depth	none
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum width of side yard	none
Minimum depth of rear yard	none
Minimum open space ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.B Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

Section 8.4. VCC-1 Vieux Carré Commercial District.

8.4.1. Purpose of the District.

The purpose of this district is to provide for restricted retail stores and service establishments that will attract and service tourists and local residents and not adversely affect the character of nearby residences or detract from the historic character of the Vieux Carré.

8.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts.
(Ord. 19,151 § 1 (part), adopted 3/31/99)

8.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCC-1 Vieux Carré Commercial District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, bed and breakfast facilities, guest houses, package liquor stores, massage parlors, adult establishments as defined in Article 2, tattoo parlors, and T-shirt, novelty, gift and souvenir shops are prohibited:

1. Any permitted use in the VCR-1 District.
2. Antique and art shops.
3. Bakeries but only when all products produced on the premises are sold at retail on the premises and the structure shall not exceed 2,000 square feet of floor area.
4. Barbershops, beauty parlors and similar personal service shops.
5. Catering and delicatessen business.
6. Custom dressmaking, millinery, tailoring or similar trades.
7. Dry cleaning shops but using no cleaning fluids whose base is petroleum or one of its derivatives.
8. Flower shops.
9. Laundromat.
10. Locksmith shops.
11. Museums.
12. Photographers or artist studios.
13. Professional offices including architects, doctors, dentists, engineers and similar professions.
14. Radio and electric repair shops.
15. Standard and cafeteria restaurants but not fast food or drive-in restaurants.
16. Shoe repair shops.
17. Small retail stores and shops, except pawnshops, occupying a floor area of not more than 2,000 square feet and grocery stores occupying a minimum of 5,000 square feet of floor area. For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.
18. Banks, but excluding drive-in banks, with a minimum of 500 square feet of floor area, a maximum of 7,200 square feet of floor area, and with ten (10) linear feet perpendicular to and for each teller window provided for customer space required.

19. Theaters for live plays including musical comedies subject to: (a) approval of the Vieux Carré Commission that said use will not adversely affect the historic character of the Vieux Carré; and (b) the theater shall not occupy in excess of 3,000 square feet of floor area.
20. Ice cream/yogurt shop (with no drive-through service).

(Ord. 20,271 § 1 (part), adopted 8/02/01; Ord. No. 024300, § 1, adopted 2/17/11)
(M.C.S., Ord. No. 024300, § 1, adopted 2/17/11)

8.4.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCC-1 Vieux Carré Commercial District:

1. Any accessory use authorized in the VCR-1 District.

2. Storage in connection with a permitted use where storage is incidental to the approved occupancy of the building, provided all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall and shall not be conducted in required open space.

8.4.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCC-1 Vieux Carré Commercial District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the VCR-1 and VCR-2 Vieux Carré Residential Districts.

2. T-shirt, novelty, gift and souvenir shops when not in compliance with the standards for such uses as prescribed in Section 8.4.3 of this article.

8.4.6. Permitted Signs.

Subject to the general sign regulations in Article 12, the following accessory signs are permitted within the VCC-1 Vieux Carré Commercial District:

1. Any sign permitted in the VCR-1 District.

2. One (1) sign only shall be allowed to each store, shop or bona fide place of business, and this sign shall be no larger than the maximum stipulated in this section, regardless of the amount of street frontage.

3. No sign of any character except those permitted in the VCR-1 District shall be displayed in the VCC-1 District unless such sign advertises a bona fide business conducted in or on the premises and, if it does do so, not exceeding fifty (50) percent of the area of such sign may be used to advertise products or commodities actually sold on the premises.

4. No sign shall project more than forty-eight (48) inches beyond the building line, except that, for the purpose of illumination, a hood may be used but not to exceed six (6) inches additional projection.

5. Single-faced signs attached flat against the wall and including painted wall signs shall be allowed thirty (30) square inches of sign surface area to each foot of street frontage.

6. In no case shall the area of any one single-faced or painted wall sign exceed eight (8) square feet, the maximum allowable size. Where there is more than one (1) bona fide business on a lot with frontage in excess of fifty (50) feet, the total aggregate sign area may be increased one (1) square

foot for each ten (10) feet of street frontage; provided, however, no one (1) sign shall exceed eight (8) square feet in area.

7. For double-faced signs, suspended by brackets or arms perpendicularly from the wall of a building, there shall be allowed sixty (60) square inches of sign surface area for each foot of lot frontage. The area of such a double-faced sign shall be taken to mean the sum of the areas of both faces.

8. In no case shall the area of any one double-faced sign exceed a total of both sides of sixteen (16) square feet, the maximum allowable size for such sign.

9. In the case where two or more businesses are conducted on the premises of single ownership having a street front frontage of twenty-five (25) feet or less, the allowable sign area shall be increased by fifty (50) percent. Such increased sign area shall be the total maximum sign area permitted for the entire property and shall not be interpreted to be the permitted sign area for each individual business occupying said property.

8.4.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCC-1 Vieux Carré Commercial District are contained in Table 8.C. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6. Residential uses are subject to standards of the VCR-1 District.

Table 8.C
Area Regulations for the VCC-1 Vieux Carré Commercial District

REQUIREMENTS	STANDARDS
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum side or rear yard	none
Maximum Floor Area Ratio	none
Minimum lot area requirements per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.C Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

Section 8.5. VCC-2 Vieux Carré Commercial District.

8.5.1. Purpose of the District.

The purpose of the district is to permit more intensive commercial uses than in the VCC-1 District, yet protect the historic character of the Vieux Carré. The district includes the major shopping area of the Vieux Carré.

8.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 8.5.8 of this article, limit the uses authorized in certain areas. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts. (Ord. 19,151 § 1 (part), adopted 3/31/99)

8.5.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCC-2 Vieux Carré Commercial District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, bed and breakfast facilities, guest houses, package liquor stores, massage parlors, adult establishments as defined in Article 2, tattoo parlors, and T-shirt, novelty, gift and souvenir shops are prohibited:

1. Any permitted use in the VCC-1 District, except theaters.
2. Bicycle sales and repair shops.
3. Clinics, except animal clinics.
4. Dancing or music academies, or similar nonindustrial training schools.
5. Health or athletic club or studio.
6. Hospitality centers when in association with existing breweries in the adjacent VCS Vieux Carré Service District.
7. Laundries occupying not more than 2,500 square feet of floor area.
8. Professional and business offices.
9. Retail stores and shops, except pawnshops, including food and grocery stores, but no such store or shop shall occupy more than 7,500 square feet of floor area. Retail stores providing essentially the same type of merchandise, product or service as an existing store, shall not be permitted within the same block face (between two (2) intersecting streets) or within 150 feet if located across the street.
10. Residential uses limited to single-, two-family and multifamily. (See subdistrict regulations, Section 8.5.8)
11. Limited retail specialty stores. (See subdistrict regulations, Section 8.5.8)
12. Standard restaurants. (See subdistrict regulations, Section 8.5.8)
13. Antique and art shops. (See subdistrict regulations, Section 8.5.8)
14. Custom dressmaking, millinery, tailoring or similar trade. (See subdistrict regulations, Section 8.5.8)
15. Flower shop. (See subdistrict regulations, Section 8.5.8)
16. Museum. (See subdistrict regulations, Section 8.5.8)
17. Banks, but excluding drive-in banks. (See subdistrict regulations, Section 8.5.8)

18. Hospital or clinic for small animals, dogs, cats, birds, and the like provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls, and provided that such hospital or clinic is located on a four-lane major street as indicated on the Major Street Plan of the City of New Orleans.
19. Ice cream/yogurt shop (with no drive-through service).

(Ord. 20,271 § 1 (part), adopted 8/02/01)
(M.C.S., Ord. No. 024300, § 1, 2-17-11)

8.5.4. Accessory Uses.

Any accessory use authorized in the VCC-1 Vieux Carré Commercial District is authorized as an accessory use in the VCC-2 Vieux Carré Commercial District.

8.5.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCC-2 Vieux Carré Commercial District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the VCC-1 District.
2. Theaters. For the purpose of this district the term "theater(s)" shall mean any building or part thereof which contains an assembly hall, having a performance area which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures and performances. The following standards apply:
   a. The assembly hall shall have a minimum of 100 permanently fixed seats per permanent stage or screen;
   b. All applicable sign regulations of the VCE Vieux Carré Entertainment District shall be observed, including advertisements in the lobby, signs shall not be visible from the street, and inventory signs shall not be permitted; and
   c. The City Council determines that:
      (1) The proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Ordinance will be observed;
      (2) The establishment of an additional use of this type in the area will not be contrary to any program of neighborhood conservation or improvement, either residential or nonresidential; and
      (3) All applicable regulations of this Ordinance will be observed.
3. Mini-warehouse with floor area of not more than 25,000 square feet and when located above the ground floor in an existing building with skin or wall surface approved by the Vieux Carré Commission. Off-street loading spaces and stacking spaces shall be provided on the first floor on a ratio of one (1) space for each 2,000—10,000 square feet of floor area used for storage. A commercial nonwarehouse activity shall be provided on the first floor adjacent to the front sidewalk.

For the purpose of this district and the VCS Vieux Carré Service District a mini-warehouse is an existing structure which is used for the purpose of storing personal effects such as household goods and clothing, or small retail merchandise. Individual compartments shall not exceed 1,000 square feet.

4. Nonaccessory parking garage subject to the following conditions:
   a. Such use is within an existing structure or replaces a surface level parking lot existing as of the effectuation of this Ordinance.

b. In VCC-2 such use is limited to those properties fronting on North Rampart Street and Iberville Street.
c. Pedestrian-oriented uses shall be provided on the first floor.
d. Submission of a traffic impact analysis which shall include site and traffic information.

5. Brew pub.
6. Governmental office and buildings.

(Ord. 18,562 § 6 (part), adopted 12/18/97)

8.5.6. Permitted Signs.

Subject to the general sign regulations of Article 12, any accessory sign permitted in the VCC-1 Vieux Carré Commercial District is permitted in the VCC-2 Vieux Carré Commercial District.

8.5.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCC-2 District are contained in Table 8.D. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.D
Area Regulations for the VCC-2 Vieux Carré Commercial District

Requirements	**Standards**
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum side or rear yard	none
Maximum Floor Area Ratio	none
Minimum lot area requirements per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.D Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

8.5.8. Subdistrict Standards.

Buildings or land fronting or siding on Royal Street (both sides) between Iberville and St. Ann Streets shall be used only for the following specifically listed purposes, and subject to the performance standards of Section 7.5:

1. Residential uses limited to single-, two-family and multifamily.

2. Limited retail specialty stores, occupying not more than 7,500 square feet of floor area, providing high quality merchandise such as antiques, furniture, leather goods, musical instruments, fine jewelry, rare stamps and coins, imported rugs, photographic or art studios.
3. Standard restaurants.
4. Antique and art shops.
5. Custom dressmaking, millinery, tailoring or similar trade.
6. Flower shop.
7. Museum.
8. Banks, but excluding drive-in banks, subject to floor area minimum requirements: no less than 500 square feet and no more than 7,200 square feet. In addition, perpendicular to each teller window there must be ten (10) linear feet provided.

Section 8.6. VCS Vieux Carré Service District.

8.6.1. Purpose of the District.

There are extensive areas within the City of New Orleans that are better suited for industrial development than the historic Vieux Carré. However, there are a number of existing businesses and industries as well as certain commercial and industrial uses that have little or no objectionable influence on surrounding properties. The purpose of this district is to accommodate existing commercial and industrial uses as well as others that would not adversely affect the historic character of the district.

8.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts.
(Ord. 19,151 § 1 (part), adopted 3/31/99)

8.6.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCS Vieux Carré Service District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, bed and breakfast facilities, guest houses, package liquor stores, massage parlors, adult establishments as defined in Article 2, T-shirt, novelty, gift and souvenir shops, and tattoo parlors are prohibited:

1. Any permitted use in the VCC-2 District.
2. Bakery products, wholesale.
3. Beverage, blending and bottling, including breweries and local breweries, but only in existing brewery buildings and distilleries.
4. Business and professional offices.
5. Laboratories, research or experimental, but not combustion engines.
6. Photographic processing or blueprinting.
7. Printing and publishing.
8. Wholesale merchandising or storage warehouses, with floor area devoted to such uses limited to 25,000 square feet.
9. Gas distribution mains and gas regulator stations.
10. Electric utility facilities.* (See Section 11.40)
11. Underground telephone and communication lines and related facilities.
12. Underground sewerage lift or pumping stations.* (See Section 11.43)
13. Above grade sewerage lift or pumping stations.* (See Section 11.42)
14. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
15. Public telephones (booth or otherwise).* (See Section 11.41)
16. Public transit waiting stations.* (See Section 11.31)
17. Electric substations.* (See Section 11.40)
18. Telephone exchanges.* (See Section 11.45)
19. Bars and lounges provided that:
    a. The entrance to the individual bar and/or lounge shall not be within twenty-five (25) feet of a public right-of-way;
    b. The use shall be within a building with a minimum of 20,000 square feet;

c. The use shall be established in a building that has provided appropriate facilities for handling garbage, trash and other service requirements; and
d. These standards shall not be waived by the Board of Zoning Adjustments but only by direct appeal to the City Council after review and comment by the City Planning Commission and the Vieux Carré Commission.

20. Specialty food restaurants provided that:
    a. The entrance to the individual restaurant shall not be within twenty-five (25) feet of a public right-of-way;
    b. The use shall be within a food and beverage market located within a single structure of not less than 20,000 square feet;
    c. The use shall be established in a building that has provided appropriate facilities for handling garbage, trash and other service requirements; and
    d. These standards shall not be waived by the Board of Zoning Adjustments but only by direct appeal to the City Council after review and comment by the City Planning Commission and the Vieux Carré Commission.
21. Nightclubs and/or amusement places subject to applicable law regarding hours of operation and pro-vided that:
    a. The entrance to the use shall not be within twenty-five (25) feet of a public right-of-way; and
    b. The use shall be within a building that contains 20,000 or more square feet.
22. Specialty urban marketplaces provided that:
    a. Such a designation shall only be allowed within an existing building on a single lot of record.
    b. Signage:
        1. Main building: One (1) sign identifying building's name not to exceed 150 square feet.
        2. Tenants: One (1) square foot of signage per lineal foot of building width or tenant space width along the wall which faces the street on which the business has its main address. This signage is limited to those uses on the ground floor. In addition, tenants on interior and upper floors may utilize canopy hanging (blade) signs. These signs may not exceed eight (8) square feet.
        3. Final location of signs shall be determined by the Vieux Carré Commission.
    c. No individual tenant may occupy more than forty-five (45) percent of the total leasable areas.
    d. Retail stores and shops may occupy more than 7,500 square feet of leasable floor area within this use.
    e. The use shall be established in a building that has provided appropriate facilities for handling garbage, trash and other service requirements.
    f. These standards shall not be waived by the Board of Zoning Adjustments but only by direct appeal to the City Council after review and comment by the City Planning Commission and the Vieux Carré Commission per site plan review procedure (Section 16.7).

(Ord. 18,037 § 1, adopted 2/6/97)
(M.C.S., Ord. No. 024300, § 1, adopted 2/17/11)

8.6.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCS Vieux Carré Service District:

1. Storage of goods used in or produced by permitted commercial and industrial uses or related activities, including storage of cars and trucks used in the normal operation of the business or industry, subject to applicable regulations.
2. Gas distribution mains, service piping, service regulators, meters, gas regulator stations and related appurtenances.
3. Electric utility distribution lines, distribution transformers and related appurtenances.
4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to fifty (50) feet.
5. Small telephone repeater structures when located in a public right-of-way, utility easement or area of a lot.
6. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.
7. Satellite dish antenna.* (See Section 11.35)
8. Package liquor sales in retail stores, shops, drugstores with pharmacies and in grocery stores occupying more than 5,000 square feet of floor area.* (See Section 11.26) For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.

8.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCS Vieux Carré Service District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the VCC-2 District.
2. Expansion of existing flea markets or other types of open air vending under the jurisdiction of a public benefit corporation, subject to the policies of that public benefit corporation.
3. New flea markets.* (See Section 11.17)
4. Adult cabarets, except that adult cabarets shall be prohibited in the area bounded by Ursuline Avenue, Barracks, Decatur, and North Peters Streets.

5. Parking lots on existing vacant lots, subject to compliance with the standards set forth in Article 15, Section 15.2.13. A traffic impact statement shall be submitted, which shall include site and traffic circulation patterns.

(Ord. 21,287 § 1, adopted 10/8/03; Ord. 18,562 § 6 (part), adopted 12/18/97)

8.6.6. Permitted Signs.

Subject to the general sign regulations of Article 12, any accessory sign permitted in the VCC-1 Vieux Carré Commercial District is permitted in the VCS Vieux Carré Service District.

8.6.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCS District are contained in Table 8.E. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.E
Area Regulations for the VCS Vieux Carré Service District

Requirements	Standards
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum side or rear yard	none
Maximum Floor Area Ratio	none
Minimum lot area requirements per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8 E Notes

1 Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation These height regulations shall not apply to public utilities.

2 In computing area, all yards and courts may be included as open space In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly Open space requirements shall not apply to existing industrial uses in the VCS Vieux Carré Service District.

Section 8.6A. VCS-1 Vieux Carré Service District.

8.6A.1. Purpose of the District.

This district has historically accommodated commercial and industrial uses, including manufacturing, refining and distribution, due to its adjacency to the Mississippi River. The purpose of this district is to reduce the potential for development of industrial uses in the area, eliminate unsightly industrial and commercial uses permitted under prior zoning, foster improvement and beautification of existing surface parking lots and promote redevelopment as a mixed-use area, including retail and residential uses, in keeping with the historic nature of the Vieux Carré and which uses are compatible with surrounding properties. The retention and maintenance of historic structures are required, and the renovation of historic structures is encouraged. Uses which would not be compatible with residential uses have been eliminated. The district should be useful in redeveloping existing surface level parking into residential and mixed uses in conjunction with structural parking. (Ord. 21,806 § 1 (part), adopted 12/16/04)

8.6A.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional uses designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts. (Ord. 21,806 § 1 (part), adopted 12/16/04)

8.6A.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCS-1 Vieux Carré Service District, subject to the performance standards of Section 7.5:

1. Any permitted use in the VCS District, except for the following uses:

    a. Beverage, blending and bottling, including breweries and local breweries, but excluding Brew Pubs as a conditional use.

    b. Laboratories, research or experimental.

    c. Wholesale merchandising or storage warehouses.

    d. Gas distribution mains and gas regulator stations.

    e. Electric utility facilities, other than as required for a specific property by public utilities.

    f. Above grade sewerage lift or pumping stations.

g. Electric substations, other than as required for a specific property, as required by public utilities.

h. Clinics, animal or human.

2. Residential uses, including single family, two-family and multi-family.

(Ord. 21,806 § 1 (part), adopted 12/16/04)

8.6A.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCS-1 Vieux Carré Service District:

1. Any accessory use authorized in the VCS District.

(Ord. 21,806 § 1 (part), adopted 12/16/04)

8.6A.5. Conditional Uses.

The following uses are authorized as conditional uses within the VCS-1 Vieux Carré Service District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the VCS District.

2. Hotels, subject to the following conditions:

a. Such use is primarily in an existing historic building constructed prior to 1969 containing a minimum of 25,000 square feet of gross floor area.

b. The need for parking shall be evaluated in conjunction with the Conditional Use request and provided as appropriate and necessary.

c. Submission of a traffic impact analysis for review and approval by the Department of Public Works and the City Planning Commissions staff.

d. Any exterior building changes shall be subject to the review and approval of the Vieux Carré Commission.

e. There shall be no displacement of residents or elimination of occupied residential units, or demolition of existing structures, associated with such development. Additionally, any existing building in which a hotel use will be situated shall not have been used for residential purposes in any manner for at least ten (10) years prior to its development as a hotel.

f. Any hotel shall be developed in conjunction with a surface improvement, area landscaping and beautification plan.

g. Pedestrian uses shall be encouraged.

h. Any approved hotel shall be considered an existing hotel and subject to Section 8.10.2 of these zoning regulations.

i. Any approval of a hotel shall contain a proviso which shall require the applicant to irrevocably commit to the residential use of the property identified as that certain four (4) -story red brick building within a portion of lots 11 and 12, Square 3A, Second District, and containing approximately 8,500—9,000 square feet (gross) and bearing the municipal address 110 Bienville Street ("110 Bienville") and which residential use shall be applicable to all portions of 110 Bienville other than the ground floor and which residential use obligation shall further be effective upon the redevelopment of 110 Bienville.

(Ord. 21,806 § 1 (part), adopted 12/16/04)

8.6A.6. Permitted Signs.

Subject to the general sign regulations of Article 12, any accessory sign permitted in the VCS Vieux Carré Service District is permitted in the VCS-1 Vieux Carré Service District. (Ord. 21,806 § 1 (part), adopted 12/16/04)

8.6A.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCS-1 District are contained in Table 8.E. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council, in conjunction with approval of a conditional use permit under Section 16.6. (Ord. 21,806 § 1 (part), adopted 12/16/04)

Section 8.7. VCE Vieux Carré Entertainment District.

8.7.1. Purpose of the District.

The purpose of this district is to provide for entertainment places and restricted retail stores that attract and serve visitors and local residents.

8.7.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts. (Ord. 19,151 § 1 (part), adopted 3/31/99)

8.7.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCE Vieux Carré Entertainment District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, bed and breakfast facilities, guest houses, package liquor stores, massage parlors, adult establishments as defined in Article 2, tattoo parlors, and T-shirt, novelty, gift and souvenir shops are prohibited:

1. Standard restaurants and cafeteria restaurants, but not drive-in or fast food restaurants.

2. Museums.

3. Antique and art shops.

4. Bakeries occupying not more than 2,000 square feet of floor area and provided all products produced on the premises are sold at retail on the premises.

5. Delicatessens.

6. Flower shops.

7. Photographers and artist studios.

8. Small retail stores and shops occupying a floor area of not more than 2,000 square feet and grocery stores occupying a minimum of 5,000 square feet of floor area. For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.

9. Single-family dwellings.

10. Two-family dwellings.

11. Multiple-family dwellings.

12. Gas distribution mains and gas regulator stations.

13. Underground electric utility distribution facilities and meters and service lines.

14. Underground telephone and communications lines and related facilities.

15. Underground sewerage lift or pumping stations.* (See Section 11.43)

16. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.

17. Public telephones (booth or otherwise).* (See Section 11.41)

18. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

19. Nightclubs.

20. Child care facilities.* (See Section 11.15)

21. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

22. Adult cabarets.

23. Ice cream/yogurt shop (with no drive-through service).

(Ord. 20,271 § 1 (part), adopted 8/02/02; Ord. 18,562 § 6 (part), adopted 12/18/97; Ord. 18,384 § 1 (part), adopted 8/12/97)

8.7.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCE Vieux Carré Entertainment District:

1. Domestic storage.

2. A laundry room for occupants of a multifamily dwelling.

3. Home occupations.

4. Package liquor sales in retail stores, shops, drugstores with pharmacies and in grocery stores occupying more than 5,000 square feet of floor area.* (See Section 11.26)

For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.

5. Gas distribution mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.

6. Electric utility distribution and service lines, distribution transformers, meters and related appurtenances.

7. Noncommercial radio and television and receiving antennae and noncommercial radio transmitting antennae limited in height above grade to fifty (50) feet.

8. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area of a lot.

9. Underground telephone and communication lines and related appurtenances.

10. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

11. Satellite dish antenna.* (See Section 11.35)

12. In bars and restaurants in the VCE District, one (1) small brewing apparatus not to exceed ten (10) bottled or brewing capacity provided no beer is bottled or sold for consumption off the premises.

(Ord. 19,758 § 1, adopted 8/3/00)

8.7.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCE Vieux Carré District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Theaters. For the purpose of this section the term "theater(s)" shall mean any building or part thereof which contains an assembly hall, having a performance area which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures and performances. The following standards apply:

   a. The assembly hall shall have a minimum of 100 permanently fixed seats per permanent stage or screen;

   b. All applicable sign regulations of the VCE District shall be observed, including advertisements in the lobby, signs shall not be visible from the street, and inventory signs shall not be permitted; and

c. The City Council determines that:

(1) The proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this ordinance will be observed;

(2) The establishment of an additional use of this type in the area will not be contrary to any program of neighborhood conservation or improvement, either residential or nonresidential; and

(3) All applicable regulations of this Ordinance will be observed.

2. Professional offices.

3. Child care centers.* (See Section 11.15)

(Ord. 18,562 § 6 (part), adopted 12/18/97)

8.7.6. Permitted Signs.

Subject to the general sign regulations in Article 12, the following accessory signs are permitted within the VCE Vieux Carré Entertainment District:

1. Such entertainment place, retail store or bona fide place of business shall be allowed to erect one (1) category sign and one (1) inventory sign. In no case shall the size of the sign(s) interfere with the integrity of the building; location and size of all signs are subject to prior approval by the Vieux Carré Commission.

2. One (1) category sign may be erected for each bona fide business operated on the premises with public space immediately behind the facade of the premises, identifying the name and/or address of the business and may include the category of business being advertised.

    a. The allowable sign area shall be computed at eight (8) percent of the public space area of the Bourbon Street facade delineated by the height times the base. Height is defined as the distance between the floor and ceiling where they intersect the Bourbon Street facade. Base is defined as the linear footage fronting on Bourbon Street. Thus, height times base times eight (8) percent equals sign area. This formula describes the maximum sign area which may be permitted provided such sign areas are not deemed inappropriate for specific application by the Vieux Carré Commission.

        (1) The only portion of the facade of any building that may be used to calculate the sign area is that portion immediately behind the front facade used to invite the occupancy of the public, customer, thus excluding therefrom warehouse, storage, office and similar ancillary uses as well as halls, stairways, and other common passages.

        (2) Business operations at upper floors shall not consider any doorway or other access at the street level as part of the area of the Bourbon Street facade.

        (3) In no case shall the category sign for any business be larger than fifty (50) square feet if a double-faced sign or twenty-five (25) square feet if a single-faced flat sign.

    b. Category signs may be single-faced flat signs attached to, erected parallel to the face of, or painted on the facade of the building. Such sign shall not cover any window, door or other architectural detail.

    c. Category signs may be double-faced signs with two (2) faces back to back, the angle between which is no greater than eighteen (18) inches.

    d. In addition to one (1) category sign, each business shall be allowed one (1) inventory sign which shall be a single-faced flat sign limited to a maximum allowable size of two (2) square feet which shall advertise the products, services, and/or prices of the business. No more than thirty (30) square inches may be used to identify the name or type of the business. No signs whatsoever shall be erected above the first floor level of any building. Category and

inventory signs of businesses other than those operated on the first floor fronting on Bourbon Street may erect allowable signs at the doorway, carriage way or other ground floor access to the business premises.

8.7.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCE District are contained in Table 8.F. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.F
Area Regulations for the VCE Vieux Carré Entertainment District

REQUIREMENTS	STANDARDS
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum side or rear yard	none
Maximum Floor Area Ratio	none
Minimum lot area requirements per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.F Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

Section 8.8. VCE-1 Vieux Carré Entertainment District.

8.8.1. Purpose of the District.

The purpose of this district is to provide for entertainment places and restricted retail stores along Decatur and N. Peters Streets that attract and serve visitors and local residents.

8.8.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts.
(Ord. 19,151 § 1 (part), adopted 3/31/99)

8.8.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCE-1 Vieux Carré Entertainment District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, bed and breakfast facilities, guest houses, package liquor stores, massage parlors, adult establishments as defined in Article 2, tattoo parlors, and T-shirt, novelty, gift and souvenir shops are prohibited:

1. Standard restaurants, cafeteria restaurants, but not drive-in or fast food restaurants.
2. Museums.
3. Antique and art shops.
4. Bakeries occupying no more than 2,000 square feet of floor area and provided all products produced on the premises are sold at retail on the premises.
5. Delicatessens.
6. Flower shops.
7. Photographers and artist studios.
8. Small retail stores and shops occupying a floor area of not more than 2,000 square feet and grocery stores occupying a minimum of 5,000 square feet of floor area. For the purpose of these regulations, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.
9. Single-family dwellings.
10. Two-family dwellings.
11. Multiple-family dwellings.
12. Gas distribution mains and gas regulator stations.
13. Underground electric utility distribution facilities and meters and service lines.
14. Underground telephone and communications lines and related facilities.
15. Underground sewerage lift or pumping stations.* (See Section 11.43)
16. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.
17. Public telephones (booth or otherwise).* (See Section 11.41)
18. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.
19. Television and radio broadcasting facilities when in conjunction with a supper club or nightclub.

20. Child care facilities.* (See Section 11.15)
21. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)
22. Ice cream/yogurt shop (with no drive-through service).
23. Urgent care center. (See Section 11.67)

(Ord. 20,271 § 1 (part), adopted 8/02/01; Ord. 19,599 § 1, adopted 4/6/00; Ord. 18,384 § 1 (part), adopted 8/21/97)

(Ord. No. 25618, § 1, adopted 12/5/13)

8.8.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCE-1 Vieux Carré Entertainment District:

1. Domestic storage.
2. A laundry room for occupants of a multifamily dwelling.
3. Home occupations.
4. Package liquor sales in retail stores, shops, drugstores with pharmacies and in grocery stores occupying more than 5,000 square feet of floor area.* (See Section 11.26)

For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.

5. Gas distribution mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.

6. Electric utility distribution and service lines, distribution transformers, meters and related appurtenances.

7. Noncommercial radio and television and receiving antennae and noncommercial radio transmitting antennae limited in height above grade to fifty (50) feet.

8. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area of a lot.

9. Underground telephone and communication lines and related appurtenances.

10. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.

11. Satellite dish antenna.* (See Section 11.35)

8.8.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCE-1 Vieux Carré Entertainment District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Theaters. For the purpose of this section the term "theater(s)" shall mean any building or part thereof which contains an assembly hall, having a performance area which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures and performances. The following standards apply:

   a. The assembly hall shall have a minimum of 100 permanently fixed seats per permanent stage or screen;

   b. All applicable sign regulations of the VCE-1 District shall be observed, including advertisements in the lobby, signs shall not be visible from the street, and inventory signs shall not be permitted; and

   c. The City Council determines that:

      (1) The proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;

(2) The establishment of an additional use of this type in the area will not be contrary to any program of neighborhood conservation or improvement, either residential or nonresidential;

(3) All applicable regulations of this Ordinance will be observed; and

(4) There shall be no amplification of sound which produces or reproduces sound in such a manner as to be plainly audible at a distance of one (1) foot from any exterior wall.

2. Professional offices.

3. Child care centers.* (See Section 11.15)

4. Nightclubs. Nightclubs shall be limited to one (1) such use within a radius of 300 feet of another such use. Said distance shall be measured along the center line of the adjacent public right-of-way from the nearest point of the lot on which such use is proposed to be located to the nearest point of the lot on which any other existing similar use is located. Live entertainment must be within a completely enclosed building. There shall be no amplification of sound which produces or reproduces sound in such a manner as to be plainly audible at a distance of one (1) foot from any exterior wall.

5. Adult cabarets.

6. Supper clubs. Live entertainment in supper clubs must be within completely enclosed buildings. There shall be no amplification of sound which produces or reproduces sound in such a manner as to be plainly audible at a distance of one (1) foot from any exterior wall.

(Ord. 19,599 § 1, adopted 4/6/00; Ord. 18,562 § 6 (part), adopted 12/18/97)

8.8.6. Permitted Signs.

Subject to the general sign definitions and regulations of Article 12, the following accessory signs are permitted within the VCE-1 Vieux Carré Entertainment District:

1. One (1) sign only shall be allowed to each store, shop or bona fide place of business, and this sign shall be no larger than the maximum stipulated in this section, regardless of the amount of street frontage.

2. No sign of any character except those permitted in the VCR-1 and VCR-2 Districts shall be displayed in the VCC-1 District unless such sign advertises a bona fide business conducted in or on the premises and, if it does do so, not exceeding fifty (50) percent of the area of such sign may be used to advertise products or commodities actually sold on the premises.

3. No sign shall project more than forty-eight (48) inches beyond the building line, except that, for the purpose of illuminations, a hood may be used but not to exceed six (6) inches additional projection.

4. Single-faced signs attached flat against the wall and including painted wall signs shall be allowed thirty (30) square inches of sign surface area to each foot of street frontage.

5. In no case shall the area of any one single-faced or painted wall sign exceed eight (8) square feet, the maximum allowable size. Where there is more than one (1) bona fide business on a lot with frontage in excess of fifty (50) feet, the total aggregate sign area may be increased one (1) square foot for each ten (10) feet of street frontage; provided, however, no one sign shall exceed eight (8) square feet in area.

6. For double-faced signs, suspended by brackets or arms perpendicularly from the wall of a building, there shall be allowed sixty (60) square inches of sign surface area for each foot of lot frontage. The area of such double-faced sign shall be taken to mean the sum of the areas of both faces.

7. In no case shall the area of any one double-faced sign exceed a total of both sides of sixteen (16) square feet, the maximum allowable size for such sign.

8. In the case where two (2) or more businesses are conducted on the premises of a single owner shop having a street front frontage of twenty-five (25) feet or less, the allowable sign area shall be increased by fifty (50) percent. Such increased sign area shall be the total maximum sign area permitted for the entire property and shall not be interpreted to be the permitted sign area for each individual business occupying such property.

8.8.7. Termination of Legally Nonconforming Signs.

Any sign is legally nonconforming which was lawful under the provisions of any prior zoning ordinance or lawful by operation of law, such prescription, but does not conform to the limitations of this section. Such signs may be displayed and maintained for no longer than three (3) years after the effective date of this section, provided that the burden of establishing a sign to be legally nonconforming rests entirely with the person claiming such status for a sign, except that the right to display and maintain any legally nonconforming sign shall terminate and the sign shall be subject to removal by the Vieux Carré Commission if any of the following conditions occur:

1. Discontinuance of the business that a sign pertains to; or

2. If such sign is damaged, destroyed or becomes obsolete for any cause whatsoever including acts of God.

8.8.8. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCE-1 District are contained in Table 8.G. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.G
Area Regulations for the VCE-1 Vieux Carré Entertainment District

REQUIREMENTS	STANDARDS
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum side or rear yard	none
Maximum Floor Area Ratio	none
Minimum lot area requirements per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.G Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

Section 8.9. VCP Vieux Carré Park District.

8.9.1. Purpose of the District.

The purpose of this district is to provide for parks, public facilities and associated uses along the riverfront and within smaller-scale parks within the Vieux Carré. Parks and open space are encouraged and are permitted uses. Where authorized, conditional use review is required for all other uses to ensure compatibility of the Character of the Vieux Carré with the maritime use and scale of the waterfront.
(Ord. No. 024720, § 1, adopted 1/5/12)

8.9.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Regulations applicable to existing hotels and to the conversion of existing buildings to multiple dwellings are set forth in Section 8.10. Class B licensed package liquor sales are prohibited within the boundaries of the Vieux Carré and within all Vieux Carré zoning districts.
(Ord. 19,151 § 1 (part), adopted 3/31/99)

8.9.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the VCP Vieux Carré Park District subject to the performance standards in Section 7.5, except that timeshare buildings, transient vacation rentals, bed and breakfast facilities, guest houses, package liquor stores, massage parlors, adult establishments as defined in Article 2, tattoo parlors, pawnshops, and T-shirt, novelty, gift and souvenir shops are prohibited:

1. Parks and open space.
2. Gas distribution mains and gas regulator stations.
3. Electric utility facilities.* (See Section 11.40)
4. Underground sewerage lift or pumping stations.* (See Section 11.43)
5. Aboveground sewerage lift or pumping stations.* (See Section 11.42)
6. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
7. Public telephones (booth or otherwise).* (See Section 11.41)
8. Public transit waiting stations.* (See Section 11.31)
9. Electric substations.* (See Section 11.40)
10. Telephone exchanges.* (See Section 11.45)
11. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

8.9.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the VCP Vieux Carré Park District:

1. Gas distribution mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.
2. Electric utility distribution and service lines, distribution transformers, meters and related appurtenances.
3. Noncommercial radio and television and receiving antennae and noncommercial radio transmitting antennae limited in height to fifty (50) feet.

4. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area of a lot.
5. Underground cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cablecasting studios.
6. Restrooms.

8.9.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the VCP Vieux Carré Park Districts on sites greater than or equal to three (3) acres in area, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Public buildings, including, but not limited to, museums, aquariums, information and interpretive structures, etc.
2. Maritime uses, including, but not limited to, general cargo operations, tour boats, cruise boats, docking for ceremonial vessels, etc. (provided that any maritime use shall be deemed to be a permitted use without the need for conditional use authorization whenever an unconditional right to said maritime use is established by applicable state law).
3. Concession stands for dispensing of food and beverages.
4. Restaurants in conjunction with public buildings.
5. Small retail stores and shops, except pawnshops, occupying a floor area of not more than 2,000 square feet of gross floor area in conjunction with public buildings.

(Ord. 23,902, adopted 3/11/10; Ord. No. 024720, § 1, adopted 1/5/12)

8.9.6. Permitted Signs.

Subject to the general sign regulations of Article 12, any accessory sign permitted in the VCC-1 Vieux Carré Commercial District is permitted in the VCP Vieux Carré Park District.

8.9.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height for the VCP Vieux Carré Park District are contained in Table 8.H. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 8.H
Area Requirements for the VCP Vieux Carré Park District

REQUIREMENTS	STANDARDS
Maximum height from grade	50 ft.[1]
Minimum depth of front yard	none
Minimum side or rear yard	none
Maximum Floor Area Ratio	none
Minimum lot area requirements per dwelling unit	
One-family buildings	1,500 sq. ft.
Two-family buildings	1,000 sq. ft.
Three-family buildings	800 sq. ft.
Four-or-more-family buildings	600 sq. ft.
Minimum Open Space Ratio:[2]	
corner lots	20 percent
interior lots	30 percent

Table 8.H Notes:

[1] Buildings of a lesser height may be required as provided by the Vieux Carré Commission Enabling Legislation. These height regulations shall not apply to public utilities.

[2] In computing area, all yards and courts may be included as open space. In all Vieux Carré Districts, all open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open area. Where a parcel contains a corner lot and an interior lot, the percentage of open space area shall be prorated accordingly.

8.9.8. Special Regulations.

1. All land and water areas shall be maintained as open space in the area of the VCP Vieux Carré Park District bounded by the floodwall, the Mississippi River, St. Peter Street (extended), and Ursuline Street (extended). Enclosed structures (other than minor accessory buildings) and vehicular use areas shall be prohibited.

2. Seventy-five (75) percent of the land area shall be maintained as open space in the area of the VCP Vieux Carré Park District bounded by the floodwall, Esplanade Avenue (extended), the Mississippi River, and Ursuline Street (extended). The open space area shall not be encumbered by enclosed structures or vehicular use areas (except building service areas including loading docks and staging areas, etc.). The transportation corridor (rail corridor) may be counted in the open space area. However, the street rights-of-way should not be calculated as open space.

3. Seventy-five (75) percent of the land area shall be maintained as open space in the area of the VCP Vieux Carré Park District bounded by the floodwall, Canal Street, the Mississippi River, and St. Peter Street (extended). The open space area shall not be encumbered by enclosed structures or vehicular use areas (except building service areas including loading docks and staging areas, etc.). The transportation corridor (rail corridor) may be counted in the open space area.

Section 8.10. Existing Development in the Vieux Carré Districts.

8.10.1. Existing Development in the Vieux Carré Districts for Purposes of Conversion to Multiple Dwellings.

In the Vieux Carré section, where large buildings exist on small lots where FAR equals or exceeds 3.0 and are of architectural or historical significance, upon approval of the Vieux Carré Commission and the Board of Zoning Adjustments said buildings may be remodeled to include multiple dwellings provided that the lot area per dwelling unit shall be at least 400 square feet and the amount of open space provided shall be at least one-half (1/2) of the difference between that which already exists and that which would normally be required under Table 8.G.

In addition, where a proposed renovation scheme provides verification that the exterior building envelop will not be increased, except for minor expansions necessary, such as exterior stairwells or similar means of access, to allow compliance with applicable building codes; the required open space, as defined above, be met; and that the minimum interior area per dwelling unit exceeds 800 square feet; and the lot area per dwelling unit shall be at least 340 square feet. (Ord. 22,083 § 1, adopted 11/17/05)

8.10.2. Existing Hotels in the Vieux Carré Districts.

An existing hotel in the Vieux Carré may be maintained, structurally altered or extended within the boundaries of its existing development provided that there shall be no increase in the number of sleeping rooms or suites, and said maintenance, alteration or extension shall be in accord with applicable district regulations (including but not limited to height and open space requirements) and provided further that such extension shall be limited to the accommodation of accessory uses. Applications for such alterations or extension shall be submitted to the City Planning Commission for a hearing and action in accord with the provisions of Section 16.5.

Existing hotels in the VCC-2, VCE and VCS Districts only, containing more than thirty (30) rooms, may provide live entertainment subject to applicable ordinances relative to licensing procedures. Live entertainment which permits admission by the general public for a fee shall be subject to the requirement regarding amusement taxes as per City Code Ordinance No. 828 M.C.S. All entertainment must be within an enclosed area.

ARTICLE 9

HISTORIC MARIGNY/TREMé DISTRICTS

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ARTICLE 9

HISTORIC MARIGNY/TREMÉ DISTRICTS

Section 9.1. HMR-1 Historic Marigny/Tremé Residential District.

9.1.1. Purpose of the District.

The purpose of this district is to protect existing residential development and to maintain a desirable character of such development within the historic Marigny/Tremé area. Incompatible uses should be excluded from this residential district. Rehabilitation and renovation, particularly of historically significant buildings, as well as good maintenance should be encouraged.

9.1.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

9.1.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the HMR-1 Historic Marigny/Tremé Residential District, except that timeshare buildings, transient vacation rentals and pawnshops are prohibited:

1. Any permitted use in the VCR-1 District, and, with respect to electric utility distribution facilities, meters and service lines, any use permitted in the RS-1 District.

2. Small group homes.* (See Section 11.22)

3. Bed and breakfast family home.* (See Section 11.6)

4. Bed and breakfast guest home.* (See Section 11.7)

5. Bed and breakfast historic home.* (See Section 11.8)

6. Bed and breakfast inn.* (See Section 11.9)

7. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

9.1.4. Accessory Uses.

Any accessory use authorized in the VCR-1 Vieux Carré Residential District is authorized as an accessory use in the HMR-1 Historic Marigny/Tremé Residential District.

9.1.5. Permitted Signs.

Subject to the general sign regulations of Article 12, permitted accessory signs are the same as those permitted in the VCR-1 District.

9.1.6. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the HMR-1 District are contained in Table 9.A. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9.A
Area Regulations for the HMR-1 District

REQUIREMENTS	STANDARDS		
	TYPE OF DEVELOPMENT		
	One-Family Units	Two-Family Units	Three-or-More-Family Units
Minimum lot area per dwelling unit	1,500 sq. ft.	1,200 sq. ft.	900 sq. ft.
Minimum lot width	25 ft.	25 ft.	30 ft.
Minimum lot depth	none	90 ft.	90 ft.
Maximum height from grade	40 ft.		
Minimum yard requirements	none		
Maximum Floor Area Ratio	1.3		
Minimum Open Space Ratio (Percentage of lot area)	30%		

Section 9.2. HMR-2 Historic Marigny/Tremé Residential District.

9.2.1. Purpose of the District.

The purpose of this district is to protect existing residential development and to maintain a desirable character of such development within the historic Marigny/Tremé area. Incompatible uses should be excluded from this residential district. Rehabilitation and renovation, particularly of historically or architecturally significant buildings and good maintenance should be encouraged. Smaller lot areas and higher floor-to-area ratios are permitted in the HMR-2 Historic Marigny/Tremé Residential District than those allowed in the HMR-1 Historic Marigny/Tremé Residential District.

9.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

9.2.3. Permitted Uses.

Any permitted use authorized in the HMR-1 Historic Marigny/Tremé Residential District is authorized as a permitted use in the HMR-2 Historic Marigny/Tremé Residential District.

9.2.4. Accessory Uses.

Any accessory use of land authorized in the HMR-1 Historic Marigny/Tremé Residential District is authorized as an accessory use in the HMR-2 Historic Marigny/Tremé Residential District.

9.2.5. Permitted Signs.

Subject to the general sign regulations of Article 12, permitted accessory signs are the same as those permitted in the HMR-1 Historic Marigny/Tremé Residential District.

9.2.6. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the HMR-2 District are contained in Table 9.B. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9.B
Area Regulations for the HMR-2 District

REQUIREMENTS	STANDARDS			
	TYPE OF DEVELOPMENT			
	One-Family Units	Two-Family Units	Three-Family Units	Four-or-More-Family Units
Minimum lot area per dwelling unit	1,500 sq. ft.	1,000 sq. ft.	800 sq. ft.	600 sq. ft.
Minimum lot width	25 ft.	25 ft.	30 ft.	30 ft.
Minimum lot depth	none	90 ft.	90 ft.	90 ft.
Maximum height from grade	50 ft.	50 ft.	50 ft.	50 ft.
Minimum yard requirements	none			
Maximum Floor Area Ratio	2.0			
Minimum Open Space Ratio (Percentage of lot area)	30%			

Section 9.3. HMR-3 Historic Marigny/Tremé Residential District.

9.3.1. Purpose of the District.

The purpose of this district is to provide for single-family dwellings and two-family dwellings and to protect the existing residential development and to maintain the desirable character of such development within the historic Marigny/Tremé area. Incompatible uses should be excluded from this residential district. Rehabilitation and renovation, particularly of historically significant buildings, as well as good maintenance should be encouraged.

9.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

9.3.3. Permitted Uses.

Any permitted use authorized in the HMR-1 Historic Marigny/Tremé Residential District is authorized as a permitted use in the HMR-3 Historic Marigny/Tremé Residential District.

9.3.4. Accessory Uses.

Any accessory use authorized in the HMR-1 Historic Marigny/Tremé Residential District is authorized as an accessory use in the HMR-3 Historic Marigny/Tremé Residential District.

9.3.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the HMR-3 Historic Marigny/Tremé Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Three-family dwellings.

2. Four-family dwellings.

9.3.6. Permitted Signs.

Subject to the general sign regulations of Article 12, permitted accessory signs are the same as those permitted in the HMR-1 Historic Marigny/Tremé Residential District.

9.3.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the HMR-3 District are contained in Table 9.C. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9.C
Area Regulations for the HMR-3 District

REQUIREMENTS	STANDARDS		
	TYPE OF DEVELOPMENT		
	One-Family Units	Two-Family Units	Three-or-Four-[1] Family Units
Minimum lot area per dwelling unit	2,000 sq. ft.	1,250 sq. ft.	800 sq. ft.
Minimum lot width	25 ft.	30 ft.	30 ft.
Minimum lot depth	90 ft.		
Maximum height from grade	40 ft.		
Minimum front yard	none		
Minimum side yard	3 ft.		
Minimum rear yard	20 ft.		
Maximum Floor Area Ratio	1.2		
Minimum Open Space Ratio (Percentage of lot area)	30%[2]		

Table 9.C Notes:

[1] Three- and four-family units are conditional uses in the HMR-3 District.

[2] Minimum Open Space Ratio is twenty (20) percent of lot area for corner lots.

Section 9.4. HMC-1 Historic Marigny/Tremé Commercial District.

9.4.1. Purpose of the District.

The purpose of this district is to provide for restricted retail stores and service establishments that will attract tourists and local residents without adversely affecting either the character of the historic Marigny/Tremé area or nearby residences.

9.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

9.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the HMC-1 Historic Marigny/Tremé Commercial District subject to the performance standards in Section 7.5:

1. Any use authorized in the HMR-1 District.
2. Bakeries, retail and wholesale.
3. Seafood establishments, retail and wholesale.
4. Private clubs, lodges.
5. Retail shops, except package liquor stores and pawnshops, with a floor area not to exceed 2,000 square feet.
6. Barbershops, beauty parlors and similar personal service shops.
7. Dressmaking and tailoring businesses.
8. Professional offices.
9. Dry cleaning shops and laundromats.
10. Studios for artists and photographers.
11. Repair shops not to exceed 2,000 square feet in floor area but not automobile, truck and boat repair shops.
12. Restaurants (but not drive-in restaurants)* (See Section 11.51).

13. Printing establishments occupying a floor area of not more than 3,500 square feet.

14. Ice cream/yogurt shop (with no drive-through service).

(Ord. 20,271 § 1 (part), adopted 8/02/01; Ord. 19,722 § 1, adopted 7/6/00)

9.4.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the HMC-1 Historic Marigny/Tremé Commercial District:

1. Any accessory use authorized in the HMR-1 District.

2. Storage in connection with a permitted use, which is incidental to the approved occupancy of the building, provided all products and materials used or stored shall be in a completely enclosed building or enclosed by a masonry wall screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the building and shall not be conducted in required open space.

3. Package liquor sales in retail stores, shops, drugstores with pharmacies and in grocery stores occupying more than 5,000 square feet of floor area, where the wholesale cost of the package liquor does not exceed fifteen (15) percent of the wholesale cost of other merchandise stocked and displayed; and where the package liquor display constitutes not more than ten (10) percent of all display area; and where package liquor is not advertised outside or off their premises.

   For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.

9.4.4a. Conditional Uses.

1. Cocktail lounges.

2. Restaurants with bar areas that do not meet the requirements of Section 11.51.2, Holding Bar.

(Ord. 19,722 § 2, adopted 7/6/00)

9.4.5. Permitted Signs.

Subject to the general sign regulations of Article 12, permitted accessory signs are the same as those permitted in the VCC-1 Vieux Carré Commercial District.

9.4.6. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the HMC-1 District are contained in Table 9.D. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9.D
Area Regulations for the HMC-1 District

Requirements	**Standards**
Maximum height from grade	40 ft.
Minimum yard requirements	none
Maximum Floor Area Ratio	1.3
Minimum Open Space Ratio (Percentage of lot area)	20%[1,2]
Minimum lot area per dwelling unit:	
One-family units	1,500 sq. ft.
Two-family units	1,200 sq. ft.
Three-or-more-family units	900 sq. ft.

Table 9.D Notes:

[1] The open space requirement may be waived or reduced if the site plan for a large scale development considers the use of garage roofs for pedestrian or landscaped areas, terraces, pools, fountains, open stairways, planting beds, all of which may not necessarily be at grade level, and which must remain "open to the sky," as part of the aggregate open space requirement.

[2] For residential or mixed use developments containing a residential component, minimum open space regulations of the HMR-1 District will be required.

Section 9.5. HMC-2 Historic Marigny/Tremé Commercial District.

9.5.1. Purpose of the District.

The purpose of this district is to permit more intensive commercial uses than the HMC-1 District, yet protect the historic character of the Marigny/Tremé area. The district includes the peripheral properties in Marigny/Tremé which front on major traffic arteries and can provide access for more intense commercial uses.

9.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

9.5.3. Permitted Uses.

1. Any permitted uses in the HMC-1 Historic Marigny/Tremé Commercial District, provided that any floor area restrictions established in the HMC-1 District shall not apply.
2. Theatres.
3. Clinics.
4. Hospital or clinic for small animals, dogs, cats, birds, and the like provided that such hospital or clinic and any treatment rooms, cages, pens or kennels be maintained within a completely enclosed soundproof of building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls.
5. Hotels, motels and apartment hotels.
6. Parking garages.
7. Funeral homes in existing buildings with a total square footage of 10,000 square feet or less.
8. Ice cream/yogurt shop (with no drive through service).
9. Dog day care and boarding.
10. Health clubs.
11. Yoga or dance studios.
12. Community centers.
13. Banks (except drive-in).
14. Police substations limited to 500 square feet in floor area and providing permanent office space for no more than two (2) police personnel.

(Ord. 20,271 § 1 (part), adopted 8/02/01; Ord. 19,815 § 1 (part), adopted 9/7/00)
(Ord. 23,899, adopted 3/11/10; Ord. No. 024710, § 1, adopted 12/15/11)

9.5.4. Accessory Uses.

Any accessory use authorized in the HMC-1 Historic Marigny/Tremé Commercial District is authorized as an accessory use in the HMC-2 Historic Marigny/Tremé Commercial District.

9.5.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the HMC-2 Historic Marigny/Tremé Commercial District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any permitted uses in the HMC-2 Historic Marigny/Tremé Commercial District occupying more than 10,000 square feet of floor area.
2. Leased bingo hall facilities.* (See Section 11.10)
3. Green markets.* (See Section 11.52)
4. Cocktail lounges.

5. Restaurants with bar areas that do not meet the requirements of Section 11.51.2, Holding Bar.
6. Rehabilitative-recovery/care centers provided that:
   a. there shall be a minimum distance between rehabilitative-recovery/care centers, large group homes and small group homes of a 2,500 foot radius;
   b. the use shall not exceed 2,500 square feet of floor area;
   c. medication shall be dispensed only to clients of the rehabilitative-recovery/care center on an in-patient basis as part of the full-time special program of specialized care;
   d. at least one (1) security guard shall be provided on the site at all times, and
   e. no rehabilitative-recovery/care center shall be located adjacent to a residential use.
7. Theaters with alcoholic beverages and amusement places, limited to one (1) per block face.
8. Wine bar and wine shop.

(Ord. 19,815 § 1(part), adopted 9/7/00; Ord. 19,722 § 3, adopted 7/6/00; Ord. 18,177 § 5, adopted 4/3/97) (Ord. No. 27,257, § 1, adopted 12/18/08; Ord. No. 024710, § 1, adopted 12/15/11; Ord. No. 25091, § 2, adopted 11/15/12)

9.5.6. Permitted Signs.

Subject to the general sign regulations of Article 12, permitted accessory signs are the same as those permitted in the HMC-1 Historic Marigny/Tremé Commercial District.

9.5.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the HMC-2 District are contained in Table 9.E. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9.E
Area Regulations for the HMC-2 District

REQUIREMENTS	STANDARDS
Maximum height from grade	50 ft.
Minimum yard requirements	none
Maximum Floor Area Ratio	2.2
Minimum Open Space Ratio	See Note[2]
Minimum lot area per dwelling unit:	See Note[2]
One-family units	1,500 sq. ft.
Two-family units	1,000 sq. ft.
Three-family units	800 sq. ft.
Four-or-more-family units	600 sq. ft.

Table 9.E Notes:

1 Except when included in a planned development district, in which case the minimum lot area per dwelling unit for more than ten (10) dwelling units, shall be 400 square feet, the maximum height may be increased to sixty (60) feet and the maximum floor ratio may be increased to 3.0.

2 The open space requirement may be waived or reduced if the site plan for a large scale development considers the use of

garage roofs for pedestrian or landscaped areas, terraces, pools, fountains, open stairways, planting beds, all of which may not necessarily be at grade level, and which must remain "open to the sky," as part of the aggregate open space requirement.

For residential or mixed use developments containing a residential component, minimum open space regulations of the HMR-1 and HMR-2 Districts will be required.

When applying for a planned development district with the reduced lot area requirements per dwelling unit (400 square feet), increased height (sixty (60) feet) and increased Floor Area Ratio (3.0), the following standards shall be required:

A. Along all streets and public pedestrian rights-of-way there shall be provided as a component of the building, continuous galleries, balconies, or overhangs extending over the width of the public sidewalk for the purpose of providing weather protection, where compatible with adjacent architecture.

B. Ground-level retail uses shall be required along streets where compatible with neighborhood uses nearby.

C. All off-street parking shall be screened as much as possible from public view by opaque landscaped evergreen hedges, fences, walls, architectural façades, or combinations thereof.

D. All landscaping and landscape elements in public and private areas of the development shall be installed and maintained with specific species, caliper, and construction material requirements as stipulated by the City Planning Commission.

E. Along all major streets and boulevards with major neutral grounds there shall be installed and maintained by the developer, landscaped public areas and landscape elements to soften the image of the development.

F. The waiver of or reduction in grade level open space requirements shall be predicated upon the provision of plans indicating specific landscaping and landscape elements as to caliper, species, and construction materials.

G. Elevated open space shall substitute for grade level open space only when:

i. All area constituting such elevated open space shall remain open to the sky and free from automobiles.

ii. In no instance shall buildings or permanent structures be substituted for elevated open space.

H. The relocation of utility lines underground shall be at the developer's expense.

I. A standard of at least twenty (20) percent of the parking shall be available as public parking.

Section 9.6. HMLI Historic Marigny/Tremé Light Industrial District.

9.6.1. Purpose of the District.

The purpose of this district is to provide a mixture of light industrial, commercial and residential uses which would not adversely affect the historic character of the Lower Marigny neighborhood. Compatibility of such uses and structures with one another and with the areas will be encouraged through a site plan review process. Within this district there will be no permitted uses; only those uses listed under permitted conditional uses will be allowed in order to best preserve the historical and architectural character of Marigny/Tremé.

9.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

9.6.3. Permitted Uses.

No uses of land are authorized as permitted uses; only conditional and accessory uses are authorized.

9.6.4. Accessory Uses.

Any accessory use authorized in the HMR-1 Historic Marigny/Tremé Light Residential District is authorized as an accessory use in the HMLI Historic Marigny/Tremé Light Industrial District.

9.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the HMLI Historic District, upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any permitted or conditional use authorized in any other residential district.
2. Any permitted or conditional use authorized in any business or commercial district.
3. Any permitted or conditional use authorized in the LI District, except composting facilities, separation/recovery facilities, construction/demolition debris landfills, and sanitary landfills, subject to compliance with the performance standards of Section 7.5.
4. Leased bingo hall facilities.* (See Section 11.10)
5. Adult cabarets.
6. Wine bar and wine shop.

(Ord. 18,562 § 7, adopted 12/18/97)
(Ord. No. 25091, § 2, adopted 11/15/12)

9.6.6. Permitted Signs.

Subject to the general sign regulations of Article 12, permitted accessory signs are the same as those permitted in the HMC-1 Historic Marigny/Tremé Commercial District.

9.6.7. Height, Area and Yard Requirements.

Minimum requirements for lot area, yards and maximum height in the HMLI District are contained in Table 9.F. The minimum requirements for lot area, yards and maximum height requirements shall not be subject to waiver by the Board of Zoning Adjustments.

Table 9.F
Area Regulations for the HMLI District

Requirements	Standards
Maximum height from grade	50 ft.
Minimum yard requirements	none
Maximum Floor Area Ratio	2.0
Minimum Open Space Ratio	none
Minimum lot area per dwelling unit:	
One-family units	1,500 sq. ft.
Two-family units	1,000 sq. ft.
Three-family units	800 sq. ft.
Four-or-more-family units	600 sq. ft.

ARTICLE 9A

LAKE AREA ZONING DISTRICTS

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ARTICLE 9A LAKE AREA ZONING DISTRICTS

Section 9A.1. LRS-1 Lakeview Single-Family Residential District.

9A.1.1. Purpose of the District.

The purpose of this district is to provide for and encourage low density, single-family residential development of a relatively spacious character, together with churches, recreational facilities, and accessory uses as may be necessary or normal for residential surroundings, in such a manner as to preserve the distinctive character of the Lakeview area. The district also is intended to provide for the maintenance of existing residential densities, as well as opportunities for compatible residential growth, by allowing for existing two-family dwellings and the re-establishment of those two-family dwellings that have lost their legal nonconforming status as the immediate previous legal use of the structure.

9A.1.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.1.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRS-1 Lakeview Single-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Detached single-family dwellings.
2. Home occupations, provided such use does not occupy more than fifteen (15) percent of the floor area of the dwelling unit.

2A. Two-Family Residential Dwellings as described below:

a. Two-family dwellings, where the two-family residential use is the immediate previous use of the structure, shall be permitted to be re-established, structurally altered, and additional floor area may be added to the structure, provided that no additional dwelling units shall be permitted.

b. Two-family residential structures described above may be demolished and rebuilt, provided that they obtain a building permit for construction within one (1) year of issuance of a demolition permit and complete construction and obtain a Certificate of Occupancy from the Department of Safety and Permits within (1) year of the issuance of the building permits.

c. With regard to the standard time limitations in subsection (b) above regarding demolition and building permits, properties that were established as legal two-family dwellings as of August 29, 2005 (the date of Hurricane Katrina) shall retain two-family dwelling status for three years following demolition or until August 29, 2010, whichever is earlier. These Katrina damaged two-family dwellings that have not obtained a building permit by August 29, 2010 will lose two-family status and revert to the underlying single-family status.

3. Homes for the aged, nursing homes, convalescent homes and orphan homes.* (See Section 11.23)
4. Churches, rectories, parish homes, temples and synagogues, provided that such uses shall be located on a lot of at least 20,000 square feet in area.

5. Recreational uses:
   a. Public parks, parkways, and playgrounds, including uses accessory or incidental to their operation, including accessory concession stands not to exceed 150 square feet in gross floor area, for parks or playgrounds containing two (2) to ten (10) acres.
   b. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet, in which instance the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.
6. Private gardens and nurseries for the propagation and cultivation of plants only when said plants, flowers, or produce are not offered for sale on the premises.
7. Public and private forest, wildlife reservations, and similar conservation projects.
8. Gas distribution mains and gas regulator stations.
9. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.
10. Telephone and communications lines and related facilities, but excluding telephone exchanges.
11. Cable communication system cables, amplifiers and related facilities, but excluding distribution or switching centers and cable casting studios.
12. Underground sewerage lift or pumping stations.* (See Section 11.43)
13. Aboveground sewerage lift or pumping stations.* (See Section 11.42)
14. Water distribution systems, meters, sanitary and storm water sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
15. Water pumping stations.* (See Section 11.46)
16. Storm water pumping stations.* (See Section 11.44)
17. Public telephone (booth or otherwise) when approved by the Department of Public Works.* (See Section 11.41)
18. Public transit waiting stations.* (See Section 11.31)
19. Electric utility substation facilities and transmission facilities.* (See Section 11.40)
20. Telephone exchanges.* (See Section 11.45)
21. Small group homes.* (See Section 11.22)
22. Adult day care centers.* (See Section 11.14)
23. Facade mounted personal wireless communication facilities.* (See Section 11.55)

(Ord. No. 27,187, § 1, adopted 11/6/08)

9A.1.4. Accessory Uses.

The following uses of land are authorized accessory uses within the Lakeview Single-Family Residential District:

1. Domestic storage including automobiles in a main building or accessory building.
2. Gardens for vegetables, fruits, flowers, trees or shrubs, orchards, or groves, for the use and enjoyment of the occupants of a dwelling on the premises, but not as a business and not including sale of products.
3. Home barbecue grills.

4. Playhouses without plumbing, limited in floor area to 150 square feet and in headroom to six (6) feet.
5. Swimming pools and game courts, lighted or unlighted, for the use of occupants or their guests.
6. Private garages.
7. Accessory quarters for domestic help employed on site without culinary facilities but only within the lot's buildable area.
8. Storage of a boat trailer, boat or unoccupied camp trailer, not exceeding twenty-five (25) feet in length, but not in a required front yard.
9. Accessory off-street parking and loading spaces. Open or enclosed space for parking one (1) commercial vehicle of not more than one (1) ton capacity when used by the occupant of a dwelling.
10. Gas mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.
11. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances, but not including transmission facilities.
12. Small telephone repeater structures when located in public right-of-way, utility easement or buildable area or in a required side or rear yard of a lot.
13. Telephone and communication lines and related facilities, excluding telephone exchanges.
14. Cable communication system cables, amplifiers, and related facilities but excluding distribution or switching centers and cable casting studios.
15. Curb cuts and/or driveways.
16. Satellite dish antenna.* (See Section 11.35)
17. Cinerarium and columbarium as accessory to churches located on a lot not less than 20,000 square feet in area; waiver of the minimum lot area shall not be allowed for churches which provide such accessory uses.

9A.1.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lakeview Single-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Convents and monasteries on a site of at least 25,000 square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty (50) percent of the total site area.

2. Public and government buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, and branch postal station and branch administration offices.* (See Section 11.30).

3. Public and private primary and high schools, college or vocational schools.

4. Sewerage treatment plants (public or private) provided such facilities are set back a minimum of fifty (50) feet from any adjoining residential property line and are screened from view of any residential property.

5. A parking lot to provide off-street parking for a main use located within 300 feet of said lot. The design standards included in Section 15.2 of this Ordinance shall apply. Landscaping shall be required in accordance with Section 15.2.5, regardless of the zoning district in which the property is located.* (See Section 11.28)

6. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations, (b) mast-mounted installations, and (c) façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

7. Private clubs.* (See Section 11.12)

8. Light rail on public or private property, including a strip of land with tracks and accessory facilities for track operations, but not including passenger stations, freight terminals, switching and classifications yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding and watering stations.

9A.1.6. Permitted Signs.

The following types of signs are permitted within the Lakeview Single-Family Residential District, subject to the general sign regulations in Article 12:

1. A name plate, one (1) square foot in area, to identify the owner or occupant of a dwelling or building or address thereof.

2. Private directional sign, one (1) square foot in area.

3. A sign limited in area to one (1) square foot for identification of permitted home occupations or office use.

4. A sign limited in area to forty (40) square feet for identification of a subdivision.

5. A customary church bulletin board limited in area to twenty (20) square feet.

6. A sign limited in area to twenty-five (25) square feet for identification of permitted public and semi-public uses or clubs.

7. A temporary, non-illuminated sign, not more than six (6) square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed.

8. A temporary sign, limited to one (1) square foot of sign area for each two (2) feet of street frontage not to exceed 100 square feet in area, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in process or for a period of time not to exceed one (1) year, whichever is less.

9. One (1) temporary, non-illuminated sign per street frontage limited to six (6) square feet in residential districts, and twenty (20) square feet in nonresidential districts, where such sign is designed to influence the action of the voters with respect to a measure appearing on the ballot at any national, state or local election, or which is designed to influence the action of the voters with respect to a candidate for nomination or election to any public office at any national, state or local election; provided that such election pertains to the political jurisdiction within which the property is located and provided that no such sign shall be erected more than sixty (60) days prior to the election; and provided that a total of five (5) signs, each not to exceed six (6) square feet, may be posted during the seven (7) days immediately preceding such election; and provided that all such signs shall be removed within ten (10) days following such election.

10. A temporary sign limited to one (1) square foot of sign area for each two (2) feet of street frontage, not to exceed 100 square feet in area, announcing the development of a new subdivision of more than five (5) lots or involving new streets. for a period not to exceed one (1) year.

9A.1.7. Height, Area, and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the Lakeview Single-Family Residential District are contained in Table 9A.A. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.A
Area Regulations for the LRS-1 District

Requirements	Standards Type of Development One-Family Units	Two-Family Units	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	5,000 sq. ft.	2,500 sq. ft.	20,000 sq. ft.
Minimum lot width	40 ft.	50 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.
Minimum depth of front yard	20 ft.	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	25%
Minimum width of each side yard	4 ft.	4 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.

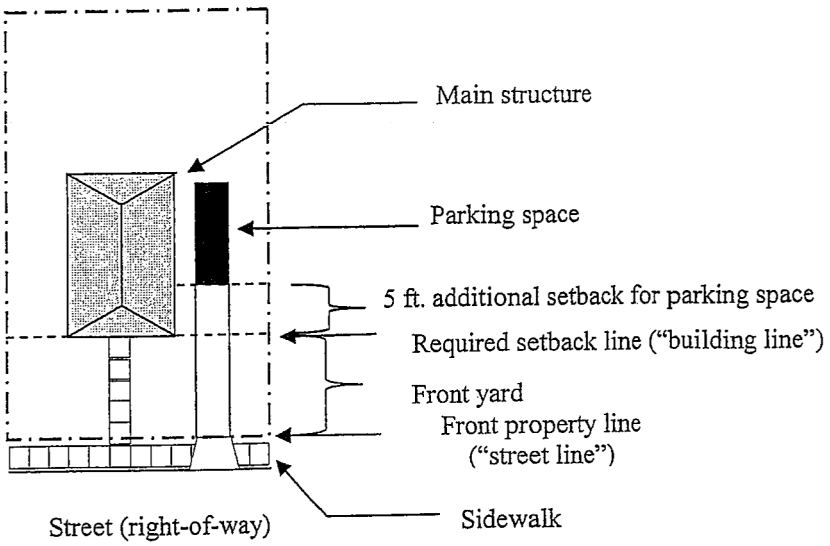
(Ord. No. 27,187, § 2, adopted 11/6/08)

9A.1.8. Special Parking and Driveway Requirements.

The off-street parking requirements for the Lakeview Single-Family Residential District shall comply with the general parking standards in Article 15, subject to the following modifications:

1. All single-family residences shall require one (1) off-street parking space. Two-family residences shall require one (1) off-street parking space per dwelling unit.
2. No parking shall be allowed between a street line and the nearest point of the front façade of any building.
3. Curved, circular or square driveways in the front yard setback area shall be prohibited. The maximum area of impervious paving in the front yard setback shall not exceed forty (40) percent of the required front yard area.
4. All single- and two-family residences having rear alley access shall be prohibited from having front facing garages, carports, and/or parking areas, and curb cuts in or to the front yards. All single- and two-family residences having no rear-alley access shall be permitted to have front facing garages and or parking areas but such front facing garages or parking areas, whether or not they are connected to the main structure, must be located at least five feet beyond the nearest point of the front façade of any building (see diagram below).

Diagram illustrating the permitted location of off-street parking with respect to the front façade of a building in an LRS-1 District on a lot having no rear alley access*



* The location of the parking space in the above diagram is intended only as an example. An off-street parking space may be located anywhere on a property, either within a structure or uncovered, provided that the entirety of the space must be located at least five feet beyond the nearest point of the front façade of the main structure.

(Ord. 22,896 § 1 (part), adopted 11/15/07)
(Ord. No. 27,187, § 2, adopted 11/6/08; Ord. No. 25122, § 1, adopted 12/6/12)

Section 9A.2 LRS-2 Lake Vista and Lake Shore Single-Family Residential District.

9A.2.1. Purpose of the District.

The purpose of this district is to provide for and encourage low-density, single-family residential development of a relatively spacious character consistent with the unique development pattern of the Lake Vista and Lake Shore areas. together with churches, recreational facilities, and accessory uses as may be necessary or normal for residential surroundings. Area regulations of the LRS-2 Lake Vista and Lake Shore Single-Family Residential District were developed in the context of long-standing covenants under the jurisdiction of the Orleans Levee Board.

9A.2.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.2.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRS-2 Lake Vista and Lake Shore Single-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Detached single-family dwellings.
2. Home occupations, provided such use does not occupy more than fifteen (15) percent of the floor area of the dwelling unit.
3. Homes for the aged, nursing homes, convalescent homes and orphan homes.* (See Section 11.23)
4. Churches, rectories, parish homes, temples and synagogues, provided that such uses shall be located on a lot of at least 20,000 square feet in area.
5. Recreational uses:
    a. Public parks, parkways, and playgrounds, including uses accessory or incidental to their operation, including accessory concession stands not to exceed 150 square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.
    b. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet, in which instance the required setback need not exceed twenty-five

(25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.

6. Private gardens and nurseries for the propagation and cultivation of plants only when said plants, flowers, or produce are not offered for sale on the premises.

7. Public and private forest, wildlife reservations, and similar conservation projects.

8. Gas distribution mains and gas regulator stations.

9. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.

10. Telephone and communications lines and related facilities, but excluding telephone exchanges.

11. Cable communication system cables, amplifiers, and related facilities, excluding distribution or switching centers and cable casting studios.

12. Underground sewerage lift or pumping stations.* (See Section 11.43)

13. Aboveground sewerage lift or pumping stations.* (See Section 11.42)

14. Water distribution systems, meters, sanitary and storm water sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.

15. Water pumping stations.* (See Section 11.46)

16. Storm water pumping stations.* (See Section 11.44)

17. Public telephone (booth or otherwise) when approved by the Department of Public Works.* (See Section 11.41)

18. Public transit waiting stations.* (See Section 11.31)

19. Electric utility substation facilities and transmission facilities.* (See Section 11.40)

20. Telephone exchanges.* (See Section 11.45)

21. Small group homes.* (See Section 11.22)

22. Adult day care centers.* (See Section 11.14)

23. Façade mounted personal wireless communication facilities.* (See Section 11.55)

9A.2.4. Accessory Uses.

The following uses of land are authorized accessory uses within the Lake Vista and Lake Shore Single-Family Residential District:

1. Domestic storage including automobiles in a main building or in an accessory building.

2. Gardens for vegetables, fruits, flowers, trees or shrubs, orchards, or groves, for the use and enjoyment of the occupants of a dwelling on the premises, but not as a business and not including sale of products.

3. Home barbecue grills.

4. Playhouses, without plumbing, limited in floor area to 150 square feet and in headroom to six (6) feet.

5. Private garages.

6. Accessory quarters for domestic help employed on site without culinary facilities but only within the lot's buildable area.

7. Storage of a boat trailer, boat or unoccupied camp trailer, not exceeding twenty-five (25) feet in length, but not in a required front yard.

8. Swimming pools and game courts, lighted or unlighted, for the use of occupants or their guests.

9. Temporary buildings and trailers used in conjunction with construction operations are permitted, provided such temporary facilities are located on the same site as the development. However, temporary facilities may be located on an adjoining site provided the zoning classification of the adjoining site is the same as or less restrictive than the zoning classification of the site which is being developed. Temporary facilities shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years from the date of erection of such temporary facilities, whichever comes first. The establishment of a temporary use pursuant to this paragraph shall not be deemed to establish a nonconforming use under Article 13 of this Ordinance or to allow a change of use under Article 13 of this Ordinance.

10. Accessory off-street parking and loading spaces. Open or enclosed space for parking one (1) commercial vehicle of not more than one (1) ton capacity when used by the occupant of a dwelling, without signage identifying it as such.

11. Gas mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.

12. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances, but not including transmission facilities.

13. Noncommercial radio and television receiving antenna and noncommercial radio transmitting antennae limited in height to that of the district or sixty (60) feet, whichever is the greater.

14. Small telephone repeater structures when located in public right-of-way, utility easement or buildable area, or in a required side or rear yard of a lot.

15. Telephone and communication lines and related facilities, excluding telephone exchanges.

16. Cable communication system cables, amplifiers, and related facilities, excluding distribution or switching centers and cable casting studios.

17. Curb cuts and/or driveways.

18. Satellite dish antenna.* (See Section 11.35)

19. Cinerarium and columbarium as accessory to churches located on a lot not less than 20,000 square feet in area; waiver of the minimum lot area shall not be allowed for churches which provide such accessory uses.

9A.2.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lake Vista and Lake Shore Single-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Colleges, junior colleges, or institutions of higher learning.* (See Section 11.36)

2. Convents and monasteries on a site of at least 25,000 square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty (50) percent of the total site area.

3. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal station and branch administrative offices.* (See Section 11.30)

4. Museums, public or private, when located on a site of at least four (4) acres and providing an off-street parking area at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space for each 100 feet of gross floor area, whichever is greater.

5. Public or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)

6. Public or private junior high or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)

7. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations, (b) mast-mounted installations, and (c) façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

8. Commercial child care facilities in existing former school structures or in existing public or semi-public structures.

9. Light rail on public or private property.

9A.2.6. Permitted Signs.

The following types of signs are permitted within the Lake Vista and Lake Shore Single-Family Residential District, subject to the general sign regulations in Article 12:

1. A name plate, one (1) square foot in area, to identify the owner or occupant of a dwelling or building or address thereof.

2. Private directional sign, one (1) square foot in area.

3. A sign limited in area to forty (40) square feet for identification of a subdivision.

4. A customary church bulletin board, limited in area to twenty (20) square feet.

5. A sign limited in area to twenty-five (25) square feet for identification of permitted public and semi-public uses or clubs.

6. A temporary, non-illuminated sign, not more than six (6) square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed.

7. A temporary sign, limited to one (1) square foot of sign area for each two (2) feet of street frontage not to exceed 100 square feet in area, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in process or for a period of time not to exceed one (1) year, whichever is less.

8. One (1) temporary, non-illuminated sign per street frontage limited to six (6) square feet in residential districts, and twenty (20) square feet in nonresidential districts, where such sign is designed to influence the action of the voters with respect to a measure appearing on the ballot at any national, state or local election, or which is designed to influence the action of the voters with respect to a candidate for nomination or election to any public office at any national, state or local election; provided that such election pertains to the political jurisdiction within which the property is located and provided that no such sign shall be erected more than sixty (60) days prior to the election; and provided that a total of five (5) signs, each not to exceed six (6) square feet, may be posted during the seven (7) days immediately preceding such election; and provided that all such signs shall be removed within ten (10) days following such election.

9. A sign limited in area to one (1) square foot, for identification of permitted home occupations.

9A.2.7. Height, Area, and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the Lake Vista and Lake Shore Single-Family Residential District are contained in Table 9A.B. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.B
Area Regulations for the LRS-2 District

Requirements	Standards: Type of Development: Residential	Standards: Type of Development: Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	6,700 sq. ft.	20,000 sq. ft.
Minimum lot width	60 ft.	100 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum height	35 ft.	35 ft.
Minimum depth of front yard	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)[2]	25%	25%
Minimum width of each side yard[1]	6 ft.	10 ft.
Maximum required aggregate width of side yards	15 ft.	20 ft.
Minimum depth of rear yard	15 ft.	20 ft.
Minimum required aggregate depth of rear yard[2]	16%	16%
Maximum depth of rear yard	20 ft.	20 ft.

Table 9A.B Notes:

[1] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

[2] Lot coverage by dwellings shall not exceed 30%.

Table 9A.C
Lake Vista Fence Requirements

Fence[1]	Maximum Height
Front Yard	1.5 ft. (18 inches)
Side Yard (From the front building line to the front property line	1.5 ft. (18 inches)
Side Yard (From the front building line to the rear property line	5 ft.
Rear Yard	5 ft.

Table 9A.C Notes:

[1] Permitted fence materials shall include iron, wood, wire, brick, stone, or any combination thereof.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.3. LRS-3 Lakewood and Country Club Gardens Single-Family Residential District.

9A.3.1. Purpose of the District.

The purpose of this district is to provide for and encourage low-density, single-family residential development of a relatively spacious character in the Lakewood area, together with churches, recreational facilities, and accessory uses as may be necessary or normal for residential surroundings. This district is also intended to protect existing development of this character. Greater lot widths are required in the LRS-3 Lakewood and Country Club Gardens Single-Family Residential District than in the LRS-1 Lakeview Single-Family Residential District. Two-family dwellings are not permitted.

9A.3.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use list appearing in this section.

Special Regulations, which are set forth in Section 9A.3.7 of this article, establish special height, area and yard regulations for properties generally bounded by Veterans Memorial Boulevard, the Orleans/Jefferson Parish Line, the New Orleans Terminal Company Railway tracks, Interstate 10/610, and Bellaire Drive.

9A.3.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRS-3 Lakewood and Country Club Gardens Single-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Detached single-family dwellings.

2. Home occupations, provided such use does not occupy more than fifteen percent (15%) of the floor area of the dwelling unit.

3. Churches, rectories, parish homes, temples and synagogues, provided that such uses erected after the date of passage of this Ordinance shall be located on a lot of at least 20,000 square feet in area.

4. Recreational uses:

    a. Public parks, parkways, and playgrounds, including uses accessory or incidental to their operation, Accessory concession stands not to exceed 150 square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.

b. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line, unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet, in which instance the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.

c. Public or private golf courses operated on sites of not less than seventy-five (75) acres, provided that no building or accessory use is located closer than 100 feet to adjoining property lines.

5. Homes for the aged, nursing homes, convalescent homes, and orphan homes.* (See Section 11.23)

6. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

7. Gas distribution mains and gas regulator stations.

8. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.

9. Telephone and communications lines and related facilities, but excluding telephone exchanges.

10. Cable communication system cables, amplifiers, and related facilities, excluding distribution or switching centers and cable casting studios.

11. Underground sewerage lift or pumping stations.* (See Section 11.43)

12. Aboveground sewerage lift or pumping stations.* (See Section 11.42)

13. Water distribution systems, meters, sanitary and storm water sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.

14. Water pumping stations.* (See Section 11.46)

15. Storm water pumping stations.* (See Section 11.44)

16. Public telephone (booth or otherwise) when approved by the Department of Public Works.* (See Section 11.41)

17. Public transit waiting stations.* (See Section 11.31)

18. Electric utility substation facilities and transmission facilities.* (See Section 11.40)

19. Telephone exchanges.* (See Section 11.45)

20. Small group homes.* (See Section 11.22)

21. Adult day care centers.* (See Section 11.14)

22. Façade mounted personal wireless communication facilities.* (See Section 11.55)

9A.3.4. Accessory Uses.

The following uses of land are authorized accessory uses within the Lakewood and Country Club Gardens Single-Family Residential District:

1. Domestic storage including automobiles in a main building or in an accessory building.

2. Gardens for vegetables, fruits, flowers, trees or shrubs, orchards, or groves, for the use and enjoyment of the occupants of a dwelling on the premises, but not as a business and not including sale of products.

3. Home barbecue grills.

4. Playhouses, without plumbing, limited in floor area to 150 square feet and in head room to six (6) feet.

5. Private garages.

6. Accessory living quarters for domestic help employed on the property without culinary facilities, but only within the lot's buildable area.

7. Storage of a boat trailer, boat or unoccupied camp trailer, not exceeding twenty-five (25) feet in length, but not in a required front yard.

8. Swimming pools and game courts, lighted or unlighted, for the use of occupants or their guests.

9. Temporary buildings and trailers used in conjunction with construction operations are permitted, provided such temporary facilities are located on the same site as the development. However, temporary facilities may be located on an adjoining site provided the zoning classification of the adjoining site is the same as or less restrictive than the zoning classification of the site which is being developed. Temporary facilities shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years from the date of erection of such temporary facilities, whichever comes first. The establishment of a temporary use pursuant to this paragraph shall not be deemed to establish a nonconforming use under Article 13 of this Ordinance or to allow a change of use under Article 13 of this Ordinance.

10. Temporary offices in a model home for the sale of improved or unimproved lots of record in a subdivision are permitted within the subdivision for a period not to exceed two (2) years, except as provided below. Temporary offices may be continued beyond the two (2) year limitation until such time as the developer owns ten (10) lots or less in the subdivision, provided a temporary Certificate of Use or Occupancy and Compliance shall be obtained each year by the developer and evidence shall be submitted attesting to the developer's ownership of more than ten (10) lots at the time an application is filed. The certificate shall remain in force for one (1) year from the date of its issuance even though the number of lots owned by the developer may be reduced to ten (10) or less during that one (1) year time period. The establishment of a temporary use pursuant to this paragraph shall not be deemed to establish a nonconforming use under Article 13 of this Ordinance or to allow a change of use under Article 13 of this Ordinance.

11. Accessory off-street parking and loading spaces. Open or enclosed space for parking one (1) commercial vehicle of not more than one (1) ton capacity when used by the occupant of a dwelling.

12. Gas mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.

13. Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances, but not including transmission facilities.

14. Noncommercial radio and television receiving antenna and noncommercial radio transmitting antennae limited in height to that of the district or sixty (60) feet, whichever is greater.

15. Small telephone repeater structures when located in public right-of-way, utility easement or buildable area, or in a required side or rear yard of a lot.

16. Telephone and communication lines and related facilities, excluding telephone exchanges.

17. Cable communication system cables, amplifiers, and related facilities, excluding distribution or switching centers and cable casting studios.

18. Curb cuts and/or driveways.

19. Satellite dish antenna.* (See Section 11.35)

20. Cinerarium and columbarium as accessory to churches located on a lot not less than 20,000 square feet in area; waiver of the minimum lot area shall not be allowed for churches which provide such accessory uses.

9A.3.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lakewood and Country Club Gardens Single-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Light rail rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

2. Bus terminals for local transit facilities.* (See Section 11.32)

3. Cemeteries and mausoleums with the following accessory uses: a storage building for the storage of maintenance equipment used in maintaining cemeteries, a caretaker's house, an administrative office, a crematorium and a chapel.* (See Section 11.11)

4. Funeral homes and mortuaries.* (See Section 11.19)

5. Private clubs.* (See Section 11.12)

6. Convents and monasteries on a site of at least 25,000 square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty (50) percent of the total site area.

7. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices.* (See Section 11.30)

8. Radio, television and microwave relay, transmitting or receiving towers or antennae (including accessory buildings, but excluding broadcast studios and office buildings) when all such facilities are set back a minimum of fifty (50) feet from all property lines.

9. Museums, public or private, when located on a site of at least four (4) acres and providing an off-street parking area at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space for each 100 feet of gross floor area, whichever is greater.

10. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations, (b) mast-mounted installations, and (c) façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

11. Commercial child care facilities in existing former school structures or in existing public or semi-public structures.

12. Public or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)

13. Public or private junior high or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)

9A.3.6. Permitted Signs.

The following types of signs are permitted within the Lakewood and Country Club Gardens Single-Family Residential District, subject to the general sign regulations in Article 12:

1. A name plate, one (1) square foot in area, to identify the owner or occupant of a dwelling or building or address thereof.

2. Private directional sign, one (1) square foot in area.

3. A sign limited in area to forty (40) square feet for identification of a subdivision.

4. A customary church bulletin board, limited in area to twenty (20) square feet.

5. A sign limited in area to twenty-five (25) square feet for identification of permitted public and semi-public uses or clubs.

6. A temporary, non-illuminated sign, not more than six (6) square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed.

7. A temporary sign, limited to one (1) square foot of sign area for each two (2) feet of street frontage not to exceed 100 square feet in area, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in process or for a period of time not to exceed one (1) year, whichever is less.

8. One (1) temporary, non-illuminated sign per street frontage limited to six (6) square feet in residential districts, and twenty (20) square feet in nonresidential districts, where such sign is designed to influence the action of the voters with respect to a measure appearing on the ballot at any national, state or local election, or which is designed to influence the action of the voters with respect to a candidate for nomination or election to any public office at any national, state or local election; provided that such election pertains to the political jurisdiction within which the property is located and provided that no such sign shall be erected more than sixty (60) days prior to the election; and provided that a total of five (5) signs, each not to exceed six (6) square feet, may be posted during the seven (7) days immediately preceding such election; and provided that all such signs shall be removed within ten (10) days following such election.

9. A temporary sign, limited to one (1) square foot of sign area for each two (2) feet of street frontage, not to exceed 100 square feet in area, announcing the development of a new subdivision of more than five (5) lots or involving new streets, for a period not to exceed one (1) year,

10. A sign limited in area to one (1) square foot, for identification of permitted home occupations.

9A.3.7A. Height, Area, and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in that portion of the Lakewood and Country Club Gardens Single-Family Residential District bounded by Veterans Memorial Boulevard, the Orleans/Jefferson Parish Line, the New Orleans Terminal Company Railway tracks, Interstate 10/610, and Bellaire Drive, are contained in Table 9A.D.

These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.D
Area Regulations for the LRS-3 District
(Lakewood South and the West Side of Bellaire Drive in Lakewood North)

Requirements	Standards: Type of Development: Residential	Standards: Type of Development: Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	6,700 sq. ft.	20,000 sq. ft.
Minimum lot width	60 ft.	100 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum height	35 ft.	35 ft.
Minimum depth of front yard	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	25%	25%
Minimum width of each side yard[1]	3 ft.	10 ft.
Maximum required aggregate width of side yards	15 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.

Table 9A.D Notes:

[1] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

9A.3.7B. Height, Area, and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the portion of the Lakewood and Country Club Gardens Single-Family Residential District that is **not** in the area bounded by Veterans Memorial Boulevard, the Orleans/Jefferson Parish Line, the New Orleans Terminal Company Railway tracks, Interstate 10/610, and Bellaire Drive, are contained in Table 9A.E.

These standards apply to all permitted and accessory uses, in the above referenced area, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.E
Area Regulations for the LRS-3 District
(Country Club Gardens and Lakewood North except that portion West of Bellaire Drive)

Requirements	Standards: Type of Development: Residential	Standards: Type of Development: Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	5,000 sq. ft.	20,000 sq. ft.
Minimum lot width	50 ft.	100 ft.
Minimum lot depth	90 ft.	100 ft.
Maximum height	35 ft.	35 ft.
Minimum depth of front yard	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%
Minimum width of each side yard[1]	3 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.

Table 9A.E Notes:

[1] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.4. LRD-1 Lake Vista Two-Family Residential District.

9A.4.1. Purpose of this District.

The purpose of this district is to provide for two-family development consistent with the historic character of development in the Lake Vista area. This development may be mixed with single-family residential dwellings along with churches and recreational facilities and with accessory uses as may be necessary or are normally compatible with residential surroundings.

9A.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplemental use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.4.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRD-1 Lake Vista Two-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the Lake Vista and Lake Shore Single-Family Residential District.

2. Two-family dwellings.* (See Section 11.33)

9A.4.4. Accessory Uses.

Any accessory use authorized in the Lake Vista and Lake Shore Single-Family Residential District is authorized in the Lake Vista Two-Family Residential District.

9A.4.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lake Vista Two-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the Lake Vista and Lake Shore Single-Family Residential District.

2. Camps, public, private or commercial.* (See Section 11.25)

3. Child care facilities.* (See Section 11.15)

9A.4.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are those accessory signs authorized in the Lake Vista and Lake Shore Single-Family Residential District.

9A.4.7. Height, Area, and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the Lake Vista Two-Family Residential District are contained in Table 9A.F. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.F
Area Regulations for the LRD-1 District

Requirements	Standards: Type of Development: One-Family Units	Standards: Type of Development: Two-Family Units[1]	Standards: Type of Development: Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	5,000 sq. ft.	3,250 sq. ft.	20,000 sq. ft.
Minimum lot width	50 ft.	60 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	100 ft.
Maximum height	35 ft.	35 ft.	35 ft.
Minimum depth of front yard[2]	20 ft.	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)[3]	20%	20%	20%
Minimum width of each side yard[2]	6 ft.	6 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.
Minimum depth of rear yard	15 ft.	15 ft.	20 ft.

Table 9A.F Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and townhouses.

[2] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

[3] Lot coverage by dwellings shall not exceed 30%.

Table 9A.G
Lake Vista Fence Requirements

Fence[1]	Maximum Height
Front Yard	1.5 ft. (18 inches)
Side Yard (From the front building line to the front property line	1.5 ft. (18 inches)
Side Yard (From the front building line to the rear property line	5 ft.
Rear Yard	5 ft.

Table 9A.G Notes:

[1] Permitted fence materials shall include iron, wood, wire, brick, stone, or any combination thereof.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.5. LRD-2 Lakewood/Parkview Two-Family Residential District.

9A.5.1. Purpose of the District.

The purpose of the district is to provide for two-family development on smaller lots of record in more densely populated sections of Planning District 5. This development may be mixed with single-family residential dwellings along with churches and recreational facilities and with accessory uses as may be necessary or are normally compatible with residential surroundings.

9A.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use lists appearing in this section.

Special Regulations, which are set forth in Section 9A.5.7 of this article, apply to that area generally bounded by Dumaine Street, Moss Street/Jefferson Davis Parkway to Orleans Avenue to North Carrollton Avenue to Toulouse Street to City Park Avenue.

9A.5.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRD-2 Lakewood/Parkview Two-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in the Lakewood Single-Family Residential District.

2. Two-family dwellings.* (See Section 11.33)

3. Homes for the aged, nursing homes, convalescent homes.* (See Section 11.23)

4. Small group homes.* (See Section 11.22)

9A.5.4. Accessory Uses.

Any accessory use authorized in the Lakewood Single-Family Residential District is authorized in the Lakewood/Parkview Two-Family Residential District.

9A.5.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lakewood/Parkview Two-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the Lakewood Single-Family Residential District.

2. Orphan home facilities, camps, nurseries (day or boarding), public, private or commercial.* (See Section 11.25)

3. Townhouses.* (See Section 11.33).

4. Institutions, educational or philanthropic uses including museums, art galleries or libraries, when located on a site of at least 50,000 square feet, provided that all structures from such facilities are set back a minimum of fifty (50) feet from any property line abutting any residential district, and provided further that an off-street parking area shall be provided at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space for each 100 feet of gross floor area, whichever is greater.

5. Colleges, junior colleges or institutions of higher learning.* (See Section 11.36)

6. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)

7. Public junior high or senior high schools or private junior high or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)

8. Business or vocational schools providing non-industrial training, provided they utilize existing educational facilities and provided further that off-street parking shall be provided in accordance with Section 15.52.

9. Child care facilities.* (See Section 11.15)

10. Bed and breakfast family homes.* (See Section 11.6)

9A.5.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are those accessory signs authorized in the Lakewood Single-Family Residential District.

9A.5.7. Height, Area, and Yard Requirements.

The minimum requirements for lot area, yards and maximum height in the Lakewood/Parkview Two-Family Residential District are contained in Table 9A.H, less and except that the two-family zoned area generally bounded by Dumaine Street, Moss Street/Jefferson Davis Parkway to Orleans Avenue to North Carrollton Avenue to Toulouse Street to City Park Avenue, which shall be included in Table 9A.I.

These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.H
Area Regulations for the LRD-2 District

Requirements	Standards: Type of Development: One-Family Units	Standards: Type of Development: Two-Family Units[1]	Standards: Type of Development: Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	4,400 sq. ft.	2,500 sq. ft.	20,000 sq. ft.
Minimum lot width	40 ft.	50 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.
Minimum depth of front yard[2]	20 ft.	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%
Minimum width of each side yard[2]	3 ft.	3 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.

Table 9A.H Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and townhouses.

[2] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

9A.5.8. Special Regulations.

The minimum requirements for lot area, yards and height for that two-family zoned area of Planning District 5 generally bounded by Dumaine Street, Moss Street/Jefferson Davis Parkway to Orleans Avenue to North Carrollton Avenue to Toulouse Street to City Park Avenue shall be included in Table 9A.I.

These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.I
Special Area Regulations for the LRD-2 District

Requirements	Type of Development: One-Family Units	Type of Development: Two-Family Units[1]	Type of Development: Town House[1]	Type of Development: Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	3,600 sq. ft.	1,800 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.
Minimum depth of front yard[2]	20 ft.	20 ft.	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	See Note 1	20%
Minimum width of each side yard	3 ft.	3 ft.	10 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.	20 ft.

Table 9A.I Notes:

[1] See Article 11 for supplemental regulations governing two-family dwellings and town houses.

[2] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.6. LRM-1 Lake Area Low-Rise Multiple-Family Residential District.

9A.6.1. Purpose of the District.

The purpose of this district is to provide for low-rise, medium density, multiple-family residential development in the Lake Area in proximity to single and two-family residential development.

9A.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.6.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRM-1 Lake Area Low-Rise Multiple-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in any of the Lake Area Single-Family Residential Districts.

2. Two-family residential dwellings.* (See Section 11.33)

3. Townhouses.* (See Section 11.33)

4. Multiple-family dwellings.

5. Homes for the aged, nursing homes, convalescent homes, and orphan homes.

6. Convents and monasteries.

7. Child care facilities.* (See Section 11.15)

8. Small group homes.* (See Section 11.22)

9. Colleges, junior colleges, or institutions of higher learning, and uses normally associated therewith.* (See Section 11.36)

9A.6.4. Accessory Uses.

The following uses of land are authorized uses within the LRM-1 Lake Area Low-Rise Multiple-Family Residential District:

1. Any accessory uses authorized in any of the Lake Area Single-Family Residential Districts.

2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.

3. A laundry room for use of occupants of a multiple-family dwelling development.

4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.

5. Public telephones inside a main building.

6. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks, and sundries, inside a building with ten (10) or more dwelling units or guest rooms.

7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and to contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.* (Note: Requires an amendment to Chapter 10 of the City Code to add the Lake Area Multiple-Family Residential Districts to the exemption currently allowing alcoholic beverage service in conjunction with multi-family developments of certain sizes in the RM-4 District.)

9A.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lake Area Low-Rise Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the any of the Lake Area Single-Family and Two-Family Residential Districts, subject to any special regulations made applicable to such use within such districts, unless such special regulations have been expressly modified by provisions of this zoning district.

2. On premise storage garage or temporary vehicular storage provided between the property line and the permanent parking spaces, where said storage space is either ten (10) percent of the designed vehicular capacity of the facility or six (6) vehicular spaces, whichever is lesser.

3. Child care facilities.* (See Section 11.15)

4. Fraternities and sororities, private clubs and lodges, except those which the chief activity is a service customarily carried on as a business.* (See Section 11.18)

5. Television stations and associated accessory equipment.

9A.6.6. Permitted Signs.

The following types of signs are permitted within the Lake Area Low-Rise Multiple-Family Residential District, subject to the general sign regulations in Article 12:

1. Any sign authorized in the any of the Lake Area Single-Family Residential Districts.

2. A sign limited in area to one (1) square foot for each dwelling unit up to a maximum of fifty (50) square feet, giving the name and/or address or management of a multiple-family dwelling or group of multiple-family dwellings, or a convent or monastery, or similar public or semipublic institutional use permitted within the district.

9A.6.7. Height, Area, and Yard Requirements.

Minimum requirements for lot areas, yards and maximum height and floor area ratio for the Lake Area Low-Rise Multiple-Family Residential District are contained in Table 9A.J. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.J
Area Regulations for the LRM-1 District

Requirements	TYPE OF DEVELOPMENT						
	One-Family	Two-Family[1]	Three-Family	Four-Family	Five-Family	Town House[1]	Nonresidential
Minimum lot area per dwelling unit or nonresidential site area	3,125 sq. ft.	1,750 sq. ft.	1,500 sq. ft.	1,200 sq. ft.	1,000 sq. ft.	2,000 sq. ft.	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft.	40 ft.	50 ft.	50 ft.	18 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	100 ft.
Maximum height	40 ft.	40 ft.	40 ft.	40 ft.	55 ft.	40 ft.	40 ft.
Maximum Floor Area Ratio	1.00	1.00	1.00	1.00	1.50	1.00	1.00
Minimum Open Space Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Minimum depth of front yard[2]	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%	20%	20%	See Note [1]	20%
Minimum width of each side yard	3 ft.	3 ft.	3 ft.	3 ft.	5 ft.	5 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft.	12 ft.	15 ft.	12 ft.	20 ft.
Minimum depth of rear yard	15 ft.	15 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

Table 9A.J Notes:

[1] Subject to determination of permitted two-family uses and applicability of Article 11.

[2] For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.7. LRM-2 Lake Area High-Rise Multiple-Family Residential District.

9A.7.1. Purpose of the District.

The purpose of the district is to provide for medium to high-rise, high density, multiple-family residential development in proximity to single and two-family residential development, neighborhood business, general commercial or marina areas.

9A.7.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.7.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LRM-2 Lake Area High-Rise Multiple-Family Residential District. Timeshare buildings and transient vacation rentals are prohibited:

1. Any permitted use authorized in any of the Lake Area Single-Family Residential Districts.

2. Two-family dwellings.* (See Section 11.33)

3. Townhouses.* (See Section 11.33)

4. Multiple-family dwellings.

5. Homes for the aged, nursing homes, convalescent homes, and orphan homes.

6. Child care facilities.* (See Section 11.15)

7. Small group homes.* (See Section 11.22)

8. Convents and monasteries.

9A.7.4. Accessory Uses.

The following uses of land are authorized uses within the LRM-2 Lake Area High-Rise Multiple-Family Residential District:

1. Any accessory uses authorized in any of the Lake Area Single-Family Residential Districts and the Lake Area Low-Rise Multiple-Family Residential District.

2. An office containing an area of not more than two (2) percent of the gross floor area of the development located in a main building for administration of a multiple-family development.

3. A laundry room for use of occupants of a multiple-family dwelling development.

4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.

5. Public telephones inside a main building.

6. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks, and sundries, inside a building with ten (10) or more dwelling units or guest rooms.

7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and to contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.* (Note: Requires an amendment to Chapter 10 of the City Code to add the Lake Area Multiple-Family Residential Districts in the exception currently allowed for accessory ABO in multi-family developments of certain sizes in the RM-4 District.)

8. Retail and service facilities within a building containing 100 or more dwelling units or guest rooms. Retail and service facilities may include barbershops, beauty shops, dining rooms, laundries, athletic studios or spas, newsstands, restaurants, cocktail lounges, valet service, travel service, automobile rental offices, and retail stores for wearing apparel, books, gifts, flowers, packaged fruits, tobacco, drugs, and sundries. Such retail area shall not exceed ten (10) percent of the gross floor area of the building.

9A.7.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lake Area High-Rise Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the Lake Area Low-Rise Multiple-Family Residential District.

2. Child care facilities.* (See Section 11.15)

3. Fraternities and sororities, private clubs and lodges, except those which the chief activity is a service customarily carried on as a business.* (See Section 11.18)

4. Large group home.* (See Section 11.21)

5. Residential care centers.

9A.7.6. Permitted Signs.

The following types of signs are permitted within the Lake Area High-Rise Multiple-Family Residential District, subject to the general sign regulations in Article 12:

1. Any sign authorized in the Lake Area Single-Family Residential Districts.

2. A sign, illuminated or non-illuminated, limited to one (1) square foot for each dwelling unit up to a maximum of 100 square feet, giving the name and/or address or management of a multiple-family dwelling or group of multiple-family dwellings, rooming, boarding or lodging house, fraternity or sorority, private club or lodge, college or university, convent, monastery or apartment hotel, or similar public or semipublic institutional use permitted within the district.

3. Two (2) signs, illuminated or non-illuminated, which give directions to a parking area, service area, access way or entrance, or exit, with sign area limited to five (5) square feet.

9A.7.7. Height, Area, and Yard Requirements.

Minimum requirements for lot areas, yards and maximum height and Floor Area Ratio for the Lake Area High-Rise Multiple-Family Residential District are contained in Table 9A.K. These standards apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.K
Area Regulations for the LRM-2 District

Requirements	TYPE OF DEVELOPMENT									Educational Inst.	Non-Residential[3]
	1 DU[1]	2 DU	3 DU	4 DU	5-11 DU	12-16 DU	17-40 DU	41+ DU	Town House[2]		
Minimum lot area per dwelling unit (minimum lot area subject to approval of a residential planned community)[5]	3,125 sq ft.	1,750 sq ft	1,200 sq. ft.	1,000 sq ft.	1,000/ (800) sq ft.	1,000/ (600) sq ft.	1,000/ (600) sq. ft.	1,000/ (400) sq ft	2,000 sq.ft	2 acres	20,000 sq. ft.
Minimum lot width	30 ft.	30 ft	40 ft.	40 ft.	50 ft	60 ft	75 ft.	100 ft.	18 ft.	100 ft	30 ft
Minimum lot depth	90 ft.	90 ft	90 ft	90 ft.	90 ft	100 ft.	100 ft.	100 ft.	90 ft.	100 ft	90 ft.
Maximum height (ft)	185	185	185	185	185	185	185	185	40	185	185
Maximum Floor Area Ratio	4 00	4.00	4 00	4.00	4 00	4 00	4.00	4 00	4 00	4.00	4.00
Minimum Open Space Ratio	0 20	0 20	0.20	0 20	0 20	0 20	0.20	0 10	0 30	0 10	0 20
Minimum depth of front yard[4]	20 ft	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft	20 ft	20 ft.
Minimum aggregate width of side yards (Percent of actual lot width)	20%	20%	20%	20%	20%	20%	20%	20%	See Note [2]	30%	20%
Minimum width of each side yard	3 ft	3 ft.	3 ft.	3 ft	5 ft	5 ft	6 ft.	6 ft	5 ft	20 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	12 ft	12 ft.	12 ft.	12 ft.	15 ft.	12 ft.	12.ft.	40 ft.	20 ft.
Minimum depth of rear yard	15 ft.	15 ft	15 ft.	15 ft	15 ft	20 ft	20 ft.	20 ft	20 ft.	20 ft.	20 ft.
Maximum lot coverage of main structure and accessory buildings (Percent of lot area)	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%

Table 9A.K Notes:

[1] DU — Dwelling units per lot or building site.

[2] See Article 11 for supplemental regulations governing two-family dwellings and townhouses.

[3] Nonresidential requirements of this table only apply when not elsewhere specified.

[4] The minimum front yard shall be twenty (20) feet or the average of the block face, whichever is greater. For a corner lot, a minimum yard of ten (10) feet shall be provided on the side street.

[5] Residential densities may be increased up to a maximum of one (1) dwelling unit per square footage as indicated in the parentheses when approved as part of a residential planned community district under Article 10 of these zoning regulations.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.8. LB-1 Lake Area Neighborhood Business District.

9A.8.1. Purpose of the District.

The purpose of this district is to provide for small offices, retail shopping and personal services uses, to be developed either as a unit or in individual parcels, to serve the needs of a relatively small area, primarily nearby, low-density residential neighborhoods. This district may also be combined with the Lake Area Design Corridor Overlay District to achieve superior design, landscaping and unified sign criteria across zoning district boundaries.

9A.8.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use list appearing in this section.

To enhance the general character of the district and its compatibility with adjacent residential neighborhoods, this category has a limitation on maximum gross square footage of uses and structures permitted by right of 5,000 square feet. Uses and/or structures exceeding 5,000 square feet of gross floor area are prohibited.

9A.8.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LB-1 Lake Area Neighborhood Business District subject to the performance standards of Article 7, Section 7.5 and Supplementary Use Standards of Article 11. Timeshare buildings and transient vacation rentals are prohibited. Uses which sell alcoholic beverages for consumption on or off the premises require conditional use approval.

1. Any use permitted in the LRS-1 Lakeview Single-Family Residential District.

2. Two-family residential dwellings.

3. Automatic ice distribution station or other drive-in automatic vending machine station. Groups of vending machines shall be contained in a completely enclosed building.

4. Banks without drive-in facilities.

5. Banks with drive-in facilities, provided that all the requirements listed in the supplemental use standards are met. (See Section 11.4)

6. Bakeries without drive-thru, provided that all products produced on the premises shall be sold at retail on the premises.
7. Barbershops, beauty parlors, chiropractic, or similar personal service shops, except massage or tattoo parlors.
8. Bicycle sales and repair shops.
9. Plumbing shops.
10. Catering and delicatessen businesses.
11. Health clinics for human patients.
12. Custom dressmaking, millinery, tailoring, or similar retail trades.
13. Dry cleaning shops using no cleaning fluid that has a base of petroleum or one of its derivatives.
14. Printing shops.
15. Flower shops and greenhouses incidental thereto.
16. Laundromats and laundries.
17. Locksmith shops.
18. Messenger and telegraph service stations.
19. Offices, general business or professional.
20. Museums.
21. Studios for artists, photographers, teachers, sculptors, or musicians.
22. Standard restaurants and coffee shops.
23. Shoe repair shops.
24. Shops for the repair of electrical and radio equipment.
25. Stores or shops for the conduct of a retail business, except automobile/vehicular parts/sales/non-service, and pawnshops.
26. Dance or yoga studios.
27. Hospital or clinic for small animals, dogs, cats, birds, and the like, provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls.
28. Public elementary schools or private elementary schools having curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
29. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)
30. Child care facilities.* (See Section 11.15)
31. Adult day care centers.* (See Section 11.14)
32. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns.* (See Sections 11.6, 11.7, 11.8, 11.9)

(Ord. No. 27,187, § 2, adopted 11/6/08)

9A.8.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the LB-1 Lake Area Neighborhood Business District:

1. Any accessory use allowed in the LRS-1 Lakeview Single-Family Residential District.

2. Storage in connection with a permitted use, where storage is incidental or integral to the approved occupancy of the building and provided the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure. All products and material must be used or stored in a completely enclosed building or enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars or trucks used in connection with the permitted trade or business is permitted within the walled or screened area, but not including storage of heavy equipment such as road-building or excavating equipment.
3. Ice storage machines may be located on the exterior of small convenience stores. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machine shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:
   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.
   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

9A.8.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the LB-1 Lake Area Neighborhood Business District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations. Uses and/or structures shall be limited to a maximum of 5,000 square feet of gross floor area, or specific size restriction(s) stated below. Uses or structures exceeding 5,000 square feet of gross floor area or the specific size restriction(s) stated below are prohibited:

1. Any conditional use authorized in the LRS-1 Lakeview Single-Family Residential District.
2. Cocktail lounges or bars limited to 2,500 square feet in gross floor area. (See Section 11.13).
3. Fast food restaurants, except that drive-thru service shall be prohibited.
4. Live entertainment limited to an unamplified soloist or combo (up to three members) in standard and cafeteria restaurants and coffee shops.
5. Banks with drive-in facilities which do not meet all the requirements listed in the supplemental use standards.* (See Section 11.4).
6. Automobile service centers.* (See Section 11.3).
7. Automobile/vehicular parts sales/non-service.
8. Any permitted use allowed in the LB-1 Lake Area Neighborhood Business District which sells alcoholic beverages for consumption on or off the premises.* (See Section 11.13).
9. Cemeteries and mausoleums (See Section 11.11)
10. Automated car wash or automobile laundry, providing reservoir space at the entrance of an automated car wash for not less than ten (10) vehicles for each washing lane, in conjunction with a gasoline service station.
11. Gasoline service stations, but with no lighting fixture extending to a height greater than fifteen (15) feet.
12. Parking lots, parking spaces and parking areas; however, not parking garages or automobile sales or storage lots.* (See Section 1128)

13. Cafeteria restaurants.

(Ord. No. 27,187, § 2, adopted 11/6/08)

9A.8.6. Permitted Signs.

Subject to the general sign regulations in Article 12, the following illuminated or non-illuminated accessory signs shall be permitted in the LB-1 Lake Area Neighborhood Business District:

1. Each business shall be limited to one (1) attached wall or projecting sign. The sign shall be limited to one (1) square foot per linear foot of building width or tenant space up to a maximum of seventy (70) square feet. Exterior attached signs shall not project above the first floor of a building.
2. One (1) detached monument sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) traffic lanes. The sign shall be limited to one-half (1/2) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet. Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.
3. A maximum of two (2) canopy signs shall be permitted for each business. Their sign area shall be counted in the total allowable sign area for the business.
4. Signs may be illuminated, but shall not flash, blink, or fluctuate. The backlighting of awnings containing signage shall be prohibited.
5. Only one interior window sign per business shall be permitted within four (4) feet of the interior face of any window of a building and shall be counted in the total allowable sign area for the business.
6. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.
7. One (1) flat, double-faced general advertising sign, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

9A.8.7. Height, Area, and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for non-residential uses in the LB-1 Lake Area Neighborhood Business District are contained in Table 9A.L. Area requirements for residential uses are the same as for the Lake Area Low-Rise Multiple-Family Residential District regulations in Section 9A.6.

Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.L
Area Regulations for the LB-1 District

REQUIREMENTS	STANDARDS
Maximum height	40 ft.
Minimum depth of front yard	20 ft.
Minimum yard on a side street	10 ft.
Minimum interior side yard	4 ft.
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	4 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	1.00

(Ord. 22,896 § 1 (part), adopted 11/15/07)

9A.8.8. Subdistrict Regulations.

Permitted Uses. The following uses of land are authorized as permitted uses in the LB-1 Lake Area Neighborhood Business District—Middle Harrison Avenue Corridor Subdistrict subject to the performance standards of Article 7, Section 7.5 and Supplementary Use Standards of Article 11. Timeshare buildings and transient vacation rentals are prohibited. Uses which sell alcoholic beverages for consumption on or off the premises require conditional use approval. Uses and/or structures exceeding 4,000 square feet of gross floor area are prohibited.

1. Any use permitted in the LRS-1 Lakeview Single-Family Residential District.
2. Two-family residential dwellings.
3. Banks without drive-in facilities.
4. Banks with drive-in facilities, provided that all the requirements listed in the supplemental use standards are met. (See Section 11.4)
5. Bakeries without drive-thru, provided that all products produced on the premises shall be sold at retail on the premises.
6. Barbershops, beauty parlors, chiropractic, or similar personal service shops, except massage or tattoo parlors.
7. Bicycle sales and repair shops.
8. Catering and delicatessen businesses.
9. Custom dressmaking, millinery, tailoring, or similar retail trades.
10. Dry cleaning shops using no cleaning fluid that has a base of petroleum or one of its derivatives.
11. Printing shops.
12. Flower shops and greenhouses incidental thereto.
13. Locksmith shops.
14. Messenger and telegraph service stations.
15. Offices, general business or professional.
16. Museums.
17. Studios for artists, photographers, teachers, sculptors, or musicians.
18. Coffee shops.
19. Shoe repair shops.
20. Shops for the repair of electrical and radio equipment.

21. Stores or shops for the conduct of a retail business, except automobile/vehicular parts/sales/non-service, and pawnshops.
22. Dance or yoga studios.
23. Public elementary schools or private elementary schools having curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (See Section 11.37)
24. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior high or senior high schools.* (See Section 11.38)
25. Child care facilities.* (See Section 11.15)
26. Adult day care centers.* (See Section 11.14)
27. Bed and breakfast family homes, bed and breakfast guest homes, bed and breakfast historic homes, and bed and breakfast inns.* (See Sections 11.6, 11.7, 11.8, 11.9)
28. Specialty restaurant defined as a business which sells a single specialty type of food or beverage that is not considered a complete meal (e.g., candy, coffee, or ice cream). The sale of other food, beverages, or merchandise is incidental to the sale of the specialty food or beverage. Specialty restaurants may not offer alcoholic beverages for sale.

Conditional Uses. The following uses of land are authorized as conditional uses within the LB-1 Lake Area Neighborhood Business District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations. Uses and/or structures shall be limited to a maximum of 4,000 square feet of gross floor area, or specific size restriction(s) stated below. Uses or structures exceeding 4,000 square feet of gross floor area or the specific size restriction(s) stated below are prohibited:

1. Any conditional use authorized in the LRS-1 Lakeview Single-Family Residential District.
2. Live entertainment limited to an unamplified soloist or combo (up to three (3) members) in standard and cafeteria restaurants and coffee shops.
3. Banks with drive-in facilities which do not meet all the requirements listed in the supplemental use standards.* (See Section 11.4)
4. Any permitted use allowed in the LB-1 Lake Area Neighborhood Business District which sells alcoholic beverages for consumption on or off the premises.* (See Section 11.13)
5. Parking lots, parking spaces and parking areas; however, not parking garages or automobile sales or storage lots.* (See Section 11.28)
6. Studios for musicians playing unamplified music within the studio (no outdoor music).
7. Standard restaurants provided that there shall never be more than five (5) in operation at any one time within the Middle Harrison Avenue Corridor Subdistrict.

(Ord. No. 25649, § 1, adopted 1/9/14)

Section 9A.9. LB-2 Lake Area Neighborhood Business District.

9A.9.1. Purpose of the District.

The purpose of this district is to provide for larger retail shopping venues and personal services uses, to be developed either as a unit or in individual parcels, to serve the needs of a relatively small area, primarily nearby, low to medium density residential neighborhoods. This district may also be combined with the Lake Area Design Corridor Overlay District to achieve superior design, landscaping and unified sign criteria across zoning district boundaries.

9A.9.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use list appearing in this section.

Uses or structures for multiple uses classified as permitted yet exceeding the 5,000 gross square foot maximum shall be classified as conditional uses. Uses and/or structures exceeding 5,000 square feet of gross floor area are prohibited.

9A.9.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the LB-2 Lake Area Neighborhood Business District subject to the performance standards of Article 7, Section 7.5 and the 5,000 gross square foot maximum. Uses classified as permitted yet exceeding the 5,000 gross square foot maximum shall be classified as conditional uses. Uses which sell alcoholic beverages for consumption on or off the premises require conditional use approval. Timeshare buildings and transient vacation rentals are prohibited.

1. Any use permitted in the LB-1 Lake Area Neighborhood Business District subject to the height, area, bulk and maximum gross square footage standards included therein.
2. Lawnmower, yard and garden equipment, rental, sales, and services.
3. Lumber and building materials stores, retail only, and provided that the entire operation shall be conducted in a completely enclosed building where such use abuts a residential district.
4. Plumbing shops.
5. Printing shops.
6. Meeting halls.
7. Reception/Catering facilities.* (See Section 11.63)
8. Radio and television stations or recording studios, but not towers more than 125 feet in height above grade, and providing such towers are set back a minimum of fifty (50) feet from all lot lines.
9. Studios for artists, photographers, teachers, sculptors, or musicians.
10. Funeral homes and mortuaries.
11. Health and fitness centers.

9A.9.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the LB-2 Lake Area Neighborhood Business District:

1. Any accessory use allowed in the LB-1 Lake Area Neighborhood Business District.
2. Storage in connection with a permitted use where storage is incidental or integral to the approved occupancy of the building, provided all products and materials used are enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars or trucks used in connection with the permitted trade or business is permitted within the walled or screened area, but not including storage of

heavy equipment such as road-building or excavating equipment and provided that the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure.

3. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 5,000 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machine shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:

   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.

   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) foot square. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

9A.9.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the LB-2 Lake Area Neighborhood Business District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations. However, no use shall be authorized to exceed 25,000 square feet in total area.

1. Any conditional use authorized in the LB-1 Lake Area Neighborhood Business District.

2. Any permitted use authorized in the LB-2 Lake Area Neighborhood Business District that exceeds the 5,000 gross square foot maximum.

3. Business, vocational, and proprietary schools; schools for industrial training, trade, or business.

4. Fast food restaurants, except drive-thru service, shall be prohibited.

5. Multiple family residential uses, up to four residential units, subject to the area regulations of the LRM-1 Lake Area Low-Rise Multiple-Family Residential District.

9A.9.6. Permitted Signs.

Subject to the general sign regulations in Article 12, the following illuminated or non-illuminated accessory signs shall be permitted in the LB-2 Lake Area Neighborhood Business District:

1. Each business shall be limited to one (1) attached wall or projecting sign. The sign shall be limited to one (1) square foot per linear foot of building width or tenant space up to a maximum of seventy (70) square feet. Exterior attached signs shall not project above the first floor of a building.

2. One (1) detached monument sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) traffic lanes. The sign shall be limited to one-half (1/2) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet. Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.

3. A maximum of two (2) canopy signs shall be permitted for each business. Their sign area shall be counted in the total allowable sign area for the business.

4. Signs may be illuminated, but shall not flash, blink, or fluctuate. The backlighting of awnings containing signage shall be prohibited.

5. Only one interior window sign per business shall be permitted within four (4) feet of the interior face of any window of a building and shall be counted in the total allowable sign area for the business.

6. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.

7. One (1) flat, double-faced general advertising sign, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

9A.9.7. Height, Area, and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for non-residential uses in the LB-2 Lake Area Neighborhood Business District are contained in Table 9A.M. Area requirements for residential uses are the same as for the Lake Area Low-Rise Multiple-Family Residential District regulations in Section 9A.6.

Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.M
Area Regulations for the LB-2 District

REQUIREMENTS	STANDARDS
Maximum height	55 ft.
Minimum depth of front yard	20 ft.

REQUIREMENTS	STANDARDS
Minimum yard on a side street	None
Minimum interior side yard	None
Minimum interior side yard abutting a residential district	5 ft.
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	2.00

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.10. LC Lake Area General Commercial District.

9A.10.1. Purpose of the District.

The purpose of this district is to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor, and noise associated with manufacturing. The district is intended for application in intensely developed areas. Tall buildings are permitted, no front yards are required and signs are less restricted than in the Lake Area Neighborhood Business Districts.

9A.10.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.10.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the LC Lake Area General Commercial District, subject to the performance standards of Section 7.5. However, check-cashing establishments are prohibited.

1. Any use permitted in the LB-1 or LB-2 Lake Area Neighborhood Business Districts without limitations to floor area.

2. Garages, parking or vehicle storage.

3. Automobile and boat sales and displays (new or used) and corresponding repair and service facilities in conjunction with new automobile and boat sales and displays, but excluding truck and trailer lots and provided any exterior storage or display shall be screened from any abutting residential district.

4. Multiple-family dwellings of three (3) or more dwelling units in accord with the requirements of the LRM-2 Lake Area High Rise Multiple-Family Residential District, provided that the minimum lot area per dwelling unit shall be no less than that specified for such multiple-family residential uses in the LRM-2 Lake Area High-Rise Multiple-Family Residential District and that the height shall be limited to 100 feet.

5. Electric substations.* (See Section 11.40)

6. Telephone exchanges.* (See Section 11.45)

7. Hospitals or urgent care centers.

8. Restaurants, all types except drive-thru, shall be prohibited.

9. Timeshare buildings and transient vacation rentals.

10. Parking lots, parking spaces, and parking areas.

11. Bowling alleys.

12. Automobile/vehicular parts sale/non-service.

13. Child care facilities.* (See Section 11.15)

14. Health and fitness centers.

15. Large group homes.* (See Section 11.21)

16. Medical clinics.

17. Retail uses greater than 25,000 square feet in floor area.* (See Article 5, Section 5.7.8 and Article 11, Section 11.61)

18. Motion picture theatres or stage productions, supper clubs or dinner theatres. Live adult entertainment is prohibited.

19. Public and government buildings, limited to police stations, fire stations, community health centers, neighborhood centers, libraries, postal stations, and branch administrative offices.* (See Section 11.30)

(Ord. 23,147 § 3, adopted 7/10/08; Ord. 22,896 § 1 (part), adopted 11/15/07)

9A.10.4. Accessory Uses.

The following uses of land are authorized as accessory uses within the LC Lake Area General Commercial District:

1. Any accessory use allowed in the LRM-2 Lake Area High-Rise Multiple-Family Residential District.

2 Storage in connection with a permitted use where storage is incidental or integral to the approved occupancy of the building, provided all products and materials used or stored are in a completely enclosed building, enclosed by a masonry wall, screening fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars or trucks used in connection with the permitted trade or business is permitted within the walled or screened area, but not including storage of heavy equipment such as road-building or excavating equipment and provided that the aggregate amount of such storage space does not exceed thirty (30) percent of the gross floor area of the main structure.

3. Ice storage machines may be located on the exterior of small convenience stores which occupy not more than 2,500 square feet of floor area. They shall be placed against the building and shall not protrude into any public rights-of-way or into any required front or side yards. The ice storage machines shall be placed so that customers accessing these units shall not have to block the public right-of-way. The following additional conditions apply:

   a. Such ice storage units shall not exceed seventy-eight (78) inches in height, forty (40) inches in depth and seventy-eight (78) inches in width.

   b. The only signage to be permitted on these storage units shall be the word "ICE." The size of the sign shall not exceed one (1) foot by one (1) foot or one (1) square foot. The size of this sign shall not be subtracted from the size of the permitted sign for the main use.

9A.10.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the LC Lake Area General Commercial District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of the zoning regulations:

1. Any conditional use permitted in the LB Lake Area Business Districts, exclusive of size.

2. Commercial kennels for domestic animals, provided that if such facilities adjoin any residential district, any structure or area used for the display, boarding, treatment or exercising of pets and other domestic animals shall be located at least fifty (50) feet from any property line abutting any residential district. In addition, one (1) off-street parking space for each 300 square feet of enclosed floor space shall be provided, with a minimum provision of at least three (3) off-street parking spaces.

3. Business, vocational, and proprietary schools; schools for industrial training, trade or business.

4. Brew pubs.

5. Interactive theater.

6. Rehabilitative-recovery/care centers, provided that there shall be a minimum distance between rehabilitative-recovery/care centers, large group homes, and small group homes of a 2,500 foot radius.

7. Green markets.* (See Section 11.52)

8. Apartment hotels.

9. Hotels.

10. Automobile service centers.* (See Section 11.3)

9A.10.6. Permitted Signs.

Subject to the general sign regulations in Article 12, the following illuminated or non-illuminated accessory signs shall be permitted in the LC Lake Area General Commercial District:

1. Each business shall be limited to one (1) attached wall or projecting sign. The sign shall be limited to one (1) square foot per linear foot of building width or tenant space up to a maximum of seventy (70) square feet. Exterior attached signs shall not project above the first floor of a building.

2. One (1) detached monument sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) traffic lanes. The sign shall be limited to one-half (½) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet. Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.

3. A maximum of two (2) canopy signs shall be permitted for each business. Their sign area shall be counted in the total allowable sign area for the business.

4. Signs may be illuminated, but shall not flash, blink, or fluctuate. The backlighting of awnings containing signage shall be prohibited.

5. Only one interior window sign per business shall be permitted within four (4) feet of the interior face of any window of a building and shall be counted in the total allowable sign area for the business.

6. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.

7. One (1) flat, double-faced general advertising sign, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be con-

structed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

9A.10.7. Height, Area, and Bulk Requirements.

Minimum requirements for lot area, yards and open space, and maximum height and Floor Area Ratio for non-residential uses in the LC Lake Area General Commercial District are contained in Table 9A.N. Area requirements for residential uses are the same as for the Lake Area High-Rise Multiple-Family Residential District regulations in Section 9A.7, except that the maximum height permitted shall be 100 feet.

Standards for nonresidential uses and for residential uses apply to all permitted and accessory uses, unless a variance is granted by the Board of Zoning Adjustments under Section 14.6, and to all conditional uses, unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6.

Table 9A.N
Area Regulations for the LC District

REQUIREMENTS	STANDARDS
Maximum height	100 ft.
Minimum depth of front yard	None
Minimum yard on a side street	None
Minimum interior side yard	None
Minimum interior side yard abutting a residential district	5 ft.
Minimum rear yard	None
Minimum yard on a side street when rear yard abuts a residential district	10 ft.
Minimum side or rear yard if any is provided	3 ft.
Minimum rear yard abutting a residential district	20 ft.
Maximum Floor Area Ratio	4.00

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.11. LP Lake Area Neighborhood Park District.

9A.11.1. Purpose of the District.

The purpose of this district is to provide for small neighborhood scale passive open space and recreational areas intended to compliment existing residential neighborhoods or transportation corridors. Such land may include small parks and recreation space, open space, greenways, floodways, trails and lands where physical, aesthetic or cultural characteristics preclude their inclusion in other Lake Area Zoning Districts. It is intended that these areas provide opportunities for passive outdoor recreation, preserve scenic views and protect fragile environmental areas.

9A.11.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory, or conditional use designated with an asterisk (*) in the use list appearing in this section.

9A.11.3. Permitted Uses.

The following uses of land are authorized as permitted uses within the LP Lake Area Neighborhood Park District, subject to the performance standards of Section 7.5.

1. Public parkways.

2. Passive public recreational areas.

3. Forest, reservation or conservation land.

4. Gas distribution mains and gas regulator stations.

5. Electric utility distribution facilities, meters and service lines, excluding transmission facilities.

6. Telephone and communication lines and related facilities, excluding telephone exchanges.

7. Underground sewerage lift or pumping stations.* (See Section 11.43)

8. Water distribution systems, meters, sanitary and storm water sewerage systems and related appurtenances, excluding lift and pumping stations or water towers.

9. Public transit waiting stations.* (See Section 11.31)

10. Small telephone repeater structures when located in a public right-of-way, utility easement, or buildable area.

11. Underground cable communication system cables, amplifiers, and related facilities, excluding distribution and switching centers or cable casting studios.

9A.11.4. Accessory Uses.

The following accessory uses are authorized within the LP Lake Area Neighborhood Park District:

1. Play equipment such as swings, seesaws, and similar juvenile play facilities not to be located closer than twenty (20) feet to any property line and limited to the maximum height of the most restrictive adjacent zoning district.

2. Bench seating areas, covered or uncovered, when located no closer than fifty (50) feet from any residential zoning district, twenty (20) feet from any public street right-of-way, or twenty (20) feet from any other property line.
3. Public gardens.

9A.11.5. Conditional Uses.

The following use is authorized as a conditional use within the LP Lake Area Neighborhood Park District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations, and subject to the additional standard that the proposed use shall not cause substantial injury to the natural environment:

1. Light rail on public or private property, including a strip of land with tracks and accessory facilities for track operations, but not including passenger stations, freight terminals, switching and classifications yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding and watering stations.
2. Parking lots, accessory or non-accessory.
3. Public transit terminal/transfer stations, including public restrooms, vending machines, and sales kiosks for public transit fare passes.

9A.11.6. Permitted Signs.

Subject to the general sign regulations in Article 12, the following accessory signs are permitted in the LP Lake Area Neighborhood Park District:

1. A sign limited in area to forty (40) square feet for identification of a subdivision or conservation area.
2. One (1) flat, double-faced general advertising sign, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.

9A.11.7. Height, Area, and Yard Requirements.

There are no additional area or yard requirements for permitted uses in the LP Lake Area Neighborhood Park District other than those which shall be mandatory and provided in accord with the requirements of Section 9A.11.4.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

Section 9A.12. LM Lake Area Marina District. (Reserved)

Section 9A.13. LADC Lake Area Design Corridor Overlay District.

9A.13.1. Purpose of the District.

The purpose of this district is to provide for a superior environment, compatibility of development, architectural quality of design, and to ensure the achievement of urban design and planned growth goals along neighborhood business and commercial corridors in Planning District 5. The overlay district is intended to supplement the regulations of the underlying (base) district and require special site and building design requirements intended to establish a positive and unified streetscape.

9A.13.2. Areas of Applicability.

This district is intended for application along neighborhood business and commercial corridors within the Lake Area Zoning Districts. The regulations shall apply to:

a. All lots fronting on Harrison Avenue between Orleans Avenue and the 17th Street Canal located within Lake Area Neighborhood Business Districts 1 or 2 within the neighborhood of Lakeview.
b. All existing and proposed commercially zoned lots on squares that front on Robert E. Lee Boulevard between West End Boulevard and Vicksburg Street, specifically within the Lake Area Neighborhood Districts 1 or 2 and within the Lake Area Commercial District. (The design overlay regulations may not apply to the construction, redevelopment, alteration or improvements to single-family and two-family residential buildings within the overlay.)
c. All lots with frontage on Canal Boulevard between City Park Avenue and Robert E. Lee Boulevard and all lots within the LB-1 and LB-2 Lake Area Neighborhood Business Districts along Canal Boulevard between City Park Avenue and Robert E. Lee Boulevard.

(M.C.S., Ord. No. 024394, § 1, adopted 4/28/11)

94.13.3. Regulation of the Underlying Zoning District.

Unless otherwise noted in Lake Area Design Corridor Overlay District regulations, the regulations of the underlying zoning district shall apply. Nothing here shall be construed to supersede standards applicable to approved site plans in pre-existing zoning districts.

94.13.4. Uses Authorized In the District.

All uses authorized in the underlying zoning district and listed under permitted use, accessory use, or conditional use shall be authorized in this district.

9A.13.5. Applicability of Regulations.

All permit applications including new construction, redevelopment, alteration and signage within the overlay district shall be subject to design review by the City Planning Commission and shall comply with the design standards of this section. Exemptions: Applications for construction, redevelopment, alteration or improvements involving single family and two-family residential buildings that are not included in a mixed use development shall be exempt from the provisions of these regulations.

9A.13.6. Design Review Standards.

The following design standards take precedence over ones specified in the underlying zoning districts, which are less restrictive:

1. Building Design. A strong visual connection shall be made between the building's design and the existing character of the area. The overall building design (including its height and bulk) should be compatible with the neighborhood and shall provide for a pedestrian environment through the use of visually active ground level treatments. Where appropriate, buildings should provide climatic protection to their users by incorporation of overhangs, arcades, balconies and galleries. Architectural details, material, colors, textures and landscape treatments shall be coordinated to provide visual continuity, quality and consistency. The design and site development shall adhere to the character and scale of the surroundings. Additionally the following standards are to be met:

a. Flat roofs shall be enclosed by parapet walls a minimum of forty-two (42) inches in height.

b. All roof mounted mechanical equipment shall be concealed from the main street.

c. The exterior finish materials on all facades shall be limited to those which comply with applicable building codes. Industrial metal "R" wall panels are specifically not permitted.

d. Exterior facades shall respect and reflect a sense of human scale.

e. Single plane facades are encouraged to be limited to thirty (30) foot lengths with offsets a minimum of six (6) inches.

f. The provision of operable shutters is encouraged. No fixed shutters are permitted.

g. Buildings and parking areas adjacent to residential neighborhoods, that are not included in the overlay area, are to be screened with landscaping and separated by two feet according to zoning code provisions.

2. Site Development.

a. Setbacks. Building front, side and rear setbacks are as follows:

i. Front yard: 0 ft. min. — 12 ft. max.

ii. Side yard: 0 ft, min.; Street corner site 0 ft. min. — 6 ft. max.

iii. Rear yard: 3 ft. min.

iv. Building heights and development standards as per Lake Area District Zoning Standards.

b. Vehicular Use Area. Parking areas shall be designed to meet the standards set forth in Section 15.2.5 of the Comprehensive Zoning Ordinance. Parking is to be restricted to the two thirds (⅔) of the rear area of the site. Driveways may cross the front one third (⅓) of the site to a maximum of two driveways each at 24 ft. wide.

c. Site Landscaping and Street Tree Planting.

i. A continuous landscape hedge at a minimum height of thirty (30) inches shall be required along the perimeter of any vehicular use area adjacent to the public right-of-way.

ii. Alternatively, masonry wall, earth berm, metal fence and a hedge, or any combination thereof, meeting the same height requirements may be substituted.

iii. Any residual areas not used for parking or vehicular access shall be landscaped with trees, shrubs and ground cover.

iv. Additionally, a landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or ground cover.

v. All required trees shall be a minimum caliper of two (2) inches upon installation.

vi. Where the continuity of major street tree plantings has been interrupted, as determined by the City Planning Commission staff, the reestablishment of such planting shall be required as a condition of development/redevelopment. Such plantings shall be in accordance with the standards of the Department of Parks and Parkways.

d. Trash Dumpsters. Trash dumpsters (and any other type of refuse storage area) that are positioned adjacent to or visible from any other land use or street right-of-way shall be screened from view with an opaque wooden fence or masonry wall that is no less than six (6) feet tall.

e. Loading Area. Service drives or other areas for off-street loading shall be provided in such a way that during loading and unloading no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street. All loading areas shall be screened from view from the adjacent properties or street right-of-way with an opaque wooden or masonry fence that is no less than six (6) feet tall.

f. Lighting. Light standards shall be limited in height to twenty-five (25) feet and shall not be directed toward any adjacent residential uses.

3. Signage.

a. Each business shall be limited to one (1) attached wall or projecting sign. The sign shall be limited to one (1) square foot per linear foot of building width or tenant space to a maximum of seventy (70) square feet. Exterior attached signs shall not project above the first floor of a building.

b. One (1) detached (monument) sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) lanes. The sign shall be limited to one-half (½) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.

c. A maximum of two (2) canopy signs shall be permitted for each business but their area shall be counted in the total allowable sign area for the business.

d. The sign may be illuminated but shall not flash, blink or fluctuate. The backlighting of awning containing signage shall not be permitted.

e. Only one interior window sign per business shall be permitted within four (4) feet of the interior face of any window of a building and shall be counted in the total allowable sign area for the business.

4. Litter abatement program. A litter abatement program acceptable to the Department of Safety and Permits shall be established for each development indicating procedures, pick-up schedule and a contact person.

9A.13.7. Design Review Procedure.

Prior to the issuance of any permit by the Director of Safety and Permits for new construction, redevelopment, alteration and signage within the Lake Area Design Corridor Overlay District (with the exemption of single and two-family residential buildings), a site plan shall be reviewed and approved by the Executive Director of the City Planning Commission, in accordance with the following procedures:

1. Site Plan Requirements. The developer shall submit a site plan to the Executive Director of the City Planning Commission which shall contain either an original or reproduced drawing to no less than one inch equals twenty feet (1 inch: 20 feet) and depicting the following items:

a. Site design, including parking, interior drives, landscaping, screening, fencing and lighting, if any. All relevant measurements (lot and building size, driveway width, loading area, etc.) and specification of the proposed improvements including planting materials (type, size, and quantity) shall be indicated on the plan.

b. Floor plans with all relevant measurements and identification of spaces/rooms.

c. Building elevations indicating height, materials and color scheme, and placement of any signage.

d. Signage (proposed location, size, material, color and content).

e. Existing and proposed improvements within the public right-of-way, including, but not limited to, the following: light posts, benches, bus stops, paving, landscaping.

f. Any other information deemed necessary by the City Planning Commission staff.

2. Decision by the Executive Director. The Executive Director of the City Planning Commission shall review and take action on the plan within thirty (30) days from submission of the application in proper form. Approval of the plan shall be evidenced by the signature of the Executive Director.

9A.13.8. Appeal to the City Council.

Applications for an appeal of the decision of the Executive Director or for a waiver or variance from requirements set forth herein shall be reviewed and approved by the City Council. Upon receipt of the recommendation of the Executive Director of the Planning Commission, the City Council shall advertise the appeal or request for variance or waiver and shall allow discussion prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the recommendation of the Executive Director of the Planning Commission shall be deemed a denial of the variance or waiver. Approval or denial of the request can be accomplished by City Council Motion and may include provisos which must be satisfied as a condition of the approval.

For the purpose of considering a request for variance of the regulations contained in this section, the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and purpose of the district regulations.

2. Harmony and compatibility with adjacent land uses would not be adversely affected.

3. Special conditions and circumstances exist which are peculiar to the land, structures or buildings and which are not applicable to other land, structures or buildings in the same district.

(Ord. 22,896 § 1 (part), adopted 11/15/07)

ARTICLE 10

OVERLAY ZONING DISTRICTS, MISCELLANEOUS ZONING DISTRICTS, PLANNED DEVELOPMENT DISTRICTS AND DESIGN REVIEW DISTRICTS

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ARTICLE 10 OVERLAY ZONING DISTRICTS, MISCELLANEOUS ZONING DISTRICTS, PLANNED DEVELOPMENT DISTRICTS AND DESIGN REVIEW DISTRICTS

URBAN CORRIDOR DISTRICTS

Section 10.1A. UC Urban Corridor District.*

10.1A.1. Purpose of the District.

The purpose of the UC Urban Corridor District is to provide for a superior environment along major urban transportation corridors through application of an overlay district. The overlay district regulations are intended to supplement the regulations of the underlying (base) zoning districts and to provide for harmony and compatibility of development over the length of the corridor. These special regulations include provisions relative to the development of certain land uses as conditional uses, and unique provisions pertaining to accessory signs and design requirements intended to support and complement land use development and establish a positive design image.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.2. Areas of Applicability.

This district is intended for application along transportation corridors in a suburban setting. The UC Urban Corridor District applies to the following areas:

1. General DeGaulle Urban Corridor, including General DeGaulle Drive from the Westbank Expressway to the Intercoastal Canal and a portion of Behrman Place and Behrman Highway from General DeGaulle Drive to the Orleans/Jefferson Parish line.
2. Chef Menteur Highway Urban Corridor including those lot(s) fronting on and all lot(s) fronting on intersecting major streets one (1) municipal square length to the rear along Chef Menteur Highway for the entirety of its length from Peoples Avenue to the Industrial Canal.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in the UC Urban Corridor District regulations, the regulations of the underlying zoning district shall apply. Single- and two-family uses when located in a single- or two-family zoning district shall not be subject to the regulations of the UC Urban Corridor District.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.4. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.5. Permitted Uses.

1. Permitted uses in the General DeGaulle Urban Corridor shall be the same as the permitted uses authorized in the underlying zoning district, except as limited in Section 10.1.7. These permitted uses are subject to compliance with the special site design conditions specified in Section 10.1.11. Nothing herein shall be construed to supersede preexisting zoning districts which require site plan review, such as a residential planned community (RPC) or a conditional use (CU).

***Editor's note—**Ord. No. 25526, § 1, adopted Oct. 10, 2013, amended Section 10.1 in its entirety to read as herein set out. Former Section 10.1, §§ 10.1.1—10.1.13, pertained to similar subject matter, and derived from Ord. 19,945 § 1, adopted 12/1/00; Ord. 21,124 § 1, adopted 6/13/03; Ord. 21,460 § 1 (part), adopted 3/18/04; Ord. 21,457 § 1 (part), adopted 3/18/04; Ord. No. 27,183, § 1, adopted 11/6/08.

2. Permitted uses in the Chef Menteur Highway Urban Corridor shall be the same as the permitted uses authorized in the underlying zoning district, except those uses listed below shall be prohibited. These permitted uses are subject to compliance with the special site design conditions specified in Section 10.1.11. Nothing herein shall be construed to supersede preexisting zoning districts which require site plan review, such as a residential planned community (RPC) or a conditional use (CU). Section 10.1A.7 shall not apply to the Chef Menteur Highway Urban Corridor.
    a. Adult establishments.
    b. Massage parlors.
    c. Health clubs.
    d. Spas.
    e. Hotels/motels providing rental at an hourly rate.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.6. Accessory Uses.

The accessory uses authorized in the UC Urban Corridor District shall be the same as the accessory uses authorized in the underlying zoning district.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.7. Conditional Uses.

The following uses of land are authorized as conditional uses within the UC Urban Corridor District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the underlying district shall be a conditional use in the UC Urban Corridor District.
2. Where allowed as a permitted use in the underlying zoning district, the following shall be conditional uses:
    a. Cocktail lounges and bars.
    b. Fast food and drive-in restaurants.
    c. Any new development occupying more than 10,000 square feet of floor area or more than one (1) acre of site area.
    d. Car washes, including automated and hand was facilities, but excluding car washes operated as accessory uses to gasoline stations. *(See Section 11.59)

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.8. Permitted Attached Identification Signs.

When applied to commercial, industrial, and RM-4 Multiple-Family Residential Districts, the following sign regulations supersede those of and take precedence over the sign regulations applicable in the underlying zoning district. These sign regulations shall not be subject to waiver or variance by the Board of Zoning Adjustments but may be appealed to the City Council in accord with the provisions of Section 16.9. For the purpose of this section, "development" refers to a site which is a lot or lots considered as a unit. Subject to the general sign regulations of Article 12, the following accessory signs are permitted in the UC Urban Corridor District:

1. Each business on the premises shall be allowed one (1) attached identification sign, either flat or projecting, per street frontage with a maximum of two (2) signs, subject to the following provisions:
    a. Permitted Contents: Identification by letter, numeral, symbol or design, its name and/or address and the nature of the use.

b. Permitted Sign Area:
   i. The sign area shall be computed at one (1) square foot per lineal foot of building width or tenant space width along the wall which faces the public right-of-way on which the business has its main address. The maximum sign area shall be limited to seventy (70) square feet and no sign shall be required to be smaller than twenty-four (24) square feet.
   ii. Exception: When a main building is set back farther than 200 feet from the public right-of-way, an additional one-half (½) foot will be permitted per foot of setback, beyond the first 200 feet. However, the maximum permitted sign area shall not exceed two (2) square feet per lineal foot of the width of the building or tenant space.

c. Permitted Height: No sign shall be erected above the parapet level of the main building.

d. Permitted Illumination: Signs may be illuminated but shall not flash, blink, fluctuate, be animated or change physical position by movement or rotation. No back-lit canopies/ awnings with signage shall be permitted.

2. Each business on the premises shall be allowed two (2) nonilluminated canopy signs with the area for each sign limited to three (3) square feet. No back-lighting of the canopies shall be permitted.

3. Directional signs limited in area to four (4) square feet, each giving directions to motorists regarding the location of parking areas and access drives shall be permitted as accessory signs. Directional signs shall be not more than six (6) feet in height above the ground; may be illuminated but shall not flash, blink, or fluctuate; and shall not be animated.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.9. Permitted Detached Identification Signs.

When applied to commercial, industrial, and RM-4 Multiple-Family Residential Districts, the following sign regulations in this section supersede and take precedence over the sign regulations applicable in the underlying zoning district. These sign regulations shall not be subject to waiver or variance by the Board of Zoning Adjustments but may be appealed to the City Council in accord with the provisions of Section 16.4. For the purpose of this section, "development" refers to a site which is a lot or lots considered as a unit for development purposes. Subject to the general sign regulations of Article 12, the following accessory signs shall be permitted in the UC Urban Corridor District:

1. Single Occupant Site: Each single occupancy development shall be allowed one (1) detached identification sign per street frontage, with a maximum of two (2) signs when the fronting streets are nonintersecting or when on intersecting streets where the placement of the second sign is a minimum distance of 350 feet from the first sign, measured along the street edges, subject to the following provisions:
   a. Permitted Contents: The contents are limited to identification by letter, numeral, symbol or design of the use, its name and/or address.
   b. Permitted Sign Face Area: The allowable sign shall be computed at one (1) square foot per lineal foot of street frontage with a maximum of seventy (70) square feet. Street frontage is defined as the width of the lot or development site along the public right-of-way in which the business has its main address.
   c. Permitted Changeable Message Area: A message area or menu board designed as an integral part of the main sign may be utilized and shall be limited to thirty (30) percent of the total permitted sign face area.

d. Permitted Height: The height of any detached sign shall be limited to a maximum of twelve (12) feet.

e. Permitted Location: Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign. This setback is to be measured from the nearest portion of the sign.

f. Required Landscaping: Landscaping must be provided around the base of any detached identification sign.

g. Permitted Illumination: Signs may be illuminated but shall not flash, blink, fluctuate, be animated or change physical position by movement or rotation.

2. Multi-Occupant Sites: Each multi-occupancy development shall be allowed one (1) detached identification sign per street frontage with a maximum of two (2) per development when the fronting streets are nonintersecting or when on intersecting streets where the placement of the second sign is a minimum distance of 350 feet from the first sign, measuring along the street edges, subject to the following:

   a. Permitted Contents: The contents are limited to name and address of the overall development, and individual tenants as an option.

   b. Permitted Sign Face Area: The allowable area shall be computed at one (1) square foot per lineal foot of street frontage with a maximum of one hundred (100) square feet. Street frontage is defined as the width of the lot or development site along the public right-of-way in which the business has its address.

   c. Optional Permitted Tenant Sign Area: Up to a maximum of fifty (50) percent of the allowable detached signage area for the site may be utilized for the identification of individual tenants within the development. Any tenant signage must be an integral part of the main identification sign face area.

   d. Permitted Height: The height of any detached identification sign shall be limited to twelve (12) feet, except for multi-occupancy developments with over four (4) tenants in which the height shall be limited to twenty (20) feet.

   e. Permitted Location: The detached sign shall be setback from all adjacent public rights-of-way a distance at least equal to the height of the sign. This setback is to be measured from the nearest portion of the sign.

   f. Required Landscaping: Landscaping must be provided around the base of any detached sign.

   g. Permitted Illumination: Signs may be illuminated but shall not flash, blink, fluctuate, be animated or change physical position by movement or rotation.

3. An appeal can be made to the City Council to allow more than one (1) detached sign for developments containing one (1) acre or more in accord with the provisions of Section 16.9.

4. Rate signs or price signs are prohibited. Gasoline service stations shall be allowed to integrate rate and price information on gasoline prices into the detached identification sign subject to the following:

   a. Freestanding signs displaying price and rate information are prohibited.

   b. Price and rate information on the detached identification sign shall be limited in area to thirty (30) percent of the surface of the sign.

5. Temporary signs shall be governed by standards for signs permitted in the RS-1 District.

6. Movie Theater Detached Signage: Movie theaters, whether in single or multi-occupancy developments, shall be allowed one (1) detached changeable message sign per nonintersecting street frontage subject to the following provisions:
   a. Permitted Sign Face Area: The allowable area shall not exceed a maximum of one hundred (100) square feet.
   b. Permitted Height: The height of any detached sign shall be limited to a maximum of twenty (20) feet.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.10. Termination of Signs and Billboards Located Within the Overlay District Not in Compliance with the Provisions of the Comprehensive Zoning Ordinance.

1. All signs not in conformance with the provisions of this district and all billboards erected prior to the enactment of this district but not in compliance with zoning regulations then in force shall be terminated as provided in Paragraph 2, below. Such signs may continue in operation and be maintained after the placement or effective date of the Urban Corridor Overlay District provided that the burden of establishing that the sign is legally nonconforming rests entirely with the person claiming such status for a sign and subject to the following:
2. All illegally erected billboards and all nonconforming signs not in conformance with the provisions of this district shall be terminated as follows:
   a. Abandonment of thirty (30) days shall immediately terminate the right to maintain such sign.
   b. Whenever such sign is damaged, destroyed or becomes obsolete for any cause whatsoever, including acts of God, the right to maintain such sign is immediately terminated.
   c. Three (3) years from the effective date of the Urban Corridor Overlay District, the right to maintain a legal nonconforming sign will terminate.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.11. Special Site Design Conditions.

All uses shall comply with the following design standards:

1. Site Requirements.
   a. All buildings shall be set back not less than twenty (20) feet from the street right-of-way.
   b. The twenty (20) foot setback area shall be landscaped with grass, trees, and shrubs except for approved drives.
   c. No parking or pavement shall be allowed in this area.
2. Perimeter Landscaping.

   Within four (4) feet from the street right-of-way, three and one-half (3½) inch caliper trees at least ten (10) feet in height shall be planted thirty (30) feet on center. Acceptable trees shall be limited to Water Oak, Cherry Bark Oak, Magnolia, Hackberry, Sycamore, Live Oak, American Elm, Sweet Gum, Bald Cypress, Shumard Oak, Phoenix Palm, Washington Palm, Pecan and Chinese Elm.
3. Interior Landscaping.

   Interior landscaping in vehicular use areas (vehicular use area is defined as all areas subject to vehicular traffic including access ways, loading areas, and service areas.) shall be landscaped to meet or exceed the following standards:
   a. Any one (1) island must contain at least one (1) three and one-half (3½) inch caliper tree at least ten (10) feet in height at planting. For each 200 square feet within an interior island there shall be one (1) tree.

b. Three (3) shrubs (at least two (2) feet high when planted) for each tree required in (a) above.

4. Overall Landscaping and Design Standards.
   a. Any part of the project site not used for buildings or other structures shall be landscaped in an amount equal to ten (10) percent of the vehicular use area. Landscaped islands can count toward overall landscaping requirements. Prior to any site clearance a tree survey shall be conducted and all buildings and vehicular use areas shall be designed so as to preserve as many trees as possible.
   b. Off-street parking spaces shall be provided in accordance with the requirements of the underlying zoning district as indicated in Article 15 of the Comprehensive Zoning Ordinance.
   c. Service drives or other areas shall be provided for off-street loading and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street.
   d. All areas subject to vehicular traffic including accessways, loading areas, and service areas shall be paved with hard all-weather material.
   e. All loading areas must be screened by wooden, brick or masonry fences at least seven (7) feet in height.
   f. Lighting. No light shall be taller than twenty-five (25) feet.
   g. Curbs and Curb Cuts. All curbs on the street frontage of any development subject to this Ordinance shall be vertical curbs. No roll-over curbs shall be allowed. No curb cut shall be greater than twenty-four (24) feet.
   h. All required planting shall be maintained in a healthy and productive condition and shall be routinely examined and plant materials replaced as necessary.
   i. Use of chain link fencing shall be prohibited in locations visible from the public right-of-way.

5. Implementation of a litter abatement program around the entire perimeter of the site/use.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.12. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change or alteration of any use within the UC Urban Corridor District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7. Upon approval of such plan, the Executive Director shall affix her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1A.13. Appeals.

Application for any variance or waiver from requirements set forth herein or from the regulations of the underlying zoning district shall be reviewed and approved by the City Council. The request shall be submitted to the City Planning Commission, accompanied by any site plans, drawing or data, either written or graphic as deemed necessary by the City Planning Commission, for review and recommendation. The Planning Commission must make a recommendation within thirty (30) days of receipt of request. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a

decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver. Approval or denial of the request can be accomplished by City Council Motion.

For the purpose of considering a request for variance of the regulations contained in this section the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and design requirements.
2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the same district.

(Ord. No. 25526, § 1, adopted 10/10/13)

Section 10.1B. Eastern New Orleans UC Urban Corridor District.

10.1B.1. Purpose of the District.

The purpose of the Eastern New Orleans UC Urban Corridor District is to provide for a superior environment along major suburban transportation corridors through application of an overlay district. The overlay district regulations are intended to supplement the regulations of the underlying (base) zoning districts and to provide for harmony and compatibility of development over the length of the corridor. These special regulations include provisions relative to the development of certain land uses as conditional uses, and unique provisions pertaining to accessory signs and design requirements intended to support and complement land use development and establish a positive design image.
(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.2. Areas of Applicability.

This district is intended for application along transportation corridors in a suburban setting. Where this urban corridor intersects with another urban corridor resulting in overlapping corridors, the older corridor shall govern. The Eastern New Orleans Urban Corridor District applies to the Chef Menteur Highway Urban Corridor including those lot(s) fronting on and all lots(s) fronting on intersecting major streets one (1) municipal square length to the rear along Chef Menteur Highway for the entirety of its length from the Industrial Canal to the Michoud Levee and the proposed Route 87 and along Downman Road for the entirety of its length from Chef Menteur Highway to the lake.
(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in the Eastern New Orleans UC District regulations, the regulations of the underlying zoning district shall apply. Single- and two-family uses when located in a single- or two-family zoning district shall not be subject to the regulations of the Eastern New Orleans Urban Corridor District.
(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.4. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.
(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.5. Permitted Uses.

1. Permitted uses in the Eastern New Orleans Urban Corridor shall be the same as the permitted uses authorized in the underlying zoning district, except those uses listed below shall be prohibited. These permitted uses are subject to compliance with the special site design conditions specified in Section 10.1B.11. Nothing herein shall be construed to supersede preexisting zoning districts which require site plan review, such as a residential planned community (RPC) or a conditional use (CU). Section 10.1B.7 shall not apply to the Eastern New Orleans Urban Corridor.
    a. Adult establishments.
    b. Massage parlors.
    c. Health clubs.
    d. Spas.
    e. Hotels/motels providing rental at an hourly rate.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.6. Accessory Uses.

The accessory uses authorized in the Eastern New Orleans Urban Corridor District shall be the same as the accessory uses authorized in the underlying zoning district.
(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.7. Conditional Uses.

The following uses of land are authorized as conditional uses within the Eastern New Orleans UC Urban Corridor District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the underlying district shall be a conditional use in the Eastern New Orleans UC Urban Corridor District.
2. Where allowed as a permitted use in the underlying zoning district, the following shall be conditional uses:
    a. Cocktail lounges and bars.
    b. Uses which sell alcoholic beverages for consumption on-premises which do not meet the definition of a cafeteria or standard restaurant in Article 2, Section 2.2 (in all portions of the UC District east of the Industrial Canal).
    c. Uses under 10,000 square feet in floor area which sell alcoholic beverages for consumption off-premises (in all portions of the UC District east of the Industrial Canal).
    d. Fast food and drive-in restaurants.
    e. Any new development occupying more than 10,000 square feet of floor area or more than one (1) acre of site area.
    f. Car washes, including automated and hand was facilities, but excluding car washes operated as accessory uses to gasoline stations. *(See Section 11.59)
    g. Only multi-family residential uses where the entirety of the ground-floor is occupied by a commercial use; otherwise, multi-family residential uses are not permitted.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.8. Permitted Attached Identification Signs.

The following sign regulations supersede those of and take precedence over the sign regulations in the underlying zoning districts.

1. Each business on the premises shall be allowed one (1) attached identification sign, either flat or projecting, per street frontage with a maximum of two (2) signs, subject to the following provisions:
    a. Permitted Contents: Identification by letter, numeral, symbol or design, its name and/or address and the nature of the use.
    b. Permitted Sign Area:
        i. The sign area shall be computed at one (1) square foot per lineal foot of building width or tenant space width along the wall which faces the public right-of-way on which the business has its main address. The maximum sign area shall be limited to seventy (70) square feet and no sign shall be required to be smaller than twenty-four (24) square feet.
        ii. Exception: When a main building is set back farther than 200 feet from the public right-of-way, an additional one-half (½) foot will be permitted per foot of setback, beyond the first 200 feet. However, the maximum permitted sign area shall not exceed two (2) square feet per lineal foot of the width of the building or tenant space.
    c. Permitted Height: No sign shall be erected above the parapet level of the main building.
    d. Permitted Illumination: Signs may be illuminated but shall not flash, blink, fluctuate, be animated or change physical position by movement or rotation. No back-lit canopies/ awnings with signage shall be permitted.
2. Each business on the premises shall be allowed two (2) nonilluminated canopy signs with the area for each sign limited to three (3) square feet. No back-lighting of the canopies shall be permitted.
3. Directional signs limited in area to four (4) square feet, each giving directions to motorists regarding the location of parking areas and access drives shall be permitted as accessory signs. Directional signs shall be not more than six (6) feet in height above the ground; may be illuminated but shall not flash, blink, or fluctuate; and shall not be animated.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.9. Permitted Detached Identification Signs.

The following sign regulations supersede those of and take precedence over the sign regulations in the underlying zoning districts.

1. Single Occupant Site: Each single occupancy development shall be allowed one (1) detached identification sign per street frontage, with a maximum of two (2) signs when the fronting streets are nonintersecting or when on intersecting streets where the placement of the second sign is a minimum distance of 350 feet from the first sign, measured along the street edges, subject to the following provisions:
    a. Permitted Contents: The contents are limited to identification by letter, numeral, symbol or design of the use, its name and/or address.
    b. Permitted Sign Face Area: The allowable sign shall be computed at one (1) square foot per lineal foot of street frontage with a maximum of seventy (70) square feet. Street frontage is defined as the width of the lot or development site along the public right-of-way in which the business has its main address.

c. Permitted Changeable Message Area: A message area or menu board designed as an integral part of the main sign may be utilized and shall be limited to thirty (30) percent of the total permitted sign face area.
d. Permitted Height: The height of any detached sign shall be limited to a maximum of twelve (12) feet.
e. Permitted Location: Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign. This setback is to be measured from the nearest portion of the sign.
f. Required Landscaping: Landscaping must be provided around the base of any detached identification sign.
g. Permitted Illumination: Signs may be illuminated but shall not flash, blink, fluctuate, be animated or change physical position by movement or rotation.

2. Multi-Occupant Sites: Each multi-occupancy development shall be allowed one (1) detached identification sign per street frontage with a maximum of two (2) per development when the fronting streets are nonintersecting or when on intersecting streets where the placement of the second sign is a minimum distance of 350 feet from the first sign, measuring along the street edges, subject to the following:
   a. Permitted Contents: The contents are limited to name and address of the overall development, and individual tenants as an option.
   b. Permitted Sign Face Area: The allowable area shall be computed at one (1) square foot per lineal foot of street frontage with a maximum of one hundred (100) square feet. Street frontage is defined as the width of the lot or development site along the public right-of-way in which the business has its address.
   c. Optional Permitted Tenant Sign Area: Up to a maximum of fifty (50) percent of the allowable detached signage area for the site may be utilized for the identification of individual tenants within the development. Any tenant signage must be an integral part of the main identification sign face area.
   d. Permitted Height: The height of any detached identification sign shall be limited to twelve (12) feet, except for multi-occupancy developments with over four (4) tenants in which the height shall be limited to twenty (20) feet.
   e. Permitted Location: The detached sign shall be setback from all adjacent public rights-of-way a distance at least equal to the height of the sign. This setback is to be measured from the nearest portion of the sign.
   f. Required Landscaping: Landscaping must be provided around the base of any detached sign.
   g. Permitted Illumination: Signs may be illuminated but shall not flash, blink, fluctuate, be animated or change physical position by movement or rotation.
3. An appeal can be made to the City Council to allow more than one (1) detached sign for developments containing one (1) acre or more in accord with the provisions of Section 16.9.
4. Rate signs or price signs are prohibited. Gasoline service stations shall be allowed to integrate rate and price information on gasoline prices into the detached identification sign subject to the following:
   a. Freestanding signs displaying price and rate information are prohibited.
   b. Price and rate information on the detached identification sign shall be limited in area to thirty (30) percent of the surface of the sign.

5. Temporary signs shall be governed by standards for signs permitted in the RS-1 District.
6. Movie Theater Detached Signage: Movie theaters, whether in single or multi-occupancy developments, shall be allowed one (1) detached changeable message sign per nonintersecting street frontage subject to the following provisions:
   a. Permitted Sign Face Area: The allowable area shall not exceed a maximum of one hundred (100) square feet.
   b. Permitted Height: The height of any detached sign shall be limited to a maximum of twenty (20) feet.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.10. Termination of Signs and Billboards Located Within the Overlay District Not in Compliance with the Provisions of the Comprehensive Zoning Ordinance.

1. All signs not in conformance with the provisions of this district and all billboards erected prior to the enactment of this district but not in compliance with zoning regulations then in force shall be terminated as provided in Paragraph 2, below. Such signs may continue in operation and be maintained after the placement or effective date of the Urban Corridor Overlay District provided that the burden of establishing that the sign is legally nonconforming rests entirely with the person claiming such status for a sign and subject to the following:
2. All illegally erected billboards and all nonconforming signs not in conformance with the provisions of this district shall be terminated as follows:
   a. Abandonment of thirty (30) days shall immediately terminate the right to maintain such sign.
   b. Whenever such sign is damaged, destroyed or becomes obsolete for any cause whatsoever, including acts of God, the right to maintain such sign is immediately terminated.
   c. Three (3) years from the effective date of the Urban Corridor Overlay District, the right to maintain a legal nonconforming sign will terminate.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.11. Building Design.

Development within the Eastern New Orleans UC Urban Corridor District shall comply with the design standards of this section. When renovations, alterations, additions or adaptive reuse of existing buildings are proposed, and the value of the proposed renovations is less than fifty (50) percent of the value of the structure, these regulations shall not apply.

1. Façade.
   a. Multistory buildings shall be designed with a definable base, middle and top. Rooflines, cornice treatments, and window designs shall divide larger buildings.
   b. Façades of buildings, including side façades, shall be visually broken into bays to avoid the appearance of large, blank walls. When visible from the public right-of-way, façades shall include architectural features to avoid the appearance of blank walls facing the street. These include, but are not limited to, changes in the wall plane of at least two (2) feet, changes in wall texture or masonry patterns, colonnade, columns or pilasters.
   c. The use of multiple materials, textures or colors is required to add visual interest to the façade. Building facades in excess of one hundred (100) feet shall include a repeating pattern with no less than two (2) of the following elements: color change, texture change, material module change, or a wall articulation change of no less than two (2) feet such as an offset, reveal, pilaster or projecting rib. All elements shall repeat at intervals deemed appropriate by the staff of the City Planning Commission.
   d. Predominant façade colors shall be subtle, neutral or earth-tone colors.

2. Fenestration.

   The ground floor shall maintain a transparency of sixty percent (60%). Windows shall be constructed of clear or lightly tinted glass (no tinting above twenty percent (20%) or reflective glass).

3. Rooflines.
   a. Roof lines shall either be varied with a change in height or with the incorporation of a major focal point feature, such as a stepped parapet, gable or projected wall feature, every one hundred (100) linear feet in building length.
   b. Parapet walls shall feature three-dimensional cornice treatments or other shadow-creating detail elements along their tops.

4. Entrances.

   Façades that abut parking areas and contain a public entrance shall make provision for pedestrian walkways and landscape areas.

5. Building Materials.
   a. The following materials are permitted for use on exterior elevations:
      i. Clay brick.
      ii. Natural or cast stone.
      iii. Wood.
      iv. Architectural precast concrete.
      v. Glass curtain walls.
      vi. Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this district.
   b. The following building materials are prohibited. However, such materials may be used as part of decorative or detail elements, or if deemed appropriate by the Executive Director of the City Planning Commission.
      i. Plain concrete block.
      ii. Aluminum, steel, corrugated metal or other metal sidings.
      iii. Exposed aggregate (rough finish) concrete wall panels.
      iv. Exterior insulating finish systems (EIFS).
      v. Plastic.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.12. Special Site Design Conditions.

All authorized uses shall comply with the following standards:

1. *Landscape Buffer.* All sites within the Eastern New Orleans UC Urban Corridor District shall provide a landscape buffer within the property line abutting the Corridor frontage. The landscape buffer shall have a depth of not less than twenty (20) feet. No parking or pavement shall be allowed in the landscape buffer except for approved accessways, pedestrian walks, and permitted detached signs. The landscape buffer shall contain trees, shrubs, and other landscape elements. Trees shall be planted at the rate of one (1) per twenty-five (25) lineal feet of street frontage, and may be spaced evenly or planted in groups or clusters. Acceptable trees shall be limited to those with ratings of 1 Excellent or 2 Good in the most current revision of the Louisiana Cooperative Extension Service bulletin, "Tree Rating for the New Orleans Area supplement to Trees for Louisiana Landscapes", subject to the review and approval of the staff

of the City Planning Commission. All such trees shall have minimum trunk sizes of two-inch caliper, and have a height of twelve (12) feet, with the exception of wax myrtle and crape myrtle, which shall be a minimum of eight (8) feet. Other species may be included in the landscape buffer but they may not be counted toward fulfilling the requirements of this section. Whenever a development is intended to be phased, the required landscape buffer shall be implemented as a part of the first phase undergoing construction.

2. *Setbacks.* All buildings shall be set back not less than twenty (20) feet from the property line facing the UC Urban Corridor District rights-of-way. No vehicular parking shall be allowed within the setback area, and the land within the setback shall be planted in turf and landscaped.
3. *Off-Street Loading.* Service drives or other areas shall be provided for off-street loading in such a way that while in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street. All loading areas shall be screened by wooden, brick or masonry fences at least six (6) feet in height.
4. *Required Screening.* The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
   a. When a vehicular use area abuts any residential district or permitted residential use, a six-foot-high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.
   b. When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian accessways.
   c. Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.
   d. All mechanical equipment shall be screened from view from the adjacent rights-of-way and shall not be visible from ground level.
5. *Interior Landscaping of Vehicular Use Area.* Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:
   a. The total of all interior landscaped areas shall occupy at least ten percent (10%) of the vehicular use area.
   b. Each interior landscape area shall be at least one hundred (100) square feet in area.
   c. The length of any side shall be at least five (5) feet.
   d. The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety-degree height of six (6) inches.

e. Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one hundred (100) square feet of interior landscape island.
f. There shall be at least three (3) shrubs, each of which shall attain a height of thirty-six (36) inches, for each tree planted within the development.
g. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.

6. *Perimeter Landscape Strip.* The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement.
   a. A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:
      i. Where access ways exist between vehicular use areas of separate developments.
      ii. Where required landscape buffer is located.
      iii. Where service drives or loading zones are located behind a main building, and are not visible from the main parking area and not directly abut a residential zoning district.
      iv. Where a vehicular use area abuts a building.
   b. Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:
      i. The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.
      ii. Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.
   c. Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems.
   d. Trees shall be planted within the perimeter strips at the same rate as for the interior landscape areas, that is, one (1) tree per two hundred (200) square feet of landscape area. They may be planted either evenly spaced or in groups or clusters.

7. *Exterior Lighting.*
   a. *Light Trespass and Distraction.*
      i. No exterior lighting shall glare into, or upon, the surrounding area or any residential premises. In addition, no exterior lighting may be used in any manner that should interfere with the safe movement of motor vehicles on public streets. The light level shall be no greater than one-half (0.5) foot-candle at a residential property line and one (1) foot-candle at any nonresidential property line or public right-of-way line.
      ii. Specifically, the following types of light trespass are prohibited:
         1. Any light not designed for roadway illumination that produces direct or reflected glare that could disturb the operator of a motor vehicle.
         2. Any light that may be confused with, or construed as, a traffic control device, except as authorized by state, federal or local government.

b. *Unshielded Lighting.* The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, is prohibited, except on a temporary basis in areas where approved carnivals, fairs of other similar activities are held and only when such activities are taking place.

c. *Light Pole and Building-Mounted Lighting Heights.* The maximum height of light poles on private property, as measured from grade at the base to the bottom of the luminaries, shall be as specified below. These standards do not apply to public right-of-way lighting. Permitted light pole heights shall be as follows:

i. *Nonresidential Uses.*

1. Light poles and building-mounted fixtures shall be designed with fully shielded luminaries. Such poles or mounts shall not exceed twenty-five (25) feet in height.
2. Light poles for outdoor recreational facilities shall not exceed sixty (60) feet in height. Exterior lighting for the outdoor recreation areas is subject to administrative site plan review. Light poles for outdoor recreational facilities that exceed sixty (60) feet in height may be considered as a conditional use.

ii. *Residential Uses.* Light poles for single- and two-family dwellings shall not exceed eight (8) feet in height. Light poles for nonresidential uses, multifamily and townhouse uses shall not exceed twelve (12) feet in height. Lighting, including under-soffit lighting mounted upon a single-family, two-family or townhouse residential dwelling, shall not be mounted higher than fifteen (15) feet above grade.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.13. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change or alteration of any use within the Eastern New Orleans UC Urban Corridor District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7. Upon approval of such plan, the Executive Director shall affix her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.1B.14. Appeals.

Application for any variance or waiver from requirements set forth herein or from the regulations of the underlying zoning district shall be reviewed and approved by the City Council. The request shall be submitted to the City Planning Commission, accompanied by any site plans, drawing or data, either written or graphic as deemed necessary by the City Planning Commission, for review and recommendation. The Planning Commission must make a recommendation within thirty (30) days of receipt of request. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver. Approval or denial of the request can be accomplished by City Council Motion.

For the purpose of considering a request for variance of the regulations contained in this section the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and design requirements.

2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the same district.

(Ord. No. 25526, § 1, adopted 10/10/13)

Section 10.2. Eastern New Orleans Renaissance Corridor District.*

10.2.1. Purpose of the District.

The purpose of this district is to provide for a superior environment along major urban transportation corridors in Eastern New Orleans through the application of an overlay zoning district. The overlay district regulations are intended to supplement the regulations of the underlying (base) zoning districts and to provide for the harmony and compatibility of development over designated corridors. These special regulations include site design requirements intended to complement land use development and to establish a positive design image along the corridor.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.2. Areas of Applicability.

The Eastern New Orleans Renaissance Corridor District applies to:

1. All properties bounded by Bullard Avenue, Hayne Boulevard, the Jahncke Canal and Chef Menteur Highway and all properties fronting on the west side of Bullard Avenue between Hayne Boulevard and Chef Menteur Highway.
2. All properties with frontage on Crowder Boulevard between Hayne Boulevard and Chef Menteur Highway.
3. All properties with frontage on Read Boulevard between Hayne Boulevard and Chef Menteur Highway.
4. All properties fronting on the south side of Hayne Boulevard between Jourdan Road and Interstate 510;
5. All properties fronting on Morrison Road between Jourdan Road and Interstate 510;
6. All properties fronting on Lake Forest Boulevard between Mayo Road and Interstate 510 and continuing one square in depth along Six Flags Parkway between Interstate 510 and Michoud Boulevard; and
7. All properties fronting on Bundy Road between Hayne Boulevard and Chef Menteur Highway.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in these Eastern New Orleans Renaissance Corridor District regulations, the regulations of the underlying zoning district shall apply. Single- and two-family uses when located in a single- or two-family zoning district shall not be subject to the regulations of the Eastern New Orleans Renaissance Corridor District. Nothing herein shall be construed to supersede site plans approved under preexisting zoning districts such as a residential planned community (RPC), conditional use (CU), industrial park (BIP), etc.

(Ord. No. 25526, § 1, adopted 10/10/13)

***Editor's note**—Ord. No. 25526, § 1, adopted Oct. 10, 2013, amended Section 10.2 in its entirety to read as herein set out. Former Section 10.2, §§ 10.2.1—10.2.12, pertained to similar subject matter, and derived from Ord. 22,484 § 1 (part), adopted 1/4/07; Ord. 22,852 § 1, adopted 10/18/07; Ord. No. 27,188, § 1, adopted 11/16/08; Ord. No. 27,246, § 1, adopted 12/1/08; Ord. No. 27,248, § 1, adopted 12/1/08.

10.2.4. Uses authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.5. Permitted Uses.

The permitted uses authorized in the Eastern New Orleans Renaissance Corridor District shall be the same as the permitted uses authorized in the applicable underlying zoning district. The uses permitted are subject to compliance with the special site design conditions specified in Section 10.2.9.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.6. Accessory Uses.

The accessory uses authorized in the Eastern New Orleans Renaissance Corridor District shall be the same as the accessory uses authorized in the applicable underlying zoning district regulations.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.7. Conditional Uses.

The following uses authorized as permitted uses in the underlying non-residential zoning district shall be conditional uses in the Eastern New Orleans Renaissance Corridor District:

1. Cocktail lounges or bars.
2. Uses which sell alcoholic beverages for consumption on-premises which do not meet the definition of a cafeteria or standard restaurant in Article 2, Section 2.2.
3. Uses under 10,000 square feet in floor area which sell alcoholic beverages for consumption off-premises.
4. Only multi-family residential uses where the entirety of the ground-floor is occupied by a commercial use; otherwise, multi-family residential uses are not permitted.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.8. Permitted Attached Identification Signs.

The following sign regulations supersede those of and take precedence over the sign regulations in the underlying zoning districts.

1. Accessory Signs. Each business on the premises shall be allowed either one (1) flat sign or one (1) projecting sign, per street frontage, subject to the following provisions:
   a. *Permitted Contents:* Identification by letter, numeral, symbol, or design of the use, its name and/or address and the nature of the use.
   b. *Permitted Sign Area:* The allowable sign area shall be computed at one (1) square foot per lineal foot of building width or individual tenant space along the wall on which the business has its main entrance. In no case shall the area for any flat or projecting sign be greater than seventy (70) square feet. Illuminated signs shall be included in the computation of aggregate sign area and in addition shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outlining a shop window or within five (5) feet of such window shall be included in the sign area and measured by multiplying the length of the tubing by six (6) inches.
   c. *Permitted Dimensions:* In every case the height of any flat or projecting sign measured from the bottom to the top shall be no greater than one-half (½) the width from one (1) side to the other. No projecting sign shall extend more than five (5) feet from the face of the building.
   d. *Permitted Height:* No accessory sign shall be erected above the parapet level of the main building.

e. *Permitted Illuminations:* The sign may be illuminated but may not flash, blink, or fluctuate.

f. *Animation:* No sign shall be animated or change physical position by any movement or rotation.

g. *Temporary, Nonilluminated Paper Signs:* Such signs in show windows are limited to ten (10) percent of the total glass area of the window in which they are placed.

2. Canopy Signs. Each business on the premises shall be allowed two (2) canopy signs with the area for each sign limited to six (6) square feet.

3. Directional Signs. Signs which give directions to motorists regarding the location of parking areas and access drives shall be permitted as accessory signs and should not be included in any computation of sign area. Such directional signs are limited in area to four (4) square feet and shall not be more than six (6) feet in height above the ground but may not flash, blink, or fluctuate; and shall not be animated.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.9. Permitted Detached Identification Signs.

The following sign regulations supersede those of, and take precedence over, the sign regulations in the underlying zoning districts.

1. Detached Signs. Each development shall be allowed one (1) detached sign, per street frontage, subject to the following:

a. *Permitted Contents:* The contents of a detached sign for a development containing a single use is limited to identification by letter, numeral, symbol or design of the use, its name and/or address unless otherwise noted in Paragraph 5 below. The contents of a detached sign for a development containing two (2) or more businesses on the premises is limited to the overall name of the development and address; uses containing over 50,000 square feet may have a separate detached identification sign.

b. *Permitted Sign Area:* The allowable sign area shall be computed at one (1) square foot per lineal foot street frontage (being the width of the lot or development site along the adjacent public right-of-way). In a development containing less than two (2) acres the maximum allowable sign area is seventy (70) square feet. The maximum allowable sign area for development containing two (2) acres or more shall be limited to one hundred (100) square feet.

c. *Permitted Height:* The height of a detached sign shall be limited to twelve (12) feet.

d. *Permitted* Setback: Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign. This setback is to be measured from the nearest portion of the sign.

e. *Permitted Illumination:* Detached signs may be illuminated, but shall not flash, blink or fluctuate.

f. *Animation:* No detached sign shall be animated or change physical position by any movement or rotation.

2. Rate and Price Signs for Gasoline Service Stations.

Gasoline service stations shall be allowed to integrate rate and price information on gasoline prices into the detached identification sign subject to the following provisions:

a. Freestanding signs displaying price and rate information are prohibited.

b. Price and rate information on the detached identification sign shall be limited in area to thirty (30) percent of the surface of the sign.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.10. Building Design.

Development within the Eastern New Orleans Renaissance Corridor District shall comply with the design standards of this section. When renovations, alterations, additions or adaptive reuse of existing buildings are proposed, and the value of the proposed renovations is less than fifty (50) percent of the value of the structure, these regulations shall not apply.

1. Façade.
   a. Multistory buildings shall be designed with a definable base, middle and top. Rooflines, cornice treatments, and window designs shall divide larger buildings.
   b. Façades of buildings, including side façades, shall be visually broken into bays to avoid the appearance of large, blank walls. When visible from the public right-of-way, façades shall include architectural features to avoid the appearance of blank walls facing the street. These include, but are not limited to, changes in the wall plane of at least two (2) feet, changes in wall texture or masonry patterns, colonnade, columns or pilasters.
   c. The use of multiple materials, textures or colors is required to add visual interest to the façade. Building facades in excess of one hundred (100) feet shall include a repeating pattern with no less than two (2) of the following elements: color change, texture change, material module change, or a wall articulation change of no less than two (2) feet such as an offset, reveal, pilaster or projecting rib. All elements shall repeat at intervals deemed appropriate by the staff of the City Planning Commission.
   d. Predominant façade colors shall be subtle, neutral or earth-tone colors.
2. Fenestration.

   The ground floor shall maintain a transparency of sixty percent (60%). Windows shall be constructed of clear or lightly tinted glass (no tinting above twenty percent (20%) or reflective glass).
3. Rooflines.
   a. Roof lines shall either be varied with a change in height or with the incorporation of a major focal point feature, such as a stepped parapet, gable or projected wall feature, every one hundred (100) linear feet in building length.
   b. Parapet walls shall feature three-dimensional cornice treatments or other shadow-creating detail elements along their tops.
4. Entrances.

   Façades that abut parking areas and contain a public entrance shall make provision for pedestrian walkways and landscape areas.
5. Building Materials.
   a. The following materials are permitted for use on exterior elevations:
      i. Clay brick.
      ii. Natural or cast stone.
      iii. Wood.
      iv. Architectural precast concrete.
      v. Glass curtain walls.

vi. Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this district.

b. The following building materials are prohibited. However, such materials may be used as part of decorative or detail elements, or if deemed appropriate by the Executive Director of the City Planning Commission.
   i. Plain concrete block.
   ii. Aluminum, steel, corrugated metal or other metal sidings.
   iii. Exposed aggregate (rough finish) concrete wall panels.
   iv. Exterior insulating finish systems (EIFS).
   v. Plastic.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.11. Special Site Design Conditions.

All authorized uses shall comply with the following standards:

1. *Landscape Buffer.* All sites within the ENORC District shall provide a landscape buffer within the property line abutting the Corridor frontage. The landscape buffer shall have a depth of not less than twenty (20) feet. No parking or pavement shall be allowed in the landscape buffer except for approved accessways, pedestrian walks, and permitted detached signs. The landscape buffer shall contain trees, shrubs, and other landscape elements. Trees shall be planted at the rate of one (1) per twenty-five (25) lineal feet of street frontage, and may be spaced evenly or planted in groups or clusters. Acceptable trees shall be limited to those with ratings of 1 Excellent or 2 Good in the most current revision of the Louisiana Cooperative Extension Service bulletin, "Tree Rating for the New Orleans Area supplement to Trees for Louisiana Landscapes", subject to the review and approval of the staff of the City Planning Commission. All such trees shall have minimum trunk sizes of two-inch caliper, and have a height of twelve (12) feet, with the exception of wax myrtle and crape myrtle, which shall be a minimum of eight (8) feet. Other species may be included in the landscape buffer but they may not be counted toward fulfilling the requirements of this section. Whenever a development is intended to be phased, the required landscape buffer shall be implemented as a part of the first phase undergoing construction.
2. *Setbacks.* All buildings shall be set back not less than twenty (20) feet from the property line facing the Eastern New Orleans Renaissance Corridor District rights-of-way.-No vehicular parking shall be allowed within the setback area, and the land within the setback shall be planted in turf and landscaped.
3. *Off-Street Loading.* Service drives or other areas shall be provided for off-street loading in such a way that while in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street. All loading areas shall be screened by wooden, brick or masonry fences at least six (6) feet in height.
4. *Required Screening.* The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
   a. When a vehicular use area abuts any residential district or permitted residential use, a six-foot-high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.

b. When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian accessways.

c. Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.

d. All mechanical equipment shall be screened from view from the adjacent rights-of-way and shall not be visible from ground level.

5. *Interior Landscaping of Vehicular Use Area.* Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:

a. The total of all interior landscaped areas shall occupy at least ten percent (10%) of the vehicular use area.

b. Each interior landscape area shall be at least one hundred (100) square feet in area.

c. The length of any side shall be at least five (5) feet.

d. The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety-degree height of six (6) inches.

e. Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one hundred (100) square feet of interior landscape island.

f. There shall be at least three (3) shrubs, each having minimum height of two (2) feet upon installation with an eighteen (18) inch spread, for each tree planted within the development.

g. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.

6. *Perimeter Landscape Strip.* The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement.

a. A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:

i. Where access ways exist between vehicular use areas of separate developments.

ii. Where required landscape buffer is located.

iii. Where service drives or loading zones are located behind a main building, and are not visible from the main parking area and not directly abut a residential zoning district.

iv. Where a vehicular use area abuts a building.

b. Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:
   i. The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.
   ii. Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

c. Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems.

d. Trees shall be planted within the perimeter strips at the same rate as for the interior landscape areas, that is, one (1) tree per one hundred (100) square feet of landscape area. They may be planted either evenly spaced or in groups or clusters.

7. *Special Design Considerations for Vehicular Storage Yards.*

For purposes of this section, a "vehicular storage yard" is defined as any exterior area within an automobile dealership development that is used exclusively for the storage of vehicles intended for sale. The following criteria shall be used in determining compliance:

a. A vehicular storage yard shall not be accessible to vehicular traffic of the general public.

b. Any vehicular storage yard shall be located behind the minimum building setback of fifty (50) feet.

c. Any vehicular storage yard shall be enclosed with an opaque fence having a minimum height of six (6) feet. A wooden fence or masonry wall may be used to satisfy this requirement.

d. "Automobile display pads" may be located within the twenty (20) foot landscape buffer, subject to the following provisions:
   i. Only one (1) automobile display pad per one hundred (100) lineal feet of street frontage is permitted.
   ii. Any automobile display pad shall be set back a minimum of ten (10) feet from the public right-of-way, and shall contain sufficient area for the display of one (1) automobile.
   iii. Any automobile display pad shall have a maximum height of three (3) feet above curb elevation.
   iv. Except for permitted automobile display pads as described above, all other landscape requirements as indicated in this Ordinance shall apply to the required landscape buffer zone in any automobile dealership development.

8. *Exterior Lighting.*

a. *Light Trespass and Distraction.*
   i. No exterior lighting shall glare into, or upon, the surrounding area or any residential premises. In addition, no exterior lighting may be used in any manner that should interfere with the safe movement of motor vehicles on public streets. The light level shall be no greater than one-half (0.5) foot-candle at a residential property line and one (1) foot-candle at any nonresidential property line or public right-of-way line.
   ii. Specifically, the following types of light trespass are prohibited:
      1. Any light not designed for roadway illumination that produces direct or reflected glare that could disturb the operator of a motor vehicle.

2. Any light that may be confused with, or construed as, a traffic control device, except as authorized by state, federal or local government.

b. *Unshielded Lighting.* The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, is prohibited, except on a temporary basis in areas where approved carnivals, fairs of other similar activities are held and only when such activities are taking place.

c. *Light Pole and Building-Mounted Lighting Heights.* The maximum height of light poles on private property, as measured from grade at the base to the bottom of the luminaries, shall be as specified below. These standards do not apply to public right-of-way lighting. Permitted light pole heights shall be as follows:

i. *Nonresidential Uses.*

1. Light poles and building-mounted fixtures shall be designed with fully shielded luminaries. Such poles or mounts shall not exceed twenty-five (25) feet in height.
2. Light poles for outdoor recreational facilities shall not exceed sixty (60) feet in height. Exterior lighting for the outdoor recreation areas is subject to administrative site plan review. Light poles for outdoor recreational facilities that exceed sixty (60) feet in height may be considered as a conditional use.

ii. *Residential Uses.* Light poles for single- and two-family dwellings shall not exceed eight (8) feet in height. Light poles for nonresidential uses, multifamily and townhouse uses shall not exceed twelve (12) feet in height. Lighting, including under-soffit lighting mounted upon a single-family, two-family or townhouse residential dwelling, shall not be mounted higher than fifteen (15) feet above grade.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.12. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change, or alteration of any use within the Eastern New Orleans Renaissance Corridor District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7. Upon approval of such plan, the Executive Director shall affix his/her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.2.13. Appeals.

Application for any variance or waiver from requirements set forth herein or from the regulations of the underlying zoning district shall be reviewed and approved by the City Council. The request shall be submitted to the City Planning Commission, accompanied by any site plans, drawings or data, either written or graphic, as deemed necessary by the City Planning Commission, for review and recommendation. The Planning Commission must make a recommendation within thirty (30) days of receipt of request. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver. For the purpose of considering a request for variance of the regulations contained in this section the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and design requirements.

2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the same district.

(Ord. No. 25526, § 1, adopted 10/10/13)

Section 10.3. Highway Urban Corridor District.*

10.3.1. Purpose of the District.

The purpose of the Highway Urban Corridor District is to provide a superior environment along a portion of the I-10 and I-510 Urban Corridors in Eastern New Orleans through the application of an overlay zoning district. Somewhat different subdistrict regulations apply within each corridor, and the zoning district map may be designated with "I-10 Urban Corridor District" or "I-510 Urban Corridor District," as the case may be. The overlay district regulations are intended to supplement the regulations of the underlying (base) zoning districts and to provide for the harmony and compatibility of development over a portion of the length of the I-10 and I-510 Urban Corridors. These special regulations include provisions pertaining to design requirements intended to complement land use development and to establish a positive design image along the corridor.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.2. Regulations of the Underlying Zoning District.

Unless otherwise noted in these Highway Urban Corridor District regulations, the regulations of the underlying zoning district shall apply. Single- and two-family uses when located in an underlying single- or two-family zoning district shall not be subject to the regulations of the Highway Urban Corridor District. Nothing herein shall be construed to supersede site plans approved under preexisting zoning districts such as a residential planned community (RPC), conditional use (CU), industrial park (BIP), etc.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.3. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.4. Permitted Uses.

The permitted uses authorized in the Highway Urban Corridor District shall be the same as the permitted uses authorized in the applicable underlying zoning district. The uses permitted are subject to compliance with the special site design conditions specified in Section 10.3.9.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.5. Accessory Uses.

The accessory uses authorized in the Highway Urban Corridor District shall be the same as the accessory uses authorized under the applicable underlying zoning district regulations.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.6. Conditional Uses.

Where allowed as a permitted use in the underlying zoning district, the following shall be conditional uses:

a. Cocktail lounges and bars.

***Editor's note**—Ord. No. 25526, § 1, adopted Oct. 10, 2013, amended Section 10.3 in its entirety to read as herein set out. Former Section 10.3, §§ 10.3.1—10.3.11, pertained to similar subject matter, and derived from Ord. 22,852 § 2, adopted 10/18/07; Ord. No. 27,183, § 1, adopted 11/6/08; Ord. No. 25492, § 1, adopted 9/12/13.

b. Uses which sell alcoholic beverages for consumption on-premises which do not meet the definition of a cafeteria or standard restaurant in Article 2, Section 2.2.
c. Uses under 10,000 square feet in floor area which sell alcoholic beverages for consumption off-premises.
d. Only multi-family residential uses where the entirety of the ground-floor is occupied by a commercial use; otherwise, multi-family residential uses are not permitted.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.7. Permitted Attached Identification Signs.

The following sign regulations supersede those of, and take precedence over, the sign regulations in the underlying zoning districts.

1. Accessory Signs. Each business on the premises shall be allowed either one (1) flat sign or one (1) projecting sign, per street frontage, subject to the following provisions:
   a. *Permitted Contents:* Identification by letter, numeral, symbol, or design of the use, its name and/or address and the nature of the use.
   b. *Permitted Sign Area:* The allowable sign area shall be computed at one (1) square foot per lineal foot of building width or individual tenant space along the wall on which the business has its main entrance. In no case shall the area for any flat or projecting sign be greater than 200 square feet. Illuminated signs shall be included in the computation of aggregate sign area and in addition shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outline of a shop window or within five (5) feet of such window shall be included in the sign area and measured by multiplying the length of the tubing by six (6) inches.
   c. *Permitted Dimensions:* In every case the height of any flat or projecting sign measured from the bottom to the top shall not be greater be than one-half (½) the width from one (1) side to the other. No projecting sign shall extend more than five (5) feet from the face of the building.
   d. *Permitted Height:* No accessory sign shall be erected above the parapet level of the main building.
   e. *Permitted Illumination:* The sign may be illuminated but may not flash, blink or fluctuate.
   f. *Animation:* No sign shall be animated or change physical condition by any movement or rotation.
   g. *Temporary, Nonilluminated Paper Signs:* Such signs in show windows are limited to ten (10) percent of the total glass area of the window in which they are placed.
2. Canopy Signs.

   Each business shall be allowed two (2) canopy signs with the area of each sign limited to eight (8) square feet.
3. Directional Signs.

   Signs which give directions to motorists regarding the location of parking areas and access drives shall be permitted as accessory signs and should not be included in any computation of sign area. Directional signs are limited in area to four (4) square feet and shall not be more than six (6) feet in height above the ground; may be illuminated but may not flash, blink, or fluctuate; and shall not be animated.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.8. Permitted Detached Identification Signs.

Each development shall be allowed one (1) detached sign, per street frontage, subject to the following provisions:

1. *Permitted Contents, Single Use:* The contents of a detached sign for a development containing a single use is limited to identification by letter, numeral, symbol, or design of the use, its name and/or address unless otherwise noted in Paragraph 5, below.
2. *Permitted Contents, More than One Use in Development:* The contents of a detached sign for a development containing more than one (1) use shall be allowed one (1) double-faced or multi-faced detached identification sign designating the name of the development and the names of the tenants of said development. That portion of the sign area of said identification sign devoted to the listing of the development tenants shall be limited to twenty-five (25) percent of the total permitted sign area and furthermore, said tenant listings shall be uniform in size, type and lettering. Tenants or uses containing more than 25,000 square feet shall be allowed to have a separate detached identification sign.
3. *Height and Area of Detached Signs for All Developments:* All detached identification signs, for a single use or for a development containing several uses shall be limited as follows:
   i. *Height:* The maximum height of any portion of any such sign or sign structure shall be thirty-five (35) feet.
   ii. *Area:* For a development containing less than two (2) acres the allowable area of each face of a double-faced, detached identification sign shall be computed at one (1) square foot per lineal foot of street frontage (street frontage being the width of the lot or development site along the I-10 Service Road right-of-way) or seventy (70) square feet, whichever is less. For a development containing more than two (2) acres the maximum allowable area of each face of a double-faced, detached identification sign shall be 200 square feet, or one (1) square foot per lineal foot of street frontage, whichever is less. The combined area of all the faces of a multi-faced freestanding sign shall not exceed 400 square feet.
   iii. *Number of Detached Identification Signs Allowed for All Development:* One (1) double-faced or multi-faced detached identification sign designating the name of the development and names of the tenants of said development shall be permitted for each 300 feet of street or highway frontage or part thereof existing along any one (1) parcel of property. An additional identification sign shall be permitted for each additional 300 feet or part thereof of a street or highway frontage; provided, however, when more than one (1) identical sign is so permitted, no identification sign shall be located closer than 300 feet from any other identification sign located on the same property.
   iv. *Signage for Properties with Frontage on More Than One Street:* When property has more than 300 feet of frontage on a secondary street, the property shall be permitted to have the number of double-faced or multi-faced identification signs in accordance with Paragraph (4)(d), above, Number of Detached Signs Allowed for All Development.
   v. *Location in Relation to Abutting Public Right-of-Way:* Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to half the height of the sign. The setback is to be measured from the nearest portion of the sign.
   vi. *Location in Relation to Abutting Property:* Notwithstanding Section 12.3.1, no detached identification sign shall be located closer to any abutting parcel of property than a distance equal to one and one-half (1.5) the height of the sign or the sign structure above ground level.

4. *Rate and Price Signs for Gasoline Service Stations.* Gasoline service stations shall be allowed to integrate rate and price information of gasoline prices into the detached identification sign subject to the following provisions:
   a. Freestanding signs displaying price and rate information are prohibited.
   b. Price and rate information on the detached identification sign shall be limited in area to thirty (30) percent of the surface of the sign.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.9. Building Design.

Development within the Highway Urban Corridor District shall comply with the design standards of this section. When renovations, alterations, additions or adaptive reuse of existing buildings are proposed, and the value of the proposed renovations is less than fifty (50) percent of the value of the structure, these regulations shall not apply.

1. Façade.
   a. Multistory buildings shall be designed with a definable base, middle and top. Rooflines, cornice treatments, and window designs shall divide larger buildings.
   b. Façades of buildings, including side façades, shall be visually broken into bays to avoid the appearance of large, blank walls. When visible from the public right-of-way, façades shall include architectural features to avoid the appearance of blank walls facing the street. These include, but are not limited to, changes in the wall plane of at least two (2) feet, changes in wall texture or masonry patterns, colonnade, columns or pilasters.
   c. The use of multiple materials, textures or colors is required to add visual interest to the façade. Building facades in excess of one hundred (100) feet shall include a repeating pattern with no less than two (2) of the following elements: color change, texture change, material module change, or a wall articulation change of no less than two (2) feet such as an offset, reveal, pilaster or projecting rib. All elements shall repeat at intervals deemed appropriate by the staff of the City Planning Commission.
   d. Predominant façade colors shall be subtle, neutral or earth-tone colors.
2. Fenestration.

   The ground floor shall maintain a transparency of sixty percent (60%). Windows shall be constructed of clear or lightly tinted glass (no tinting above twenty percent (20%) or reflective glass).
3. Rooflines.
   a. Roof lines shall either be varied with a change in height or with the incorporation of a major focal point feature, such as a stepped parapet, gable or projected wall feature, every one hundred (100) linear feet in building length.
   b. Parapet walls shall feature three-dimensional cornice treatments or other shadow-creating detail elements along their tops.
4. Entrances.

   Façades that abut parking areas and contain a public entrance shall make provision for pedestrian walkways and landscape areas.
5. Building Materials.
   a. The following materials are permitted for use on exterior elevations:
      i. Clay brick.
      ii. Natural or cast stone.

iii. Wood.

iv. Architectural precast concrete.

v. Glass curtain walls.

vi. Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this district.

b. The following building materials are prohibited. However, such materials may be used as part of decorative or detail elements, or if deemed appropriate by the Executive Director of the City Planning Commission.

i. Plain concrete block.

ii. Aluminum, steel, corrugated metal or other metal sidings.

iii. Exposed aggregate (rough finish) concrete wall panels.

iv. Exterior insulating finish systems (EIFS).

v. Plastic.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.10. Special Site Design Conditions.

All authorized uses shall comply with the following standards:

1. *Landscape Buffer.* All sites within the Highway Urban Corridor District shall provide a landscape buffer within the property line abutting the Corridor frontage. The landscape buffer shall have a depth of not less than twenty (20) feet. No parking or pavement shall be allowed in the landscape buffer except for approved accessways, pedestrian walks, and permitted detached signs. The landscape buffer shall contain trees, shrubs, and other landscape elements. Trees shall be planted at the rate of one (1) per twenty-five (25) lineal feet of street frontage, and may be spaced evenly or planted in groups or clusters. Acceptable trees shall be limited to those with ratings of 1 Excellent or 2 Good in the most current revision of the Louisiana Cooperative Extension Service bulletin, "Tree Rating for the New Orleans Area supplement to Trees for Louisiana Landscapes", subject to the review and approval of the staff of the City Planning Commission. All such trees shall have minimum trunk sizes of two-inch caliper, and have a height of twelve (12) feet, with the exception of wax myrtle and crape myrtle, which shall be a minimum of eight (8) feet. Other species may be included in the landscape buffer but they may not be counted toward fulfilling the requirements of this section. Whenever a development is intended to be phased, the required landscape buffer shall be implemented as a part of the first phase undergoing construction.
2. *Setbacks.* All buildings shall be set back not less than thirty (30) feet from the property line facing the Highway Urban Corridor District rights-of-way. No vehicular parking shall be allowed within the setback area, and the land within the setback shall be planted in turf and landscaped.
3. *Off-Street Loading.* Service drives or other areas shall be provided for off-street loading in such a way that while in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street.
4. *Off-Street Loading Screening.* All loading areas shall be screened by wooden, brick or masonry fences at least six (6) feet in height.

5. *Required Screening.* The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
   a. When a vehicular use area abuts any residential district or permitted residential use, a six-foot-high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.
   b. When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian accessways.
   c. Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.
6. *Interior Landscaping of Vehicular Use Area.* Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:
   a. The total of all interior landscaped areas shall occupy at least ten percent (10%) of the vehicular use area.
   b. Each interior landscape area shall be at least one hundred (100) square feet in area.
   c. The length of any side shall be at least five (5) feet.
   d. The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety-degree height of six (6) inches.
   e. Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one hundred (100) square feet of interior landscape island.
   f. There shall be at least three (3) shrubs, each of which shall attain a height of thirty-six (36) inches, for each tree planted within the development.
   g. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.
7. *Perimeter Landscape Strip.* The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement.
   a. A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:
      i. Where access ways exist between vehicular use areas of separate developments.
      ii. Where required landscape buffer is located.

iii. Where service drives or loading zones are located behind a main building, and are not visible from the main parking area and not directly abut a residential zoning district.
iv. Where a vehicular use area abuts a building.

b. Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:
   i. The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.
   ii. Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

c. Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems.

d. Trees shall be planted within the perimeter strips at the same rate as for the interior landscape areas, that is, one (1) tree per two hundred (200) square feet of landscape area. They may be planted either evenly spaced or in groups or clusters.

8. *Exterior Lighting.*
   a. *Light Trespass and Distraction.*
      i. No exterior lighting shall glare into, or upon, the surrounding area or any residential premises. In addition, no exterior lighting may be used in any manner that should interfere with the safe movement of motor vehicles on public streets. The light level shall be no greater than one-half (0.5) foot-candle at a residential property line and one (1) foot-candle at any nonresidential property line or public right-of-way line.
      ii. Specifically, the following types of light trespass are prohibited:
         1. Any light not designed for roadway illumination that produces direct or reflected glare that could disturb the operator of a motor vehicle.
         2. Any light that may be confused with, or construed as, a traffic control device, except as authorized by state, federal or local government.
   b. *Unshielded Lighting.* The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, is prohibited, except on a temporary basis in areas where approved carnivals, fairs of other similar activities are held and only when such activities are taking place.
   c. *Light Pole and Building-Mounted Lighting Heights.* The maximum height of light poles on private property, as measured from grade at the base to the bottom of the luminaries, shall be as specified below. These standards do not apply to public right-of-way lighting. Permitted light pole heights shall be as follows:
      i. *Nonresidential Uses.*
         1. Light poles and building-mounted fixtures shall be designed with fully shielded luminaries. Such poles or mounts shall not exceed thirty-five (35) feet in height.
         2. Light poles for outdoor recreational facilities shall not exceed sixty (60) feet in height. Exterior lighting for the outdoor recreation areas is subject to administrative site plan review. Light poles for outdoor recreational facilities that exceed sixty (60) feet in height may be considered as a conditional use.
      ii. *Residential Uses.* Light poles for single- and two-family dwellings shall not exceed eight (8) feet in height. Light poles for nonresidential uses, multifamily and townhouse

uses shall not exceed twelve (12) feet in height. Lighting, including under-soffit lighting mounted upon a single-family, two-family or townhouse residential dwelling, shall not be mounted higher than fifteen (15) feet above grade.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.11. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change or alteration of any use within the Highway Urban Corridor District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7. Upon approval of such plan, the Executive Director shall affix her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. No. 25526, § 1, adopted 10/10/13)

10.3.12. Appeals.

Application for any variance or waiver from requirements set forth herein or from the regulations of the underlying zoning district shall be reviewed and approved by the City Council. The request shall be submitted to the City Planning Commission, accompanied by any site plans, drawing or data, either written or graphic as deemed necessary by the City Planning Commission, for review and recommendation. The Planning Commission must make a recommendation within thirty (30) days of receipt of request. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver.

For the purpose of considering a request for variance of the regulations contained in this section the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and design requirements.
2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the same district.

(Ord. No. 25526, § 1, adopted 10/10/13)

Section 10.3A. Inner-City Urban Corridor District.

10.3A.1. Purpose of the District.

The purpose of the district is to provide for a superior environment, compatibility and continuity of development along major inner-city street corridors. The district is intended for application in older developed areas of the City to promote the urban design goals that support a harmonious relationship between commercial uses and the surrounding residential neighborhoods. The overlay district regulations are intended to supplement those of the underlying zoning district. These special regulations include site design requirements intended to complement land use development and to establish a positive and unified streetscape along the inner-city urban corridors.

(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

10.3A.2. Areas of Applicability (Inner-City Urban Corridor District).

a. All lots fronting on Carrollton Avenue between the Mississippi River and City Park, and all lots fronting on intersecting Hampson and Maple Streets one (1) municipal square length to the rear of the upriver side of Carrollton Avenue (area known as Riverbend Shopping Center).

b. All lots fronting on Claiborne Avenue, Earhart Boulevard, Tulane Avenue and Canal Street, where such streets intersect with Carrollton Avenue, one (1) municipal square length from the Carrollton Avenue intersection in each direction.

c. Those lots or developments fronting on Gentilly Boulevard between Paris Avenue and the Peoples Avenue Canal; those lots or developments along Elysian Fields Avenue from Lake Pontchartrain to N. Tonti Street; extending one square in depth in each direction at the intersection of Paris Avenue and Gentilly Boulevard; and at the intersection of Gentilly Boulevard and Elysian Fields Avenue; the entire area generally bounded by St. Denis Street, Gentilly Boulevard, Norman Mayer Avenue, to St. Anthony Avenue, to Mandolin Street, to Elysian Fields Avenue, to St. Aloysius Drive, to Mandeville Street, to Gentilly Boulevard, to Fairmont Drive, to Monterey Street, to Elysian Fields Avenue.

d. Those squares fronting on S. Claiborne Avenue between Earhart Boulevard and Jackson Avenue, those lots having commercial or neighborhood business district zoning within squares fronting on the riverside and those squares fronting on the lakeside of S. Claiborne Avenue from Jackson Avenue to Toledano Street, the entirety of the triangular shaped commercially zoned area on the riverside of S. Claiborne Avenue bounded by S. Claiborne Avenue, Louisiana Avenue and Toledano Street, the entirety of squares fronting on the riverside of S. Claiborne between Louisiana Avenue and Jena Street (excluding those properties that are zoned RO General Office District), and those lots or developments zoned neighborhood business district on the lakeside of S. Claiborne Avenue between Toledano Street and Jena Street that have frontage on either or both S. Claiborne Avenue and Jena Street.

e. The area bounded by the Claiborne Avenue between Conti and Gravier Streets, Gravier Street between South Claiborne Avenue and South Pierce Street, South Pierce Street between Gravier Street and Interstate 10, Interstate 10 between South Pierce Street and Banks Street, Banks Street between Interstate 10 and South Bernadotte Street, South Bernadotte Street between Banks Street and Cleveland Avenue, Cleveland Avenue between Street Bernadotte Street and South Pierce Street, Pierce Street between Cleveland Avenue and Conti Street, and Conti Street between North Pierce Street and North Claiborne Avenue.

f. Those lots or developments fronting on Canal Street in the area bounded by City Park Avenue, South Pierce Street, Conti Street, and Cleveland Avenue.

g. Those lots or developments with frontage on Earhart Boulevard in the area bounded by Jefferson Davis Parkway and Monticello Street.

h. Those lots or development sites fronting on North Claiborne Avenue, between Tennessee Street and Orleans/St. Bernard Parish Line and those lots or development sites fronting on Saint Claude Avenue from Tennessee Street to the Orleans/St. Bernard Parish line.

(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 21,538 § 1, adopted 5/6/04; Ord. 18,569 § 1 (part), adopted 1/8/98)

(Ord. 23,956, § 1, 4/22/10; Ord. No. 024149, § 1, adopted 10/7/10; Ord. No. 024236, § 1, adopted 12/1/10; Ord. No. 124237, § 1, adopted 12/1/10; Ord. No. 024565, § 1, adopted 9/1/11; Ord. No. 024708, § 1, adopted 12/15/11; Ord. No. 024839, § 1, adopted 4/5/12)

10.3A.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in these Inner-City Urban Corridor District regulations, the regulations of the underlying zoning district shall apply. Nothing here shall be construed to supersede standards applicable to approved site plans in pre-existing zoning districts.
(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

10.3A.4. Uses Authorized in the District.

1. All uses authorized in the underlying zoning district and listed under permitted use, accessory use or conditional use shall be authorized in this district, unless otherwise indicated below in paragraph (2) of this subsection.
2. Where allowed as a permitted use in the underlying zoning district, the following shall be conditional uses within the Inner-City Urban Corridor District in the South Claiborne Avenue area of applicability described in Section 10.3A.2(d), the Inner-City Urban Corridor District in the Mid-City area of applicability described in Section 10.3A.2(e), the Inner-City Urban Corridor District in the Canal Street area of applicability described in Section 10.3A.2(f), the Inner-City Urban Corridor District in the Earhart Boulevard area of applicability described in Section 10.3A.2(g), and the Inner-City Urban Corridor District in the North Claiborne Avenue and Saint Claude Avenue areas of applicability described in Section 10.3A.2(h), upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:
    a. Fast food restaurants (with and without drive-throughs);
    b. Cocktail lounges;
    c. Amusement places;
    d. Gasoline service stations;
    e. Car washes or automobile laundries;* (See Section 11.59)
    f. Automobile service stations;* (See Section 11.3)
    g. Auto repair/auto body shops/collision centers;
    h. Stores selling package liquor;
    i. Cafeteria restaurants.

(Ord. 23,087 § 2, adopted 5/1/08; Ord. 22,854 § 1, adopted 10/18/07; Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)
(Ord. No. 23,956, § 2, adopted 4/22/10; Ord. No. 024236, § 1, adopted 12/1/10; Ord. No. 024237, § 1, adopted 12/1/10; Ord. No. 024565, § 1, adopted 9/1/11; Ord. No. 024708, § 1, adopted 12/15/11; Ord. No. 024839, § 1, adopted 4/5/12)

10.3A.5. Applicability of Regulations.

All permit applications including new construction, redevelopment, alteration and signage within the overlay district shall be subject to design review by the City Planning Commission and shall comply with the design standards of this section. Exemptions: Applications for construction, redevelopment, alteration or improvements involving single-family and two-family residential buildings shall be exempted from the provisions of these regulations.
(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

10.3A.6. Design Review Standards.

The following design standards take precedence over ones specified in the underlying zoning districts which are less restrictive:

1. *Building Design.* A strong visual connection shall be made between the building's design and the existing character of the area. The overall building design (including its height and bulk) should be compatible with the neighborhood and shall provide for a pedestrian environment through the use of visually active ground level treatments. Where appropriate, buildings should provide climatic protection to their users by incorporation of overhangs, arcades, balconies and galleries. Architectural details, material, colors, textures and landscape treatments shall be coordinated to provide visual continuity, quality and consistency. The design vernacular and site development shall adhere to the character and scale of the surroundings.
2. *Site Development.*
   a. Setbacks. Front yard setbacks shall be the average of the existing buildings on the block face with the installation of landscaping in any front yard setback.
   b. Vehicular Use Area—Landscaping and Screening. Parking areas shall be designed to meet the standards set forth in Section 15.2.5 of the Comprehensive Zoning Ordinance. A continuous landscape hedge at a minimum height of thirty (30) inches shall be required along the perimeter of any vehicular use area adjacent to the public right-of-way. Alternatively, masonry wall, earth berm, metal fence and a hedge, or any combination thereof meeting the same height requirements may be substituted. Any residual areas not used for parking or vehicular access shall be landscaped with trees, shrubs and groundcover. Additionally, a landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or groundcover. All required trees shall be a minimum of ten (10) feet in height and have a minimum caliper of two (2) inches upon installation.
   c. Street Tree Planting. Where the continuity of major street tree plantings has been interrupted, as determined by the City Planning Commission staff, the reestablishment of such planting shall be required as a condition of development/redevelopment. Such plantings shall be in accordance with the standards of the Department of Parks and Parkways.
   d. Trash Dumpsters. Trash dumpsters (and any other type of refuse storage area) that are positioned adjacent to or visible from any other land use or street right-of-way shall be screened from view from them with an opaque wooden fence or masonry wall that is no less than six (6) feet tall.
   e. Loading Area. Service drives or other areas for off-street loading shall be provided in such a way that during the loading and unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street. All loading areas shall be screened from view from the adjacent properties or street right-of-way with an opaque wooden or masonry fence that is no less than six (6) feet tall.
   f. Lighting. Light standards shall be limited in height to twenty-five (25) feet and shall not be directed toward any adjacent residential uses.
3. *Signage.*
   a. Each business shall be limited to one (1) attached wall or projecting sign. The sign shall be limited to one (1) square foot per linear foot of building width or tenant space to a maximum of seventy (70) square feet. Exterior attached signs shall not project above the first floor of a building.

b. One (1) detached (monument) sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) lanes. The sign shall be limited to one-half (1/2) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet. Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.

c. A maximum of two (2) canopy signs shall be permitted for each business but their area shall be counted in the total allowable sign area for the business.

d. The sign may be illuminated but shall not flash, blink or fluctuate. The backlighting of awning containing signage shall not be permitted.

e. Only one interior window sign per business shall be permitted within four (4) feet of the interior face of any window of a building and shall be counted in the total allowable sign area for the business.

4. *Litter Abatement Program.* A litter abatement program acceptable to the Department of Safety and Permits shall be established for each development indicating procedures, pick-up schedule and a contact person.

(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

10.3A.7. Design Review Procedure.

Prior to the issuance of any permit by the Director of Safety and Permits for new construction, redevelopment, alteration and signage within the Inner-City Urban Corridor District (with the exemption of single and two-family residential buildings), a site plan shall be reviewed and approved by the Executive Director of the City Planning Commission, in accordance with the following procedures:

1. Site Plan Requirements. The applicant shall submit a site plan to the Executive Director of the City Planning Commission which shall contain either an original or reproduced drawing to no less than one inch equals twenty feet (1 inch: 20 feet) and depicting the following items:

   a. Site design, including parking, interior drives, landscaping, screening, fencing and lighting, if any. All relevant measurements (lot and building size, driveway width, loading area, etc.) and specification of the proposed improvements including planting materials (type, size, quantity) shall be indicated on the plan.

   b. Floor plans with all relevant measurements and identification of spaces/rooms.

   c. Building elevations indicating height, materials and color scheme, and placement of any signage.

   d. Signage (proposed location, size, material, color and content).

   e. Existing and proposed improvements within the public right-of-way, including but not limited to the following: light posts, benches, bus stops, paving, landscaping.

   f. Any other information deemed necessary by the City Planning Commission staff.

2. Decision by the Executive Director. The Executive Director of the City Planning Commission shall review and take action on the plan within thirty (30) days from submission of the application in proper form. Approval of the plan shall be evidenced by the signature of the Executive Director.

(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

10.3A.8. Appeal to City Council.

Applications for an appeal of the decision of the Executive Director or for a waiver or variance from requirements set forth herein shall be reviewed and approved by the City Council. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the appeal or request for variance or waiver and shall allow discussion prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver. Approval or denial of the request can be accomplished by City Council Motion and may include provisos which must be satisfied as a condition of the approval.

For the purpose of considering a request for variance of the regulations contained in this section the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and purpose of the district regulations.
2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures or buildings and which are not applicable to other land, structures or buildings in the same district.

(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

MISCELLANEOUS ZONING DISTRICTS

Section 10.4. P Park and Recreation District.

10.4.1. Purpose of the District.

The purpose of this district is to provide a classification for parks and public recreational areas containing a minimum of ten (10) acres, and their accessory uses in a district which will be apart from other classifications and permitted land uses. Where applied to publicly owned water bodies, this district is intended to recognize appropriate existing and traditional uses and to encourage uses compatible with these water resources and to appropriately locate all uses consistent with the public nature of these resources. The "P" classification is designed to be applied only to dedicated parks and similar recreational areas and specific water areas. Private recreational uses are also permissible in other appropriate zoning districts.

10.4.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section. Subdistrict standards, which are set forth in Section 10.4.8 of this article, apply to marinas, airports, public fishing piers, catwalks, breakwaters, boat launches, single-family dwellings and private piers in certain areas.

10.4.3. Permitted Uses.

1. The uses of land listed below are authorized as permitted uses within the P Park and Recreation District subject to the performance standards of Section 7.5, except that timeshare buildings and transient vacation rentals are prohibited. Land-based casinos and permanently moored gaming boats are specifically prohibited unless and until authorized by applicable and preemptive State law and receipt of approval of such use through the conditional use process.

    a. Public parks.

    b. Public parkways.

    c. Public recreational areas.

    d. Gas distribution mains and gas regulator stations.

    e. Electric utility distribution facilities, meters and service lines but not including transmission facilities.

    f. Telephone and communication lines and related facilities but not including telephone exchanges.

g. Underground sewerage lift or pumping stations.* (See Section 11.43)

h. Aboveground sewerage lift or pumping stations.* (See Section 11.42)

i. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.

j. Public water towers and aboveground water storage tanks when set back a minimum of twenty (20) feet from all property lines.

k. Water pumping stations.* (See Section 11.46)

l. Stormwater pumping stations.* (See Section 11.44)

m. Public telephones (booth of otherwise).* (See Section 11.41)

n. Public transit waiting stations.* (See Section 11.31)

o. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae.

p. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area.

q. Underground cable communication system cables, amplifiers and related facilities but excluding distribution and switching centers or cablecasting studios.

2. The following uses of land are authorized as permitted uses in publicly owned water areas within Orleans Parish designated as P Park and Recreation District, subject to the performance standards of Section 7.5, and except that timeshare buildings and transient vacation rentals are prohibited:

a. Public and private beaches.

b. Public and private fishing preserves.

c. Commercial fishing.

d. Boating, swimming and fishing or similar activities. Public fishing piers, catwalks, and boat launches shall not be allowed in the area between the New Basin Canal and Pauline Drive (extended). Public fishing piers, catwalks, breakwaters and boat launches are permitted uses within the Orleans-Jefferson Parish Lines and the New Basin Canal.

10.4.4. Accessory Uses.

The following accessory uses are authorized within the P Park and Recreation District:

1. For public parks and recreational areas containing an area of ten (10) to fifty (50) acres:

   a. A caretaker's house in parks of twenty-five (25) acres or more to be located no closer than ten (10) feet to any residential zoning district, no closer than twenty (20) feet to a public street right-of-way or ten (10) feet to any other property line.

   b. Tennis courts, swimming pools, baseball diamonds, football fields, softball fields, and similar rec-reational facilities, and the necessary equipment used in conjunction therewith not to be located any closer than twenty (20) feet to any residential zoning district, line, public street right-of-way, or any other property line.

   c. Play equipment such as swings, seesaw, and similar juvenile play facilities not to be located closer than twenty (20) feet to any property line.

   d. Temporary bleacher seats when located no closer than fifty (50) feet from any residential zoning district, twenty (20) feet from any public street right-of-way, or twenty (20) feet from any other property line.

   e. Cinder tracks and field event areas when located no closer than fifty (50) feet from any residential zoning district, twenty (20) feet from any public street right-of-way, or twenty (20) feet from any other property line.

   f. Shelter houses and administration buildings when not located closer than fifty (50) feet to any residential zoning district, twenty (20) feet to a public street right-of-way, or closer than twenty (20) feet to any other property line.

   g. Maintenance structures for housing equipment used in conjunction with the maintenance of the site provided such structures are located no closer than 100 feet from any residential zoning district, twenty (20) feet from any public street right-of-way, or closer than twenty (20) feet to any other property line.

   h. Greenhouses when used for the purpose of providing plantings, etc., to be used for the park or recreational site, to be located no closer than twenty (20) feet to any property line.

   i. Museums, provided such facilities are located no closer than twenty (20) feet to any property line.

   j. Underground cable communication system cables, amplifiers and related facilities but excluding distribution and switching centers or cablecasting studios.

2. For public parks and recreational areas in excess of fifty (50) acres:

a. All accessory uses permitted in public parks and recreational areas containing ten (10) to fifty (50) acres.

b. Stadium with permanent seating for spectators provided such facilities are located no closer than 350 feet from any residential zoning district, 100 feet from any public street right-of-way, or 200 feet from any other property line.

c. Public golf courses including putting greens and driving ranges in parks containing a minimum area of seventy-five (75) acres.

d. Golf club houses when used in conjunction with golf courses, provided such facilities are located no closer than fifty (50) feet from any residential zoning district, twenty (20) feet from any public street right-of-way, or twenty (20) feet from any other property line.

e. Aquariums and zoos provided such facilities are located no closer than 350 feet from any residential zoning district, 100 feet from any public street right-of-way, or 350 feet from any other property line.

f. Botanical gardens.

g. Concession stands for the dispensing of food and beverages to be located no closer than 350 feet from any residential zoning district, fifty (50) feet from any public street right-of-way or fifty (50) feet from any other property line.

h. Carrousels, Ferris wheels, and similar amusement facilities to be located no closer than 500 feet from any residential property line, 100 feet from any public street right-of-way or 200 feet from any other property line.

i. Standard or cafeteria restaurants within boundaries of a zoo only, and with parking to be provided in accordance with the provisions of Article 15.

j. Stable facilities provided such facilities are located no closer than 350 feet from any residential zoning district, 100 feet from any public street right-of-way, or 350 feet from any other property line.

(Ord. 21.007 § 1, adopted 3/14/03)

10.4.5. Conditional Uses.

The following uses are authorized as conditional uses within the P Park and Recreation District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations, and subject to the additional standard that the proposed use shall not cause substantial injury to the natural environment:

1. The following uses are authorized as conditional uses only in publicly owned water areas designated as P Park and Recreation District:

   a. Marinas. (See subdistrict regulations, Section 10.4.8)

b. *Airports. (See subdistrict regulations, Section 10.4.8)*

c. Single-family dwellings within 200 feet of lake shorelines. Maximum height of these uses shall be thirty-five (35) feet above mean high tide and shall be constructed a minimum of ten (10) feet above mean high tide. Existing uses of this type shall be allowed by ordinary permit: one twenty (20) foot by twelve (12) foot maximum enclosed accessory storage building with a height of fourteen (14) feet maximum above mean high tide, or, in the alternative one (1) unenclosed or open gazebo type accessory structure not to exceed twenty (20) by twenty (20) feet. A one (1) time extension of piers serving existing camps of thirty (30) linear feet shall be allowed by ordinary permit. Further extensions of existing piers shall be by conditional use approval only. (See subdistrict regulations, Section 10.4.8)

d. Private piers limited to six (6) feet in width. Private piers serving existing camps may be extended one (1) time a distance of thirty (30) linear feet by ordinary permit; however, further extensions shall be by conditional use approval. (See subdistrict regulations, Section 10.4.8)

e. Transmission facilities including electric, gas and oil facilities.

f. Gas, oil or mineral exploration, extraction or dredging operations including shell dredging operations. The following guidelines shall be employed in evaluating such proposed uses:

(1) Spacing of oil and gas producing structures and shell dredging operations, barges and equipment should be adequate to promote public safety.

(2) Location from shore should be considered to minimize effects of such uses on adjacent shore uses.

(3) Structures or shell dredging barges and equipment are painted or otherwise treated in such a manner as to minimize the aesthetic impact adjacent to populated areas.

g. Public fishing piers, catwalks, and breakwaters and public boat launches. (See subdistrict regulations, Section 10.4.8)

h. Personal wireless communication facilities consisting of facade-mounted and standard and nonstandard monopole installations.* (See Section 11.55)

2. The following uses are authorized as conditional uses in publicly owned land areas designated as P Park and Recreation District:

a. One (1) flat, double-faced sign, illuminated or nonilluminated, limited in area to thirty (30) square feet, shall be permitted on public transit waiting stations and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roofline of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be construct-

ed in any historic district without the prior approval of the appropriate Historic District Commission.

b. Child care facilities.* (See Section 11.15)

c. Gaming boat berths and related land-side support facilities, which may include a docking terminal, hotel, arena, restaurants and/or retail space. These uses shall be situated together so as to form a unified building development compatible with the park or marina environment in which the gaming boat is located.

(1) Gaming boat berths and related support facilities shall comply with the following requirements:

(a) Retail space shall be limited to one (1) percent of the total floor area of the gaming boat complex. All restaurants and retail space shall be physically located within the gaming boat terminal, hotel or arena.

(b) Parking for the gaming boat complex shall be limited according to the following formula:[1]

$$\text{Maximum parking spaces} = \frac{\text{passenger capacity of gaming boat}}{1.8} \times 0.80$$

Parking for a hotel and an arena shall be allowed up to the number of spaces set forth in Section 15.2 of this Ordinance. Where possible, arena parking will be provided on grass or other permeable surfacing and only on an overflow basis.

(c) The waterfront edge, including any public promenade, shall remain open to the public. Applicants must show compliance with any applicable open space and public access laws.

(2) The following development criteria will be used to evaluate conditional use applications for a proposed gaming boat berth and related support facilities:

(a) Development throughout the gaming boat complex be designed to maximize waterfront views and be harmonious with and respectful of the established man-made and natural environment;

(b) Buildings and structures be oriented outward, and provide direct pedestrian access to the waterfront promenade;

(c) The development be mid-rise in height and not exceed sixty-five (65) feet above grade as measured at the midpoint of the buildings' roofline;

[1] This formula is based on 80% of the patrons coming by private auto, 1.8 passengers per vehicle, and 100% overlap of arriving and departing passengers.

(d) Building forms step down to the water's edge, dramatize views toward the river/ lake from the land surfaces, and be sculpted to achieve a balanced composition which does not dominate the park or marina environment;

(e) The design vernacular adhere to the character and scale of the surroundings and in every aspect remind one of the park or marina environment in which it is located. To that end, architectural details, materials, colors, textures and landscape treatments be coordinated to provide visual continuity, quality and consistency throughout the development. Furthermore, roof structures be visually interesting, indicating a regional expression through the use of overhangs, weather protection, or pitched roofs;

(f) Service and loading functions be interior to the building(s) or along the building edge least visible to the public;

(g) Developments provide for a pedestrian environment with the use of visually active ground level facades, arcade treatments, balconies, ground level outdoor spaces, and pedestrian crossings;

(h) Alternative design responses which do not meet the above criteria will be considered to the extent they are deemed to be more compatible and aesthetically more sensitive to the park or marina environment in which the development is located.

(i) Signage:

i. Must be an integral part of the building;

ii. Must only identify the building or the main use;

iii. No advertisement of products, services or activities within the building;

iv. Signage colors be complementary with the building colors;

v. No flashing or blinking lighting, or illumination of the sign's background surfaces;

vi. No rooftop signs.

(3) Applications for conditional use approval must include the following items:

(a) Development plans to include architectural elevations, signage, site design, floor plans and landscaping, as required in Section 16.6.3 of this Ordinance for conditional use applications.

(b) An economic and fiscal impact assessment, as well as a market study which evaluates the patron market and the effect of the proposal on the patron market.

(c) Public facilities and service impact analysis, including sewerage, water, drainage, transit, sanitation, garbage and utilities.

(d) A traffic and transportation impact analysis, as provided for in Section 6.12 of this Ordinance. Impacts that deteriorate the level of service on the surrounding street system shall be mitigated to a level of service approved by the Department of Streets.

Plans shall be submitted, subject to the approval by the Department of Streets, to indicate transit-related facilities, pedestrian circulation patterns, loading areas for tour buses, taxis, etc., and any necessary off-site parking and queuing of these vehicles to meet the projection of the traffic impact analysis.

(e) Submission of the casino or gaming boat's security plan, management, and game regulation prior to the issuance of a use and occupancy certificate.

(f) Written proof of application for all required permits from State and Federal authorities, including but not limited to the U.S. Army Corps of Engineers, U.S. Coast Guard, Louisiana Department of Natural Resources, and Louisiana Department of Environmental Quality.

(g) Any other information required by the City in order to evaluate the economic, social, demographic, environmental or physical impacts of the proposal.

(h) Personal wireless communication facilities consisting of facade-mounted and standard and nonstandard monopole installations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.4.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following accessory signs are permitted within the P Park and Recreation District:

1. An identification sign or structure at each major entrance of the park, parkway, or recreational area limited to no more than 100 square feet.

2. Identification signs and directional signs not to exceed twenty (20) square feet for each permitted accessory use and buildings.

10.4.7. Height, Area, and Yard Requirements.

There are no additional area or yard requirements for permitted accessory uses in the P Public Park and Recreational District other than those which shall be mandatorily provided in accord with the requirements of Section 10.4.4. The height of all buildings and structures within the district shall be limited to thirty-five (35) feet, except that additional height shall be permitted where one (1) foot of additional setback is provided

on all sides of a structure for each additional one (1) foot in height in excess of thirty-five (35) feet, in which instance there shall be no height limitations.

10.4.8. Subdistrict Standards.

1. Marinas and airports shall not be allowed in publicly owned water areas in the area bounded by the eastern edge of the New Basin Canal extending eastwardly to the western boundary of the Industrial Canal.

2. Public fishing piers, catwalks, and breakwaters and public boat launches are authorized as conditional uses in publicly owned water areas in the area eastward of Pauline Drive (extended).

3. Single-family dwellings shall not be permitted in publicly owned water areas in any area located between the New Basin Canal and the Industrial Canal.

4. Private piers shall not be permitted in publicly owned water areas in any area located between the New Basin Canal and Franklin Avenue.

Section 10.5. NU Non-Urban District.

10.5.1. Purpose of the District.

The purpose of this district is to allow limited development of those areas of the city that lie outside of the Protective Levees of the Board of Commissioners of the Orleans Levee District. Land uses permitted in this district are consistent with traditional development in these areas and will be under conditions which will reduce the possibility of flooding of developments due to abnormal tides in Lake Pontchartrain, Lake Borgne or the various tidal waterways in and adjacent to Orleans Parish and shall be subject to the performance standards of Section 7.5.

10.5.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

10.5.3. Permitted Uses.

The following uses of land are authorized in the NU Non-Urban District, subject to the performance standards of Section 7.5:

1. Detached single-family dwellings.

2. Two-family dwellings.

3. Churches and temples.

4. Recreational uses:

    a. Public and private parks, parkways and playgrounds including uses accessory or incidental to their operation.

    b. Private and commercially operated golf courses providing no building or accessory use is located closer than 100 feet to adjoining property lines.

    c. Private and commercial recreational uses such as tennis courts, swimming pools, and other similar activities, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property lines unless such property line fronts a public street or drainage canal with right-of-way not less than twenty-five (25) feet in which instance the required setback need not exceed twenty-five (25) feet and provided further that all such facilities must be located on a site having a minimum of three (3) acres.

5. Farming, including the usual farm buildings and structures, and animal raising, trapping and fishing, on sites of five (5) acres or more, provided such uses are not in conflict with any other Ordinances of the City of New Orleans.

6. Private gardens, truck gardens, and nurseries for the propagation, cultivation and sale of plants.

7. Public and private forest, wildlife reservations, and similar conservative projects.

8. Flower shops and greenhouses incidental thereto.

9. Standard or cafeteria restaurants.

10. Stores and shops for the conduct of a retail business.

11. Marina or yacht club, including but not limited to such usual ancillary uses as fuel dock, haul out facilities, boat repairs, part sales and supplies sales.

12. Clubs, private and commercial.

13. Commercial fishing camps or hunting preserves of 100 acres or more.

14. Underground sewerage lift or pumping stations.* (See Section 11.43)

15. Aboveground sewerage lift or pumping stations.* (See Section 11.42)

16. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances but not including lift and pumping stations or water towers.

17. Public water towers and aboveground water storage tanks when set back a minimum of twenty (20) feet from all property lines.

18. Water pumping station.* (See Section 11.46)

19. Stormwater pumping stations.* (See Section 11.44)

20. Television and microwave relay, transmitting or receiving towers or antennae including accessory buildings but excluding broadcast studios and office buildings provided such facilities are set back a minimum of fifty (50) feet from any property line.

21. Gas distribution mains and gas regulator stations.

22. Electric utility facilities, including electric transmission line facilities.* (See Section 11.40)

23. Telephone and communication lines and related facilities.

24. Electric substations.* (See Section 11.40)

25. Telephone exchanges.* (See Section 11.45)

26. Public telephones (booth or otherwise).* (See Section 11.41)

27. Public transit waiting stations.* (See Section 11.31)

28. Underground cable communication system cables amplifiers and related facilities but excluding distribution and switching centers or cablecasting studios.

29. Timeshare buildings and transient vacation rentals.

30. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations. Standard monopole and cellular/PCS tower installations shall also be permitted if (a) a coastal use permit, if required, is obtained and (b) the proposed installation will result in two (2) or more companies co-locating antennas upon the same monopole or cellular/PCS tower.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.5.4. Accessory Uses.

The following accessory uses are authorized within the NU Non-Urban District:

1. Accessory uses for a farm of ten (10) acres or more as follows:

   a. Accessory structures for sale or processing of farm products raised on the premises.

   b. Accessory, open or enclosed storage of farm materials, products, or equipment.

   c. Accessory farm buildings, including barns, stables, sheds, tool rooms, shops, bins, tanks, and silos.

2. Boat docks, boathouses, and boat moorings.

3. Storage areas or buildings for the storage of materials or merchandise accessory to any permitted use.

4. Automobile storage garage.

5. Gas mains, service piping, service regulator stations and related appurtenances.

6. Electric utility facilities.

7. Noncommercial radio and television receiving antennae or noncommercial radio transmitting antennae limited in height to sixty (60) feet or twenty-five (25) feet above the structure for which it is an accessory use, whichever is greater.

8. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area or required side or rear of a lot.

9. Telephone and communication lines and related facilities.

10. Underground cable communication system cables, amplifiers and related facilities but excluding distribution and switching centers or cablecasting studios.

11. Satellite dish antenna.* (See Section 11.35)

10.5.5. Conditional Uses.

The following uses are authorized as conditional uses within the NU Non-Urban District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations, and subject to the additional standard that the proposed use shall not cause substantial injury to the natural environment:

1. Any conditional use permitted in the HI Heavy Industrial District in the HI Heavy Industrial District except composting facilities, separation/recovery facilities, construction/demolition debris landfills, sanitary landfills, and incinerators.

2. Public elementary, junior high and high schools and private elementary, junior high and high schools having a curriculum essentially the same as ordinarily given in public elementary, junior high and high schools and including kindergartens provided that they are located on a site having a minimum of one (1) acre.

3. Child care facilities when in conjunction with a public or private school.* (See Section 11.15)

4. Railroad right-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, interlocking towers, and fueling, sanding and watering stations.

5. Automatic ice distributing stations or other drive-in, automatic vending machine stations.

6. Gasoline service stations, but with no lighting fixtures extending to a height greater than fifteen (15) feet.

7. Fast food restaurant or drive-in restaurant.

8. Motels.

9. Boat repairs and shipyards.

10. Commercial domestic animal kennels.

11. Animal clinics.

12. Riding academies.

13. Pistol and rifle ranges, trap and skeet shooting when approved by the New Orleans Police Department.

14. Cemetery, including a crematorium.

15. Cocktail lounges and bars.

16. Drive-in theaters.

17. Dockside wholesale seafood business subject to the following conditions:

    a. Maintenance of the dock area or other areas in a clean manner and free of noxious odors by the continuous sluicing of the areas.

    b. Storage or shipping containers (filled or empty) kept in a completely enclosed area prior to shipping.

    c. A vessel (land or water) shall be permitted to occupy dock space for only a reasonable length of time for loading or unloading.

    d. Satisfactory evidence that permits required by State or City agencies have been secured or applied for prior to issuance of a building permit or use and occupancy certificate, and that these permits are renewed annually as may be required.

18. Commercial marinas.

19. Leased bingo hall facilities.* (See Section 11.10)

20. Personal wireless communication facilities consisting of (a) nonstandard monopole installations, (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55, (c) standard monopole and cellular/PCS tower installations where a coastal use permit, if required, has been obtained and the proposed installation will result in two (2) or more companies co-locating antennas on the same monopole or cellular/PCS tower, but the installation does not otherwise satisfy the requirements for such installation as a permitted use under Section 11.55 of these regulations and (d) standard monopoles and cellular/PCS tower installations which meet the requirements for such an installation as permitted uses under Section 11.55 of these regulations but where either the proposed installation will not

result in two (2) or more companies co-locating antennas on the same monopole or cellular/PCS tower or no coastal use permit, if required, has been obtained.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.5.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the illuminated or nonilluminated accessory signs are permitted when in accordance with the sign regulations for the most restrictive zoning classification within which the applicable use or development would first be permitted.

10.5.7. Height, Area, and Yard Requirements.

The height, area and yard requirements for the NU Non-Urban District are those which would be applicable to the most restrictive zoning classification within which the subject, or applicable use would be permitted.

Section 10.6. RP Research Park District.

10.6.1. Purpose of the District.

The RP Research Park District is intended to provide an attractive, park-like setting for scientific, industrial and technological research and development activities, particularly those which are university-related and which qualify for tax exemptions or credits under the Louisiana Tax Exemption Act (LA. R.S. 17:3388). The district allows as accessory uses various activities which provide service primarily to the research park, and allows as conditional uses those activities which have a broader service area or which are marketed to the general public.

10.6.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

10.6.3. Permitted Uses.

A building or land shall be used only for the purposes listed below which do not create any danger to health and safety in surrounding areas, and which do not create any offensive noise, vibration, smoke, dust, lint, odor, heat, or glare, other than that which is generally associated with scientific research and development activities conducted within research park settings. All permitted uses will be subject to the requirements and nuisance restrictions contained in the recorded Master Plan and Development Guidelines, as well as the performance standards of Section 7.5. The following uses of land are authorized as permitted uses within the RP Research Park District:

1. Scientific, technological and industrial research.

2. Product development and testing.

3. Production, processing or assembly or prototype products related to research and development activity conducted within the RP District.

4. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.6.4. Accessory Uses.

The following uses of land are authorized as accessory uses if they provide service or support primarily to the research and development activity within the RP District:

1. Administrative offices, including corporate and divisional headquarters of the entities conducting research and development within the RP District.

2. Maintenance and storage facilities.

3. Auditoriums, conference centers, meeting rooms and classrooms.

4. Exhibit and display facilities.

5. Libraries, museums and other educational support facilities.

6. Medical units and health care facilities.

7. Horticulture nurseries.

8. Residential dwellings, provided that such uses conform to the requirements of the RM-1 District.

9. Utility and telecommunications facilities.

10. Public telephone (booth or otherwise) when approved by the Department of Utilities to ensure that:

    a. Such telephones shall be illuminated for night use and situated in such a manner as to avoid the creation of a potential hazard for adjacent streets, roadways, or driveways.

    b. Such telephones do not obstruct any public sidewalk or pedestrian way.

11. Public transit waiting stations when approved by the Department of Utilities and found to comply with the following:

    a. Such facilities shall be situated in such a manner as to avoid the creation of a potential hazard for adjacent streets, roadways, or driveways.

    b. Such facilities do not obstruct any public sidewalk or pedestrian way.

12. Child care facilities.* (See Section 11.15)

13. The following uses shall be allowed as accessory uses provided that they together do not constitute more than twenty-five (25) percent of the total developed floor area within the research park:

    a. Restaurants and eating facilities, provided the structure in which they are located is not devoted exclusively to that use.

    b. Retail sales and service establishments.

    c. Overnight guest accommodations, including hotels, motels, or motor lodges.

d. Health clubs and other recreational facilities.

10.6.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the RP Research Park District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations, and provided the City Council has made the determination that such uses will serve the purpose of the research park, will be compatible with adjacent or nearby land uses, and will promote the public health, safety and welfare:

1. All of the uses listed as accessory uses in Section 10.6.4 above whose service area is not primarily the RP District or which are marketed to the general public.

2. All of the uses listed in Section 10.6.4(13) above which exceed the twenty-five (25) percent limit, or in the case of restaurants and eating facilities, are located in a structure devoted exclusively to that use.

3. Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.6.6. Development Standards.

In keeping with the research park concept of an attractive, park-like setting which is compatible with adjoining land uses, it is expected that applicants for RP Districts will submit design specifications which include an overall unity of site design and integrated common open spaces. The City Planning Commission may, in order to allow for flexibility and innovation in project design, recommend that individual requirements set forth below be accommodated through alternative design provisions which meet general standards for quality research parks:

1. Building Design.

   a. All uses except electric and gas facilities and horticulture uses shall be conducted within completely enclosed buildings.

   b. Maximum building height shall be sixty (60) feet, excluding mechanical structures.

   c. Maximum Floor Area Ratio (FAR) shall be 2.00.

2. Site Design.

a. Minimum depth of front yards shall be twenty-five (25) feet, side yards shall be a minimum of fifteen (15) feet, and rear yards shall be a minimum of twenty (20) feet.

b. These yard requirements shall not apply if the Open Space Ratio for the entire district is at least 0.35, and all buildings have a minimum setback from all drives and streets of one (1) foot for every two (2) feet of building height, with a minimum of twenty (20) feet.

c. Notwithstanding these regulations, no part of any building or accessory structure shall be located closer than 100 feet to any residential boundary.

3. Service Facilities.

a. Loading and service areas shall be located so as to minimize visibility from adjacent streets, properties, pedestrian pathways and open space corridors.

b. Loading operations shall be conducted in such a manner than no vehicle will block the passage of other vehicles or extend into any other drive or street used for traffic circulation. Off-street loading spaces shall be provided in accordance with the requirements of Section 15.3 and shall not be located in the rear or setback area in front of any building.

c. Where storage is incidental to the approved occupancy of the building, all products and materials used or stored shall be in a completely enclosed building, or enclosed by a masonry wall, screening fence, or hedge not less than six (6) feet in height.

4. Landscaping.

a. All yards and other open space areas shall be landscaped with trees, grass, shrubs and other ornamental plantings, and maintained in a neat and attractive condition.

b. A twenty (20) foot buffer shall be maintained around the perimeter of the RP District and shall be landscaped with trees (an average of one (1) per twenty-five (25) feet), shrubs and groundcover. No parking, building structures, or roadways shall be located within the required buffer.

5. Signage.

a. No signs shall be located within fifty (50) feet of a residential district boundary.

b. No flashing or moving signs shall be permitted.

c. One (1) primary identification sign shall be allowed for the RP District on each peripheral street frontage. Each such primary identification sign shall have a maximum size of 200 square feet, and maximum height of twelve (12) feet.

d. One (1) building identification sign shall be allowed per interior roadway or public street frontage. Each such building identification sign shall have a maximum size of one (1) square foot per lineal foot of building width in which the main entrance is located, and a maximum height of eight (8) feet.

e. Directional signs shall have a maximum size of sixteen (16) square feet and a maximum height of six (6) feet.

f. Temporary signs announcing the development of the research park shall be subject to the sign regulations set forth above.

6. Nuisance Restrictions.

   a. No offensive or objectionable effects from noise, smoke, odor, glare or excessive light, vibration, gas, fumes, dust or other environmental factors shall be measurable at the property line of the research park.

   b. All uses within the research park shall conform to all applicable local, State and Federal environmental regulations.

   c. No buildings or facilities shall be constructed and no use shall be permitted that results in water runoff causing flooding, erosion, or deposit of materials on adjacent properties.

   d. In order to reduce stormwater runoff, permeable rather than paved surfaces should be maintained to the extent possible. The RP District shall participate in any urban runoff reduction plans implemented by the City.

   e. Treatment and disposal of emissions, effluents, and wastes shall meet all local, State and Federal requirements.

   f. Specifically prohibited is the disposal of dangerous, noxious, radioactive, or offensive wastes or materials by dumping, burying or storing them on the property.

   g. No incineration of waste shall be permitted other than accessory incineration located within an enclosed structure, in compliance with local, State and Federal regulations. No waste generated outside the research park shall be incinerated within the district.

10.6.7. Special Regulations.

The following special regulations apply to Research Park Districts:

1. An RP District shall contain a minimum of five (5) acres. An RP District which adjoins a university shall have no minimum acreage requirement.

2. An application to establish an RP District shall contain the following:

   a. A Master Plan.

   b. Written Development Guidelines.

   The Master Plan and Development Guidelines shall include the items listed in Section 16.7.2(1) for site plans, as well as the location and type of all uses within the research park, architectural design requirements, and nuisance restrictions. Each RP District shall be required to maintain an internal governance committee whose mission will be to ensure compliance with the Master Plan and Development Guidelines.

3. The City Planning Commission may require the submission of such other written or graphic material as may be necessary or desirable to assist the City Council and the City Planning Commission in its consideration of the RP District application.

4. The City Planning Commission shall review the Master Plan and Development Guidelines for compliance with this Ordinance. Before recommending approval of an RP District, the City Planning Commission may recommend that the Master Plan and Development Guidelines contain additional requirements including, but not limited to, those requirements enumerated in Section 14.10, and requirements pertaining to utilities, drainage, lighting, signs and advertising devices, screening accessways, curb cuts, traffic control, height and setback of buildings, landscaping and maintenance thereof, tree protection and facility usage. The City Planning Commission may require the applicant to submit a traffic impact analysis in accordance with the provisions of Section 6.12.3, depending on the scope and location of any proposed use.

5. Following approval of the RP District by the City Council, a Master Plan and set of Development Guidelines consistent with such approval shall be prepared, filed and recorded in the Conveyance Office of Orleans Parish not later than thirty (30) days following the date of final approval, as evidenced by the signature of the Executive Director of the City Planning Commission on the Final Master Plan and Development Guidelines.

6. Special off-street parking standards apply in accordance with the regulations in Section 15.2.

PLANNED DEVELOPMENT DISTRICTS

Section 10.7. Residential Planned Community District.

10.7.1. Purpose of the District.

The RPC Residential Planned Community District is intended to encourage large-scale developments, which create a superior environment through unified development and through design ingenuity while protecting existing and future developments and achieving the goals of the Comprehensive Plan of development for the City of New Orleans. The RPC Residential Planned Community District is an overlay district in which specially tailored regulations supplement the regulations of an underlying residential district.

10.7.2. District Combinations.

The RPC Residential Planned Community District may overlay one or more residential districts established under Article 4. *The RPC Residential Planned Community District* shall be superimposed on the underlying residential district and shall be designated by a special symbol for its boundaries on the Official Zoning Map. The housing types, minimum lot requirements, maximum height, minimum yard requirements, and accessory signs shall be determined by the requirements and procedures set forth in this article, which shall prevail over conflicting requirements of these regulations or ordinances governing the subdivision of land.

(Ord. No. 25492, § 1, adopted 9/12/13)

10.7.3. Uses Authorized.

The following uses of land are authorized in the RPC Residential Planned Community District:

1. Any residential use authorized as a permitted use or accessory use, in any residential district; except that where an RPC District of less than ten (10) acres overlays any RS Residential District, only permitted or accessory uses authorized in the RS-1 and RS-2 Districts shall be authorized in the RPC District. Residential uses shall comply with the additional provisions and requirements of this section.
2. Commercial uses which are authorized in the B-1 and B-2 Commercial Districts and which are accessory to the planned residential development as a whole are authorized in the RPC Residential Planned Community District. Such commercial uses must comply with all of the requirements of the respective B-1 and B-2 Districts and such uses shall not exceed one (1) acre for each 300 dwelling units.
3. Any conditional use which is authorized in the underlying residential district.

10.7.4. Minimum District Area.

The minimum area for a residential planned community district shall be as follows:

1. In any district except the RS Districts, one (1) contiguous acre or one-half (1/2) of a City square, whichever is the greater, exclusive of the area of any dedicated streets or alleys.
2. In the RS Districts, five (5) contiguous acres or separated by a street, except where the street is provided as part of the overall RPC Plan, exclusive of the area of any dedicated streets or alleys.

(Ord. 21,891 § 1, adopted 4/07/05)

10.7.5. Ownership Control.

In order that the purpose of this district shall be realized, the land and the buildings and appurtenant facilities shall be in a single ownership, or under management or supervision of a central authority, or they shall be subject to such other supervisory lease or ownership control, or agreement as may be necessary to carry out the provisions of this Ordinance relating to RPC Residential Planned Community Districts.

10.7.6. Dwelling Units or Development Intensity Permitted.

The number of dwelling units permitted shall be determined by dividing the net development area by the minimum lot area per dwelling unit required in the underlying district or districts. Net development area shall be determined by subtracting the area set aside for churches, schools, or commercial use from the gross development area and deducting twenty-five (25) percent of the remainder for streets or the actual area of any proposed streets, whichever is the lesser. The area of land set aside for common open space or recreational use shall be included in determining the number of dwelling units permitted.

10.7.7. Other Development Criteria.

1. General Review Criteria.

   The proposed development shall conform with the standards of the Comprehensive Plan and recognized principles of civic design, land use planning, and landscape architecture. Conditions may be imposed regarding the layout, circulation, and performance of the proposed development. To achieve such purposes, the City may require that appropriate deed restrictions be filed, which are enforceable by the City of New Orleans for a period of up to twenty (20) years from the date of filing.

2. Minimum Lot Area, Yard and Maximum Height.

   a. The minimum lot area and minimum lot frontage of detached single-family dwelling lots established within an RPC development shall not be less than two-thirds (⅔) of the normal minimum lot area and minimum lot frontage of the underlying residential district. In no case shall a detached single-family lot be created with an area of less than 3,125 square feet or a lot frontage of less than thirty (30) feet.

   b. The minimum lot and yard requirements for residential uses other than detached single-family dwellings and the maximum height requirements of the zoning district in which the development is located are not applicable, except that the Planning Commission shall insure an appropriate relationship between uses of high intensity or height within the Residential Planned Community District and uses of low intensity or height, existing or future, outside the proposed Residential Planned Community District, and to this end may require that the regulations for minimum lots and yards and maximum height shall be complied with inside of and near the boundaries of such district.

3. Location of Structures and Parking Areas.

   Proposed town houses, multiple dwellings or commercial uses, where such are allowed in the underlying district, and the location of parking facilities serving such development along with their entrances and exits, shall be appropriately located. The location of uses shall not result in a reduction in the maximum number of dwelling units or development intensity authorized under Section 10.6.6, unless necessary to prevent immediate conflicts along project boundary lines created by the proposed location for the uses.

4. Off-Street Parking.

   Off-street parking shall be provided meeting the minimum requirements of the underlying residential district. Improvements of parking lots and garages shall also conform with these regulations and other applicable regulations or ordinances.

5. Subdivision Standards.

   The proposed development shall follow all applicable procedures, standards and requirements of the ordinance or ordinances and regulations governing the subdivision of land. No building permit shall be issued until a final plat of the proposed development, or part thereof, is approved, filed and recorded.

10.7.8. Signs.

1. Signs in Underlying District.

   Subject to the general sign regulations of Article 12, only those accessory signs permitted within the underlying district shall be permitted in accord with the additional requirements and specified provisions of the Residential Planned Community District.

2. Commercial Signs.

   Where the planned community development includes accessory commercial uses authorized in the B-1 or B-2 Commercial Districts, signs shall be permitted in compliance with the respective B-1 and B-2 District regulations; except, however, if such uses do not front on a major street as defined in the Major Street Plan of the City of New Orleans, no exterior sign or other advertising device will be permitted.

10.7.9. Procedures.

An application for establishment of a residential planned community district shall be considered an application for a zoning amendment and shall be reviewed in accordance with the procedures of Section 16.5. The application shall be accompanied by a concept plan, which shall be prepared in accordance with the standards of Section 16.5. No building permit for any use shall be issued until a development plan consistent with such concept plan has been approved in the manner provided in Section 16.5.

10.7.10. Failure to Begin Development.

If no construction has begun or no use established in the Residential Planned Community District within three (3) years from the adoption of the ordinance effectuating the development (which shall include approved extensions), the City Council, within sixty (60) days of the expiration date of the ordinance, shall authorize the City Planning Commission to hold a public hearing to consider the further extension or termination of said use or development, and to make its recommendation to the City Council in accordance with Section 16.9. Fees for said public hearing and processing shall be borne by the applicant for the development. The City Council shall determine whether to further extend or to rescind the effectuating ordinance.

Section 10.8. SC Shopping Center District

10.8.1. Purpose of the District.

The purpose of this district is to provide for attractive and efficient retail shopping facilities of integrated design in appropriate locations to serve residential neighborhoods. It is intended that the district shall be a freestanding planned development district, and laid out and developed as a unit according to an approved plan so that the purpose of the district may be accomplished. Under special regulations, the district is adaptable to shopping centers of various sizes, with uses permitted related to the size and location of the center and the area which it is intended to serve. To encourage some measure of neighborhood service and grouping of facilities, the minimum size for the district is established at two (2) acres, or one (1) City square, whichever is the lesser.

10.8.2. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

10.8.3. Permitted Uses.

The following uses are authorized as permitted uses in the SC Shopping Center District subject to the performance standards of Section 7.5:

1. For an SC Shopping Center District containing less than five (5) acres, any permitted use authorized in the B-1 Neighborhood Business District.
2. For an SC Shopping Center District containing at least five (5) acres but less than ten (10) acres, any permitted use authorized in the B-2 Neighborhood Business District but without limitation as to floor space.
3. For an SC Shopping Center District containing ten (10) acres or more and having frontage on a major street, any permitted use authorized in the C-1 General Commercial District.
4. For all SC Shopping Center Districts regardless of size, any residential use integrated into the design of the shopping center buildings and approved as part of the development plan for the district, provided such use complies with population density and parking standards approved by the Planning Commission for the project in question and provided that the basic shopping center purpose is not subordinated to the residential use.
5. For all SC Shopping Districts regardless of size, residential uses shall be limited to those specifically approved as part of the development plan for the district, or if no specific residential use is established as part of the development plan, then any residential use shall be limited to those uses permitted according to the residential district regulations in force prior to the establishment of the SC Shopping Center District.
6. For all SC Shopping Center Districts regardless of size, radio, television, and microwave, relay, transmitting or receiving towers, or antennae when set back a minimum of fifty (50) feet from all lot lines.
7. Personal wireless communication facilities consisting of mast-mounted and facade-mounted installations. Standard monopole installations shall also be permitted if the installation does not abut a residential district. Cellular/PCS tower installations shall be permitted if the proposed installation will result in two (2) or more companies co-locating antennas on the same cellular/PCS tower and the installation does not abut a residential district.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.8.4. Accessory Uses.

The following accessory uses are authorized within the SC Shopping Center District:

1. Accessory uses to residential development in accordance with the approved shopping center plan.
2. Storage of office supplies or merchandise normally carried in stock in connection with a permitted office, business, or commercial use subject to applicable district regulations.
3. Gas mains, service piping, service regulators, meters, gas regulator stations and related appurtenances.
4. Electric utility distribution lines, meters, service lines, distribution transformers and appurtenances, but not including transmission facilities.
5. Radio, television and microwave relay, transmitting or receiving tower or antennae when set back a minimum of fifty (50) feet from all lot lines.
6. Small telephone repeater structures when located in a public right-of-way, utility easement or buildable area or required side or rear yards of a lot.
7. Telephone and communication lines and related facilities but excluding telephone exchanges.

10.8.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the SC Shopping Center District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any conditional use authorized in the B-1 Neighborhood Business District.
2. Child care centers.* (See Section 11.15)
3. Personal wireless communication facilities consisting of (a) mast-mounted and facade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations, (b) nonstandard monopole installations, (c) standard monopole installations where the installation abuts a residential district, (d) standard monopole installations where the installation does not abut a residential district but the installation does not satisfy the requirements for such installations as permitted uses under Section 11.55, (e) cellular/PCS tower installations where the installation does not abut a residential district and the proposed installation will result in two (2) or more companies co-locating antennas on the same cellular/PCS tower, but the installation does not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations, and (f) cellular/PCS tower installations where either the installation abuts a residential district or the proposed installation will not result in two (2) or more companies co-locating antennas on the same cellular/PCS tower.* (See Section 11.55)

(Ord. 18,384 § 1 (part), adopted 8/21/97)

10.8.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the following illuminated or nonilluminated accessory signs shall be permitted in the SC Shopping Center District:

1. For an SC Shopping Center District containing less than five (5) acres, signs shall be limited to those permitted in the B-1 Neighborhood Business District.
2. For an SC Shopping Center District containing five (5) acres or more, signs as follows:
   a. One (1) flat sign per business on the premises with a total sign area of not more than ten (10) percent of the wall area on which the business has its main entrance. Such sign shall be limited in area to fifty (50) square feet. In addition, one (1) flat sign not exceeding 200 square feet in area, identifying the name of the shopping center or the major tenant.

Illuminated signs inside of show windows and within five (5) feet of such windows shall be included in the computation of the aggregate sign area and, in addition shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outlining a show window shall be included in the aggregate sign area and shall be measured by multiplying the length of the tubing by six (6) inches.

b. If there are no marquee or detached signs, projecting signs are permitted, one (1) for each business with sign area limited to twenty (20) square feet.

c. If there are no projecting signs or marquee signs, detached signs, stationary or rotating, are permitted, limited in height to thirty (30) feet and in area to sixty (60) square feet, one (1) for each business.

d. Canopy signs, two (2) for each business with a sign area limited to three (3) square feet each.

e. Temporary, nonilluminated paper signs in show windows limited to twenty (20) percent of the total glass area of the window in which they are placed.

f. Directional signs limited in area to ten (10) square feet each, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.

g. In addition to the above permitted signs, one (1) double-faced or multifaced detached identification sign designating the name of the shopping center and the names of the tenants of said shopping center shall be permitted for each 300 feet of street or highway frontage or part thereof existing along any one (1) parcel of property. That portion of the sign area of said identification sign devoted to the listing of the shopping center tenants shall be limited to twenty-five (25) percent of the total permitted sign area; and, furthermore, said tenant listings shall be uniform in size, type and lettering. An additional identification sign shall be permitted for each additional 300 lineal feet or part thereof of a street or highway frontage in excess of the first 300 lineal feet of such frontage; provided, however, when more than one (1) identification sign is so permitted, no identification sign shall be located closer than 300 feet from any other identification sign located on the same property. Said identification signs shall be limited as follows:

   (1) *Height.* No identification sign shall exceed in height the distance from the base of said sign to the center line of any public right-of-way adjacent to the real property on which said sign is located; provided, however, the minimum height of the lowest portion of any display surface of said sign shall be eight (8) feet above the ground. The maximum height of any portion of any such sign or sign structure shall be thirty (30) feet, when within a radius of 300 feet there exists any property zoned or used for residential purposes. For each additional ten (10) feet of radius to the aforementioned 300 feet, within which additional radius no property is zoned or used for residential purposes exists, said sign structure may be increased in height by one (1) foot. Notwithstanding any of the provisions governing the height of detached signs, no detached identification sign shall exceed seventy (70) feet above ground level.

   (2) *Area.*

      (a) The area of each face of a double-faced detached identification sign shall not exceed 350 square feet or two (2) square feet for each lineal foot of street or highway frontage of the parcel of real property on which said sign is located, whichever is the lesser; provided, however, that each face of any multifaced

identification sign shall not exceed two (2) square feet for each lineal foot of street or highway frontage, and provided further that the combined area of all the faces of a multifaced freestanding sign shall not exceed 700 square feet.

(b) When property has frontage on more than one (1) street, the property shall be permitted to have the number of double-faced or multifaced detached identification signs in accordance with this section for each street frontage, provided, however, that in establishing the size of each such sign in accordance with the aforementioned formula, only the lineal feet of the street upon which each of said signs faces may be considered in establishing the maximum permitted size of each such sign.

(c) The owner or agent of any lot or parcel of real property fronting on more than one (1) street or highway may elect to combine the total street frontage of said property in establishing the maximum permitted sign size of any identification sign; however, in the event all street or highway frontage is so combined, only one (1) such sign shall be permitted to be constructed on the premises and such single sign, based on such combined street or highway frontage, shall not exceed in area the maximum permitted by Paragraph a above.

(3) *Location.* No identification sign shall be located closer to any abutting parcel of property or to any public right-of-way than a distance equal to one and one-half (1.5) the height of the sign or sign structure aboveground level; provided, however, that no such sign need be located at a greater distance than 120 feet from any such abutting parcel of property or public right-of-way.

10.8.7. Ownership Control.

In order that the purpose of this district shall be realized, the land and the buildings and appurtenant facilities shall be in a single ownership, or under management or supervision of a central authority, or they shall be subject to such other supervisory lease or ownership control, or agreement as may be necessary to carry out the provisions of this Ordinance relating to SC Shopping Center Districts.

10.8.8. Minimum Area of the District.

The minimum area to be included within the boundaries of an SC Shopping Center District shall be two (2) acres or one (1) City square, whichever is the lesser.

10.8.9. Special Regulations.

The following special standards apply within the Shopping Center District:

1. All buildings shall be set back not less than twenty (20) feet from all street lines adjoining the shopping center site.
2. Off-street parking spaces shall be provided in the ratio of at least five and one-half (5.5) parking spaces for each 1,000 square feet of gross ground floor area of buildings exclusive of malls, equipment rooms and walkways, and two and one-half (2.5) parking spaces for each 1,000 square feet of gross floor area of upper floors exclusive of malls, equipment rooms and walkways. Total parking area including parking spaces, entrances and exits, driveways, pedestrian ways and service drives shall not be less than two and two-tenths (2.2) times the gross floor area. Additional parking spaces shall be provided for integrated residential uses in a ratio equal to that which would be required in a medium density district according to Article 15.

3. Service drives or other areas shall be provided for off-street loading and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used.
4. The drives, parking areas, loading areas, and walks shall be paved with hard all-weather material.
5. Any part of the project area not used for buildings or other structures, loading and accessways or parking, shall be landscaped with grass, trees, shrubs, or pedestrian walks.
6. The shopping center buildings shall be designed and built as a whole, unified and single project but may, however, be built in stages in accordance with a construction timing schedule approved by the City Council. If there is not substantial compliance with the approved schedule, the City Council may, after expiration of a period of three (3) years from the date of final approval of the district in question, study conditions and changes of conditions in the area and after report by the City Planning Commission, the City Council may, by ordinance, reduce the size or eliminate the district from the Official Zoning Map in accordance with the procedures of Article 16.

(Ord. No. 25492, § 1, adopted 9/12/13)

10.8.10. Procedures.

An application for establishment of a SC Shopping Center District shall be considered an application for a zoning amendment and shall be reviewed in accordance with the procedures of Section 16.5. The application shall be accompanied by a concept plan, which shall be prepared in accordance with the standards of Section 16.5. No building permit for any use shall be issued until a development plan consistent with such concept plan has been approved in the manner provided in Section 16.5.

10.8.11. Failure to Begin Development.

If no construction has begun or no use established in the SC Shopping Center District within three (3) years from the adoption of the ordinance effectuating the development (which shall include approved extensions), the City Council, within sixty (60) days of the expiration date of the ordinance, shall authorize the City Planning Commission to hold a public hearing to consider the further extension or termination of said use or development, and to make its recommendation to the City Council in accordance with Section 16.9. Fees for said public hearing and processing shall be borne by the applicant for the development. The City Council shall determine whether to further extend or to rescind the effectuating ordinance.

Section 10.9. Central Business Planned Community District.

10.9.1. Purpose of the District.

The CBPC Central Business Planned Community District is intended to encourage large-scale developments within the Central Business District and to create a superior environment through a unified development concept and design ingenuity while protecting existing and future developments and achieving the goals of the Comprehensive Plan of development for the City of New Orleans. The CBPC Central Business Planned Community District is an overlay district in which specially tailored regulations supplement the regulations of an underlying Central Business District.

10.9.2. District Combinations.

The CBPC Central Business Planned Community District may overlay one (1) or more Central Business Districts established under Article 6. The CBPC Central Business Planned Community District shall be superimposed on the underlying Central Business District and shall be designated by a special symbol for its boundaries on the Official Zoning Map. The types of uses authorized, minimum lot requirements, maximum height, minimum yard requirements, and accessory signs shall be determined by the requirements and procedures set forth in this article, which shall prevail over conflicting requirements of these regulations or ordinances governing the subdivision of land.

(Ord. No. 25492, § 1, adopted 9/12/13)

10.9.3. Uses Authorized.

The following uses of land are authorized in the CBPC Central Business Planned Community District:

1. Any permitted or accessory use or sign authorized in the underlying Central Business District is authorized in the CBPC Central Business Planned Community District. Such use or sign shall conform in all respects with the regulations of such CBD District.
2. Any conditional use which is authorized in the underlying Central Business District.

10.9.4. Minimum District Area.

The minimum area for a Central Business Planned Community District under this article shall be one (1) contiguous acre or one (1) City square, whichever is the lesser. In calculating the minimum area for the CBPC District, the measurement shall not include the area of any dedicated streets or alleys.

10.9.5. Ownership Control.

In order that the purpose of this district shall be realized, the land and the buildings and appurtenant facilities shall be in a single ownership, or under management or supervision of a central authority, or they shall be subject to such other supervisory lease or ownership control, or agreement as may be necessary to carry out the provisions of this Ordinance relating to RPC Central Business Planned Community Districts.

10.9.6. Dwelling Units or Development Intensity Permitted.

The floor area permitted within the Central Business Planned Community District shall be determined by multiplying the net development area for residential use by the basic maximum Floor Area Ratio permitted in the district in which the area is located and adding thereto any bonus floor area earned by the provision of features for which bonus floor area is allowed in such district. Net development area shall be determined by deducting from the gross development area an allowance of twenty-five (25) percent of the area for streets or the actual area of any proposed public streets, whichever is the lesser. The base or maximum FAR may be increased by fifteen (15) percent in the CBPC District. This fifteen (15) percent shall be permitted to be added to the basic maximum Floor Area Ratios permitted, and/or to the maximum FAR's with bonuses.

10.9.7. Other Development Criteria.

1. General Review Criteria.

   The proposed development shall conform with the standards of the Comprehensive Plan and recognized principles of civic design, land use planning, and landscape architecture. Conditions may be imposed regarding the layout, circulation, and performance of the proposed development. To achieve such purposes, the City Planning Commission may require that appropriate deed restrictions be filed, which are enforceable by the City of New Orleans for a period of up to twenty (20) years from the date of filing.

2. Minimum Lot Area, Yard and Maximum Height.

   The minimum lot and yard requirements and maximum height requirements of the zoning district in which the development is located need not apply except that the City Planning Commission shall insure an appropriate relationship between uses of high intensity or height within the Central Business Planned Community District and uses of low intensity or height, existing or future, outside the proposed Central Business Planned Community District, and to this end may require that the regulations for minimum lots and yards and maximum height shall be complied with inside of and near the boundaries such district.

3. Off-Street Parking.

   Off-street parking shall be provided meeting the minimum requirements of the underlying Central Business District. Improvements of parking lots and garages shall also conform with these regulations and other applicable regulations in Article 15.

4. Traffic and Pedestrian Circulation.

   Pedestrian and vehicular circulation systems shall be designed and arranged so as to provide for maximum separation of pedestrian and vehicular traffic with provision where possible for extension of these systems into adjacent areas.

5. Subdivision Standards.

   The proposed development shall follow all applicable procedures, standards and requirements of the ordinance or ordinances and regulations governing the subdivision of land. No building permit shall be issued until a final plat of the proposed development, or part thereof, is approved, filed and recorded.

10.9.8. Signs.

Subject to the general sign regulations of Article 12, only those accessory signs permitted within the underlying district shall be permitted.

10.9.9. Procedures.

An application for establishment of a CBPC District shall be considered an application for a zoning amendment and shall be reviewed in accordance with the procedures for planned development districts in Section 16.5. The application shall be accompanied by a concept plan. No building permit for any use shall be issued until a development plan consistent with such concept plan has been approved in the manner provided in Section 16.5.

10.9.10. Failure to Begin Development.

If no construction has begun or no use established in the Central Business Planned Community Development within three (3) years from the adoption of the ordinance effectuating the development (which shall include approved extensions), the City Council, within sixty (60) days of the expiration date

of the ordinance, shall authorize the City Planning Commission to hold a public hearing to consider the further extension or termination of said use or development, and to make its recommendation to the City Council in accordance with Section 16.9. Fees for said public hearing and processing shall be borne by the applicant for the development. The City Council shall determine whether to further extend or to rescind the effectuating ordinance.

Section 10.9A. MUPC Mixed-Use Planned Community District.

10.9A.1. Purpose of the District.

The MUPC Mixed-Use Planned Community District is intended to encourage mixed-use redevelopment of vacant land and buildings in the older areas of the City. The district relies on a carefully designed Concept Plan to ensure compatibility of uses, both within the district and with the adjoining areas. Restrictions in the Concept Plan governing the location, dimension and design of new construction are required in order to ensure compatibility with existing structures and the urban fabric of the area. Adaptive reuse of historic structures is specifically encouraged. The MUPC Mixed-Use Planned Community District is an overlay district in which specially tailored regulations supplement the regulations of the underlying district.

(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.2. District Combinations.

The MUPC Mixed-Use Planned Community District may overlay one (1) or more zoning districts. The MUPC Mixed-Use Planned Community District shall be superimposed on the underlying district and shall be designated by a special symbol for its boundaries on the Official Zoning Map. The types of uses authorized, minimum lot requirements, maximum height, minimum yard requirements, and accessory signs shall be determined by the requirements and procedures set forth in this article, which shall prevail over conflicting requirements of these regulations or ordinances governing the subdivision of land.

(Ord. 18,711 § 1 (part), adopted 5/7/98)

(Ord. No. 25492, § 1, adopted 9/12/13)

10.9A.3. Uses Authorized.

Only those permitted, accessory and conditional uses authorized in the underlying residential, commercial or industrial district are authorized in the MUPC Mixed-Use Planed Community District.

(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.4. Minimum District Area.

The minimum area for a MUPC Mixed-Use Planned Community District under this article shall be one (1) contiguous acre or one (1) City square, whichever is the lesser. In calculating the minimum area for the MUPC District, the measurement shall not include the area of any dedicated streets or alleys.

(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.5. Ownership Control.

In order that the purpose of this district shall be realized, the land and the buildings and appurtenant facilities shall be in a single ownership, or under management or supervision of a central authority, or they shall be subject to such other supervisory lease or ownership control, or agreement as may be necessary to carry out the provisions of this Ordinance relating to MUPC Mixed-Use Planned Community Districts.

(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.6. Dwelling Units and Development Intensity Permitted.

The maximum number of dwelling units permitted in an MUPC District shall be determined by dividing the net development area for residential use by the minimum lot area per dwelling unit required by the district or districts in which the area is located. Net development area for residential use shall be determined by subtracting the area set aside for churches, schools, businesses and other nonresidential uses from the gross development area and deducting twenty-five (25) percent of the remainder for streets or the actual area of any proposed streets, whichever is the lesser. The area of land set aside for common open space and public recreational use shall be included in determining the number of dwelling units permitted.

The floor area permitted within the Mixed-Use Planned Community District shall be determined by multiplying the net development area by the maximum Floor Area Ratio permitted in the district in which the area is located, and adding thereto any bonus floor area earned by the provision of features for which bonus floor area is allowed in such district. Net development area shall be determined by deducting from the gross development area any area set aside for residential use and an allowance of twenty-five (25) percent of the area for streets or the actual area of any proposed public streets, whichever is the lesser.
(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.7. Other Development Criteria.

1. General Review Criteria. The proposed development shall conform with the standards of the Comprehensive Plan and recognized principles of civic design, land use planning, and landscape architecture. Conditions may he imposed regarding the layout, circulation and performance of the proposed development. To achieve such purposes, the City Planning Commission may require that appropriate deed restrictions be filed, which are enforceable by the City of New Orleans for a period of up to twenty (20) years from the date of filing.
2. Minimum Lot and Yard Requirements. The minimum lot and yard requirement of the zoning district in which the development is located need not apply except that the City Planning Commission shall insure an appropriate relationship between uses of high intensity within the Mixed-Use Planned Community District and uses of low intensity, existing or existing in the future, outside the proposed Mixed-Use Planned Community District, and to this end may require that the regulations for minimum lots and yards shall be complied with inside of, and near the boundaries of such district.
3. Off-Street Parking. Off-street parking shall be provided meeting the minimum requirements of the underlying zoning district. Improvements of parking lots and garages shall also conform with these regulations and other applicable regulations in Article 15.
4. Pedestrian Use. Pedestrian activity within the MUPC District and the adjoining areas shall be encouraged through the use of pedestrian-oriented building and site design and retail business.
5. Subdivision Standards. The proposed development shall follow all applicable procedures, standards and requirements of the ordinances and regulations governing the subdivision of land. No building permit shall be issued until a final plat of the proposed development, or part thereof, is approved, filed and recorded.

(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.8. Signs.

Subject to the general sign regulations of Article 12, only those accessory signs permitted within the underlying district shall be permitted.
(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.9. Procedures.

An application for establishment of an MUPC District shall be considered an application for a zoning amendment and shall be reviewed in accordance with the procedures for planned development districts in Section 16.5. The application shall be accompanied by a Concept Plan. No building permit for any use shall be issued until a Development Plan consistent with such Concept Plan has been approved in the manner provided in Section 16.5.
(Ord. 18,711 § 1 (part), adopted 5/7/98)

10.9A.10. Failure to Begin Development.

If no construction has begun or no use established in the Mixed-Use Planned Community District within three (3) years from the adoption of the ordinance effectuating the development (which shall

include extensions), the City Council, within sixty (60) days of the expiration date of the ordinance, shall authorize the City Planning Commission to hold a public hearing to consider the further extension or termination of said use or development, and to make its recommendation to the City Council in accordance with Section 16.9. Fees for said public hearing and processing shall be borne by the applicant for the development. The City Council shall determine whether to further extend or to rescind the effectuating ordinance.
(Ord. 18,711 § 1 (part), adopted 5/7/98)

DESIGN REVIEW DISTRICTS

Section 10.10. Downtown Design Review District.

10.10.1. Purpose of the District.

The purpose of this district is to provide for a superior environment, compatibility of development, architectural continuity and to ensure the achievement of urban design goals in the Central Business District and adjacent riverfront areas, through the application of an overlay zoning district. The overlay district regulations are intended to supplement the regulations of the underlying (base) zoning districts. These special regulations include site design requirements intended to complement land use development and to establish a positive design image for the Central Business District and adjacent riverfront areas.

10.10.2. Regulations of the Underlying Zoning Districts.

Unless otherwise stated in these Design Review District Regulations, the regulations of the underlying zoning shall apply. Nothing herein shall be construed to supersede standards applicable to approved site plans in preexisting zoning districts, such as a central business district planned community (CBPC), a residential planned community (RPC), conditional use (CU), etc.

10.10.3. Boundaries of District.

The regulations of the Downtown Design Review District shall apply to all lots or sites fronting on Lafayette Mall, Lafayette Square, Howard Avenue including Lee Circle and all developments on all property bounded by the Mississippi River, the uptown side of Poydras, the river side of Convention Center Boulevard, the downtown side of Thalia, the river side of Annunciation, the downtown side of Race Street to the Mississippi River, and all property on the river side of the floodwall between Poydras and the downtown side of Canal Street.

10.10.4. Design Review Standards.

1. Applicability of Regulations.

   All proposals for demolition, exterior renovations, new construction, new signs, or changes to the exterior which alter the architectural character of the building, change the placement of entrances, exits, windows or loading and parking areas, which exceed general maintenance of a building or site for lots or sites with frontage on Lafayette Square and Lafayette Mall, from Loyola Avenue to Convention Center Boulevard; all lots or sites with frontage on Lee Circle; all lots with frontage on Lee Circle; and all developments on all property in the area bounded by the Mississippi River (including the wharves), Canal Street (extended), South Peters Street, Poydras Street, Convention Center Boulevard, Thalia Street, Annunciation Street, and Race Street extended to the Mississippi River; all lots or sites with frontage on the downtown side of Canal Street between the floodwall and North Peters Street, all lots fronting on the lakeside of Convention Center Boulevard and the uptown side of Race Street between Annunciation and Convention Center Boulevard shall be subject to a design review by the City Planning Commission with the advice of the Historic Districts Landmark Commission (HDLC) and shall comply with the design review standards of this section.

2. Specific Design Standards.

   Each development shall meet the following design criteria where applicable:

   a. High-rise development throughout the riverfront area should be sited to maximize river views and to preserve critical view corridors on Lafayette, Girod, Julia and Calliope. Development

frontage on Convention Center Boulevard at these points should provide evidence of penetrability through to riverfront attractions and ample advertising through signage, particular building forms and architectural treatments, of the special activities beyond.

b. Direct pedestrian access to the riverfront promenade should be maintained on Julia and Calliope Streets.

c. Building forms should step down to the river's edge and should be sculpted to achieve a balanced composition which enhances views to downtown from the South Bank and the GNO Bridges, and dramatizes views towards the river from downtown.

d. Architectural details, materials, colors, textures and landscape treatments should be coordinated to provide visual continuity, quality and consistency throughout the zone with sufficient diversity to create a lively and interesting skyline and streetscape.

e. Development frontage on the river side of Convention Center Boulevard and South Front Street should be built to the property line and maintain a consistent scale, related to the scale of Warehouse Area building opposite. Structures which exceed the height of those on the lake side of the street(s) should have the initial height of the facade built to the property line then stepped back forty (40) feet from the property line at that height until planned total height is achieved. All heights must be consistent with underlying zoning district regulations.

f. Developments along Convention Center Boulevard should provide for the pedestrian environment, where appropriate, with the use of sheltered sidewalks, visually active ground level facades in fronting development, arcade treatment, protective landscaping, signage and clear convenient pedestrian crossings.

g. The development shall be consistent with other plans and studies adopted by the City Council and made applicable to the area by the City Council.

h. The development shall comply with all other design criteria set forth in the underlying zoning district.

10.10.5. Design Review Procedures.

Applications for development within the Downtown Design Review District shall be accompanied by a design review site plan to be reviewed and approved by the Executive Director of City Planning Commission with the advice of the Historic Districts Landmarks Commission (HDLC), subject to appeal to the City Council, in accordance with the following procedures:

1. Site Plan Requirements.

   The applicant shall submit a design review site plan to the Executive Director of the City Planning Commission, which shall contain either an original or reproduced drawing drawn to no less than one inch equals twenty feet (1 inch: 20 feet) and depicting the following items:

   a. Existing and proposed improvements within the public right-of-way, including but not limited to the following: utilities, light posts, street furniture, landscape elements.

   b. Facade elevations.

   c. Parking areas with layout for automobile, motorcycle and bicycle spaces.

   d. Landscape plan, if applicable.

   e. On-site lighting plan.

   f. Signage plan and specifications.

   g. Any other information deemed necessary by the City Planning Commission staff.

2. Decision by Planning Commission Staff.

   The Executive Director of the City Planning Commission shall review and take action on the design review site plan within ninety (90) days from the date the application is deemed complete. Approval of the site plan shall be evidenced by the signature of the Executive Director.

3. Appeal to City Council.

   Applications for appeal to the decision of the Executive Director of the City Planning Commission shall be submitted to the City Council for action in accordance with the provisions of Section 16.9, of these zoning regulations. This application shall be accompanied by any site plans, drawings, or data, either written or graphic, as deemed necessary by the City Council.

4. Variances and Waivers.

   Any person requesting a variance or waiver from the design review standards applicable within the Downtown Design Review District shall incorporate such request with its application for approval of the design review site plan. In such cases, the Executive Director of the City Planning Commission shall undertake review of the site plan and request for variance or waiver and shall present his recommendation to the City Council for final action, in the manner of an appeal in accordance with the procedures in Section 16.9.

Section 10.11. Lower St. Charles Avenue Design Review District.

10.11.1. Purpose of the District.

The purpose of this district is to provide for a superior environment, compatibility of development, and architectural retention and continuity. The district shall also promote the urban design goals in this area that are pivotal in supporting the Central Business District and the surrounding historic residential neighborhoods. The overlay district regulations are intended to supplement those of the underlying zoning district. Certain traffic-generating uses are prohibited, and issuance of a demolition permit is contingent upon approval of a redevelopment plan. These special regulations include site design requirements intended to complement land use development and to establish a positive and unified streetscape along Lower St. Charles Avenue. (Ord. 18,502 § 6 (part), adopted 11/6/97)

10.11.2. Regulations of the Underlying Zoning District.

Unless otherwise stated in these Lower St. Charles Avenue Design Review District regulations, the regulations of the underlying zoning shall apply. Nothing herein shall be construed to supersede standards applicable to approved site plans in pre-existing zoning districts, such as the C-1A General Commercial District, Residential Planned Community (RPC), and Conditional Use (CU). (Ord. 18,502 § 6 (part), adopted 11/6/97)

10.11.3. Boundaries of District.

The regulations of the Lower St. Charles Avenue Design Review District shall apply to all lots fronting on St. Charles Avenue from the Pontchartrain Expressway to Jackson Avenue, including all four corners of Jackson Avenue, and all lots zoned C-1A General Commercial generally bounded by St. Charles Avenue, Felicity and Camp Streets and the Pontchartrain Expressway. (Ord. 18,502 § 6 (part), adopted 11/6/97)

10.11.4. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use, conditional use in the C-1A General Commercial District or conditional uses in the Lower St. Charles Avenue Design Review District shall be authorized within this zoning district, except that the following uses are prohibited.

1. Automatic ice distribution or other drive-in automatic vending machine stations;
2. Car washes;
3. Drive-in banks;
4. Fast food or drive-in restaurants;
5. Gasoline service stations; and
6. Automobile service centers.

(Ord. 19,554 § 1, adopted 3/2/00; Ord. 19,106 § 2, adopted 2/18/99; Ord. 18,502 § 6 (part), adopted 11/6/97)

10.11.5. Demolition Guidelines.

Permits for demolitions of existing structures within any area of the Lower St. Charles Avenue Design Review Overlay District shall be issued only after approval by the Executive Director of the City Planning Commission in accordance with the procedures set forth in Section 10.11.7 below. Approval of an application for a demolition permit shall be contingent upon approval of a redevelopment plan in accordance with the requirements of this district. The Executive Director's decision shall also take into consideration the following criteria, with advice from the Department of Safety and Permits and the Historic District Landmarks Commission:

1. The architectural and historical significance of the subject structure.

2. The urban design significance of the subject structure as it relates to:

    a. Pedestrian perception and movement; and

    b. The height, area and bulk of the structure and its relationship to the street scene, traffic and other buildings in the vicinity.

3. The proposed length of time the subject site is anticipated to remain undeveloped.

4. If a parking lot or building is proposed as an interim use then need shall be based on, but not limited to the following:

    a. A plan of the location of existing and proposed parking facilities within the design review district;

    b. Effect on traffic circulation both vehicular and pedestrian; and

    c. A parking inventory of buildings within a nine square block area of the proposed parking facility.

(Ord. 18,502 § 6 (part), adopted 11/6/97)

10.11.6. Design Review Standards.

1. Applicability of Regulations. All new construction and redevelopment projects within the overlay district shall be subject to design review by the City Planning Commission staff, with the advice of the Historic District Landmarks Commission, and shall comply with the design review standards of this section.

2. Design Review Standards.

a. A strong visual connection should be made between the building's design and the historic character of the area.The overall building design should be compatible with the neighborhood.

b. Redevelopment and new construction projects within the district shall adhere to the following design criteria where applicable:

(1) For adaptive reuse of existing structures, redevelopment plans should promote the architectural integrity of the original building design. For new construction, buildings shall be designed to reflect regional and historical characteristics of St. Charles Avenue and the adjacent historic neighborhoods. Ornamental and decorative elements appropriate to the historical district, such as galleries, balconies, columns, pediments and parapets, shall be integrated into the design plans.

(2) The maximum height for new construction or upper floor/penthouse additions shall be limited to fifty-five (55) feet.

(3) Front yard setbacks shall be the average of the existing buildings on the block face with the installation of landscaped front gardens where typical.

(4) Developments shall provide for a pedestrian environment through the use of visually active ground level treatments.

(5) The design vernacular and site development shall adhere to the character and scale of the surroundings.

(6) Architectural details, materials, colors, textures and landscape treatments shall be coordinated to provide visual continuity, quality and consistency. These treatments shall be employed along the Avenue with sufficient diversity to create a lively and interesting streetscape.

(7) All parking areas shall be landscaped and screened from the street with fencing, hedges or a combination thereof. Parking lot standards as per the Comprehensive Zoning Ordinance shall be required with the addition of trees, shrubs and groundcover being required in any residual areas not used for parking or vehicular access. A landscape plan shall be approved by the City Planning Commission staff. This plan shall indicate the species, location, size and other specifications relating to the landscaping, buffering, screening, fencing and lighting of any development.

(8) Service and loading functions shall be interior to the building(s) or along the building edge that is least visible to the public. When located along an exterior edge, the service area shall be screened from public view.

(9) Attached and/or projecting signs shall be limited to one (1) square foot per lineal foot of building width or tenant space to a maximum of seventy (70) square feet.

(10) Monument signs shall be limited to one (1) square foot per lineal foot of building width, or to a maximum of seventy (70) square feet in area, and a maximum of five (5) feet in height.

c. A litter abatement program shall be established for each development indicating procedures, pick-up schedule and a contact person.

(Ord. 18,502 § 6 (part), adopted 11/6/97)

10.11.7. Design Review Procedures.

Applications for development, redevelopment or demolition of any structure within the Lower St. Charles Avenue Design Review District shall be accompanied by a site plan to be reviewed and approved by the Executive Director of the City Planning Commission with the advice of the Historic District Landmarks Commission, subject to appeal to the City Council, in accordance with the following procedures:

1. Site Plan Requirements. The applicant shall submit a site plan to the Executive Director of the City Planning Commission which shall contain either an original or reproduced drawing drawn to no less than one inch equals twenty feet (1 inch: 20 feet) and depicting the following items:

   a. Building elevations.

   b. Site design, including parking, lighting and landscaping, if any.

   c. Signage.

   d. Existing and proposed improvements within the public right-of-way, including but not limited to the following: utilities, light posts, street furniture.

   e. Any other information deemed necessary by the City Planning Commission staff.

2. Decision by the City Planning Commission Staff. The Executive Director of the City Planning Commission shall review and take action within ninety (90) days from the date the application is deemed complete. Approval of the demolition application and/or redevelopment plan shall be evidenced by the signature of the Executive Director.

3. Appeal to City Council. Applications for appeal to the decision of the Executive Director of the City Planning Commission shall be submitted to the City Council for action in accordance with the provisions of Section 16.9 of these zoning regulations. This application shall be accompanied by any site plans, drawings, or data, either written or graphic, as deemed necessary by the City Council.

(Ord. 18,502 § 6 (part), adopted 11/6/97)

Section 10.12. Residential Diversity Overlay District.

10.12.1. Purpose of the District.

The purpose of the Residential Diversity Overlay District is to allow a limited number of commercial activities and higher density residential uses in existing buildings through use of an overlay district that extends across multi-block areas of residentially zoned areas. The purpose of the RDO District is to sustain the historic character of residential neighborhoods that contained a few shops serving the immediate neighborhood and a few small multi-unit residential buildings situated among low density residential uses. By limiting the nature and extent of commercial activities, the RDO District is intended to encourage compatible re-use of existing non-residential structures in residential areas, to reduce commercial and residential non-conformities and to prevent the use of spot zones to authorize commercial or higher density residential uses. The RDO District shall be created pursuant to the procedures in Section 16.2, and may be combined with any base residential district except RS-1A. (Ord. 20,692 § 1 (part), adopted 5/02/02)

10.12.2. District Combinations.

The RDO Residential Diversity Overlay may combine with any residential district established under Article 4 and Article 9. Its provisions do not affect any underlying non-residential district. (Ord. 21,893 § 1 (part), adopted 4/07/05: Ord. 20,692 § 1 (part), adopted 5/02/02)

10.12.3. Uses Authorized in the District.

The following uses of land are authorized in the RDO Residential Diversity Overlay District:

1. Any use authorized as a permitted, conditional or accessory use in the base district(s);

Article 10, Section 10.12, RDO District

2. The following residential uses as authorized permitted uses subject to the conditions set forth in this section:

    a. Two-family uses within single-family districts,

    b. Multi-family uses within two-family districts, except those in the HMR-3 District, and limited to four (4) units;

3. Any accessory use permitted elsewhere in the zoning ordinance when in conjunction with the non-residential uses explicitly authorized by this section;

4. The following non-residential uses, by the land use category, as permitted uses when situated in an existing non-residential structure and subject to the limitations set forth in this section:

    a. Food and beverage service uses:

        (1) Coffee shop,

(2) Food and grocery store,

(3) Ice cream/yogurt shop,

(4) Snowball stand;

b. Health service uses:

(1) Veterinarian office for small animals,

(2) Medical or dental office (limited to three practitioners);

c. Office uses:

(1) Bank/financial institution, without drive-through facilities,

(2) Office, general business, administrative or professional;

d. Places of assembly:

(1) Museum/library;

e. Retail, limited repair and similar service uses:

(1) Antique shop,

(2) Art gallery/studio, including photography,

(3) Bicycle sales, repair and rental,

(4) Boutique or retail clothing shop,

(5) Decorator's shop (interior),

(6) Dressmaking/tailoring,

(7) Drugstores/pharmacy, without drive-through facilities,

(8) Dry cleaning shop,

(9) Electrical-electronic appliance repair,

(10) Flower shop,

(11) General retail shops and stores,

(12) Hardware store,

(13) Jewelry store,

(14) Jewelry assembly, design and repair,

(15) Laundromat,

(16) Locksmiths,

(17) Musical instrument sales, rental, repair and service,

(18) Newsstand,

(19) Personal service shop,

(20) Shoe repair shop,

(21) Video rentals.

(Ord. 21,893 § 1 (part), adopted 4/07/05; Ord. 20,692 § 1 (part), adopted 5/02/02)

10.25.4 Limitations on Non-Residential uses.

The non-residential uses authorized in Section 10.12.3(4) shall be subject to the following limitations:

1. An authorized non-residential use may be located only in an existing structure meeting one of the following four standards:

   a. A building that is located at a corner, is built to the sidewalk, and has an entrance across the angle of the corner, has display windows and usually has an overhang over the angled entrance;

   b. A building that is located at a corner, is built to the sidewalk, but instead of an angled entrance has a street-level entrance (that is, no more than one step up) on both streets and has at least one display window;

   c. A building that prior to its more recent alterations originally would have met the above criteria and which is proposed to be restored to such original features pursuant to approval from the Historic District Landmarks Commission if within a Local Historic District, or administrative approval of the City Planning Commission. The proposed restoration must be completed prior to a Certificate of Occupancy for any authorized non-residential use authorized by this section;

d. A building that is clearly non-residential in its construction and history of use, including warehouse-style structures, former community facilities such as firehouses and churches, and early gas stations.

e. All four (4) standards are intended to describe main buildings originally constructed and historically used for non-residential purposes, and evidence of such history may be required by the Department of Safety and Permits.

2. An authorized non-residential use may not occupy the premises or any part of the premises of a residential building after a non-residential use has been discontinued within such premises or part thereof, except in accordance with the provisions of Article 13, Non-Conforming Uses.

3. Non-residential uses authorized by this section shall be limited in hours of operation to between 7:00 a.m. and 10:00 p.m.

4. Non-residential uses shall be limited to the ground floor and no single non-residential use authorized by this section shall exceed 2,000 square feet in floor area, which size limitation shall not be subject to waiver.

5. An authorized non-residential use that occupies a vacant structure in accordance with the standard of this section shall not be subject to the requirements for accessory off-street parking spaces set forth in Section 15.2.1, except as may be a requirement of approval pursuant to the conditional use procedures of Article 16.

6. An authorized non-residential use shall be subject to the sign standards set forth in Section 12.2.6, Signs for Non-Conforming Uses.

7. No live entertainment and no alcoholic beverage permits shall be allowed in conjunction with any authorized use within the RDO District.

(Ord. 20,692 § 1 (part), adopted 5/02/02)

10.12.5. Limitations on Residential Uses Authorized by this Section.

1. A residential use authorized by Section 10.12.3(2) is subject to the following restrictions:

a. The building shall have been originally constructed with a greater number of units than currently allowed by the based district; evidence of such history may be required by the Department of Safety and Permits.

b. Limitation on the number of permitted units in a building as outlined in Section 10.12.3(2)(a) and (b).

2. A residential use authorized by Section 10.12.3(2)(a) may expand subject to the dimensional standards of Section 4.5-RD-2, two-family residential districts, while a residential use authorized by

Section 10.12.3(2)(b) may expand subject to the dimensional standards of Section 4.9-RM-2A, multi-family residential districts, excepting the height requirement found in Table 4-j, footnote 3.

3. A conversion to residential use of the upper floors or a ground floor portion of a non-residential building meeting the standards of this section shall comply with the minimum unit size standards of 850 square feet per unit.
4. No residential use in compliance with the standards of the base district shall be altered or converted in order to establish a use authorized in Section 10.12.3(2).
5. A residential use authorized in Section 10.12.3(2) shall comply with the parking requirements of the base residential district.
6. A residential use authorized in Section 10.12.3(2) shall be subject to the sign requirements of Article 12.

(Ord. 21,893 § 1 (part), adopted 4/07/05; Ord. 20,692 § 1 (part), adopted 5/02/02)

10.12A. *Areas of Applicability.* The Residential Diversity Overlay district shall apply to the following areas:

1. The area bounded by Elysian Fields Avenue, St. Claude Avenue, Press Street, and the Mississippi River.
2. The area bounded by Orleans Avenue/Basin Street, North Villere Street, Saint Philip Street, North Rampart Street, Saint Bernard Avenue, and North Claiborne Avenue.
   a. The provisions of the RDO district defined in Section 10.12A.2. shall apply only to residentially zoned properties within the area bounded by the indicated streets and shall not affect any commercially zoned property with frontage along North Claiborne Avenue, St. Bernard Avenue, Basin Street/Orleans Avenue and North Rampart Street.
   b. Nothing in Section 10.12 of the zoning ordinance shall be construed to affect the legal status of any existing commercial use or mixed-use structure within the RDO district defined in Section 10.12A.2.
   c. Nothing in Section 10.12 of the zoning ordinance shall be construed to affect the right of any property owner to apply for any zoning change, conditional use permit, or other process or action necessary to permit any use not allowed under the provisions of the RDO district defined in Section 10.12A.2.

(Ord. 21,893 § 1 (part), adopted 4/07/05; Ord. 20,692 § 1 (part), adopted 5/02/02)
(Ord. No. 024146, § 1, adopted 10/7/10)

Section 10.13. AC Arts & Cultural Overlay District.

10.13.1. Purpose of the District.

The purpose of the Arts & Cultural Overlay District is to sustain established and to promote new arts and cultural uses including a limited number of small-scale (up to 4,000 square feet) live entertainment venues in neighborhood business or mixed use areas that are compatible with the character of nearby residential neighborhoods. The Arts & Cultural Overlay District seeks to maintain and reinforce small-scale uses, a balance of daytime and night-time uses, and a ratio of approximately twenty (20) percent cocktail lounges and eighty (80) percent other uses.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

10.13.2. Areas of Applicability.

This district is intended for application to a commercially-zoned, minimum two (2) contiguous block area, when initiated by City Council motion, and when the area proposed for application is designated as an Arts & Cultural Corridor in the Arts & Culture Element of the City's Master Plan.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

10.13.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in the Arts & Cultural Overlay District regulations, the regulations of the underlying zoning district shall apply.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

10.13.4. Permitted Uses Authorized in the District.

The following uses of land are authorized as permitted uses in the Arts & Cultural Overlay District, subject to the standards of Section 10.13.7.

1. Any use authorized as a permitted use in the base district(s), except that t-shirt shops, novelty shops, gift shops and souvenir that specialize in t-shirts, novelties, gifts and souvenirs shall be prohibited.
2. Art galleries without limitation as to size.
3. Coffee shops.
4. Museums.
5. Theaters up to 6,000 square feet in floor area.
6. Outdoor arts markets.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

(Ord. No. 25168, § 2, adopted 2/7/13)

10.13.5. Conditional Uses Authorized in the District.

The following uses of land are authorized as conditional uses in the Arts & Cultural Overlay District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any use authorized as a conditional use in the base district(s).

2. Theaters over 6,000 square feet in floor area.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

10.13.6. Live Entertainment as an Accessory Use Authorized in the District.

Live entertainment is authorized as an accessory use to the following main uses within an Arts & Cultural Overlay District, subject to the standards in Section 10.13.7:

1. Cocktail lounges.

2. Standard restaurants.

3. Theaters.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

10.13.7. General and Special Standards for Uses Authorized to Provide Live Entertainment.

The standards set forth in this section apply to the designated uses whether such uses are authorized as permitted, conditional, or accessory uses in the underlying zoning district or AC Arts & Cultural Overlay District.

For Conditional uses, the City Council may impose standards on a particular use in addition to standards contained in this article as conditions to approval of a conditional use permit under the procedures of Section 16.6 of these zoning regulations. The City Council may also vary the standards contained in this section for a particular use according to such procedures, unless expressly prohibited by Article 16. When considering a conditional use application, the City Council shall consider the factors listed in Section 16.6.5, including consistency with the Master Plan, general purpose statement of the Arts & Cultural District, and any Supplemental Regulations.

1. General Standards for All Uses Providing Live Entertainment:

    a. All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit (Mayoralty Permit).

b. All establishments providing live entertainment shall be subject to a closed doors/windows policy during any performance.

c. All establishments providing live entertainment shall be subject to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code.

2. Special Standards for Cocktail Lounges:

a. A cocktail lounge may provide live entertainment, including a permanent area for dancing, but shall not provide live adult entertainment, music played solely by a disc jockey, or karaoke. All cocktail lounges shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment.

b. Cocktail lounges shall contain noise to levels specified in the Noise Ordinance by soundproofing the live entertainment area.

3. Special Standards for Standard Restaurants:

a. A licensed standard restaurant may provide non-amplified live entertainment, limited to a soloist or combos (up to three (3) members).

b. Restaurants providing live entertainment shall hold a Live Entertainment Without Admissions Permit. No fee shall be charged for any performance or for entrance into the facility.

c. The full menu shall remain available during the performance.

d. No performance shall continue after 11:00 p.m., Sunday thru Thursday, or 1:00 a.m., Friday and Saturday.

e. No permanent stage shall be constructed.

f. A Special Event Permit shall temporarily relieve a restaurant from standards a, b, c and d. Special Event Permits shall be issued to a restaurant no more than ten (10) times a year for a duration not to exceed a total of thirty (30) days a year.

4. Special Standards for Theaters:

a. Live entertainment shall be limited to theatrical productions.

b. Theaters selling alcoholic beverages shall do so only one (1) hour prior to and during performances.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

10.13.8. Procedures for Establishment of an AC Arts and Cultural Overlay District.

1. Establishment of an Arts and Cultural Overlay District shall be considered a zoning amendment subject to the general procedures in Section 16.2.

2. Proposals for new Arts and Cultural Overlay Districts shall meet the following conditions:

   a. An Arts and Cultural Overlay District shall be considered only when initiated by the City Council.

   b. The proposed Arts and Cultural Overlay District shall be designated as an Arts and Cultural Corridor or District in the Arts and Culture Element of the City's Master Plan.

   c. The proposed Arts and Cultural Overlay District shall be no smaller than two (2) contiguous block faces.

(Ord. 21,813 § 1 (part), adopted 12/16/04)

Section 10.14. Freret Street AC Arts and Cultural Overlay District.

10.14.1. Purpose of the District.

The purpose of the Freret Street Arts and Cultural Overlay District is to establish and sustain new arts and cultural uses on lots generally facing Freret Street between Napoleon and Jefferson Avenues. The Freret Street Arts and Cultural Overlay District seeks to preserve the area's small to medium-scale commercial uses, encourage a balance of daytime and nighttime uses, and foster development of arts-related uses. (Ord. 22,921 § 1 (part), adopted 11/30/07)

10.14.2. Areas of Applicability.

This district is intended for application to lots generally facing Freret Street between Napoleon and Jefferson Avenues in the B-1A Neighborhood Business District. Lots facing Freret Street outside the B-1A Neighborhood Business District and lots that do not face Freret Street in the B-1A Neighborhood Business District are excluded. (Ord. 22,921 § 1 (part), adopted 11/30/07)

10.14.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in the Freret Street Arts and Cultural Overlay District regulations, the regulations of the underlying zoning district shall apply. (Ord. 22,921 § 1 (part), adopted 11/30/07)

10.14.4. Permitted Uses Authorized in the District.

The following uses of land are authorized as permitted uses in the Freret Street Arts and Cultural Overlay District, subject to the standards of Section 10.14.7.

1. Any use authorized as a permitted use in the base B-1A Neighborhood Business District, except that package liquor stores shall be prohibited;

2. Art galleries and art studios without limitation as to size;

3. Coffee shops;

4. Museums;

5. Theaters for comedy acts, movies and/or theatrical productions up to 5,000 square feet in floor area which may sell alcohol for consumption on premises;

6. Green markets;

7. Multi-discipline arts centers;

8. Standard restaurants up to 5,000 square feet which may sell alcoholic beverages for consumption on premises in conjunction with meals.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

10.14.5. Conditional Uses Authorized in the District.

The following uses of land are authorized as conditional uses in the Freret Street Arts and Cultural Overlay District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any use authorized as a conditional use in the base district(s); and

2. Theaters for comedy acts, movies and/or theatrical productions over 5,000 and up to 10,000 square feet in floor area which may sell alcohol for consumption on premises.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

10.14.6. Live Entertainment as an Accessory Use Authorized in the District.

Live entertainment is authorized as an accessory use to the following main uses within the Freret Street Arts and Cultural Overlay District, subject to the standards in Section 10.14.7:

1. Cocktail lounges; and

2. Theaters.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

10.14.7. General and Special Standards for Uses Authorized to Provide Live Entertainment.

The standards set forth in this section apply to the designated uses whether such uses are authorized as permitted, conditional, or accessory uses in the underlying zoning district or Freret Street Arts and Cultural Overlay District.

For Conditional uses, the City Council may impose standards on a particular use in addition to standards contained in this article as conditions to approval of a conditional use permit under the procedures of Section 16.6 of these zoning regulations. The City Council may also vary the standards contained in this section for a particular use according to such procedures, unless expressly prohibited by Article 16. When considering a conditional use application, the City Council shall consider the factors listed in Section 16.6.5, including consistency with the Master Plan, general purpose statement of the Freret Street Arts and Cultural District, and any Supplemental Regulations.

1. General Standards for All Uses Providing Live Entertainment:

   a. All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit (Mayoralty Permit).

   b. All establishments providing live entertainment shall be subject to a closed doors/windows policy during any performance.

c. All establishments providing live entertainment shall be subject to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code.

2. Special Standards for Cocktail Lounges:

a. A cocktail lounge may provide live entertainment, including a permanent area for dancing, but shall not provide live adult entertainment or music played solely by a disc jockey. All cocktail lounges shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment.

b. Cocktail lounges shall contain noise to levels specified in the Noise Ordinance by soundproofing the live entertainment area.

c. The hours of operation shall be restricted to between 10:00 a.m. and 12:00 Midnight, Sunday thru Thursday, and between 10:00 a.m. and 2:00 a.m., Friday and Saturday.

d. "To-go" cups shall be prohibited.

3. Special Standards for Standard Restaurants:

a. A licensed standard restaurant may provide non-amplified live entertainment, limited to a soloist or combos (up to three (3) members).

b. Restaurants providing live entertainment shall hold a Live Entertainment Without Admission Permit. No fee shall be charged for any performance or for entrance into the facility.

c. The full menu shall remain available during the performance.

d. No performance shall continue after 11:00 p.m., Sunday thru Thursday, or 12:00 a.m., Friday and Saturday.

e. No permanent stage shall be constructed.

f. A Special Event Permit shall temporarily relieve a restaurant from standards a, b, c and d above. Special Event Permits shall be issued to a restaurant no more than ten (10) times per year for durations not to exceed a total of thirty (30) days per year.

g. "To-go" cups shall be prohibited for those premises with alcoholic beverage permits.

h. Restaurants shall close by 12:00 Midnight on all days of operation.

4. Special Standards for Theaters:
    a. A theater may provide live entertainment, including theatrical productions, but shall not provide live adult entertainment, music played solely by a disc jockey, or karaoke. All theaters shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment;
    b. Theaters selling alcoholic beverages shall do so only one (1) hour prior to and during performances. Sale of alcoholic beverages after the end of a performance is strictly prohibited;
    c. "To-go" cups shall be prohibited for those premises with alcoholic beverage permits.
    d. Ticket sales shall not exceed the number of seats provided for the performance. Standing room only performances shall be prohibited.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

Section 10.15. St. Claude Avenue AC Arts and Cultural Overlay District.

10.15.1. Purpose of the District.

The purpose of the St. Claude Avenue Arts and Cultural Overlay District is to establish and sustain new arts and cultural uses on lots generally facing St. Claude Avenue between Press Street and Poland Avenue. The St. Claude Arts and Cultural Overlay District seeks to preserve the area's small to medium-scale commercial uses, encourage a balance of daytime and nighttime uses, and foster development of arts-related uses.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.2. Areas of Applicability.

This district is intended for application to commercially zoned lots with frontage on St. Claude Avenue between Press Street and Poland Avenue.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in the St. Claude Avenue Arts and Cultural Overlay District regulations, the regulations of the underlying zoning districts shall apply.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.4. Permitted Uses Authorized in the District.

The following uses of land are authorized as permitted uses in the St. Claude Avenue Arts and Cultural Overlay District, subject to the standards of Section 10.15.7.

1. Any use authorized as a permitted use in the base districts, except that package liquor stores shall be prohibited;
2. Art galleries and art studios without limitation as to size;
3. Coffee shops;
4. Museums;
5. Theaters for comedy acts, movies and/or theatrical productions up to 5,000 square feet in floor area which may sell alcohol for consumption on premises;
6. Green markets;
7. Standard restaurants with a maximum of 5,000 square feet in floor area, which may sell alcoholic beverages for consumption on premises in conjunction with meals;
8. Outdoor art markets;
9. Tattoo parlors; and,
10. Live/work space for artists.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.5. Conditional Uses Authorized in the District.

The following uses of land are authorized as conditional uses in the St. Claude Avenue Arts and Cultural Overlay District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations, unless otherwise permitted in the underlying zoning district:

1. Any use authorized as a conditional use in the base district(s);
2. Theaters for comedy acts, movies and/or theatrical productions over 5,000 and with a maximum of 10,000 square feet in floor area, which may sell alcoholic beverages for consumption on premises;
3. Cocktail lounges or bars;
4. Wine bars and wine shops;
5. Brew pubs;

6. Microdistilleries; and,
7. Multi-discipline arts centers.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.6. Live Entertainment as an Accessory Use Authorized in the District.

Live entertainment is authorized as an accessory use to the following main uses within the St. Claude Arts and Cultural Overlay District, subject to the standards in Section 10.15.7:

1. Cocktail lounges;
2. Wine bars;
3. Standard restaurants;
4. Theaters;
5. Coffee shops;
6. Museums;
7. Multidiscipline art centers; and,
8. Brew pubs.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.7. General Standard for All Authorized Uses.

All uses authorized under this overlay district and all uses authorized in the underlying zoning districts must submit a litter abatement plan for the approval of the Department of Sanitation. The approved litter abatement plan shall be submitted to the Department of Safety and Permits prior to issuance of Certificate of Use and Occupancy.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.8. General and Special Standards for Uses Authorized to Provide Live Entertainment.

The standards set forth in this section apply to the designated uses whether such uses are authorized as permitted, conditional, or accessory uses in the underlying zoning districts of St. Claude Avenue Arts and Cultural Overlay District.

For conditional uses, the City Council may impose standards on a particular use in addition to standards contained in this article as conditions to approval of a conditional use permit under the procedures of Section 16.6 of these zoning regulations. The City Council may also vary the standards contained in this section for a particular use according to such procedures, unless expressly prohibited by Article 16. When considering a conditional use application, the City Council shall consider the factors listed in Section 16.6.5, including consistency with the Master Plan, general purpose statement of the St. Claude Avenue Street Arts and Cultural District, and any Supplemental Regulations.

1. General Standards for All Uses Providing Live Entertainment:
    a. All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit (Mayoralty Permit).
    b. All establishments providing indoor live entertainment shall be subject to a closed doors/windows policy during any performance.
    c. All establishments providing live entertainment shall be subject to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code.
    d. No establishment providing live entertainment may provide live adult entertainment.
    e. Establishments must provide secure parking for at least four (4) bicycles.

2. Special Standards for Cocktail Lounges and Wine Bars:
    a. A cocktail lounge or wine bar may provide live entertainment, including a permanent area for dancing. All cocktail lounges and wine bars shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment.
    b. Cocktail lounges and wine bars shall contain noise to levels specified in the Noise Ordinance by soundproofing the live entertainment area.
3. Special Standards for Standard Restaurants and Coffee Shops:
    a. Restaurants and coffee shops providing live entertainment shall hold a Live Entertainment Without Admission Permit. No fee shall be charged for any performance or for entrance into the facility.
    b. The full menu shall remain available during the performance.
    c. A Special Event Permit shall temporarily relieve a restaurant or coffee shop from standards a and b above. Special Event Permits may be issued to a restaurant or coffee shop no more than ten (10) times per year for durations not to exceed a total of thirty (30) days per year.
4. Special Standards for Theaters:
    a. A theater may provide live entertainment, including theatrical productions. All theaters shall hold a Class A General ABO Permit, if selling alcoholic beverages, and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment;
    b. Theaters selling alcoholic beverages shall do so only one (1) hour prior to, during, and one (1) hour after performances.

(Ord. No. 25483, § 1, adopted 9/12/13)

10.15.9. General Standards for Premises with Alcoholic Beverage Permits.

1. All establishments with alcoholic beverage permits must submit a litter abatement plan inclusive of the placement of an outdoor trash receptacle for the approval of the Department of Sanitation. The approved litter abatement plan shall be submitted to the Department of Safety and Permits prior to issuance of Certificate of Use and Occupancy.
2. All non-glass drink containers used by establishments with alcoholic beverage permits must feature the establishment's logo.

(Ord. No. 25483, § 1, adopted 9/12/13)

ARTICLE 11

SUPPLEMENTARY USE STANDARDS

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ARTICLE 11 SUPPLEMENTARY USE STANDARDS

The sections in this Article 11 contain standards that are applicable to particular uses authorized in the use district regulations, Articles 4 through 10. The standards set forth in this article apply to the designated uses whether such uses are authorized as permitted, accessory or conditional uses in the use district regulations. The uses to which the standards apply are designated by asterisks (*) in the use lists for each district. For each use, standards are grouped according to the districts in which they apply.

For permitted and accessory uses, the Board of Zoning Adjustments may grant variances from the standards in accordance with the procedures and requirements of Article 14, unless expressly prohibited by this article or Article 14.

For conditional uses, the City Council may impose standards on a particular use in addition to standards contained in this article as conditions to approval of a conditional use permit under the procedures of Section 16.6. The City Council also may vary the standards contained in this article for a particular use according to such procedures, unless expressly prohibited from doing so by this article or Article 16.

Section 11.1. Airports, Heliports and Seaplane Bases.

1.1. In all districts in which such use is authorized, the following standards apply:

a. Facilities must comply with Federal Aviation Administration requirements;
b. Any structures for such facilities must be set back a minimum of fifty (50) feet from all residential property lines, provided however, that a helistop need not comply with the required setback in the RM-4 District.

1.2. In the water portion of the P District, the following standards apply:

a. Standards in subsection 1.1;
b. Airports shall not be allowed in the area bounded by the eastern edge of the New Basin Canal extending eastwardly to the western boundary of the Industrial Canal.

Section 11.2. Apartment Hotels.

In all districts in which such use is authorized, the following standards apply:

a. Apartment hotels must be located within a historic district and have been rated worthy of preservation by the New Orleans Historic District Landmarks Commission (HDLC);
b. The site must be eligible for (but not necessarily use) the bonus provisions contained in the subdistrict standards of Section 4.8;
c. The site must be located adjacent to a commercial zoning district;
d. The site must have frontage on a major street as indicated on the Major Street Plan for the City of New Orleans.

Section 11.3. Automobile Service Center.

3.1. In all districts in which such use is authorized, the following standards apply:

a. Facilities must provide one (1) off-street parking space for every 300 square feet of floor area;
b. Where the property abuts a residential use, the facility must install an opaque fence at least six (6) feet high on the property line to buffer the residential use;
c. The use must be carried out in a completely enclosed building;
d. The use does not include activities such as body and fender repairs and major engine repairs.

3.2. In the B, C-1A and SC Districts the following standards apply to conditional uses:

a. Standards in subsection 3.1;
b. The sale of used or new automobiles is not permitted.

Section 11.4. Banks With Drive-In Facilities.

4.1. In the B-1 and B-2 Neighborhood Business Districts, the following standards apply:

a. The use shall be located within a City square where such square is located in its entirety within a Neighborhood Business District;
b. Driveway space must be made available off the street for vehicles waiting for drive-in service, the minimum being sufficient off-street driveway storage space to accommodate five (5) automobiles for each drive-in lane;
c. Banks with drive-in facilities shall provide a minimum of three (3) drive-in lanes.

4.2. In the RO District the standard b in subsection 4.1 applies.

4.3. In the CBD-2 District the following standards apply:

a. Standard b in subsection 4.1;
b. There shall be no more than two (2) drive-up windows per site.

Section 11.5. Batching Plant (Asphalt, Cement or Concrete).

5.1. In the districts in which such a use is authorized, the following standards apply:

a. The use is temporary;
b. Batching facilities shall be set back a minimum of fifty (50) feet from any property developed for other than industrial uses;
c. The period of operation may not exceed one (1) year;
d. The use must possess or submit evidence of application for a Louisiana Air Emission Permit from the Louisiana Department of Environmental Quality (LDEQ), subject to the requirements listed in LAC 33:III.1305- *Control of Fugitive Emissions.*
e. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne. These precautions shall include but shall not be limited to the following:
    1. Use of water or chemicals for control of dust during all site operations;
    2. Application of asphalt, water, or suitable chemicals on non-paved areas, materials stockpiles, and other surfaces which can give rise to airborne dusts;
    3. Installation and use of dust collectors to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed when necessary; and
    4. Open-bodied trucks transporting materials likely to give rise to airborne dust shall be covered at all times when in motion.
f. All reasonable precautions shall be taken to provide protection and mitigate impacts on surrounding properties and the neighborhood, particularly in regard to the use of any residential streets for access to the site.
g. All reasonable precautions shall be taken to prevent stormwater pollution runoff into surrounding residential streets and municipal storm sewer systems.

5.2. In the LI Districts the following standards apply:

a. Standards in subsection 5.1, except standards a. and c.

5.3. In the HI Districts the following standards apply:

a. Standards in subsection 5.1, except standards a. and c.

(Ord. No. 25724, § 1, adopted 3/13/14)

Section 11.6. Bed and Breakfast Family Homes.

6.1. In all districts in which such use is authorized, except for the B-1A District, the C Districts and the CBD Districts, the following standards apply:

a. No new bed and breakfast facility shall be permitted within the block frontage (including both sides) between two (2) intersecting streets of an existing bed and breakfast facility;
b. Facility operators shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue;
c. Facilities may provide continental breakfast service only, with foods purchased from a licensed food seller (caterer or bakery) and served "as is" or only warmed at the bed and breakfast facility;
d. No cooking facilities are permitted in individual guest accommodations;
e. Leasing of common dining area(s) for social events is prohibited;
f. Exterior signage permitted only in accordance with district regulations;
g. Off-street parking must be provided in accordance with Section 15.2 of the Comprehensive Zoning Ordinance;
h. A percentage limitation on the floor area of a bed and breakfast use shall be, for one (1)/two (2) room bed and breakfast use, fifteen (15) percent of the floor area for the bed and breakfast use;
i. The previous conditions are not subject to waivers by the Board of Zoning Adjustments but only by ordinance of the City Council.

(Ord. 18,762 § 5 (part), adopted 6/18/98)
(Ord. No. 24925, § 1, adopted 6/28/12)

6.2. In the B-1A and RO-1 Districts the following standards apply:

a. Standards in subsection 6.1, except standards c and e;

b. Leasing of common dining area(s) for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2 of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031 § 1 (part), adopted 2/01/01)

6.3. In the C and RO-1 Districts the following standards apply:

a. Standards in subsection 6.1 except standards c and e.

b. Leasing of common dining area(s) for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2 of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031 § 1 (part), adopted 2/01/01; Ord. 18,762 § 5 (part), adopted 6/18/98)

6.4. In the CBD-5 District the standards in subsection 6.1, except standards c and e apply.

6.5. In the CBD-1, CBD-2, CBD-2B, CBD-3, CBD-4, CBD-6, CBD-7, CBD-8 and CBD-9 Districts, the standards in subsection 6.1, except standards c and e apply.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

Section 11.7. Bed And Breakfast Guest Homes.

7.1. In all districts in which such use is authorized, except for the B-1A District, the C Districts and the CBD Districts, the following standards apply:

a. A current Certificate of Liability Insurance shall be posted on the premises;

b. No new bed and breakfast facility shall be permitted within the block frontage (including both sides) between two (2) intersecting streets of an existing bed and breakfast facility;

c. Facility operators shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue;

d. Facilities may provide continental breakfast food service only, with foods purchased from a licensed food seller (caterer or bakery) and served "as is" or only warmed at the bed and breakfast facility;

e. No cooking facilities are permitted in individual guest accommodations;

f. Leasing of a common dining area for social events is prohibited;

g. No exterior signage is permitted except in accordance with district regulations;

h. Off-street parking shall be provided in accordance with Section 15.2 of the Comprehensive Zoning Ordinance;

i. A percentage limitation on the floor area of a bed and breakfast use shall be as follows:

(1) Three (3) room bed and breakfast use, twenty (20) percent of the floor area for the bed and breakfast use;

(2) Four (4) room bed and breakfast use, twenty-five (25) percent of the floor area for the bed and breakfast use;

(3) Five (5) room bed and breakfast use, thirty (30) percent of the floor area for the bed and breakfast use;

j. These conditions are not subject to waivers by the Board of Zoning Adjustments but only by ordinance of the City Council.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

(Ord. No. 24925, § 1, adopted 6/28/12)

7.2. In the B-1A, C-1, C-2, and RO-1 Districts the following standards apply:

a. Standards in subsection 7.1 except standards d and f.

b. Leasing of common dining area(s) for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2 of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031 § 1 (part), adopted 2/01/01: Ord. 18,762 § 5 (part), adopted 6/18/98)

7.3. In the C-1A and RO-1 Districts the following standards apply:

a. Standards in subsection 7.1 except standards a, d and f.

b. Leasing of common dining area(s) for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2 of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031 § 1 (part), adopted 2/01/01: Ord. 18,762 § 5 (part), adopted 6/18/98)

7.4. In the CBD-5 District the standards in subsection 7.1, except standards d and f apply.

7.5. In the CBD-1, CBD-2, CBD-2B, CBD-3, CBD-4, CBD-6, CBD-7, CBD-8 and CBD-9 Districts, the standards in subsection 7.1, except standards d and f apply.

(Ord. 18,762 § 5 (part), adopted 6/15/98)

Section 11.8. Bed And Breakfast Historic Homes.

8.1. In all districts in which such use is authorized, except for the B-1A District, the C Districts and the CBD Districts, the following standards apply:

a. A Certificate of Appropriateness must be issued by the Historic District Landmarks Commission;

b. A current Certificate of Liability Insurance shall be posted on the premises;

c. No new bed and breakfast facility shall be permitted within the block frontage (including both sides) between two (2) intersecting streets of an existing bed and breakfast facility;

d. Facility operators shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue;

e. Facilities may provide continental breakfast food service only, with foods purchased from a licensed food seller (caterer or bakery) and served "as is" or only warmed at the bed and breakfast facility;

f. No cooking facilities are permitted in individual guest accommodations;

g. Leasing of a common dining area for social events is prohibited;

h. No exterior signage is permitted except in accordance with district regulations;

i. Off-street parking shall be provided in accordance with Section 15.2 of the Comprehensive Zoning Ordinance;

j. A percentage limitation on the floor area of a bed and breakfast use shall be as follows:

(1) One (1)/two (2) room bed and breakfast use, fifteen (15) percent of the floor area for the bed and breakfast use;

(2) Three (3) room bed and breakfast use, twenty (20) percent of the floor area for the bed and breakfast use;

(3) Four (4) room bed and breakfast use, twenty-five (25) percent of the floor area for the bed and breakfast use;

(4) Five (5) room bed and breakfast use, thirty (30) percent of the floor area for the bed and breakfast use;

(5) Six (6) room bed and breakfast use, thirty-five (35) percent of the floor area for the bed and breakfast use;

(6) Seven (7) room bed and breakfast use, forty (40) percent of the floor area for the bed and breakfast use;

(7) Eight (8) room bed and breakfast use, forty-five (45) percent of the floor area for the bed and breakfast use;

(8) Nine (9) room bed and breakfast use, fifty (50) percent of the floor area for the bed and breakfast use;

k. These conditions are not subject to waivers by the Board of Zoning Adjustments but only by ordinance of the City Council.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

(Ord. No. 24925, § 1, adopted 6/28/12)

8.2. In the B-1A and RO-1 Districts the following standards apply:

a. Standards in subsection 8.1 except standards e and g;

b. Leasing of a common dining area for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2, of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031§ 1 (part), adopted 2/01/01: Ord. 18,762 § 5 (part), adopted 6/18/98)

8.3. In the CBD-1, CBD-2, CBD-2B, CBD-3, CBD-4, CBD-6, CBD-7, CBD-8 and CBD-9 Districts, the standards in subsection 8.1, except standards e, and g apply.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

8.4. In the CBD-5 District the standards in subsection 8.1, except standards e and g apply.

Section 11.9. Bed And Breakfast Inns.

9.1. In all districts in which such use is authorized, except for the RM-2 District, the B-1A District, the C Districts and the CBD Districts, the following standards apply:

a. A current Certificate of Liability Insurance shall be posted on the premises;

b. No new bed and breakfast facility shall be permitted within the block frontage (including both sides) between two (2) intersecting streets of an existing bed and breakfast facility;

c. No other bed and breakfast inn shall be located within a 500-foot radius;

d. Facility operators shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue;

e. Facilities may provide continental breakfast food service only, with foods purchased from a licensed food seller (caterer or bakery) and served "as is" or only warmed at the bed and breakfast facility;

f. No cooking facilities are permitted in individual guest accommodations;

g. Leasing of a common dining area for social events is prohibited;

h. No exterior signage is permitted except in accordance with district regulations;

i. Off-street parking shall be provided in accordance with Section 15.2, of the Comprehensive Zoning Ordinance;

j. A percentage limitation on the floor area of a bed and breakfast use shall be as follows:

(1) Six (6) room bed and breakfast use, thirty-five (35) percent of the floor area for the bed and breakfast use;

(2) Seven (7) room bed and breakfast use, forty (40) percent of the floor area for the bed and breakfast use;

(3) Eight (8) room bed and breakfast use, forty-five (45) percent of the floor area for the bed and breakfast use;

(4) Nine (9) room bed and breakfast use, fifty (50) percent of the floor area for the bed and breakfast use;

k. These conditions are not subject to waivers by the Board of Zoning Adjustments but only by ordinance of the City Council.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

(Ord. No. 24925, § 1, adopted 6/28/12)

9.2. In the RM-2 and RM-3 Districts the standards in subsection 9.1, except standard c apply.

9.3. In the C-1, C-2, and RO-1 Districts the following standards apply:

a. Standards in subsection 9.1 except standards e and g.

b. Leasing of a common dining area for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2, of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031 § 1 (part), adopted 2/01/01: Ord. 18,762 § 5 (part), adopted 6/18/98)

9.4. In the B-1A, C-1A, and RO-1 Districts the following standards apply:

a. Standards in subsection 9.1 except standards e and g.

b. Leasing of a common dining area for social events is authorized, when off-street parking is provided for a meeting/reception area as per Section 15.2 of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance.

(Ord. 20,031 § 1 (part), adopted 2/01/01: Ord. 18,762 § 5 (part), adopted 6/18/98)

9.5. In the CBD-1, CBD-2, CBD-2B, CBD-3, CBD-4, CBD-6, CBD-7, CBD-8 and CBD-9 Districts, the standards in subsection 9.1, except standards e and g apply.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

9.6. In the CBD-5 District, the standards in subsection 9.1, except standards e and g apply.

(Ord. 18,762 § 5 (part), adopted 6/18/98)

Section 11.10. Bingo Facilities, Leased.

10.1. In the B-2 District, the following standards apply:

a. There is no live entertainment;

b. There is only one such facility within a 1,000-foot radius;

c. The hours of operation end at midnight;

d. There shall be no bingo operations on Sundays from 12:01 a.m. to 1:00 p.m.;

e. Off-street parking shall be provided as per requirements for amusement places, in Article 15 of this Ordinance;

f. No video poker machines shall be permitted on the premises;

g. The application for a conditional use must include a complete application (with attachments) which has been filed with the Department of Finance, with the indication on the face of the application and attachments that it has been filed with that department and is being processed by that department.

10.2. In the C-1A, HMLI and NU Districts and in the CBD Districts in which such use is authorized, the standards in subsection 10.1, except standards a, b, c, and d apply.

10.3. In the C-1, C-2, BIP, SI, LI and HI Districts the standards in subsection 10.1, except standards a, b, c, and g apply.

10.4. In the HMC-2 District the standards in subsection 10.1 apply.

Section 11.11. Cemeteries And Mausoleums.

11.1 In all districts in which such use is authorized, the following standards apply:

a. Cemeteries and mausoleums may have the following accessory uses: a storage building for the storage of maintenance equipment used in maintaining cemeteries, a caretaker's house, an

administrative office, a crematorium, and a chapel, provided that the cemetery and/or mausoleum is located on a site containing a minimum of five (5) acres, enclosed by a masonry fence, iron fence or combination of masonry and iron fence, or a wall not less than four (4) feet in height along all property lines subject to the provisions of Section 15.5;

b. The yard area requirements of the district within which such facilities are located shall apply and yards shall remain free of any and all structures. In no instance, however, shall any yard be less than ten (10) square feet when such yard abuts a residential property line;

c. The height regulations of the district within which such uses are located shall apply, except that additional height to a maximum of fifty (50) feet shall be permitted where one (1) foot of additional setback is provided on all sides of a structure for each additional one (1) foot in height in excess of the height limitations of the district;

d. Crematoriums shall not be located closer than 100 feet to any public street, nor closer than 200 feet to any residential district property line, nor closer than 100 feet to any commercial, office, or medical district property line, nor closer than twenty (20) feet from any other property line;

e. A storage building or area for the storage of maintenance equipment used for maintenance of such cemetery shall not exceed thirty-five (35) feet in height unless it is part of a building or structure of greater permitted height; nor shall such use be located closer than 150 feet to any residential district property line, and such structure shall not exceed 5,000 square feet in gross area;

f. A caretaker's or sexton's house shall not exceed the height limitation of the district within which it is located, unless it is part of a building or structure of greater permitted height;

g. Cutting, engraving and marking of headstones and grave markers, and all materials used in conjunction therewith, shall not be located closer than 200 feet from any residential or commercial district;

h. Administrative offices or chapels shall not be located closer than ten (10) feet to a public street right-of-way, nor closer than 100 feet to any residential district property line, nor closer than twenty (20) feet to any other property line, the aggregate gross floor area of all such structures shall not exceed 15,000 square feet. Such facilities shall not have direct access to or from a public street;

i. Subject to the general sign regulations of Article 12:

(1) One (1) sign containing not more than twenty-five (25) square feet shall be permitted at each entrance of the cemetery or mausoleum site,

(2) One (1) sign containing not more than ten (10) square feet shall be permitted for each mausoleum not located within a cemetery, but located as a separate entity and having direct access to a public way from the mausoleum site;

j. All entrances and exits to the cemetery or mausoleum site from a public street shall be approved by the Department of Streets;

k. The following off-street parking provisions shall apply:

(1) One (1) parking space per 20,000 square feet of cemetery lot area, plus one (1) parking space per each four (4) permanent employees shall be provided; however, the total number of parking spaces provided need not exceed twenty-five (25),

(2) For mausoleums, a parking area equal to the ground floor area of such mausoleum, plus one (1) parking space for each four (4) permanent employees shall be provided; however, the total number of parking spaces provided need not exceed twenty-five (25);

l. All cemetery property, including buildings and structures shall be landscaped and permanently maintained.

11.2. In all districts, existing cemeteries and mausoleums, their structures and accessory appurtenances, as well as their use, may be maintained, structurally altered, enlarged or extended within the existing boundaries of such cemeteries and/or mausoleums. Within the boundaries of the cemetery or mausoleum property, further development and use may be made for cemetery purposes of existing cemetery and/or mausoleum property, including the building, maintenance, alteration, extension, enlargement, operation and use of burial plots, tombs, vaults, mausoleums, columbariums, administrative offices, flower shops, mortuaries, crematoriums, signs, chapels, maintenance facilities, greenhouses, warehouses, and living quarters for sextons and caretakers. Such authorization requires that the following standards are met:

a. No such building or structure fourteen (14) feet or less in height shall be:

(1) Less than five (5) feet from any property line that abuts the side yard of any residential lot in any residential district, nor

(2) Less than five (5) feet from any property line that abuts the rear yard of any residential lot in any residential district unless said structure is constructed on the common property lines, nor

(3) Less than ten (10) feet from any property line that abuts any public street except as provided in subsection e contained hereinafter;

b. No such building or structure more than fourteen (14) feet, but not more than thirty (30) feet, in height shall be less than fifteen (15) feet from any public street or less than ten (10) feet from any residential property line;

c. No such building or structure in excess of thirty (30) feet in height shall be less than a total of twenty (20) feet plus one (1) foot for each additional foot in height in excess of thirty (30) feet from any public street and/or any residential property line;

d. All cemetery property between any such building or structure and a public street or a property line shall be landscaped and permanently maintained;

e. Where the boundaries of an existing cemetery and/or mausoleum comprise an entire square and there exists at the time of the effective date of this Ordinance one (1) or more buildings or structures located on the property line abutting a public street, then future buildings or structures may be constructed on the property line to a height not to exceed fourteen (14) feet;

f. No new construction permitted under this section shall be constructed so as to deplete the already existing off-street parking area or areas, if any. However, this provision shall not be construed as requiring more than the maximum off-street parking required by subsection 11.1.k above.

g. Any new construction under this section of any burial plots, tombs, vaults, mausoleums or columbariums, may require the establishment of a perpetual care fund or provision for the maintenance of such facilities under an existing perpetual care fund as regulated under the applicable laws of the State of Louisiana.

Section 11.12. Clubs, Private.

12.1. In the RS-1, RS-2 and RD Districts, the following standards apply:

a. Facilities shall be located on a site of at least three (3) acres, except that when so located as to be buffered on all sides by public lands (e.g., parks, dedicated streets, waterways), the minimum dimension of which shall be 110 feet at any point adjacent to the private club site, the site shall contain a minimum area of 12,000 square feet and a minimum lot width and depth of 100 feet;

b. Facilities shall be set back a minimum of twenty (20) feet from all lot lines;

c. Total ground floor area of the building(s) shall not exceed twenty-five (25) percent of the total site area.

12.2. In all other districts in which such use is authorized, except the BIP, SI, LI and HI Districts, the following standards apply:

a. Private clubs for which the chief activity is a service customarily carried on as a business are prohibited;

b. Maximum Floor Area Ratio (FAR) and yard requirements shall comply with the table below. The yard requirements are those for three-family dwellings of the district listed in the table below:

District	Yard Requirement	Floor Area Ratio (FAR)
RM-1 and RM-2A	RM-1	0.60
RM-2, RM-3, B-1A and C-1A	RM-2	1.00
RM-4 and all nonresidential districts permitting private clubs as a conditional use except B-1A and C-1A	RM-4	4.00

c. Facilities shall be located on a site of at least 5,000 square feet;

d. Off-street parking shall be provided in accordance with Section 15.2 of these zoning regulations;

e. No new private clubs or lodges shall be permitted within 500 feet of an existing fraternity, sorority, private club or lodge.

12.3. In all BIP, SI, LI and HI Districts in which such use is authorized with standards, the standards in subsection 12.2, except standards d and e, apply.

Section 11.13. Uses Which Sell Alcohol.

In the B-1, B-1A and B-2 Districts in which such use is authorized the following standards apply:

a. Approval of a permit for alcohol beverage outlets shall be based on a determination by the City Council that the proposed use shall not be injurious to nearby properties or contrary to the public interest or neighborhood program of conservation or improvement.

b. This determination shall take into consideration the interior square footage of the proposed site, the type and intensity of other uses in the area, and the number of businesses in the vicinity which have been issued an alcoholic beverage permit.

(Ord. 18,229 § 5, adopted 5/15/97)

Section 11.14. Day Care, Adult.

14.1. In the RS-1, RS-2, all RD, all RM, and CBD Districts, the following standards apply:

a. No overnight stays shall be permitted;

b. The use must be located within a former educational facility or other public building;

c. A minimum of twenty-five (25) square feet of indoor space shall be provided for each adult at the center, exclusive of kitchens, bathrooms, offices, halls, stairways, and storage areas;

d. Compliance with all Building and Life Safety Codes is required;

e. If no elevator is available, all programs and activities must be located on the ground floor;

f. A minimum of ten (10) parking spaces shall be provided with one (1) additional space for each 400 square feet in excess of 2,000 square feet;

g. A passenger zone, approved by the Department of Streets, shall be provided if any passenger pickup is to occur off-site;

h. A site plan must be reviewed and approved by the staff of the City Planning Commission in accord with Section 16.8;

i. The operator of the facility must be licensed by the State of Louisiana.

14.2. In the MS, RO, RO-1, all B and all C Districts the standards in subsection 14.1, except standard b apply.

Section 11.15. Day Care Facilities, Child.

15.1. In all districts in which child day care facilities are authorized, the following standards apply:

a. General Requirements.

Each child day care facility shall comply with all applicable State and Federal regulations. With the exception of family child care homes, no child care facility shall allow any child to remain on the premises for more than twenty-four (24) consecutive hours in one stay.

b. Child Care Facility Categories.

Child care facilities are categorized as family child care homes, small and large child care centers, and commercial/semipublic child care centers. They are defined according to the type of structure in which the facility is located, and its management, and the maximum number of children allowed. (See Article 2 for definitions of each category of child care facility.)

These four (4) categories of child care facilities are allowed in the various zoning districts as permitted, conditional and/or accessory uses as set forth in Table 1 below. Commercial child care facilities in the residential districts are classified as conditional when proposed in existing former school structures or in existing public or semi-public structures. Child care facilities in some of the zoning districts are classified as "permitted/conditional" (P/C), which means that they are a permitted use unless they fail to meet two (2) or more of the site requirements listed in subsection 15.1.d. Child care facilities which fail to meet two or more of the site requirements, must receive conditional use approval from the City Council before a permit may be issued.

TABLE 1

	Family Child Care Home	Small Child Care Center	Large Child Care Center	Commercial/Semi-public Facility
Single-Family Residential (RS-1, RS-2, RS-1A)	P			A/C
Two-Family Residential (RD-1 to RD-4)	P	P/C	C	A/C
Multiple-Family Residential (RM-1 to RM-4)	P	P/C	C	A/C
Medical Service (MS)	P	P/C	P/C	A/C
General Office (RO, RO-1)	P	P/C	P/C	P/C/A
Neighborhood Business (B-1, B-1A, B-2)	P	P/C	P/C	P/C/A
Shopping Center (SC)	P			P/C/A
General Commercial (C-1, C-1A, C-2)	P	P/C	P/C	P/C/A
Central Business (CBD-1 to CBD-9)	P/C		P/C	P/C/A
Special Industrial (SI)				A
Research Park (RP)				A

TABLE 1 (Continued)

	Family Child Care Home	Small Child Care Center	Large Child Care Center	Commercial/Semi-public Facility
Business Industrial Park (BIP)				A
Park (P)				A
Non-Urban (NU)	P	P/C	P/C	P/C/A
Light Industrial (LI)				A
Heavy Industrial (HI)				A
Vieux Carré Residential (VCR-1, VCR-2)	P	P/C	P/C	A
Vieux Carré Commercial (VCC-1, VCC-2)	P	P/C	P/C	P/C/A
Vieux Carré Service (VCS)				A
Vieux Carré Entertainment (VCE)				A
Vieux Carré Park (VCP)				A
Historic Marigny-Tremé Residential (HMR-1 to HMR-3)	P	P/C	P/C	A
Historic Marigny-Tremé Commercial (HMR-1, HMC-2)	P	P/C	P/C	P/C/A
Historic Marigny-Tremé Light Industrial (HMR-LI)	P	P/C	P/C	P/C/A

c. Number of Children Allowed.

The number of children which shall be allowed in an individual child care facility shall be determined according to the square footage of available indoor and outdoor play/instruction area, up to the maximum allowed for the particular category of child care facility in which the center is classified.

(1) Required Indoor Play/Instruction Area.

There shall be a minimum of thirty-five (35) square feet per child of available indoor play/instruction area, which shall include all indoor classrooms and play areas available for use by the children, but shall not include hallways, office space, restrooms, storage or food preparation areas. If rooms are used exclusively for dining or sleeping, they cannot be included in the play/instruction area.

(2) Required Outdoor Play Area.

There shall be a minimum of thirty-seven and one-half (37.5) square feet per child of available outdoor play area. The outdoor play area shall include all outdoor play areas on the site which are available for use by the children, but shall not include any area within the required front yard.

This requirement is not subject to waiver.

(3) Maximum Number of Children Allowed.

Family child care homes:	5 children
Small child care centers:	12 children
Large child care centers:	30 children
Commercial/semipublic:	Limited only by the square footage per child of available indoor and outdoor space, as determined by paragraphs 1 and 2 above.

d. Site Requirements.

(1) Parking.

(a) At least one on-site parking space must be provided for every 525 square feet of indoor play/instruction area. Stacked parking shall be permitted in small and large child care centers. The use of van or bus service is encouraged at all child care facilities.

(b) An on-site drop-off and/or residential passenger zone must be provided. The residential driveway may be acceptable for this purpose, but may not be shared with the required parking area.

(2) Minimum Spacing Between Child Care Facilities.

A child care facility may not be located within 300 feet of another child care facility, excluding any child care facility that is an accessory use.

(3) Building/Lot Characteristics and Signage.

The building and lot characteristics, as well as the signage of the Child Care Facility shall conform to the height, area and bulk regulations of the underlying zoning district.

(4) Yard Requirements

(a) The outdoor play area shall be enclosed in such a manner as to protect the children from traffic hazards on- and off-site and to prevent the children from leaving the premises without proper supervision.

(b) If a child care facility is located adjacent to a residential use there must be a six (6) foot wooden opaque fence around the play area adjacent to any abutting property line. Security fences shall be provided where there are open cisterns, wells, ditches, fish ponds and swimming pools, and to separate the parking from any play area.

(c) A shade device (shade trees, overhangs, etc.) shall be provided within the outdoor play area.

(d) The site of a small or large child care center shall be landscaped in a manner compatible with adjacent residences.

(5) Equipment.

(a) Play equipment appropriate to the needs of the children shall be supplied in sufficient quantity to allow access by each of the children at the child care facility. The equipment shall be maintained in good repair, and shall be of the type which encourages active physical play (for example, swings, climbing apparatuses, and wheel-toys).

(b) There shall be a soft surface (sand, mulch, grass, mats, etc.) under all climbing equipment.

(Ord. 21,714, adopted 10/7/04; Ord. 20,049 § 2, adopted 2/15/02)

15.2. In CBD Districts, the following standards apply:

a. Child care facilities are not required to have an outdoor play area. Facilities which do not have an outdoor play area are automatically must gain approval through the conditional use process, and the number of allowed children shall be determined according to the available indoor play/instruction area.

b. Child care facilities are exempt from the minimum spacing requirement.

c. Developments can add six (6) square feet of floor space to a building for every one (1) square foot of day care space provided, up to an increase of one (1) Floor Area Ratio (FAR) beyond the development's allowable FAR.

15.3. In Vieux Carré Districts, the following standard applies:

a. Child care facilities are exempt from the minimum spacing requirement.

Section 11.16. Borrow Pits, Excavation, Filling, Petroleum or Mineral Exploration or Extraction.

16.1. The following standards do not apply to construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision, or planned residential development. In all districts in which such use is authorized, the following standards apply:

a. Such operations shall be controlled to offer reasonable protection to surrounding properties and the neighborhood, particularly in regard to the use of any residential streets for access to the site;

b. The location of such operations with respect to property lines, depth, and relation to the water table or floor criteria and the slope of the sides of any excavation shall be controlled to prevent a continuing, unsightly, hazardous, or wasteful condition of the land;

c. Petroleum, water or mineral extraction operations, site requirements as to size, and setback requirements from the nearest existing development shall be imposed as necessary to avoid any adverse effects on such adjacent development.

16.2. The following standards shall apply to borrow pits only:

a. An acceptable design and operations plan shall be submitted to the City Planning Commission specifying the development to be served, anticipated volume of fill material needed, and circumstance, slope and depth of the pit.

b. An acceptable end-use site plan meeting the site plan requirements of Section 16.7 shall be submitted to the City Planning Commission for approval in the conditional use application. In addition to the standards set forth in Section 16.6.5 of the Comprehensive Zoning Ordinance, the Planning Commission and City Council shall consider the following criteria in the final evaluation of the borrow pit:

1. Fencing adequate to deter unauthorized access prior to final use conversion.

2. Landscaping of the perimeter of the pit site.

3. Specified time period for conversion to final use.

4. Compatibility of final (end) use with adjacent development. Examples of final use include waterscapes (decorative ponds), recreation (fishing, swimming, boating), drainage/retention ponds, or a combination of the above.

c. Borrow pits located in the New Orleans Business and Industrial District (NOBID) shall be reviewed in consultation with NOBID; advisory recommendations may be submitted by this agency to the CPC prior to CPC consideration.

(Ord. 18,325 § 3, adopted 7/2/97)

Section 11.17. Flea Markets.

17.1. In all districts in which the use is authorized, except the VCS District, the following standards apply to flea markets located above the Industrial Canal on the east bank of the Mississippi River, or located on the west bank of the Mississippi River:

a. The use must be located within a completely enclosed building and on a major street as designated on the official Major Street Plan;

b. Off-street parking shall be provided at a ratio of one (1) space for every 150 square feet of gross retail area (all inclusive). Said parking areas shall meet the design standards of parking lots as designated in Section 15.2, including fencing, screening and landscaping;

c. Hours of operation are limited to 8:00 a.m. to 6:30 p.m.;

d. All signage shall conform to the zoning district sign regulations and/or Urban Corridor regulations, whichever are more restrictive, if the flea market is located therein;

e. The sale of food for consumption on or off the premises will require licensing by the City and approval by the Department of Health;

f. The sale of firearms and/or alcoholic beverages is prohibited;

g. An established litter abatement program shall be required for approval and permitting; and

h. Those flea markets which cannot meet the above criteria shall be permitted conditional uses.

17.2. In all districts in which the use is authorized, except the VCS District, the following standards apply to flea markets located below the Industrial Canal on the east bank of the Mississippi River:

a. The flea market must be located on a major street as designated on the official Major Street Plan, and may be located within a completely enclosed building or may be open-air or unenclosed when located adjacent to a commercial or industrial building;

b. Off-street parking shall be provided at a ratio of one (1) space for every 400 square feet of gross retail area (all inclusive). Said parking areas shall meet the design standards of parking lots as designated in Section 15.2, including screening and landscaping, but excepting fencing;

c. All signage shall conform to the zoning district sign regulations and/or Urban Corridor regulations, whichever are more restrictive, if the flea market is located therein;

d. The sale of food for consumption on or off the premises will require licensing by the City and approval by the Department of Health;

e. The sale of firearms is prohibited;

f. The sale of alcoholic beverages, properly permitted, is allowed;

g. An established litter abatement program shall be required for approval and permitting;

h. Open-air or unenclosed flea markets are required to install and maintain fencing or landscaping along three (3) sides of the open market and a plan indicating the fencing or landscaping shall be reviewed and approved by the staff of the City Planning Commission; and

i. Those flea markets which cannot meet the above criteria shall be permitted conditional uses.

17.3. In the C-1, C-2, LI and HI Districts, the standards in subsections 17.1 and 17.2, except standards 17.1.a and 17.2.a, may be varied if approved by the City Council in conjunction with a conditional use permit under Section 16.6.

17.4. In the VCS District the following standards apply to new uses:

a. Review and approval by the Vieux Carré Commission;

b. All signage shall conform to the zoning district and shall be reviewed and approved by the Vieux Carré Commission;

c. The sale of food for consumption on or off the premises will require licensing by the City and approval by the Department of Health;

d. The sale of firearms and/or alcoholic beverages is prohibited.

Section 11.18. Fraternities and Sororities.

18.1. In all districts in which such use is authorized, except the B-1A, C-1A and SI Districts, the following standards apply:

a. Facilities must be used or operated by a fraternal or sororal membership organization or association, except that organizations or associations for which the chief activity is a service customarily carried on as a business are prohibited;

b. Facilities must be located on the campus of the institution which permits said fraternity or sorority, on a parcel immediately adjacent to the campus, or within 1,000 feet of the college, university or seminary;

c. Facilities shall be located on a site of at least 5,000 square feet;

d. Maximum Floor Area Ratio (FAR) and yard requirements shall comply with the table below. The yard requirements are those for three-family dwellings of the district listed in the table:

District	Yard Requirement	Floor Area Ratio (FAR)
RM-1	RM-1	0.60
RM-2, RM-3, B-1A and C-1A	RM-2	1.00
RM-4	RM-4	4.00
SI	none	4.00

e. Off-street parking shall be provided in accordance with Section 15.2 of these zoning regulations;

f. The number of persons residing in such facilities shall be in accordance with the Life Safety Codes of the City;

g. No new facility shall be permitted within 500 feet of an existing fraternity, sorority, private club or lodge;

h. The organization or association shall be incorporated under the laws of Louisiana.

18.2. In the B-1A and C-1A Districts the standards in subsection 18.1, except standard b apply.

18.3. In the SI District the standards in subsection 18.1, except standards b and e through g apply.

Section 11.19. Funeral Homes and Mortuaries.

In all districts in which such use is authorized, the following standards apply:

a. Facilities must be located on a site of at least 25,000 square feet;

b. Facilities must be set back a minimum of twenty (20) feet from all lot lines;

c. The total gross floor area of the building(s) shall not exceed fifty (50) percent of the total site area, except when abutting a commercial or industrial district, in which case the total gross floor area of the building(s) shall not exceed seventy-five (75) percent of the total site area;

d. Where such facilities abut a residential district, a visual screen of a fence or wall a minimum of seven (7) feet in height shall be provided along all interior lot lines.

Section 11.20. Garage, Storage.

In all districts in which such use is authorized, the following standards apply:

a. Vehicular entrances and exits must be approved by the City of New Orleans Department of Streets;

b. If temporary vehicular storage is provided between the property line and the permanent parking spaces, said storage must accommodate either ten (10) percent of the designed vehicular capacity of the facility or six (6) vehicular spaces, whichever is less.

Section 11.21. Group Homes, Large.

In all districts in which such use is authorized, the following standards apply:

a. Such facilities must be licensed by the State of Louisiana;

b. No new group home shall be located closer than 1,320 feet from any other existing group home, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other existing similar use is located;

c. Architectural review by the Historic District Landmarks Commission is required for any group homes located within the boundaries of any national and/or local historic district, to ensure that any retrofitting of a building for group home use would not detract from its architectural integrity;

d. A large group shall not be allowed in a part or a portion of a building but shall encompass the entire structure.

(Ord. 18,039 § 3, adopted 2/6/97)

Section 11.22. Group Homes, Small.

In all districts in which such use is authorized, the following standards apply:

a. Such facilities must be licensed by the State of Louisiana;

b. No new small group home shall be located closer than 1,320 feet from any other existing group home, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other existing similar use is located;

c. The maximum number of residents (unrelated persons) is limited to six (6) per dwelling unit;

d. Architectural review by the Historic District Landmarks Commission is required for any small group homes located within the boundaries of any national and/or local historic district, to ensure that any retrofitting of a building for group home use would not detract from its architectural integrity;

e. A small group home shall not be allowed in a part or a portion of a building but shall encompass the entire structure.

(Ord. 18,039 § 4, adopted 2/6/97)

Section 11.23. Home for the Aged, Orphans and Convalescents.

23.1. In all districts in which such use is authorized, total ground floor area of the building or buildings shall not exceed fifty (50) percent of the total site area.

23.2. In the RS-1, RS-2 and RM-3 Districts the following standards apply:

a. The standard in subsection 23.1;

b. Facilities must be located on a site of not less than five (5) acres, or 1,000 square feet for each occupant, whichever is the greater, including permanent employees who will be domiciled upon the site.

23.3. In all RD Districts the following standards apply:

a. The standard in subsection 23.1;

b. Facilities must be located on a site of not less than 65,000 square feet, or 700 square feet for each occupant, whichever is the greater, including permanent employees who will be domiciled upon the site.

Note: Orphan home facilities may be permitted as a conditional use in the RD Districts in accordance with the conditions described in Section 11.25 below.

23.4. In the RM-2A District facilities shall be located on a site of not less than 20,000 square feet.

23.5. In all VCR, VCC, VCS, HMR and HMC Districts the following standards apply:

a. Every building existing, hereafter erected or structurally altered shall have open, unoccupied space of not less than thirty (30) percent of the area of the lot for interior lots and not less than twenty (20) percent of the area for corner lots. In computing the above areas, all yards and courts may be included as open space;

b. All open space shall be unobstructed from grade level upward and shall contain no balconies, roof overhangs, galleries, stairways, storage area or other projections in such required open areas;

c. Where a parcel of land contains a corner lot(s) and interior lot(s), the percentage of open space shall be prorated accordingly in order that the development as a whole shall conform to the percentages set forth herein;

d. No occupancy permit shall be issued by the Director of Safety and Permits, for any change in the use of any existing building until and unless a special permit shall have been issued by the Vieux Carré Commission, except that where no change of exterior appearance is contemplated, such permit by the Vieux Carré Commission shall not be required;

e. Where any change in exterior appearances is contemplated, the Vieux Carré Commission shall hold a hearing, and if it approves such changes, it shall issue a special permit to continue the same use, or for any other use not otherwise prohibited in the district, subject to the following conditions and safeguards:

(1) The historic character of the Vieux Carré shall not be injuriously affected;

(2) Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted;

(3) Building designs shall be in harmony with the traditional architectural character of the Vieux Carré;

(4) The value of the Vieux Carré as a place of unique interest and character shall not be impaired.

f. Facilities shall provide a minimum of 250 square feet of lot area per occupant and are subject to the same standards as applied to all conditional uses provided for in this Ordinance.

Section 11.24. Landfills, Sanitary and Construction/Demolition Debris, Composting Facilities, Separation/Recovery Facilities, and Incinerators.

24.1. In all districts in which sanitary landfills are authorized, the following standards apply:

a. Location characteristics pursuant to LAC 33:VII and City requirements shall be met, including the requirement that municipal water accessibility must be provided and connections approved by the Fire Department and Sewerage and Water Board;

b. Buffering requirements shall be met, pursuant to LAC 33:VII and all applicable City requirements including:

(1) Adequate spacing (as defined by local and State law) between the property line and any aspect of the specific facility's operation and any residence or place of business that is served by a public water source and/or individual water supply well located on the premises,

(2) Adequate spacing between the property line and any aspect of the solid waste disposal operation and any habitation or place of business that is served by a public water source and/or individual water supply well located on the premises,

(3) Additional buffering requirements such as vegetative barriers or fencing which are determined to be adequate to protect adjacent landowners from odors, noise, visual impacts, vectors, and water quality problems,

(4) No facility structures, buildings, or internal roadways shall occur within the buffer zone,

(5) All facility operators or property owners shall provide for litter abatement outside the facility to a distance set by the City Planning Commission and/or City Council,

(6) All other applicable local, State and Federal legal requirements. A permit holder shall provide the city with evidence that copies of the permit have been forwarded to the State;

c. Water discharges from operating units of all facilities must follow all LaDEQ regulations pursuant to LAC 33:VII and all applicable local requirements. Copies of these applications must be sent to the City Planning Commission, Department of Safety and Permits and Sewerage and Water Board;

d. Environmental concerns raised by the Department of Environmental Quality and other Federal, State and local agencies shall be addressed by the CPC in the conditional use process;

e. All appropriate State, local and Federal permits as required by applicable law shall be obtained prior to the specific facility's operation and copies submitted to the appropriate local agency;

f. If other stipulations such as performance bonds and peripheral cleanup are required, the specific facility shall comply with those requirements;

g. If participation in recycling programs in a manner consistent with the City's solid waste management objectives is found to be necessary, the operators of sanitary landfills and incinerators shall be required to participate;

h. Hurricane and flood protection must be provided and incorporated into the facility's design and operation;

i. Fire protection and medical care as approved by the City's Fire and Health Department and pursuant to LAC 33:VII shall be available;

j. Security must be provided and incorporated into the facility's design and operation;

k. Parking requirements will be satisfied as indicated in Section 15.2.1, and listed under the manufacturing or industrial use category;

l. Restrictions and limitations shall be placed on the disposal if such restrictions are found to be in the public welfare. Such restrictions include but are not limited to locations, source of origin, volume of wastes entering the facilities, and type of wastes;

m. Environmental concerns raised by the Department of Environmental Quality and other Federal, State and local agencies shall be addressed by the CPC in the conditional use process;

n. Materials not classified as hazardous (as Defined by the current Louisiana Hazardous Waste Regulations LAC 33:V and subsequent DEQ guidelines) may be prohibited, by the Department of Sanitation and Health, from the facility if deemed in the public welfare;

o. Facilities shall comply with buffer zones pursuant to LAC 33:VII and City requirements;

p. A detailed study and site plan of the facility's fire and emergency action plan must be submitted to the New Orleans Fire Department for approval. These plans shall include but are not limited to:

(1) Location of fire hydrants and size of water lines,

(2) Communications equipment, size and type;

q. A copy of any State preliminary report concerning the individual property must be provided to the City Planning Commission and Department of Safety and Permits as part of the conditional use process;

r. The landfill operator shall be required to comply with a future reuse (end use plan) schedule approved by the State and City Planning Commission;

s. A plan for closing and upgrading existing operating areas if the application is for expansion of a facility or construction of a replacement (new) facility;

t. Facilities shall comply with the conditions and specifications contained in the definition of sanitary landfills as referenced in LAC 33:VII.115, LAC 33:VII.701, LAC 33:VII.709, and LAC 33:VII.711;

u. Facilities shall comply with the limitations of LAC 33:VII and City requirements.

24.2. In all districts in which composting facilities are authorized, the following standards apply:

a. Standards in subsection 24.1 except standards r through u;

b. Facilities shall comply with the conditions and specifications contained in the definition of composting facilities as referenced in LAC 33:VII.115, LAC 33:VII.719, and LAC 33:VII.723;

c. Prior to commencement of operation, facilities must provide written notice to the local and State authority, stating the location of the composting facility, nature, origin and quantity of the material to be composted, description of the operation and the intended use for the compost;

d. Facilities must follow methods of composting approved by the LaDEQ that minimize odors and vectors and produce a useful and stable product;

e. Facilities shall comply with facility surface requirements pursuant to LAC 33:VII and City requirements;

f. Facilities shall comply with the limitations that apply to composting facilities pursuant to LAC 33:VII;

g. Local authorities may ban specific material not deemed in the best interest or not acceptable to the public welfare.

24.3. In all districts in which separation/recovery facilities are authorized, the following standards apply:

a. Standards in subsection 24.1 except standards p through u;

b. Facilities shall comply with the conditions and specifications contained in the definition of separation/recovery facilities referenced in LAC 33:VII.115, LAC 33:VII.719, and LAC 33:VII.725;

c. Facilities shall comply with facility operations pursuant to LAC 33:VII and City requirements;

d. All source separation/recovery activity shall be performed within an enclosed structure.

24.4. In all districts in which construction/demolition debris landfills are authorized, the following standards apply:

a. Standards in subsection 24.1 except standards t through u;

b. Facilities shall comply with the conditions and specifications contained in the definition of construction/demolition debris landfills as referenced in LAC 33:VII.115, LAC 33:VII.719, and LAC 33:VII.721;

c. Smoking shall be prohibited within the construction debris area pursuant to LAC 33:VII and City requirements;

d. All construction/demolition debris landfills now in existence within the Almonaster-Michoud Industrial District (AMID) shall be granted a compliance period of five (5) years or as approved by the Louisiana State Department of Environmental Quality (LaDEQ), Office of Hazardous and Solid Waste.

24.5. In all districts in which incinerators, nonindustrial (Type II-A) are authorized as a conditional use, the following standards apply:

a. Incinerators shall comply with the conditions and specifications contained in the definition of incinerators as referenced in LAC 33:VII.115, LAC 33:VII.701, LAC 33:VII.709, and LAC 33:VII.717;

b. Only noninfectious waste from hospitals or clinics which has been properly packaged and identified and is certified as nonhazardous by the Department of Health and Hospitals may be deposited;

c. Incinerators must be developed as a subordinate use which is incidental to and customary or necessary in connection with a main building or use located on the same lot;

d. Incinerators shall meet the requirements to be met by the other facilities authorized as conditional uses in the LI Light Industrial District;

e. Incinerators shall comply with buffer zones pursuant to LAC 33:VII and City requirements.

24.6. In all districts in which incinerators, nonindustrial (Type II-A) are authorized as an accessory use, the following standards apply:

a. Standards in subsection 24.5 except standards c through e;

b. Incinerators must be developed as a permitted accessory use as defined in Section 2.2;

c. Landscaping shall be provided between any aspect of the facility and the property line.

Section 11.25. Orphan Home Facilities, Camps and Nurseries (day or boarding, public, private or commercial).

In all districts in which such use is authorized, the following standards apply:

a. Facilities must be located on a site of at least 25,000 square feet or a site providing a minimum of 500 square feet of lot area for each enrollee, whichever is greater;

b. When such a facility adjoins any residential property, a visual screen, fence or wall a minimum of seven (7) feet in height shall be provided along all interior lot lines, excluding those interior lot lines adjacent to a required front yard.

Section 11.26. Package Liquor Sales.

In all districts in which such use is authorized, facilities shall be located in retail stores, shops, drugstores with pharmacies and in grocery stores occupying more than 5,000 square feet of floor area, where the wholesale cost of the package liquor does not exceed fifteen (15) percent of the wholesale cost of other merchandise stocked and displayed; or where the package liquor display constitutes not more than ten (10) percent of all display area; and where package liquor is not advertised outside or off their premises. For the purpose of this regulation, a grocery store is defined as a retail facility which offers for sale staple foodstuffs, household supplies, fresh meat with a meat cutter (butcher), produce and dairy products.

Section 11.27. Parking Lot, Accessory.

27.1. In the RO-1 District the parking lot may only serve patrons and employees of a permitted office or business use.

27.2. In the CBD-6, CBD-7, CBD-8 and CBD-9 Districts the following standards apply:

a. A person who agrees to renovate a building located in the CBD-6, CBD-7, CBD-8 or CBD-9 District may apply for approval of an accessory parking lot to serve the building provided that:

(1) The building to be renovated shall have some historic character,

(2) Any buildings to be demolished to provide for the parking lot should not be of significant historic character,

(3) Recommendation with regard to historic character or importance on both the building to be renovated and the buildings(s) to be demolished shall be forwarded to the City Planning Commission from the Historic District Commission;

b. Any accessory lot shall conform to all design criteria contained in Section 15.2;

c. An accessory parking lot in the CBD-8 or CBD-9 Districts may not serve uses outside of the CBD-8 or CBD-9 District.

Section 11.28. Parking Lot, Off-Site.

28.1. In all districts in which such use is authorized, parking lots must meet the design standards of Section 15.2.

28.2. In the RS-1, RS-2, all RD, all RM, B-1, B-2, C-1 and C-2 Districts the following standards apply:

a. The standard in subsection 28.1;

b. Parking lots must be located within 300 feet of the use served by the lot;

c. Parking lots must meet the landscaping requirements of Section 15.2, regardless of the district in which the property is located.

28.3. In the CBD-1, CBD-2, CBD-2B, CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9 Districts the following standards apply:

a. The standard in subsection 28.1;

b. Parking lots shall have a time limit of five (5) years, after which time the owner must build a permanent use or reapply.

28.4. In the BIP District all employee and customer parking lots must be enclosed with a masonry fence or screening wall or berm not less than four (4) feet in height or shall have interior as well as peripheral landscaping of not less than ten (10) percent of the total parking area.

Section 11.29. Parking Garages.

29.1. In the VCC-2 District, for properties fronting on North Rampart Street and Iberville Street, and in the VCS District the following standards apply:

a. Such use shall be within an existing structure or replace a surface level parking lot existing as of the effectuation of this Ordinance;

b. Pedestrian-oriented uses shall be provided on the first floor;

c. Submission of a traffic impact analysis which shall include site and traffic information shall be required.

29.2. In the CBD-8 and CBD-9 Districts the use is conditional if serving uses outside of districts CBD-8 or CBD-9.

Section 11.30. Public and Governmental Buildings.

The standards in this section are applicable only to police stations, fire stations, community health centers, libraries, branch postal stations, and branch administrative offices). In all districts in which such use is authorized, the following standards apply:

a. Facilities must be located on a site of at least 15,000 square feet;

b. Facilities shall be set back a minimum of fifty (50) feet from any property line abutting any residential district and not less than twenty-five (25) feet from all lot lines abutting streets, canals, or open public spaces;

c. Off-street parking shall be provided at a minimum ratio of one (1) parking space for each 1,500 square feet of site area or one (1) space for each 1,000 square feet of gross area, whichever is the greater.

d. On lots where the side or rear yard line abuts a residential district, a masonry fence or screening wall not less than six (6) feet in height shall be present along the side and rear lot lines.

e. All employee and customer parking lots shall have interior as well as peripheral landscaping of not less than ten (10) percent of the total parking area.

f. All plans for public buildings shall be submitted for design review to the Design Advisory Committee of the City Planning Commission prior to final approval.

(Ord. 23,147 § 4, adopted 7/10/08)

Section 11.31 Public Transit Waiting Stations.

31.1. In all RS, all RD, all RM, MS, RO, RO-1, all B, all C, CBD, BIP, SI, LI, HI, NU, P, HMR, HMC and VCP Districts, such facilities shall be approved by the Department of Utilities to insure that:

a. Facilities shall be sited to avoid the creation of a potential hazard for adjacent streets, roadways or driveways;

b. Facilities shall not obstruct public sidewalks or pedestrian ways.

31.2. In the VCR, VCC, and VCS Districts, the following standards apply:

a. Standards in subsection 31.1;

b. In Vieux Carré Districts, approval by the Vieux Carré Commission shall be required when the use is to be covered.

Section 11.32. Public Transit Bus Terminals (for local transit).

In all districts in which such use is authorized, the location, need and design are subject to the approval by the City Department of Utilities and the City Department of Streets. When so established, said facilities shall become a part of the Comprehensive Transportation Plan.

Section 11.33. Residential, Two-Family Dwellings and Town Houses.

33.1. In the RD-2 and RD-4 Districts in which town houses are authorized, the following standards apply:

a. Town houses must be located on a site containing at least 2,000 square feet of lot area per dwelling unit with a minimum lot width of eighteen (18) feet and lot depth of ninety (90) feet and a height limit of forty (40) feet;

b. Structures will provide a front yard of at least twenty (20) feet, a side yard of ten (10) feet and a rear yard of twenty (20) feet;

c. The dwelling units and individual lots of a town house may be sold separately if separate utilities systems are provided and if separate lots for all dwelling units in a building are created in conformance with the Subdivision Regulations of the City of New Orleans;

d. For the purpose of the side yard regulations, a town house building shall be considered as one (1) building on one (1) lot with side yards required for end units only, in accordance with applicable regulations for such district. The side yard adjacent to a single-family residential district shall not be less than fifteen (15) feet;

e. A detached garage, carport, or other accessory building shall be permitted in the required rear yard on a lot occupied by a town house, but in no instance shall be permitted in any other required yard area on the lot;

f. Unless otherwise restricted by district regulations, not more than eight (8) dwelling units shall be included in any one town house building;

g. The facades of dwelling units in a town house shall be varied by changed front yards of not less than three (3) feet and variation in materials or design so that no more than three (3) abutting units will have the same front yard depth and the same or essentially the same architectural treatment of facades and rooflines;

h. Provisions satisfactory to the City Planning Commission shall be made to assure that nonpublic areas for the common use and enjoyment of occupants of town houses, but not in individual ownership by such occupants, shall be maintained in a satisfactory manner without expense to the general taxpayer;

i. Required off-street parking space of one (1) space per dwelling unit must be provided on the lot in the rear yard or within 150 feet of the lot or in any other permitted location;

j. A site plan complying with the requirements of Section 16.7 shall accompany an application for approval of any town house development where the design incorporates public areas for the common use and enjoyment of occupants of town houses;

k. No town houses shall be permitted in the RD-2 District where it has been applied to the area bounded by St. Charles Avenue, the downtown side of Jackson Avenue, Magazine Street and the uptown side of Louisiana Avenue, inclusive of lots bordering on said boundary frontages where RD-2 zoning is applicable, commonly referred to as the Garden District and the area bounded by Robert E. Lee Boulevard, Canal Boulevard, Harrison Avenue and West End Boulevard, inclusive of lots bordering on said boundary frontages where RD-2 zoning is applicable, commonly referred to as Old Lakeview.

33.2. In all districts except RD-2, RD-4 and the Vieux Carré Districts, in which town houses are authorized, the following standards apply:

a. Standards in subsection 33.1 except a, b and k;

b. The town house building shall comply with applicable minimum lot requirements of such district, but each dwelling unit of a town house need not be located on a lot complying with minimum lot area and lot area per dwelling unit requirements applicable to such district, provided the average for all dwelling units in the building equals or exceeds the minimum requirements and provided no lot is created with a lot area less than 1,800 square feet;

c. Lot frontage, measured at a building line, for individual dwelling units of a town house may be not less than eighteen (18) feet. Lot width for end units shall be adequate to provide required front and side yards.

33.3. In all districts except the Vieux Carré Districts, in which two-family dwellings are authorized, the following standards apply:

a. Each dwelling unit of a two-family dwelling must comply with a district's minimum lot area per dwelling unit regulations;

b. The dwelling units and individual lots of a two-family dwelling may be sold separately if separate utilities systems are provided and if separate lots for all dwelling units in a building are created in conformance with the Subdivision Regulations of the City of New Orleans.

33.4. In the RD-1, RD-2 and RD-3 Districts in which two-family dwellings are authorized, if separate lots are created for each dwelling unit, the two-family building shall comply with the minimum lot requirements applicable to such district but each dwelling unit of a two-family dwelling need not be located on a lot complying with the minimum lot area and lot area per dwelling unit requirements for such district provided that:

a. No lot shall be created with a lot area of less than 3,250 square feet in the RD-1 District and less than 2,500 square feet in the RD-2 and RD-3 Districts;

b. The minimum lot width for each individual dwelling unit of a two-family dwelling shall be thirty (30) feet in the RD-1 District, twenty-five (25) feet in the RD-2 and RD-3 Districts, and the minimum lot depth required is ninety (90) feet;

c. For the purpose of the side yard regulations, a two-family building shall be considered as one (1) building on one (1) lot with side yards required for the side of the units not divided by the common wall, in accordance with the applicable regulations for such district;

d. A two-family dwelling shall have a party or common wall separating the dwelling units consistent with applicable law;

e. The foregoing standards shall not be subject to waivers or variances that could be granted by the Board of Zoning Adjustments unless the City Planning Commission has granted a Tentative Approval to a plan of subdivision.

33.5. In the RM-1, RM-2, RM-3, and RM-4 Districts in which two-family dwellings are authorized, if separate lots are created for each dwelling unit the individual dwelling units need not be located on a lot complying with the minimum lot area and lot area per dwelling unit requirements applicable to such district provided that:

a. No lot shall be created with a lot area of less than 2,000 square feet;

b. The minimum lot width for each individual dwelling unit of a two-family dwelling shall be twenty (20) feet and the minimum lot depth is ninety (90) feet, and provided further that;

c. For the purpose of the side yard regulations, a two-family building shall be considered as one (1) building on one (1) lot with side yards required for the side of the units not divided by the common wall, in accordance with applicable regulations for such district;

d. A two-family dwelling shall have a party or common wall separating the dwelling units consistent with applicable law;

e. The foregoing standards shall not be subject to waivers or variances that could be granted by the Board of Zoning Adjustments unless the City Planning Commission has granted a tentative approval to a plan of subdivision.

Section 11.34. Rooming, Boarding and Lodging Houses.

In all districts in which such use is authorized, the following standards apply:

a. Facilities shall be located on a site of at least 5,000 square feet;

b. Floor Area Ratio shall not exceed four (4.00);

c. Yard and height requirements for such uses in the RM-3 District shall comply with the requirements for three-family dwellings in the RM-2 District. Yard and height requirements for the RM-4, CBD, SI and LI Districts shall comply with the requirements for a three-family dwelling in the RM-4 District.

Section 11.35. Satellite Dish Antenna.

35.1. In all districts in which such use is authorized, the following standards apply:

a. Subject to Historic District Landmarks Commission approval or the Vieux Carré Commission's rules and regulations where applicable;

b. Satellite dish antennae shall not be located between the front property line and the main use;

c. When located in the side or rear yard, there must be a minimum setback of three (3) feet;

d. On corner lots, no part of any satellite dish antenna within fifteen (15) feet of the common lot line shall project beyond the prolongation of the front yard line of the lot in the rear;

e. If roof-mounted, the wind load factor of the dish antenna shall be determined by a registered mechanical engineer (if not indicated by the manufacturer of the antenna) and the location on the roof shall be approved by the Department of Safety and Permits, Division of Mechanical Engineering.

35.2. In all CBD Districts the following standards apply:

a. The standards in subsection 35.1;

b. Satellite dish antennae shall comply with all applicable requirements of the CBD Districts, specifically, but not limited to, height requirements, and all applicable requirements of the Building Code.

35.3. In the BIP District compliance with the setback requirements of the district is required.

Section 11.36. Schools, Colleges, Junior Colleges or Institutions of Higher Learning.

36.1. In all districts in which such use is authorized, except in all RM-4 SI, LI and BIP Districts, the following standards apply:

a. Facilities shall be located on a site of at least ten (10) acres;

b. Facilities shall be set back a minimum of fifty (50) feet from all property lines;

c. Any accessory use which has accompanying hazards, such as fire, explosion, noise, vibration, dust, or emission of smoke, odors, or toxic gases, or other hazards to public health, or welfare, may be permitted only in accord with the provisions of Section 7.4.4.

36.2. In the RM-4 and all SI, LI and BIP Districts the following standards apply:

a. Standards in subsection 36.1, except standard b;

b. Facilities shall be set back in accordance with district regulations.

36.3. In the LI-Light Industrial Districts the following standards apply:

a. The developer shall submit site plans for City Planning Commission staff review and approval. These plans shall include litter abatement strategies as well as the location of all dumpsters and/or trash receptacles to be used in conjunction with the use; and

b. Colleges or university developments within fifty (50) feet of a Residential Zoning District (excluding the RM-4 District) shall be considered as conditional uses.

(Ord. 20,309 § 1, adopted 8/16/01; Ord. 18,140 § 2, adopted 3/6/97)

Section 11.37. Schools, Public/Private Elementary Schools (including kindergarten).

37.1. In all districts in which such use is authorized, the following standards apply:

a. Facilities shall be located on a site having a minimum of two (2) acres or one (1) City square, whichever is the lesser;

b. Appropriate setbacks shall be provided for all public and private elementary school structures (exclusive of play equipment), of not less than fifty (50) feet where the side yard line or rear yard line abuts a residential district, and not less than twenty-five (25) feet from all lot lines abutting streets, canals, or open public spaces.

37.2. In the RS-1 and RS-2 Districts, in all RD and all RM Districts the following standards apply:

a. Standards in subsection 37.1;

b. Access to schools shall be provided by a minimum of a street with two (2) or more clearly marked lanes for traffic in each direction and a street with a single lane for traffic in each direction or three (3) streets with a single lane for traffic in each direction.

Section 11.38. Schools, Public/Private Junior High or Senior High Schools.

38.1. In all districts in which such use is authorized, the following standards apply:

a. Facilities shall be located on a site having a minimum of five (5) acres;

b. Appropriate setbacks shall be provided for all public and private junior high or senior high school structures of not less than fifty (50) feet where the side yard line or rear yard line abuts a residential district, and not less than twenty-five (25) feet from all lot lines abutting streets, canals, or open public spaces.

38.2. In the RS-1 and RS-2 Districts, and in all RD and RM Districts the following standards apply:

a. Standards in subsection 38.1;

b. Access to schools shall be provided by a minimum of a street with two (2) or more clearly marked lanes for traffic in each direction and a street with a single lane for traffic in each direction or three (3) streets with a single lane for traffic in each direction.

Section 11.39. Trailer Park and Trailer Court.

In all districts in which such use is authorized, the following standards apply:

a. All ordinances of the City of New Orleans regulating trailer parks and trailer courts shall be complied with, especially Chapter 36A of the Code of the City of New Orleans;

b. Such trailer park shall be located on a site of not less than two (2) acres and shall contain not more than twenty-four (24) trailer sites per acre;

c. Individual trailer sites shall contain an area of not less than 1,750 square feet;

d. Such trailer parks shall be connected with a street by a paved driveway or driveways constructed in accordance with appropriate ordinances and regulations;

e. A front yard at least ten (10) feet in depth shall be provided;

f. Side yards of not less than three (3) feet shall be provided, however, on corner sites a side yard of not less than five (5) feet in width shall be provided;
g. A rear yard of not less than fifteen (15) feet in depth shall be provided;
h. Required front, rear, and side yards shall be planted with grass, shrubs, or trees and all plantings must be maintained in a manner not obstructing sight distances for vehicles entering or leaving the trailer park;
i. The trailer park shall be separated from the abutting property and the required front yard and on a corner lot from the required side yard on the street side by a solid masonry wall at least five (5) feet but not in excess of seven (7) feet in height;
j. Individual trailer sites shall provide a front yard having a minimum depth of five (5) feet. Appendages, expansions, or attachments to the trailer shall not protrude into any required yard area;
k. Individual trailer sites shall provide two (2) side yards having a combined width of thirteen (13) feet, in no case shall either side yard be less than four (4) feet. However, when a side yard of a trailer site abuts a residential district, the side yard shall not be less than six (6) feet. Appendages, expansions, canopies or attachments to the trailer shall not protrude into any required yard area;
l. Individual trailer sites shall provide a rear yard having a minimum depth of five (5) feet. However, when a rear yard of an individual trailer site abuts a residential district, the rear yard shall not be less than ten (10) feet. Appendages, expansions, canopies or attachments to the trailer shall not protrude into any required yard area;
m. Off-street parking spaces for automobiles shall be provided in the ratio of at least one (1) space per trailer in locations convenient to individual trailers or groups of trailers;
n. No signs shall be erected upon such trailer parks, except not more than one (1) sign shall be permitted at each entrance for directional and identification purposes, such signs shall not exceed ten (10) square feet nor extend more than ten (10) feet in overall height above the ground and shall not project into required yard areas more than six (6) inches.

Section 11.40. Utility, Electric Substations and Transmission Facilities.

40.1. In all RS, RD, RM, MS, RO, and B Districts, in which electric substations and transmission facilities are authorized, the following standards apply:

a. Facilities must be approved by the Department of Utilities.
b. Substation facilities shall be on a site having a minimum area of one (1) acre or on sites completely surrounded by public streets.
c. Substation facilities shall be located within and completely surrounded by an ornamental fence or wall having a minimum of sixteen (16) feet in height and set back a minimum of twenty (20) feet from all property lines in all residential districts and set back in accord with applicable district regulations in all other districts.
d. All buildings or structures for substations, other than poles, shall be set back so as to provide the yard areas required for a particular district with self-supporting radio towers set back a minimum of fifty (50) feet in all residential districts and set back in accord with district regulations in all other districts.
e. All structures other than poles or self-supporting radio towers shall be limited to the height requirements of the particular district.
f. The location, character, and extent of proposed electric utility substations and transmission lines shall be reviewed and approved by the City Planning Commission prior to the issuance of required

permits. Such review of said facilities shall ensure that the facility will be in keeping with the existing neighborhood and adjoining property's architectural and aesthetic characteristics so that the facility will not unnecessarily adversely affect the existing environment of the area and will be consistent with the intent and purposes of this Ordinance to promote public health, safety, morals, and general welfare. In such instances the action of the City Planning Commission shall be final, unless the City Council, by majority vote, determines that the Commission's action should be reviewed, in which case, such action by the City Council shall be taken within thirty (30) days from the date of final action by the City Planning Commission.

g. Prior to any review of transmission line facilities, the City Planning Commission shall, in accord with Section 16.9.3, hold a public hearing in relation to the proposal. In such instances notification shall be provided in accord with Section 16.9.2.

40.2. In all VCR, VCC, HMR and HMC Districts, in which electric substations and transmission facilities are authorized, and in the VCS District in which electric substations are authorized, the following standards apply:

a. Standards in subsection 40.1, except c and d;
b. Substation facilities shall be located within and completely surrounded by an ornamental fence or wall having a minimum of sixteen (16) feet in height and set back a minimum of twenty (20) feet from all property lines;
c. All buildings or structures for substations, other than poles, shall be set back so as to provide the yard areas required for a particular district with self-supporting radio towers set back a minimum of fifty (50) feet.

40.3. In all C, VCP, BIP, SI and NU Districts in which electric substations are authorized, the following standards apply:

a. Substation facilities shall be on a site having a minimum area of one (1) acre or on sites completely surrounded by public streets;
b. Substation facilities shall be adequately screened from any abutting residential district by a landscaped fence or hedge at least six (6) feet in height;
c. All buildings or structures other than poles and self-supporting radio towers shall be set back a minimum of twenty (20) feet from all property lines abutting a residential district and limited in height to forty (40) feet;
d. Self-supporting radio towers shall be set back a minimum of fifty (50) feet from all property lines.

40.4. In the LI and HI Districts, in which electric substations are authorized, the following standards apply:

a. Substation facilities shall be adequately screened from any abutting residential district by a landscaped fence or hedge at least six (6) feet in height;
b. All buildings or structures other than poles and self-supporting radio towers shall be set back a minimum of twenty (20) feet from all property lines abutting a residential district;
c. Self-supporting radio towers shall be set back a minimum of fifty (50) feet from all property lines.

40.5. In all CBD Districts, in which electric substations are authorized, substations shall be on sites entirely enclosed by a wall or adequately screened by a landscaped fence or hedge at least six (6) feet in height.

40.6. In all BIP, SI, LI, HI, VCS, VCP and NU Districts, in which electric transmission facilities are authorized, transmission facilities shall comply with the standards in subsection 40.1.

40.7. In all districts, existing electric substations may continue to be operated, maintained, structurally altered or expanded provided that such expansion or alteration does not further encroach on the

required twenty (20) foot setback from all property lines or the applicable height regulations for such district and provided further that such expansion shall be allowed only if such use is adequately screened from any abutting residential property by a fence, hedge, or other landscaping at least six (6) feet in height.

40.8. In all districts, existing electric transmission facilities may continue to be operated, maintained or structurally altered without any change in route.

(Ord. No. 25450, § 4, adopted 8/22/13)

Section 11.41. Utility, Public Telephone.

41.1. In the VCE and VCE-1 Districts in which such use is authorized, the following standards apply:

a. The design and location of telephones shall be approved by the Department of Utilities and the Vieux Carré Commission;

b. Such telephones shall be illuminated for night use and situated in such a manner as to avoid the creation of a potential hazard for adjacent streets, roadways, or driveways;

c. Such telephones do not obstruct any public sidewalk or pedestrian way;

41.2. In all other districts in which such use is authorized, the standards in subsection 41.1, except a, apply.

Section 11.42. Utility, Sewerage Lift or Pumping Stations—Aboveground.

42.1. In all residential districts and in the P and NU Districts, in which such use is authorized, the following standards apply:

a. Aboveground structures shall be set back a minimum of twenty (20) feet from front and rear property lines and a minimum of twelve (12) feet from side property lines;

b. Facilities shall be adequately screened along all lot lines by a fence, hedge, or other landscaping a minimum of seven (7) feet in height.

42.2. In the P and NU Districts, in which such use is authorized, the following standards apply:

a. Aboveground structures shall be set back a minimum of twenty (20) feet from front and rear property lines and a minimum of twelve (12) feet from side property lines;

b. Facilities shall be adequately screened along all interior lot lines by a fence, hedge, or other landscaping a minimum of seven (7) feet in height.

42.3. In all other districts in which such use is authorized, aboveground structures shall be set back in accord with applicable regulations for such district.

Section 11.43. Utility, Sewerage Lift or Pumping Stations—Underground.

43.1. In all residential districts and in the VCE, VCE-1, VCS, VCP, P and NU Districts, in which such use is authorized, aboveground entrance hatches shall be set back a minimum of twenty (20) feet from front and rear property lines and a minimum of six (6) feet from side property lines.

43.2. In all other districts in which such use is authorized, aboveground entrance hatches shall be set back a minimum of twenty (20) feet from front and rear property lines and comply with all other applicable setback regulations for such districts.

Section 11.44. Utility, Stormwater Pumping Stations.

44.1. In all residential districts in which such use is authorized, the following standards apply:

a. Aboveground structures shall be set back a minimum of twenty (20) feet from all property lines;

b. At least two (2) off-street parking spaces shall be provided at locations on the site other than within twenty (20) feet of the front property lines;
c. Facilities shall be screened by a fence, hedge, or other landscaping a minimum of seven (7) feet in height.

44.2. In the P and NU Districts in which such use is authorized, the following standards apply:

a. Standards in subsection 44.1, except c;

b. Facilities shall be screened along all interior property lines by a fence, hedge, or other landscaping a minimum of seven (7) feet in height.

44.3. In all other districts in which such use is authorized, the following standards apply:

a. Aboveground structures shall be set back according to applicable regulations for such district;

b. At least two (2) off-street parking spaces shall be provided at locations on the site other than within any required front yard.

Section 11.45. Utility, Telephone Exchanges.

45.1. In all RS, RD, RM, RO and B Districts in which such use is authorized, the following standards apply:

a. Telephone exchanges shall be approved by the Department of Utilities;

b. Telephone exchanges shall be on a site of at least 20,000 square feet and set back a minimum of twenty (20) feet from all property lines in all residential districts and set back in accord with applicable district regulations in all other districts;

c. All structures other than poles or self-supporting radio towers shall be limited to the height requirements of the particular district in which it is located;

d. The location, character, and extent of proposed telephone exchanges have been reviewed and approved by the City Planning Commission prior to the issuance of required permits. Such review of said facilities shall insure that the facility will be in keeping with the existing neighborhood and adjoining property's architectural and aesthetic characteristics so that the facility will not adversely affect the existing environment of the area and will be consistent with the intent and purposes of this Ordinance to promote public health, safety, and morals, and general welfare;

e. Off-street parking shall be provided in an amount necessary to provide adequate off-street parking area for all employees regularly employed on the premises;

f. All buildings, structures and parking areas shall be adequately screened from any abutting residential property by landscaped fence or hedge a minimum of six (6) feet in height.

45.2. In the C-1, C-2, BIP, SI, LI and HI Districts in which such use is authorized, standards e and f of subsection 45.1 apply.

45.3. In the C-1A District in which such use is authorized, all buildings and structures shall be adequately screened from any abutting residential property by a continuous opaque fence or hedge at least six (6) feet in height.

45.4. In the NU District in which such use is authorized, the following standards apply:

a. Standards e and f of subsection 45.1;

b. Telephone exchanges shall be set back a minimum of twenty (20) feet from all property lines.

45.5. In the VCP and VCS Districts, in which such use is authorized, standard e of subsection 45.1 applies.

45.6. In all VCR, VCC, HMR and HMC Districts in which such use is authorized, the following standards apply:

a. Standards in subsection 45.1 except standard b;

b. Telephone exchanges shall be on a site of at least 20,000 square feet.

45.7. In all districts, existing telephone exchanges may continue to be operated, maintained, structurally altered or expanded provided that such expansion or alteration does not further encroach on the required setback, yard areas, off-street parking requirements or Floor Area Ratio requirements of the applicable district regulations and provided further that such expansion shall be permitted only if such use is adequately screened from any abutting residential property by a fence, hedge, or other landscaping at least six (6) feet in height.

Section 11.46. Utility, Water Pumping Stations.

46.1. In all residential districts and in the P and NU Districts in which such use is authorized, the following standards apply:

a. Facilities shall be set back a minimum of twenty (20) feet from front and rear property lines and a minimum of twelve (12) feet from side property lines;

b. Such facilities shall be adequately screened along all interior lot lines by a fence, hedge or other landscaping a minimum of seven (7) feet in height in all residential districts.

46.2. In all other districts in which such use is authorized, the following standards apply:

a. Facilities shall be set back in accord with applicable regulations for such district;

b. Such facilities shall be adequately screened along all interior lot lines by a fence, hedge or other landscaping a minimum of seven (7) feet in height in all residential districts.

Section 11.47. World's Fairs And Expositions.

In all districts in which such use is authorized, the following standards apply:

a. A Comprehensive Master Plan shall be approved by the City Council prior to or as part of the conditional use process. Said Master Plan shall contain, but not be limited to, a land use plan and a transportation plan;

b. No plan approved under these regulations for a world's fair or world exposition shall either grant nonconforming status to any existing use not enjoying such status at the time of approval, nor revoke any nonconforming use status presently enjoyed. Further, no new uses specifically permitted for the duration of the fair shall receive nonconforming use status by virtue of approval under these regulations;

c. The following are the conditions and procedures under which amendments to the conditional use plan for world's fairs and world expositions are to be considered following Councilmanic plan approval. They specifically supersede the regulations contained in Article 16;

(1) The following amendments to the plan must be approved by the City Council:

(a) Any proposed demolition of a structure indicated on the plan as permanent and remaining on the site after the fair is over,

(b) Any proposed construction of a structure that is intended to be a permanent structure remaining on the site after the fair is over,

(c) Any major change in the transportation plan of the fair or any relocation of the entrance zones,

(d) Relocation of major exhibit areas,

(e) Major alterations in any evacuation plan;

(2) The following changes to the plan may be made by the fair organizers without amending the conditional use after due notification to the City Council and City Planning Commission:

(a) Erection or relocation of temporary structures such as gazebos, tents, concession stands, etc.,

(b) Changes in landscaping, banners or signs,

(c) Changes in location for temporary features such as water fountains, water sculptures or water causes; works of art; performing stages, etc.,

(d) Any other similar activity not in conflict with subsection c(1) of this section.

Section 11.48. Alcoholic Beverage Outlets.

In all CBD Districts in which such is authorized, the following standards apply:

a. The establishment of any new alcoholic beverage outlets is expressly prohibited unless in compliance in Chapter 10 of the City Code, more specifically Section 10-341, Sale of Alcoholic Beverages in Area Prohibited.

b. No permit shall be granted or issued for the retail sale of alcoholic beverages.

c. The provisions of this section shall not apply to premises which are licensed to sell alcoholic beverages on May 1, 1995, provided that there is no change in use of the premises and provided further that the premises are continuously operated as such with no lapse in the operation for a period of six (6) months.

d. The provisions of this section shall not apply to premises which are operated as a hotel, a multi-discipline arts center, a standard restaurant (as defined in this ordinance), a specialty urban market (as defined in this ordinance), a members-only fitness center having a minimum of floor area of 15,000 square feet (which shall only be allowed to sell beverages of low alcoholic content,

only on premises, and only in a designated refreshment area, and further provided that the fitness center shall not be within 150 feet of a residential use), a retail store having a minimum floor area of 25,000 square feet, or at any location which is approved as a conditional use including specific authorization to sell alcoholic beverages by ordinance of the City Council.

(Ord. 18,373 § 3, adopted 8/12/97)

(M.C.S., Ord. No. 024593, § 1, adopted 9/22/11)

Section 11.49. Tire Collection, Reduction and Transfer Facility.

In the LI and HI Districts in which such use is authorized, the following standards apply:

a. The site shall be completely enclosed with a ten (10) foot high, ninety (90) percent opaque, wood fence. The fence shall be located ten (10) feet inside any property line abutting a public right-of-way or residentially zoned properties.

b. The site shall be properly landscaped and maintained from the property line to the ten (10) feet buffer zone on the outside of the fence.

c. The hours of operation shall be limited to between 8:00 a.m. and 8:00 p.m., Monday through Saturday.

d. The decibel level as measured at the property line shall not exceed those set in the Noise Ordinance, as specified in the City Code, Ordinance 828, M.C.S., as amended.

e. If the site is located within 100 feet of a residential zoning district, the operation must be located within a fully enclosed structure. No more than twenty (20) percent of this requirement may be waived.

f. The maximum storage allowed of unshredded tires shall not exceed the twenty-four (24) hour processing capacity of the facility (shredder).

g. A mosquito control plan, approved by the New Orleans Mosquito Control Board, must be described and implemented to reduce the potential for mosquito breeding within the site.

h. No portion of the collection, reduction or storage operations shall be visible from the adjacent properties.

i. A disposal plan for all byproducts of the process (i.e. steel belts, wheels) shall be submitted and followed.

j. All loading and unloading of materials shall be done within the site.

k. Approval of the Department of Streets of location and size of curb cuts or driveways is required to assure proper ingress and egress.

l. Prior to the issuance of building permits, the applicant must secure the approval of the Louisiana Department of Environmental Quality.

m. If other stipulations such as performance bonds and peripheral cleanup are required, the operator shall comply with those requirements.

Section 11.50. Guest Houses.

In all districts in which a guest house is authorized, the following standards apply:

a. Only one (1) guest house or one (1) transient use shall be permitted per block, including the facing block frontages.

b. A guest house shall comply with Article 4, Section 30-32 "Minimum Standards for Human Habitation in Rooming and Boarding Houses" of the City Code of New Orleans.

c. No bathroom facilities shall be accessible from the exterior of the building(s).

d. Dormitory-style rooms shall require a minimum of one (1) bathroom per dormitory-style room.

e. Dormitory-style rooms shall be limited to a maximum of six (6) individuals per sleeping room.

f. A lobby/recreation area shall be provided.

g. All guests and their visitors shall be required to sign a guest and visitor's register located in the management office prior to being granted access to the premises.

h. All housekeeping duties shall be the responsibility of the operator of the establishment. This includes the physical maintenance of the building and guest rooms, cleaning of the guest sleeping rooms, bathrooms and common rooms, and the laundering of all bedding and towels.

i. No more than ten (10) percent of the total number of guest rooms may be used as dormitory-style rooms.

No waivers shall be permitted on any definitional requirements other than the maximum number of guest sleeping rooms per establishment; and then the waiver of the maximum number of rooms shall be limited to a maximum of ten (10) percent of the total number of guest sleeping rooms allowed. Additionally, no waiver shall be permitted on any of the required elements of the "Minimum Standards for Human Habitation in Rooming and Boarding Houses" as specified in the City Code. Off-Street parking requirements may be waived. (Ord. 17,254 §§ 2, 3 (part), adopted 11/2/95)

Section 11.51. Restaurants.

51.1 In the B-1, B-2 and B-1A Neighborhood Business Districts, and in the HMC-1 and HMC-2 Historic Marigny/Tremé Commercial Districts, the following shall apply: subject to applicable zoning restrictions, restaurants in the B-1, B-2 and B-1A Neighborhood Business Districts, and in the HMC-1 and HMC-2 Historic Marigny/Tremé Commercial Districts that do not otherwise prohibit bars/cocktail lounges may contain a holding bar as defined herein, but no other type of bar.

(Ord. 19,722 § 4, adopted 7/6/00; Ord. 17,664 § 2 (part), adopted 7/3/96)

51.2 *Holding Bar.* A holding bar is an accessory use to the restaurant and is an area of a restaurant at which alcoholic beverages may be prepared and served across the bar provided that the bar area does not exceed fifteen (15) percent of the floor area of the seating area of the restaurant, up to a maximum of 300 square feet for the holding bar area, and provided that no live entertainment be allowed. The holding bar shall be open to the public only while food is being served in the restaurant's dining room.

(Ord. 17,664 § 2 (part), adopted 7/3/96)

51.3 The Board of Zoning Adjustments may grant an increase in the square footage of the holding bar area that shall not exceed twenty-five (25) percent of the seating area of the restaurant.

(Ord. 17,664 § 2 (part), adopted 7/3/96)

Section 11.52. Green Markets.

In all districts in which such use is authorized, the following standards apply:

a. Such use shall be located on property abutting a major street as designated on the official major street plan and such use shall be located adjacent to or within 150 feet of a residential zoning district.

b. No new green markets, whether seasonal or permanent, shall be located within 1,000 foot radius of an existing seasonal or permanent farmers' market.

c. Off-street parking shall be provided at a ration of one (1) space for every 400 square feet of gross retail area (all inclusive). Parking areas shall meet the design standards of parking lots as designated in Section 15.2 of the Comprehensive Zoning Ordinance of 1995, including screening, landscaping, except fencing.

d. Hours of operation are limited to 7:00 a.m. to 7:30 p.m. and shall not conflict with the regular hours of operation of the primary use(s).

e. Size restrictions shall be consistent with the retail sales size restrictions in the underlying zoning district.

f. All signage shall be consistent with the sign regulations of the underyling zoning district and/or Urban Corridor, and/or City Council whichever is more restrictive.

g. An established litter abatement program shall be required prior to approval and permitting.

h. Green market facilities cannot protrude onto the public right-of-way or be placed in such a way that customers occupy the sidewalk or the public right-of-way.

i. Permanent open air green markets shall be required to install and maintain fencing or landscaping along three (3) sides of the market and provide a plan indicating the fencing or landscaping as part of the conditional use process. The plan shall include perimeter landscaping with shrubs and trees with a minimum depth of five (5) feet. Shrubs shall have minimum height of thirty (30) inches and trees shall be two and one-half (2½) inches caliper with a height of one (1) to twelve (12) feet.

j. In the instance where a seasonal green market utilizes an existing accessory parking lot, the green market shall not displace the required parking for the primary use during its regular hours of operation.

k. Any green market which erects any type of overhead permanent structure and located in local or national historic districts is subject to the approval of the Historic District Landmarks Commission.

l. The sale of food for consumption on or off the premises will require licensing by the City and approval by the Department of Health.

m. Supplemental use standards (a) through (j) shall be subject to modification by the conditional use process.

(Ord. 18,177 § 6, adopted 4/3/97)

Section 11.53. Auto Dismantling, Storage, and/or Used Part Sales; Scrap Metal Collection and Transfer; Auto Crushing; and Junkyards.

The following standards apply for auto dismantling, storage, and/or used part sales, scrap metal collection and transfer; auto crushing; and junkyards:

a. Along the side and rear yards, there shall be a fifty (50) foot natural buffer from the property line to the required ten (10) foot fence around the side and rear of the scrap metal, auto salvage yard or junkyard property. No structures, storage, or internal roadway may be placed within the buffer area.

b. There shall be a thirty (30) foot setback from the street right-of-way to the front fence.

c. Off-street parking requirements are as follows: a minimum of five (5) spaces or one (1) space per employee on the shift with the maximum number of personnel, whichever is greater.

d. The fence surrounding the site shall be ten (10) feet in height, be of an opaque construction, and have a uniform height above grade along its entire length. The fence shall be of uniform design and construction materials, color, and decorative pattern. Salvage materials or junk shall not be used in the construction of fences. The fence shall be built and maintained at a ninety (90) degree angle from the ground and shall completely enclose the property.

e. All driveways from the street to twenty (20) feet inside the fenced enclosure shall be covered by a hard surface including but not limited to concrete, asphalt, gravel, or shells.

f. Grass shall not exceed eighteen (18) inches in height.

g. Any trash, debris, or litter on the perimeter of property and extending eighteen (18) inches into the street shall be removed.

h. *Landscaping Requirements.*

(1) The required thirty (30) foot setback shall be preserved as permeable landscape areas, allowing only for curb cuts or driveways.

(2) A large evergreen continuous hedge to a minimum height of five (5) feet shall be planted along the front property line.

(3) Medium to large trees in accordance with Louisiana Cooperative Extension tree rating system shall be planted every twenty-five (25) feet along the front right-of-way and any interior lot lines adjacent to residential property.

All existing uses shall meet the following requirements within ninety (90) days of passage of this ordinance:

i. The hours of operation shall be 8:00 a.m. to 8:00 p.m., six (6) days a week (not including Sunday).

j. No automobile bodies shall be compacted or reduced on the site.

k. The decibel level of the operation shall not exceed that which is permitted under the Noise Ordinance, Chapter 66, which is part of the City Code, as amended.

l. Any other applicable conditions as may be necessary to protect the public welfare.

m. Where said uses abut residential uses or residential districts more stringent regulations may be required.

n. Automobiles, other vehicles, other debris or materials shall not be stacked higher than the height of the fence.

o. All automobile salvage yards, scrap yards and junkyards shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious odors, nor to cause the breeding or harboring of rodents or insects.

p. No offensive materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal, natural causes or forces (i.e., rain, wind). No substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source water supply or recreation shall be deposited upon a lot in such form or manner that it may be transferred off the lot by normal, natural causes or forces.

q. All materials or wastes which may cause fumes or dust, constitute a fire hazard, or be edible or otherwise attractive to rodents and insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

r. Fences which are a threat to public health and safety shall be repaired or replaced in accordance with the requirements of subsection d above. This requirement shall apply to fences which are composed of crushed auto bodies or other material which may harbor or breed vectors or may be in danger of collapse.

s. Compliance with all relevant Louisiana Department of Environmental Quality requirements.

(Ord. 18,361 § 3, adopted 8/12/97)

Section 11.54. Truck Stops and Truck Terminals.

a. All truck stops and truck facilities shall submit a site plan for review and approval by the City Planning Commission staff. If these facilities are located in the New Orleans Business Industrial District, bounded by the Mississippi River Gulf Outlet/Intracoastal Waterway, the CSX railroad tracks, the Industrial Canal, and the Maxant Lagoon, the site shall be reviewed and approved by the City Planning Commission staff in consultation with the Executive Director of the New Orleans Business and Industrial District.

b. A minimum twenty (20) foot deep front yard setback must be provided. If the site is closer than 300 feet from a residential district, a fifty (50) foot setback must be provided. No parking shall occur in this setback area. The setback must be landscaped with evergreen trees, shrubs, and groundcover. Large to medium trees in accordance with Louisiana Cooperative Extension Service's tree rating system shall be planted at a rate of one (1) for every twenty-five (25) feet of lineal frontage.

c. An opaque high fence with a minimum height of seven (7) feet shall enclose any outside storage areas which are adjacent to a public right-of-way or an adjacent residential or commercial use.

d. All vehicular use areas adjacent to public right-of-ways shall be screened from off-site views with a continuous opaque screen to a height no less than thirty (30) inches. This height shall be continuous with no gaps, consisting of a berm, masonry wall, landscape plants in the form of a hedge or a combination thereof. The minimum width of the planting strip shall be three (3) feet.

e. Parking lots with over 100 parking spaces shall provide landscaped interior parking islands at a rate of one (1) for every twenty (20) parking spaces. The parking islands shall be five (5) feet in width.

f. Loading operations shall be screened and conducted in such a manner that in the process of loading or unloading, no vehicle shall block the passage of other vehicles on any roadway.

(Ord. 18,362 § 8, adopted 8/12/97)

Section 11.55. Personal Wireless Communication Facilities.

55.1 In all district in which such use is authorized, as shown in the table below, the following standards apply:

Zoning District Regulation Showing the Classification of Uses as Determined by Type of Wireless Installation

Zoning District	Mast-mounted	Facade-mounted	Standard* Monopole	Cellular/PCS Tower
All RS, RD, RM	P	P	C	—
MS, RO, RO-1, B-1, B-1A, B-2, C-1A	P	P	C	—
C1 & C2	P	P	P & C	C if 2 or more co-located and not abutting resid. dist.
CBD-1 through CBD-9	P	P	C	—
SC	P	P	P & C	C if 2 or more co-located and not abutting resid. dist.
LI, HI, SI & BIP	P	P	P & C	P & C
NU	P	P	P with wetlands permit, if required, and 2 or more co-located; C with wetlands permit, if required, and no co-location	P with wetlands permit, if required, and 2 or more co-located
All VCR, VCC, VCE, VCP & VCS	P	P	—	—
RP - Research Park	P	P	C	—
All HMR & HMC	P	P	—	—
HMLI	C	C	C	—
P-Park	C	C	C	—

P = Permitted Use C = Conditional Use — = Prohibited

P & C = A permitted use if the installation does not abut a residential district; otherwise, the installation will be authorized as a conditional use.

*All nonstandard monopoles shall require conditional use approval.

1. In conditional use reviews, a carrier shall provide a notarized affidavit executed by an officer or authorized agent of the carrier to the effect that co-location on existing structures, or with other carriers, is not feasible on a particular site before receiving approval.

2. If the City denies an application for a personal wireless communication facility, it shall notify the applicant of such decision in writing. The denial must be supported by substantial evidence contained in the written record.

3. Cellular/PCS installations authorized as conditional uses shall be approved in accordance with the standards and procedures contained in Section 16.6 of the Comprehensive Zoning Ordinance. The conditional use procedure shall also apply to any new structure built for the purposes of containing or camouflaging new or existing cellular or PCS installations. A nonstandard monopole or other structure shall be designed to be aesthetically compatible with the character of the neighborhood in which it is located. However, this review procedure shall not be applicable in cases where a conditional use review would already be required.

4. Cellular or PCS installations authorized as a permitted use that cannot meet the applicable performance standards will be authorized as a conditional use. These applications shall be approved in accordance with the standards and procedures contained in Section 16.6 of the Comprehensive Zoning Ordinance. The performance standards contained in these regulations shall not be appealable to the Board of Zoning Adjustments. Such performance standards, however, may be waived, modified or otherwise adjusted by the City Council in connection with the approval of any personal wireless communication facility as an approved conditional use.

5. These regulations herein shall not supersede the jurisdiction of the Central Business District Historic Landmarks Commission, the Historic District Landmarks Commission, or the Vieux Carré Commission.

6. The City Planning Commission staff, in conjunction with representatives of the personal wireless communication industry, shall develop and submit to the City Council for consideration, additional guidelines and standards that address alternative methods of screening the antenna array that is attached to standard monopoles. The intent of such a cooperative effort is to further minimize the visual impact of a standard monopole on a neighborhood, while ensuring that the performance of the cellular/PCS installation is not compromised.

7. All cellular/PCS installations, including mast-mounted, facade-mounted monopole, and cellular/PCS tower installations, and related communication equipment shelters, shall be removed within twelve (12) months of permanent cessation of operation. At the time of removal, all cell sites shall be remediated such that all cellular/PCS installation improvements are removed, less and except any trees. Trees may only be removed if necessary to complete the required remediation, subject to consultation with the Department of Parks and Parkways to determine the feasibility of donating the trees for replanting on public property. Removal of improvements will include foundation slabs and drives, but not below grade structural foundations. Furthermore, the City Planning Commission staff shall develop and submit to

the City Council for consideration language outlining monetary remedies to insure the removal of monopole installations after twelve (12) months of permanent cessation of operations. This requirement shall not apply to cell sites that have temporarily ceased operations. However, the cellular or PCS operator shall deliver to the Department of Safety and Permits a notarized affidavit of an officer or authorized agent of the operator stating that the operator intends to temporarily cease operations but has a good faith intention to place the installation on line at a later specified date.

8. Setbacks for standard and nonstandard monopole and cellular/PCS tower installations:

   a. Residential Districts. In residential districts the front and rear yard setbacks currently specified in the underlying zoning districts shall apply. Where setbacks range in distance, the more restrictive shall apply. With respect to side yards, a twelve (12) foot setback is required for monopole installations, with the additional requirement that trees be planted between the pole and property line.

   b. MS, RO, RO-1, B-1, B-1A, B-2, C-1A, CBD-1 through CBD-9, RD, HMLI AND P DISTRICTS. In these districts the setbacks shall be as set forth in the following table:

Installation Type/Height	**Setbacks**	**Setbacks**
	Adjoining Residential	**Adjoining Nonresidential**
Monopole/65 feet or less	Front—25 feet Side and rear—12 feet	Front—25 feet Side and rear—8 feet
Monopole/65—125 feet	Front—25 feet Side and rear—20 feet	Front—25 feet Side and rear—8 feet
Cellular/PCS tower/65 feet or less	N/A	N/A
Cellular/PCS tower/65—125 feet	N/A	N/A

   c. C-1, C-2 AND SC DISTRICTS. In these districts the setbacks shall be as set forth in the following table:

Installation Type/Height	Setbacks	Setbacks
	Adjoining Residential	Adjoining Nonresidential
Monopole/65 feet or less	Front—25 feet Side and rear—12 feet	Front—25 feet Side and rear—8 feet
Monopole/65—125 feet	Front—25 feet Side and rear—20 feet	Front—25 feet Side and rear—8 feet
Cellular/PCS tower/65 feet or less	N/A	Front—25 feet Side and rear—8 feet
Cellular/PCS tower/65—125 feet	N/A	Front—25 feet Side and rear—8 feet

d. NU, SI, BIP AND HI DISTRICTS. In these districts the setbacks shall be as set forth in the following table:

Installation Type/Height	Setbacks	Setbacks
	Adjoining Residential	Adjoining Nonresidential
Monopole/65 feet or less	Front—25 feet Side and rear—12 feet	Front—25 feet Side and rear—8 feet
Monopole/65—125 feet	Front—25 feet Side and rear—20 feet	Front—25 feet Side and rear—8 feet
Cellular/PCS tower/65 feet or less	Front—25 feet Side and rear—20 feet	Front—25 feet Side and rear—8 feet
Cellular/PCS tower/65—125 feet	Front—50 feet Side and rear—50 feet	Front—25 feet Side and rear—8 feet

e. Setbacks Inapplicable. Setbacks shall not apply to mast and facade-mounted installations.

f. General. Setbacks shall be measured from the outside edge of the monopole or tower, at ground level to those property lines forming the boundaries of the cell site or otherwise surrounding the cell site. Those setbacks set forth in the column styled "Adjoining Residential" shall apply when determining the required setback from property lines which are within or on the boundaries of any RS, RD, RM or HMR zoning district. Those setbacks set forth in the column styled "Adjoining Nonresidential" shall apply when determining the required setback from property lines which are within or on the boundaries of any zoning district other than RS, RD, RM or HMR

districts. If a cell site adjoins both residential and nonresidential property, the setbacks set forth in each of the columns styled "Adjoining Residential" and "Adjoining Nonresidential" shall be applied, as applicable, in accordance with the rules set forth in this subsection (e).

9. Minimum Cell Site Size. A minimum cell site size of 2,700 square feet shall be required for monopole installations located in all RS, RD, RM and HMR districts. Minimum cell site sizes shall not be required in other districts. In all zoning districts other than RS, RD, RM and HMR districts, wireless communication facility installations shall not preclude other uses from existing on the same lot of record provided that the lot of record, exclusive of the cell site, shall be subject to size requirements of other applicable laws.

10. Co-Location. Co-location is the term that describes the following two (2) scenarios where a company shares infrastructure to install its antennas and equipment:

    a. A wireless carrier installs antennas on an existing building or other structure, such as a water tower, that is usually not owned by a wireless provider. Antennas can be placed on the rooftop or facade of a building in a mast-mounted or facade-mounted configuration. Antennas mounted on a mast or support, rise above or are otherwise located upon, the top of the building, while antennas attached to the facade of a building or other structure are limited to the height of the structure; and

    b. Two or more carriers cooperate and share a monopole or cellular/PCS tower to mount their antennas. The cell site must be large enough to accommodate each company's communication equipment shelter, in addition to the monopole or cellular/PCS tower.

11. A cellular or PCS provider will be allowed to locate a monopole installation on publicly owned property, when permitted by the underlying zoning district regulations, in accordance with the following conditions: A cellular or PCS provider shall be allowed to construct as a permitted use one (1) monopole installation which would otherwise be a conditional use for each four (4) co-location sites the company participates in within Orleans Parish. The application for permitted use shall include an administrative site plan review in accordance with Section 16.7 of the Comprehensive Zoning Ordinance. Performance standards shall generally follow those requirements for the P-Park zoning district. The height of the monopole may not exceed sixty-five (65) feet and prefabricated communication equipment shelters that are visible from a public right-of-way shall be prohibited. A new structure that is compatible with the design and scale of the surrounding area shall be required and shall be subject to the site plan review procedures.

12. These guidelines and performance standards shall be interpreted such that they pertain only to cellular installations operating in the 800 to 900 MHZ ultra-high frequency (UHF) range and personal communication service (PCS) installations operating in the 1,800 to 2,200 MHZ ultra-high frequency (UHF) range.

13. The City Planning Commission shall revisit the siting of personal wireless communication facilities two (2) years after the adoption of Ordinance 18,384 (adopted August 21, 1997). The purpose shall be to assess the state of wireless communication (cellular and PCS) technology, and if necessary, to recommend changes to these regulations. However, an interim review may be requested by the City Council or three (3) or more cellular and/or PCS operators if significant technological changes occur in the marketplace that dictate such a request.

14. Each personal wireless communications facility shall comply with the Federal Communications Commission (FCC) regulations concerning radio frequency (RF) emissions.

15. The Department of Safety and Permits shall issue no permit for the construction of a new monopole or cellular/PCS tower installation until the cellular/PCS provider applying for such permit has furnished proof to the Department that it has filed with the City Planning Commission a fifteen (15) year plan setting forth the applicant's best estimate of the total number of monopole and cellular/PCS tower installations that it intends to construct and/or operate on the City of New Orleans during the fifteen (15) year period covered by the plan.

55.2 Residential Districts. The regulations presented below shall apply to the following zoning districts: RS-1, RS-1A, RS-2, RD-1, RD-2, RD-3, RD-4, RM-1, RM-2, RM-2A, RM-3 and RM-4.

1. Mast-mounted and facade-mounted installations authorized as permitted uses shall be subject to an administrative site plan review in accordance with section 16.7 of the Comprehensive Zoning Ordinance with the following exceptions:

   a. The ninety (90) day review period shall be reduced to thirty (30) days; and

   b. The administrative site plan review procedure shall not apply to those sites that are under the jurisdiction of the Historic District Landmarks Commission, the Central Business District Historic District Landmarks Commission or the Vieux Carré Commission.

   Approvals by the Executive Director of the City Planning Commission shall be in compliance with the performance standards below.

2. Monopole installations (standard and nonstandard) authorized as conditional uses shall be evaluated according to the standards defined below. The standards may be altered to provide compatibility with specific site conditions.

Facility Siting Standards

3. Mast and facade-mounted antennas:

   a. Guyed, mast-mounted antennas shall be located on buildings or other structures where the height of the building or structure is a minimum of forty (40) feet, as measured

to the top roof peak or roof deck for a building and to the highest point of the structure if not a building; and the height of the mast shall not exceed twenty-five (25) feet in height as measured from the base to the tip. This does not prohibit erection of masts on existing buildings or other structures taller than forty (40) feet. Guy wires shall not extend beyond ten (10) feet above the base of the mast;

Masts located upon a building shall be located near the core of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a mast closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. However, masts shall not be located at the edge of a building. Rooftop mast installations shall not be or a steel-lattice design;

b. Facade-mounted antennas shall be located on buildings that adhere to the forty (40) foot minimum height requirement of (a) above. Aesthetic compatibility with the existing building shall be achieved through the design, placement, and exterior color treatment of the antennas. Antennas shall have a low profile, not obscure any significant architectural feature, such as column capitals, and be painted to match the color of the exterior material where located; and

c. Where a mast and/or antenna is located upon an existing transmission tower, it is permissible to locate the mast and/or antenna anywhere upon the transmission tower and to locate communication equipment shelters according to the regulations contained herein. In such cases, the cell site requirements of these regulations shall not apply. The fencing and landscaping requirements shall only apply if a new ground level communication shelter is constructed.

4. Monopole installations:

a. The height of the monopole shall not exceed sixty-five (65) feet unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole of a greater height, and that co-location on existing structures, or with other carriers is not feasible;

b. Setbacks shall be measured to the outside edge of the monopole at ground level. Ground level communication equipment shelters shall conform to the setback requirements of the underlying zoning district; and

c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

5. No more than one (1) monopole shall be erected within a 1,200-foot radius. Exceptions to this spacing requirement shall be installations that are completely camouflaged or hidden from view within existing structures, and mast-mounted or facade-mounted antennas.

6. All ground level equipment for wireless installations, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. This shelter shall be designed to accommodate a pitched roof and walls faced with the predominate materials used within the adjacent block face, such as wood siding, stucco or brick finishes. Communication equipment shelters that are located on the ground shall conform to the setback requirements of the underlying zoning district, and shall be landscaped and secured per the design standards herein.

7. For those cellular/PCS installations where a communication equipment shelter is located on a flat roof, the following standards are applicable:

   a. The communication equipment shelter shall be positioned near the center of the building to the maximum extent practical to minimize the surrounding level views. However, a cellular or PCS operator may locate an equipment shelter closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. If the communication equipment shelter is to be located at the edge of a building, then the edge shall not be adjacent to a public right-of-way; and

   b. Communication equipment shelters located on rooftops shall be constructed to be aesthetically compatible with the exterior treatment of the building and its penthouse structures. Compatibility shall be achieved through the use of similar materials, color and paint treatment.

Fencing and Landscaping Standards

8. A continuous opaque wood or masonry fence, a minimum of six (6) feet in height, shall be provided on or within all cell site lines to surround all cellular/PCS installations, including related communication equipment shelters, but only where a communication equipment shelter is located at ground level. Along cell site lines contiguous to a public right-of-way, fences shall be of black metal picket construction (to allow for installation of landscaping behind), and shall be set back from the public rights-of-way a distance which is approximately the average setback of all existing buildings within the adjacent block face. Where a cell site side or rear site line is also a property line, the height of the fence shall conform to the regulations of the underlying zoning district.

9. Chain-link fencing, with or without barbed-wire, may be placed inside any required opaque wood or masonry fence to enclose and surround a cell site only when this type of fencing cannot be seen at ground level from a street, public right-of-way or a residential use. (This means the cellular or PCS carrier shall have the prerogative to install double fencing).

10. Vegetation required by these guidelines shall be selected from the Tree and Shrub Rating Guide, produced by the Louisiana Cooperative Extension Service, and shall have at least a rating of 3 in the Guide.

11. Existing on-site trees shall be preserved to the maximum extent practicable.

12. A row of evergreen shrubs of a size that is capable of forming a continuous hedge at least five (5) feet in height within one (1) year shall be provided along the exterior face of an opaque fence, or behind a metal picket fence that is adjacent to any street or public right-of-way.

13. Large evergreen trees, not less than two (2) to two and one-half (2 1/2) inches in diameter breast height (DBH), four and one-half (4 1/2) feet above grade level, spaced, on average, not more than twenty-five (25) feet apart shall be provided along all ground level cell site lines facing residential property or a public right-of-way. Trees shall always be planted between a monopole and any adjoining residential district or property. Along cell site lines contiguous to a public right-of-way, trees shall be planted outside the required fence when the front, side or rear yard is deeper than five (5) feet. In such instances, trees shall be planted inside the fence line for yards less than five (5) feet deep. Existing on-site trees, evergreen or deciduous, preserved per subsection 11, may be used for the purpose of calculating the number of trees needed to satisfy this requirement.

14. All plant materials required by these guidelines shall be maintained for the life of the use. Maintenance shall include regular watering, grass-cutting, and pruning.

15. Vehicular access to a cell site shall be limited to a major street if the cell site adjoins both a major and minor street.

16. Paving shall be permitted only for vehicular access to the cell site and the installation footprint including the communication equipment shelter. On all other portions of the site, permeable surfaces such as crushed stone or grass shall be installed. This requirement shall not apply to a cell site located in an existing parking lot or other entirely paved area.

55.3 Certain Special Commercial, Neighborhood Business, General Commercial, Central Business, Shopping Center and Non-Urban Districts.

A. The regulations presented below shall apply to the following zoning districts: MS; RO and RO-1, B-1, B-1A and B-2; C-1A; CBD-1 through CBD-9.

1. Mast-mounted and facade-mounted installations authorized as permitted uses in the MS, RO, RO-1, B-1, B-1A, B-2 and C-1A Districts shall be subject to an administrative site plan review in accordance with Section 16.7 of the Comprehensive Zoning Ordinance with the following exceptions:

a. The ninety (90) day review period shall be reduced to thirty (30) days; and

b. The administrative site plan review procedure shall not apply to those sites that are under the jurisdiction of the Central Business District Historic District Landmarks Commission or the Vieux Carré Commission.

Approvals by the Executive Director of the City Planning Commission shall be in compliance with the performance standards below.

2. Monopole installations (standard and nonstandard) authorized as conditional uses shall be evaluated according to the standards defined below. The standards may be altered to provide compatibility with specific site conditions.

3. Mast and facade-mounted antennas:

   a. Guyed, mast-mounted antennas shall be located on buildings or other structure where the height of the building or structure is a minimum of forty (40) feet, as measured to the top roof peak or roof deck for a building and to the highest point of the structure if not a building; and the height of the mast shall not exceed twenty-five (25) feet in height as measured from the base to the tip. This does not prohibit erection of masts on existing buildings or other structures taller than forty (40) feet. Guy wires shall not extend beyond ten (10) feet above the base of the mast. Masts located upon a building shall be located near the core of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a mast closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. However, masts shall not be located at the edge of a building. Rooftop mast installations shall not be of a steel-lattice design in the B-1, B-1A, B-2, C-1A, RO and RO-1 zoning districts;

   b. Facade-mounted antennas shall be located on buildings that adhere to the forty (40) foot minimum height requirement of (a) above. Aesthetic compatibility with the existing building shall be achieved through the design, placement, and exterior color treatment of the antennas. Antennas shall have a low profile, not obscure any significant architectural feature, such as column capitals, and be painted to match the color of the exterior material where located; and

   c. Where masts and antennas are located upon an existing transmission tower, it is permissible to locate the mast and/or antenna anywhere upon the transmission tower and to locate communication equipment shelters according to the regulations contained herein. The fencing and landscaping requirements shall only apply if a new ground level communication shelter is constructed.

4. Cellular/PCS monopole installations:

   a. The height of the monopole shall not exceed sixty-five (65) feet unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier

that substantiates the need to build a monopole of a greater height, and that co-location on existing structures, or with other carriers is not feasible;

b. Ground level communication equipment shelters shall conform to the setback requirements of the underlying zoning district; and

c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

5. In MS, RO, RO-1, B-1, B-1A, B-2 and C-1A zoning districts, no more than one (1) monopole shall be erected within a 1,200 foot radius. In all CBD districts no more than one (1) monopole shall be installed within a 900 foot radius. Exceptions to this spacing requirement shall be installations that are completely camouflaged or hidden from view within existing structures, and mast-mounted or facade-mounted antennas.

6. All ground level equipment for wireless installations, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. This shelter shall be designed to accommodate a pitched roof and walls faced with the predominate materials used within the adjacent block face, such as wood siding, stucco or brick finishes. Communication equipment shelters that are located on the ground shall conform to the setback requirements of the underlying zoning district, and shall be landscaped and secured per the design standards herein.

7. For those installations where a communication equipment shelter is located on a flat roof, the following standards are applicable:

a. The shelter shall be positioned near the center of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a communication equipment shelter closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. If the communication equipment shelter is to be located at the edge of a building, then the edge shall not be adjacent to a public right-of-way; and

b. Communication equipment shelters located on rooftops shall be constructed to be aesthetically compatible with the exterior treatment of the building and its penthouse structures. Compatibility shall be achieved through the use of similar materials, color and paint treatment.

8. See fencing and landscaping standards for Residential Districts (Section 55.2 of this article).

B. The regulations presented below shall apply to the C-1 and C-2 zoning districts:

Type of Wireless Facility

1. Mast and facade-mounted antennas:

   a. Guyed, mast-mounted antennas shall be located on buildings or other structures where the height of the building or structure is a minimum of forty (40) feet, as measured to the top roof peak or roof deck for a building and to the highest point of the structure if not a building; and the height of the mast shall not exceed twenty-five (25) feet in height as measured from the base to the tip. This does not prohibit erection of masts on existing buildings or other structures taller than forty (40) feet. Guy wires shall not extend beyond ten (10) feet above the base of the mast. Masts located upon a building shall be located near the core of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a mast closer to a building's facade if evidence (certified by a licensed engineer) is presented that indicates that structural considerations dictate an alternative location. However, masts shall not be located at the edge of a building.

   b. Facade-mounted antennas shall be located on buildings that adhere to the forty (40) foot minimum height requirement of (a) above. Aesthetic compatibility with the existing building shall be achieved through the design, placement, and exterior color treatment of the antennas. Antennas shall have a low profile, not obscure any significant architectural feature, such as column capitals, and be painted to match the color of the exterior material where located.

   c. Where masts and/or antennas are located on existing transmission towers, it is permissible to locate the mast and/or antenna anywhere upon the transmission tower and to locate communication equipment shelters according to the regulations contained herein. The fencing and landscaping requirements shall only apply if a new ground level communication shelter is constructed.

2. Monopole and tower installations:

   a. The height of the monopole shall not exceed sixty-five (65) feet and the height of a cellular/PCS tower shall not exceed 125 feet, unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole or cellular/PCS tower of greater heights, and that co-location on existing structures, or with other carriers is not feasible;

   b. Setbacks shall be measured from the outside edge of the monopole or cellular/PCS tower, at ground level, to the relevant property line; and

   c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

3. In C-1 and C-2 zoning districts, no more than one (1) cellular/PCS monopole shall be installed within a 900-foot radius. Exceptions to this spacing requirement shall be installations that are completely camouflaged or hidden from view within existing structures, and mast-mounted or facade-mounted installations.

4. All ground level equipment for personal wireless communication facilities, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. This shelter shall be designed to accommodate a pitched roof and walls faced with the predominate material used within the adjacent block face, such as wood siding, stucco or brick finishes. Communication equipment shelters that are located on the ground shall conform to the setback requirements of the underlying zoning district, and shall be landscaped and secured per the design standards herein.

5. For those installations where a communication equipment shelter is located on a flat roof, the following standards are applicable:

   a. The communication equipment shelter shall be positioned near the center of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a communication equipment shelter closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. If the communication equipment shelter is to be located at the edge of a building, then the edge shall not be adjacent to a public right-of-way; and

   b. Communication equipment shelters located on rooftops shall be constructed to be aesthetically compatible with the exterior treatment of the building and its penthouse structures. Compatibility shall be achieved through the use of similar materials, color and paint treatment.

Fencing and Landscaping Standards

7. See fencing and landscaping standards for Residential Districts (Section 55.2 of this article).

C. The regulations presented below shall apply to the SC zoning district:

1. Mast and facade-mounted antennas:

   a. Guyed, mast-mounted antennas shall be located on buildings or other structures where the height of the building or structure is a minimum of forty (40) feet, as measured to the top roof peak or roof deck for a building and to the highest point of the structure if not a building; and the height of the mast shall not exceed twenty-five (25) feet in height as measured from the base to the tip. This does not prohibit erection of masts on existing buildings or other structures taller than forty (40) feet. Guy wires shall not

extend beyond ten (10) feet above the base of the mast. Masts located upon a building shall be located near the core of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a mast closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. However, masts shall not be located at the edge of a building.

b. Facade-mounted antennas shall be located on building that adhere to the forty (40) foot minimum height requirement of (a) above. Aesthetic compatibility with the existing building shall be achieved through the design, placement, and exterior color treatment of the antennas. Antennas shall have a low profile, not obscure any significant architectural feature, such as column capitals, and be painted to match the color of the exterior material where located.

c. Where masts and/or antennas are located on existing transmission towers, it is permissible to locate the mast and/or antenna anywhere upon the transmission tower and to locate communication equipment shelters according to the regulations contained herein. The fencing and landscaping requirements shall only apply if a new ground level communication shelter is constructed.

2. Monopole and cellular/PCS tower installations:

a. The height of the monopole shall not exceed sixty-five (65) feet and the height of a cellular/PCS tower shall not exceed 125 feet, unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole or cellular/PCS tower of greater heights, and that co-location on existing structures, or with other carriers is not feasible;

b. Setbacks shall be measured from the outside edge of the monopole or cellular/PCS tower, at ground level, to the relevant property line; and

c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

3. In an SC zoning district, no more than one (1) cellular/PCS monopole shall be installed within a 900-foot radius. Exceptions to this spacing requirement shall be installations that are completely camouflaged or hidden from view within existing structures, and mast-mounted or facade-mounted installations.

4. All ground level equipment for personal wireless communication facilities, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. This shelter shall be designed to accommodate a pitched roof and walls faced with the predominate material used within the adjacent block face, such as wood

siding, stucco or brick finishes. Communication equipment shelters that are located on the ground shall conform to the setback requirements of the underlying zoning district, and shall be landscaped and secured per the design standards herein.

5. For those installations where a communication equipment shelter is located on a flat roof, the following standards are applicable:

   a. The communication equipment shelter shall be positioned near the center of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate an equipment shelter closer to a structure's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. If the communication equipment shelter is to be located at the edge of a structure, then the edge shall not be adjacent to a public right-of-way; and

   b. Communication equipment shelters located on rooftops shall be constructed to be aesthetically compatible with the exterior treatment of the building and its penthouse structures. Compatibility shall be achieved through the use of similar materials, color and paint treatment.

Fencing and Landscaping Standards

6. See fencing and landscaping standards for Residential Districts (Section 55.2 of this article).

D. The regulations presented below shall apply to the NU zoning district:

1. Mast and facade-mounted antennas:

   a. Guyed, mast-mounted antennas shall be located on buildings or other structures where the height of the building or structure is a minimum of forty (40) feet, as measured to the top roof peak or roof deck for a building and to the highest point of the structure if not a building; and the height of the mast shall not exceed twenty-five (25) feet in height as measured from the base to the tip. This does not prohibit erection of masts on existing buildings or other structures taller than forty (40) feet. Guy wires shall not extend beyond ten (10) feet above the base of the mast. Masts located upon a building shall be located near the core of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a mast closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. However, masts shall not be located at the edge of a building.

   b. Facade-mounted antennas shall be located on buildings that adhere to the forty (40) foot minimum height requirement of (a) above. Aesthetic compatibility with the existing building shall be achieved through the design, placement, and exterior color treatment of the antennas. Antennas shall have a low profile, not obscure any signifi-

cant architectural feature, such as column capitals, and be painted to match the color of the exterior material where located.

c. Where masts and/or antennas are located on existing transmission towers, it is permissible to locate the mast and/or antenna anywhere upon the transmission tower and to locate communication equipment shelters according to the regulations contained herein. The fencing and landscaping requirements shall only apply if a new ground level communication shelter is constructed.

2. Monopole and cellular/PCS tower installations:

a. The height of the monopole or cellular/PCS tower shall not exceed 125 feet, unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole or cellular/PCS tower of greater heights, and that co-location on existing structures, or with other carriers is not feasible;

b. Setbacks shall be measured from the outside edge of the monopole or cellular/PCS tower, at ground level, to the relevant property line; and

c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

3. All ground level equipment for personal wireless communication facilities, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. This shelter shall be designed to accommodate a pitched roof and walls faced with the predominate materials used within the adjacent block face, such as wood siding, stucco or brick finishes. Communication equipment shelters that are located on the ground shall conform to the setback requirements of the underlying zoning district, and shall be landscaped and secured per the design standards herein.

4. For those installations where a communication equipment shelter is located on a flat roof, the following standards are applicable:

a. The communications equipment shelter shall be positioned near the center of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a communication equipment shelter closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. If the communication equipment shelter is to be located at the edge of a building, then the edge shall not be adjacent to a public right-of-way; and

b. Communication equipment shelters located on rooftops shall be constructed to be aesthetically compatible with the exterior treatment of the building and its penthouse structures. Compatibility shall be achieved through the use of similar materials, color and paint treatment.

Fencing and Landscaping Standards

5. See fencing and landscaping standards for Residential Districts (Section 55.2 of this article).

55.4. Industrial Zoning Districts. The regulations presented below shall apply to the following zoning districts: SI, BIP, LI and HI.

Facility Siting Standards

1. Mast and facade-mounted antennas. See Standards for Commercial Districts (Section 55.3(A) of this article).

2. Monopole and Cellular/PCS tower installations:

   a. The height of the monopole or cellular/PCS tower shall not exceed 125 feet unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole or cellular/PCS tower of a greater height, and that co-location on existing structures, or with other carriers is not feasible;

   b. Setbacks shall be measured from the outside edge of the monopole or cellular/PCS tower, at ground level, to the relevant property line; and

   c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

3. No more than one cellular/PCS monopole shall be erected within a 900-foot radius. Exceptions to this spacing requirement shall be installations that are completely camouflaged or hidden from view within existing structures, and mast-mounted or facade-mounted antennas.

4. All ground level equipment for personal wireless communication facilities, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. This shelter shall be designed to accommodate a pitched roof and walls faced with the predominate material used within the adjacent block face, such as wood siding, stucco or brick finishes. Communication equipment shelters that are located on the ground shall conform to the setback requirements of the underlying zoning district, and shall be landscaped and secured per the design standards herein.

5. For those installations where a communication equipment shelter is located on a flat roof, the following standards are applicable:

   a. The communication equipment shelter shall be positioned near the center of the building to the maximum extent practical to minimize the surrounding ground level views. However, a cellular or PCS operator may locate a communication equipment shelter closer to a building's facade if evidence (certified by a licensed structural engineer) is presented that indicates that structural considerations dictate an alternative location. If the communication equipment shelter is to be located at the edge of a building, then the edge shall not be adjacent to a public right-of-way; and

   b. Communication equipment shelters located on rooftops shall be constructed to be aesthetically compatible with the exterior treatment of the building and its penthouse structures. Compatibility shall be achieved through the use of similar materials, color and paint treatment.

Fencing and Landscaping Standards

6. A continuous fence, a minimum of six (6) feet in height, shall be provided along or within all cell site lines to surround all cellular/PCS installations, including communication equipment shelters, but only if a communication equipment shelter is located at ground level. Where a cell site is contiguous to a public right-of-way, fences along such right-of-way shall be of black metal picket, (to allow for installation of landscaping behind), opaque wood or masonry design, and it shall be set back from the property line a distance which is the approximate average setback of all existing buildings within the adjacent block face. Vinyl-coated black or dark green chain-link fencing shall be permitted along cell site lines which are not contiguous to a residential use or public right-of-way if such fencing is not visible at ground level from the street, public right-of-way, or a residential use. Where a cell site side or rear site line is also a property line, the height of the fence shall conform with the regulations of the underlying zoning district.

7. Vegetation required by these guidelines shall be selected from the Tree and Shrub Rating Guide, produced by the Louisiana Cooperative Extension Service, and shall have at least a rating of 3 in the Guide.

8. Existing on-site trees shall be preserved to the maximum extent practicable.

9. A row of evergreen shrubs of a size that is capable of forming a continuous hedge at least five (5) feet in height within one (1) year shall be provided along the exterior face on all opaque fences, or behind a metal picket fence that is contiguous to any street or public right-of-way.

10. Large evergreen trees, not less than two (2) to two and one-half (2 1/2) inches in diameter breast height (DBH), four and one-half (4 1/2) feet above grade level, spaced, on average, not more than twenty-five (25) feet apart shall be provided along all ground level cell site

lines facing a public right-of-way or residential property. Along cell site lines contiguous to a public right-of-way, trees shall be planted outside the required fence when the front, side or rear yard is deeper than five (5) feet. Trees shall be planted inside the fence line for yards less than five (5) feet deep. On-site trees, evergreen or deciduous, preserved per subsection 8, may be used for the purpose of calculating the number of trees needed to satisfy this requirement.

11. All plant materials required by these guidelines shall be maintained for the life of the use. Maintenance shall include regular watering, weeding, grass-cutting, and pruning.

12. Vehicular access to a cell site shall be limited to a major street if the cell site adjoins both a major and minor street.

13. Paving shall be permitted only for vehicular access to the cell site and the installation footprint including the communication equipment shelter. On all other portions of the site, permeable surfaces such as crushed stone or grass shall be installed. This requirement shall not apply to a cell site located in an existing parking lot or other entirely paved area.

55.5 Special Historic Districts—Vieux Carré. The regulations presented below shall apply to the following zoning districts: VCR-1 and VCR-2; VCC-1 and VCC-2; VCE and VCE-1; VCS and VCP.

1. Mast-mounted and facade-mounted installations authorized as permitted uses shall be subject to an administrative site plan review in accordance with Section 16.7 of the Comprehensive Zoning Ordinance with the following exceptions:

   a. The ninety (90) day review period shall be reduced to thirty (30) days; and

   b. The administrative site plan review procedure shall not apply to those sites that are under the jurisdiction of the Central Business District Historic District Landmarks Commission, the Historic District Landmarks Commission or the Vieux Carré Commission.

   Approvals by the Executive Director of the City Planning Commission shall be in compliance with the performance standards below.

Fencing and Landscaping

2. In those instances where fencing and landscaping of a cellular/PCS installation is required, the standards for Residential Districts (Section 55.2 of this article) will apply as appropriate.

55.6. Special Historic Districts—Historic Marigny/Tremé. The regulations presented below are proposed for the following zoning districts: HMR-1, HMR-2 and HMR-3; HMC-1 and HMC-2; HMLI.

A. In all HMR and HMC Districts:

1. Mast and facade-mounted antennas authorized as permitted uses in HMR Districts shall be subject to an administrative site plan review in accordance with Section 16.7 of the Comprehensive Zoning Ordinance with the following exceptions:

   a. The ninety (90) day review period shall be reduced to thirty (30) days; and

   b. The administrative site plan review procedure shall not apply to those sites that are under the jurisdiction of the Central Business District Historic District Landmarks Commission, the Historic District Landmarks Commission or the Vieux Carré Commission.

Approvals by the Executive Director of the City Planning Commission shall be in compliance with the performance standards below.

B. In the HMLI District:

1. Mast and facade-mounted antennas authorized as conditional uses shall be evaluated according to the standards defined below. The standards may be altered to provide compatibility with specific site conditions.

2. Cellular/PCS monopole installations (standard and nonstandard) authorized as conditional uses shall be evaluated according to the standards defined below. The standards may be altered to provide compatibility with specific site conditions.

Facility Siting Standards

3. Mast and Facade-Mounted Antennas. See Residential Districts (Section 55.2 of this article).

4. Monopole Installations. See Residential Districts (Section 55.2 of this article).

Fencing and Landscaping

5. In those instances where fencing and landscaping of a cellular/PCS installation is required the standards in Residential Districts (Section 55.2 of this article) will apply.

55.7. Special Districts.

A. The regulations presented below are proposed for the P-Park zoning district:

1. Mast and facade-mounted antennas authorized as conditional uses shall be evaluated according to the standards defined below. The standards may be altered to provide compatibility with specific site conditions.

2. Monopole installations (standard and nonstandard) authorized as conditional uses shall be evaluated according to the standards defined below. The standards may be altered to provide compatibility with specific site conditions.

Facility Siting Standards

3. Mast and facade-mounted antennas. See Residential Districts (Section 55.2 of this article).

4. Monopole installations:

   a. The height of the monopole shall not exceed sixty-five (65) feet unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole of a greater height, and that co-location on existing structures, or with other carriers is not feasible;

   b. The location of monopoles shall be near other types of infrastructure that are similar in nature. Where located at stadiums, or softball or soccer fields, monopoles shall appear as light standards; and

   c. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

5. No monopole shall be erected in those areas of the P Park district that lie between the hurricane protection levees and the water's edge of Lake Pontchartrain.

6. All ground level equipment for personal wireless communication facilities, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. Prefabricated communication equipment shelters that are visible from a public right-of-way are prohibited. A new structure that is compatible with the design and scale of the park atmosphere shall be required and approved pursuant to the conditional use review procedures. Communication equipment shelters that are located on the ground shall be landscaped and secured per the design standards herein.

Fencing and Landscaping

8. In those instances where fencing and landscaping of a cellular/PCS installation is required, the standards for Residential Districts (see Section 55.2 of this article) shall apply as appropriate.

B. The regulations presented below are for the RP-Research Park zoning district:

Facility Siting Standards

1. Mast and Facade-Mounted Antennas. See Residential Districts (Section 55.2 of this article).

2. Monopole installations:

   a. The height of the monopole shall not exceed sixty-five (65) feet unless the cellular/PCS carrier provides a notarized affidavit of an officer or authorized agent of the carrier that substantiates the need to build a monopole of a greater height, and that co-location on existing structures, or with other carriers is not feasible; and

   b. The areas around all ground level cell sites shall be fenced and landscaped in accordance with the design standards contained herein.

3. No cellular/PCS monopole shall be erected in those areas of the RP-Research Park districts that lie between the hurricane protection levees and the water's edge of Lake Pontchartrain.

4. All ground level equipment for personal wireless communication facilities, other than equipment which cannot be seen at ground level from public rights-of-way or adjacent properties (such as electrical transformers, telephone pedestals, electrical isolation transformers and generators and related fuel tanks) shall be completely enclosed in a communication equipment shelter. Prefabricated communication equipment shelters that are visible from a public right-of-way are prohibited. A new structure that is compatible with the design and scale of the park atmosphere shall be required and approved pursuant to the conditional use review procedures. Communication equipment shelters that are located on the ground shall be landscaped and secured per the design standards herein.

Fencing and Landscaping

5. In those instances where fencing and landscaping of a cellular/PCS installation is required, the standards for Residential Districts (see Section 55.2 of this article) shall apply as appropriate.

(Ord. 18,384 § 1 (part), adopted 8/21/97)

Section 11.56. Chilled Water, Hot Water and/or Steam Generation and Distribution Facilities.

In all districts in which such use is authorized, the following standards apply:

a. Facilities shall be approved by the Department of Utilities;

b. Facilities shall be located within completely enclosed structures and set back according to the underlying district regulations. A fencing and landscaping plan shall be submitted to the City Planning Commission staff for review and approval;

c. All structures shall be limited by the height restrictions of the underlying district; and

d. Two (2) off-street parking spaces shall be provided to service this use.

(Ord. 19,037 § 2, adopted 12/17/98; Ord. 19,036 § 2, adopted 12/17/98)

Section 11.57. Labor Pool Job Placement Services.

In all districts in which such use is authorized, the following standards apply:

a. A minimum of 600 square feet of client waiting area within the building, including seating shall be provided. The indoor space shall comply with regulations of the Fire Marshall;

b. On-site, enclosed and supervised outdoor space shall be provided to accommodate the anticipated work-force and, along with indoor accommodations, shall be open a minimum of two (2) hours before assembly;

c. Adequate restroom facilities shall be provided for clients within the building in accordance with City Code. The use of temporary or portable restrooms shall be prohibited;

d. Call-times shall be posted outside of premises no less than two (2) hours prior to opening;

e. No sleeping accommodations shall be provided on premises;

f. The Department of Safety and Permits shall inspect the premises every six (6) months; and

g. A minimum distance of 1,000 feet shall be required between any new labor pool establishment and its nearest residential zoning district.

(Ord. 19,731 § 4, adopted 7/6/00)

Section 11.58. Check Cashing Establishment.

In all districts in which such use is authorized, the following standards apply:

1. Distance – The check cashing establishment shall not be permitted within 1,000 feet of any other check cashing establishment and/or residential district, schools, package liquor outlet, public playgrounds, public swimming pools, public parks, and public libraries.

2. Loitering – Pay phone(s) shall not be established detailing the means of trash collection and disposal on the premises.

3. Site Maintenance - A litter abatement plan shall be established detailing the means of trash collection and disposal on the premises. The manager of the establishment shall be responsible for the maintenance of the premises.

4. Drive-in service — Drive-in service windows shall not be established as a part of the establishment.

(Ord. 20,687 § 1 (part), adopted 5/02/02)

Section 11.59. Car Washes.

In the UC Urban Corridor District, the following standards apply:

a. The site of the use must be paved to drain away from adjoining properties and into an approved wastewater containment system;

b. The hours of operation shall be limited to 7:00 a.m. until 8:00 p.m.;

c. The site of the use shall be fenced with a metal picket fence along the right-of-way and opaque fencing on the remaining sides of the site. A continuous thirty (30)-inch-high evergreen hedge shall be installed along the right-of-way fence;

d. The fence encompassing the site shall be locked to prevent access to the site between the hours of 8:00 p.m. and 7:00 a.m.;

e. An attendant shall be on duty during hours of operation;

f. A structure for the attendant on duty shall be erected on the premises;

g. A litter abatement program shall be instituted for the facility and its parking lot with a contact person designated to notify should a violation occur; and

h. Lighting provided for the site shall be directed away from adjacent properties.

(Ord. 21,124 § 2, adopted 6/13/03)

Section 11.60. Places of Worship, but not limited to Churches, Synagogues, Temples and Mosques.

60.1 In a BIP Business Industrial Park District, the following standards shall apply to new construction:

a. Such uses shall be situated on a lot at least 5,000 square feet with rear yard setbacks of twenty (20) feet, side yard setbacks of ten (10) feet, and relational front yard setbacks.

b. Such uses shall not be located within a 300-foot radius of any existing place of worship.

c. Such uses shall be located on a major street or on a two-way street on which traffic lanes are separated by a median.

d. Waivers exceeding thirty (30) percent of the requirements for minimum lot area, front, rear and side yards, and required parking shall not be granted.

(Ord. 21,208 § 2, adopted 8/15/03)

60.2 In commercial and industrial zoning districts in which such uses are authorized, the requirements for minimum lot size and for front, rear and side yards shall not apply if said use is located in an existing structure. (Ord. 21,208 § 2, adopted 8/15/03)

Section 11.61. Retail Uses Greater Than 25,000 Square Feet in Floor Area.

In all districts in which such use is authorized, the following standards apply:

61.1 Site Design.

A. Streetscape.

1. The streetscape on all public street frontages shall be improved, subject to the review of the CPC staff and the Department of Parks and Parkways, if any improvements are located in the public R.O.W. The retention of existing street trees and the planting of new street trees, with the approval of the Department of Parks and Parkways, is encouraged.

2. The development shall provide a continuous edge that defines the public domain, reinforces the streetscape and encourages pedestrian activity, by utilizing one or more of the following defining elements:

   a. Building face—where at least one (1) side of the building, preferably the longer building face, is aligned with the public sidewalk;

   b. Low wall, canopy structure, or decorative fence;

   c. Sufficient landscaping to define the edge (refer to Landscape Design, subsection 61.3 of this article);

   d. Street furniture, such as seating;

   e. Sidewalk treatment to define the public sidewalk.

3. On inner-city sites where the parking lot rather than the building creates the edge, the following shall be provided:

   a. A row of shade trees and a thirty (30)-inch-high continuous evergreen hedge between the parking area and the public sidewalk;

   b. Landscaped pedestrian walkways from the street through the parking lot to the building entrance;

   c. Decorative fencing.

4. One (1) detached sign per street frontage limited to twelve (12) feet in height.

B. Public Spaces. Areas near building entrances serve as transitional space for pedestrians entering or leaving the building. These drop-off/pick-up areas shall be considered an integral part of the overall development and shall, therefore, offer attractive and inviting pedestrian scale features, spaces and amenities. Bus stops that are adjacent to the development shall also be considered as part of the public space and shall be enhanced. Pedestrian ways shall be anchored by special design features such as arcades, porticos, pedestrian light fixtures, bollards, planter walls, decorative paving and other architectural elements that define circulation ways and outdoor spaces. Outdoor spaces can include plazas, patios, courtyards, and window shopping promenades.

1. Each retail establishment shall provide at least two (2) of the following:

   a. Patio/seating area;

   b. Pedestrian plaza;

   c. Window shopping promenade;

   d. Kiosk area; or

   e. Other such deliberately shaped area and/or focal feature or amenity that adequately enhances the community and public spaces.

2. The features shall be constructed of the same high-quality materials as the principal materials of the building.

3. The public areas shall have direct access to the public sidewalk system.

4. Pedestrian areas shall be protected from vehicular intrusion with landscaping and curbs or bollards that are integrated into the overall site design and should be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, or scored concrete to enhance the walkways and to provide for pedestrian safety and comfort.

5. Generous landscaped pedestrian walkways with weather protection shall be provided along the side of the building facade facing the parking lot and within thirty (30) feet of all customer entrances.

6. All areas intended for general public use shall be accessible to people in wheelchairs, strollers, bicycles, etc.

C. Entrances. Easy access to large retail buildings benefits both the retailer and the public. Wheelchairs, bicycles, strollers, and other modes of transportation shall all be able to easily use these developments. Large retail buildings shall feature multiple entrances. Multiple entrances

reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks, and provide convenient access to departments within the store.

1. All sides of a principal building that directly face an abutting public street shall feature at least one (1) customer entrance. Where a principal building has frontage on more than two (2) abutting public streets, this requirement shall apply only to two (2) sides of the building, including the side of the building facing the primary street, and another side of the building facing a second street. The use of a corner entrance shall be considered as satisfying the requirement for an entrance for only one (1) side of the principal building.

2. Entrances shall be organized and clearly marked so as to minimize pedestrian, bicycle and automobile traffic conflicts.

D. Service Operations.

1. In suburban sites, any service area shall be set back from the property line a minimum of twenty (20) feet. This setback area shall serve as a landscape buffer (see landscaping requirements for interior vehicle use areas, subsection 61.3(B)(2) of this article). In inner-city sites, service areas shall be separated from the public right-of-way by a masonry wall a minimum of six (6) feet in height.

2. Service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. These operations shall be screened, recessed or enclosed. Refuse storage areas shall be enclosed with an opaque screen, with gates, a minimum of six (6) feet in height.

3. Materials used to screen service functions shall be of the same high-quality materials as the principal materials of the building.

4. No areas for service operations or trash storage shall be located within twenty (20) feet of any public street, public sidewalk or internal pedestrian walkway.

5. The location of service operations in designated alleyways versus along street frontages is encouraged.

(Ord. 19,613 § 2 (part), adopted 4/06/00)

61.2 Parking Lot Design.

A. Location, Size and Scale. Whenever possible, parking lots shall be distributed around the building to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface.

1. Off-street parking shall be provided at a rate of one (1) space per 500 square feet of floor area for inner-city sites and one (1) space per 300 square feet of floor area for suburban sites.

2. Shared parking opportunities with adjacent commercial uses shall be considered whenever possible.

3. Developments that are located on streets that have a strong pedestrian orientation shall locate parking lots to the side or rear of the main building. If conditions require that off-street parking for inner-city sites must be located in the front of the building, no more than fifty (50) percent of the required off-street parking shall be located between the front facade of the building and the abutting street.

4. Required parking shall be broken up into smaller articulated areas with landscaping, driveways and pedestrian walkways creating smaller defined squares within the overall development.

5. Street closure to provide off-street parking is discouraged.

6. When off-street parking is proposed for sites located across the street from the development, traffic control devices shall be used to provide for pedestrian safety with the sidewalk connections and crosswalks clearly distinguished from the roadway surfaces.

B. Circulation. Parking lots should be designed to be equally pedestrian and vehicular oriented.

1. Direct pedestrian routes shall be provided through parking areas and across the site to other destinations.

2. Convenient, safe and secure bicycle parking shall be provided for employees and customers.

(Ord. 19,613 § 2 (part), adopted 4/06/00)

61.3 Landscape Design.

Landscaping shall be conceived as an integral part of the overall site development. The landscaping shall be in scale with the development and shall be designed to adequately impact the various portions of the site. Large sites require more substantial and more extensive planting than small sites. The provision of shade is essential.

A. Perimeter Landscaping.

1. In suburban locations, major street frontages shall have a minimum twenty (20)-foot setback from the public right-of-way to any vehicular use area. Within this setback shall be planted shade trees (at a rate of one (1) tree per twenty-five (25) lineal feet of street frontage: 10 1-12 feet in height) and shrubs a minimum of thirty (30) inches in height. Plants other than

shrubs may be considered for fulfilling this requirement, such as palms, or other herbaceous perennials, providing they meet the minimum size requirements. Trees may be spaced evenly or in groups or clusters. Secondary street frontages shall have a minimum landscaped setback of ten (10) feet from the public right-of-way to any vehicular use area following the above-stated planting requirements.

3. Whenever a vehicular use area is visible from a public right-of-way, it shall be screened by a continuous evergreen hedge, earth berm, or low decorative wall a minimum of thirty (30) inches in height and a row of shade trees.

4. Internal pedestrian walkways shall be no less than six (6) feet in width and shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such material for no less than fifty (50) percent of their length.

5. Sidewalks, not less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting parking areas. Such sidewalks shall be located at least six (6) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades, entryways or window shopping areas are part of the facade.

6. All areas designed for pedestrian use shall provide pedestrian-scaled lighting mounted on building walls, overhangs or poles to indicate all pedestrian routes. The maximum height for lighting along pedestrian pathways shall be twelve (12) feet.

B. Vehicular Use Areas.

1. Screening.

   a. When a vehicular use area abuts any residential district or permitted residential use, a seven (7)-foot-high opaque screen shall be required along the abutting edge. The screen shall consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.

   b. When the service area abuts a residential district or permitted residential use, a landscaped setback of twenty (20) feet shall be provided. Within this setback shall be planted a row of evergreen trees spaced twenty (20) feet on center.

2. Interior Landscaping of Vehicular Use Areas.

   a. At least ten (10) percent of the interior vehicular use area shall contain landscaped areas.

   b. Each interior landscaped area shall be at least 100 square feet in area.

c. The length of any side shall be at least five (5) feet.

d. The interior landscaped areas shall be raised and curbed with permanently anchored vertical curbing six (6) inches high except when existing trees are to be preserved.

e. Each interior landscaped area shall have an approved shade tree planted at the minimum ratio of one (1) tree per 400 square feet of interior landscaped area and a minimum of one (1) tree per island.

f. There shall be at least three (3) shrubs (having a minimum height of two (2) feet upon installation) for each tree planted within the development. Such shrubs may be planted in any combination or configuration. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, or other herbaceous perennials, providing they meet the minimum size requirements.

g. The preservation of existing trees within the site and within the public right-of-way is encouraged.

(Ord. 19,613 § 2 (part), adopted 4/06/00)

61.4 Building Design.

A. Architectural Character. The facades of large retail buildings shall be articulated to reduce the massive scale and uniform appearance and to provide visual interest that will be consistent with the community's identity, character and scale.

1. Building facades greater than 100 feet in length shall incorporate recesses and projections for at least twenty (20) percent of the facade length.

2. Display windows, entry areas, awnings, arcades, or other such features shall total at least sixty (60) percent of the horizontal length of the ground floor facade which provides the primary entrance.

3. Roofs shall have at least two (2) of the following features:

a. Parapets concealing flat roofs and rooftop equipment from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment.

b. Overhanging eaves, extending no less than three (3) feet past the supporting walls.

c. Roof heights that are less than the height of the supporting walls.

d. Three (3) or more roof planes.

B. Materials and Color.

1. Predominant exterior building materials shall be high-quality materials, including, but not limited to, brick, wood, stone or tinted, textured concrete masonry units.

2. Predominant exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or pre-fabricated steel panels.

3. Facade wall colors shall be low reflectance, subtle neutral colors. The use of high-intensity colors, metallic colors, black or fluorescent colors is prohibited.

4. Building trim and accent areas may feature brighter colors, including primary colors.

C. Signage.

1. Backlit awnings shall be prohibited.

2. Attached signage shall be an integral part of the building design.

3. The size of permitted attached signage shall be determined by the underlying zoning district.

(Ord. 19,613 § 2 (part), adopted 4/06/00)

61.5 Traffic Impact Analysis.

All retail developments greater than 25,000 square feet in area shall be required to submit a traffic impact analysis describing the impact of the development on the surrounding transportation system in accordance with this section.

A. Procedure.

1. Prior to undertaking a traffic impact analysis, the developer shall meet with the City Planning Commission staff in order to determine the scope of the traffic impact analysis, including, but not limited to, the geographic area of study, all other pertinent issues, and the manner in which those issues shall be evaluated.

2. The traffic impact analysis shall be submitted to the City Planning Commission staff for review and approval by the Commission staff with advice from the Department of Public Works. Approval shall be evidenced by the signature of the Executive Director of the CPC. Appeal of the Director's decision may be made to the City Council, in accordance with Section 16.2.

B. Nature of Study. The traffic impact analysis shall be signed by a certified traffic engineer or other qualified individual responsible for the supervision and preparation of the analysis (unless

specifically excepted by the Commission staff with the concurrence of the Department of Public Works) and shall include, but not be limited to, the following:

1. A site location analysis which shall include a description of the existing site; surrounding land use and zoning; existing street network, including adjacent streets and surrounding intersections; existing vehicular and pedestrian circulation systems.

2. A description of existing traffic conditions and operations which shall include current peak hour traffic volumes, current average daily traffic counts, modal splits, levels of service, and turning movement counts for adjacent streets and nearest intersections.

3. A trip generation, assignment and capacity analysis which shall include estimates of site-generated traffic for peak hour of surrounding streets including an estimate of the number of daily employee and visitor trips according to mode (auto, transit, walk, other) which the development will generate, assuming full occupancy; and an evaluation of the impact of site-generated traffic on surrounding street system and intersections.

4. A parking analysis shall include the number and location of parking spaces required; parking layout; location of ingress and egress points, and possible impacts on through traffic; number and location of loading docks and truck access routes.

5. A plan to address traffic impacts which shall include alternative measures for mitigating impacts.

6. The City Planning Commission staff may require additional information, diagrams and drawings in order to evaluate the impacts of the proposed use.

C. Approval Criteria.

1. Trip generations, assignment and capacity analysis must be performed in accordance with standard procedures outlined in the current Institute of Transportation Engineers "Trip Generation Manual" and the "Highway Capacity Manual," or other methodologies approved by the City Planning Commission staff. Trip generation shall be measured on the basis of the average trip rate of either Peak Hour of Adjacent Street Traffic (AST) or Peak Hour of the Generator, whichever is greater. If more than one (1) independent variable exists in the Trip Generation Manual for the appropriate land use category, the category which has a higher average total trip rate for Peak Hour of Adjacent Street Traffic of Generator shall be used.

2. The City Planning Commission shall evaluate the traffic analysis to determine the magnitude of impacts on the transportation system, as well as the impacts on the surrounding land uses. Factors considered in evaluating the impacts on the transportation system include, but are not limited to:

   a. Changes in level of service on adjacent streets and/or at nearby intersections.

b. Requirements for changes in the circulation pattern to accommodate site development.

(1) The proposed creation or closure of streets.

(2) Proposed changes to street direction.

(3) The presence of an historic street grid.

c. Adequacy of parking.

d. For those sites located within historic districts, the history of the street itself.

e. Surrounding land uses.

(1) Increased truck or auto traffic and off-street parking.

(2) Impacts on the various types of street construction and size of the street.

D. Mitigation Measures. Should significant adverse impact to the transportation system be determined as a result of the development, mitigation measures shall be required of the developer.

(Ord. 19,613 § 2 (part), adopted 4/06/00)

61.6 Appeals

Application for any variance or waiver from requirements set forth herein or from the regulations of the underlying zoning district shall be reviewed and approved by the City Council. The request shall be submitted to the City Planning Commission, accompanied by any site plans, drawing or data, either written or graphic as deemed necessary by the City Planning Commission, for review and recommendation. The Planning Commission must make a recommendation within thirty (30) days of receipt of request. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver. Approval or denial of the request can be accomplished by City Council motion.

For the purpose of considering a request for variance of the regulations contained in this section, the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and design requirements.

2. Harmony and compatibility with adjacent land uses would not be adversely affected.

3. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not compatible to other land, structures, or buildings in the same district.

(Ord. 19,613 § 2 (part), adopted 4/06/00)

Section 11.62. Artists Community.

In all districts in which such use is authorized, the following standards apply:

a. The minimum yard regulations for the underlying zoning district in which the Community is located shall apply to all buildings and shall remain free of structures.
b. Public gathering spaces shall be set back at least ten (10) feet from the public rights-of-way and 100 feet from any residentially used property.
c. Aggregate floor area of public gathering spaces shall be limited to 15,000 square feet.
d. The minimum stay for a visiting artist participating in the Community's program shall be thirty (30) days.
e. The retail sale of works of art is prohibited at the site.
f. Required parking shall be calculated as follows:
   (1) One (1) off-street parking space is required for each dwelling/sleeping space in the Community;
   (2) One (1) additional space shall be provided for every 100 square feet of exhibition, performance or gallery space which is open to the public for the purpose of display.
   g. Stacked parking shall be permitted for required parking spaces.

In RS-1 and RS-2 Single-Family Residential Districts, the following additional standards apply:

a. The use shall be located on a site of at least five (5) acres.
b. Guest artist quarters shall be limited to one (1) per acre of site area.
c. Driveways and parking spaces need not be paved in accordance with Section 15.2.5.16

In RD-1, RD-2, RD-3, and RD-4 Two-Family Residential Districts and RM-1, R-2, RM-2A, RM-3, and RM-4 Multiple-Family Residential Districts, the following additional standards apply:

a. The use shall be located on a site of at least one (1) acre and may be comprised of multiple lots on a contiguous site.
b. Guest artist quarters shall be limited to one (1) per 5,000 square feet of site area which may be located in more than one building.
c. Driveways and parking spaces shall be paved with a permeable paving system.
d. The use shall be screened by a seven (7) foot opaque wood or masonry fence along property lines shared with adjacent uses. Wood fences shall be installed in combination with a hedge which can attain a height of six (6) feet within three (3) years.
e. Industrial art activities including, but not limited to, smelting, glassblowing, or other use of molten materials; wood or metalworking involving power-driven machines; and pottery, ceramics, or other activities involving the use of a kiln, shall be located a minimum of 100 feet from any residentially used property or right-of-way.
f. Public exhibitions shall require a special event permit.
g. Accessory structures containing studio space on the site shall be limited to 1,000 square feet per guest artist quarters and shall include 20' setbacks from any property line. This standard is not subject to waivers.

(Ord. 21,766 § 3, adopted 11/18/04)
(Ord. No. 024670, § 1, adopted 11/17/11)

Section 11.63. Reception facility.

63.1. In all districts in which such use is authorized, except for the B-1, B-1A and B-2 Neighborhood Business Districts, the following standards apply:

a. No general admission fee or any other monetary donations (payment at the door to the general public) shall be charged for entrance on a regular, scheduled basis;
b. The hours of operation shall be restricted to between 10:00 a.m. and 2:00 a.m.;
c. Live entertainment, as permitted for scheduled events, shall be subject to a closed doors/windows policy and compliance with the City of New Orleans Noise Ordinance;
d. Reasonable effort shall be made to orient principal entrances and outdoor lighting away from adjacent residentially zoned property;
e. Any accessory parking shall be screened from view of residentially zoned property and the public right-of-way by buildings, fencing, landscaping, or combinations thereof;
f. Any outdoor garbage and recycling containers shall be screened from view by an opaque fence with latching gates a minimum of six (6) feet in height;
g. Required parking, as determined by the specific zoning district, shall be calculated according to Article 15, Section 15.2.1, Table I 5.A, specific to the use category of auditorium, theater, gymnasium, stadium, arena, convention hail or other place of assembly;
h. The previous conditions are not subject to waivers by the Board of Zoning Adjustments, but only by ordinance of the City Council.

63.2. n the B-1, B-1A and B-2 Neighborhood Business Districts, the following standards apply:

a. Standards in subsection 63.1, except b and c;
b. The hours of operation shall be restricted to between 10:00 a.m. and 12:00 midnight;
c. Live entertainment, as permitted for scheduled events, shall be subject to a closed doors/windows policy and compliance with the City of New Orleans Noise Ordinance. Music of any kind shall be prohibited outside the building;
d. A minimum distance of 200 feet shall be required between any new reception facility and its nearest residential zoning district;
e. Events must be held within a completely enclosed building.

(Ord. 22,789 § 1 (part), adopted 9/6/07)

Section 11.64. Motion Picture Studios Over 25,000 Square Feet in Floor Area.

In the C General Commercial Districts, the following standards apply:

64.1 Site design.

a. Streetscape.

1. The streetscape on all public street frontages shall be improved, subject to the review of the City Planning Commission staff. The Department of Parks and Parkways shall review any improvements located in the public right-of-way. The retention of existing street trees and the planting of new street trees, with the approval of the Department of Parks and Parkways, is encouraged.

2. The development shall provide a continuous edge that defines the public domain, reinforces the streetscape and encourages pedestrian activity, by utilizing one or more of the following defining elements:

A. Building face—where at least one (1) side of the building, preferably the longer building face, is aligned with the public sidewalk;

B. Low wall, canopy structure, or decorative fence;

C. Sufficient landscaping to define the edge (refer to Landscape Design, subsection 633 of this article);

D. Sidewalk treatment to define the public sidewalk.

3. On inner-city sites where the parking lot rather than the building creates the edge, the following shall be provided:

A. A row of shade trees and a thirty (30) inch high continuous evergreen hedge between the parking area and the public sidewalk;

B. Decorative fencing.

4. One (1) detached sign per street frontage which shall be limited to twelve (12) feet in height.

b. Service Operations.

1. In suburban sites, any service area shall be set back from the property line a minimum of twenty (20) feet. This setback area shall serve as a landscape buffer (see landscaping requirements for interior vehicle use areas, subsection 63.3 of this article). In inner-city

sites, service areas shall be separated from the public right-of-way by a masonry wall a minimum of six (6) feet in height.

2. Service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. These operations shall be screened, recessed, or enclosed. Refuse storage areas shall be enclosed with an opaque screen, with gates, a minimum of six (6) feet in height.

3. Materials used to screen service functions shall be of the same high-quality materials as the principal materials of the building.

4. No areas for service operations or trash storage shall be located within twenty (20) feet of any public street, public sidewalk or internal pedestrian walkway.

5. The location of service operations in designated alleyways versus along street frontages is encouraged.

6. Lighting shall be directed away from any adjacent residential uses.

64.2. Parking lot design.

a. Location, Size and Scale. Whenever possible, parking lots shall be distributed around the building to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface.

1. Off-street parking shall be provided at a rate of one (1) space per 500 square feet of floor area.

2. Required parking shall be broken up into smaller articulated areas with landscaping, driveways and pedestrian walkways creating smaller defined squares within the overall development.

3. Street closure to provide off-street parking is discouraged.

4. When off-street parking is proposed for sites located across the street from the development, traffic control devices shall be used to provide for pedestrian safety with the sidewalk connections and crosswalks clearly distinguished from the roadway surfaces.

b. Circulation. Parking lots should be designed to be equally pedestrian and vehicular oriented.

1. Direct pedestrian routes shall be provided through parking areas and across the site to other destinations.

2. Convenient, safe and secure bicycle parking shall be provided for employees.

64.3. Landscape Design.

Landscaping shall be conceived as an integral part of the overall site development. The landscaping shall be in scale with the development and shall be designed to adequately impact the various portions of the site. Large sites require more substantial and more extensive planting than small sites. The provision of shade is essential.

a. Perimeter Landscaping.

1. In suburban locations, major street frontages shall have a minimum twenty (20) foot setback from the public right-of-way to any vehicular use area. Within this setback shall be planted shade trees (at a rate of one (1) tree per twenty-five (25) lineal feet of street frontage, one (1) to twelve (12) feet in height) and shrubs a minimum of thirty (30) inches in height. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, or other herbaceous perennials, providing they meet the minimum size requirements. Trees may be spaced evenly or in groups or clusters. Secondary street frontages shall have a minimum landscaped setback of ten (10) feet from the public right-of-way to any vehicular use area, following the above-stated planting requirements.

2. Whenever a vehicular use area is visible from a public right-of-way, it shall be screened by a continuous evergreen hedge, earth berm, or low decorative wall a minimum of thirty (30) inches in height and a row of shade trees.

3. Internal pedestrian walkways shall be no less than six (6) feet in width and shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such material for no less than fifty (50) percent of their length.

4. Sidewalks, not less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring an entrance and along any facade abutting parking areas. Such sidewalks shall be located at least six (6) feet from the facade of the building to provide planting beds for foundation landscaping.

5 All areas designed for pedestrian use shall provide pedestrian-scaled lighting mounted on building walls, overhangs or poles to indicate all pedestrian routes. The maximum height for lighting along pedestrian pathways shall be twelve (12) feet.

b Vehicular Use Areas.

1. Screening.

A. When a vehicular use area abuts any residential district or permitted residential use, a seven (7) foot high opaque screen shall be required along the abutting edge. The screen shall consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.

B. When the service area abuts a residential district or permitted residential use, a landscaped setback of twenty (20) feet shall be provided. Within this setback shall be planted a row of evergreen trees spaced twenty (20) feet on center.

2. Interior Landscaping of Vehicular Use Areas.

A. At least ten (10) percent of the interior vehicular use area shall contain landscaped areas.

B. Each interior landscaped area shall be at least 100 square feet in area.

C. The length of any side shall be at least five (5) feet.

D. The interior landscaped areas shall be raised and curbed with permanently anchored vertical curbing six (6) inches high except when existing trees are to be preserved.

E. Each interior landscaped area shall have an approved shade tree planted at the minimum ratio of one (1) tree per 400 square feet of interior landscaped area and a minimum of one (1) tree per island.

F. There shall be at least three (3) shrubs (having a minimum height of two (2) feet upon installation) for each tree planted within the development. Such shrubs may be planted in any combination or configuration. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, or other herbaceous perennials, provided they meet the minimum size requirements.

G. The preservation of existing trees within the site and within the public right-of-way is encouraged.

64.4. Building Design.

For structures located in local historic districts, the appropriate historic district commission, instead of the City Planning Commission, shall have control over the building design.

a. Architectural Character. The facades of large buildings shall be articulated to reduce the massive scale and uniform appearance and to provide visual interest that will be consistent with the community's identity, character and scale.

1. Building facades greater than 100 feet in length shall incorporate recesses and projections for at least twenty (20) percent of the facade length.

2. Roofs shall have at least two (2) of the following features:

A. Parapets concealing flat roofs and rooftop equipment from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment.

B. Overhanging eaves, extending no less than three (3) feet past the supporting walls.

C. Roof heights that are less than the height of the supporting walls.

D. Three (3) or more roof planes.

b. Materials and Color.

1. Predominant exterior building materials shall be high-quality materials, including, but not limited to, brick, wood, stone or tinted, textured concrete masonry units.

2. Predominant exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or pre-fabricated steel panels.

3. Facade wall colors shall be low reflectance, subtle neutral colors. The use of high-intensity colors, metallic colors, black or fluorescent colors is prohibited.

4. Building trim and accent areas may feature brighter colors, including primary colors.

c. Signage.

1. Backlit awnings shall be prohibited.

2. Attached signage shall be an integral part of the building design.

3. The size of permitted attached signage shall be determined by the underlying zoning district.

d. Soundproofing. All performance, recording, and production areas shall be appropriately soundproofed.

64.5. Traffic Impact Analysis.

All motion picture studios greater than 25,000 square feet in area shall be required to submit a traffic impact analysis describing the impact of the development on the surrounding transportation system in accordance with this section.

a. Procedure.

1. Prior to undertaking a traffic impact analysis, the developer shall meet with the City Planning Commission staff in order to determine the scope of the traffic impact analysis, including, but not limited to, the geographic area of study, all other pertinent issues, and the manner in which those issues shall be evaluated.

2. The traffic impact analysis shall be submitted to the City Planning Commission staff for review and approval by the Commission staff with advice from the Department of Public Works.

b. Nature of Study. The traffic impact analysis shall be signed by a certified traffic engineer or other qualified individual responsible for the supervision and preparation of the analysis (unless specifically excepted by the Commission staff with the concurrence of the Department of Public Works) and shall include, but not be limited to, the following:

1. A site location analysis which shall include a description of the existing site; surrounding land use and zoning; existing street network, including adjacent streets and surrounding intersections; existing vehicular and pedestrian circulation systems.

2. A description of existing traffic conditions and operations which shall include current peak hour traffic volumes, current average daily traffic counts, modal splits, levels of service, and turning movement counts for adjacent streets and nearest intersections.

3. A trip generation, assignment, and capacity analysis which shall include estimates of site-generated traffic for peak hours of surrounding streets, including an estimate of the number of daily employee and visitor trips according to mode (auto, transit, walk, other) which the development will generate, assuming full occupancy; and an evaluation of the impact of site-generated traffic on surrounding street system and intersections.

4. A parking analysis which shall include the number and location of parking spaces required; parking layout; location of ingress and egress points, and possible impacts on through traffic; number and location of loading docks and truck access routes.

5. A plan to address traffic impacts which shall include alternative measures for mitigating impacts.

6. The City Planning Commission staff may require additional information, diagrams and drawings in order to evaluate the impacts of the proposed use.

c. Approval Criteria.

1. Trip generations, assignment and capacity analysis must be performed in accordance with standard procedures outlined in the current Institute of Transportation Engineers "Trip Generation Manual" and the "Highway Capacity Manual" or other methodologies

approved by the City Planning Commission staff. Trip generation shall be measured on the basis of the average trip rate of either peak hour of Adjacent Street Traffic (AST) or peak hour of the generator, whichever is greater. If more than one (1) independent variable exists in the Trip Generation Manual for the appropriate land use category, the category which has a higher average total trip rate for peak hour of Adjacent Street Traffic of generator shall be used.

2. The City Planning Commission, in consultation with the staff of the Department of Public Works, shall evaluate the traffic analysis to determine the magnitude of impacts on the transportation system, as well as the impacts on the surrounding land uses. Factors considered in evaluating the impacts on the transportation system include, but are not limited to:
   A. Changes in level of service on adjacent streets and/or at nearby intersections.
   B. Requirements for changes in the circulation pattern to accommodate site development:
      (1) The proposed creation or closure of streets.
      (2) Proposed changes to street direction.
      (3) The presence of an historic street grid.
   C. Adequacy of parking.
   D. For those sites located within historic districts, the history of the street itself.
   E. Surrounding land uses.
      (1) Increased truck or auto traffic and off-street parking.
      (2) Impacts on the various types of street construction and size of the street.

d. Mitigation Measures. Should significant adverse impact to the transportation system be determined as a result of the development, mitigation measures shall be required of the developer.

64.6. Variances.

Motion picture studios shall be subject to the requirements set forth herein. These standards or requirements may be waived by the City Council through the conditional use process. For the purpose of considering a request for variance of the regulations contained in this section, the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and design requirements.
2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not compatible to other land, structures, or buildings in the same district.

(Ord. 22,857 § 2 (part), adopted 10/18/07)

Section 11.65. T-shirt, novelty and souvenir shops.

In the Vieux Carré Historic Districts, new T-shirt, novelty and souvenir shops are prohibited. The following standards shall apply to all existing T-shirt, novelty and souvenir ships within the View Carré Historic Districts:

a. T-shirts, souvenirs, novelties or gifts, or any combination thereof, shall not constitute more than thirty-five (35) percent of the display area or visible floor area. This display area includes any wall display such as shelves, hangers, etc., and any floor space such as shelves, tables, etc. T-shirts, souvenirs, novelties or gifts, or any combination thereof, shall not be displayed in more than thirty-five (35) percent of the window(s) or door(s) visible from the street.

b. Waivers of the display and floor area limitations in item a. above shall be considered only through a request for a conditional use in accordance with the provisions of Section 16l6 of the Comprehensive Zoning Ordinance, and shall not be considered or waived by the Board of Zoning Adjustments.
c. All other standards for legal non-conforming uses as set forth in Article 13 of the Comprehensive Zoning Ordinance, but not limited to Article 13, Non-Conforming Uses, shall apply to existing T-shirt, novelty, gift and souvenir shops.

(M.C.S., Ord. No. 024300, § 2, 2/17/11)

Section 11.66. Accessory Uses in Public Libraries.

11.66.1. In all districts in which food service and retail uses limited to standard restaurants (including coffee shops) and retail stores (excluding grocery/convenience stores and other stores selling food not in a ready-to-eat state) with a maximum square footage of ten (10) percent of the gross floor area of the structure or 2,500 square feet, whichever is less, are authorized accessory uses in public libraries. The following standards apply:

a. The sale of alcoholic beverages for on- or off-premises consumption is prohibited.
b. Any such accessory use shall not operate outside of the hours of operation of the public library with which it is associated.
c. Non-conforming public libraries must apply for a conditional use to provide for said accessory use(s).

(Ord. No. 024522, § 1, adopted 8/4/11)

Section 11.67. Urgent Care Center.

The following standards shall apply to urgent care centers within the VCE-1 Vieux Carré Entertainment District:

a. Walk-in patients are accepted throughout business hours;
b. A broad spectrum of illnesses and injuries are treated on-site, including minor medical procedures;
c. Diagnostic equipment is available on-site, including phlebotomy and x-ray;
d. The medical director is a licensed physician;
e. The facility operates within the hours of 7:00 a.m. to 7:00 p.m., Monday through Sunday. By 8:00 p.m. all staff shall have left the premises and the facility will be closed;
f. No new urgent care center shall be permitted within the block frontage (including both sides) between two (2) intersecting streets of an existing urgent care center.

(Ord. No. 25618, § 2, adopted 12/5/13)

ARTICLE 12

GENERAL SIGN REGULATIONS

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ARTICLE 12 GENERAL SIGN REGULATIONS

Section 12.1. Sign Definitions.

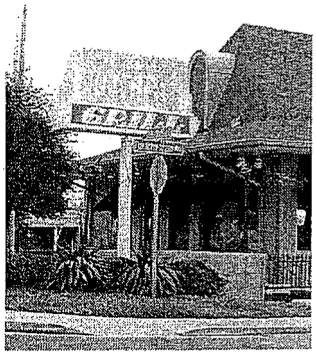
For the purpose of this article, the following terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise:

1. *Sign.* Any structure, display, device or inscription which is located upon, attached to, or painted or represented on any land, on any building or structure, on the outside or inside of a window, or on an awning, canopy, marquee, or similar appendage, and which displays or includes any numeral, letter work, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, direction, warning or designation of any person, firm, group, organization, place, community, product, service, business, profession, enterprise, or industry.
2. *Sign Area.* That area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area. Only one side of a double-faced sign shall be included in a computation of sign area; for other signs with more than two (2) faces, each side shall be included in a computation of sign area. The area of a cylindrical sign shall be computed by multiplying one-half (1/2) of the circumference by the height of the sign. The area of a sign made of individually cut out letters is the sum of the area of rectangles or triangles necessary to enclose each letter.
3. *Accessory Sign.* A sign relating only to the main use of the premises on which the sign is located, or indicating the name and address of a building or the occupants or management of a building on the premises where the sign is located.
4. *Canopy Sign.* Any sign attached to or hung from the underside of a canopy or marquee.
5. *Detached Sign.* Any sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall of an accessory building, shall be considered a detached sign.
    a. *Monument sign.* Any sign, other than a freestanding pole sign, placed upon or supported by the ground independently of any other structure. The sign base of a monument sign must be a minimum of seventy-five percent (75%) of the width of the sign face situated upon the base.



Monument Sign

b. *Pole sign.* A sign erected and maintained on one (1) or multiple freestanding masts or poles and not attached to any structure.



Pole Sign

6. *Sign Face.* That particular area of the sign structure upon which a message, copy, or advertisement is displayed for viewing.
7. *Flashing Sign.* An illuminated sign on which the artificial or reflected light is not maintained stationary or constant in intensity or color at all times when in use and in actuality (or giving the impression of being) flashing or blinking. Rotating signs are not interpreted as being flashing signs.
8. *Flat Sign.* Any sign attached to, and erected parallel to the face of, or erected or painted on the outside wall of a building and supported throughout its length by such wall or building, and not extending more than eighteen (18) inches from the building wall. Flat signs shall include marquee signs for the calculation of sign area but shall not include canopy signs.
9. *Outdoor General Advertising Sign (hereinafter otherwise occasionally referred to as billboard).* Any type of sign that is freestanding and is either affixed to the ground or to another structure, or that

is placed or painted on a vertical surface, and is used for the lease of commercial advertising display space which directs the attention of the general public to a commercial activity conducted, a service rendered, or a commodity or product sold or produced which is not the primary activity, service, commodity or product provided on the premises on which the sign is located.

10. *Historic Sign.* An outdoor general advertising sign that is considered to have merit either by age, location, unique design, construction technique, or association with a notable craftsman or company and has been nominated for, or is eligible for local or national landmark designation.
11. *Illuminated Sign.* Any sign designed to give forth artificial light or designed to reflect from one or more sources of artificial light erected for the purpose of providing light for the sign.
12. *Indirectly Illuminated Sign.* A sign which does not produce artificial light from within itself but which is opaque and backlighted or illuminated by spotlights or floodlights not a part of or attached to the sign itself.
13. *Landmark Sign.* An outdoor general advertising sign that has been designated as a local or national landmark.
14. *Marquee Sign.* Any sign attached to or hung from a marquee. For the purpose of this article, a marquee is a covered structure projecting from and supported by the building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.
15. *Nameplate.* That portion of the sign's face that identifies the individual or company who currently owns it.
16. *Projecting Sign.* A sign which is attached to and projects more than eighteen (18) inches from the face of a wall or building, but which does not project above the parapet or eave line of the building.
17. *Rotating Sign.* Any sign, illuminated or nonilluminated, supported from a pedestal, pylon or other vertical support and where the face or faces thereof slowly revolve (no more than twenty (20) revolutions per minute) and where the light source, if any, remains constant.
18. *Roof Sign.* A sign above the roof of a building which is fastened to and supported by the roof of a building, or a projecting sign which extends above the roofline or parapet wall of a building.
19. *Sign Permit Identification Plate.* That portion of the sign's face that identifies the permit number(s) assigned to it by the City, and where applicable, the State.

(Ord. No. 25037, § 2, adopted 10/4/12)

Section 12.2. General Sign Regulations.

The following regulations apply generally to all signs and are in addition to the regulations contained else-where in this Ordinance.

12.2.1. Permits Required.

Structural and safety features and electrical systems shall be in accordance with the requirements of the Building Code of the City of New Orleans. No sign shall be approved for use unless it has been inspected by the department issuing the permit and is found to be in compliance with all the requirements of this Ordinance and other applicable technical codes.

12.2.2. Permitted Signs.

1. Except as otherwise provided, these regulations shall be interpreted to permit one (1) sign of each permitted type, in accordance with applicable regulations, for each street frontage, for each permitted use on the premises. For the purpose of this regulation, sign types are flat, detached, projecting, canopy, marquee, and roof signs, or special purpose signs specifically listed in the district regulations.
2. Except as otherwise provided, any sign may be flat, detached, or projecting and except as otherwise provided, no detached sign may exceed a height of fifteen (15) feet.
3. Signs of permitted types and within total permitted sign area may be placed on walls of buildings other than the front except on side or rear walls facing and within 100 feet on the same side of the street of any residential zoning district.
4. Unless otherwise specified in these regulations, all signs shall comply with the yard requirements of the district in which they are located.
5. One accessory sign may occupy required yards in a district where such sign is permitted by these regulations, provided such sign meets the sign area requirements of the district in which it is located, but in no instance shall it exceed thirty (30) square feet in area nor contain flashing, moving, or intermittent illumination, and provided other requirements of these regulations are complied with.
6. Any sign may be indirectly illuminated if illumination is not otherwise limited by the provisions of these regulations.
7. Neon lighting or other tubular lighting, when used on the exterior of a building for strip lighting, to outline any portion of a building or structure other than a sign shall not be considered in computing the number of permitted signs but shall be considered as a general advertising sign and permitted only in districts where general advertising signs are permitted and shall be included in the computation of permitted sign area by multiplying the length of the tubing by six (6) inches.

12.2.3. Temporary Sign Permits.

The Director of Safety and Permits, upon application, as required in this article, may issue temporary permits for the following signs and displays for a period of not exceeding thirty (30) days, when in his/her opinion, the use of such signs and displays would be in the public interest and would not result in damage to private property:

1. Signs advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting, sponsored by a government or charitable organization.
2. Special decorative displays used for holidays, public demonstrations, or promotion of non-partisan civic purposes.
3. Special sales promotion displays in a district where such sales are permitted, including displays incidental to the opening of a new business. The temporary permits for such displays

and signs may be issued for a period of thirty (30) days and may be renewable, provided the cumulative period for all temporary permits shall be limited to a maximum of ninety (90) days per year.

4. Exterior laser light promotional displays.
   a. All such displays must be designed and maintained so as to prevent beam rays of light from being directed at any portion of the traveled ways or adjoining property, and no light shall be of such intensity or brilliance as to cause glare to or to impair the vision of pedestrians, motorists, or aircraft pilots or passengers;
   b. All light displays must meet all federal guidelines;
   c. Operators shall obtain a special permit prior to the presentation of this type of advertisement. For each municipal address, permits shall be issued only twice a year with a minimum sixty (60) days interval between permits, and each permit shall allow operation of these displays for a maximum of seven (7) consecutive days.

(Ord. 17,659 § 1, adopted 7/3/96)

12.2.4. Prohibited Signs.

1. Pennants, banners, streamers, and all other fluttering, spinning or similar type signs and advertising devices are prohibited except for national flags and flags of political subdivisions of the United States and except for flags of bona fide civic, charitable, fraternal, religious and welfare organizations; provided that during nationally recognized holiday periods, or during a special civic event, such as Mardi Gras, pennants, banners, streamers, and other fluttering, spinning, or similar devices pertaining to said periods or events may be displayed on a temporary basis.
2. No sign shall be constructed, erected, used, operated, or maintained which:
   a. Displays intermittent light resembling or seeming to resemble, the flashing light customarily associated with danger or such as is customarily used by police, fire or ambulance vehicles, for navigation purposes, or similar warning devices.
   b. Uses the word "stop" or "danger," or presents or implies the need or requirement for stopping or the existence of danger, or which is a copy or imitation of an official sign. This provision regarding the word "stop" or "danger" does not apply when they are part of attraction Titles for a broadcast, motion picture, theater event, opera, or concert, or when they are used in descriptive lines of advertising so long as they are not used to simulate, copy or imply any official warning, either for vehicles or pedestrians.
   c. Is so located and so illuminated as to provide a background of colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from normal approaching position of a vehicle at a distance of twenty-five (25) to 300 feet.
3. No sign, portable or otherwise, is to be placed or located to conflict with the vision, clearance, or other requirements of the Traffic Ordinance of the City of New Orleans.
4. No sign may be a flashing sign unless it is specifically permitted.
5. No flashing signs shall be located within 100 feet of any property in a residential district. The measurement shall be taken along the street frontage.
6. No signs shall be attached to trees, utility poles, or any other unapproved supporting structures, except for official notification signs.
7. Murals shall not be permitted along either side of Convention Center Boulevard from Canal Street to Thalia Street, or on any extension thereof, or in any part of Vieux Carré.
8. Murals shall not be permitted in any residentially zoned historic district.

9. Murals shall not be permitted along either side of Convention Center Boulevard from Canal Street to Thalia Street, Canal Street within the Downtown Development District (DDD), or on any extension thereof, or in any part of the Vieux Carré.
10. Murals shall not be permitted in any residentially zoned historic district.

(Ord. 21,047 § 1, adopted 4/22/03; Ord. 20,700 § 1 (part), adopted 5/02/02)

12.2.5. Signs Over Public Streets.

Signs over public streets, sidewalks, and alleys shall be regulated as follows:

1. No signs shall be located to extend over the portion of a street used by vehicles.
2. No sign projecting over public streets or sidewalks shall extend or project nearer than twenty-four (24) inches to the curb.
3. No sign, except for signs on public transit waiting stations, on or projecting over any part of a public sidewalk, shall be erected less than nine (9) feet above part of such sidewalk. The measurement shall be taken vertically.
4. No sign projecting over an alley shall be erected less than fifteen (15) feet above the surface of the alley directly beneath such signs.

12.2.6. Signs For Nonconforming Uses.

Signs for nonconforming uses shall be limited in residential districts to a one (1) foot by one (1) foot sign. Appeals to this restriction may be appealed through the staff of the City Planning Commission requiring approval by the Executive Director of the City Planning Commission prior to the issuance of sign permits in accordance with the following guidelines:

1. The maximum number and size of signs permitted shall be one (1) attached sign limited to one (1) square foot per lineal foot of the building or tenant space width and one (1) detached sign limited to one-half (1/2) square foot per lineal feet of the lot width. These widths shall be based on the portions of the property in which the use has its main address and shall not exceed the sign regulations of the district in which the use first appears as either a "permitted" or "conditional" use. No detached sign shall exceed twelve (12) feet in height and no detached sign shall be permitted for those uses with no setback or a setback of less than ten (10) feet from the property line. No waivers beyond these restrictions shall be allowed.
2. Additional criteria for review should include, but is not limited to the following:
   a. Is the proposed signage in character with the surrounding area?
   b. Is the attached building sign an integral part of the building?
   c. Is there a predominate sign type found along the neighboring commercial frontages? If so, is it appropriate for this use?
   d. Is this a nonconforming commercial corner use? If so, the signs should be limited to the corner entry.
   e. Is this use located within an historic district? If so, approval of any signs must be approved by the appropriate agency prior to CPC consideration.
   f. Are there any special conditions and circumstances that exist which are peculiar to the land or structures?

(Ord. 19,044 § 1, adopted 12/17/98)

Section 12.3. Subdistrict Regulations.

12.3.1. Outdoor General Advertising and Certain Large Signs Prohibited.

Notwithstanding all other provisions of these regulations, no outdoor general advertising sign (billboard), nor any other sign exceeding 200 square feet in area shall be erected, constructed, altered, maintained, or relocated within the following area:

1. Within 200 feet of the right-of-way lines of any limited access highway, including expressways, as established by the officially adopted Major Street Plan of the City of New Orleans.
2. Within 200 feet from any portion of any grade separation, including the approaches thereto, constructed or to be constructed in conjunction with the grade separation plan of the Union Passenger Terminal Program of the City of New Orleans. Approaches to grade separations means the entire area between the end of such grade separation structure and the place where the street approach rises from or descends from the normal street grade adjacent to the separation.
3. Within 200 front feet on the same side of the street of any residential zoning district.
4. Any location within 200 feet of the right-of-way lines of, and any location east of Paris Road.
5. Within 1,000 feet of aesthetically sensitive areas or design vistas as described respectively in Article 2, Definitions.

Section 12.4. Vieux Carré Standards.

In addition to all provisions of these regulations, the following shall apply to signs within the Vieux Carré section of the City:

12.4.1. General Sign Standards.

1. No sign shall be displayed from the parapet of roofs or from any roof of any building within the Vieux Carré section of the City.
2. In addition to the prohibitions contained in this section, approval of the display of a sign in the Vieux Carré section of the City shall be granted by the Vieux Carré Commission only when such signs and the plans, therefor, so far as they relate to the appearance, color, size, position, method of attachment, texture of materials and designs, conform to the quaint and distinctive character of the Vieux Carré section or do not injuriously affect it or impair the value to the community of those buildings having architectural or historical worth.
3. Any sign displayed which no longer advertises a bona fide business conducted upon the premises shall, upon notification by the Vieux Carré Commission or its agent (who is hereby authorized to so proceed), be taken down, removed or obliterated within five (5) days after such notification. Failure to comply on the part of the owner, occupant, agent or person having the beneficial use of any building or premises upon which such sign may be found shall subject such person to the penalty provided in Section 1-6 of the City Code.
4. No sign shall be placed upon a balcony, gallery, canopy, shed, roof, door or window or placed in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building. No sign shall be displayed from any fence, wall or open lot unless it conforms in proportions to the allowable area and does not exceed the maximum.

12.4.2. Illuminated Sign Standards.

1. In case of illuminated signs, where space must be provided between two (2) parallel faces for the installation of lighting fixtures, these faces shall not be farther apart than eighteen (18) inches and such lighting fixtures and all light sources shall be a steady light concealed: (a) Behind standard

glass or other substance of equal or smaller light transmission factor; (b) by hoods; or, (c) by any acceptable method of indirect lighting approved by the Vieux Carré Commission.

2. Illuminated signs must conform to the following regulations as to wattage, so as to avoid concentration of illumination:

   a. Signs measuring eighteen (18) by forty-two (42) inches must not have over 150 watts total for each sign. The wattage may be distributed evenly over the surface area of any one (1) side or over each of the two (2) sides of the sign, behind opal glass. The same wattage maximum and even light distribution is required in an indirectly lighted sign.

   b. Signs measuring twenty-four (24) inches by forty-eight (48) inches must not have over 220 watts total for each sign. The wattage may be distributed evenly over the surface area of any one (1) side or over each of the two (2) sides of the sign, behind opal glass. The same wattage maximum and even light distribution is required in an indirectly lighted sign.

   c. Signs smaller than eighteen (18) inches by forty-two (42) inches must not use more than seventy-five (75) watts. The wattage may be distributed evenly over the surface area of any one (1) side or each of the two (2) sides of the sign using opal glass over all light openings. In no case can a sign smaller than eighteen (18) inches by forty-two (42) inches using the maximum allowable wattage concentrate the emitted illumination through a smaller area on each side than one (1) foot square. The same wattage maximum and even light distribution must be observed in an indirectly lighted sign.

12.4.3. Sign Permits and Administration.

1. All applications for permits to display signs within the Vieux Carré section of the City shall be submitted to the Vieux Carré Commission for approval before a permit therefor may be issued.

2. Application for a permit to display signs in the Vieux Carré section of the City shall be made to the Vieux Carré Commission on forms furnished for that purpose. Such an application shall also be accompanied by sketches and drawings in triplicate showing details of construction and foundation when required by the Building Code of the City and shall delineate the size, shape, design, color, lighting and position in relation to the building from or upon which it shall be displayed.

3. Any sign or exterior illumination of walls, exteriors, roofs, or appurtenances of buildings within the Vieux Carré displayed contrary to the provisions of this section shall be removed.

4. All sign repairs, replacements and changes shall conform with this Ordinance and shall have the approval of the Vieux Carré Commission, except as exempted in Section 12.6.2 of this article, prior to the issuance of a permit by the Department of Safety and Permits.

Section 12.5. Outdoor General Advertising Sign Regulations.

The following regulations apply generally to all outdoor general advertising signs (billboards) and are in addition to the regulations contained elsewhere in this Ordinance:

12.5.1. Permits Required.

Requests for permits for construction or erection of new outdoor advertising signs or for any alteration to existing, outdoor general advertising signs shall be subject to the following requirements:

1. Before any permit is issued, an application, especially provided by the Director of the Department of Safety and Permits shall be submitted, together with:

   a. Three (3) sets of drawings (one (1) to be returned to the applicant),

   b. A portfolio of black and white photographs of the site and its environs, and

   c. Specifications (one (1) set to be returned to the applicant) as may be necessary to fully advise and acquaint the Director of Safety and Permits with the location, manner of construction, materials, manner of support, manner of illumination (if any), the number of sign faces and the proposed alteration.

2. All outdoor general advertising signs which are electrically illuminated by any means shall require a separate electrical permit and inspection.

3. Each outdoor general advertising sign shall be clearly and permanently marked with the correct permit number and name of the person(s), firm(s) or owner(s) of the sign(s). Each sign face shall be required to display a nameplate and a sign permit identification plate as defined in Section 12.1 of this article.

4. All outdoor general advertising signs shall be erected on or before the expiration of six (6) months from the date of issuance of the permit; otherwise the permit shall expire and a new permit shall be required.

5. Notwithstanding all other provisions of these regulations, outdoor general advertising signs shall be inventoried, and monitored by the Department of Safety and Permits, in order to maintain control over such signs in New Orleans.

6. Operating permits for outdoor general advertising signs shall be effective for a period of one (1) calendar year, renewable yearly according to the provisions of Chapter 3A of the City Code, as amended.

7. If an existing unpermitted billboard meets the requirements of this article, an application may be submitted for issuance of a permit.

12.5.2. Wall Signs.

Signs of permitted types, and within total permitted sign area, excluding outdoor general advertising signs, may be placed on wall(s) of buildings other than front except on side or rear walls facing and within 100 feet on the same side of the street of any residential zoning district.

12.5.3. Violations.

The owner or lessee of any sign that is determined to be in violation of, or in conflict with any regulation stated herein, in the City Code or in the current New Orleans Building Code, shall be officially notified of such determination in writing by the Director of the Department of Safety and Permits.

1. Such signs, or those that constitute any public hazard or nuisance, shall be corrected or removed by their owner(s) after such official notification.

2. Those signs in violation that have not been corrected or removed within thirty (30) days of such official notification, may be removed or caused to be removed by the Director of the Department of Safety and Permits.

3. The Director of the Department of Safety and Permits may immediately remove or cause to be removed any sign which in his/her opinion constitutes a public hazard. Removal of a sign by the Director shall not affect any proceedings instituted prior to such removal by the Director.

4. Any and all costs associated with sign removal as provided for in Paragraph 2 above, shall be assessed by the Department of Safety and Permits and charged to the sign's owner(s). The sign's owner(s) may be subjected to fines in furtherance of court proceedings, and a lien shall be placed upon the property where the sign was located if he or any other violator fails to remit the costs of the sign removal incurred by the city within fourteen (14) days of official notification by the Department of Safety and Permits, or after expiration of all delays through enforcement of administrative remedies.

5. If for any reason, any sign owner does not comply with the provisions as specified herein, whose sign(s) is/are determined to be in violation of any regulations and does not correct the violation(s) or remove the sign(s) as specified, or if the owner owes fees, fines or penalties relating to sign regulation violations, he shall not be issued permits relative to alteration of any other sign(s) by the City until said sign(s) are made to comply with the applicable regulations and all fees, fines and penalties are paid.

12.5.4. Design Criteria.

1. Outdoor general advertising signs shall conform to the following support criteria:

    a. Billboards shall be mounted on single support poles. The furthest horizontal extension of the sign support, structure or face shall be no closer than three (3) feet to any other building, structure, fence or property boundary.

b. Sign faces on billboards shall be attached to support structures that are designed and engineered exclusively for those sign faces, and none other.

2. All outdoor general advertising sign structures shall conform to the following sign face format criteria:

   a. There shall be a maximum of three (3) separate sign faces per support structure.

   b. Each singular structure shall conform to the following permitted sign face placement formats:

      (1) Side-by-side.

      (2) Back-to-back.

      (3) V-plan, where a maximum of thirty (30) degree angle shall be permitted between the backs of the two (2) faces.

      (4) Where two (2) smaller faces in a side-by-side arrangement could be placed against the back of a larger sign face without extending beyond the larger sign face's edges, they may be permitted.

3. All outdoor general advertising signs shall conform to the following sign face area criteria:

   a. Have no less than a minimum sign face area of fifty-five (55) square feet, nor more than a maximum sign face area of 672 square feet.

   b. Be formatted to a horizontal orientation.

   c. Be permitted to have temporary cut-out extensions as follows:

      (1) Temporary cut-out extensions are permitted to project five (5) feet beyond the original sign face edge or frame for a maximum total aggregate of 150 square feet surface area per sign face.

      (2) Three-dimensional extensions are permitted to extend a maximum of five (5) feet beyond the front of the sign face but not into any public right-of-way, nor behind the sign face. Three-dimensional sign face elements are permitted to cover a maximum of thirty (30) percent of the total sign face area.

      (3) Temporary cut-out extensions shall not exceed the overall height limits required for the subject billboards.

4. All outdoor general advertising signs shall conform to the following height criteria:

   a. On-Grade Roadways: Outdoor general advertising signs adjacent to on-grade roadways shall be permitted to extend vertically upward to fifty (50) feet in height. Billboard height shall be measured from the original undisturbed ground level at the base of the proposed support pylon to the tallest projection of the entire billboard structure including the pylon, sign face and cut-out extensions.

   b. Grade Separation Roadways: Outdoor general advertising signs adjacent to grade separation (elevated) roadways shall be permitted to extend vertically upward to twenty-five (25) feet in height, measured from the roadbed crown to the tallest projection of the structure or face, cut-out extensions included. The measurement shall be taken at a perpendicular angle between the grade separation roadway and the sign location.

12.5.5. Spacing Along Freeways and Interstate Highways.

1. One (1) billboard structure shall be permitted every 1,000 linear feet on either one side of the roadway or the other, but not on both sides.

2. A 1,000 linear foot separation distance is required between the nearest projections of existing billboards. In the case of any existing billboard situated to advertise toward a freeway and one situated to advertise toward a street which intersects with such freeway, measurement of the separation distance shall be taken along the closest curbline(s) or paving edge(s) of the two (2) streets that the signs are adjacent to.

12.5.6. Spacing Along Nonfreeway Roadways.

1. One (1) billboard structure shall be permitted every 500 linear feet on either one side of the roadway or the other, but not both sides.

2. A 500 linear foot separation distance is required between the nearest projections of existing billboards. In the case of an existing billboard situated to advertise toward one street and one situated to advertise toward another street which intersects with it, the measurement of the separation distance shall be taken along the closest curbline(s) or paving edge(s) of the two (2) streets that the signs are adjacent to.

12.5.7. Specific Siting of Billboard Structures.

Billboard structures or pylons shall not be placed or encroach into:

1. Legally required parking spaces,

2. Service drives or lanes,

3. Refuse storage areas.

12.5.8. Cap and Replacement Trade-Off System.

1. A cap shall be placed on the number of billboard structures and billboard faces which may be permitted to exist hereafter in the City of New Orleans, Parish of Orleans.

   a. The maximum total number of permitted billboard structures allowed to exist in the City/Parish shall never be more than 582. (This is the total number existing as of November 19, 1992, according to the Board of Fiscal Review Inventory completed August 1992.)

   b. The maximum total number of permitted billboard faces allowed to exist in the City/Parish shall never be more than 985. (This is the total number existing as of November 19, 1992, according to the Board of Fiscal Review Inventory completed August 1992.)

   c. The maximum total number of permitted billboard structures and permitted billboard faces allowed to exist in the City/Parish shall be a reducing quantity based upon the total number of nonconforming billboards removed as follows: The maximum total number of billboard structures and the total number of billboard faces permitted shall each reduce by one (1) for every four (4) nonconforming billboard structures and billboard faces that are removed.

   d. Should any Court decision affect the total number of billboard structures or billboard faces as a result of pending litigation involving the City, the maximum total number of permitted billboard structures and billboard faces allowed to exist as designated in subsections a and b above shall be adjusted accordingly.

2. Trade-off requirements shall be established in order to permit new billboards in Orleans Parish after existing nonconforming ones are removed.

   a. Two (2) nonconforming billboard structures shall be removed before one (1) new billboard structure shall be permitted. For the purposes of this requirement, a single wall with more than one (1) billboard face mounted on it shall be counted as a single billboard structure for those faces; however, several billboard faces, each mounted on separate walls of the same building, shall be counted as separate faces on separate billboard structures.

   b. A demolition permit must be obtained by the billboard owner before any billboard structure or billboard face removal can occur and such demolition shall be so noted on the official billboard inventory being maintained by the City.

   c. The area of the billboard faces that are removed from existing billboard structures shall be the maximum billboard face area credited for installation on any new billboard structure. Individual billboard face area shall be expressed in square footage.

   d. A maximum of three (3) faces shall be permitted on any single new billboard structure in accordance with the provisions set forth herein.

e. The lowest of the faces on the billboard structure(s) proposed to be removed shall be the maximum height permitted for the relocated billboard face(s) which replace them.
   (1) The height of pole-mounted billboard faces removed shall be documented on the individual billboard credit and on the official billboard inventory being maintained by the City.
   (2) The height of existing wall-mounted billboard faces which are removed shall not be considered in determining the height of the new billboard which replaces them, but the method of attachment to the structure shall be documented on the individual billboard credit and on the official billboard inventory being maintained by the City.
   (3) Billboard face height shall be determined as the distance from the undisturbed ground level at the sign structure base to the topmost projection of each individual face.
   (4) The height restriction of this subsection shall not apply to new billboards proposed for relocation along expressways, freeways or other grade separations if they meet all other requirements set forth in this section.
   (5) In the case of the wall-mounted billboard face and a pole-mounted billboard face which are proposed as removals to be replaced by a new billboard, the height of the pole-mounted face shall be the limit on the height of such proposed new billboard face(s).

f. In the case of variance requests (beyond the maximum standards permitted in this Ordinance) that are granted, the following shall apply:
   (1) Height variances shall require use of thirty (30) square feet of face area credit for each one (1) foot in height above the fifty (50) foot height limit.
   (2) Face area variance shall require two (2) square feet of face area credit for each one (1) square foot increase in face above the 672 square feet limit.

12.5.9. Design Vistas and Aesthetically Sensitive Areas.

Design vistas and aesthetically sensitive areas, where outdoor general advertising signs are prohibited, shall within ninety (90) days of the effective date of this Ordinance be initially designated and adopted by motion of the City Council and maintained on the Official Zoning Map. No permits for new billboard structures shall be issued under the provisions of this Section 12.5 until such initial designation and adoption of design vistas and aesthetically sensitive areas has been completed. Designation and adoption of additional design vistas and aesthetically sensitive areas may be made by the City Council at any time. The following is a list of adopted design vistas:

1. The Central Business District Skyline and Louisiana Superdome as seen from all grade separation roadways with vistas toward the Central Business District. Such views include, but are not limited to the following:
   a. The eastbound Earhart Expressway approach between the Jefferson Parish line and the CBD.
   b. The eastbound I-10 approach between the high-rise bridge and the Pontchartrain Expressway interchange.
   c. The westbank approach to the Crescent City Connection and the Pontchartrain Expressway from the DeGaulle entrance ramp to the Claiborne Avenue/I-10 interchange.
   d. The eastbound Airline Highway/Tulane Avenue approach from the Jefferson Parish line and the Central Business District.
   e. Decatur Street and Rampart Street, traveling uptown between Elysian Fields Avenue and Canal Street.

f. Orleans Avenue/Basin Street traveling uptown between Claiborne Avenue and Canal Street.
g. Tchoupitoulas Street, Camp Street, St. Charles Avenue, Carondelet Street, Oretha Castle Haley Boulevard/O'Keefe Avenue traveling downtown between Martin Luther King, Jr. Boulevard/Melpomene and Poydras Street.
h. Loyola Avenue traveling downtown between Simon Bolivar and Poydras Street.
i. Franklin Avenue southbound, at all grade separations (all views along southwestern side of roadway).
j. St. Claude Avenue and North Robertson Street westbound, from Deslonde Street to Poland Avenue, and Clouet Street to Franklin Avenue (all views along riverside of roadway).
k. South Claiborne Avenue eastbound, from Louisiana Avenue to the Pontchartrain Expressway.
l. Highway 407 bridge, westbound, entire grade separation, southwest side.

2. All views of the Vieux Carré and St. Louis Cathedral from both sides of the Mississippi River.
3. Views of all city elements from the Mississippi River corridor (views from any point on the river).
4. All views along Carrollton Avenue, between St. Charles Avenue and City Park Avenue.
5. All views along all public roadways, railroads, waterways and rights-of-way east of and within 200 feet of the right-of-way lines of Paris Road between I-10 and the St. Bernard Parish line.

(Ord. No. 25492, § 1, adopted 9/12/13)

12.5.10. New Orleans Billboard Report.

In order to maintain effective control of the billboard industry within the City, the City Planning Commission shall review and report to the Select Council Committee on Billboards on the status of

compliance with all regulations, monitoring and enforcement of outdoor general advertising signs, as well as equitable taxation relative to such signs, their owner(s) and the owner(s) of the property where the billboard(s) stand(s) as such compliance relates to the intent of these regulations. The Department of Safety and Permits, the Finance Department and the Board of Assessors of New Orleans, a representative of the billboard industry and a representative of New Orleans neighborhoods shall assist the City Planning Commission shall in its review.

1. This report shall be known as the New Orleans Billboard Report and Recommendations and shall be required by June 30, 1994, and every five (5) years thereafter.

2. The New Orleans Billboard Report shall recommend changes, as deemed necessary, to the City Code and the Comprehensive Zoning Ordinance to correct any problems that may have arisen since the last report.

3. The City Council shall take appropriate action, based upon the recommendations, to maintain effective regulation of the billboard industry in New Orleans.

12.5.11. Variance or Waiver of Requirements.

Applications for any variance or waiver of the requirements set forth in Section 12.3 or Section 12.5 regarding outdoor general advertising signs shall be submitted to the City Planning Commission for hearing and action in accordance with the provisions of Article 16.

1. The application shall be accompanied by:

   a. Site plans,

   b. Black and white photographs of the site and its environs,

   c. Black and white photographs of, and the location of the billboards to be removed as required by Section 12.5.8,

   d. Drawings, and

   e. Any other data, either written or graphic, as required by the City Planning Commission and City Council to aid in their decision process.

2. For the purpose of considering a request for a variance from these regulations the City Planning Commission and City Council shall consider the following criteria:

   a. The granting of the variance is consistent with the general provisions, intent and design requirements set forth herein.

   b. Harmony and compatibility with adjacent land uses or views will not be adversely affected.

c. Special conditions and circumstances exist which are peculiar to the land, structures, buildings or views and which are not applicable to other land, structures, buildings or views in the same district.

3. The City Planning Commission, within forty-five (45) days from receipt of a request for a variance or waiver, shall forward its recommendations to the City Council for a decision.

4. The City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a decision.

5. The City Council shall approve or deny the request within forty-five (45) days from the date it was received by the City Planning Commission.

6. Approval or denial can be accomplished by City Council Motion, but failure of the City Council to act within the forty-five (45) day period shall be deemed a denial of the variance or waiver request.

(Ord. 18,077 § 1, adopted 2/20/97)

Section 12.6. Exemptions.

The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the Building Code:

1. Official traffic signs or sign structures and provisional warning signs or sign structures, when erected or required to be erected by a governmental agency, and temporary signs indicating danger.

2. Changing of copy on a bulletin board, poster board, display encasement, or marquee and the painting and routine maintenance of sign structures and supports, if the sign area is not increased nor are any structural improvements, alterations or replacements made.

3. Except in the Vieux Carré, temporary nonilluminated signs, located on the premises, not more than six (6) square feet in area, and advertising real estate for sale or lease or announcing contemplated improvements of real estate. One (1) such sign is allowed for each street frontage.

4. Except in the Vieux Carré or residential districts, temporary nonilluminated signs not more than 100 square feet in area erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress. One (1) such sign is allowed for each street-frontage.

5. Except in the Vieux Carré, nonilluminated signs, not exceeding ten (10) square feet in area with letters not exceeding one (1) foot in height, painted, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain, or umbrella.

6. Cornerstone or tablet of bronze, brass or other noncombustible material when built into or attached to the wall of a building or structure, which states only the name of the building or structure, its use, the date of erection, names of owner, architect, municipal number, public officials or which gives information commemorating a person or event.

7. Sign on a truck, bus, or other vehicle, while in use in the normal course of business. This section should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.

8. For signs necessary for the identification, location or content on appurtenant structures and equipment, such signs shall be permitted when attached flat against such structures and equipment but shall not exceed one (1) square foot in area.

Section 12.7. Procedures.

12.7.1. Permits Required.

No sign unless herein excepted, shall be erected, constructed, posted, painted, altered, maintained, or relocated except as provided in this article and in these regulations, until a permit has been issued by the Director of Safety and Permits. Before any permit is issued, an application, especially provided by the Director shall be filed, together with three (3) sets of drawings, and/or specifications (one (1) to be returned to the applicant) as may be necessary to fully advise and acquaint the Director with the location, construction, materials, manner of illumination, and/or securing or fastening, the number of signs applied for, and the wording of the sign or advertisement to be carried on the sign, except in the case of general advertising signs or accessory signs where the copy or advertising is anticipated to be changed periodically and where such wording or advertising is not needed in computing the area of the sign. All signs which are electrically illuminated by neon or by any other means shall require a separate electrical permit and inspection. All signs shall be erected on or before the expiration of six (6) months from the date of issuance of the permit; otherwise the permit shall become null and void and a new permit shall be required. Each sign requiring a permit shall be clearly marked with the permit number and name of the person or firm placing the sign on the premises. Fees for sign permits shall be in accordance with the schedule adopted by ordinance, a copy of which is maintained in the offices of the Department of Safety and Permits.

12.7.2. Interpretation.

Application for unusual signs or displays which give rise to question of interpretation of these regulations may be referred by the Director of Safety and Permits to the Board of Zoning Adjustments for the purpose of interpretation by the Board and recommendation for action on the application by the Director. If, in the opinion of the Board, the application is not adequately covered by these regulations, the Board may make recommendations for amending these regulations to the City Council.

Section 12.8. Enforcement.

12.8.1. Violations.

The owner and/or tenant of the premises and the owner and/or erector of the sign shall be held responsible for any violations of these regulations. Where a sign has been erected in accordance with these regulations, the sign company shall be relieved of further responsibility under these regulations after final approval of the sign by the Director of Safety and Permits.

12.8.2. Sign Maintenance.

All signs shall be maintained in good condition and appearance. The Director of Safety and Permits may cause to be removed any sign which shows gross neglect or becomes dilapidated or where the area immediately around such sign is not well maintained after due notice has been given as provided below.

12.8.3. Removal of Signs.

The Director of Safety and Permits shall remove or cause to be removed any sign erected or maintained in conflict with these regulations if the owner or lessee of either the site or the sign fails to correct the violation within thirty (30) days after receiving written notice of violation from the Director. The Director may immediately remove or cause to be removed any sign which in his/her opinion constitutes a public hazard. Removal of a sign by the Director shall not affect any proceedings instituted prior to removal of such sign.

ARTICLE 13

NONCONFORMING USES

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ARTICLE 13 NONCONFORMING USES

Section 13.1. Effect Of Ordinance.

13.1.1. General Rule.

No building or land shall hereafter be used, and no building or part thereof shall be erected, reconstructed, converted, moved or structurally altered unless in conformity with regulations as set forth in this Ordinance, except as hereinafter provided.

13.1.2. Buildings Under Construction.

Any buildings legally under construction but not in accord with the requirements of this Ordinance, will become nonconforming at the time this Ordinance or an amendment thereto becomes effective.

Section 13.2. Discontinuance Of Nonconforming Uses, Land And Buildings.

13.2.1. Vacancy as Discontinuance.

No nonconforming building or portion thereof, or land used in whole or in part for nonconforming purposes, which hereafter becomes and remains vacant for a continuous period of six (6) calendar months shall again be used except in conformity with the regulations of the district in which such building or land is situated. The intent of the owner or other person to use a building or land for nonconforming purposes shall not be determinative of whether such building or land was vacant. The burden of proof to establish the existence and retention of a nonconforming use shall be on the property owner of the building or land claiming retention of said nonconforming use by clear and convincing evidence.
(Ord. No. 024751, § 1, adopted 3/1/12)

13.2.2. Nonconforming Use, Strict Construction.

Nonconforming uses are inconsistent with the objectives of the Comprehensive Zoning Ordinance, which is to confine certain classes of buildings and uses to certain localities, and thus, it should be viewed narrowly and have all doubts resolved against the continuation or expansion of nonconformity in order to preserve the property rights of adjacent property owners.
(Ord. No. 024751, § 1, adopted 3/1/12)

13.2.3. (Repealed by Ord. No. 024751, § 1, adopted 3/1/12)

13.2.4. (Repealed by Ord. No. 024751, § 1, adopted 3/1/12)

Section 13.3. Destruction Of A Nonconforming Use.

13.3.1. Authorization to Resume Use and Reconstruct.

Buildings legally nonconforming as to use that are in whole or in part destroyed by fire, storms or other acts of God or the public enemy may be restored, provided that the restoration is accomplished with no increase in cubical content and no increase in floor area over the building existing immediately prior to damage.

13.3.2. Procedures.

Application for a restoration permit shall be made within one year of the destruction in whole or in part by fire, storms or other acts of God or the public enemy. Restoration shall be completed within one year from the date of the issuance of the restoration permit unless extensions are approved by the Board of Zoning Adjustments.

Section 13.4. Change Of Use.

13.4.1. General Rule.

In all districts, except the Vieux Carré Districts and the Historic Marigny/Tremé Districts, if no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restrictive classification, provided that the new nonconforming use is not more intensive than the prior use. Whenever a nonconforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use. (Ord. 18,573 § 1 (part), adopted 1/8/98)

13.4.2. Nonconforming Uses in the Vieux Carré and Historic Marigny/Tremé Districts.

In the Vieux Carré, if no structural alterations are made, a nonconforming use located in the VCR or VCC districts may be changed to another nonconforming use. However, such change shall be limited to the uses permitted in the VCR and VCC districts. A nonconforming use located in the VCE district may be changed to another nonconforming use; however, such change shall be limited to the uses permitted in the VCR and VCC districts. A nonconforming use located in the VCS district may be changed to another nonconforming use; however, such change shall be limited to the uses permitted in the VCR and VCC districts.

In Historic Marigny/Tremé districts, if no structural alterations are made, a nonconforming use located in the HMR, HMC and HMLI districts may be changed to another nonconforming use; however, such change shall be limited to the uses permitted in the HMR and HMC-1 districts. Nonconforming residential uses in the HMR-3 district shall not be allowed to convert to commercial uses.
(Ord. 18,573 § 1 (part), adopted 1/8/98)

13.4.3. Procedures.

An application for a permit for a change in nonconforming uses shall be submitted to the Executive Director of the City Planning Commission, with a copy to the Clerk of Council. Each application shall be accompanied by the required fee, a floor plan, and a detailed description of both the prior and proposed use or business, including hours of operation, number of employees, off-street parking and loading, delivery schedules, storage of equipment and materials, location of trash receptacles, signage, screening and landscaping.

Within thirty (30) days of receipt of the application in proper form, the Executive Director of the City Planning Commission shall submit a report on said application with recommendations thereon to the City Council. After receiving the report and recommendation of the Executive Director, or after thirty (30) days following submission of the application in proper form if no report has been received, the City Council shall conduct a public hearing and may consider and act upon said application by motion.

The City Council shall approve the application only upon determining that the proposed nonconforming use:

1. Is a legal nonconforming use as verified by the Department of Safety and Permits;
2. Is not more intensive than the prior nonconforming use;
3. Is consistent with the character of the neighborhood in which it is located; and
4. Will provide a needed service to the neighborhood in which it is located.

Within thirty (30) days of approval by the City Council, the applicant shall provide the Department of Safety and Permits with a copy of the floor plan and the motion approving the change in nonconforming use.
(Ord. 18,573 § 1 (part), adopted 1/8/98)

Section 13.5. Extension of Nonconformities.

13.5.1. Extension of Nonconforming Structures.

Buildings which are nonconforming only as to height, Floor Area Ratio, yard areas, lot area per family, or parking may be maintained, structurally altered or increased in cubical content, provided such alteration or increase in cubical content shall not further increase the extent of the nonconformance or permit an increase in the number of dwelling units. Limitations as to cubical content and increase in floor area shall not apply to existing industrial uses in the Vieux Carré.

13.5.2. Extension of Nonconforming Uses.

A building or land (area) which does not conform to the use regulations of the district in which it is located shall not be extended or enlarged by the attachment of display materials on the building or on land outside of the building, or by the attachment of racks, balconies, or other projections from the building, or in any other manner, except when required by law or ordinance. (Ord. 19,044 § 2, adopted 12/17/98)

Section 13.6. Intermittent or Illegal Use.

13.6.1. Intermittent or Illegal Uses.

The casual, intermittent, temporary, or illegal use of land or buildings shall not be sufficient to establish and maintain the existence of a nonconforming use. In order to provide for the continuation of a nonconforming use, it must be opened for business a minimum of four (4) hours per day, five (5) days per week. The hours of operation must be posted on the entrance to the use. Equipment or furnishings required by City ordinances for the specific type of activity must be available and the structure shall be maintained in accordance with applicable ordinances of the City. The existence of a nonconforming use on part of a lot or tract shall not be construed to establish a nonconforming use on the entire lot or tract.

13.6.2. Exception—Reception Facility.

Any business establishment operating as a designated reception facility shall not be considered casual, temporary, or illegal due to the nature of the business operating intermittently for scheduled events with food and beverage service at the request of clients. These private events with food and beverage service, scheduled by non-owners and/or operators, must be held a minimum of fifteen (15) occasions a year to uphold a legal operating status as a reception facility. Exceptions to this operational standard are appealable to the Board of Zoning Adjustments.

(Ord. 22,789 § 1 (part), adopted 9/6/07)

Section 13.7. Existence of a Nonconforming Use.

The Director of the Department of Safety and Permits, at the time application is filed for a certificate of occupancy (attesting to the legal nonconforming status of an existing use), shall make an initial determination as to the existence of such nonconforming use; and in so doing shall require the property owner, or his agent, to

produce acceptable evidence attesting to said legal nonconforming status. Such evidence shall include, but need not be necessarily restricted to, such documents, as rent receipts, affidavits, documentation of utility services, or other information as may be deemed to be necessary in a particular case.

Section 13.8. Nonconforming Uses Not Validated.

A structure erected, converted, or structurally altered in violation of the provisions of the ordinance which this Ordinance amends shall not be validated by the adoption or amendment of this Ordinance, unless the such adoption or amendment effects a change in zoning classification of the land upon which the zoning violation exists authorizing the use and the use conforms to the regulations of such zoning district as of the effective date of such adoption or amendment. All suits at law or in equity and/or all prosecutions resulting from the violation of any zoning ordinance heretofore in effect, which are now pending in any of the Courts of this State, or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and all violations of existing zoning ordinances, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have heretofore been instituted or prosecuted.

Section 13.9. Expansion of Certain Existing Industrial Uses.

13.9.1. Statement of Purpose and Intent.

The purpose of this section is to provide for the structural alteration, rearrangement, limited enlargement or expansion of legal industrial uses or legal nonconforming industrial uses in certain zoning districts under a site plan review procedure to minimize the impact of such industrial use upon adjacent properties and the neighborhood. There is a need to provide relief for these nonconforming uses while protecting the surrounding neighborhood from any adverse effects of such uses. It is the City's intent that the provisions of this section as applicable to the expansion of industrial uses shall prevail over any conflicting provisions governing expansion of nonconforming uses in this article.

13.9.2. Applicability.

The provisions of this section shall be applicable to expansion of an established and conforming industrial use located in an LI or HI Industrial District, or to any legal nonconforming industrial uses located in the RS, RD, RM, and HMR Residential Districts and any commercial or industrial districts. These provisions shall apply only to those uses of an industrial nature and not to any residential, business, or commercial uses that may be permitted in an industrial district.

13.9.3. Standards for Expansion of Industrial Uses.

Expansion of an existing industrial use subject to this section shall be authorized by the City Council, upon recommendation of the City Planning Commission, only in accordance with the following standards:

1. Such use or building shall be a legal industrial use or shall have attained legal nonconforming status through prescription or as a result of a change in zoning classification and shall have maintained the

same use continuously for two (2) years or since the date of the change in zoning classification making said use nonconforming, whichever is the lesser, prior to the application for an exceptional use.

2. Said use is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
3. Said use will cause no substantial injury to other property in the neighborhood in which it is located.
4. Said use or structure conforms to any additional conditions which shall be deemed necessary by the City Council, upon the recommendation of the City Planning Commission, to secure the general objectives of this section and in order to ensure that other properties in the neighborhood will not be adversely affected. Such additional conditions shall be imposed in accordance with Section 16.9.7, and shall be established where necessary to provide:
   a. Adequate ingress and egress to the property and to existing and proposed structures thereon with particular consideration of vehicular and pedestrian safety and convenience, traffic flow and control, and access for fire control vehicles.
   b. Off-street parking and loading areas as deemed necessary to serve the use of the subject property, with particular attention to (a) above and the location, and number of spaces, and to the economic, noise or glare effects of said use on adjoining properties and other properties within the general vicinity.
   c. Refuse and service areas with particular reference to items (a) and (b) above.
   d. Utilities, with reference to location, availability and compatibility.
   e. Adequate landscaping, screening and buffering with reference to location, type, dimensions and character, to minimize the impact of said use on adjacent properties and other properties in the general area.
   f. Control of any existing or proposed signs and any existing or proposed exterior lighting with reference to size, type, glare, traffic safety, economic effect, compatibility and harmony with properties in the general area.
   g. Yards and open space.
   h. Control of heights of any enlargement of existing structures and any proposed structures with reference to compatibility and harmony with properties in the general area.
   i. Control of the general design, scale, arrangement, material, and any exterior features of any existing or proposed structures to provide for the general compatibility with adjacent or nearby land uses.

   The foregoing standards of development shall not be subject to waivers, variances, or special exceptions that could be granted by the Board of Zoning Adjustments under Article 14 of this Ordinance.

13.9.4. Terms and Conditions of Expansion.

1. The site plan shall include the existing industrial use as well as the proposed expansion of the use. Approval of the expansion shall subject the existing and the proposed use to the standards in Section 13.9.3.
2. An industrial use that has been expanded pursuant to this section shall not be changed to another use unless reapplication is made in accordance with Section 13.9.5 to allow for a change in use. A

change in use shall be similar to the existing use and of the same or of a lesser intensity than the existing use. No change in use shall be allowed to a use which is of a less restrictive zoning classification.

3. Any proposed expansion shall be limited to the same or contiguous lot(s).
4. The permitting of an enlargement shall in no way be considered the creation or recognition of the commencement of a nonconforming use and the owner(s) shall by an agreement recorded with the approved plan indicate the relinquishment of all legal rights as a nonconforming use.
5. The application for any proposed expansion of an industrial use subject to this section which is located in an historic district will be submitted to the Historic District Landmarks Commission for review and comment.

13.9.5. Procedures.

1. Site Plan Requirements and Final Decision-Maker.

   A site plan prepared in accordance with Section 16.7 shall be submitted with an application to expand an existing industrial use subject to this section. Copies of a preliminary site plan for the proposed expansion shall be submitted to the City Planning Commission and shall be processed in accordance with the provisions of Section 16.9. Notification of the proposed expansion shall be provided in accordance with Section 16.9.2. The Planning Commission shall conduct a public hearing and make its recommendation to the City Council, who shall be the final decision-maker on the site plan. The City Council shall render its decision in accordance with Section 16.7.

2. Recordation.

   No building permit shall be issued until a final plat of the expansion is approved, filed and recorded in the Conveyance Office of Orleans Parish. Said site plan and the agreement required under Section 13.9.4 shall be recorded within thirty (30) days of the date the final approval is signed to the site plan or the approval shall be deemed null and void. A copy of the recorded site plan shall be provided to the City Planning Commission, which shall designate the recorded exceptional use on the Official Zoning Map with a special symbol for its boundaries and with the symbol "EU".

3. Fees.

   The fee for an expansion of an industrial use subject to this section shall be the same as the fee for a conditional use application.

4. Revocation.

   The City Council may initiate revocation proceedings against the owner of the expanded industrial use in the event of noncompliance or failure to satisfy conditions imposed on approval of the expansion after sixty (60) days personal notice to the owner, in accordance with the procedures in Section 16.9.4.

(Ord. No. 25450, § 3, adopted 8/22/13; Ord. No. 25492, § 1, adopted 9/12/13)

13.9.6. Enforcement.

The Department of Safety and Permits shall be responsible for the enforcement of all aspects of the exceptional use.

Section 13.10. Expansion of Certain Existing Uses.

Notwithstanding any provision of this article, the following existing uses may be expanded in one or more zoning districts, subject to standards set forth or referenced herein. In the event of any conflict between the limitations on expansion of use in other sections of this article and specific standards for expansion of such existing uses in this section, the specific provisions shall prevail.

13.10.1. Expansion of Certain Public and Semipublic Facilities.

1. Existing railroad facilities, public and governmental uses, public and private schools, colleges and universities may continue to be operated and maintained in any residential, commercial, medical, non-urban or office district and may be expanded provided such expansion can be accomplished in accordance with the applicable district regulations or when such expansion is so authorized by the Board of Zoning Adjustments in accordance with Article 14. No new such facility may be established except when permitted by the applicable district regulations or when approved as a conditional use in accordance with Section 16.6.
2. Temporary use of off-site facilities for an existing public elementary (including pre-kindergarten and kindergarten), middle, junior high, or senior high school shall be allowed in the districts described above subject to the following:
   a. The temporary use shall be allowed for a period not to exceed two (2) years. An extension of the two (2) year limit may be granted upon request to or by the City Council. A City Council Motion duly adopted shall effectuate the extension.
   b. New off-site structures used temporarily must meet the following setback requirements: not less than fifty (50) feet where the side yard or rear yard line abuts a residential district and not less than twenty-five (25) feet from all lot lines abutting streets, canals, or open public spaces.
   c. The student enrollment of the temporary facility shall not exceed twenty-five (25) percent of the student enrollment of the existing school facility. The enrollment of the temporary facility may be increased upon a request to and approval of the Director of the Department of Safety and Permits in the event of an emergency. Said emergency may constitute a fire, natural disaster, hazardous condition, or any other unforeseen occurrence requiring prompt action.
   d. These criteria shall not be subject to variance or waiver by the Board of Zoning Adjustments. Any variance or waiver from these conditions may be considered upon request to or by the City Council. A City Council Motion duly adopted shall effectuate the changes.
3. Expansion of an existing school site shall be permitted as a matter of right subject to all the following:
   a. The existing school site prior to the expansion is nonconforming in terms of the minimum site size requirement for a school and said expansion of the school site reduces the degree of nonconformity.
   b. There shall be no structures on the expansion site.
   c. The expansion site remains open space or recreational area.
4. Renovation or reuse for a public school purpose of an existing school facility that has not been approved previously through the conditional use procedure shall be allowed outright, notwithstanding any nonconforming status or period of vacancy, provided that the type of school is not changed to a higher grade grouping school. Any expansion of the site beyond its limits at the time of closure or prior use, other than expansion permitted under subsection 3, or change in use to a higher grade grouping, shall require a conditional use permit under Section 16.6.

5. Rebuilding of an existing public school facility that has not been approved through the conditional use procedure shall be allowed irrespective of any nonconforming status or period of vacancy provided that:
   a. No increase in floor area occurs greater than fifty (50) percent of the floor area of the structure prior to rebuilding.
   b. The type of school is not changed to a higher grade grouping school.

   Any expansion of the site beyond its limits at the time of closure or prior use, other than expansion permitted under subsection 3, or change in the above stated conditions, shall require a conditional use permit under Section 16.6.

13.10.2. Existing Radio and Television Towers in Any District.

Existing radio and television towers including accessory buildings, but excluding attached broadcast studios and office buildings, may continue to be operated and maintained and shall be permitted to expand in accordance with the applicable district regulations, provided that the site must contain not less than ten (10) acres and a minimum fifty (50) foot setback is maintained from all property lines for such facilities.

13.10.3. Existing Hospitals in RS Single-Family or RD Two-Family Residential Districts.

Existing hospitals located in an RS Single-Family or RD Two-Family Residential District, whose principal activity is the therapeutic treatment of patients who are physically or mentally ill, may be structurally maintained, altered or extended in existing or newly constructed buildings, subject to the following standards and conditions:

1. Such extension may include only the addition of the uses or services constituting or customarily incidental to the principal activity of the hospital, without change of use or zoning classification.
2. The lot, parcel or tract upon which the hospital is situated was either:
   a. Occupied by hospital buildings and used for services customarily incidental to the principal activity of the hospital as of October 19, 1967, or
   b. The lot, parcel or tract to be maintained, altered or extended by the addition of uses or services thereto was contiguous to or abutting the lot, parcel, or tract upon which the hospital was situated, or was separated therefrom by a street and fronted on the same public street separating said lot, parcels, or tracts as of October 19, 1967.
3. The lot, parcel or tract to be maintained, altered or extended by the addition of uses or services, together with the other lots, parcels or tracts owned by the hospital which were either contiguous or separated from each other by a public street as of October 19, 1967, contain an aggregate of not less than ten (10) acres.
4. The extension or structural alteration does not further encroach on any required yard area or off-street parking area.
5. The proposed alterations or extensions of uses or services comply with existing City ordinances and do not cause serious annoyance, injury, or inconvenience to occupants of adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise, vibration, light, glare, or other nuisance.
6. Any and all future buildings or uses shall be used only for the principal activity or accessory uses to the principal activity of the hospital, and for noncommercial institutional activities, such as libraries, parking area and other similar uses.

7. No new commercial activities of any kind shall be permitted in whole or in part, main or accessory, such as pharmacies, drugstores, restaurants, flower shops, hotels, apartment motels and retail shops, except as may be incidental and necessary to the principal activity of the hospital and of the type that existed in said hospital as of October 19, 1967.
8. Provided further that the area mentioned in Paragraph 1, supra, to which this section applies, shall not be enlarged after October 19, 1967, outside the boundaries of said area by the inclusion in said area of any other lots, parcels, or tracts subsequently acquired by the hospital.
9. That any alteration or extension by the addition of new buildings or services under the provisions of this amendment must be enclosed by either a continuous masonry, brick, iron, picket or chain-link type fence. Provided further, that if such fence is of a type of construction that does not conceal its enclosure from exterior view, then a covering line of shrubbery or permanent foliage must be planted along said fence so as to conceal its enclosure from exterior view. In no event shall any such fence be less than seven (7) feet.

13.10.4. Existing Commercial Amusement or Recreational Development.

An existing commercial amusement or recreational development in a residential district, or in any district when owned by an established public entity, may be maintained, buildings structurally altered or extended, new buildings constructed, parking areas extended, and new parking area created within the boundaries of the development, without a change of use. For purposes of this section, commercial or recreation development includes, but is not limited to amusement parks, pistol or rifle ranges, racecourses, fairgrounds or sport fields, located on a site not less than ten (10) acres in size, which is located within the boundaries of the fairgrounds, as indicated by the boundaries of the conditional use, as amended, for the race track in the area generally bounded by Fortin Street, Gentilly and Desaix Boulevards, and Belfort and Esplanade Avenues. The following standards apply to expansion of such facility:

1. There is no further encroachment on any required yard area or off-street parking area.
2. The required setbacks for a new structure or any extension shall be twenty (20) feet from a public right-of-way and fifty (50) feet from a residential property line. When a structure abuts a cemetery the required setback from the cemetery shall be three (3) feet. Any new parking area or any extension of an existing parking area shall be set back twenty (20) feet from a residential property line.

   The required yard setback from a public right-of-way shall not be reduced to the average front yard setback established by other structures along such street frontage.
3. Whenever a new structure or parking area or the extension of an existing structure or parking area abuts a public right-of-way or residential property line, a masonry fence or a fence constructed of redwood, cedar or cypress boards placed vertically, edge to edge, shall be provided. Such fence shall be located along the residential property line and shall be seven (7) feet in height, or such fence shall be located ten (10) feet from a public right-of-way and shall be ten (10) feet in height. Any barbed wire shall be turned in towards the facility.
4. A chain wall that extends at least twelve (12) inches below grade and at least six (6) inches above grade shall be constructed and maintained as part of the fence to assure that the drainage does not run onto adjacent properties. An internal drainage system shall be provided for any new facility.

5. The ten (10) foot area between a public right-of-way and the fence shall be maintained as open space and planted with grass and shrubbery.

   The shrubbery shall be planted prior to the issuance of a Certificate of Occupancy and a bond in an amount equal to the initial cost shall be submitted to guarantee the maintenance and replacement of such shrubbery for two (2) years.
6. The activities of the development shall not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odor, fumes or gases, dust, smoke, noise or vibration, light or glare or other nuisances and shall comply with all applicable City ordinances.
7. Expansion of the boundaries of the fair grounds requires approval of a conditional use permit, which is subject to the standards contained in Section 4.4.5(5).
8. The foregoing provisions shall not be subject to waivers or variances that could be granted under Article 14 by the Board of Zoning Adjustments. Waivers or variances may be granted by the City Council following recommendation by the City Planning Commission in accordance with the provisions of Article 16.

(Ord. No. 25492, § 1, adopted 9/12/13)

13.10.5. Racetrack Operation.

A horse or dog racetrack may be operated in conjunction with parimutuel wagering between the hours of 6:30 p.m. and 8:30 p.m. when approved as a conditional use, provided that:

1. The horse or dog track complies with all City ordinances governing and/or prescribing the following:
   a. Proper set-backs for lighting systems, including without limitation all parking lot lighting and security light systems;
   b. Landscaping, drainage, fence placement, and fence design;
   c. Size, height, and location of structures, including without limitation stables, barns, grandstands, parking garages, office structures and lighting standards.
2. Assurances are provided to the City Council that all applicable State laws shall be complied with, including approval by the Louisiana State Racing Commission.
3. The horse or dog track complies with all other ordinances and legal requirements governing land use and development.
4. All field lights and racecourse illumination systems shall be directed and placed so as to minimize the effects on neighboring residential properties. Further, such systems shall not employ candle power in excess of the minimum actually required for the horse or dog racing events. The Council shall cause an expert of its selection to examine and inspect any such lighting system so as to insure compliance with this provision, the cost for which shall be paid by the applicant. The report and recommendations of such expert shall be conclusive as to whether or not there has been compliance with this subsection. A plan for all lighting systems shall be formulated, submitted, and approved with the application for the conditional use permit.
5. All field lights and racecourse illumination systems shall be turned off no later than 8:30 p.m., and all parking light systems shall be turned off no later than 8:45 p.m. on any evening during which night or twilight racing events are held. Such lighting systems shall otherwise be turned off by 6:30 p.m., except when night repair work is essential and prior approval of the Director of Safety and Permits has been obtained. It is recognized that emergencies can occur, such as a horse or jockey injury, and, in such cases, there will be an automatic exception to the

provisions of this subsection. However, it is specifically recognized that the inability of track patrons to exit the parking lot by 8:45 p.m. because of excessive traffic will not constitute an "emergency."

6. The horse or dog track shall implement a plan prescribed by the City Council for ingress to and egress from its facilities. The plan shall minimize the impact of vehicular and pedestrian traffic in surrounding neighborhoods. Except for racetracks that have been in existence for three (3) years or longer at the time of the passage of this Ordinance, all vehicular and pedestrian gates, driveways, or walkways shall be closed to the general public during all hours of operation on any day in which race events will be held after 6:30 p.m. except gates on a major street. The horse or dog track shall also provide, at its expense, for personnel to control traffic as it enters and exits the major street gates, driveways or walkways.
7. The horse or dog track shall take all necessary steps to control litter along the perimeter of its property. A plan for litter control shall be formulated, submitted and approved with the application for the conditional use permit.
8. Night or twilight racing shall not be conducted in excess of two (2) evenings per week.
9. In the event that any condition of the conditional use permit is violated, the City Council, on its own motion or on the petition of any interested or affected person, shall undertake revocation proceedings in accordance with Section 16.9.4.
10. The foregoing provisions shall not be subject to waivers or variances that could be granted under Article 14 by the Board of Zoning Adjustments. Waivers or variances may be granted by the City Council following recommendation by the City Planning Commission in accordance with the provisions of Article 16.

13.10.6. Existing Electric Substations, Electric, Gas and Transit Service Center, and Gas Regulator Stations in Any District.

(See Section 11.40)

13.10.7. Existing Cemeteries and Mausoleums in Any District.

(See Section 11.11)

13.10.8. Existing Buildings in the Vieux Carré Districts for Purposes of Conversion to Multiple Dwellings.

(See Section 8.10)

13.10.9. Existing Hotels in the Vieux Carré Districts.

(See Section 8.10)

13.10.10. Existing Residential Uses in a LI Light Industrial District.

(See Section 7.3)

ARTICLE 14

BOARD OF ZONING ADJUSTMENTS

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ARTICLE 14 BOARD OF ZONING ADJUSTMENTS

Section 14.1. Organization.

A Board of Zoning Adjustments is hereby created and established. The word "Board" when used in this article shall be construed to mean the Board of Zoning Adjustments. The Board shall consist of five (5) members who shall be residents, owners of real property, and qualified voters of the City of New Orleans. Board members shall be appointed for terms of five (5) years each. The members constituting the Board shall be appointed by the Mayor with the consent and approval of the City Council. All members may be removed for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Board shall elect its own Chairman who shall serve for one (1) year.

Section 14.2. Rules, Meetings.

The Board shall adopt rules of procedure not in conflict with any State law or City ordinance. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All official meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Board and shall be public record. All testimony, objections thereto, and rulings thereon shall be recorded.

Section 14.3. Standards and Reasons for Decisions.

The Board shall prepare and adopt general standards and guidelines to insure achieving desirable goals and uniformity of action in the major instances in which it is authorized to act. The records of the Board shall include a summary of the facts of each appeal and the reasons for the decision of the Board. Where an appeal is approved, the decision shall include a reference to the specific section or sections of this Ordinance under which such action is taken.

Section 14.4. Powers of the Board.

14.4.1. Powers of the Board.

The Board of Zoning Adjustments shall have the following powers in administration of the Zoning Ordinance and related regulations:

1. To hear and decide appeals from any decision of the Director of Safety and Permits;
2. To hear and decide requests for variances on matters delegated under Section 14.6 of this article.
3. To hear and decide special exceptions on matters delegated under Section 14.7 of this article.
4. To hear and decide cases of hardship regarding Article IV, Chapter 4, of the Code of the City of New Orleans (Ordinance No. 828 M.C.S., as amended) known as the Airport Zoning Ordinance for the New Orleans Airport pursuant to the standards and procedures therein set forth.
5. To hear and decide what uses are to be permitted in the HI Heavy Industrial District in accordance with the provisions of Section 7.4.4.

6. To hear and decide whether to allow expansion of existing railroad facilities, public and governmental uses, public and private schools, colleges and universities in any residential, commercial, medical, non-urban or office district; and
7. To hear and decide whether to convert existing large buildings in the Vieux Carré Districts to multiple dwellings, in accordance with the standards in Article 8 of these zoning regulations.

14.4.2. Limitations.

1. The development standards for conditional uses, planned development districts, and the Special Industrial District, or any other matter designated by the City Council expressly within these zoning regulations, shall not be subject to waivers, variances or exceptions that could otherwise be granted under the provisions of this Article 14.
2. The Board shall have no power to authorize uses in zoning districts which are not authorized in zoning district regulations, nor to change the boundaries of zoning districts, except to the extent such authority is conferred under Section 14.7.

Section 14.5. Appeals From Administrative Decisions.

14.5.1. Scope of Appeals.

Appeals to the Board may be taken by any party aggrieved, or by any officer, department, commission, board, bureau, or any other agency of the City of New Orleans affected by any decision of the Director of Safety and Permits concerning application or interpretation of the provisions of the Comprehensive Zoning Ordinance.

14.5.2. Stay of Proceedings.

An appeal shall stay all administrative proceedings in furtherance of the action appealed from, unless the Director of Safety and Permits certifies to the Board of Zoning Adjustments, after the notice of appeal shall have been filed with him, by reason of facts stated in the certificate, that a stay would, in his opinion, cause imminent peril of life or property. In such cases proceedings shall not be stayed other than by a restraining order which may be granted by the Board or by the Civil District Court of the Parish of Orleans on application to the Board, or to the Civil District Court, and notice to the Director of Safety and Permits, and on due cause shown thereon.

14.5.3. Withdrawal of Appeal.

The appellant may withdraw his appeal at any time before a decision of the Board, but if withdrawn after advertisement for public hearing, filing fees shall not be returned and the same, or a substantially similar appeal on the same property, shall not be heard sooner than one (1) year after the date established for the prior hearing.

14.5.4. Procedures.

An appeal may be considered within a reasonable time, but in no event shall an appeal be allowed after the expiration of forty-five (45) days from the date of refusal of a permit, or from the date of an order, ruling, decision, or determination, by the Director of the Department of Safety and Permits. Appeals taken after forty-five (45) days from the date aforesaid shall neither be docketed nor considered by the Board; rather, the Board's staff shall notify the appellant that the appeal is untimely, shall not be considered by the Board, and is, accordingly, dismissed. Timely appeals may be taken by filing, with the Board, a notice of appeal specifying the grounds therefor, in accordance with Section 14.9. Notice and a public hearing shall be provided as specified in Section 14.9. The Director of the Department of Safety and Permits shall produce all papers, correspondence, and records requested by the Board of Zoning Adjustment for any hearing or meeting held by the Board. The Board of Zoning Adjustments shall decide on the appeal within forty-five (45) days following the hearing date.

(Ord. 19, 365 § 1, adopted 9/16/99)

14.5.5. Rehearing.

If the Board denies the appeal, reappeal or rehearing of substantially the same matter shall not be heard by the Board within one (1) calendar year commencing from the date of the denial. Re-appeals or rehearings properly granted shall be subject to all the rules of procedure relative to appeals as set forth in Section 16.9.

14.5.6. Limitations on Appeals.

Whenever an application for a zoning map amendment has been filed and the application has been finally acted upon by the City Council in accordance with the procedures set forth in Article 16, Section 16.2 "Zoning Amendments," or when the application has been officially advertised for public hearing but has been withdrawn either before or after the public hearing has been held, then the Board of Zoning Adjustments shall not consider any application for appeal of the loss of non-conforming use status for the same property within a period of two (2) calendar years from the date of the City Council's final action, or from the expiration of the 120 day period in case no action has been taken by the City Council, or from the date of withdrawal of the application following official advertisement.

Any appeal taken after the actions specified above but before the expiration of the two (2) calendar year time limit shall neither be docketed nor considered by the Board; rather, the Board's staff shall notify the appellant that the appeal is untimely, shall not be considered by the Board, and is accordingly, dismissed.

(Ord. No. 25384, § 1, adopted 7/11/13)

Section 14.6. Variances.

14.6.1. Purpose and Intent.

The purpose of the variance procedure is to afford an applicant relief from the requirements of the letter of the Zoning Ordinance when unnecessary hardship or practical difficulty exists. The Board of Zoning Adjustments shall authorize variances in harmony with the general purpose and intent of this Ordinance and in accordance with the standards hereafter prescribed.

14.6.2. Authority to Grant Variances.

Variances from this Ordinance shall be in accordance with the standards and conditions of this section, and may be granted only in the following instances:

1. To permit any yard, lot width or frontage less than the yard, lot width or frontage required.
2. To reduce the requirement for lot area per family.
3. To allow a Floor Area Ratio greater than that permitted, except in the CBD Districts.
4. To reduce off-street parking or loading requirements; except, however, the Board may not grant a variance increasing the maximum number of off-street parking spaces permitted in the CBD Districts.
5. To reduce the requirements for space between buildings.
6. To allow a smaller Open Space Ratio than is required for the use.

14.6.3. Limitations on Authority to Grant Variance.

1. None of the provisions of the preceding paragraphs shall be construed as permitting a variance of any standards and conditions governing establishment of open parking lots in residential districts as set forth in Section 14.10.
2. The authority of the Board of Zoning Adjustments to waive lot area and off-street parking requirements for churches shall be limited such that no such waiver shall exceed thirty (30) percent of applicable lot area and off-street parking requirements. Should it be necessary for the applicant

to seek a waiver larger than thirty (30) percent, the application shall be presented to the City Council, together with any other requests for variances, and shall be scheduled for public hearing as provided in Section 16.9.

14.6.4. Standards for Variances.

The Board of Zoning Adjustments shall not authorize a variance from the requirements of this Ordinance unless it shall make findings based upon the evidence presented to it that each special case shall indicate all of the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
2. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
3. The special conditions and circumstances do not result from the actions of the applicant or any other person who may have or had interest in the property.
4. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures, or buildings in the same district or similarly situated.
5. The variance, if granted, will not alter the essential character of the locality.
6. Strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
7. The purpose of the variance is not based exclusively upon a desire to serve the convenience or profit of the property owner or other interested party(s).
8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
9. The proposed variance will not impair an adequate supply of light and air to adjacent property, or increase substantially the congestion in the public street, or increase the danger of fire, or endanger the public safety.

Section 14.7. Special Exceptions.

14.7.1. Purpose and Intent.

In order to provide for adjustments in the relative locations of uses and buildings of the same or of different classifications, to promote the usefulness of these regulations as instruments for fact finding, interpretation, application and adjustment, and to supply the necessary elasticity to their efficient operation, the Board of Zoning Adjustments is authorized to grant those special use exceptions and special yard, height, and floor area exceptions specifically enumerated in this section, and only such exceptions.

14.7.2. Criteria.

The Board may grant a special exception upon finding that, in its opinion, such exception will not substantially affect adversely the use of adjacent or neighboring property permitted in this Ordinance, and that such exception meets all standards for such exception listed in this section.

14.7.3. Exceptions to Parking and Loading Requirements.

The Board may grant the following exceptions to parking and loading requirements of the Zoning Ordinance:

1. Off-street parking areas, adjacent to or at a reasonable distance from the premises on which parking areas are required by the parking regulations of Article 15 where practical difficulties,

including the acquisition of property, or undue hardships are encountered in locating such parking areas on the premises and where the purpose of these regulations to relieve congestion in the streets would best be served by permitting such parking off the premises provided the zoning classification of such parking area is the same as, or less restrictive than, the classification of the lot upon which the main use is located.

2. Waiver or reduction of the parking and loading requirements in any district, except in the Central Business Districts, whenever the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities. In the CBD Districts when more than three (3) loading spaces are required the Board of Zoning Adjustments shall have the authority to waive only thirty (30) percent of the required number of loading spaces.
3. Waiver or reduction of loading space requirements where adequate community loading facilities are provided.
4. Waiver or reduction of loading space requirements for uses which contain less than 10,000 square feet of floor area where construction of existing buildings, problems of access, or size of lot make impractical the provision of required loading space.

14.7.4. Special Yard Exceptions.

The Board may grant the following yard exceptions:

1. An exception in the yard regulations on a lot which abuts another lot on which front, side, or rear yard is similar to the exception applied for.
2. An exception to an interior or side yard requirement where such side yard is contiguous to a permanent open space such as a park or playground.
3. An exception where there are irregularities in depths of existing front yards on a street frontage on the side of a street between two intersecting streets, so that any one of the existing depths shall for a building hereafter constructed or extended be the required minimum front yard depth.

14.7.5. Special Height Exceptions.

1. The Board may grant an exception to the height regulations in any district so as to relieve practical difficulties or particular hardships in cases when and where by reason of exceptional narrowness, shallowness, or shape of a specific property at the time of the enactment of such regulation or restriction or by reason of exceptional topographical conditions or other extraordinary and exceptional situations or conditions of such property, the strict application of such regulation or restriction would result in peculiar and exceptional practical hardship upon the owner of such property.
2. An exception granted under this section shall not violate any of the controls or limitations of the Airport Zoning Ordinance, and no exception shall be granted to the special height limits applying to new developments or enlargements on parcels having frontage on designated streets as set forth in Section 15.5.

14.7.6. Adjustment of Zoning District Lines.

In those instances where subdivisions or resubdivisions would create a lot line which no longer coincides with an existing zoning district boundary, the Board of Zoning Adjustments shall have the authority to shift zoning district boundaries to coincide with the newly created lot line, provided all of the following are met:

1. A favorable recommendation is received from the City Planning Commission;
2. Such shift shall not constitute a substantive change in the Zoning Ordinance that would adversely affect adjacent property;

3. Such shift shall not grant a less restrictive classification to a lot of sufficient size or configuration as to constitute a building site unless said lot is separated from private property within a more restrictive zoning district by a street, canal, or similar public right-of-way.

Section 14.8. Procedures For Variances and Special Exceptions.

14.8.1. Application Procedures.

A written application for a variance or special exception shall be submitted to the Board of Zoning Adjustments, through the Director of Safety and Permits, who shall be the designated official. The application shall be submitted on approved forms furnished by the Board of Zoning Adjustments and shall contain such information as the Board of Zoning Adjustments may from time to time by rule require.

14.8.2. Decision.

Notice and public hearing on the variance or special exception request shall be as provided in Section 14.9. The Board shall make its decision on the application in accordance with the criteria contained in Sections 14.6 and 14.7. The concurring vote of four (4) members of the Board of Zoning Adjustments shall be necessary to authorize a variance or special exception. The decision, with the reason therefor set forth, shall be filed in the office of the Board within ten (10) days of the actual vote. Failure to file the decision shall not delay issuance of a permit in accordance with a favorable vote as long as the conditions attached to said permit are in accord with the action of the Board of Zoning Adjustments.

14.8.3. Expiration.

Except for variances to lot size requirements, no order of the Board authorizing a variance or special exception shall be valid for a period longer than one (1) year from the date of such order unless substantial construction or change of use has commenced in accordance with the plans for which such variance or special exception was authorized, or if the Board does not specify a longer period than one (1) year for good cause shown. Variances to lot size requirements shall be valid for a period not to exceed five (5) years.

14.8.4. Amendments.

Amendments to variances or special exceptions granted by the Board of Zoning Adjustments shall require a new application, unless the Director of Safety and Permits determines the change to be minor relative to the original approval, in which case he may transmit the same to the Board of Zoning Adjustments with the original record without requiring a new application to be filed. In such instances, the Board may take action on the amendment request without public hearing.

Section 14.9. Notice and Public Hearing.

For all matters within the Board's jurisdiction, as set forth in this Article 14, the Board shall cause a public hearing to be scheduled and shall decide the matter following such public hearing. The Board of Zoning Adjustments shall give public notice of the date, time, and place of hearings in the manner prescribed in Section 16.9.2, as well as personal notice to the interested parties no later than five (5) days preceding the hearing date, in accordance with Section 16.9.2(4). Such hearing shall be held within forty-five (45) days following the receipt of the application in correct form, and a decision on the disposition of the matter shall be given within a period of forty-five (45) days following the hearing date. At the hearing, any party may appear in person, by agent or by attorney. Notice of the decision shall be provided as in Section 16.9.2(3).
(Ord. No. 25450, § 2, adopted 8/22/13)

Section 14.10. Conditions Attached to Variances and Special Exceptions.

The Board may attach the following conditions to approval of variances or special exceptions authorized by this article:

1. Restriction of permitted outside signs or advertising structures except professional or directional signs.
2. Limitation of signs as to size, type, color, location, or illumination.
3. Limitations of amount, direction, and location of outdoor lighting.
4. Limitations on amount and location of off-street parking and loading space.
5. Specifications for cleaning or painting.
6. Limitations on type of roof.
7. Limitations on type of construction and materials.
8. Limitations on connections or disconnections with other buildings.
9. Limitations on exits or entrances, doors, and windows.
10. Specifications on paving, shrubbery, landscaping, or ornamental or screening fences, walls, or hedges.
11. Limitations on time of day or night for operating.
12. Restrictions on store fronts.
13. Limitations on structural changes.
14. Limitations on restrictions for control or elimination of noise or vibration.
15. Such additional conditions and restrictions as may be necessary to fulfill the intent of this article and to reduce or minimize the injurious effect of such variance or special exception upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.

Section 14.11. Appeal to Courts.

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

Section 14.12. Filing Fees.

A fee shall be paid to the Director of Safety and Permits at the time the notice of appeal is filed in accordance with the fee schedule established in the City Code of New Orleans.

ARTICLE 15

SUPPLEMENTAL REGULATIONS

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ARTICLE 15

SUPPLEMENTAL REGULATIONS

Section 15.1. Purpose.

The provisions of this article are intended to supplement standards appearing in individual zoning district regulations. Unless otherwise stated in such district regulations or in this article, the standards stated herein are applicable to all uses.

Section 15.2. Off-Street Parking Regulations.

15.2.1. Off-Street Parking Regulations for All Districts, Except the CBD Districts and Vieux Carré Districts.

Except as otherwise provided in this Ordinance, when any building or structure is heretofore or hereafter erected, structurally altered, or converted, for the uses listed in Column 1 of Table 15.A below, when uses are located in the districts in Column 2, accessory off-street parking spaces shall be provided as required in Column 3 or Column 4 or as required in subsequent sections of this article.

Interpretation of Table 15.A appears in Section 15.2.2.

Table 15.A
Off-Street Parking Regulations for All Districts,
Except the CBD District and Vieux Carré Districts

Column 1	Column 2[1]	Column 3	Column 4
Use or Use of Category	*District*	*Spaces Required per Basic Measuring Unit*	*Additional Requirements*
Single-family dwelling	RS Districts All other districts	2 per dwelling unit 1 per dwelling unit	
Two-, three-, and four-family dwellings	All districts	1 per dwelling unit	
Town house	All districts	1 per dwelling unit	
Multiple-family dwelling with five or more dwelling units:			
a. Efficiency units	All districts	1 per dwelling unit	
b. One bedroom dwellings	All districts	1.5 per dwelling unit	
c. Two bedroom dwellings	All districts	1.5 per dwelling unit	
d. Three or more bedroom dwellings	All districts	2.5 per dwelling unit	

(Table continued on next page; explanatory notes appear at end of Table)

Table 15.A (Continued)

Column 1	Column 2[1]	Column 3	Column 4
Use or Use of Category	*District*	*Spaces Required per Basic Measuring Unit*	*Additional Requirements*
Rooming, boarding or lodging house	All districts	1 per each 250 square feet of floor area	
Apartment hotel	Medium density districts	1 per dwelling unit or suite	
	High density districts	1 per dwelling unit or suite	
Hotel	Medium density districts	1 per dwelling unit or suite	
	High density districts	1 per dwelling unit or suite	
Tourist home, motel or motor lodge	All districts	1 per dwelling unit or suite	2 for office
Church, temple or synagogue	Low and medium density districts	1 per 4 seats of bench seating spaces, or 1 per 30 square feet in seating area, whichever is greater	(Seats in main auditorium only)
	High density districts	1 per 8 seats or bench seating spaces, or 1 per 60 square feet of floor space in seating area, whichever is greater	
Industrial or trade school	All districts	3 per each classroom or laboratory, plus 1 per 8 seats in the main auditorium or lecture room	
University, college	All districts	See Section 15.2.6	
High school or business school	Low and medium density districts	3 per each classroom or laboratory, plus 1 per 8 seats in the main auditorium or lecture room	Or 3 per classroom, plus 1 per 3 employees, whichever is greater
	High density districts	2 per each classroom or laboratory, plus 1 per 12 seats in the main auditorium or lecture room	Or 2 per classroom, plus 1 per 3 employees, whichever is greater
Junior high, elementary or nursery school	Low and medium density districts	1 per each classroom, plus 1 per 10 seats in main auditorium or lecture room	Or 1 per classroom, plus 1 per 3 employees, whichever is greater
	High density districts	1 per each classroom, plus 1 per 15 seats in main auditorium or lecture room	

(Table continued on next page; explanatory notes appear at end of Table)

Table 15.A (Continued)

Column 1	Column 2[1]	Column 3	Column 4
Use or Use of Category	*District*	*Spaces Required per Basic Measuring Unit*	*Additional Requirements*
Dormitories, fraternities and sororities	All districts	1 per each 350 square feet of floor area	
Country clubs	Low and medium density districts	1 per 400 square feet of floor area	
	High density districts	1 per 500 square feet of floor area	
Public library, museum, art gallery or community center	Low and medium density districts	10 spaces minimum, plus 1 additional space for each 300 square feet of floor area in excess of 1,000 square feet	
	High density districts	10 spaces minimum, plus 1 additional space for each 400 square feet of floor area in excess of 2,000 square feet	
Restaurant or other establishment for consumption of food or beverages on the premises	Low and medium density districts	1 per 150 square feet of floor area	3 spaces minimum
	High density districts	1 per 250 square feet of floor area	3 spaces minimum
Hospital	Low and medium density districts	1 per 700 square feet of floor area	
	High density districts	1 per 1,200 square feet of floor area	
Sanitarium or similar institution	All districts	1 per 3,000 square feet of floor area	
Office or office building, post office, studio or clinic	Low and medium density districts	1 per 400 square feet of floor area	3 spaces minimum
	High density districts	1 per 500 square feet of floor area	3 spaces minimum
Funeral home and mortuary	All districts	1 per 50 square feet of floor area excluding storage and work area	
Retail store or personal service establishment, health club or similar use and banks	Low and medium density districts	1 per 200 square feet of ground floor area; 1 per 400 square feet of upper floor area	3 spaces minimum; Retail food stores over 4,000 square feet: 1 per 200 square feet of floor area
	High density districts	1 per 300 square feet of ground floor area; 1 per 600 square feet of upper floor area	3 spaces minimum; Retail food stores over 4,000 square feet: 1 per 200 square feet of floor area

(Table continued on next page; explanatory notes appear at end of Table)

Table 15.A (Continued)

Column 1	Column 2[1]	Column 3	Column 4
Use or Use of Category	*District*	*Spaces Required per Basic Measuring Unit*	*Additional Requirements*
Furniture or appliance store, machinery, equipment and automobile and boat sales and service	All districts	1 per 400 square feet of floor area	3 spaces minimum
Animal hospital	All districts	1 per 200 square feet of floor area	3 spaces minimum
Riding stable	All districts	A parking area equal to 50 percent of the covered area of the stable	
Bus or railroad station or airport terminal building	All districts	1 per 100 square feet of waiting room area	
Auditorium, theater, gymnasium, stadium, arena, convention hall or other place of assembly[2]	All districts	1 per 75 square feet of floor space in seating area	
Bowling alley	All districts	10 per alley	
Amusement place, dance hall, skating rink, swimming pool, natatorium, or exhibition hall without fixed seats	Low and medium density districts	1 per 100 square feet of floor area or pool area	Parking requirements do not apply when these uses are accessory uses
	High density districts	1 per 200 square feet of floor area or pool area	Parking requirements do not apply when these uses are accessory uses
Destination resort/entertainment center	All districts	Peak accumulation of automobile passengers divided by 3.5	Number of employees per shift multiplied by 0.80, the result then divided by 1.5
General service or repair establishment, printing, publishing, plumbing, heating, broadcasting, laundry	All districts	1 per 1,500 square feet of floor area	Auditorium for broadcasting station requires spaces as above
Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plants, wholesale, warehouse, or similar establishment	All districts	1 per 2 employees on maximum working shift	
Marina	All districts	1 per boat slip	

(Table continued on next page; explanatory notes appear at end of Table)

Table 15.A (Continued)

Column 1	Column 2[1]	Column 3	Column 4
Use or Use of Category	*District*	*Spaces Required per Basic Measuring Unit*	*Additional Requirements*
Homes for the aged, nursing homes, convalescent homes, and orphan homes	All districts	1 space for each 8 occupants	One space for each person regularly employed upon the premises, or one space for each 2,500 square feet of gross floor area, or 6 spaces, whichever is greater
Private clubs and lodges	Low and medium density districts	1 per 200 square feet of floor area	1 per 2 employees
	High density districts	1 per 300 square feet of floor area	1 per 2 employees
Off-track wagering facility	High density districts	1 per 75 square feet of floor space in seating area or 1 space per 200 square feet of floor area, whichever is greater	
Bed and breakfast	All districts	1 per 2 guest rooms (stacked parking permitted)	
Small and large group homes	All districts	1 space for each 8 occupants (including staff); stacked parking permitted	

Table 15.A Notes:
[1] See Section 15.2.2(6) for definition of various densities.
[2] Not required when auditorium is an accessory use to a school.

15.2.2. Interpretation of Table 15.A.

1. There are no parking requirements for any of the Vieux Carré Districts, nor for the Historic Marigny/Tremé Residential Districts nor for the HMC-1 Historic Marigny/Tremé Commercial District.

2. The use regulations for each district are not affected by arrangement of uses in the chart.

3. The parking requirements in the chart are in addition to space for storage of trucks or other vehicles used in connection with any use.

4. The parking requirements in this article do not limit other specific parking requirements contained in the district regulations.

5. The parking requirements in this article do not limit special requirements which may be imposed with planned developments, conditional uses, or special exceptions.

6. For the purpose of off-street parking regulations the phrase "low density" referred to in Column 2 of Table 15.A means zoning districts which provide for, or are usually located in the vicinity of residential developments of relatively low population density, specifically all of the RS and RD Districts, B-1, SC (depending on prior zoning as provided in Section 10.7), HMLI and P. Medium density districts referred to in Column 2 include RO, RO-1, RM-1, RM-2, MS, B-2, B-1A, and HMC-2. High density districts referred to in Column 2 include RM-3, RM-4, C-1, C-2, and C-1A.

   Without regard to population density, all of the industrial districts shall be considered as low density districts for the purpose of the parking requirements.

7. In the NU Non-Urban District the off-street parking regulations of the most restrictive zoning classification within which the applicable use would be permitted shall apply.

8. Floor area as used in the chart shall be as defined in Article 2.

9. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

10. Except as otherwise provided, the number of employees shall be compiled on the basis of the maximum number of persons employed on the premises at one time on an average day or average night, whichever is the greater. Seasonal variations in employment may be recognized in determining an average day.

11. The parking space requirements for a use not specifically listed in the chart shall be the same as for a listed use of similar characteristics of parking demand generation.

12. In the case of mixed uses, uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately, except that parking requirements for permitted accessory retail and service uses in a multiple dwelling, apartment hotel, motel or motor lodge containing 100 or more dwelling units, may be reduced by the following percentages:

    a. Retail sales, offices, service establishments: fifty (50) percent.

    b. Restaurants, and dining rooms: seventy-five (75) percent.

    c. Ballrooms, banquet halls, meeting rooms, auditoriums: eighty (80) percent.

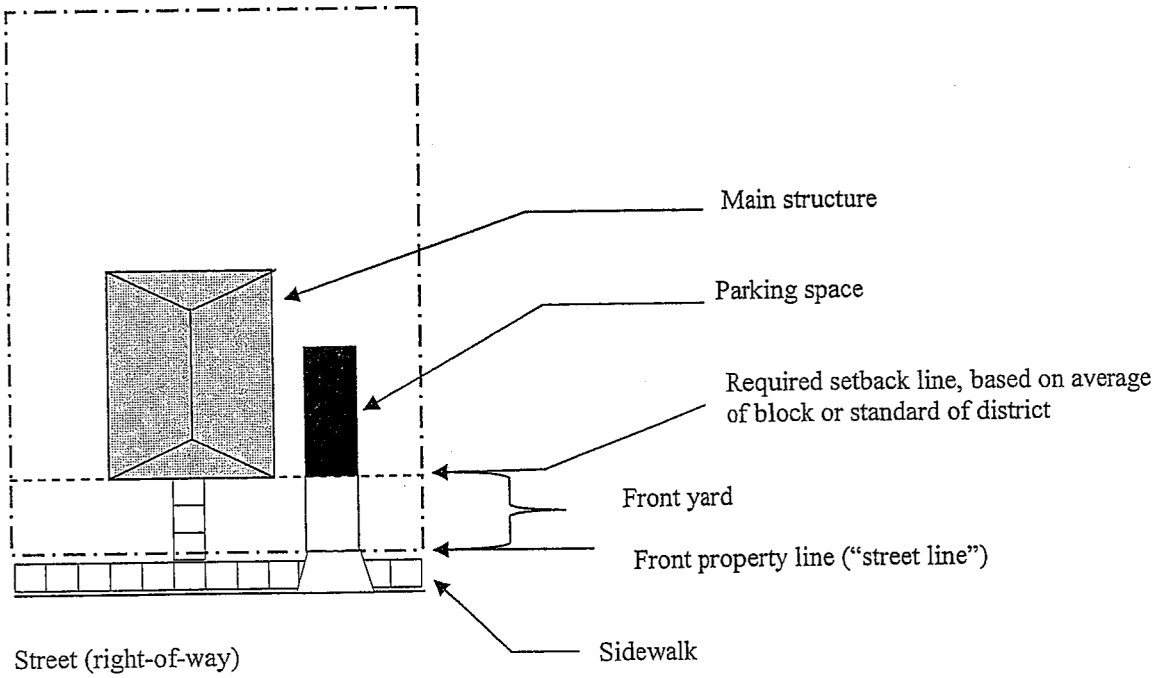
13. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, so as to create a need under the requirements of this article for additional parking spaces of ten (10) percent or more, such additional spaces shall be provided as required in Table 15.A. No additional spaces shall be required for the first change or enlargement which would result in an increase of spaces of less than ten (10) percent of those required before the change or enlargement, but this exception shall not apply to a series of changes or enlargements which together result in a need for an increase in parking spaces of ten (10) percent or more.

15.2.3. Parking in Front Yards.

Off-street parking spaces shall not be located between a street line and the nearest point of the front façade of any building, except as otherwise specified in this section (see diagrams below):

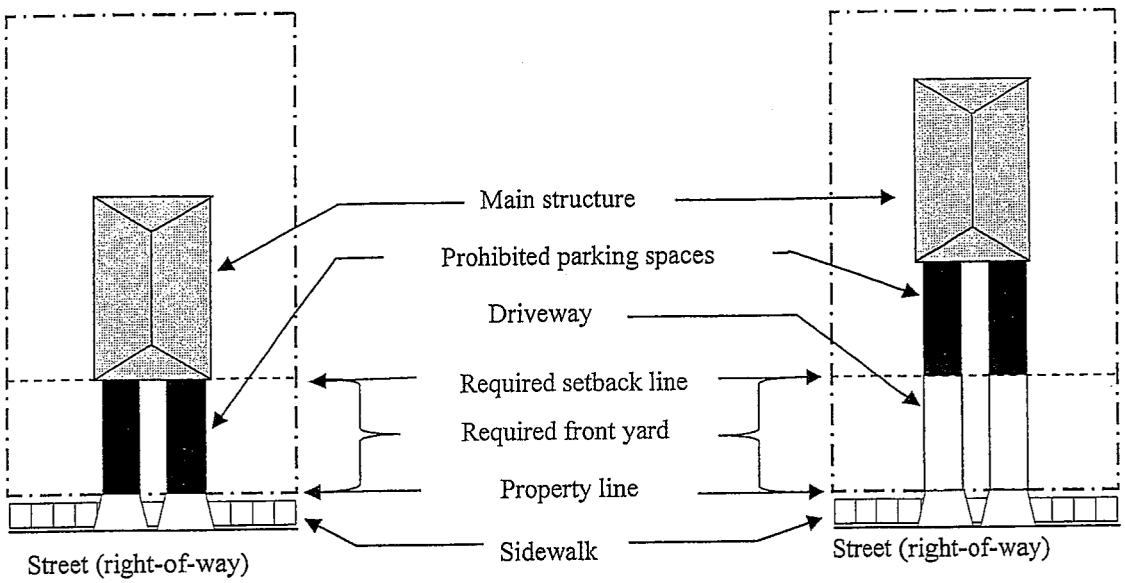
1. In the C-1, C-2 and HI Districts, required off-street parking spaces may be located in a required front yard provided the spaces are so arranged as to preclude backing out on a public street.
2. In any district where a parking structure is permitted to project into a required front yard, off-street parking spaces may be located within the structure.
3. Driveway space for access to parking areas or drive-in service facilities may be located in a required front yard.
4. In the RM-3, RM-4, MS, RO, B-1, B-2, SI and SC Districts, required off-street parking may be located in a required front yard and other yards where permitted, provided that such area is completely enclosed and the total height including all railings, parapets and similar walls, railings, or fencing does not exceed seven (7) feet above grade level and is completely covered with a roof area. The roof shall be planted and landscaped and serve as a required front yard area.
5. A circular drive shall not be permitted in the front yard in a residential district unless all of the following standards are met: (a) an area is provided in the drive for a parking space that does not encroach into the required front yard setback, (b) there is a minimum of three (3) feet between the drive and the side lot lines, (c) the lot width is fifty (50) feet or greater, (d) approval is received from the Department of Public Works regarding the curb cuts, and (e) the required setback areas continue to meet the standards of Section 15.6.6 regarding amount of paved area.
6. The provisions of this Section shall not apply to properties within the Lake Vista LRS-2 and LRD-2 Districts, where required front yards abut interior parks or lanes and rear yards abut public sidewalk and street rights-of-way.

Diagram illustrating the permitted location of off-street parking with respect to the front façade of a building*



* The location of the parking space in the above diagram is intended only as an example. An off-street parking space may be located anywhere on a property, either within a structure or uncovered, provided that the entirety of the space must be located behind the front façade of the main structure.

Diagrams illustrating the prohibited locations of off-street parking with respect to the front façade of a building*



* The locations of the parking spaces in the above diagrams are intended only as examples. Off-street parking spaces may not be located anywhere on a property where a portion of the space would be within the area between the front façade of the main structure and the front property line.

(Ord. 18,069 § 1, adopted 2/20/97)
(Ord. No. 25122, § 1, adopted 12/6/12)

15.2.3A. Parking of Authorized Motor Vehicles.

It shall be unlawful to park an unauthorized motor vehicle in a residential district or in any other district, unless the motor vehicle is:

1. Stored within an enclosed building;
2. On the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; to include auto junkyards, auto repair and auto body shops;
3. In a storage place or depository maintained in a lawful place and manner; or
4. A seasonal use vehicle such as snowmobiles, motorcycles, motor scooters and nonmotorized campers.

(Ord. 17,694 § 1 (part), adopted 8/1/96)

15.2.3B. Definition of Authorized Motor Vehicle.

An authorized motor vehicle is a vehicle capable of movement under its own power which shall not be dismantled in part or in whole, and shall otherwise be in compliance with City or State laws.
(Ord. 17,694 § 1 (part), adopted 8/1/96)

15.2.4. Joint Use of Off-Site Facilities.

1. All parking spaces provided shall be located on the same lot with the building or use served or within 300 feet of the main building.

   If parking spaces are located within 300 feet of the main building, they must meet the following requirements:

   a. Approval of a conditional use permit in accordance with Section 16.5 is required.
   b. The 300 feet shall be measured as a person walks, using the nearest point of the lot of record on which its required parking will be provided.
   c. At least twenty-five (25) percent of the parking spaces must be located within at least 350 feet from the main use on the aforementioned lot of record; the remainder of the spaces must be on the same lot of record.

2. Up to fifty (50) percent of the parking spaces required for (a) theaters, public auditoriums, bowling alleys, dance halls, and nightclubs, and up to 100 percent of the parking spaces required for a church auditorium may be provided and used jointly by (b) banks, offices, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated during the same hours as those uses listed in (a). Up to 100 percent of parking spaces required for schools may be provided and used jointly by a church auditorium. Such joint use is authorized, provided that written agreement thereto is properly executed and recorded as specified below.
3. In any case, where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance on the Title of the property to be designated as required parking space, such encumbrance to be valid for the total period the use or uses for which the parking is needed are in existence. Such agreement or covenant shall be duly recorded in the office of the Registrar of Conveyances and certificate furnished to the Director of Safety and Permits.

15.2.5. Design Standards.

1. *Minimum Area.* For the purpose of these regulations, an off-street parking space is a paved area not in a street or alley, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for an automobile without requiring another automobile to be moved. The paving requirements shall not apply to a single-family or two-family dwelling. More specific requirements for off-street parking spaces are stipulated as follows:

   a. A small car off-street parking space must be a minimum of seven (7) feet six (6) inches in width and a minimum of sixteen (16) feet in length; and a minimum of 120 square feet in area exclusive of driveways. Not more than forty (40) percent of the spaces in any parking facility may be designated and labeled as small car spaces.
   b. A large car off-street parking space must be a minimum of eight (8) feet six (6) inches in width and a minimum of eighteen (18) feet in length; and a minimum of 153 square feet exclusive of driveways.
   c. A handicapped off-street parking space must be a minimum of ten (10) feet in width and a minimum of eighteen (18) feet in length; and a minimum of 180 square feet exclusive of driveways.

d. All parking facilities shall provide either a minimum of one (1) handicapped space or three (3) percent of the total parking spaces, whichever amount is greater, but in no event shall more than ten (10) be required. These spaces must be marked accordingly and be adjacent to entrances/exits/elevators to facilitate movement.

2. *Drainage and Maintenance.* Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, and surfaced with erosion-resistant material in accordance with applicable City specifications. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, materials or supplies.

3. *Separation from Walkways and Streets.* Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys by a wall, fence, or curbing or other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.

4. *Entrances and Exits.* Location and design of entrances and exits shall be in accord with the requirements of applicable City traffic regulations and standards. Landscaping, curbing, or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

5. *Interior Drives.* Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.

6. *Marking.* Parking spaces in lots of more than ten (10) spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation of the lot.

7. *Lighting.* Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential property by location of light fixtures or use of fixtures designed to eliminate direct view of luminaries in fixtures from residential property.

8. *Screening.*

a. When surface off-street parking areas for ten (10) or more automobiles are located closer than fifty (50) feet to a lot in a residential district, or to any lot upon which there is a dwelling as a permitted use under these regulations, and where such parking areas are not entirely screened visually from such lot by an intervening building or structure, there shall be provided along the lot line a continuous visual screen with a minimum height of six (6) feet. Such screen may consist of a compact evergreen hedge or foliage screening or a louvered wall or fence.

b. Any parking lot, accessory or otherwise, within any CBD zoning district shall be screened from the public right-of-way with a six (6) foot screen. Such screen shall be a minimum of fifty (50) percent opaque and shall consist of masonry, wood, metal, continuous opaque hedge, or a combination thereof. Design approval is required by the City Planning Commission staff with advice of any other appropriate agency, such as the Historic District Landmarks Commission, or Downtown Development District. Such screen shall be located on, or within, the property line abutting the public right-of-way, and shall be subject to building code restrictions.

c. Where any parking lot within any CBD zoning district is located adjacent to and is visible from an existing residential use, commercial use, or vacant lot, an opaque screen is required. Such a screen shall be six (6) feet in height and may consist of a masonry wall, opaque hedge, or wood fence subject to building code restrictions.

9. *Guidelines.* The Department of Safety and Permits shall adopt plans and outline specifications clearly indicating the acceptable design and minimum construction standards for surface off-street parking facilities. Such standards shall be revised from time to time to be in conformity with acceptable current practices and shall be available for public study and consideration.

10. *Landscaping of Parking Lots within the CBD Districts.* For parking lots within the zoning districts referenced in subsection (8)(b) of this section, permanent landscaping shall be installed in accordance with a landscape plan approved by the City Planning Commission staff. Standards for such landscaping are as follows:

a. Trees shall be planted at the rate of one (1) tree per 1,000 square feet of vehicular use area. Such trees have a minimum size of twelve (12) feet in height and two (2) inches caliper, upon installation. Species shall be approved by the City Planning Commission staff.

b. Required trees may be planted within the parking lot or along the perimeter of the lot. Where such a planting of trees may not be entirely accommodated within the property lines of the lot, as determined by the City Planning Commission staff and City Council, some or all of said trees may be planted within the public right-of-way, in accordance with the D.D.D. Street Tree Program.

c. A perimeter planting is required where the perimeter screen is not 100 percent opaque along the lower three (3) feet, or the bottom half, of the screen, being constructed of masonry. Such perimeter planting shall include sufficient space to allow for healthy growth of plant materials. Vines may be planted in association with a nonopaque fence, and shall be considered in determining the opacity of the perimeter screen.

d. Residual areas not used for parking or vehicular access shall be landscaped with trees, shrubs, and groundcover. A landscape plan shall be approved by the City Planning Commission staff indicating species, location, size, and any other specifications relating to landscaping.

11. *Landscape Maintenance.* All landscaping, including plant materials, screen, and any other improvements shall be maintained according to the approved plan, in a neat, clean, healthy, and otherwise orderly appearance. Such maintenance is the responsibility of the owner/agent/lessee, together or separately. If no permanent irrigation system is used, there shall be a hose-bibb (faucet) installed within 200 feet of any landscaped area to allow for hand watering.

12. (Repealed)

13. *Structures.* For parking lots in the CBD, the exterior material and design of any structure permanently installed to shelter parking lot attendants or to serve a similar purpose, shall be approved by the City Planning Commission staff prior to issuance of any permit. Any ticket booth, portable building, portable toilet, or other temporary structure shall be screened by substantial plantings or other opaque screen or shall otherwise be architecturally compatible with the urban context, as determined by the City Planning Commission staff.

14. *Hydraulic Lift Parking.* In any parking lot in which hydraulic lift parking structures are included, such structures shall be located a minimum of twenty (20) feet from any adjacent public right-of-way and shall be substantially screened from view, as determined by the City Planning Commission staff.

15. *Curb Cuts.* Curb cuts shall be limited to as few as possible, as determined by the Department of Streets. Rollover curbs are not permitted. Curb cuts may have a maximum width of twenty-four (24) feet for two-way circulation, and twelve (12) feet for one-way.

16. *Paving Surface.* Any surface parking lot shall be paved with a durable, all-weather material, such as concrete, asphalt, or a permeable surface such as an open paving system or a pervious paving system. Shells, gravel, crushed stone and bare earth shall not be acceptable paving materials. Uneven slabs shall be resurfaced to provide a smooth surface. All parking spaces shall be marked or striped. Where the edge of any parking lot abuts any public right-of-way, there shall be a continuous edge treatment. Such edge treatment shall substantially eliminate uneven and unsightly edges and shall be subject to City Planning Commission staff approval. The paving requirements contained in this subsection do not apply to off-street parking for single-family or two-family dwellings or for off-street parking lots located in the NU Non-Urban Districts. However, surface parking lots in the NU Districts are required to have water permeable surfaces, which must be maintained in good condition, be kept free of standing water. All permeable surfaces must be previously approved by the Department of Safety and Permits.

17. *Litter Receptacles.* A minimum of one (1) litter receptacle shall be included in any parking lot, the location of which shall be approved by City Planning Commission staff for parking lots within the CBD.

18. *Signage.* Any parking lot may include, as a part of the development, one (1) detached sign per street frontage having a maximum height of fifteen (15) feet and a maximum sign area of fifteen (15) square feet. The proportion of said sign shall be such that the horizontal width shall be a

minimum of one and one-half (1.5) times the vertical width of said sign. The contents of such a sign shall be limited to the following information:

a. Name of parking lot operator, either by letter or symbol (logo) or both.

b. Nature of parking lot; monthly, daily, hourly, etc.

c. Rate information, limited to thirty (30) percent of sign area.

No other sign shall be permitted.

(Ord. 18,662 § 1, adopted 4/2/98; Ord. 17,694 § 2, adopted 8/1/96)

15.2.6. Required Parking Plan for Colleges and Universities.

1. All colleges, universities, and similar educational institutions shall, within 120 days after the effective date of this Ordinance, place on file with the Department of Safety and Permits, an official parking plan approved by the City Planning Commission and which shall include the following:

   a. A plan at a scale of not less than 200 feet to the inch delineating all existing dedicated parking facilities and spaces and labeled or identified as to use (student, faculty, staff, visitor, etc.). The plan shall also include all existing streets and alleys (public and private) within and immediately adjacent to the campus, as well as all buildings (identified) on the campus.

   b. A copy of any existing regulations restricting parking and/or driving on campus which is imposed by the institution itself.

2. No building permit shall be issued for any purpose until an official parking plan has been approved and filed with the City of New Orleans. (See Paragraph 3 for special regulations in CBD-1, CBD-2, CBD-2B, CBD-5, CBD-6, CBD-7, CBD-8, and CBD-9 Central Business Districts.) In addition, no building permit shall be issued for any new construction including additions to existing structures unless and until additional off-street parking is provided in the amount of one (1) parking space for each 4,000 square feet of gross floor area for all buildings, structures and uses except fraternities and sororities, and where one (1) parking space for each 350 square feet of gross floor area is required, and such additional parking facilities and new construction are shown on the official parking plan. However, no additional parking facilities will be required for any remodeling or rebuilding of any structure which will not increase the gross floor area of said building or structure. Furthermore, required parking area provided in a parking garage shall not be included in the computation of the Floor Area Ratio (FAR). Where existing parking facilities exceed the minimum requirements of this article, additional parking for new construction shall be required only to the extent not covered by the existing parking inventory.

3. In CBD-1, CBD-2, CBD-2B, CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9 Central Business Districts the provisions of Paragraph 2 shall apply except that the parking requirements for fraternities and sororities shall be one (1) parking space for each one thousand 1,500 square feet of gross floor area.

15.2.7. Parking Regulations in CBD Central Business Districts.

1. *Required and Maximum Permitted Parking in CBD Central Business Districts.* Required and maximum permitted accessory off-street parking spaces for the CBD Central Business Districts are specified according to citations listed below in Table 15.B:

Table 15.B
Required and Maximum Permitted Parking in
CBD Central Business Districts

CBD-1	Required: None Maximum Permitted: See Section 15.2.7(5)
CBD-2	Required: See Section 15.2.7(3) Maximum Permitted: See Section 15.2.7(5)
CBD-2B	Required: See Section 15.2.7(3) Maximum permitted: See Section 15.2.7(5)
CBD-3	See Section 15.2.7(2)
CBD-4	Required: None Maximum Permitted: See Section 15.2.7(4)
CBD-5	Required: See Section 15.2.7(3) Maximum Permitted: See Section 15.2.7(6)
CBD-6	Required: See Section 15.2.7(3) Maximum Permitted: See Section 15.2.7(6)
CBD-7	Required: See Section 15.2.7(3) Maximum Permitted: See Section 15.2.7(6)
CBD-8	Required: See Section 15.2.7(3) Maximum Permitted: See Section 15.2.7(6)
CBD-9	Required: See Section 15.2.7(3) Maximum Permitted: See Section 15.2.7(6)

2. *Parking Regulations in the CBD-3 Central Business District.* No accessory off-street parking spaces are required in the CBD-3 Central Business District. When provided, the accessory off-street parking must be within an enclosed garage structure accessed from the adjacent side street(s), not from Canal Street.

3. *Required Off-Street Parking Regulations: CBD-2, CBD-2B, CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9.* In the CBD-2, CBD-2B, CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9 Central Business Districts, except as otherwise provided in this Ordinance, when any building or structure is erected for

the use in Column 1 of Table 15.C, accessory off-street parking spaces shall be provided as required in Column 2 or as required in any other sections of this article.

Interpretation of Table 15.C appears in Section 15.2.7(7).

Table 15.C
Required Off-Street Parking Regulations in the CBD Districts: CBD-2, CBD-2B, CBD-5, CBD-6, CBD-7, CBD-8, and CBD-9

Column 1	**Column 2**
Use or Use Category	*Parking Spaces Required*
Single-family dwelling	None
Bed and breakfast	1 per 2 guest rooms (stacked parking permitted)
Two-, three-, and four-family dwelling	None
Town house, multiple-family dwelling with five or more dwelling units	50 percent of dwelling units
Rooming, boarding or lodging house	1 per 600 square feet of floor area
Apartment hotel	50 percent of dwelling units
Hotel, motel, motor lodge, tourist home	1 per 3 dwelling units or suites
Church or temple	None
Industrial or trade school	1 per 4 employees
University, college	See Section 15.2.6
High school or business school	1 per 4 employees
Junior high, elementary or nursery school	1 per 4 employees
Dormitories, fraternities and sororities	1 per 1,500 square feet of floor area
Private clubs, country clubs, and lodges	1 per 800 square feet of floor area
Public library, museum, art gallery or community center	1 per 1,500 square feet of floor area
Restaurant or other establishment for consumption of food or beverages on the premises	1 per 800 square feet of floor area
Hospital	1 per 1,500 square feet of floor area
Sanitarium or similar institution	1 per 4,000 square feet of floor area
Office or office building, post office, studio or clinic	1 per 1,200 square feet of floor area
Funeral home and mortuary	1 per 600 square feet of floor area
Retail store or personal service establishment and banks	1 per 600 square feet of floor area
Furniture or appliance store, machinery equipment and automobile and boat sales and services	1 per 600 square feet of floor area
Animal hospital	1 per 500 square feet of floor area
Bus or railroad station or airport terminal building	1 per 200 square feet of floor area
Auditorium, theater, gymnasium[1]	1 per 150 square feet of floor area
Stadium, arena, convention hall, or other place of assembly	1 per 75 square feet of floor area
Bowling alley	1 per alley
Amusement place, dance hall, skating rink, swimming pool, natatorium or exhibition hall without fixed seats	1 per 200 square feet of floor area
General service or repair establishment, printing, publishing, plumbing, heating, broadcasting, laundry	1 per 1,500 square feet of floor area

Table 15.C (Continued)

Column 1	Column 2
Use or Use Category	*Parking Spaces Required*
Manufacturing or industrial establishment, research or testing laboratory, creamery; bottling plant, wholesale, warehouse; or similar establishment	1 per 3 employees
Homes for aged, nursing homes, convalescent homes and orphans' homes	1 per 4,000 square feet of floor area
Off-track wagering facility	1 per 75 square feet of floor space in seating area or 1 space per 200 square feet of floor area

Table 15.C Notes
1 Not required when auditorium is an accessory use to a school

4. *Maximum Permitted Off-Street Parking Spaces: CBD-4.* In the CBD-4 Central Business District, except as otherwise provided in this Ordinance, when any building or structure is erected for the use in Column 1 of Table 15.D, accessory off-street parking spaces may be provided up to the maximum amount permitted under the standards listed in Column 2. In no event may the maximum number of accessory off-street parking spaces exceed one (1) space for each 300 square feet of lot area of the lot containing the building or other structure.

   Interpretation of Table 15.D appears in Section 15.2.7(7).

Table 15.D
Maximum Permitted Off-Street Parking Spaces: CBD-4 Central Business District

Column 1	Column 2
Use or Use Category	*Maximum Permitted Parking Spaces*
Single-family dwelling	1 per dwelling unit
Bed and breakfast	1 per 2 guest rooms (stacked parking permitted)
Two-, three-, and four-family dwelling	1 per dwelling unit
Townhouse, multiple-family dwelling with five or more dwelling units	2.5 per dwelling unit
Rooming, boarding or lodging house	None
Apartment hotel	40 percent of total number of dwelling units
Hotel	20 percent of total number of dwelling units or suites
Tourist home, motel, or motor lodge	20 percent of total number of dwelling units or suites
Church or temple	1 per 240 square feet of floor area in seating area
Industrial or trade school	None
University, college	None
High school or business school	None
Junior high, elementary or nursery school	None
Dormitories, fraternities and sororities	None
Private clubs, country clubs, and lodges	1 per 5,000 square feet of floor area

Table 15.D (Continued)

Column 1	Column 2
Use or Use Category	*Maximum Permitted Parking Spaces*
Public library, museum, art gallery or community center	1 per 5,000 square feet of floor area
Restaurant or other establishment for consumption of food or beverages on the premises	1 per 5,000 square feet of floor area
Hospital	1 per 7,500 square feet of floor area
Sanitarium or similar institution	1 per 7,500 square feet of floor area
Office or office building, post office, studio or clinic	1 per 5,000 square feet of floor area
Funeral home and mortuary	None
Retail store or personal service establishment and banks	1 per 5,000 square feet of floor area
Furniture or appliance store, machinery equipment and automobile and boat sales and services	1 per 5,000 square feet of floor area
Animal hospital	None
Bus or railroad station or airport terminal building	None
Auditorium, theater, gymnasium[1]	None
Stadium, arena, convention hall, or other place of assembly	None
Bowling alley	None
Exhibition hall without fixed seats	1 per 5,000 square feet of floor area
General service or repair establishment, printing, publishing, plumbing, heating, broadcasting, laundry	1 per 5,000 square feet of floor area
Manufacturing or industrial establishment, research or testing laboratory, creamery; bottling plant, wholesale, warehouse; or similar establishment	1 per 5,000 square feet of floor area
Homes for aged, nursing homes, convalescent homes and orphans' homes	1 per 7,500 square feet of floor area
Off-track wagering facility	1 per 5,000 square feet of floor space in seating area or 1 space per 200 square feet of floor area

Table 15.D Notes.
1 Not required when auditorium is an accessory use to a school.

5. *Maximum Permitted Off-Street Parking Spaces: CBD-1, CBD-2, and CBD-2B.* In the CBD-1, CBD-2 and CBD-2B Central Business Districts, except as otherwise provided in this Ordinance, when any building or structure is erected for the use in Column 1 of Table 15.E, accessory off-street parking spaces may be provided up to the maximum amount permitted under the standards listed in Column 2.

   Interpretation of Table 15.E appears in Section 15.2.7(7).

Table 15.E
Maximum Permitted Off-Street Parking Spaces:
CBD-1, CBD-2, and CBD-2B Central Business Districts

Column 1	Column 2
Use or Use Category	*Maximum Permitted Parking Spaces*
Single-family dwelling	1 per dwelling unit
Bed and breakfast	1 per 2 guest rooms (stacked parking permitted)
Two-, three-, and four-family dwelling	1 per dwelling unit
Townhouse, multiple-family dwelling with five or more dwelling units	2.5 per dwelling unit
Rooming, boarding or lodging house	1 per 500 square feet of floor area
Apartment hotel	60 percent of dwelling units
Hotel	1 per 2 dwelling units or suites
Tourist home, motel, or motor lodge	1 per 2 dwelling units or suites
Church or temple	1 per 100 square feet of floor area in seating area
Industrial or trade school	1 per classroom, plus 1 per 4 employees
University, college	See Section 15.2.6
High school or business school	1 per classroom, plus 1 per 4 employees
Junior high, elementary or nursery school	1 per classroom, plus 1 per 4 employees
Dormitories, fraternities and sororities	1 per 1,200 square feet of floor area
Private clubs, country clubs, and lodges	1 per 650 square feet of floor area
Public library, museum, art gallery or community center	1 per 1,200 square feet of floor area
Restaurant or other establishment for consumption of food or beverages on the premises	1 per 500 square feet of floor area
Hospital	1 per 1,200 square feet of floor area
Sanitarium or similar institution	1 per 3,000 square feet of floor area
Office or office building, post office, studio or clinic	1 per 650 square feet of floor area
Funeral home and mortuary	1 per 800 square feet of floor area
Retail store or personal service establishment and banks	1 per 250 square feet of floor area
Furniture or appliance store, machinery equipment and automobile and boat sales and services	1 per 500 square feet of floor area
Animal hospital	1 per 400 square feet of floor area
Bus or railroad station or airport terminal building	1 per 160 square feet of floor area
Auditorium, theater, gymnasium[1]	1 per 120 square feet of floor area
Stadium, arena, convention hall, or other place of assembly	1 per 60 square feet of floor area
Bowling alley	2 per alley
Amusement place, dance hall, skating rink, swimming pool, natatorium, or exhibition hall without fixed seats	1 per 160 square feet of floor area
General service or repair establishment, printing, publishing, plumbing, heating, broadcasting, laundry	1 per 1,200 square feet of floor area
Manufacturing or industrial establishment, research or testing laboratory, creamery; bottling plant, wholesale, warehouse; or similar establishment	1 per 2.5 employees

Table 15E (Continued)

Column 1	Column 2
Use or Use Category	*Maximum Permitted Parking Spaces*
Homes for aged, nursing homes, convalescent homes and orphans' homes	1 per 3,000 square feet of floor area
Off-track wagering facility	1 per 160 square feet of floor area

Table 15.E Notes:
1 Not required when auditorium is an accessory use to a school

6. *Maximum Permitted Off-Street Parking Spaces: CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9.* In the CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9 Central Business Districts, except as otherwise provided in this Ordinance, when any building or structure is erected for the use in Column 1 of Table 15.F, accessory off-street parking spaces may be provided up to the maximum amount permitted under the standards listed in Column 2.

Interpretation of Table 15.F appears in Section 15.2.7(7).

Table 15.F
Maximum Permitted Off-Street Parking Spaces:
CBD-5, CBD-6, CBD-7, CBD-8 and CBD-9 Central Business Districts

Column 1	Column 2
Use or Use Category	*Maximum Permitted Parking Spaces*
Single-family dwelling	1 per dwelling unit
Bed and breakfast	1 per 2 guest rooms (stacked parking permitted)
Two-, three-, and four-family dwelling	1 per dwelling unit
Townhouse, multiple-family dwelling with five or more dwelling units	2.5 per dwelling unit
Rooming, boarding or lodging house	1 per 750 square feet of floor area
Apartment hotel	90 percent of total number of dwelling units
Hotel	1 per dwelling unit or suite
Tourist home, motel, or motor lodge	1 per dwelling unit or suite
Church or temple	1 per 70 square feet of floor area in seating area
Industrial or trade school	1 per classroom, plus 1 per 4 employees
University, college	See Section 15.2.6
High school or business school	1 per classroom, plus 1 per 4 employees
Junior high, elementary or nursery school	1 per classroom, plus 1 per 4 employees
Dormitories, fraternities and sororities	1 per 800 square feet of floor area
Private clubs, country clubs, and lodges	1 per 450 square feet of floor area
Public library, museum, art gallery or community center	1 per 800 square feet of floor area
Restaurant or other establishment for consumption of food or beverages on the premises	1 per 350 square feet of floor area
Hospital	1 per 800 square feet of floor area
Sanitarium or similar institution	1 per 2,000 square feet of floor area

Table 15F (Continued)

Column 1	Column 2
Use or Use Category	*Maximum Permitted Parking Spaces*
Office or office building, post office, studio or clinic	1 per 450 square feet of floor area
Funeral home and mortuary	1 per 50 square feet of floor area
Retail store or personal service establishment and banks	1 per 350 square feet of floor area
Furniture or appliance store, machinery equipment and automobile and boat sales and services	1 per 350 square feet of floor area
Animal hospital	1 per 250 square feet of floor area
Bus or railroad station or airport terminal building	1 per 100 square feet of floor area
Auditorium, theater, gymnasium[1]	1 per 80 square feet of floor area
Stadium, arena, convention hall, or other place of assembly	1 per 40 square feet of floor area
Bowling alley	3 per alley
Amusement place, dance hall, skating rink, swimming pool, natatorium, or exhibition hall without fixed seats	1 per 100 square feet of floor area
General service or repair establishment, printing, publishing, plumbing, heating, broadcasting, laundry	1 per 800 square feet of floor area
Manufacturing or industrial establishment, research or testing laboratory, creamery; bottling plant, wholesale, warehouse; or similar establishment	1 per 1.5 employees
Homes for aged, nursing homes, convalescent homes and orphans' homes	1 per 2,000 square feet of floor area
Off-track wagering facility	1 per 100 square feet of floor area

Table 15 F Notes.
1 Not required when auditorium is an accessory use to a school

7. *Interpretation of Tables 15.C—15.F*

a. The use regulations for each district are not affected by arrangement of uses in the tables.

b. The parking requirements in the tables are in addition to space for storage of trucks or other vehicles used in connection with any use.

c. The parking requirements in this article do not limit special requirements which may be imposed with conditional uses or uses in planned development districts.

d. Floor area shall be as defined in Article 2. Floor space for required and authorized accessory off-street parking in CBD Districts shall not be included in the calculation of Floor Area Ratio for multiple family residential use, except where in conflict with the provisions of Article 15, Section 15.2.7(10).

e. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

f. Except as otherwise provided, the number of employees shall be compiled on the basis of the maximum number of persons employed on the premises at one time on an average day or average night, whichever is the greater. Seasonal variations in employment may be recognized in determining an average day.

g. The parking space requirements for a use not specifically listed in the tables shall be the same as for a listed use of similar characteristics of parking demand generation.

h. In the case of mixed uses, uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one (1) use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

8. *Accessory Off-Street Parking for Existing Buildings.* Accessory off-street parking spaces for existing buildings in the CBD Central Business Districts which require accessory off-street parking shall be provided as set forth below.

a. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, so as to create a need under the requirements of this article for additional parking spaces of ten (10) percent or more, such additional spaces shall be provided as required in Table 15.C. In addition, the applicable provisions of Sections 15.2.7(4) through 15.2.7(6) shall apply concerning the amount of parking permitted.

b. Any additional off-street parking spaces provided for an existing building not involving an enlargement or a change of use may be allowed only by permission of the City Council with the recommendation of the Planning Commission in accordance with the provisions of Section 16.6.

9. *Joint Use and Off-Site Facilities.*

a. All parking spaces required herein shall be located on the same lot with the building or use served or within 600 feet of the main building, provided that such off-site facilities shall not be located in the CBD-3 District or the CBD-4 District. An off-site facility may be located in CBD-8 or CBD-9 Districts provided that the building or use served by the off-site facility is located within either the CBD-8 or CBD-9 Districts.

b. Up to fifteen (15) percent of the parking spaces required for residential uses may be provided and used jointly by commercial uses on the same lot and satisfy the requirements of Paragraph 3 of this section, provided, however, that written agreement thereto is properly executed and recorded as specified below.

c. In any case, where the required parking spaces are not located on the same lot with the building or use served, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance on the title of the property to be designated as required parking

space, such encumbrance to be valid for the total period the use or uses for which the parking is needed are in existence. Such agreement or covenant shall be duly recorded in the office of the Registrar of Conveyances and certificate furnished to the Director of Safety and Permits.

10. *Maximum Size of Parking Facilities in the CBD-7, CBD-8, and CBD-9 Districts.* No parking facility shall contain more than 225 off-street parking spaces except when a greater number is permitted by the City Council with the recommendation of the City Planning Commission in accordance with the provisions of Section 15.2.9.
11. *Design Standards.* The design standards in Section 15.2.5 shall apply to all parking facilities in the CBD Central Business Districts. Accessory parking garages shall provide adequate reservoir space at the vehicular entrances within the structure to accommodate either ten (10) automobiles or five (5) percent of the total parking spaces provided by the garage, whichever amount is greater, but in no event shall such reservoir space be required for more than fifty (50) automobiles.

(Ord. 22,558 § 1 (part), adopted 3/15/07; Ord. 22,237 § 2, adopted 5/25/06)

15.2.8. Access Restrictions for Off-Street Parking.

1. Notwithstanding any other provisions of this article, vehicular access or egress for permitted or required off-street parking facilities may not be located on the streets listed below, unless the Director of Safety and Permits certifies that there is no way to provide such parking spaces with access on some other street.

   List of Streets to Which Access Restrictions Apply:

   Diamond Street, Tchoupitoulas Street to South Peters Street.

   Commerce Street, Diamond Street to Lafayette Street.

   Lafayette Street, Loyola Avenue to South Front Street.

   Natchez Street, Camp Street to South Peters Street.

   Commercial Place, St. Charles Street to Camp Street.

   Union Street, South Rampart Street to St. Charles Street.

   Exchange Place, Canal Street to Iberville Street.

   St. Charles Avenue, Poydras Street to Lee Circle.

   Poydras Street, Claiborne Avenue to Front Street.

   Canal Street, Claiborne Avenue to Mississippi River.

   Poydras Street, Claiborne Avenue to Convention Center Boulevard.
2. Appeal of the access restrictions from the above listed streets shall be considered by motion of the City Council upon recommendation by the City Planning Commission. Application for appeal shall be made to the City Planning Commission in accordance with the administrative amendment procedures of Section 16.9.10. The City Council Motion granting the appeal shall be forwarded to the Department of Public Works, the Department of Safety and Permits, and the Historic District Landmarks Commission, if applicable, only after the Executive Director of the City Planning Commission places his or her signature on the plan approved by City Council Motion, and after the plan has been recorded against the subject property in the place required by

law to record documents for real property in Orleans Parish. The Official Zoning Map shall be amended by outlining the subject property and indicating the symbol "AAA" to represent "Administrative Access Approval."

(Ord. No. 25492, § 1, adopted 9/12/13)

15.2.9. Specific Provisions for Parking Garages Authorized as Conditional Uses in CBD Districts.

An off-street parking garage which requires permission by the City Council as a conditional use in a CBD District under the provisions of this Ordinance shall be authorized only when the garage complies with the standards required for all conditional uses in Section 16.6, and in addition, comply with all of the following specific provisions:

1. The use is in conformance with the overall parking policy of the City for the Central Business District and for the particular CBD District in which the parking garage is to be located.
2. The siting and design of the parking garage is sensitive to protection of the integrity of surrounding buildings and areas of architectural and historical significance within the Central Business District and in conformance with the street façade controls in this Ordinance.
3. The parking garage will not be incompatible with or adversely affect the growth and development of uses comprising vital and essential functions in the portions of the Central Business District within which the garage is to be located.
4. The parking garage will not create or contribute to serious traffic congestion and will not unduly inhibit traffic and pedestrian flow and is compatible with the capacity of streets by which the garage is served, especially at peak hours.
5. The parking garage will not have an adverse impact on the street system based on the amount of existing parking and potential for future accessory parking allowed under the provisions of this article.
6. The exits and entrances to the parking garage are designed, located and planned to handle the anticipated peak hour volumes of entering and exiting vehicles and are compatible with street traffic patterns and volumes.
7. The size of the garage is related to the surrounding existing and anticipated development in the area and is compatible with the parking policy of the City in the Central Business District.

8. In the case of accessory parking facilities in the CBD-1 District which allow off-street parking spaces greater than the amount permitted in Section 15.2.7(5), separate entrances and exits will be provided which will allow access to or egress from the parking garages by uptown area traffic in a manner which avoids entering or crossing Poydras Street.

9. In the case of accessory parking facilities in the CBD-7 and CBD-8 Districts which allow off-street parking spaces greater than the amount permitted in Section 15.2.7(6), the streets providing access to such facilities are adequate to handle the traffic generated thereby.

10. Nonrequired accessory spaces located within 600 feet of the main building shall not be permitted in the CBD-3 or CBD-4 Central Business Districts. The number of parking spaces provided shall be subject to the provisions of Section 15.2.7, concerning the maximum number of accessory off-street parking spaces permitted, as if the principal use were located in the CBD District in which the off-street parking spaces are provided.

The off-site parking spaces shall be established as parking spaces to be used in connection with the principal use by a recorded covenant or agreement in accordance with the provisions of Section 15.2.7(9).

15.2.10. Parking Regulations for RP Research Park Districts.

Accessory off-street parking shall be provided in accordance with the following requirements, in addition to those set forth in Sections 15.2.4 and 15.2.5 for medium density districts:

1. No off-street parking spaces shall be located in the rear or setback area in front of any building.

2. Structures and facilities used for research and development shall provide one (1) space per 400 square feet of floor area or one (1) space per two (2) employees on maximum working shift, whichever is greater. Child care centers shall provide a minimum of one (1) parking space, or one (1) parking space for each 525 square feet of indoor play or instruction space, whichever is greater.

15.2.11. Off-Street Parking Regulations for Guest Houses.

Required Parking. One (1) off-street parking space per sleeping room or suite and one (1) off-street parking place for the resident manager; except in the Central Business District where a guest house shall be required to provide (1) off-street parking place per three (3) sleeping rooms or suites and one (1) off-street parking place for the resident manager. (Ord. 17,254 § 3, adopted 11/2/95)

15.2.12. Parking Regulations for Truck Terminals and Truck Stops.

Accessory off-street parking for truck terminals and truck stops shall be provided in accordance with the following guidelines, in addition to those found in Section 15.2.5:

1. Class I truck terminals without a container storage yard shall provide storage parking for trucks at the rate of six (6) spaces per acre of the site.

2. Class I truck terminals with a container storage yard shall provide storage parking for trucks at the rate of two (2) spaces per acre of the site.

3. Parking for trucks, truck trailer, or truck tractor storage at Class II truck terminals shall be provided at a rate of twenty-four (24) spaces for truck tractors with attached trailers per acre of land used for parking and circulation.

4. Employee parking shall be provided for Class I and II truck terminals at the rate of one (1) space per two (2) employees in addition to the parking for truck storage.

5. Parking for trucks at truck stops shall be provided at fifty (50) spaces or equaling the sum of the following rates, but in no event less than fifty (50) spaces:

   a. Ten (10) spaces per 100,000 gallons of diesel fuel sold per month;

   b. Two (2) additional spaces per five (5) motel rooms;

   c. One (1) additional space per ten (10) seats over fifty-four (54) in a restaurant;

   d. One (1) additional space per ten (10) video poker machines provided.

6. Parking for cars at track stops shall be provided at the following rate:

   a. One (1) space per five (5) video poker machines;

   b. One (1) additional space per four (4) seats over fifty-four (54) in a restaurant;

   c. Two (2) additional spaces per five (5) hotel rooms;

   d. One (1) additional space per two (2) employees.

(Ord. 18,362 § 9, adopted 8/12/97)

15.2.13. Design Standards for Parking Lots in the VCS-Vieux Carré Service District.

1. *Minimum Area.* For the purpose of these regulations, an off-street parking space is a paved area, not in a street or alley, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for an automobile without requiring another automobile to be moved. The paving requirements shall not apply to a single-family or two-family dwelling. More specific requirements for off-street parking spaces are stipulated as follows:

   a. A small car off-street parking space must be a minimum of seven (7) feet, six (6) inches in width and a minimum of sixteen (16) feet in length; and a minimum of 120 square feet in area, exclusive of driveways. Not more than forty (40) percent of the spaces in any parking facility may be designated and labeled as small car spaces.

b. A large car off-street parking space must be a minimum of eight (8) feet, six (6) inches in width and a minimum of eighteen (18) feet in length; and a minimum of 153 square feet, exclusive of driveways.

c. A handicapped off-street parking space must be a minimum of ten (10) feet in width and a minimum of eighteen (18) feet in length; and a minimum of 180 square feet, exclusive of driveways.

d. All parking facilities shall provide either a minimum of one (1) handicapped space or three (3) percent of the total parking spaces, whichever amount is greater, but in no event shall more than ten (10) be required. These spaces must be marked accordingly and be adjacent to entrances/exits/elevators to facilitate movement.

2. *Drainage and Maintenance.* Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, and surfaced with erosion-resistant material in accordance with applicable city specifications. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, materials or supplies.

3. *Separation from Walkways and Streets.* Off-street parking spaces shall be separated from walkways, sideways, streets, or alleys by a wall, fence, or curbing or other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.

4. *Entrances and Exits.* Location and design of entrances and exits shall be in accord with the requirements of applicable city traffic regulations and standards. Landscaping, curbing, or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

5. *Interior Drives.* Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.

6. *Marking.* Parking spaces in lots of more than ten (10) spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation of the lot.

7. *Lighting.* Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential property by placing light fixtures away from residential property.

8. *Screening.*

a. When surface off-street parking areas for ten (10) or more automobiles are located closer than fifty (50) feet to a lot in a residential district, or to any lot upon which there is a dwelling as a permitted use under these regulations, and where such parking areas are not entirely visually blocked from such lot by an intervening building or structure, there shall be provided along the

lot line a continuous visual screen with a minimum height of six (6) feet. Such screen may consist of a compact evergreen hedge or foliage screening or a louvered wall or fence.

b. Any parking lot, accessory or otherwise, within the VCS-Vieux Carré Service District shall be screened from the public right-of-way with a six (6) foot screen. Such screen shall be a minimum of fifty (50) percent opaque and shall consist of masonry, wood, metal, continuous opaque hedge, or a combination thereof. Design approval is required by the City Planning Commission staff and the Vieux Carré Commission. Such screen shall be located on, or within, the property line abutting the public right-of-way, and shall be subject to building code restrictions.

c. Where any parking lot within the VCS District is located adjacent to and is visible from an existing residential use, commercial use, or vacant lot, an opaque screen is required, subject to the review and approval of the Vieux Carré Commission. Such a screen shall be six (6) feet in height and may consist of a masonry wall, opaque hedge, or wood fence subject to building code restrictions.

9. *Guideline.* The Department of Safety & Permits shall adopt plans and outline specifications clearly indicating the acceptable design and minimum construction standards for surface off-street parking facilities. Such standards shall be revised from time to time to be in conformity with acceptable current practices and shall be available for public study and consideration.

10. *Landscaping of Parking Lots within the VCS District.* For parking lots within the zoning districts referenced in subsection (8)(b) of this section, permanent landscaping shall be installed in accordance with a landscape plan approved by the City Planning Commission staff. Standards for such landscaping are as follows:

a. Trees shall be planted at the rate of one (1) tree per 1,000 square feet of vehicular use area. Such trees have a minimum size of twelve (12) feet in height and two (2) inches caliper, upon installation. Species shall be approved by the City Planning Commission staff.

b. Required trees may be planted within the parking lot or along the perimeter of the lot. Where such a planting of trees may not be entirely accommodated within the property lines of the lot, as determined by the City Planning Commission staff and City Council, some or all of said trees may be planted within the public right-of-way if authorized by the Vieux Carré Commission staff.

c. A perimeter planting is required where the perimeter screen is not 100 percent opaque along the lower three (3) feet or bottom half of the screen being constructed of masonry. Such perimeter planting shall include sufficient space to allow for healthy growth of plant materials. Vines may be planted in association with a non-opaque fence, and shall be considered in determining the opacity of the perimeter screen.

d. Residual areas not used for parking or vehicular access shall be landscaped with trees, shrubs, and groundcover. A landscape plan shall be approved by the City Planning Commission staff indicating species, location, size, and any other specifications relating to landscaping.

11. *Landscape Maintenance.* All landscaping, including plant materials, screen, and any other improvements, shall be maintained according to the approved plan in a neat, clean, healthy, and otherwise orderly appearance. Such maintenance is the responsibility of the owner/agent/lessee, together or separately. If no permanent irrigation system is used, there shall be a hose-ribbon (faucet) installed within 200 feet of any landscaped area to allow for hand watering.

12. *Structures.* For parking lots in the VCS, the exterior material and design of any structure permanently installed to shelter parking lot attendants or to serve a similar purpose, shall be approved by the Vieux Carré Commission staff prior to issuance of any permit. Any ticket booth, portable building, portable toilet, or other temporary structure shall be screened by substantial planting or other opaque screen or shall otherwise be architecturally compatible with the urban context, as determined by the Vieux Carré Commission staff.

13. *Hydraulic Lift Parking.* In any parking lot in which hydraulic lift parking structures are included, such structures shall be located a minimum of twenty (20) feet from any adjacent public right-of-way and shall be substantially screened from view, as determined by the City Planning Commission staff.

14. *Curb Cuts.* Curb cuts shall be limited to as few as possible, as determined by the Department of Public Works. Rollover curbs are not permitted. Curb cuts may have a maximum width of twenty-four (24) feet for two-way circulation and twelve (12) feet for one-way.

15. *Paving Surface.* Any surface parking lot shall be paved with a durable, all weather material, such as concrete, asphalt, or a permeable surface, such as an open paving system or a pervious paving system. Shells, gravel, crushed stone and bare earth shall not be acceptable paving materials. Uneven slabs shall be resurfaced to provide a smooth surface. All parking spaces shall be marked or striped. Where the edge of any parking lot abuts any public right-of-way, there shall be a continuous edge treatment. Such edge treatment shall substantially eliminate uneven and unsightly edges and shall be subject to City Planning Commission staff approval.

16. *Litter Receptacles.* A minimum of one (1) litter receptacle shall be included in any parking lot, the location of which shall be approved, by Vieux Carré Commission staff, for parking lots within the VCS District.

17. *Signage.* Any parking lot may include, as a part of the development, one (1) detached sign per street frontage having a maximum height of fifteen (15) feet and a maximum sign area of fifteen (15) square feet. The proportion of said sign shall be such that the horizontal width shall be a minimum of one and one-half (1.5) times the vertical width of said sign. The contents of such a sign shall be limited to the following information:

    a. Name of parking lot operator, either by letter or symbol (logo) or both.

    b. Nature of parking lot: monthly, daily, hourly, etc.

    c. Rate information, limited to thirty (30) percent of sign area.

No other sign shall be permitted.

(Ord. 21,287 § 2, adopted 10/8/03)

Section 15.3. Off-Street Loading Regulations.

15.3.1. Table of Requirements.

Except as otherwise provided in this Ordinance, if a building or structure is erected or structurally altered which increases the floor area by twenty-five (25) percent or more, or any building is converted to any of the uses listed in Column 1 of Table 15.G below, and such building contains the floor areas specified in Column 2, accessory off-street loading spaces shall be provided as required in Columns 3 or 4 or as required in subsequent sections of this article. Off-street loading for the C-1A District shall be in accord with Section 5.8.8. Off-street loading for the B-1A District shall be in accord with Section 5.5.8.

15.3.2. Interpretation of Table 15.G.

1. The loading space requirements apply to all districts but do not limit the special requirements which may be imposed in the district regulations.

2. The loading space requirements in this article do not limit special requirements which may be imposed in connection with conditional uses.

3. Under the provisions of Article 14, the Board of Zoning Adjustments may waive or reduce the loading space requirements whenever the character of the use is such as to make unnecessary the full provision of loading facilities, where provision is made for community loading facilities, or where provision of loading space requirements is impractical under certain conditions for uses which contain less than 10,000 square feet of floor area.

4. Floor area is defined in Article 2.

Table 15.G
Loading Requirements

Column 1	Column 2	Column 3	Column 4
Use or Use Category	**Floor Area in Square Feet**	**Loading Spaces Required in All Districts Except Vieux Carré Districts CBD-1, CBD-3, CBD-4**	**Loading Spaces Required in CBD-1, CBD-3, CBD-4**
Retail store, department store, restaurant, wholesale house, or general service establishment	2,000—10,000 10,000—20,000 20,000—40,000 40,000—60,000 Each 50,000 over 60,000	One Two Three Four One additional	None None One Two One additional
Warehouse, repair, manufacturing or industrial establishment	2,000—10,000 10,000—20,000 20,000—40,000 40,000—60,000 Each 50,000 over 60,000	One Two Three Four One additional	One Two Three Four One additional
Apartment building, apartment hotel, hotel offices or office building, hospital or similar institutions, places of public assembly	5,000—10,000 10,000—100,000 100,000—200,000 Each 100,000 over 200,000	One Two Three One additional	None One Two One additional
Funeral home or mortuary	2,500—4,000 4,000—6,000 Each 10,000 over 6,000	One Two One additional	One Two One additional

15.3.3. Mixed Uses in One Building.

Where a building is used for more than one (1) use or for different uses, and where the floor area used for each use for which loading space is required is below the minimum for required loading spaces but the aggregate floor area used is greater than such minimum, then off-street loading space shall be provided as if the entire building were used for that use in the building for which the most spaces are required. In such cases the Director of Safety and Permits may make reasonable requirements for the location of required loading spaces.

15.3.4. Design Standards.

1. *Minimum Size.* For the purpose of these regulations, a loading space is a space within the main building or on the same lot, providing for the standing, loading or unloading of trucks, having a minimum area of 540 square feet, minimum width of twelve (12) feet, a minimum depth of thirty-five (35) feet, and a vertical clearance of at least fourteen and one-half (14.5) feet.

2. *Loading Space for Funeral Homes.* Loading spaces for a funeral home may be reduced in size to ten (10) feet by twenty-five (25) feet and vertical clearance reduced to eight (8) feet.

3. *Drainage and Maintenance.* Off-street loading facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, and surfaced with erosion-resistant material in accordance with applicable City specifications. Off-street loading areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies.

15.3.5. Access Restrictions for Off-Street Loading.

1. Notwithstanding any other provisions of this article, vehicular access or egress for permitted or required accessory off-street loading berths or for the service entrance to a building may not be located on the streets listed below, unless the Director of Safety and Permits certifies that there is no way to provide such berths or entrances with access on some other street.

List of Streets to Which Access Restrictions Apply:

Diamond Street, Tchoupitoulas Street to South Peters Street.
Commerce Street, Diamond Street to Lafayette Street.
Lafayette Street, Loyola Avenue to South Front Street.
Natchez Street, Camp Street to South Peters Street.
Commercial Place, St. Charles Street to Camp Street.
Union Street, South Rampart Street to St. Charles Street.
Exchange Place, Canal Street to Iberville Street.
St. Charles Avenue, Poydras Street to Lee Circle.
Poydras Street, Claiborne Avenue to Front Street.
Canal Street, Claiborne Avenue to Mississippi River.
Poydras Street, Claiborne Avenue to Convention Center Boulevard.

2. Appeal of the access restrictions from the above listed streets shall be considered by motion of the City Council upon recommendation by the City Planning Commission. Application for appeal shall be made to the City Planning Commission in accordance with the administrative amendment procedures of Section 16.1.8. The City Council Motion granting the appeal shall be forwarded to the Department of Streets, the Department of Safety and Permits, and the Historic District Landmarks Commission, if applicable, only after the Executive Director of the City Planning Commission places his/her signature on the plan approved by City Council Motion, and after the plan has been recorded against the subject property in the place required by law to record documents for real property in Orleans Parish. The Executive Director of the City Planning Commission shall amend the Zoning Base Map by outlining the subject property and indicating the symbol "AAA" to represent "Administrative Access Approval" and shall include the City Council Motion number and date.

Section 15.4. Adequate Public Facility Requirements.

Land proposed for development must be served adequately by essential public facilities and services. Land shall not be approved for development unless and until adequate public facilities exist or provision has been made for water facilities, wastewater facilities, drainage facilities and transportation facilities which are necessary to serve the development proposed, whether or not such facilities are to be located within the property being platted or off site. This policy may be defined further and supplemented by other ordinances adopted by the City.

15.4.1. Conformance to Plans.

Proposed public improvements shall conform to and be properly related to applicable public facilities and capital improvements plans.

15.4.2. Water.

All platted lots must be connected to a public water system which is capable of providing water for health and emergency purposes, including adequate fire protection.

15.4.3. Wastewater.

All platted lots must be served by an approved means of wastewater collection and treatment.

15.4.4. Streets.

Proposed streets shall provide a safe, convenient and functional system for vehicular and pedestrian circulation and shall be properly related to City thoroughfare plans and shall be appropriate for the particular traffic characteristics of each proposed development.

15.4.5. Drainage.

Drainage improvements shall accommodate potential runoff from upstream drainage areas and shall be designed to prevent overloading the capacity of the downstream drainage system. The City may require the phasing of development, the use of control methods such as retention, detention or pumping systems, and/or the construction of off-site drainage improvements to mitigate the impacts of the proposed development.

15.4.6. Phasing.

The City may require the phasing of development or improvements to maintain current levels of service for existing public services and facilities or for other reasons based upon maintaining the health, safety and general welfare of the City's inhabitants.

Section 15.5. Supplementary Height, Area, and Bulk Regulations.

The regulations set forth in this section qualify or supplement the district regulations appearing elsewhere in this Ordinance.

15.5.1. Mixed Uses, Height, Area and Bulk Requirements.

1. Where more than thirty-five (35) percent of the total floor area of any building in a commercial district, except the CBD Districts, is used for dwelling purposes in a building which may also contain nonresidential uses, the height, area, and bulk requirements for residential development applicable in the district in which such building is located shall apply, subject to the side yard modifications for mixed uses contained elsewhere in this article. Where thirty-five (35) percent or less of the total floor area of such buildings is used for dwelling purposes, the building shall be subject to the height, area and bulk requirements applicable to nonresidential buildings in the district.

2. In the CBD Districts, where a building is used partly for residential and partly for nonresidential uses, the height, area and bulk requirements shall apply as set forth in Article 6 to the residential portion, the nonresidential portion and the entire building respectively. Setback requirements for residential buildings shall apply to the residential portion of a mixed building at the floor level of the lowest residential story containing dwelling units. Such setback areas shall be open and unobstructed from the level upward. Required open space shall be located as set forth in Section 15.5.7(7) of this article.

15.5.2. Dwelling Units Permitted for Lots Divided by District Boundaries.

In all districts authorizing residential uses, if a lot is located in two (2) districts, the total number of dwelling units authorized on the lot shall be the sum of dwelling units permitted in that part of the lot in each district.

15.5.3. Floor Area Ratio for Lots Divided by District Boundaries.

In all districts, if a lot is located in two (2) districts with different maximum Floor Area Ratios, the maximum Floor Area Ratio applicable to each portion of such lot shall be multiplied by the percentage of the lot to which each such Floor Area Ratio applies and the sum of the products obtained shall be the maximum adjusted Floor Area Ratio applicable to such lot. The resulting floor area which is permitted by the maximum adjusted Floor Area Ratio may be located wherever a building is permitted on the lot, provided that the Floor Area Ratio for each portion of the lot within one district shall not exceed the maximum Floor Area Ratio specified for that district or the maximum adjusted Floor Area Ratio for the lot, whichever is greater.

15.5.4. Open Space Ratio for Lots Divided by District Boundaries.

In all districts, if a lot is located in two (2) districts with different minimum Open Space Ratios, the calculation of required open space shall be based on the Open Space Ratio which applies to the largest portion of the lot, or if equally divided, on the highest Open Space Ratio applicable to the lot.

15.5.5. Modification of Height Regulations (In All Districts Except the Vieux Carré Districts).

1. The height limitations of this Ordinance shall not apply to:

Belfries.
Chimneys.
Churches.
Conveyors.
Cooling towers.
Ornamental towers and spires.
Elevator bulkheads.
Fire towers.
Flagpoles.
Public monuments.
Commercial radio and television towers less than 125 feet in height.
Cablecasting towers and antennae less than 125 feet in height.
Smoke stacks.
Stage towers or scenery lofts.
Tanks.
Public water towers.
Public utility towers, poles and terminal facilities.
Microwave towers.

2. Public and semipublic buildings, public service buildings, hospitals, institutions or schools, when permitted in an RS, RD or RM-1 District, may be erected to a height not exceeding sixty (60) feet, and churches and temples where permitted in an RS, RD or RM-1 District may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by at least one (1) foot for each one (1) foot of additional building height above the height regulations for the district in which the building is located.

15.5.6. Lot Area.

1. Where a lot has less area than the minimum requirements for the district within which the lot is located and has continuously been a lot of record, in separate ownership from adjacent property, prior to and since the passage of this Ordinance, that lot may be used only for single-family dwelling purposes or for any non-dwelling purpose permitted in the district within which such lot is located.

2. Requirements for lot area per family do not apply to dormitories, fraternities, sororities, and other similar living quarters which are accessory to a permitted use and which have no cooking facilities in individual rooms or apartments.

3. Requirements for lot area per family do not apply to rental units in a hotel, motor lodge or tourist home or dwelling units without culinary facilities in an apartment hotel or rooms in a rooming, boarding or lodging house.

15.5.7. Yards and Open Space Generally (In All Districts Except the Vieux Carré Districts).

1. Every part of a required yard area shall be open to the sky except as follows:

   a. Where accessory buildings are specifically permitted in a rear or side yard under these regulations.

   b. A roof, gutter, eave, fixed awning, marquee or canopy, attached to a building but having no other support, may project no more than five (5) feet into a required front, side or rear yard, if a minimum distance of two (2) feet remains open to the sky between the farthest projection and the lot lines.

   c. Notwithstanding the foregoing, a canopy or marquee shall be permitted to extend from the entrance door to the street line of any church, school, college, hospital, sanitarium, public building, or educational, religious, or philanthropic institution in any district, or from the entrance door of any main building in multiple-family residential, commercial, and industrial districts. Where a sidewalk and curb exist, the canopy or marquee may extend to within eighteen (18) inches of the curbline. Such canopies or marquees shall not exceed fifteen (15) feet in width or twelve (12) feet in height or be screened or enclosed in any manner, and shall provide an unobstructed, clear space between the grade and the bottom of the valance of at least seven (7) feet.

   d. Movable awnings may be placed over doors or windows in any required yard, but such awnings shall not project closer than two (2) feet to any lot line or be vertically supported.

e. Wheelchair ramps or wheelchair lifts are permitted in a required front, side or rear yard in accordance with the provisions of this section. Wheelchair ramps may extend or project into a required rear yard without limitation but shall be designed to minimize the encroachment in the required front yard. Where a ramp or lift is provided in a side yard, a solid seven (7) foot high fence shall be provided along the side property line for the length of the ramp and landing. Weather protection may be provided over the ramp and landing provided there is a two (2) foot distance between the canopy and any property line.

2. Where these regulations refer to side streets for corner lots, the side street will normally be the street along which the corner lot has its largest dimensions, but the Director of Safety and Permits may be guided by the pattern of development in the vicinity of the lot in question in determining which of the two (2) streets is the side street.

3. More than one (1) main building may be located upon a lot or tract in the following instances:

a. Institutional buildings;

b. Public or semipublic buildings;

c. Multiple-family dwellings;

d. Commercial or industrial buildings;

e. Homes for the aged, nursing homes, convalescent homes, and orphans' homes;

f. In all Vieux Carré Districts, more than one (1) building may be permitted on a lot of record provided that historical authentication can verify the historical existence of more than one (1) building on such lot; and provided further that such information can be properly documented to the Vieux Carré Commission and the Department of Safety and Permits, and that all such uses and appurtenances thereto shall require the approval of the Vieux Carré Commission and the Department of Safety and Permits;

g. A development of ten (10) or more two family structures under single ownership and/or management encompassing at least one (1) entire single city square. Any such development that does not meet the yard area requirements of the district shall require review under the provisions of the Residential Planned Community (RPC) Overlay District.

The provisions of this exception shall not be construed to allow the location or erection of any main building or portion of a main building outside the buildable area of the lot except as otherwise provided.

4. In the event that a lot is to be occupied by a group of two (2) or more related buildings to be used for residential purposes as described in Section 15.5.7.3.(c) or (g), each structure shall have an orientation towards a public street.

5. In any district where a minimum Open Space Ratio is specified, except the CBD Districts, the maximum Floor Area Ratio may be increased by one-tenth (1/10) for each one-tenth (1/10) that the Open Space Ratio is increased above the required minimum.
6. In all CBD Districts required open space shall conform to the definition of open space in Article 2, modified as follows:
   a. All required open space shall have not less than eighty (80) percent of the area open from its lowest level to the sky. The remaining portion may be roofed and enclosed, provided it is adjacent to an area open to the sky and provided it contains recreational facilities, such as, but not limited to, play apparatus, court games, or handicraft equipment.
   b. At least fifty (50) percent of all required open space shall be at or below the floor level of the lowest story containing dwelling units, and not more than twenty (20) percent shall be at a level higher than either:

      120 feet above grade level, or

      The floor level of the lowest story containing dwelling units, whichever is higher.
   c. Open space located on roofs or decks shall have a minimum dimension of twenty (20) feet and a minimum area of 600 square feet.
   d. All required open space located on a roof or deck shall be restricted to persons residing in the building and shall be directly accessible from a lobby or other public area served by the residential elevators.
   e. All such open space shall be landscaped except where covered or enclosed or developed with recreational facilities. Required open space shall not be occupied by off-street parking, streets or other surfaces for vehicles.

(Ord. 20,814 § 1, adopted 8/16/03; Ord. 18,825 § 1, adopted 8/6/98)

15.5.8. Front Yards (In All Districts Except the Vieux Carré Districts).

1. Where a right-of-way has been established by the City Planning Commission for the future widening or opening of a street upon which a lot abuts, then the depth of a front yard shall be measured from such official line to the building line.
2. Except as otherwise provided in these regulations, on through lots, the required front yard shall be provided on each street.
3. Except in the CBD Districts, where a lot is located at the intersection of two (2) or more streets, there shall be a yard of ten (10) feet on the side street, provided however, that said front yard on the side street need not exceed the average front yard established by other buildings in the block which front on the side street. The buildable width of a lot of record at the time of passage of these regulations shall not be reduced to less than twenty-four (24) feet.
4. Open, unenclosed porches, raised platforms or raised paved terraces, not covered by a roof or canopy, and which do not extend above the level of the first floor of a building, or a maximum of five (5) feet above grade, may extend or project into the front or side yard not more than (6) feet.
5. Where twenty-five (25) percent or more of the street frontage between two (2) intervening streets, or where no intervening streets exist and twenty-five (25) percent or more of the street frontage within 300 feet of a property, is improved with buildings that have a front yard (with a variation of six (6) feet or less) that is greater or less than the required front yard in the district, the front façade of any building must be located at or within three (3) feet of the average front yard line so established. However, a depth of front yard of more than fifty (50) percent in excess of the depth of the required front yard in the district in which the yard is located shall not be required. Where forty (40) percent or more of the street frontage is improved with buildings that have no front yard,

no front yard shall be required for the remainder of the street frontage. The average front yard setback established for a property by this provision shall not alter or affect the prohibition on the location of parking spaces between the front façade of a building and a street line provided in Section 15.2.3.

6. For the purpose of the front yard regulations, two-family dwellings, three-family dwellings, four-family dwellings, groups of town houses, multiple-family dwellings, electric substations, telephone exchanges, or telephone repeater structures for public utility purposes shall be considered as one (1) building occupying one (1) lot.

(Ord. 18,825 § 2, adopted 8/6/98)

(Ord. No. 25122, § 1, adopted 12/6/12)

15.5.9. Side Yards (In All Districts Except the Vieux Carré Districts).

1. Where a right-of-way has been established by the City Planning Commission for the future widening or opening of a street upon which a lot abuts, then the depth of a side yard shall be measured from such official line to the building line.
2. Where a building in a commercial district is subject to the height, area, and bulk requirements applicable to residential development under Section 15.1, the side yard requirements for residential

development shall be applied only to the ground floor where said ground floor has more than twenty-five (25) percent of its area used for dwelling. No floor shall have an area that is larger than the area of the ground floor. All floors shall be subject to side yards required by these regulations for commercial buildings adjacent to residential districts.

3. For the purpose of the side yard regulations, two-family dwellings, three-family dwellings, four-family dwellings, groups of town houses, multiple-family dwellings, electric substations, telephone exchanges, or telephone repeater structures for public utility purposes shall be considered as one (1) building occupying one (1) lot.

4. A carport, attached to or detached from the main building, may be constructed in a required side yard and may be attached to an enclosed accessory building provided that no wall of such accessory building is less than forty (40) feet from the front lot line nor less than three (3) feet from the side lot line. Every part of the projection of such carport must be at least two (2) feet from the side lot line, and the combined length of such carport and accessory building must not exceed forty (40) feet. The height of such carport or accessory building may not exceed thirteen (13) feet. A carport attached to the main building shall be unenclosed on the street side and on the side nearest the side lot line. A carport detached from the main building shall be unenclosed on the street side and on both sides which approximately parallel the side lot line.

5. Where a side yard is not required, but is provided, such yard shall not be less than three (3) feet in width paralleling the side lot line.

6. When a lot is substandard as to lot area, width and/or depth and has been a lot in separate ownership since prior to the passage of this Ordinance, side yard requirements need not exceed three (3) feet. Should side yard(s) of less than three (3) feet be required, the owner must seek a waiver from the Board of Zoning Adjustments in accordance with Article 14.

15.5.10. Rear Yards (In All Districts Except the Vieux Carré Districts).

1. Open or lattice-enclosed fire escapes, fireproof outside stairways, balconies opening upon fire towers, the ordinary projections of chimneys and flues are permitted to extend into the rear yard for a distance of not more than five (5) feet.

2. Where a rear yard is not required, but is provided, such yard shall not be less than three (3) feet in width paralleling the rear lot line.

3. If a lot is substandard as to lot area, width and/or depth, but has been a lot in separate ownership since prior to the passage of this Ordinance and the abutting lots, the lot in the rear, and one (1) lot on each side of that lot are improved with buildings that have a rear yard that is less than the required rear yard in the district, the property in question may provide a rear yard that is an average of the rear yard provided on those lots. However, the rear yard shall not be less than ten (10) percent of the lot depth.

(Ord. 18,825 § 3, adopted 8/6/98)

15.5.11. Modification of Front, Side and Rear Yard Requirements for Certain New Construction.

New development, constructed under single ownership or under agreement of construction between multiple ownership and when located on both sides of the entire frontage between two intersecting streets, need not observe the required front, side, or rear yard areas of the district, except for the required side yards on the side street of corner lots under the following conditions which shall be recorded as covenants on such lots:

1. No main structures of single- or two-family developments may be located closer than six (6) feet to another main structure unless developed with a common party wall.

2. No main structures of multiple-family use in excess of two-family developments may be located closer than the following distances to another main structure unless developed with a common party wall:

Number of Units	*Required Distance Between Main Structures*
3 — 4 family units	10 feet
5 — 16 family units	15 feet
17 — 40 family units	25 feet
41+ family units	40 feet

3. When structures are situated on lot lines and the walls of such structures do not form party walls with adjacent structures, a maintenance servitude of not less than three (3) feet in width adjacent to the property must be provided on the adjacent lot to afford access for maintenance of structures.

4. The combined lot coverage of the main structure and accessory buildings shall not exceed fifty (50) percent of the lot area in an RS District, nor more than sixty (60) percent in RD and RM Districts.

5. If required front yards are not provided, a front yard of not less than five (5) feet shall be provided and the minimum mean front yard for the development as a whole shall not be less than ten (10) feet.

When development of property is accomplished in accordance with provisions of this section and under the conditions set forth above, required off-street parking areas may be located anywhere on the lot except within the front yards required under provisions of subsection 5 above.

15.5.12. Accessory Buildings and Structures (In All Districts Except the Vieux Carré Districts).

1. *Side Yards.* Except as hereinafter provided, any accessory building may be built in a required side yard, providing such accessory building is not less than forty (40) feet from the front lot line nor closer than three (3) feet from the nearest interior side lot line. On through lots, an accessory building may be built in a required side yard if no part of such accessory building is less than three

(3) feet from the nearest interior side lot line and no portion of such building is located in either required front yard.

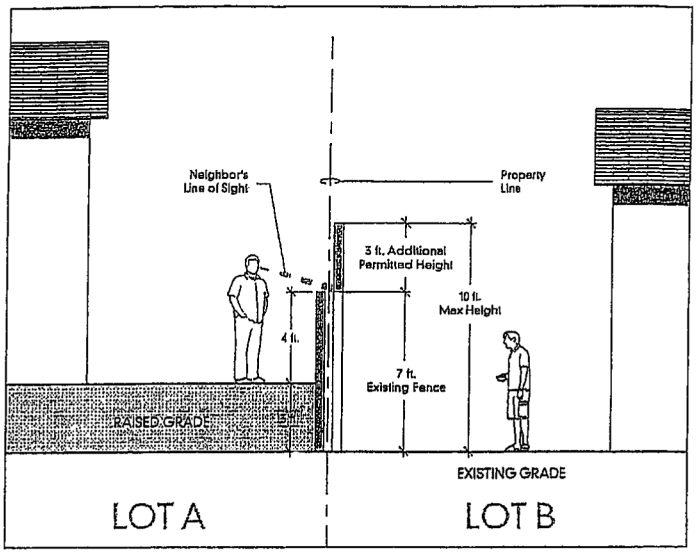
2. *Rear Yards.* Accessory buildings may be built in required rear yards, but such accessory buildings shall not occupy more than forty (40) percent of the required rear yard. An accessory building may be built on the side or rear property lines provided there is no existing structure on the adjoining lot which is located on or within three (3) feet of the common side or rear property lines. An accessory building which is not built on the property line shall not be located closer than three (3) feet from either side or rear property lines. Accessory buildings may project from the required rear yard into a required side yard on an interior side lot line, provided no portion of the accessory building is located more than twenty-five (25) feet from the rear property line.
3. *Corner Lots.* On corner lots where a side yard or a front yard on a side street is required there shall be a minimum distance between any accessory building and the side street line equivalent to the required side yard on the side of the lot abutting the side street. Where a lot adjoining the rear of a corner lot fronts on the side street, no part of any accessory building on the corner lot within fifteen (15) feet of the common lot line shall project beyond the prolongation of the front yard line of the lot in the rear, provided, however, that this limitation shall not reduce the length of the buildable area of the accessory building to less than twenty (20) feet.
4. Except as otherwise provided, accessory buildings or structures permitted in a required rear or side yard shall not exceed fourteen (14) feet in height.
5. The combined gross area of all accessory buildings or portions thereof located in required side and rear yards shall not exceed forty (40) percent of the required rear yard area, nor shall more than one (1) accessory building cover any part of a required side yard.
6. Filling station pumps and pump islands without canopies attached to a main building, may occupy the required yards. However, pumps, pump islands, and canopies shall not be closer than fifteen (15) feet to the street lines.
7. Accessory swimming pools, open and unenclosed, may occupy a required rear or side yard provided the water's edge is not located closer than four (4) feet to a rear or interior side lot line. Adequate hand holding provisions shall be made for pool entry and exit. Every swimming pool shall be protected by a safety fence or barrier approved by the Director of Safety and Permits. A walk space at least three (3) feet in width shall be provided on two (2) sides or fifty (50) percent of the exterior of the pool, whichever is greater, between the pool walls and protective fences or barrier walls.
8. Permitted accessory storage of a boat or boat trailer shall not be conducted in a required front yard.
9. Power plants, heating or refrigerating plants or apparatus or machinery not a part of the main building and when accessory to permitted uses shall be permitted in the buildable area or required side or rear yards only when so placed and operated as to cause the least inconvenience to owners and tenants of adjoining lots and buildings; and provided that all of the above mentioned activities comply with existing City ordinances and do not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odors, fumes, or gases, dust, smoke, noise or vibration, light, glare, or other nuisances.

Section 15.6. Miscellaneous Requirements.

15.6.1. Fences, Walls, and Hedges (In All Districts Except the Vieux Carré Districts).

A fence, wall or hedge not more than seven (7) feet in height may project into or enclose any required front or side yard provided, however, that no fence, shrubbery, or obstruction of any type shall be permitted around or into required front yards within twenty (20) feet of any street intersection. Fences, walls, or hedges may project into or enclose other required yards provided such fences, walls, or hedges do not exceed a height of seven (7) feet and may be erected along a boundary between a residential district and a commercial or industrial district to a height not exceeding ten (10) feet.

The height of fences, walls or hedges along common property lines in required side or rear yards shall be measured from grade. When grade differs between abutting properties, the height of the fence, wall or hedge shall be measured from the highest grade at the property line on either side of the property. In no case shall the total fence height exceed ten (10) feet. A building permit is required for all fences and walls exceeding seven (7) feet in height.



(Ord. No. 25490, § 1, adopted 9/12/13)

15.6.2. Required Landscaped Screening Fence or Hedge (In All Districts Except the Vieux Carré Districts).

In all nonresidential districts whenever a lot or parcel of property containing a nonresidential use abuts a residential district, all interior lot lines abutting said residential district shall have along its entire length a landscaped screening fence or hedge a minimum of six (6) feet in height.

15.6.3. Control of Entrances and Exits.

Where these regulations specify that there shall be no exterior entrances or exits to an accessory commercial use in a residential district, the general intent is that there shall be no exterior evidence of the existence of such use, and for this purpose, the following regulations shall apply:

1. The entrance or exit shall be located so that it will not be readily visible from any street, walk, or other public way.
2. The entrance or exit shall not be accessible to patrons from a public street, walk, or other public way, or indirectly by means of any vestibule, foyer, entryway, or room, unless such vestibule, foyer, entryway, or room is accessible only from the main entrance.

3. The entrances or exits may be accessible from a patio, court, yard, bay or canal frontage, or other open space adjoining the side or rear of a building, if such entrances or exits are obscured from all streets by a wall.
4. No store fronts, show windows, or displays, or exterior signs or displays shall indicate the presence of the commercial use except as specifically permitted in these regulations.
5. Exterior emergency exits may be permitted as required, provided such exits are identified as for emergency use only, are kept closed except for emergency use, and are constructed to be opened only from the inside.

15.6.4. Boathouses, Piers, and Bulkheads (In All Districts Except the Vieux Carré Districts).

1. The following regulations shall apply to accessory boathouses and boat slips in residential districts:
   a. A boathouse may not be used as a dwelling, guest house, or servants quarters unless specifically permitted by other sections of this Ordinance.
   b. The height of a boathouse shall not exceed twenty (20) feet as measured from the required lot elevation.
   c. No boathouse shall exceed twenty (20) feet in width nor forty (40) feet in depth.
   d. No boathouse shall be built beyond the established bulkhead line or waterway line.
   e. Boathouses and boat slips, together with other accessory buildings, may occupy no more than fifty (50) percent of the required rear yard.
2. The following regulations shall apply to boat docks, piers and wharves, accessory or nonaccessory, in any district:
   a. Projection of docks, wharves, and piers into waterways beyond the waterway line, lot lines, or established bulkhead lines or the placing of mooring piles or buoys shall be limited by applicable ordinances of the City of New Orleans and applicable regulatory agencies and in no case shall a dock, wharf, pier, or pile project more than ten (10) percent into the waterway.
   b. Groins, levees, bulkheads, pilings, breakwaters and other similar structures shall be erected and maintained in accordance with applicable locations and construction standards of the City of New Orleans and other applicable regulatory agencies.

15.6.5. Special Regulations for Single-Family Waterfront Development.

The following regulations shall apply to single-family or boathouse waterfront development which proposes the creation of separate lots for individual ownership:

1. Each lot shall provide a minimum lot width of twenty (20) feet, a minimum lot depth of ninety (90) feet and a minimum lot area of 2,500 square feet. The density of such development shall not exceed seventeen (17) units per acre of actual area of land and water combined.
2. Each lot shall provide and maintain a land area with a minimum depth of forty (40) feet. However, where forty (40) feet cannot be provided because of topography, the lot shall contain a minimum land area of 1,000 square feet.
3. Side yards are not required, but where a side yard is provided, such yard(s) shall not be less than three (3) feet in width.
4. When a wall is located on a side lot line, it shall be in accordance with the Building Code.
5. The permitted residential density shall be limited to one (1) dwelling unit per lot, with not more than eight (8) units attached.
6. A minimum of two (2) off-street parking spaces shall be provided on each lot, and may be located in the required front yard, of which only one (1) shall be required to be paved.

7. A servitude of sufficient width providing for the common use of the adjacent waterway area(s) shall be provided to accommodate navigation and shall be indicated on the plan of subdivision.
8. Individual utility systems shall be provided for each lot.
9. Municipal sewerage services must be provided for each lot. (No septic tanks or other waste disposal systems may be installed.)
10. Streets within such developments shall be dedicated and improved in accordance with the standards of the City of New Orleans, provided that where adequate access exists and is already provided by an existing dedicated street or by a private agreement that is acceptable to the City of New Orleans, this provision shall not apply.

15.6.6. Limitation on Pavement of Required Yard Areas.

The pavement of a required front yard shall be limited to forty (40) percent of the required front yard area. The pavement of the side yard required on the side street of a corner lot shall be limited to forty (40) percent of the required yard area. Pavement includes the placement of impermeable material on the surface of the land such as brick, stone, asphalt or concrete. A green area of living planted materials shall be provided between the public right-of-way and structure or paved area. The area utilized for a fence, chain wall or masonry fence shall be excluded.

(Ord. 18,076 § 1, adopted 2/20/97)

15.6.7. Special Regulations for One- and Two-Family Dwellings.

Areas of Applicability. The regulations shall apply in the following areas:

1. East Bank: The are bounded by the Orleans/Jefferson Parish line, Metairie Road, City Park Avenue, Wisner Boulevard, Interstate 610, Florida Boulevard, the Orleans/St. Bernard Parish line and the Mississippi River.
2. West Bank: The are bounded by Atlantic Avenue, Bodenger Boulevard, the Orleans Parish line and the Mississippi River.

Eligibility. These regulations apply to all residential zoning districts (except the Vieux Carré and Historic Marigny Districts) where development involves either of the following:

1. Single-family dwelling containing a floor area of 1,500 square feet or less, located on an existing lot with a width of thirty-five (35) feet or less, and
2. Two-family dwelling containing a floor area of 2,500 square feet or less, located on an existing lot with a lot width of forty-five (45) feet or less, and with a lot area that meets the standards of the underlying zoning district. (Lots substandard as to area may be used only for single-family dwelling purposes, or as indicated in Section 15.5.6 of these regulations.)

Development Standards.

1. Front Yard Setback: The required front yard setback shall be equal to or within a three (3)-foot variation of the average (mean) front yard setback of all structures within the same block as the property in question, and as indicated on the Sanborn maps field inspection or land surveys. If the block is more than seventy-five (75) percent vacant, the dimension of the opposing block face shall be applied. The calculation of the average front yard shall not include vacant lots. In no instances shall the front yard exceed twenty (20) feet.
2. Side Yard Setback of a Corner Lot: The minimum required side yard setback on the streetside of a corner lot is five (5) feet. The setback may be less than five (5) feet, if it equals the historical setback for prior development on the lot as indicated on the historic Sanborn maps or land surveys.

3. Aggregate Side Yard: The aggregate side yard requirements of the zoning district shall not apply.
4. Off-Street Parking: Off-street parking is not required for a single-family residence. A two-family residence is required to provide one (1) off-street parking space, except along those streets listed in the City Code, Section 154-1195, which prohibit parking at all times. If parking is provided, the parking space must be located within the rear yard or beyond the front building line of the structure.

Conflicts. Standards of this section supersede standards of Article 4 and Article 15 of these regulations, pertaining to front and side yard setbacks, aggregate side yard and parking requirements, and standards of Article 15, Sections 15.5.8.3 and 15.5.8.5, Front Yards. In all other instances where standards of this section contain an actual, implied or apparent conflict with other applicable standards of these regulations, the less restrictive standards shall apply.
(Ord. 21,546 § 1, adopted 5/20/04)

ARTICLE 16

ADMINISTRATIVE PROVISIONS

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ARTICLE 16 ADMINISTRATIVE PROVISIONS

Section 16.1. Applicability.

This article sets forth procedures and standards for the following types of applications authorized by these zoning regulations: zoning text amendments and zoning map amendments, including overlay zoning districts, interim zoning districts, and planned development districts; conditional use permits; permits for transfer of development rights; and general and administrative site plans. The official responsible for administering the provisions of this article is the Executive Director of the City Planning Commission. Procedures and standards for decisions rendered by the Board of Zoning Adjustments are contained in Article 14. Procedures and standards for approval of applications for building permits and Certificates of Occupancy, as well as procedures for enforcing the zoning regulations are contained in Article 17.

Section 16.2. Zoning Amendments.

The regulations imposed and the districts created under authority of this Ordinance may be amended from time to time by the City Council in accordance with the provisions of this section. The procedures set forth herein apply to all zoning text amendments and all zoning map amendments, including establishment of overlay zoning districts, planned development districts and interim zoning districts.

16.2.1. Initiation of Amendments.

Zoning amendments may be initiated by:

1. The City Council, for a zoning map or text amendment, by introduction of an ordinance or by adoption of a motion.
2. A property owner in the City of New Orleans, for a zoning map amendment, by filing an application with the City Planning Commission on forms approved by the Commission and bearing the signature and acknowledgment of the owners or authorized agents of not less than fifty (50) percent of the area of land for which the zoning amendment is requested. Where property is jointly owned, all co-owners of the property or their authorized agents must sign the application for the property to be included in the fifty (50) percent area requirements.
3. A property owner in the City of New Orleans, for a text amendment, by filing an application with the City Planning Commission on forms approved by the Commission.

16.2.2. Application for Amendments.

1. Concurrent Applications.

   A zoning map amendment, a conditional use permit or any other form of application provided for in this article 16, which requires a zoning text amendment may be submitted concurrently with such text amendment, provided that the application which is contingent upon the text amendment states the contingency. A conditional use permit or any other form of application provided for in this article 16, which requires a zoning map amendment may be submitted concurrently with such map amendment, provided that the application which is contingent upon such map amendment states the contingency.

2. Fees.

   Before any action shall be taken as provided for in this article, the party submitting an application for a zoning amendment shall remit the applicable fee to the City Planning Commission. The

schedule of fees shall be as provided in the City Code of the City of New Orleans. Under no conditions shall a fee or any part thereof be refunded after advertising commences or in the case of administrative amendments after such requests have been properly filed.

16.2.3. Action on Zoning Amendments.

1. Public Notice.

   Notice of public hearing of the zoning amendment shall be given as provided by Section 16.9.2.

2. Planning Commission Recommendation.

   The Planning Commission shall conduct a public hearing on the proposed amendment in accordance with Section 16.9.3 and shall make its recommendations to the City Council pursuant to Section 16.9.5.

3. City Council Decision.

   The City Council, following a public hearing, shall take action on the zoning amendment in accordance with Section 16.9.6.

4. Reconsideration of Amendments.

   Whenever an application for a zoning amendment has been filed and the application has been finally acted upon by the City Council in accordance with the above procedure, or when the application has received no action on the part of the City Council within 120 days, or when the application has been officially advertised for public hearing but has subsequently been withdrawn either before or after the public hearing has been held, then the City Council shall not consider any further application for such amendment for the same property within a period of two (2) calendar years from the date of the City Council's final action on the original application, or from the expiration of the 120-day period in case no action has been taken by the City Council, or from the date of withdrawal of the application following official advertisement. Filing fees shall not be refunded upon any withdrawal after advertising commences. The provisions of this subsection do not apply in cases in which the City Council initiates an amendment, nor in those cases in which the application proposes a planned development district.

16.2.4. Periodic Review.

It shall be the duty of the City Planning Commission, in cooperation with the Director of Safety and Permits and the City Attorney, to continuously review the provisions of this Ordinance, including the Official Zoning Map, and from time to time, to offer recommendations to the City Council as to the sufficiency thereof to accomplish the development of the City.
(Ord. No. 25492, § 1, adopted 9/12/13)

Section 16.3. Overlay Zoning District Procedures.

16.3.1. Purpose and Applicability.

An overlay zoning district is a zoning district that establishes regulations that combine with the regulations of the underlying (base) zoning district. The overlay district may prohibit uses otherwise allowed in the base district, establish additional or different conditions for such uses, or authorize special uses, together with standards for such uses, not otherwise allowed in the base district. An overlay zoning district also may be established as a planned development district. Adoption of the overlay district does not effect repeal of the base zoning district and all regulations contained in the base zoning district shall remain applicable to the uses allowed in the overlay district, except as expressly stated in the regulations of

the overlay zoning district. This section sets forth general procedures for adoption of overlay zoning districts. Section 16.5 of these zoning regulations contains additional procedures applicable to planned development districts.

16.3.2. Text Amendments to Create Overlay Zoning Districts.

The City Council, upon recommendation from the City Planning Commission, may amend the text of the Ordinance from time to time to provide for new overlay zoning districts, in accordance with the procedures of this section. The Council shall specify for each text amendment the following information for the overlay zoning district:

1. The intent and purpose of the district;
2. The types of districts with which the overlay zoning district may be combined;
3. Minimum standards for establishing the district;
4. Uses allowed by the overlay zoning district which are not allowed in the base district and standards and conditions applicable to such uses; and
5. Uses otherwise permitted within the base district, which are prohibited, limited or restricted within the overlay zoning district, and the standards and conditions constituting such limitations or restrictions.

16.3.3. Procedures for Overlay Zoning District Map Amendments.

1. Boundaries Established.

   Overlay zoning districts initially shall be established on the Official Zoning Map by the City Council, upon recommendation of the City Planning Commission, in accordance with the procedures for zoning amendments in Section 16.2. The boundaries of the overlay zoning district shall be designated with particularity in relation to the base district or districts upon which the district is overlaid.

2. Adjustments to Boundaries.

   The zoning map may be amended to extend or contract the boundaries of an overlay zoning district in accordance with the procedures set forth in Section 16.2.

(Ord. No. 25492, § 1, adopted 9/12/13)

Section 16.4. Interim Zoning District Procedures.

16.4.1. Purpose and Intent.

An interim zoning district is intended to provide temporary regulations within the boundaries of the area so designated, notwithstanding existing zoning applicable to the area, pending determination of public policy for public or private development within the boundaries of the area. An interim zoning district may be established to support development, or to allow implementation of a more comprehensive zoning plan for the subject area, and is intended further to prevent establishment of uses which are incompatible with such plan for the duration of the interim zoning district. The regulations applicable within the interim district for its duration shall be in accord with an existing or proposed comprehensive area plan.

16.4.2. Applicability.

An interim zoning district may be applied to any area of the City, upon appropriate demonstration of public need, and in accordance with the procedures set forth in this section.

16.4.3. Nature and Effect of District.

1. Amendment of Zoning Map.

   Establishment of an interim zoning district constitutes amendment of these zoning regulations. The boundaries of interim zoning districts shall be placed and identified on the Official Zoning Map once the ordinances creating such districts become effective.

2. Governing Regulations.

   Notwithstanding any contrary provisions contained in the zoning district regulations underlying the interim zoning district, the use or development of any land, or the use of any building or structure, or the construction, enlargement or alteration of any building or structure, within the district shall conform to the regulations set forth in the interim zoning district for the period of its duration.

3. Duration.

   Until superseded by changes in the Home Rule Charter as amended, effective January 1, 1996, the duration of an IZD was established as follows:

   > Every interim zoning district shall be null and void, and the regulations contained therein shall expire and shall be of no further force and effect, not later than eighteen (18) months from the date the ordinance creating the district becomes effective, subject to an extension period not to exceed eighteen (18) months. After expiration of the interim zoning district regulations, including any extension period, the underlying zoning district regulations shall govern.

   Effective January 1, 1996, and pursuant to Section 3-126 of the Home Rule Charter, an IZD shall be approved for a term of one (1) year and then shall be extended for no more than two (2) additional periods of 180 days each. The Home Rule Charter further provides that after expiration, no interim zoning district or similar prohibition of substantially the same legal effect on substantially the same geographic area may be imposed until at least one (1) year after the expiration of the prior moratorium ordinance, interim zoning district, or other temporary prohibition.

4. Contents.

   The ordinance establishing the interim zoning district shall incorporate regulations addressing the following factors:

   a. Intent of the interim zoning district;
   b. Delineation of interim district boundaries;
   c. Uses permitted;
   d. Limitations on uses;
   e. Land use intensity, yard, lot area, and similar requirements;
   f. Special provisions necessary to the accomplishment of the intended intent and purpose of the district (i.e. landscaping requirements, site plan review, etc.);
   g. Submittal requirements, if any; and
   h. Appeal procedure, either to the Board of Zoning Adjustments or to the City Council.

(Ord. No. 25492, § 1, adopted 9/12/13)

16.4.4. Procedures for Establishing District.

1. Zoning Amendment Procedures.

   The zoning text amendment creating an interim zoning district shall be adopted in accordance with the procedures in Section 16.2. Except as otherwise provided in this section, an interim zoning district for a particular area shall be established on the zoning map in accordance with the procedures in Section 16.3.3.

2. Initiation.

   The City Council shall initiate a zoning amendment to create an interim zoning district through adoption of a motion requesting the City Planning Commission to consider an amendment to this Ordinance to create an interim zoning district.

3. Pending Applications.

   Upon adoption of the City Council's Motion authorizing the City Planning Commission to conduct a public hearing to consider an amendment to this Ordinance to create an interim zoning district, all appropriate agencies shall refuse to accept any new applications for permits that are in conflict with the intent and provisions of the proposed interim zoning district. There shall be no appeals. However, applications determined to be complete in accordance with Section 16.9.1, which are received prior to adoption of such motion, shall be reviewed and processed under existing regulations.

4. Extension of Duration of District.

   Prior to expiration of the interim zoning district regulations, the City Planning Commission may request that the City Council extend the duration of the interim zoning district regulations, or the City Council may adopt a motion to consider such an extension. Thereafter, public hearings shall be held in accordance with Section 16.2.3 to determine whether the district regulations should be extended for a period not to exceed eighteen (18) months, taking into consideration the purpose of the interim zoning district and the extent to which a comprehensive zoning plan has been prepared to address such purpose. Extension of the duration of the interim zoning district shall be by ordinance.

5. Zoning Map Change.

   Following expiration of the interim zoning district regulations, including any period of extension, the City Council shall adopt an ordinance repealing the interim zoning district regulations and authorizing the removal of the boundaries of the district from the Official Zoning Map.

(Ord. No. 25492, § 1, adopted 9/12/13)

16.4.5. Waivers.

1. Application for Waiver.

   An applicant for development subject to interim zoning district regulations may appeal those interim zoning district regulations to the Board of Zoning Adjustments or the City Council, in the

manner set forth below or as determined by the ordinance authorizing the interim zoning district. Appeals granted under this section shall not be considered a release from any other requirements of the underlying zoning district regulations. An appeal of the requirements of the interim zoning district shall be submitted to the Executive Director, accompanied by any site plans, drawings or data, either written or graphic as deemed necessary by the Director, for review and recommendation, in accordance with the requirements of the interim zoning district.

2. Notice.

Where the Board of Zoning Adjustments is the final decision-maker, in addition to notification required in Section 16.9.2 of this article, not less than five (5) days prior to the hearing the applicant shall provide evidence to the Board of Zoning Adjustments of notice by registered mail to property owners within 300 feet of the petitioned property. Where the City Council is the final decision-maker, notice shall be provided in the manner set forth in Section 16.9.7.

3. Action by City Planning Commission or City Council.

For any waiver to be decided by the City Council, the City Planning Commission shall make a recommendation to the City Council within forty-five (45) calendar days of its receipt of the waiver request in the manner provided in Section 16.9.5. The City Council shall consider the waiver in accordance with the procedure provided in Section 16.9.6.

4. Action by Board of Zoning Adjustments.

The Board of Zoning Adjustments shall consider an appeal in accordance with the procedure provided in Section 14.9, and may grant a waiver of the requirements of the interim zoning district as may be authorized by the ordinance authorizing the individual interim zoning district. No waiver of parking requirements shall exceed twenty-five (25) percent of the required parking.

5. Standards.

The Planning Commission in making its recommendations, and the Board of Zoning Adjustments or the City Council, as the case may be, in deciding the request for waiver, shall apply the following standards:

a. The granting of the waiver is not inconsistent with the general intent of the interim zoning district.

b. Harmony and compatibility with adjacent land uses would not be adversely affected.

c. Special conditions and circumstances exist which are peculiar to the land, structures, or buildings and which are not applicable to other land, structures, or buildings in the interim zoning district.

Section 16.5. Planned Development District Procedures.

16.5.1. Applicability and Purpose.

1. Applicability.

This section governs procedures for adopting zoning text and map amendments for planned development districts, for processing associated concept plans, and for approval of development plans, which are prerequisites for development within a planned development district.

2. Description and Purpose.

A planned development district accommodates or authorizes a limited range of unique uses, which uses are to be developed and/or operated as integral land use units either by a single owner or by a combination of owners. The purposes of the planned development district are to promote high quality development and to authorize establishment of special uses not otherwise permitted in order to serve the unique needs of the community. A planned development district allows flexibility of uses and development standards, but requires an integrated development plan.

16.5.2. Approval Procedures—Text Amendments.

The City Council, upon recommendation from the City Planning Commission, may amend the text of the Zoning Ordinance from time to time to provide for new planned development districts. The text of the district shall identify the uses authorized and shall state the standards and regulations applicable to authorized uses.

16.5.3. Approval Procedures—Map Amendments.

1. Zoning Map Amendment.

An application to establish a planned development district authorized by this Ordinance may be submitted by the property owner in accordance with requirements for zoning map amendments in Section 16.2 and pursuant to the procedures in this section. The City Council, after notice and public hearing required by Section 16.9.2, and after recommendation from the City Planning Commission in accordance with Section 16.9.5, may authorize the creation of a planned development district. Once approved, the boundaries of the planned development district shall be designated with particularity on the zoning map.

2. Overlay Planned Development Districts.

Where a planned development district is established as an overlay zoning district, authorized uses shall conform to the standards and regulations of the base zoning district. Deviations from underlying district regulations may be authorized by the City Council in establishing the planned development district, provided that all deviations from the standards set forth in the base district are stated in the adopting ordinance. Development within the planned development district shall

conform to all other requirements of these zoning regulations, unless specifically excluded in the adopting ordinance.

3. Concept Plan Required.

An application for establishment of a planned development district shall be accompanied by a concept plan which shall be processed simultaneously with the application. The purposes of the concept plan are to provide an opportunity to evaluate a proposed development's major impacts on the City, to ensure that the project complies with the goals and policies embodied in the City's Master Plan and the requirements of these zoning regulations, and that appropriate conditions of approval are identified. If the application is approved, the concept plan shall be incorporated into such approval.

4. Submittal Requirements for Concept Plan.

The concept plan shall contain the following information:

a. The concept plan shall be prepared to the following scale:

(1) For projects containing more than 200 acres, not more than 200 feet to one (1) inch.

(2) For projects containing fifty (50) acres to 200 acres, not more than 100 feet to one (1) inch.

(3) For projects containing more than ten (10) but less than fifty (50) acres, not more than sixty (60) feet to one (1) inch.

(4) For projects containing ten (10) acres or less, not more than fifty (50) feet to one (1) inch.

b. In addition to any specific requirements set forth in the zoning district regulations, the concept plan shall contain the following information:

(1) Name and address of landowner and date of preparation of the plan;

(2) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons responsible for the preparation of the plan;

(3) Site boundaries and dimensions, site acreage and square footage, and approximate distance to the nearest cross street;

(4) Location map, north arrow and title block;

(5) Natural features including tree masses, floodplains, drainageways and bayous;

(6) Proposed and existing land use and zoning classifications on-site and existing land uses on adjacent properties;

(7) Building envelopes (including maximum building intensity, density, heights and use restrictions as appropriate);

(8) Public streets and private drives with pavement widths, buffers, right-of-way, median openings, turn lanes (including storage and transitional space), and driveways (including those on adjacent property) with approximate dimensions;

(9) Proposed dedications and reservations of land for public or common use, including but not limited to: rights-of-way, easements, park land, open space, drainageways, flood-plains, and public facility sites;

(10) Existing and proposed utilities and easements;

(11) If the project is to be developed in phases, a proposed phasing plan that identifies the sequence of development and a time schedule for installation of major capital improvements to serve the development, including delineation of areas, building sites, land use and improvements to be constructed in independent phases and the scheduled timing and sequencing of such development;

(12) Proposed buffers from existing uses;

(13) A chart depicting the following information by phase:

(a) Acreage of each proposed phase;

(b) Total number of dwelling units by type and lot size;

(c) Dwelling unit sizes;

(d) Projected population;

(e) Tabulation of the total gross floor area in square feet for each nonresidential use.

5. Approval Standards.

Based upon the concept plan, the City Planning Commission and the City Council shall determine whether the planned development district should be established, taking into account the following criteria:

a. The proposed land uses, and the density or intensity of each use, are authorized in the base zoning district or in the text of the planned development district;

b. The plan of development is consistent with the Master Plan;

c. Proposed uses and project design are compatible with existing and planned adjoining uses and the character of the neighborhood in which the project is located;

d. Adequate public facilities will be provided in a timely manner to support each phase of the development;

e. For overlay zoning districts, proposed uses and development standards are consistent with the purposes of the base zoning district; and

f. The proposed timing of development is consistent with the overall growth and development of the City.

6. Conditions.

The City Planning Commission may recommend and the City Council may impose such conditions on establishment of the planned development district as are reasonably necessary to assure that the approval criteria are met. Such conditions shall be stated in the adopting ordinance.

7. Planning Commission Recommendation.

The City Planning Commission, after notice and public hearing in accordance with the procedures in Section 16.9, shall recommend to the City Council approval, approval subject to modification, or denial of the planned development district.

8. City Council Decision.

Following receipt of the City Planning Commission's recommendation, the City Council shall conduct a public hearing in accordance with the procedures in Section 16.9 of these zoning regulations and shall approve, approve subject to modification, or deny the application for establishment of the planned development district.

9. Adopting Ordinance.

The ordinance establishing a planned development district shall set forth the following provisions. The concept plan shall be incorporated as an exhibit to the ordinance.

a. For overlay zoning districts, the base zoning district(s) to be overlaid;

b. A statement as to the purpose and intent of the district established therein;

c. The permitted or conditional uses authorized in the district, the location of proposed uses, and the densities or intensities of the uses, by phase of the project, in conformance with the approved concept plan;

d. The standards applicable to development within the district, including but not limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, Floor Area Ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, project phasing or scheduling, management associations, and such other requirements as the City Council may deem necessary in order to implement the City's Master Plan, and such as are consistent with the purposes of the regulations of the planned development district;

e. For overlay zoning districts, a specific list of deviations from standards in the base zoning district;

f. Required dedications or public improvements; and

g. The timing of performance by the developer in relation to the phasing of development, where applicable.

16.5.4. Approval Procedure—Development Plans.

1. Purpose and Applicability.

a. The purposes of a development plan are to assure that the development project proceeds in an orderly fashion consistent with the approved concept plan and to assure that the standards applicable within the district are met for each phase of the project.

b. No building permits for development in a planned development district shall be issued until a development plan consistent with the approved concept plan has been approved under the following procedures. The proposed development plan shall set forth the final plans for development within the district.

c. Development plans may be submitted in phases in accordance with the provisions of the ordinance approving the planned development district.

2. Application and Processing.

a. Following establishment of the planned development district, the property owner or his designated representative may submit for approval a development plan for all or a portion of the property in the district. The developer may submit a development plan simultaneously with submission of a concept plan in conjunction with an application for establishment of the planned development district. In such a case, approval of the development plan shall be considered following authorization to establish the planned development district. The Executive Director shall process the application in accordance with Section 16.9.4. The Director may waive submittal requirements where the particular information is not necessary to describe the development or to determine if the development meets relevant approval criteria. The City Planning Commission may require modification of the development plan to address specific approval criteria.

b. Submittal Requirements for Development Plan.

(1) The development plan shall be prepared at a scale of not less than one (1) inch equals 100 feet.

(2) In addition to any specific requirements set forth in the zoning district regulations, the development plan shall contain the following information:

(a) Name and address of landowner and date of preparation of the plan;

(b) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons involved in the preparation of the plan;

(c) Site boundaries and dimensions, lot lines, site acreage and square footage, and approximate distance to the nearest cross streets;

(d) Location map, north arrow, title block and site data summary table;

(e) Topography at two (2) foot intervals or less;

(f) Natural features including tree masses and anticipated tree loss, drainageways, creeks, and limits of the 100 year floodplain and floodway as shown on current FEMA mapping, including location and acreage;

(g) Proposed and existing land use and zoning classifications on-site and existing land uses on adjacent properties;

(h) Building envelopes, locations and footprints including building size, intensity, density, height, setback, use, building materials proposed and location of entrances and exits;

(i) Elevations and perspectives to show the relationship of building heights to surrounding topography;

(j) Public streets, private drives, alleys and fire lanes with pavement widths, rights-of-way, buffers, median openings, turn lanes (including storage and transition space), and driveways (including those on or planned on adjacent property) with dimensions, radii and surface types;

(k) Parking areas and structures, aisles and spaces, handicap spaces, ramps, crosswalks, sidewalks and other facilities for pedestrian circulation, and loading areas with typical dimensions and surface types;

(l) Access easements and off-site parking;

(m) Accurate outlines of proposed dedications and reservations of land for public or common use, including but not limited to: rights-of-way, easements, park land, open space, drainageways, floodplains, and facility sites;

(n) Screening walls, fences, living screens, retaining walls, headlight screens and service area screens;

(o) Landscaping and open space areas with dimensions and total square footage;

(p) Existing and proposed topography reflecting proposed handling of on-site surface drainage, proposed improvements and method of maintenance for any drainage channels;

(q) Existing and proposed gas mains or other underground structures, water and sanitary sewer mains and service lines with sizes, valves, fire hydrants, manholes, and other structures on site or immediately adjacent to the site specified;

(r) Phases of development, including delineation of areas, building sites, land uses and improvements to be constructed in independent phases and the scheduled timing and sequencing of development; and

(s) Proposed buffers from existing uses.

3. Approval Standards.

The City Planning Commission, and the City Council on appeal, shall determine whether the development plan meets the specific development standards set forth in the planned development district regulations, and the following general standards:

a. The development plan is consistent with the approved concept plan and the standards and conditions set forth in the adopting ordinance;

b. The lot or tract configuration is consistent with subdivision regulations;

c. The project is adequately buffered from adjoining uses in accordance with the adopting ordinance;

d. Provision for and design of open space areas meet the recreational needs of the residents of the planned development district;

e. Landscaping plans, where required, meet Ordinance requirements or standards set forth in the adopting ordinance;

f. Covenants adequate to assure preservation and maintenance of common open space and natural features of the project have been provided; and

g. The development plan is consistent with phasing requirements set forth in the adopting ordinance, and roads and other public facilities serving the phase of development under consideration are adequate to serve the project.

4. Conditions.

The City Planning Commission, or the City Council, on appeal, may impose such conditions on approval of the development plan as are reasonably necessary to assure that the plan is consistent with the standards set forth in the adopting ordinance and the approval standards set forth in Section 16.5.4(4).

5. Decision by City Planning Commission.

The City Planning Commission, after proper notice and public hearing, shall approve, approve subject to modifications, or deny the development plan.

6. Appeal to City Council.

The applicant may appeal the decision of the City Planning Commission to the City Council in accordance with the procedures set forth in Section 16.9.9.

16.5.5. Amendment of Planned Development District Ordinance, Concept Plan or Development Plan.

Except as provided in Section 16.9.10, the following procedures shall apply to amendment of planned development district ordinances, concept plans and development plans:

1. The property owner may propose amendments to the planned development ordinance and/or the accompanying concept plan. The request shall be processed in accordance with the standards and procedures for initial approval of a planned development district, as set forth in Section 16.5.

2. The property owner may propose amendment of an approved development plan. The application for amendment of an approved development plan shall be filed with the City Planning Commission and shall be processed in accordance with the standards and procedures for initial approval of the development plan, as set forth in this Section 16.5.

Section 16.6. Conditional Use Permits.

16.6.1. Purpose and Intent.

1. Nature of Conditional Use.

A conditional use is a land use which because of its unique nature is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of standards and conditions. This section sets forth the standards used

to evaluate proposed conditional uses and the procedures for approving conditional use permit applications.

2. Permit Required.

No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within a zoning district until a conditional use permit is issued in accordance with the provisions of this article. An application for a conditional use permit shall be accompanied by a site plan prepared in the manner described in Section 16.7. The site plan shall illustrate the proposed use to be established, its relationship to adjoining properties and how it meets the approval standards set forth in Section 16.6.5.

16.6.2. Status of Conditionally Permitted Uses.

The following general rules apply to all conditional uses:

1. The designation of a use in a zoning district as a conditional use does not constitute an authorization or assurance that such use will be approved.

2. Approval of a conditional use permit shall authorize only the particular use for which the permit is issued.

3. No use authorized by a conditional use permit shall be enlarged, extended, or relocated, nor may the number of dwelling units be increased, unless an application is made for approval of a new conditional use permit in accordance with the procedures set forth in this section.

4. Development of the use shall not be carried out until the applicant has secured all the permits and approvals required by these zoning regulations, the City Code, or any permits required by regional, State and Federal agencies.

16.6.3. Application for Conditional Use Permit.

1. Application Requirements.

An application for a conditional use permit may be submitted by the property owner or by the property owner's designated representative to the Executive Director. The application shall be accompanied by a site plan prepared in accordance with the requirements of Section 16.7. If a zoning amendment is required or requested, such application shall accompany the application for a conditional use permit.

2. Subdivision Approval.

If the proposed use requires a division of land, an application for subdivision approval shall be submitted in conjunction with the application for a conditional use permit. Approval of the conditional use permit shall not become effective until final approval of the subdivision application;

provided, that if the land is to be divided in phases, the approval of the conditional use permit shall take effect upon final approval of the phase of the subdivision containing the property on which the conditional use is to be located.

16.6.4. Procedures for Conditional Use Permits.

1. Planning Commission Recommendation.

   Upon receipt of the recommendation from the Executive Director, the City Planning Commission shall conduct a public hearing in order to formulate its recommendations to the City Council on the conditional use permit application. Following the public hearing, the Commission shall recommend approval, approval subject to modification, or denial of the proposal to the City Council in accordance with Section 16.9.5. If the appropriateness of the use cannot be assured at the location, the Commission shall recommend denial of the application as being incompatible with existing uses or uses permitted by right in the district.

2. City Council Action.

   The City Council shall be the final decision-maker on applications for conditional use permits. Following a public hearing and in consideration of the Planning Commission's recommendations, the City Council shall approve, modify or deny the proposal for a conditional use permit in accordance with Section 16.9.6. If the appropriateness of the use cannot be assured at the location, the application for conditional use permit shall be denied as being incompatible with existing uses or uses permitted by right in the district.

16.6.5. Standards.

1. Factors for Consideration.

   When considering applications for a conditional use permit, the City Planning Commission in making its recommendation and the City Council in rendering its decision on the application shall, on the basis of the site plan and other information submitted, evaluate the impact of the conditional use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. The Commission and the City Council shall specifically consider the extent to which:

   a. The proposed use at the specified location is consistent with the policies embodied in the adopted Master Plan;
   b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
   c. The proposed use meets all standards specifically applicable to the use as set forth in Article 11;
   d. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
      (1) Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
      (2) Off-street parking and loading areas;
      (3) Refuse and service areas;
      (4) Utilities with reference to location, availability, and compatibility;

(5) Screening and buffering, features to minimize visual impacts, and/or set-backs from adjacent uses;

(6) Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

(7) Required yards and open space;

(8) Height and bulk of structures;

(9) Hours of operation; and

(10) Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.

e. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

2. Conditions.

In approving the application, the Planning Commission may recommend and the City Council shall impose such conditions as are reasonably necessary to assure compliance with these standards and the purpose and intent of this section, in accordance with the procedures in Section 16.9.7. Any conditions imposed shall be set forth in the ordinance approving the conditional use and shall be incorporated into or noted on the site plan for final approval. The Executive Director or his or her agent shall verify that the plan incorporates all conditions set forth in the ordinance authorizing the conditional use, and shall sign the plan to indicate final approval. The applicant shall have the signed site plan recorded in the Conveyance Office of Orleans Parish not later than thirty (30) days following the date of final approval, or the Ordinance approving the conditional use shall be deemed null. The City Planning Commission shall maintain a record of such approved conditional uses and the site plans and conditions attached thereto, and shall designate such approved and recorded conditional uses on the Official Zoning Map with a special symbol for their boundaries and with the symbol "CU".

3. Prohibition on Waivers and Variances.

The foregoing standards of development shall not be subject to waivers or variances that otherwise could be granted under Article 14, Board of Zoning Adjustments, nor may conditions imposed by the City Council subsequently be waived or varied by the Board. In conformity with the authority of the City Council to authorize conditional uses, the Council may waive or modify specific standards otherwise made applicable to the use by this Ordinance, to secure the general objectives of this section; provided, however, that the Council shall not waive or modify any approval factor set forth in subsection 1 of this section.

(Ord. No. 25492, § 1, adopted 9/12/13)

16.6.6. Expiration and Extension.

Termination of approval of a conditional use for failure to commence development and extension of the time for performance for a conditional use permit shall be governed by Section 16.9.11.

16.6.7. Amendment.

No proposed or existing building, premise, or land use authorized as a conditional use may be established, enlarged, modified, structurally altered, or otherwise changed from that approved in the

conditional use permit, unless such amendment is authorized in accordance with the standards and procedures set forth in this section, and the conditional use permit and approved site plan are amended accordingly.

Section 16.7. Site Plan Review.

16.7.1. Purpose and Applicability.

1. Types of Site Plans.

   Site plans are classified either as general site plans or administrative site plans. The purpose of a general site plan is to assist the City Planning Commission or the City Council in determining whether an application pending before the Commission or the Council should be approved, approved subject to modification, or denied. General site plans are submitted to and reviewed by the Commission or the Council in conjunction with the Commission's or the Council's decision on such pending application. The purpose of an administrative site plan is to assist the Executive Director in determining whether specific standards in this Ordinance and, if applicable, in the ordinance approving an application, have been met. Administrative site plans are prerequisites to issuance of building permits for a development subject to site plan review and are approved by the Executive Director, subject to appeal to City Council.

2. Applications Subject to General Site Plan Review.

   A general site plan shall be submitted in conjunction with the original application, or an application to amend approval of such application, for the following types of applications:

   a. Application for a conditional use permit in any district;
   b. Application for permit to transfer development rights for both the transfer site and the receiving site;
   c. An application for rezoning, other than an application for establishment of a planned development district, and any other application for which the City Planning Commission or the City Council is authorized to impose conditions, and the Commission or the Council requires submission of a site plan in order to determine whether such application should be approved.

3. Uses Subject to Administrative Site Plan Review.

   An administrative site plan shall be submitted and approved prior to the issuance of a building permit for the following types of uses:

   a. Uses subject to design review.
   b. Uses in Urban Corridor Districts in Article 10.
   c. Any other uses for which the zoning district regulations require approval of a site plan by the Executive Director prior to issuance of building permits.

16.7.2. Submittal Requirements for Site Plans.

1. Contents of Site Plan.

   In addition to any other information required to be submitted by zoning district regulations for site plans, site plans should be prepared at a scale of not more than fifty (50) feet to one (1) inch and should contain the following information:

   a. The name of the individual or firm preparing the plan.
   b. The north point, scale and date.

c. The boundaries of the property involved, the general location of all existing easements, sector lines, and property lines, existing streets, buildings, or waterways, and other significant physical features in or adjoining the project.
d. The approximate location and sizes of sanitary and storm sewers, water mains, culverts, and other underground utilities and structures in or near the project.
e. The general location and character of construction of any proposed streets, alleys, driveways, curb cuts, entrances and exits, loading areas, (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities.
f. The approximate height of all proposed buildings and structures, accessory and main, or major excavations in relation to heights of buildings and structures on adjoining property. The location should be drawn to scale but full dimensioning is not required.
g. Preliminary plans and elevation of the buildings(s) as may be deemed necessary.
h. General location, height, and material of all fences, walls, screen planting and landscaping.
i. General location, character, size and height, and orientation of proposed signs.
j. A tabulation of the total gross area in square feet or acres of the project site and the floor area in square feet of any building(s) in the proposed development.
k. Landscaping and design information necessary to meet the requirements of design review, where applicable.
l. Such other information as may be required by the City Planning Commission in order to meet standards in the zoning district in which the use is to be located.

2. Waiver of Submittal Requirements.

The Executive Director may waive submittal requirements for site plans where the information is not necessary under the circumstances to determine the nature of the development or whether the development meets relevant approval criteria. The City Council on appeal, however, may require modification of the site plan to address specific approval criteria.

16.7.3. Application and Processing of Administrative Site Plans.

1. Initiation and Processing.

The property owner or designated representative may initiate administrative site plan review by filing an application with the Executive Director. The Director shall process the application for site plan approval in accordance with Section 16.9.4.

2. Standards and Decision.

The Executive Director shall determine whether the site plan conforms to the zoning district regulations in which the property is located, any special regulations applicable to the particular use under Article 11, design standards applicable within the district and the supplemental regulations in Article 15, and shall decide whether to approve, approve subject to modification or deny the application for site plan based upon such standards. The Director shall sign the stamped site plan signifying approval or approval subject to modification, or deny the application within ninety (90) days from the date the application is deemed complete.

3. Appeal to City Council.

The applicant may appeal the decision of the Executive Director to the City Council in accordance with the procedures in Section 16.9.9.

4. Conditions.

   The Executive Director, or the City Council on appeal, may attach such conditions to the approval of the site plan as are reasonably necessary to assure compliance of the proposed use with the requirements of these zoning regulations.

5. Expiration and Extension.
   a. If an application for a building permit for the use subject to the site plan has not been filed within two (2) years of the date of stamped approval, the site plan shall expire and no construction shall be permitted nor use be established until a new site plan is approved for the intended use.
   b. If the applicant requests an extension of the site plan in writing at least sixty (60) days prior to the date of expiration to the Executive Director, the Director shall consider the request prior to the date of expiration, and, for good cause shown, the site plan approval may be extended for a period not to exceed twelve (12) months.

Section 16.8. Permit for Transfer of Development Rights.

16.8.1. Purpose and Intent.

It is the City's intent to authorize the transfer of development rights from certain sites, places, buildings or structures designated as historic landmarks, or having a special historical, community or aesthetic interest or value, located in certain zoning districts, hereinafter referred to respectively as "transfer sites" and "transfer districts," to certain sites, places, buildings or structures located in other zoning districts, hereinafter referred to respectively as "receiving sites" and "receiving districts," in order to preserve and enhance the transfer sites and structures located thereon. It is the City's further intent to restrict the use of the transfer sites in accordance with terms of the permit authorizing such transfer and to authorize utilization of the development rights so transferred on the receiving site in accordance with the terms of the conditional use permit for such site. Because of their unique characteristics, each of these actions requires the exercise of planning judgment.

16.8.2. Applicability—Transfer and Receiving Districts.

The City Council may permit development rights to be transferred from lots occupied by buildings or structures worthy of preservation and having special historical, community or aesthetic interest located in any CBD District (transfer districts) to lots located in a CBD-1, CBD-2, or CBD-2B District (receiving districts) and may permit development rights to be transferred from lots occupied by buildings or structures worthy of preservation located in the CBD-8 District (transfer district) to lots located in the CBD-9 District (receiving district). Such buildings or structures shall not include any landmarks owned by the City, State, or Federal Government. From time to time, the City Council may designate other zoning districts as transfer and receiving districts pursuant to procedures for zoning amendments in Section 16.2.

16.8.3. Rights Transferred and Restrictions.

Floor area authorized for the transfer site under the transfer district regulations may be transferred to the increase the maximum floor area allowable on the receiving site or sites under the receiving district regulations, subject to the following conditions and limitations:

1. The maximum amount of floor area that may be transferred from a transfer site shall be the maximum floor area allowed by the applicable transfer district regulations, exclusive of any additional bonus floor area, less the total floor area of all the buildings on the transfer site.
2. The increased floor area on the receiving site may exceed by ten (10) percent the maximum floor area allowed by the provisions of Section 6.11 for developments which earn bonus floor area.

3. In all CBD Districts, the transfer of development rights once completed shall irrevocably reduce the amount of floor area that can be developed on the transfer site by the amount of floor area transferred. In the event that the landmark's designation is removed or if the landmark building is destroyed, or if for any other reason the transfer site is redeveloped, such transfer site can only be developed up to the amount of floor area as reduced by the transfer.

16.8.4. Procedures.

1. Application Requirements.

   An application for transfer of development rights under this section shall be made by the owners or their representative of the transfer site and of the receiving site in the form of a request for restriction of development rights on the transfer site and to allow additional development rights on the receiving site through authorization of a conditional use permit for the receiving site. The application shall be submitted to the Executive Director of the City Planning Commission, and shall be processed in accordance with Section 16.9.4. The application shall include the following:

   a. A site plan for the transfer site;
   b. A conditional use permit application, together with all materials required for such submission, for the receiving site;
   c. A program for the continuing maintenance of the transfer site;
   d. A report from the CBD Historic District Landmarks Commission commenting on the proposed transfer; and
   e. Such other information as may be required by the City Council or the City Planning Commission.

2. Planning Commission Recommendation.

   After receiving the report of the Executive Director, the Planning Commission shall conduct a public hearing to determine whether to recommend to the City Council whether the transfer of development rights should be permitted, in accordance with the procedures of Sections 16.9.3 and 16.9.5. Thereafter, the Planning Commission may recommend approval, conditional approval or denial of the request for transfer of development rights, and shall cause such recommendation to be delivered to the City Council for action.

3. City Council Action.

   After receiving the recommendation of the City Planning Commission, the City Council shall conduct a public hearing and, thereafter, shall determine whether to approve, modify or deny the request for transfer of development rights. Such decision shall be conveyed to the applicants in the manner provided in Section 16.9.2.

4. Approval Criteria.

   The Planning Commission in making its recommendation and the Council in taking action on the application for transfer of development rights shall approve such application only if:

   a. The permitted transfer of floor area to the receiving site will not create adverse effects on the character of the surrounding area, to the detriment of the occupants of buildings on the block or nearby blocks.
   b. Adequate safeguards exist to insure that buildings from which development rights are transferred are retained and renovated.
   c. All requirements for a conditional use permit on the receiving site have been met.

5. Conditions.

   The Planning Commission may recommend and the City Council may impose such conditions as are necessary to reasonably assure that such criteria are met. In addition to all other conditions, the City Council may require that a surety bond be filed or deposited in escrow with the City to insure compliance with the requirements as may be imposed by the Council.

16.8.5. Transfer Instruments.

The owners of the transfer site and of receiving site shall submit to the City Council a copy of the transfer instrument legally sufficient in both form and content to effect such transfer and a certified copy of the notice of restrictions, which shall be filed by the owners of the sites in the place designated by the law for the filing of deeds and restrictions on real property. Both the instrument of transfer and the notice of restrictions shall specify the amount of floor area to be transferred, and shall specify by lot and block numbers the sites from which and to which such transfer is made.

16.8.6. Termination and Extension of Transfer Permit and Conditional Use Permit.

Termination of the permit to transfer development rights and the conditional use permit for the receiving site for failure to commence construction, as well as the extension of such permits, shall be in accordance with Section 16.9.11.

Section 16.9. General Procedural Standards.

16.9.1. Application Process and Official Filing Date.

1. Standardized Forms.

   Applications for zoning amendments, conditional use permits, concept plans, development plans, site plans and or for any other authorization for development of land within the City shall be submitted on forms provided by the City Planning Commission. The City Planning Commission may promulgate submittal requirements, instructions for completing forms, internal procedures for acceptance and filing of applications, and provisions for waiver of application requirements by establishing administrative guidelines.

2. Submission and Determination of Complete Application.

   All applications shall be submitted to the Executive Director, who shall review the application for completeness. Any request for waiver of submittal requirements must be included with the application. Incomplete applications shall be returned to the submitter and no action taken until any deficiencies are remedied. A determination of completeness shall not constitute a determination of compliance with the substantive requirements of this Ordinance.

3. Official Filing Date.

   The time for processing applications or acting on such applications established by this Ordinance shall commence on the date that an application has been determined to be complete by the Executive Director. A new determination of completeness shall be required if the applicant materially changes the application from the prior submittal and such change has not been requested by the City Planning Commission or its staff.

16.9.2. Notice Provisions.

1. Pre-Application Meeting and Project Neighborhood Participation Program.

   All applications for zoning map amendments, conditional use permits, planned development districts, permits for the transfer of development rights, variances, expansions of existing indus-

trial uses, and electric substation and transmission facilities subject to the provision of Section 11.40.1 must include a Project Neighborhood Participation Program (Project NPP). However, a Project Neighborhood Participation Program is not required for any application for a text amendment, an overlay zoning district, an interim zoning district, a variance application involving a single-family or two-family dwelling, any zoning amendment initiated by the City Council, or any amendment initiated by the City Council to any ordinances for conditional use permits, planned development districts, expansions of existing industrial uses subject to the provisions of Section 13.9., electric substation and transmission facilities subject to the provisions of Section 11.40.1., and rescissions for any of the aforementioned ordinances.

a. Applicants must first meet with the staff of the City Planning Commission to become familiar with the process pertaining to the land use action, review any standards and requirements pertaining to the proposed action, and obtain guidance on the requirements of the Project NPP.
b. The Project NPP must include the following information:
   (1) A brief description of the proposal including the estimated start and end dates for the project. If the request involves a structure (existing or proposed), then site plans must be provided.
   (2) An outlined area map and a contact list for notifying the individuals and entities identified in Section 16.9.2.4.(b).
   (3) A general description of how members on the contact list will receive information on the project, including a statement as to which public notification techniques will be used for the project.
   (4) A general description of how members on the contact list will be informed of any changes or amendments to the proposed project after the applicant's initial contact.
   (5) A statement as to how those impacted by the proposal will be provided an opportunity to discuss the request if issues or questions should continue or suddenly arise.
c. The applicant must provide notice and an opportunity for interested parties to attend a meeting to discuss the proposed application not less than five (5) nor more than thirty (30) days after the date on which the applicant provides notification to the parties on the contact list. For the purposes of this section, meetings may be held in a physical location or via other means that may be agreed upon by the applicant and the interested parties.
d. The applicant must submit a Project Neighborhood Participation Program report with the application. The report must provide the following information:
   (1) The names of the individuals and entities that were noticed and the total number of number of people that participated in the process.
   (2) A list of the concerns, issues, and problems expressed by the participants.
   (3) A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them. If the concern, issue, or problem is not being addressed, the applicant should state the reasons.
   (4) Copies of letters, affidavits, meeting invitations, newsletters, publications, sign-in sheets, and petitions received in support or against the proposed project, and any other materials pertaining to the notification process.
   (5) The date, time, and location of all meetings held with interested parties, or a statement indicating the reasons if no meeting was held. No information pertaining to any meeting

held more than ninety (90) days prior to the submittal of the application shall be accepted as part of the Project NPP report, except where subsequent meetings with interested parties have occurred within the ninety (90) days preceding the submittal of the Project NPP report.

2. Published Notice for City Planning Commission Hearings.

   For applications for zoning text amendments, zoning map amendments, including requests for overlay zoning district and interim zoning district classifications, planned development districts, conditional use permits, and permits for transferable development rights, variances, expansions of existing industrial uses, and electric substation and transmission facilities subject to the provision of Section 11.40.1, a notice setting forth the date, time, place and purpose of the public hearing, the name of the applicant, and identification of the subject property must be published once a week for three (3) consecutive weeks in the Official Journal of the City of New Orleans. At least twenty (20) days shall lapse between the first publication and the date of hearing.

3. Posted Notice.

   For all public hearings, excluding those for zoning text amendments, interim zoning districts, overlay zoning districts, appeals from decisions of the Director of Safety and Permits, and zoning amendments initiated by the City Council covering multiple squares, the applicant is required to post notice as described in subsection a. below. For all public hearings for appeals from decisions of the Department of Safety and Permits, notice shall be posted as provided in subsection b. below.

   a. Posted Notice by Applicant.
      (1) A notification sign must be installed by the applicant at least fifteen (15) consecutive days prior to the public hearing.
      (2) Such notification sign posted by the applicant must meet the following requirements:
         i. The sign must be an official notification sign provided by the City.
         ii. The sign must be posted at a prominent location on the subject property near the sidewalk or public right-of-way, and must be visible to passing pedestrians and motorists. If it is not feasible to post a notification sign on a subject property for whatever reason, a notification sign must be posted within the public right-of-way adjacent to the property at a location approved by the Department of Safety and Permits. For properties with more than one (1) street frontage, the applicant is required to post one (1) sign visible from each street frontage.
      (3) The sign must indicate that the site is the subject of a land use application and must provide contact information for the office of the City Planning Commission for further information.
      (4) The Department of Safety and Permits must verify that the notification sign has been posted by the applicant.
   b. Posted Notice by the Department of Safety and Permits
      (1) Notification signs posted by the Department of Safety and Permits must meet the following requirements:
         i. The notification signs must be no less than eleven (11) inches by seventeen (17) inches in size and must be posted at the two (2) corner intersections of the block face on which the subject property is located, or by any other means, method or placement

deemed appropriate by the Executive Director of the City Planning Commission or the Director of the Department of Safety and Permits to effect the intended public notice.

ii. The sign must indicate the type of application, the day, date, time and place of the public hearing, and the address of the subject property.

(2) Posting of notice by the Department of Safety and Permits in accordance with this section may be required for any application if deemed necessary by the Executive Director of the City Planning Commission or the Director of the Department of Safety and Permits.

4. Mailed Notice.

a. Mailed notice is required for all initial City Planning Commission and Board of Zoning Adjustments public hearings required by this ordinance, excluding those for zoning text amendments; overlay zoning districts, interim zoning districts, and zoning amendments initiated by the City Council covering multiple squares.

b. Mailed notice for public hearings held by the City Planning Commission must be sent by regular mail at least fifteen (15) days before the public hearing to the following individuals and entities. Mailed notice for public hearings held by the Board of Zoning Adjustments must be mailed to the following individuals and entities in accordance with the provisions of Section 14.9.

(1) The owner of record of the property, as indicated in the records of the Orleans Parish Assessor's Office, and all persons expressly authorized in writing by the owner to file the application.

(2) The owners of record of all properties, as indicated in the records of the Orleans Parish Assessor's Office, located within 300 feet of the property lines of the subject property. However, for public hearings involving a site of 25,000 square feet or more in area or a development of 25,000 square feet or more in floor area, such notice must be expanded to 600 feet.

(3) The occupants of all properties indicated in subsections (1) and (2) above, wherever the mailing address of the property owner as indicated in the records of the Orleans Parish Assessor is different from the address of the property.

(4) Any neighborhood association registered with the City Planning Commission at the time of the pre-application meeting with boundaries within which any portion of the subject property is located. For the purposes of this section, the boundaries of a neighborhood association shall be as provided on its registration form in the office of the City Planning Commission.

c. The notice must set forth the name of the applicant, the date, time, place and purpose of the hearing, and identification of the subject property.

5. Notification Following Decision.

Within ten (10) calendar days of the effective date of the City Council's ordinance for any application for which notice is required under this section, written notification of such action shall be mailed to the applicant by the Executive Director, stating the action taken and including all conditions imposed and times established for satisfaction of such conditions, if any.

6. Notice of Appeal or Termination of Approval.

a. Whenever appeal is taken from a final decision of the City Planning Commission on an application following a public hearing, or prior to the City Council's review of whether an

approval by the Planning Commission or City Council should be terminated, personal notice of the appeal or termination proceeding shall be given to the applicant and other interested parties in the manner provided in subsection (b). If appeal is taken from a decision of the Executive Director, or if no public hearing was held prior to obtaining the approval, personal notice of the hearing shall be given only to the applicant and the record owner of the property.

b. Whenever personal notice of a public hearing is required by this Section 16.9.2(4) the City Planning Commission shall send notice by regular mail at least ten (10) calendar days before the hearing to the applicant; to the record owner of the property; to adjoining property owners; to any neighborhood organization that has requested notice of such hearing; and if the matter to be considered is an appeal, notice to all interested parties to the appeal. For purposes of this section, the term "adjoining property owners" shall be in accordance with the provisions for mailed notice in Section 16.9.2.4.b.

7. Costs of Notice.

All actual costs incurred by the City in preparing and publishing the notice required by this article shall be paid by the applicant prior to publication or mailing of such notice according to a schedule of fees established by the City Council.

8. Validity of Defective Notice.

a. No amendment, supplement or change to the Comprehensive Zoning Ordinance shall be declared invalid by reason of any defect in:

(1) The publication of the notice of the purpose or subject matter and the time and place of the hearing if the published notice gives reasonable notification of its purpose, subject matter, substance or intent.

(2) The posting or display of a notification sign if evidence of installation of the sign is presented.

(3) The mailing of notice to either adjoining property owners or neighborhood associations.

(4) The NPP report as long as there was substantial compliance with 16.9.2(1).

b. Any defect in or failure to strictly adhere to the discretionary forms of notification shall not form a basis for declaring invalid any ordinance or City Council action on any zoning matter.

c. No denial by the City Council of any application, petition or other zoning matter requiring notice shall be declared invalid by reason of any defect in any form of public notice, if the applicant has received notice of the time, date and place of the hearing.

(Ord. No. 25450, § 1, adopted 8/22/13)

16.9.3. Public Hearings by the City Planning Commission—General Procedures.

1. Setting of the Hearing.

When a public hearing is required by this section, the place, date and time for the hearing shall be established, and notice of such hearing shall be prepared and made pursuant to Section 16.9.2.

2. Conduct of Hearing.

a. Any person or persons may appear at a public hearing and provide testimony in accordance with the provisions of this section and such public hearing rules as shall be established by the City Planning Commission. Each person who appears at a public hearing shall state his or her name, address, and if appearing on behalf of an organization or individual, state the name and mailing address of the organization for the record.

b. The Chairperson shall exclude testimony or evidence that he or she finds to be irrelevant, immaterial or unduly repetitious. Any person appearing as a witness may ask relevant questions of other persons appearing as witnesses, but shall do so only through the Chairperson at the Chairperson's discretion. The order of proceedings shall be as follows:
   (1) The Executive Director may present a description of the proposed application and a written or oral recommendation, if required. This recommendation shall address each factor required by this Ordinance to be considered prior to approval of the application.
   (2) The applicant may present any information it deems appropriate.
   (3) Neighborhood organizations, if any, may present any information they deem appropriate.
   (4) Public testimony shall be heard first in favor of the proposal, then in opposition to it.
   (5) Upon being recognized by the Chairperson, the Executive Director may respond to any statement made by the applicant or to any public comment.
   (6) Upon being recognized by the Chairperson, the applicant may respond to any testimony or evidence presented by the staff or public.

c. The Chairperson, with approval of the body conducting the hearing, may continue the public hearing. No new notice is required to reopen the hearing if a hearing is continued to a date specified, provided that a public announcement of the future date, time, and place of the continued hearing is made at the first hearing and placed in the minutes.

3. Record of Proceedings.

a. The City Planning Commission shall record the proceedings by any appropriate means and such record shall be transcribed at the request of any person upon the payment of a fee set by the City Council to cover the cost of transcription or duplication of the audio record or tape.

b. The transcript of all proceedings, the minutes of the hearing, all applications, exhibits and papers submitted, all staff and advisory body or Commission reports and recommendations, and the decision and report(s) of the City Planning Commission shall constitute the record.

4. Additional Rules.

The City Planning Commission may adopt rules of procedure to limit the number of applications for approval which may be considered per meeting and the time for each presentation.

(Ord. No. 25450, § 1, adopted 8/22/13)

16.9.4. Review and Decision by Director.

1. Responsibilities of Director.

The Director shall be responsible for processing and, in some cases, deciding initially the application under review.

2. Processing of Application and Report.

Following the determination that an application is complete, the Director shall review the application, forward the application for review to any advisory body, and prepare a report, if any, to the City Planning Commission or City Council, as may be required. The Director shall schedule the matter for public hearing and/or decision in the manner required by this Ordinance.

3. Decision by Director.

Whenever this Ordinance delegates to the Executive Director the responsibility for approving an application, the Director shall render such decision in accordance with the criteria established in the Ordinance and within the time period allotted for such decision. The decision of the Director may be appealed in the manner provided in Section 16.9.9.

16.9.5. Review and Recommendation by City Planning Commission.

1. Public Hearing and Recommendation by City Planning Commission.

   Whenever the City Planning Commission is required by this Ordinance to make a recommendation to the City Council concerning an application, the Commission shall make such recommendation after it has conducted a public hearing, in accordance with the provisions of Section 16.9.3. If no public hearing is required, the Commission shall consider the matter at a regularly scheduled public meeting. The Commission's written recommendations, if any, together with the staff report and recommendation, if any, shall be filed with the Clerk of the City Council. If the City Planning Commission fails to act by a vote of a majority of the Commission members, the application shall be forwarded to the City Council without recommendation.

2. Decision by City Planning Commission.

   If the City Planning Commission has been delegated final decision-making authority for an application pursuant to these zoning regulations, it shall decide whether to approve, approve subject to modification, or deny the proposal at a public meeting, following receipt of the report and recommendation of the Executive Director. Action shall be taken within the time limits established by this Ordinance.

3. Notification and Appeal from Decision by City Planning Commission.

   The Executive Director shall notify the applicant in writing of the decision of the City Planning Commission within ten (10) calendar days of such decision. Written notice shall be made to the applicant and shall state the action taken. The applicant may appeal the decision of the Commission in the manner provided in this Ordinance.

16.9.6. Review and Decision by City Council.

1. Public Hearing by City Council.

   Whenever the City Council is required by this Ordinance to decide upon an application, the Council shall conduct a public hearing in accordance with its rules. The public hearing shall be held within the time period established by these regulations. If no public hearing is required, the City Council shall consider the matter at a public meeting.

2. Decision by the City Council.

   a. If the City Council is the final decision-making authority for an application, it shall decide whether to approve, approve subject to modification, or deny the proposal at a public meeting. The City Council shall not take official action upon any application requiring a recommendation of the City Planning Commission, until the report of the Commission has been received; provided, however, that if the report has not been filed within forty-five (45) days following the date of the public hearing, the City Council may then take official action on the application without the report from the City Planning Commission.

   b. The City Council shall render its decision within 120 days from the date it introduces an ordinance or adopts a motion in correct form concerning the application, or within 120 days from the final filing of a petition for relief by the applicant, unless otherwise expressly provided in these zoning regulations.

   c. Approval of an interim zoning district appeal or waiver shall be granted by ordinance of the City Council.

(Ord. 17,577 § 1, adopted 6/6/96)

16.9.7. Conditional Approval.

1. Authority to Condition Applications.

   In exercising the authority granted by this Ordinance to condition applications for development approval, the Executive Director, the City Planning Commission, or the City Council may impose such conditions as are reasonably necessary to assure the applicable standards stated in the zoning district regulations, in the regulations governing particular uses, in the supplemental regulations or in zoning procedures are met. Any conditions imposed or recommended by the Director or by the City Planning Commission may be modified subsequently on appeal to the City Council.

2. Record and Notification of Conditions.

   The Executive Director shall include a copy of the conditions attached to approval of the application with the record of the decision filed with the Clerk of the City Council. The applicant shall be notified of any conditions imposed on the application in the manner provided in Section 16.9.2.

16.9.8. Hearings by Planning Commission on Less Intensive Proposal.

1. Notwithstanding any other provisions of this Ordinance, the City Planning Commission may authorize additional public hearings before the City Planning Commission on applications for planned development districts, conditional use permits or permits for transfer of development rights, if the Commission determines that additional hearings are warranted to secure additional comments and information relative to alternate plans of a lesser intensity and where such alternate plans effect a substantial change from that which is applied for.

2. Such additional hearings authorized by this section must be held by the City Planning Commission within seventy-five (75) days of the date of the original hearing notwithstanding that such time may exceed the limitation fixed in Section 16.9.6 herein, provided that the applicant consents in writing to any extension of time necessitated by such additional hearings. Nothing in this section shall grant the City Planning Commission the authority to approve a greater intensity than that applied for.

3. After additional public hearings have been held as authorized by this section, the City Planning Commission shall submit its report and recommendations on the application, and the City Council shall take action in accordance with the procedure set forth in Section 16.9.6.

16.9.9. Appeals.

1. Any person, including any officer or agency of the City, aggrieved by a final decision of the Executive Director on an application may appeal such final determination to the City Planning Commission, unless these zoning regulations expressly authorize direct appeal to the City Council. Any person, including any officer or agency of the City, aggrieved by a final decision of the City Planning Commission on an application may appeal such final determination to the City Council.

2. Unless otherwise expressly provided for in this Ordinance or in officially adopted rules of the appellate body, a written appeal must be filed with the City Planning Commission or the Clerk of the City Council, as the case may be, within fifteen (15) calendar days after the date of the final decision. The appeal shall contain a written statement of the reasons why the final decision is erroneous, and shall be accompanied by the fee, if any, established by the City Council.

3. The City Planning Commission or the City Council, as the case may be, shall hear the appeal within twenty-five (25) calendar days after the filing of the statement of reasons. The hearing shall be conducted in accordance with the provisions of Section 16.9.3.

4. Unless otherwise expressly provided for in this Ordinance, or in officially adopted rules of the appellate body, the City Planning Commission or the City Council, as the case may be, shall affirm, approve subject to modification, or reverse the decision from which appeal was taken within thirty (30) calendar days after the date the hearing is concluded. The appellate body may attach such conditions as are reasonably necessary, as provided in Section 16.9.7. If the City Council or the City Planning Commission fails to timely hear the appeal, or fails to timely affirm, approve subject to modification, or reverse the decision from which the appeal was taken, any such

failure shall be deemed to be a decision to affirm, and the decision shall be subject to appeal by an aggrieved party.

5. Within fifteen (15) calendar days of a final decision of the City Council, any person aggrieved by the decision of the City Council may appeal that decision to the Civil District Court for the Parish of Orleans. An appeal of a final decision of the City Council shall not effect a stay of such decision, unless specifically authorized by the City Council or ordered by the court.

16.9.10. Amendments and Revisions to Approval.

1. In order to provide a more practical, reasonable and expeditious method of correction of errors, omissions, oversights, or for making changes, alterations or adjustments to approved applications, the Executive Director, the City Planning Commission or the City Council, as the case may be, may make the following types of amendments to concept plans or development plans for planned development districts, or site plans for approved conditional use permits or permits for transfer of development rights upon written request by the property owner holding the approved application:

   a. The Director may approve minor revisions to the terms of approval of any application, when such matter is not being considered for amendment or revision by the City Planning Commission or the City Council. Minor revisions that may be authorized are those that appear necessary in light of technical considerations brought to light by the applicant or the Commission.

   b. The City Planning Commission, upon recommendation of the Department of Streets, Department of Safety and Permits, the HDLC, the CBDHDLC, or the Vieux Carré Commission, where applicable, may approve the following amendments or revisions:

      (1) Increases or decreases or rearrangements of off-street parking spaces in any section or sections or in the overall plan provided the off-street parking requirements of the district in which the development is located are complied with.

      (2) Increases or decreases of the ground floor area or total floor area of structures in any section or sections provided the total required Floor Area Ratio and Open Space Ratio meet the requirements of the district in which the development is located.

      (3) Increases or decreases of the height of any individual structure provided that any proposed increase does not exceed by more than twenty (20) percent the approved height of said individual structure, and provided further that no increase in height greater than eight (8) feet shall be allowed by the City Planning Commission. For purposes of this section, height shall be determined in accordance with Section 15.5.5.

      (4) Rearrangements of streets or driveways, where such is found to be consistent with previous approvals, improves traffic circulation or otherwise improves the plan.

c. The City Council, upon recommendation of the City Planning Commission and the Department of Streets, Department of Safety and Permits, the HDLC, the CBDHDLC, or the Vieux Carré Commission, where applicable, may approve the following amendments or revisions:

(1) Increases or decreases in the number of structures or dwelling units permitted in any sections provided the total number of dwelling units of the approved overall plan is not increased.

(2) Increases or decreases of the height of any individual structure beyond an eight (8) foot increase provided that any proposed increase does not exceed by more than twenty (20) percent the approved height of any individual structure.

(3) Shifts or adjustments in the location of buildings or structures when such would improve the overall plan.

(4) Such additional changes, adjustments, or alterations to elements of the site plan, such as walks, pools, fencing, signs, lighting, landscaping, or other elements, as may be necessary or desirable to improve the quality of the approved plan or to provide for consistency with such other changes as may be authorized under this section.

2. The correction of errors, omissions, oversights, changes, alterations or adjustments to approved conditional use permits of destination resort/entertainment centers shall be in accordance with the following conditions and procedures, upon written request of the property owner. Those changes, alterations or adjustments to the approved building development/architectural plans that do not require building permits shall not require an amendment to the approved conditional use.

a. The Director is authorized to approve minor revisions to the terms of approval of the development plans. Minor revisions that may be authorized are those that appear necessary in the light of technical considerations noted by the developer or the Commission. Additionally, the Director may approve:

(1) Any changes to building materials or building facades;

(2) Any increases in floor area of structures or rides currently included on the conceptual master plan provided that the floor area not expand beyond twenty (20) percent;

(3) Any height increases to existing structures or rides provided that the height of the structure or ride does not increase beyond ten (10) percent, and the height does not exceed the height limit established for the development area;

(4) Any changes in the uses of the buildings (as long as the use is permitted in the BIP District);

(5) Rearrangements of internal streets and driveways, where such is found to be consistent with previous approvals, improves traffic circulation or otherwise improves the conceptual master plan;

(6) Such additional changes, adjustments, or alterations to elements of the conceptual master plan such as walks, fencing, signs, lighting, landscaping or other elements, as may be necessary or desirable to improve the quality of the approved conceptual master plan or to provide for consistency with such other changes as may be authorized in this section.

b. The City Planning Commission, upon recommendation of the Department of Public Works, Department of Safety and Permits, the Sewerage and Water Board or the Department of Utilities, where applicable, may approve the following changes:

(1) Increases or decreases or rearrangements of the off-street parking spaces in any section or sections of the conceptual master plan;

(2) Increases in total area beyond twenty (20) percent of any structure or ride in any section or sections of the conceptual master plan;

(3) Increases in height of any individual structure or ride beyond ten (10) percent and up to twenty (20) percent of the approved height of said structure, provided that the requested height does not exceed the height limit established for the development area;

(4) Increases in the number of structures permitted in any section of the conceptual master plan.

c. The City Council, upon recommendation of the City Planning Commission, the Department of Public Works, the Department of Safety and Permits, the Sewerage and Water Board or the Department of Utilities, where applicable, may approve the following changes;

(1) Increases in the height of structures or rides beyond twenty (20) percent of that approved on the current development plan or beyond that which is permitted for a structure or ride in the specific development area;

(2) Changes or amendments to provisos contained within this section;

(3) Any expansion or construction in areas currently designated on development plans as "future development;"

(4) Changes to exterior traffic circulation plans including the relocation or redistribution of curb cuts, signalization or changes in roadways;

(5) Changes to the approved buffer areas.

3. The applicant shall attach to his written application a map or maps which will delineate any corrections or changes requested, and any other pertinent data proper for the understanding of the matter, in sufficient numbers for all departments or agencies reviewing the request.

4. After receiving the recommendations of all required agencies and departments, the Director, the City Planning Commission or the City Council, as the case may be, upon determination that such amendment or revision is not inconsistent with the original approval and will not adversely affect the remaining parts of the proposal and adjoining and abutting property, may approve or recommend for approval, as the case may be, such change.

5. If approved by the Director, the City Planning Commission or the City Council, as the case may be, a revised plan indicating the corrections, changes, alterations or adjustments shall be filed with the Executive Director, the Clerk of the City Council, the Department of Safety and Permits, and if subject to the jurisdiction of the Vieux Carré Commission, the HDLC, or the CBDHDLC, in the office of such agency, and recorded in the Office of Conveyances of Orleans Parish not later than thirty (30) days following date of approval of the plans as evidenced by their stamped approval by the Director, or said approval shall be deemed null.

6. If the holder of an approved application wishes to make a revision to the approval other than authorized in Section 16.9.10(1), approval is required of the original final decision-maker in accordance with the procedures established for the original approval of the application.

(Ord. 18,737 § 1, adopted 6/4/98)

16.9.11. Termination of Approval for Undeveloped Land.

1. Termination for Failure to Commence Development.

If substantial construction has not been commenced pursuant to an approved development plan, conditional use permit, or permit for transfer of development rights within three (3) years from the date of such approval by the City Council, and no request for extension is pending, the City Council shall authorize the City Planning Commission to recommend whether the approval should be terminated or extended. The applicant, the record property owner, and other interested parties shall be notified of a public hearing to be conducted by the Commission in accordance with Section 16.9. Following the public hearing, the Commission shall deliver its recommendation to the City Council. The Commission in making its recommendation and the Council in rendering its decision whether to terminate or extend approval shall take into account hardship to the applicant or property owner, changes in surrounding circumstances that have occurred since the original approval, and the likelihood that substantial construction will occur during any period of extension. Following termination of a concept plan associated with a planned development district, the City Council shall, by ordinance, rescind the ordinance establishing the planned development district.

2. Extension Procedures.

Unless otherwise prohibited by law or this Ordinance, the Executive Director may extend the time for expiration of an approved development plan, or conditional use permit, or permit for the transfer of development rights, for a period not to exceed one (1) year upon a showing of good cause by the applicant, if request for extension is made in writing within the original period of validity. An extension for a period in excess of one (1) year shall be granted only by the original final decision-maker, but not for a period to exceed one (1) additional year. A determination by the final decision-maker on whether to extend such approval for a period exceeding one (1) year shall be made in accordance with procedures set forth in this Ordinance for the original approval for which extension is requested.

ARTICLE 17

BUILDING PERMITS AND ENFORCEMENT PROCEEDINGS

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ARTICLE 17

BUILDING PERMITS AND ENFORCEMENT PROCEEDINGS

Section 17.1. Applicability.

This article sets forth procedures and standards for approval of applications for building permits and Certificates of Occupancy. The article also contains procedures for enforcement of these zoning regulations. The official responsible for administering the provisions of this article is the Director of the Department of Safety and Permits. Procedures and standards for decisions rendered by the Board of Zoning Adjustments are contained in Article 14. Procedures and standards for the zoning amendments, including overlay zoning districts, interim zoning districts, and planned development districts; conditional use permits; permits for transfer of development rights; and general and administrative site plans are contained in Article 16.

Section 17.2. Building Permits and Certificates of Occupancy.

17.2.1. Purpose.

A building permit shall be required to authorize the erection or alteration of any building or structure in accordance with plats or site plans approved as in compliance, in whole or in part, with the requirements of this Ordinance and of the Building Code. The occupancy of such buildings and structures shall be conditioned on issuance of a Certificate of Occupancy certifying that the proposed use of any land, building or structure in whole or in part, conforms to the requirements of this Ordinance and of the Building Code. Every application for a building permit shall be deemed to be an application for a Certificate of Occupancy.

17.2.2. Applicability.

1. Building Permits and Certificates Required.

   No erection or alteration of any building or structure subject to this Ordinance or any excavation therefore shall commence until an application for a building permit has been made and approved, and no building or premises shall be occupied until a Certificate of Occupancy has been issued. Permits issued shall become void if excavation, construction, or use violates the provisions of this Ordinance.

2. New Buildings and Land Uses.

   No building hereafter erected, nor any land or water area shall be used or occupied in whole or in part until the Certificate of Occupancy shall have been issued by the Director of Safety and Permits. Such certificate shall affirm that the work has been completed in accordance with the provisions of the approved building permit and that sidewalks, where required, have been installed in accordance with the specifications of the City and accepted by the Department of Streets.

3. Building Hereafter Altered.

No building or structure hereafter enlarged, extended, or altered in whole or in part, for which a Certificate of Occupancy has not been heretofore issued, shall be occupied or used until the Certificate shall have been issued by the Director of Safety and Permits. Such certificate shall affirm that the work has been completed in accordance with the provisions of the approved building permit.

4. Changes in Use and Occupancy.

After a change of use or occupancy to a more restrictive use has been made in a building or land, the reestablishment of a prior use that would not be permitted in a new building on the lot, a building permit, where required, and/or Certificate of Occupancy is required demonstrating compliance with all applicable provisions of this Ordinance.

5. Exception—Change of Ownership or Tenancy.

A Certificate of Occupancy shall not be required when there is a change in ownership or tenancy of a building or land for which a certificate has been previously issued, provided there is no change in use or intended use and provided further that no repairs, alterations or additions are proposed for such building or land.

17.2.3. Application Procedure.

1. Director's Responsibility.

The Director of Safety and Permits shall receive applications for building permits and/or Certificates of Occupancy, and shall issue all permits and certificates in accordance with the provisions of this Ordinance.

2. Plats and Site Plans.

Every application for a building permit shall be accompanied by plans for the building site in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size, height, and location of the building or buildings to be erected, converted, enlarged, reconstructed, or structurally altered or relocated, the size and location of any existing building on the lot, the use of land and buildings, and such other information as may be necessary to provide for the enforcement of these regulations. All required parking areas and access driveways must be shown and the individual car stalls clearly indicated. Sidewalks shall be shown in accordance with the specifications of the Department of Streets and shall be indicated on the plat. Where the proposed use or structure is subject to an approved site plan required by this Ordinance, the application for building permit also shall be accompanied by such site plan.

3. Fees.

Any application shall be assessed in accordance with the fee schedule in the Code of the City of New Orleans.

4. Records.

A record of applications for building permits, Certificates of Occupancy and any required site plans shall be kept in the office of the Director of Safety and Permits.

5. Determination on Building Permit.

When the Director of Safety and Permits determines that the application for a building permit is complete, and that the plat, site plan or other documentation demonstrates compliance with the requirements of this Ordinance and the Building Code, he shall issue a building permit.

17.2.4. Issuance of Certificate of Occupancy.

1. Issuance of Certificate.

When a building or structure satisfies the requirements of this Ordinance and of the Building Code, the Director of Safety and Permits shall issue a Certificate of Occupancy within thirty (30) days upon written request of the applicant or his representative.

2. Posting of Certificates.

Upon issuance, the Certificate of Occupancy shall be posted in a conspicuous place within the building or structure or elsewhere on the premises as may be approved by the Director of Safety and Permits, except no such posting is required for one-family, two-family, three-family or four-family dwellings.

3. Temporary Occupancy.

Upon request of a holder of a building permit, the Director of Safety and Permits may issue a Temporary Certificate of Occupancy for a building, structure, land or part thereof. Such certificate shall remain in force not more than six (6) months, during the completion of alterations or during partial occupancy of a building pending its completion. No temporary certificate shall be construed as in any way altering the respective rights, duties, or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this Ordinance, and such temporary certificates shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

17.2.5. Prior Permits.

No building permit lawfully issued by the Director of Safety and Permits prior to the effective date of this Ordinance or of any amendment hereto, and which permit by its own terms and provisions is in full force and effect at said date, shall be invalidated by the passage of this Ordinance or any such amendment, but shall remain a valid and subsisting permit, subject only to its own terms and provisions and ordinances, rules and regulations appertaining thereto, and in effect at the time of the issuance of said permit, provided that all such permits shall expire (6) months from the issuance thereof unless actual construction shall theretofore have begun and continued pursuant to the terms of said permit.

17.2.6. Appeal.

The action of the Director of Safety and Permits on an application for a building permit or Certificate of Occupancy may be appealed by the owner or applicant for the permit to the Board of Zoning Adjustments in accordance with procedures in Article 14 of these zoning regulations.

17.2.7. Expiration and Extension of Building Permits.

1. Expiration.

   Except for prior permits provided for in Section 17.2.5, a building permit issued pursuant to this section shall expire within six (6) months after its issuance if construction has not commenced and if no request for extension has been filed prior to such date.

2. Extension of Permits.

   The Director of Safety and Permits, upon written application filed prior to expiration of the building permit, may authorize for good cause an extension not to exceed six (6) months of such permit.

Section 17.3. Enforcement Procedures.

17.3.1. Violations.

In case any building or structure is erected, structurally altered, extended, moved or maintained, or any building, structure or land is used in violation of this Ordinance, the Director of Safety and Permits or his designate, in addition to other remedies, may institute any appropriate actions or proceedings to prevent such unlawful erection, structural alteration, extension, moving, maintenance, use, or other violations, to restrain, correct, or abate violation, to prevent the occupancy of such buildings, structure, or land or to prevent any illegal act, conduct, business, or use in or about such premises. Each day such violation continues shall constitute a separate violation.

17.3.2. Report of Violation.

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis therefor, shall be filed with the Director of Safety and Permits. In accordance with provisions of Section 9:5626 of the Louisiana Revised Statutes, the Department of Safety and Permits is designated as the authorized agency for the City of New Orleans which shall be notified in writing of use violations of the zoning ordinance in order for the two (2) year prescriptive period to commence.

17.3.3. Penalties.

The owner or general agent of a building or premises where a violation of any provision of these regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such general agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor, or any other person who commits, takes part in, or who assists in any such violation or who maintains any building or premises in which any such violation shall exist, shall be guilty of a misdemeanor punishable either by a fine of not less than $100.00 and not more than $300.00 or not more than five (5) months (150 days) imprisonment, or both, for each and every day, that such violation continues. The correction of a violation shall not restrain imposition of these penalties.

17.3.4. New Violation Following Determination of Compliance.

Following any judicial determination that a violation of these regulations has occurred and compliance has been rendered, the official responsible for enforcing the ordinance for such violation shall cause to be placed in the records of the City a notation that compliance has been rendered. Any subsequent report of a violation of the regulations pertaining to the same or substantially the same matter shall be considered a new violation and shall be subject to the same remedies herein provided.

ARTICLE 18

INTERIM ZONING DISTRICTS

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EXPIRED: December 26, 1997

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ARTICLE 18 INTERIM ZONING DISTRICTS

Section 18.38. Holy Ghost Redevelopment Interim Zoning District.

18.38.1. Purpose of the District.

The purpose of this interim zoning district (IZD) is to modify the requirements for front, side and rear yard setbacks to modify the required minimum site area, lot width, lot depth and open space ratio, and the regulations governing off-street parking in order to encourage the residential redevelopment of vacant and blighted properties located within this area, providing temporary regulations pending the determination of public policy for such modifications of setbacks in similar older inner city neighborhoods throughout the boundaries of the City of New Orleans.

(Ord. 20,071 § 1 (part), adopted 3/15/01)

18.38.2. Area of Applicability.

The area generally bounded by Louisiana Avenue, Delachaise, Loyola and Baronne Streets in the Sixth Municipal District.

(Ord. 20,071 § 1 (part), adopted 3/15/01)

18.38.3. District Regulations.

This IZD temporarily amends the regulations of the underlying zoning districts to permit frontyard setbacks to be reduced to zero (0) and rear yard setbacks to be reduced to five (5) feet without appeal to the Board of Zoning Adjustments. This IZD also permits off-street parking within the first twenty (20) feet of the property under the supplemental standards as noted below:

1. Supplemental standards for single-family development:
    a. Minimum site area: 2,560 square feet
    b. Minimum lot width: forty-two (42) feet

c. Minimum lot depth: sixty (60) feet,

d. Open Space Ratio: 0.30,

e. Front yard setback: zero (0) feet,

f. Rear yard setback: five (5) feet.

(Ord. 20,071 § 1 (part), adopted 3/15/01)

18.38.4. Residential Redevelopment.

For residential redevelopment proposed within this IZD, the supplemental standards are to be applied by the Department of Safety and Permits as part of the building permit system. (Ord. 20,071 § 1 (part), adopted 3/15/01)

18.38.4. Appeals.

Appeals shall be through the City Planning Commission under the procedures established for Urban Corridors in Section 10.1.13 of this Ordinance. (Ord. 20,071 § 1 (part), adopted 3/15/01)

18.38.5. Duration of Designation.

This Holy Ghost Redevelopment Interim Zoning District was designated for a period of twelve (12) months; that designation was extended pursuant to Section 16.4.3 of this Ordinance for an additional 180 days, and subsequently extended for an additional 180 days. Accordingly, this IZD shall become null and void on March 10, 2003. (Ord. 20,855 § 1, adopted 3/10/03; Ord. 20,677 § 1, adopted 6/02/02; Ord. 20,071 § 1 (part), adopted 3/15/01)

Section 18.39. Algiers Riverpoint Interim Zoning District.

EXPIRED: July 5, 2002

Section 18.40. Central City Alcoholic Beverages Interim Zoning District.

EXPIRED: September 6, 2001

Section 18.41. Uptown Square Interim Zoning District.

18.41.1. Purpose of the District.

The purpose of this interim zoning district (IZD) is to prohibit the issuance of permits for construction or alteration of multiple family dwellings, dormitory or any similar residential use for the C-2 Commercial zoned properties. (Ord. 20,354 § 1 (part), adopted 9/06/01)

18.41.2. Area of Applicability.

This interim zoning district applies to the area bounded by Leake Avenue, Broadway and Prytania Streets (generally known as Uptown Square). (Ord. 20,354 § 1 (part), adopted 9/06/01)

18.41.3. Authorized Uses and Special Standards.

Unless otherwise noted in the criteria for evaluation of appeals in Section 18.41.4, the requirements of the underlying zoning districts shall be met and shall not be affected. Nothing herein shall be construed to supersede the preexisting zoning districts in which site plan and/or design review may be required. (Ord. 20,354 § 1 (part), adopted 9/06/01)

18.41.4. Appeals.

Any appeals for a waiver of the requirements in this district shall be submitted to the City Planning Commission for their review and recommendation to the City Council for hearing and action in accord with the provisions of Sections 16.9.5 and 16.9.6 of these zoning regulations. The report of the City Planning Commission staff shall be rendered within forty-five (45) calendar days of receipt of the waiver request. The application shall be accompanied by any site plans, drawings, or data, either written or graphic as deemed necessary by the City Planning Commission staff or City Council, aiding the decision of the City Council. An appeal under this section may be considered concurrently with other applications for which the City Council is the final decision-maker. (Ord. 20,354 § 1 (part), adopted 9/06/01)

18.41.5. Duration of Designation.

The Uptown Square Interim Zoning District was designated for a period of twelve (12) months; that designation was extended pursuant to Section 16.4.3 of this Ordinance for an additional 180 days, and subsequently extended for an additional 180 days. Accordingly, this IZD shall become null and void on February 27, 2003. (Ord. 20,854 § 1, adopted 9/05/02; Ord. 20,643 § 1, adopted 4/18/02; Ord. 20,354 § 1 (part), adopted 9/6/01)

Section 18.42. Lakeshore Interim Zoning District.

18.42.1. Purpose of the District.

The purpose of this interim zoning district (IZD) is to prohibit the establishment of any cocktail lounges, amusement places or similar places of assembly allowing the sale of alcoholic beverages in conjunction with live entertainment. (Ord. 20,640 § 1 (part), adopted 4/18/02)

18.42.2. Area of Applicability.

This IZD applies to the entirety of the areas zoned C-1 General Commercial bounded by West End Boulevard, Robert E. Lee Boulevard and Opal Street. (Ord. 20,640 § 1 (part), adopted 4/18/02)

18.42.3. Authorized Uses and Special Standards.

Unless otherwise noted in the criteria for evaluation of appeals in Section 18.42.4, the requirements of the underlying zoning districts shall be met and shall not be affected. Nothing herein shall be construed to supercede the preexisting zoning districts in which site plan and/or design review may be required. (Ord. 20,640 § 1 (part), adopted 4/18/02)

18.42.4. Appeals.

Any appeals for a waiver of the requirements in this district shall be submitted to the Department of Safety and Permits and the City Planning Commission for their review and recommendation to the City Council for hearing and action in accord with the provisions of Section 16.6.5 of these zoning regulations. The report of the City Planning Commission staff shall be rendered within sixty (60) days of receipt of the appeals. The application shall be accompanied by any site plans, drawings, or data, either written or graphic, as deemed necessary by the City Planning Commission staff or City Council, aiding the decision of the City Council. An appeal under this section may be considered concurrently with other applications, such as for conditional use permits, for which the City Council is the final decision-maker. (Ord. 20,640 § 1 (part), adopted 4/18/02)

18.42.5. Duration of Designation.

This Lakeshore Interim Zoning District is designated for a period of twelve (12) months; that designation may be extended pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance for no more than two (2) additional periods of 180 days each. (Ord. 20,640 § 1 (part), adopted 4/18/02)

Section 18.43. Algiers Lower Coast Interim Zoning District.

EXPIRED: October 29, 2002

Section 18.44. Alcoholic Beverage Permit Interim Zoning District.

18.44.1. Purpose of the District.

The purpose of the Alcoholic Beverage Permit Interim Zoning District is to prohibit the issuance of alcoholic beverage permits within certain zoning districts in which conditional use approval is not required. (Ord. 20,719 § 1 (part), adopted 5/16/02)

18.44.2. Area of Applicability.

This interim zoning district applies to Chef Menteur Highway from the I-10 overpass at Chef Highway to the Parish line along the full length of Lake Forest Boulevard and Read Boulevard. (Ord. 20,719 § 1 (part), adopted 5/16/02)

18.44.3. Appeals.

Any appeals for a waiver of the requirements in this district shall be submitted to the City Planning Commission for their review and recommendation to the City Council for hearing and action in accord with the provisions of Section 16.6.5 of these zoning regulations. The report of the City Planning Commission staff shall be accompanied by any site plans, drawings, or data, either written or graphic as deemed necessary by the City Planning Commission staff or City Council, aiding the decision of the City Council. An appeal under this section may be considered concurrently with other applications, such as for conditional use permits, for which the City Council is the final decision-maker. (Ord. 20,719 § 1 (part), adopted 5/16/02)

18.44.4. Duration of Designation.

Pursuant to Section 3-126 of the Home Rule Charter of the City of New Orleans this interim zoning designation shall become null and void one year from the date of adoption of this Ordinance. However, the effectiveness of this interim zoning designation may be extended pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance for no more than two additional periods of 180 days each. (Ord. 20,719 § 1 (part), adopted 5/16/02)

Section 18.45. New Orleans East Interim Zoning District.

18.45.1. Purpose of the District.

The purpose of the New Orleans East Interim Zoning District is to prohibit the establishment of adult establishments in addition to adult bookstores, massage parlors, health clubs, health spas or motels which are currently classified as permitted uses. (Ord. 20,756 § 1 (part), adopted 7/07/02)

18.45.2. Area of Applicability.

Regulations of this district apply to those lots fronting on Chef Menteur Highway within Council District E (Beginning at the Industrial Canal extending to the Parish Line). (Ord. 20,756 § 1 (part), adopted 7/07/02)

18.45.3. Appeals.

Any appeals shall be made to the City Council after recommendation of the City Planning Commission, in accordance with the provisions set forth in Section 16.4.5(3) of the Comprehensive Zoning Ordinance. (Ord. 20,756 § 1 (part), adopted 7/07/02)

18.45.4. Duration of Designation.

The New Orleans East Interim Zoning District was designated for a period of 180 days; that designation was extended pursuant to Section 16.4.3 of this Ordinance for an additional 180 days. However, the effectiveness of this interim zoning designation may be extended by the City Council for one (1) additional period of time, not to exceed 180 days. (Ord. 20,937 § 1, adopted 11/26/02; Ord. 20,756 § 1, adopted 7/07/02)

Section 18.46. Lakeview Subdistrict Interim Zoning District.

18.46.1. Purpose of the Subdistrict.

The purpose of this subdistrict is to preserve the distinctive character of the Lakeview Area by maintaining existing residential densities while providing opportunities for managed compatible residential growth. (Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.2. Area of Applicability.

Those properties zoned RD-2 Two-Family Residential District generally bounded by both sides of Orleans/Hammond Highway, both sides of West Robert E. Lee Boulevard, and the south side of Robert E. Lee Boulevard on the north, Orleans Avenue Canal on the east, City Park Avenue, Interstate 10 and Veterans Boulevard on the south and the Metairie Outfall Canal on the west. (Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.3. Permitted Uses.

The following uses of land are authorized as permitted uses in the Lakeview Subdistrict Interim Zoning District:

1. Any permitted use authorized in the RS-1 Single Family Residential District is authorized in the Lakeview Subdistrict Interim District.

2. Two-Family Dwellings as described below:

    a. Legally non-conforming two-family residential structures and/or two-family residential structures that have lost their legal-conforming status shall be permitted to be re-established, structurally altered, and additional floor area may be added to the structures, provided that no additional dwelling units shall be permitted.

    b. Two-family residential structures described above may be demolished and rebuilt in compliance with the RD-2 Two-Family Residential District standards, provided that they obtain a building permit for the construction within one (1) year of the issuance of a demolition and complete construction and obtain a Certificate of Occupancy from the Department of Safety and Permits within one (1) year of the issuance of the building permit.

(Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.4. Accessory Uses.

The following uses of land are authorized uses within the Lakeview Subdistrict Interim Zoning District:

- Boat docks and boat moorings.

- Domestic Storage including automobiles in a main building or accessory building.

- Gardens for vegetables, fruits, flowers, and trees, not as a business.
- Barbecue grills.
- Playhouses.
- Swimming pools and game courts.
- Private garages.
- Servants' quarters without culinary facilities but only within the lot's buildable area.
- Storage of a boat trailer, boat or unoccupied camp trailer, not exceeding twenty-five feet in length, but not in a required front yard.
- Accessory off-street parking and loading spaces. Open or enclosed space for parking one (1) commercial vehicle of not more than one (1) ton capacity when used by the occupant of a dwelling.
- Gas mains, service piping, service regulators, meters, gas regulator stations, and related appurtenances.
- Electric utility distribution lines, meters, service lines, distribution transformers and related appurtenances, but not including transmission facilities.
- Noncommercial radio and television receiving antenna and noncommercial radio transmitting antennae limited in height to that of the district or sixty (60) feet, whichever is greater.
- Small telephone repeater structures when located in public right-of-way, utility easement or buildable area or in a required side or rear yard of a lot.
- Telephone and communication lines and related facilities, but excluding telephone exchanges.
- Cable communication system cables, amplifiers and related facilities, but excluding distribution or switching centers and cablecasting studios.
- Curb cuts and/or driveways.
- Satellite dish antenna.* (See Section 11.35)
- Cinerarium and columbarium as accessory to churches located on a lot not less than 20,000 square feet in area; waiver of the minimum lot area shall not be allowed for churches which provide such accessory uses.

(Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.5. Conditional Uses.

The following uses of land are authorized as conditional uses within the Lakeview Subdistrict Interim Zoning District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

- Convents and monasteries.
- Public and government buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal station and branch administration offices.
- Public and private primary, high and college or vocational schools.
- Sewerage treatment plants (public or private) provided such facilities and setback a minimum of fifty (50) feet from any adjoining residential property line and are screened from view of any residential property.
- Water towers and aboveground storage tanks when setback a minimum of twenty (20) feet from all property lines in all residential districts and setback in accord with applicable district regulations in all other districts.
- One (1) flat, double-faced general advertising sign, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roof of the public transit waiting station, whichever is lower, and provided that no advertising signs on bus shelters shall be constructed in any historic district in the City of New Orleans without the prior approval of the appropriate Historic District Commission.
- A parking lot to provide off-street parking for a main use located within 300 feet of said lot. The design standard included in Section 15.2 of this Ordinance shall apply. Landscaping shall be required in accordance with Section 15.2.5, regardless of the zoning district in which the property is located.
- Personal wireless communication facilities consisting of (a) standard and nonstandard monopole installations and (b) mast-mounted and facade-mounted tower installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55 of these regulations.* (See Section 11.55)

(Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.6. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RS-1 Single Family Residential District. (Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.7. Height, Area, and Yard Requirements.

Table 18.46.7a.
Area Regulations for the Lakeview Subdistrict Interim Zoning District

	Single-Family	Two-Family	Non-Residential
Minimum lot area per family	5,000 sq. ft.	2,500 sq. ft.	20,000 sq. ft.
Minimum lot width	40 ft.	50 ft.	100 ft.
Minimum lot depth	90 ft.	90 ft.	100 ft.
Maximum height	35 ft.	35 ft.	35 ft.
Minimum depth of front yard	20 ft.	20 ft.	20 ft.
Minimum aggregate width of side yards (percent of actual lot width)	20%	20%	20%
Minimum width of each side yard	4 ft.	4 ft.	10 ft.
Maximum required aggregate width of side yards	12 ft.	12 ft.	20 ft.
Minimum depth of rear yard	20 ft.	20 ft.	20 ft.

(Ord. 21,975 § 1 (part), adopted 6/02/05)

18.46.8. Parking and Driveway Requirements.

For single-family residences having no service alley access, only one (1) off-site parking space shall be required. All other residences shall require two (2) parking spaces as set forth in the RS-2 Residential Zoning District. Additionally, no parking shall be allowed in the front yard setback. Curved or square driveways in the front yard setback area shall be prohibited. Driveways that cross the front yard setback shall be used to cross to on-site parking in the rear or on the side of the property only and shall be restricted to twenty feet in width. (Ord. 21,975 § 1 (part), adopted 6/02/05)

Section 18.47. Mirabeau/St. Anthony Redevelopment Interim Zoning District.

18.47.1. Purpose of the District.

The purpose of this Mirabeau/St. Anthony Redevelopment Interim Zoning District (IZD) is to prohibit issuance of permits for residential development inconsistent with RD-2 Two-Family Residential District regulations in an RM-1 Multiple Family Residential District. (Ord. 22,892 § 1 (part), adopted 11/15/07)

18.47.2. Area of Applicability.

This IZD applies to the entirety of the area bounded by Mirabeau Avenue, Warrington Drive, Wilton Drive, Filmore Avenue, St. Anthony Avenue, North Windsor and Haik Drives. (Ord. 22,892 § 1 (part), adopted 11/15/07)

18.47.3. Appeals.

Any appeals to the prohibition on the issuance of permits for inconsistent residential development shall be made to the City Council after recommendation of the City Planning Commission, in accordance with the provisions of the conditional use process set forth in Section 16.6 of the Comprehensive Zoning Ordinance or the provisions of the Residential Planned Community (RPC) District process set forth in Section 16.5 of the Comprehensive Zoning Ordinance.

(Ord. 22,892 § 1 (part), adopted 11/15/07)

18.47.4. Duration of Designation.

The Mirabeau/St. Anthony Redevelopment IZD is designated for a period of twelve (12) months. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance for no more than two (2) additional periods of 180 days each.

(Ord. 22,892 § 1 (part), adopted 11/15/07)

Section 18.48. Central City Mixed Use Interim Zoning District.

18.48.1. Purpose of the District.

The purpose of this Central City Mixed Use Interim Zoning District is to prohibit issuance of permits for any use not authorized as permitted, accessory or conditional in the C-1A General Commercial District.

(Ord. 23,472, § 1, adopted 4/2/09)

18.48.2. Area of Applicability.

This interim zoning district applies to the entirety of the area bounded by South Rampart, Erato and Carondelet Streets and the Pontchartrain Expressway.

(Ord. 23,472, § 1, adopted 4/2/09)

18.48.3. Appeals.

Any appeal to the regulations of this interim zoning district shall be made to the City Council in accordance with the provisions of Section 16.4.5(1.) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5(1.) of the Comprehensive Zoning Ordinance.

(Ord. 23,472, § 1, adopted 4/2/09)

18.48.4. Duration of Designation.

The Central City Mixed Use Interim Zoning District is designated for a period of twelve (12) months. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.

Ordinance No. 23,472 M.C.S. that created the "Central City Mixed Use Interim Zoning District" be and the same is hereby extended for the first 180-day period from date of adoption, prohibiting the establishment of any uses other than those authorized as permitted, accessory or conditional in the C-1A General Commercial District on Squares 238, 239, 253, 254, 277 and 278 in the First Municipal District, bounded by South Rampart, Erato and Carondelet Streets and the Pontchartrain Expressway.

(Ord. 23,472, § 1, adopted 4/2/09)

(M.C.S., Ord. No. 024041, § 1, 7-1-10)

Section 18.49. Gert Town Mixed Use Interim Zoning District.

18.49.1. Purpose of the District.

The purpose of this Gert Town Mixed Use Interim Zoning District (IZD) is to prohibit issuance of permits for any use not authorized as permitted, accessory or conditional in the C-1A General Commercial District.

(Ord. 23,650, § 1, adopted 7/23/09)

18.49.2. Area of Applicability,

This IZD applies to all lots in an LI Light Industrial District or an HI Heavy Industrial District within the area bounded by South Carrollton and Walmsley Avenues, South Jefferson Davis Parkway and the Pontchartrain Expressway (Interstate Highway 10).

(Ord. 23,650, § 1, adopted 7/23/09)

18.49.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5.1. of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5.1. of the Comprehensive Zoning Ordinance.

(Ord. 23,650, § 1, adopted 7/23/09)

18.49.4. Duration of Designation.

The Gert Town Mixed Use Interim Zoning District is designated for a period of one (1) year. This designation may be extended pursuant to Section 16.4.3.3. of the Comprehensive Zoning Ordinance for no more than two (2) additional periods of 180 days each.

Ordinance No. 23,650 M.C.S. that created the "Gert Town Mixed Use Interim Zoning District" be and the same is hereby extended for the first 180-day period from July 23, 2010, to January 23, 2011.

(Ord. 23,650, § 1, adopted 7/23/09)

(M.C.S., Ord. No. 024010, § 1, 6-17-10)

Section 18.50. RM-2E Eastern New Orleans Multiple-Family Residential Interim Zoning District.

18.50.1. Purpose of the District.

The RM-2E Multiple-Family Residential Interim Zoning District is intended to maintain a residential environment while permitting a variety of dwelling types. Population density is maintained in the medium range, while buildings are permitted to rise to forty-five (45) feet. The district is intended to assist in the gradual rebuilding of multifamily dwellings in Eastern New Orleans.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.2. Area of Applicability.

The entirety of Eastern New Orleans, the area generally bounded by the Industrial Canal, Lake Pontchartrain, the St. Tammany and St. Bernard Parish lines.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.3. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.4. Permitted Uses.

The following uses of land are authorized as permitted uses in the RM-2E Multiple-Family Residential Interim Zone District except that timeshare buildings and transient vacation rentals are prohibited:

1. Adult day care centers. * (Section 11.14)
2. Artist community. * (Section 11.62)
3. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cablecasting studios.
4. Child care facilities. * (Section 11.15)
5. Churches, rectories, parish homes, temples and synagogues, provided that such uses shall be located on a lot of at least 20,000 square feet in area.
6. Detached single-family dwellings.
7. Electric utility distribution facilities, meters and service lines, but not including transmission facilities. * (Section 11.40)
8. Electric utility substation facilities and transmission facilities.
9. Gas distribution mains and gas regulator stations.
10. Home occupations, provided such use does not occupy more than fifteen percent (15%) of the floor area of the dwelling unit.
11. Homes for the aged, nursing homes, and convalescent homes. * (Section 11.23)
12. Multifamily dwellings subject to the requirements of Sections 18.50.8 and 18.50.9.
13. Personal wireless communication facilities consisting of facade-mounted installations. * (Section 11.55)
14. Private golf courses operated on sites of not less than seventy-five (75) acres, provided that no building or accessory use is located closer than 100 feet from adjoining property lines.
15. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not

less than twenty-five (25) feet in which instance, the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.

16. Public parks, parkways and playgrounds, including uses accessory or incidental to their operation. Accessory concession stands not to exceed 150 square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.
17. Public and private forests, wildlife reservations, and similar conservation projects.
18. Public telephone (booth or otherwise) when approved by the Department of Utilities. * (Section 11.41)
19. Public transit waiting stations. * (Section 11.31)
20. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.
21. Sewerage lift or pumping stations, aboveground or underground. * (Sections 11.42 and 11.43)
22. Small group homes. * (Section 11.22)
23. Stormwater pumping stations. * (Section 11.44)
24. Telephone and communications lines and related facilities but excluding telephone exchanges.
25. Telephone exchanges. * (Section 11.45)
26. Town house. * (Subject to the requirements of Sections 18.50.8 and 18.50.9)
27. Two-family dwellings. * (Section 11.33)
28. Water distribution systems, meters, sanitary and stormwater sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
29. Water pumping stations. * (Section 11.46)

(Ord. 23892, § 1, adopted 3/11/10)

18.50.5. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-2E Multiple-Family Residential Interim Zoning District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two percent (2%) of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. A laundry room for use of occupants of a multiple-family dwelling development.
4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.
5. Public telephones inside a main building.
6. Coin-operated vending machines such as for candy, tobacco, ice, soft drinks, and sundries, inside a building with ten (10) or more dwellings units or guest rooms.
7. A dining room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such dining room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and to contain no more than fifty (50) square feet of floor area for each dwelling unit in the building. Alcoholic beverages may be served with meals.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.6. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-2E Multiple-Family Residential Interim Zoning District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Advertising sign—One (1) flat, double-faced general, illuminated or nonilluminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roof of the public transit waiting station, whichever is lower.
2. Borrow pits. * (Section 11.16)
3. Business or vocational schools providing nonindustrial training provided they utilize existing educational facilities and provided further that off-street parking shall be provided in accordance with Section 15.2 Article 4, Section 4.1, RS-1 District.
4. Cemeteries and mausoleums with the following accessory uses: a storage building for the storage of maintenance equipment used in maintaining cemeteries, a caretaker's house, an administrative office, a crematorium, and a chapel. * (Section 11.11)
5. Child care facilities. * (Section 11.15)
6. Colleges, junior colleges, or institutions of higher learning. * (Section 11.36)
7. Convents and monasteries when located on a site of at least 25,000 square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty percent (50%) of the total site area.
8. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
9. Personal wireless communication facilities consisting of: a) standard and nonstandard monopoles, b) mast-mounted tower installations and c) façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55.
10. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices. * (Section 11.30)
11. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens. * (Section 11.37)
12. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior or senior high schools. * (Section 11.38)
13. Radio, television and microwave relay, transmitting or receiving towers or antennas (including accessory buildings, but excluding broadcast studios and office buildings) when all such facilities are set back a minimum of fifty (50) feet from all property lines.
14. Real estate office in a residential development of 500 or more acres or of 300 lots which may be undertaken at once or in phases by a single developer, officers of the developer, its successors or assigns and affiliates, for the sale of lots, the sale and/or facilities, and/or the operation (offices only) of a property owner's association are permitted within the development, provided however, that no real estate agent or company shall be excluded from doing

business in the development nor shall the developer insert any language in the original or subsequent sales agreement to restrict the owner from utilizing any licensed real estate broker for resale. Such designated property may be used as offices in connection with the subdivision in which the property is located.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.7. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RM-1 Multiple-Family Residential District.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.8. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change, or alteration of any use, other than single- and two-family uses, within RM2-E District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7 and augmented by the design standards listed in Section 9. Upon approval of such plan, the Executive Director shall affix his/her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. 23892, § 1, adopted 3/11/10)

18.50.9. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height for the RM-2E Multiple-Family Residential District are contained in Table 18.50.A. These standards apply to all permitted, accessory, and conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6. The design standards of Sections 18.50.8 and 18.50.9 below apply to all multiple-family and townhouse dwellings.

Table 18.50.A

Area Regulations for the RM-2E Eastern New Orleans Multiple-Family Residential Interim Zoning District

	TYPE OF DEVELOPMENT						
	SINGLE-FAMILY	TWO-FAMILY	THREE-FAMILY	FOUR-FAMILY	TOWN HOUSE	MULTI-FAMILY	NONRES-IDENTIAL
Minimum Lot Area	3,125 sf/du	1,750 sf/du	1,500 sf/du	1,200 sf/du	2,000 sf/du	2,722.5 sf/du	20,000 sf
Minimum Lot Width	30'	30'	40'	50'	80'	50'	100'
Minimum Lot Depth	90'	90'	90'	90'	100'	130'	100'
Maximum Building Height	40'	40'	45'	45'	40', but not more than 3.5 stories	45', but not more than 4 stories	45'
Minimum Ceiling Height of Residential Floors					8'	8'	
Maximum FAR					1.0	1.0	1.0
Minimum Open Space Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Maximum Lot Coverage	60%	60%	60%	60%	60%	40%	60%

	TYPE OF DEVELOPMENT						
	SINGLE-FAMILY	**TWO-FAMILY**	**THREE-FAMILY**	**FOUR-FAMILY**	**TOWN HOUSE**	**MULTI-FAMILY**	**NONRESIDENTIAL**
Minimum Space Between Buildings for multiple buildings on a lot	See Setback Requirements						See Setback Requirements
Building side to building side						20' for a yard without curb cut access; 40' for a yard with curb cut access (see section 9.D)	
Building side to building rear						40'	
Building rear to building rear						60' for residential façades	
Maximum Space Between Buildings					30'	40'	
Maximum Building Length (see fig. 1 & 2)					180'	180'	
Minimum Number of Attached Dwelling Units					3		
Maximum Number of Attached Dwelling Units					6		
Maximum Number of Dwelling Units Per Building					6	40	
Minimum Unit Width (see fig. 1)					20'		
Maximum Number of Buildings Per Lot	1	1	1	1	1		1
Minimum Unit Size						1 br: 500 sf 2br. 700 sf 3br. 900 sf 4 + br: 12,000 sf. (per additional br.)	
SETBACK REQUIREMENTS							
Minimum Front Yard							20'
Minimum Front Yard (see fig. 3 & 4)	20'	20'	20'	20'	20'	20'	
Minimum Interior Side Yard	3'	3'	3'	3'	10'	10'	10'
Maximum Interior Side Yard (see fig. 3 & 4)							
When building is adjacent to property line					15'	15'	
When curb cut access is provided between building and property line					40'	40'	
Minimum Corner Side Yard	10'	10'	10'	10'			10'
Maximum Corner Side Yard (see fig. 3 & 4)					20'	20'	
Minimum Required Aggregate Width of Side Yards	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'			20% to a maximum required aggregate of 20'

	TYPE OF DEVELOPMENT						
	SINGLE-FAMILY	TWO-FAMILY	THREE-FAMILY	FOUR-FAMILY	TOWN HOUSE	MULTI-FAMILY	NONRES-IDENTIAL
Minimum Rear Yard	15'	15'	20'	20'	30'	30'	20'

(Ord. 27,845, § 1, adopted 3/11/10)

Figure 1 Townhouse minimum unit width and maximum building length

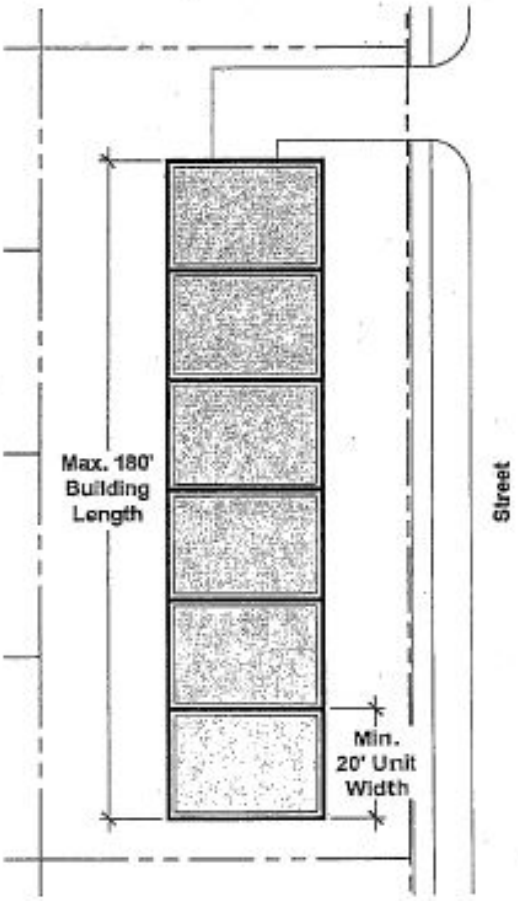


Figure 2 Multi-family maximum building length

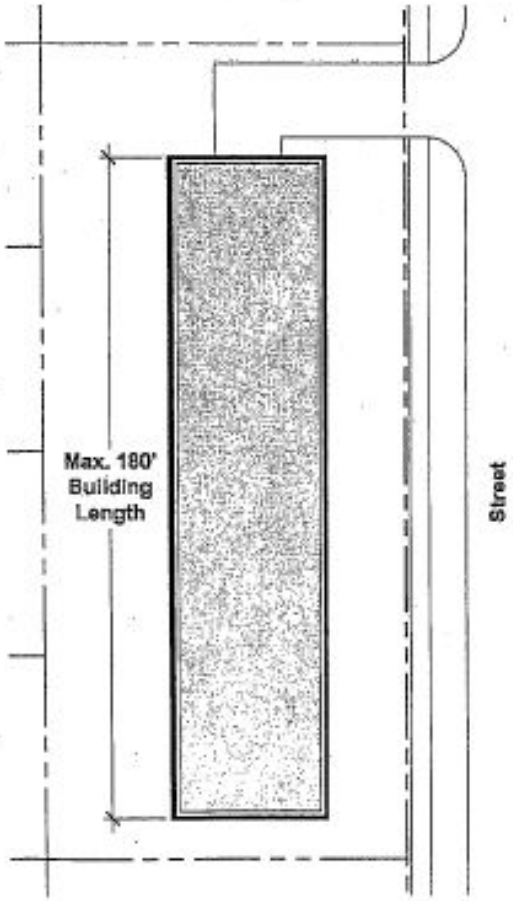


Figure 3 Townhouse Build-to Zones and Yards for interior lots (top) and corner lots (bottom)

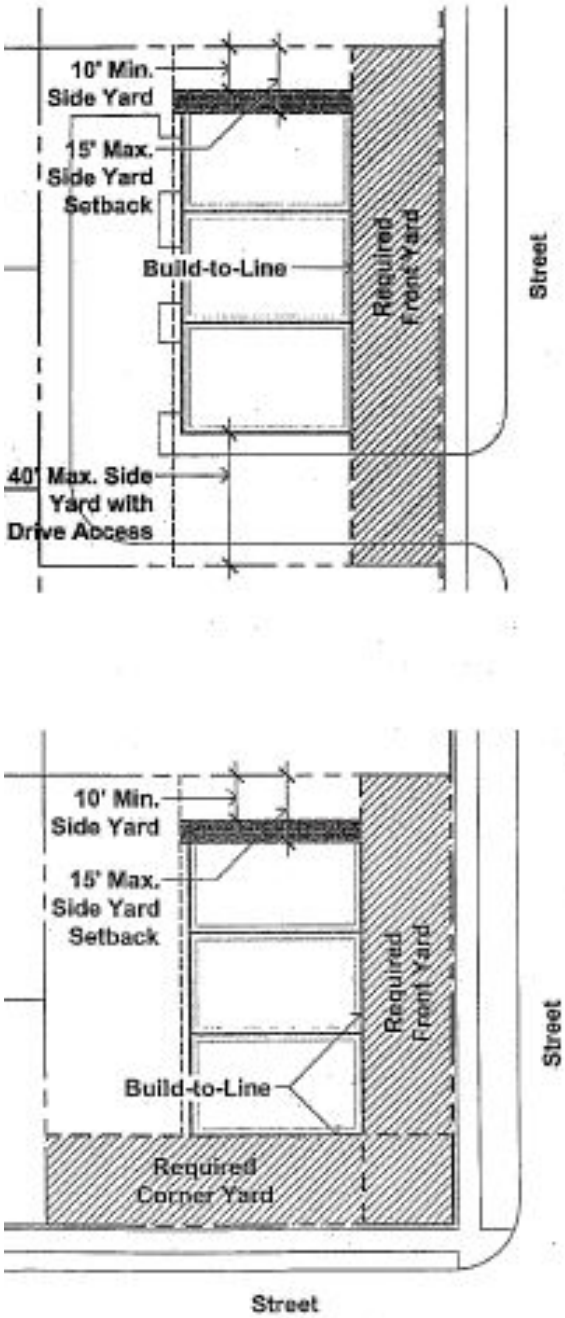
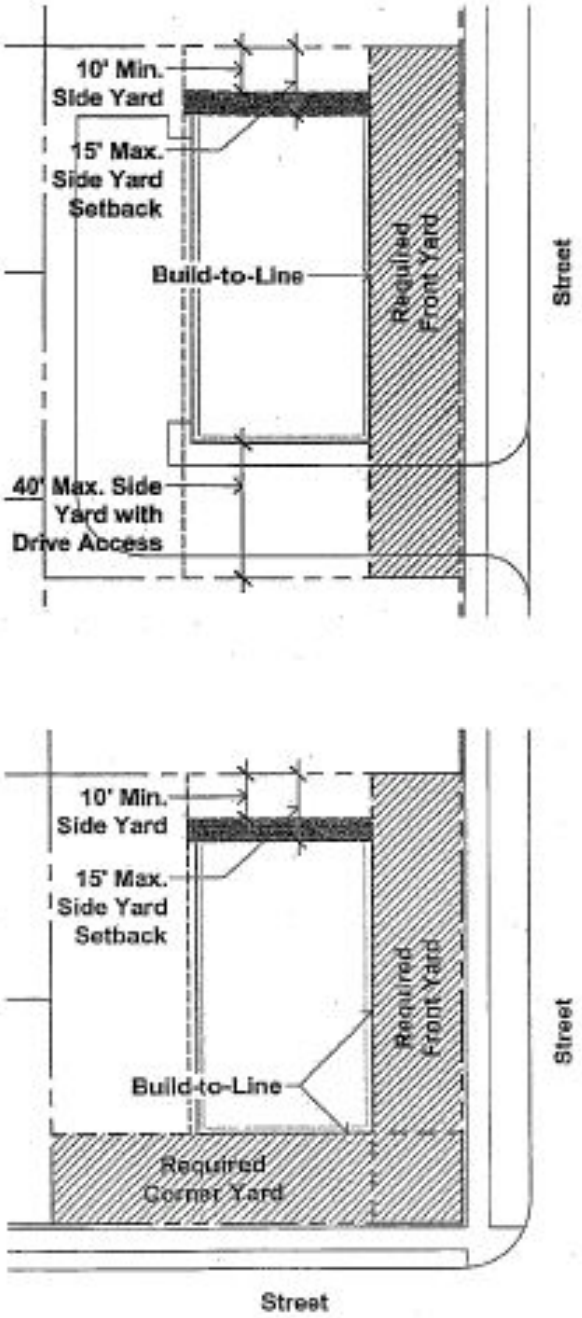


Figure 4 Multi-family Build-to Zones and Yards for interior lots that do not include curb cuts (top) and corner lots (bottom)

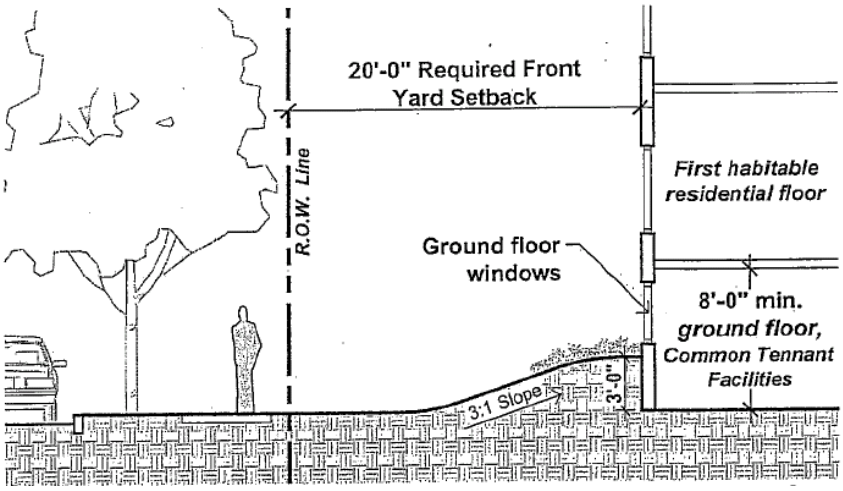


18.50.10. *Design Standards.*

1. *Ground Floor of Multiple-Family Dwellings and Townhomes.*
   a. For any residential unit built after the effective date of this Ordinance, no habitable units are allowed on the ground floor of any multiple-family unit or institutional facility designed to accommodate overnight stay. The first habitable floor of all multiple-family buildings shall be a minimum of eight (8) feet above grade. Parking, entry and public areas may be located on the first floor.
   b. Portions of the nonhabitable ground floor façade not used for building access or fenestration shall be designed according to the following requirements:
      (1) For multifamily buildings that use the ground floor for common tenant facilities (such as a fitness room, or meeting space), foundation landscaping and/or grading shall be used to screen the portion of the wall between the existing grade and a line three (3) feet above the existing grade. (See Figure 5.) On the portion of the ground floor façade above this line, windows shall be provided that create an appropriate level of transparency and reflect the character of the upper floor façade design. Landscaping may be omitted directly in front of windows or doors in order to provide adequate interior light and access.

For multifamily buildings that do not use the ground floor for common resident facilities, or use it for utility spaces (such as vehicular parking, storage, or building infrastructure), foundation grading shall be provided such that the grading meets the building façade at a point four (4) feet above the existing grade. In addition, foundation landscaping shall be provided in accordance with Section 6 of this section.

Figure 5. Multi-family grading with common tenant facilities



   (2) Ground floor parking areas shall be designed in such a way that they are fully integrated into the design of the structure rather than appearing as separate elements of the building's design. Simple screening of the areas shall not suffice; rather, the areas should be treated with a continuation of the structures façade treatment, subject to the review and approval of the City Planning Commission staff.
   (3) For townhouses, the entire portion of the ground floor façade between the existing grade and a line four (4) feet above the existing grade shall be screened. (See Figure 6.) Screening techniques may include grading and landscaping, or stairs and hardscape that provide

access to the first habitable floor, or a combination of both. (See Figure 7.) However, no flight of stairs shall account for more than four (4) feet in elevation change without providing a landing area.

Figure 6. Multi-family grading without common tenant facilities

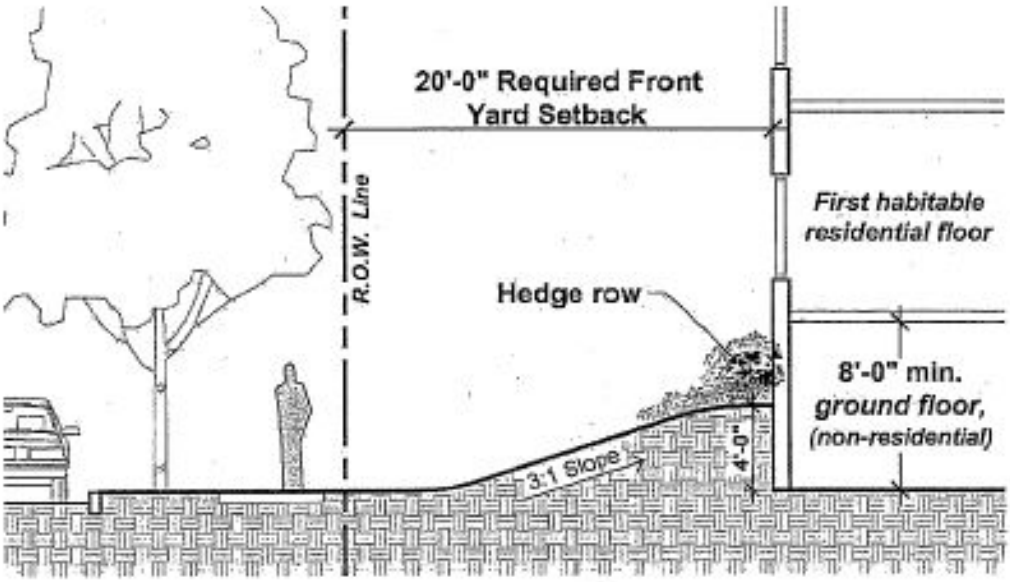


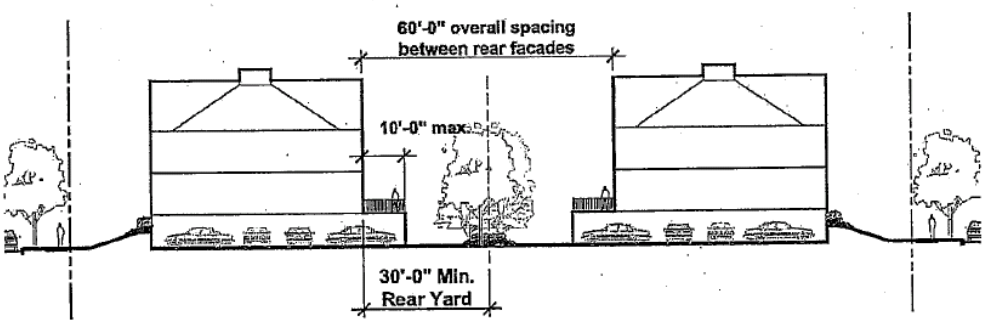
Figure 7. Townhouse grading and hardscape example



2. *Façade Articulation and Reduction of Mass and Scale.*
   a. All buildings should be oriented towards the public street in terms of architectural interest and materials, façade transparency, and building access.
   b. All buildings shall provide a clearly articulated entry from the public sidewalk and from rear parking areas.
   c. Large, flat façades shall be prohibited. The building mass shall be articulated to create substantial shadows and visual interest. Form giving elements such as, but not limited to, windows, dormers, projected entrances and overhangs are required on the street facing façade.

d. For townhouses, the rear façade of a building shall not be within sixty (60) feet of the rear façade of another townhouse building. Non-residential ground-floor facades are permitted to encroach into the required yard up to ten (10) feet beyond the edge of the upper story residential façade.

Figure 8 Townhouse rear spacing requirement cross-section



e. Façades shall be designed to be viewed from multiple directions and, therefore, they shall be designed with consistent materials and treatment that wraps around all façades. There shall be a unifying architectural theme for an entire multiple-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials and colors around the entire structure.

f. To avoid the appearance of blank walls facing the street, when the side walls of a multiple-family or townhouse dwelling face a street, building façades shall be designed with elements of a front façade, including doors and/or windows. However, fire stairs shall be completely enclosed within the structure.

g. Windows and doors shall have raised elements to create shadow and articulation. In addition, three-dimensional elements, such as balconies and bay windows, shall be incorporated to provide dimensional elements on a façade. Windows shall be set back ("punched") into or projected out from the façade to provide façade depth and shadow, vertical in orientation and a consistent style.

h. All attached townhouse units within the same buildings shall have the same unit width.

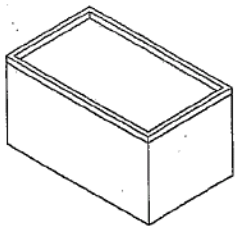
3. *Roof Forms.*

a. Allowable roof types include:

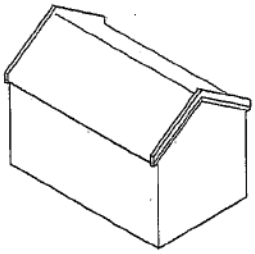
(1) For townhouses, pitched gable roofs;

(2) For multifamily buildings, pitched gable roofs and flat roofs shall be allowable, although flat roofs shall be discouraged unless they contribute to the overall aesthetic quality of the structure.

Figure 9 Allowable roof forms



Flat



Gable Roof

b. To ensure that new developments are consistent and compatible with the surrounding neighborhood character, consistency in the roofline shall be achieved by using similar roof forms with varying height and proportion.

c. Varied roof planes should be used to create visual interest and reflect articulated façade massing. However, roof planes should be similar in slope, materials and detail to create a unified theme and silhouette.

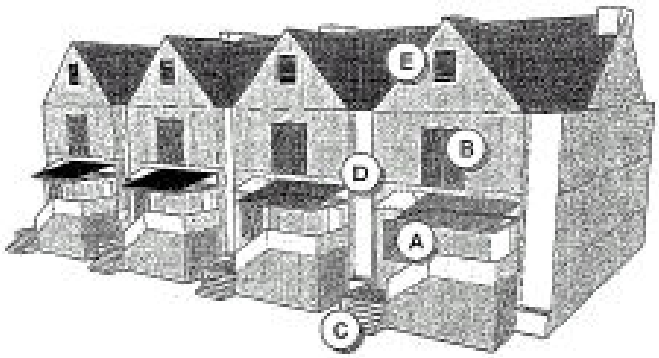
d. Large, monotonous, simple pitched roofs, without breaks in the expanse of the roof, shall be avoided. Dormers and gables can be used to break up large expanses of roof area. For flat roofs, cornices and parapets shall be used to add variety and break up the roofline. Rooflines shall be modulated every seventy-five (75) feet through the use of varied roof heights.

e. All rooftop mechanical equipment shall be screened from view from the adjacent rights-of-way and shall not be visible from ground level or elevated roadways.

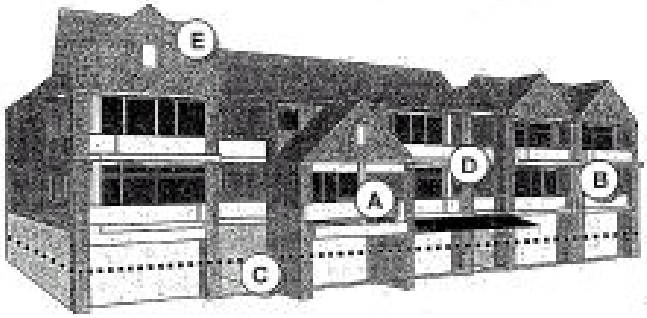
4. *Representative Building Types.* The following images in Figure 10 represent desired building design concepts for future development. Building design should generally emulate the scale, massing and design detail as illustrated, and reflect the noted principles.

Figure 10 Representative Building Types

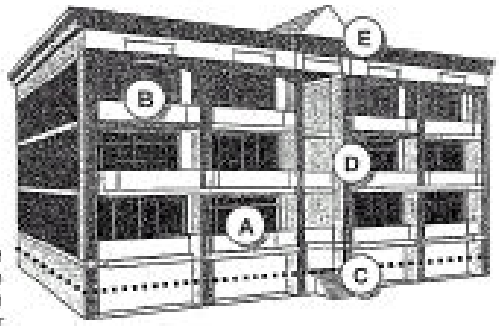
Townhouse Development



Multi-family Development



Minimum façade screening line as regulated in section 9.A.2 of this chapter



Minimum façade screening line as regulated in section 9.A.2 of this chapter

A First residential floor (min. 8' above grade)

B Transparency and balconies oriented towards the street

C Direct building access from public sidewalk

D Articulated façade elements

E Varied roof forms and elevations

5. *Parking Areas and Pedestrian Walkways.* (See Figures 11 & 12.)

   a. No parking shall be located in the required front and corner side yards. Such yards must be landscaped. Any surface parking shall be located to the rear of the lot, in areas that are less visible or prominent from the street. Large parking areas shall be broken into smaller segments separated by landscaping but still linked to provide adequate on-site circulation and access.

   b. Driveways shall be consolidated, where possible, in order to reduce curb cuts. Adjacent townhouse or multifamily buildings should, where possible, share driveway access.

   c. Clearly defined pedestrian access from any parking areas to the building shall be required. A clearly defined visible and identifiable network of pedestrian connections shall be provided in and between parking lots, street sidewalks, open spaces and buildings.

   d. Interior lots may provide access from the primary street, although the number of access points should be minimized to the extent possible. Corner lots shall provide access to parking from the less prominent street to be determined through site plan review.

   e. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.

Figure 11. Townhouse vehicular access for interior lots (top) and corner lots (bottom)

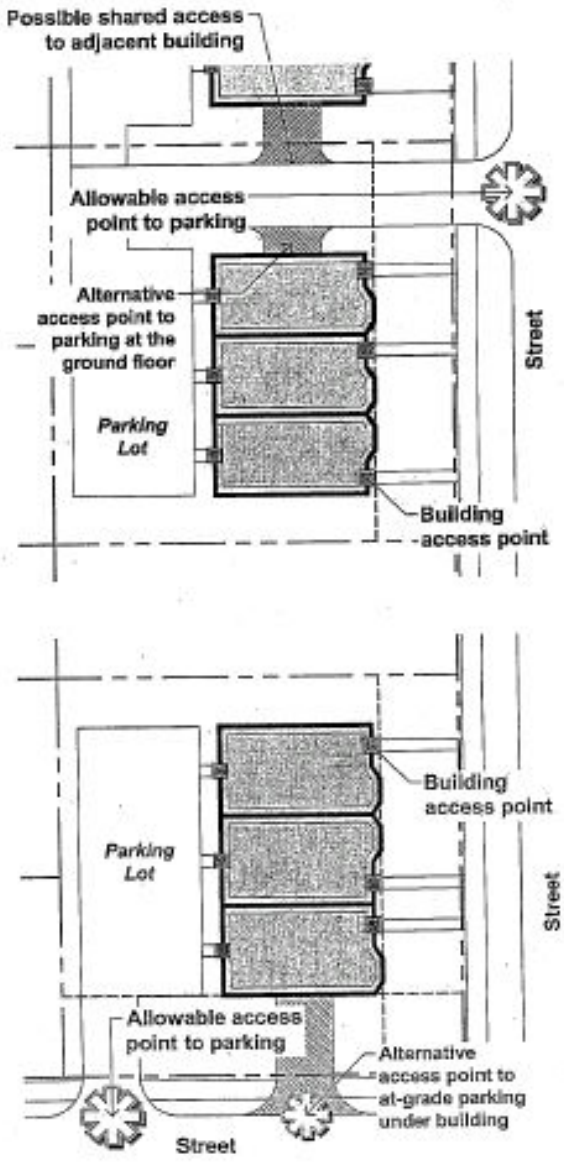
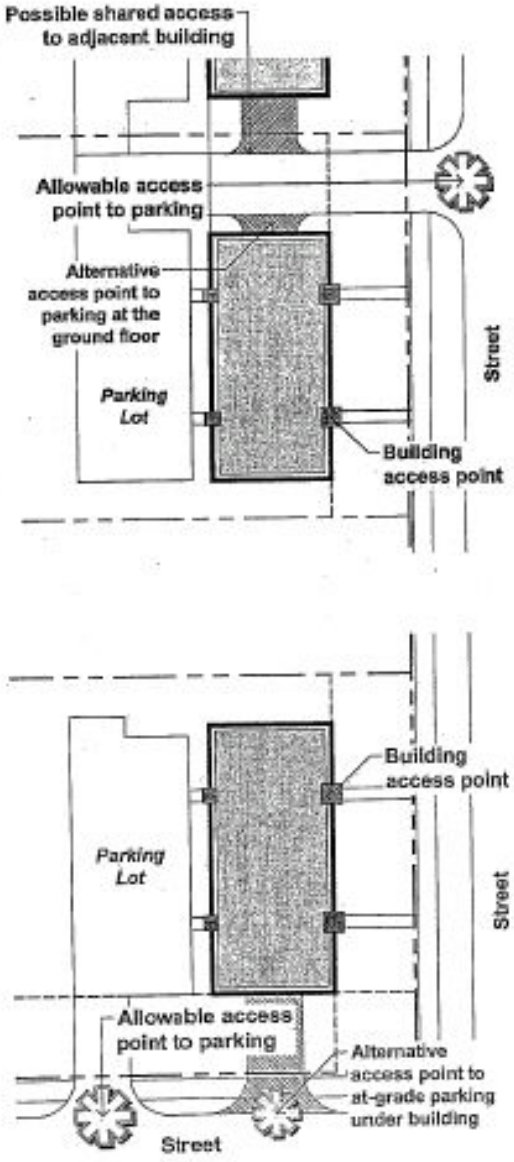


Figure 12. Multi-family vehicular access for interior lots (top) and corner lots (bottom)



6. *Building Materials.* A list of permitted and prohibited building materials is included as follows.
   a. *Permitted Building Materials.* Approved materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Clay brick;
      (2) Natural or cast stone (minimum four-inch thickness);
      (3) Cedar or equivalent simulated wood, or fiber-cement, horizontal siding;
      (4) Cementitious stucco;
      (5) Wood, molded polymer, copper, and fiber cement material for trim, freeze boards, soffits and fascia boards; aluminum or vinyl material may be used for soffits and fascia boards only;
      (6) Architectural concrete block for a foundation course only and for a maximum of six (6) feet above the three-foot required berm;
      (7) Slate or tile roofing material;
      (8) Terra cotta or similar glazed masonry units;
      (9) Architectural grade asphalt and fiberglass shingles for roofs only;
      (10) Glass block for accenting purposes (glass block walls are not included in this category);
      (11) Fiber cement siding (i.e., hardi plank);
      (12) Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this district.
   b. *Prohibited Materials.* Prohibited materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Standard concrete masonry units (CMU);
      (2) King-size or jumbo brick;
      (3) Exposed aggregate (rough finish) concrete wall panels;
      (4) Plywood, composite plywood or masonite sidings (T-111);
      (5) Panel brick or thinset stone veneers;
      (6) Plastic;
      (7) Glass curtain wall systems;
      (8) Reflective glass;
      (9) Bright wall flashings and copings;
      (10) Metal wall panels;
      (11) Exterior insulation finish systems (EIFS) (e.g. "Dryvit);
      (12) Miscellaneous metas;
      (13) Stuccato board;
      (14) Wood shake shingles.
7. *Landscaping:* All proposed trees and shrubs shall be identified as acceptable by the LSU AgCenter.
   a. *[Minimum requirement.]* No less than fifty percent (50%) of the entire site shall contain landscape or other pervious materials.
   b. *Required Screening.* The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
      (1) When a vehicular use area abuts any residential district or permitted residential use, a six-foot-high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.

(2) When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian access ways.

(3) Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.

c. *Interior Landscaping of Vehicular Use Area.* Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:

(1) The total of all interior landscaped areas shall occupy a minimum of ten percent (10%) of the vehicular use area.

(2) Each interior landscape area shall be at least one hundred (100) square feet in area.

(3) The length of any side shall be at least five (5) feet.

(4) The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety-degree height of six (6) inches.

(5) Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one hundred (100) square feet of interior landscape island. Trees shall be a minimum of 12 feet in height and a minimum of three (3) inches diameter breast height (d.b.h.).

(6) There shall be at least three (3) shrubs, each having minimum height of two (2) feet and a minimum spread of eighteen inches (18") upon installation, for each tree planted within the development. Such shrubs may be planted in any combination or configuration. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, bulbs, or other herbaceous perennials, providing they meet the minimum size requirement.

(7) All residual areas not specified for parking, travel lanes or pedestrian circulation shall be landscaped.

d. *Perimeter Landscape Strip.* The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement as described in subsection c.(1), above.

(1) A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:

(a) Where access ways exist between vehicular use areas of separate developments.

(b) Where required landscape buffer is located.

(c) Where service drives or loading zones are located behind a main building, and are not visible from the main parking area or abutting property.

(d) Where a vehicular use area abuts a building.

(2) Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:

(a) The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.

(b) Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

(3) Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems. Design priority shall be given to the area first approved.

(4) Trees shall be planted within the perimeter strips at the same rate and at the same minimum height and d.b.h. as for the interior landscape areas, that is, one (1) tree per one hundred (100) square feet of landscape area, a minimum height of twelve (12) feet, and a minimum three (3) inches d.b.h. They may be planted either evenly spaced or in groups or clusters.

e. *Credit for Preserved Trees.* Trees which have been identified by the LSU Cooperative Extension Service tree rating guide as acceptable may be included for credit towards the requirements of this Ordinance according to the following criteria:

Diameter of Trunk Measured 4½ Feet Above Ground	**Number of Trees Credited**
36" or greater	9
26"—35"	7
13"—25"	5
4"—12"	3

(1) If any preserved tree dies within three (3) years of construction, one (1) tree shall be replaced for each tree credited against such a preserved tree.

(2) For each tree to be credited, a planting area or open ground area of at least twenty-five (25) square feet shall be included around trees up to four (4) inches in diameter. An additional twenty-five (25) square feet is required for each additional two (2) inches of tree trunk diameter, measured four and one-half (4½) feet above the natural grade.

(3) In no case shall the trunk area of a preserved tree be closer to the edge of the planting area than one-third (1/3) of the length of the longest side of the open ground area in which it is planted.

(4) If the developer is to utilize the above tree credit program, then the health and measurement of all trees proposed for credit shall be verified by a certified licensed arborist.

8. *Stormwater Management.* For all sites greater than or equal to one (1) acre in total site area, the developer shall submit a stormwater management plan to the City Planning Commission staff and the Sewerage and Water Board for review and approval.

(Ord. 27,845, § 1, adopted 3/11/10)

18.50.11. *Appeals.*

Any appeals shall be to the City Council in accordance with Article 16, Section 16.4.5(3) of the Comprehensive Zoning Ordinance.

(Ord. 27,845, § 1, adopted 3/11/10)

18.50.12. *Duration of Designation.*

The Interim Zoning District is to be in effect for a period of one (1) year and is subject to extension as provided by Section 3-126 of the City Charter.

The effectiveness of this Interim Zoning District be and the same is hereby extended for an additional 180-day period from September 22, 2011, through March 22, 2012.

(Ord. 27,845, § 1, adopted 3/11/10)

(Ord. No. 024332, § 1, 3-3-11; Ord. No. 024653, § I, adopted 11/3/11; Ord. No. 024653, § I, adopted 11/3/11)

Section 18.51 Eastern New Orleans Renaissance Corridor Interim Zoning District.

18.51.1. Purpose of the District.

The purpose of this district is to provide for a superior environment along major urban transportation corridors in Eastern New Orleans through the application of an overlay zoning district. The overlay district regulations are intended to supplement the regulations of the underlying (base) zoning districts and to provide for the harmony and compatibility of development over designated corridors. These special regulations include site design requirements intended to complement land use development and to establish a positive design image along the corridor.

(Ord. 23893, § 1, adopted 3/11/10)

18.51.2. Areas of Applicability.

The Eastern New Orleans Renaissance Corridor Interim Zoning District applies to:

1. The Eastern New Orleans Renaissance Corridor District;
2. The HUC Highway Urban Corridor District;
3. The UC Urban Corridor District as applied in New Orleans East which includes those lot(s) fronting on and all lots(s) fronting on intersecting major streets one (1) municipal square length to the rear along Chef Menteur Highway for the entirety of its length from the Industrial Canal to the Michoud Levee and the proposed Route 87 and along Downman Road for the entirety of its length from Chef Menteur Highway to the lake.

(Ord. 23893, § 1, adopted 3/11/10)

18.51.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in these Eastern New Orleans Renaissance Corridor Interim Zoning District regulations, the regulations of the underlying zoning district(s) shall apply. Single- and two-family uses when located in a single- or two-family zoning district shall not be subject to the regulations of the Eastern New Orleans Renaissance Corridor Interim Zoning District. Nothing herein shall be construed to supersede site plans approved under preexisting zoning districts such as a residential planned community (RPC), conditional use (CU), industrial park (BIP), etc.

(Ord. 23893, § 1, adopted 3/11/10)

18.51.4. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district.

18.51.5. Permitted Uses.

The permitted uses authorized in the Eastern New Orleans Renaissance Corridor Interim Zoning District shall be the same as the permitted uses authorized in the applicable underlying zoning district and any applicable overlay districts. These uses are subject to compliance with the special site design conditions specified in Sections 18.51.11, 18.51.12, and 18.51.13.

(Ord. 23893, § 1, adopted 3/11/10)

18.51.6. Accessory Uses.

The accessory uses authorized in the Eastern New Orleans Renaissance Corridor Interim Zoning District shall be the same as the accessory uses authorized in the applicable underlying zoning district and any applicable overlay districts. These uses are subject to compliance with the special site design conditions specified in Sections 18.51.11, 18.51.12, and 18.51.13.

However, in the case of multifamily residential dwellings, the accessory uses shall be the same as the accessory uses in Article 18, Section 18.50.5 Accessory Uses in the RM-2E District.

(Ord. 23893, § 1, adopted 3/11/10; Ord. 23893, § 1, adopted 3/11/10; Ord. No. 024709, § 1, adopted 12/15/11)

18.51.7. Conditional Uses.

The conditional uses authorized in the Eastern New Orleans Renaissance Corridor Interim Zoning District shall be the same as the conditional uses authorized in the applicable underlying zoning district and any applicable overlay districts. These uses are subject to compliance with the special site design conditions specified in Sections 18.51.11, 18.51.12, and 18.51.13.

The following uses authorized as permitted uses in the underlying zoning districts shall be conditional uses in the Eastern New Orleans Renaissance Corridor Interim Zoning District:

1. Retail uses with gross floor area equal to or greater than seven thousand five hundred (7,500) square feet in the C-1 and C-2 General Commercial Districts and B-1 and B-2 Neighborhood Business Districts. This shall include new construction as well as renovation of existing structures or tenant spaces equal to or greater than seven thousand five hundred (7,500) square feet in gross floor area.

(Ord. No. 25070, § 1, adopted 11/1/12)

18.51.8. Special Provisions for Multiple-Family Dwellings.

1. Multiple-family dwellings in the C-1 and C-2 Districts shall comply with the special site design conditions specified in Section 18.51.12, including the prohibition of habitable residential units on the ground floor of any structure located in the C-1 and C-2 Districts. The ground floor of all buildings in the C-1 and C-2 Districts designed to accommodate residential shall be used for retail or services uses.
2. Multiple-family dwellings in all other districts shall comply with the special site design requirements of Section 18.51.13.

18.51.9. FAR and Height Requirements.

The following FAR and height requirements supersede those of and take precedence over the FAR and height regulations in the underlying zoning districts.

1. *Permitted Maximum FAR.* All permitted uses in the Eastern New Orleans Renaissance Corridor Interim Zoning District shall have a maximum Floor Area Ratio (FAR) of 1.00, except for permitted uses in the C-2, General Commercial Districts, which shall have a maximum FAR of 2.00.
2. *Permitted Maximum Building Height.* The maximum building height in the Eastern New Orleans Renaissance Corridor District shall be the same as the permitted maximum building height in the applicable underlying zoning district.

(Ord. 23893, § 1, adopted 3/11/10)

18.51.10. Permitted Signs.

The following sign regulations supersede those of and take precedence over the sign regulations in the underlying zoning districts. For the purpose of this section, "development" refers to a site which is a lot or lots considered a unit. Each development shall be permitted one (1) sign of each permitted type, in accordance with applicable regulations, for each street frontage, for each permitted use on the premises. Sign area for all signs shall be calculated by boxing off the perimeter of the entire sign area.

1. *Accessory Signs.* Each business on the premises shall be allowed either one (1) flat sign or one (1) projecting sign subject to the following provisions:
   a. *Permitted Contents.* Identification by letter, numeral, symbol, or design of the use, its name and/or address and the nature of the use.
   b. *Permitted Sign Area.* The allowable sign area shall be computed at one (1) square foot per lineal foot of building width or individual tenant space along the wall on which the business has its main entrance. Illuminated signs shall be included in the computation of

aggregate sign area and in addition shall be limited to ten percent (10%) of the total glass area of the window in which they are placed. Neon tubing outlining a shop window or within five (5) feet of such window shall be included in the sign area and measured by multiplying the length of the tubing by six (6) inches.

2. *Signs located within the UC Urban Corridor and the ENORC Eastern New Orleans Renaissance Corridor.*
   a. In no case shall the area for any flat or projecting sign be greater than seventy (70) square feet.
3. *Signs located within the HUC Highway Urban Corridor.*
   a. In no case shall the area of any flat or projecting sign be greater than 200 square feet.
   b. *Permitted Dimensions.* In every case the height of any flat or projecting sign measured from the bottom to the top shall be no greater than one-half (½) the width from one (1) side to the other. No projecting sign shall extend more than five (5) feet from the face of the building.
   c. *Permitted Height.* No accessory sign shall be erected above the parapet level of the main building.
   d. *Permitted Illuminations.* The sign may be illuminated but may not flash, blink, or fluctuate.
   e. *Animation.* No sign shall be animated or change physical position by any movement or rotation.
   f. *Temporary Nonilluminated Paper Signs.* Such signs in show windows are limited to ten percent (10%) of the total glass area of the window in which they are placed.
4. *Canopy Signs.* Each business on the premises shall be allowed two (2) canopy signs with the area for each sign limited to six (6) square feet.
5. *Directional Signs.* Signs which give directions to motorists regarding the location of parking areas and access drives shall be permitted as accessory signs and shall not be included in any computation of sign area. Such directional signs are limited in area to four (4) square feet and shall not be more than six (6) feet in height above the ground but may not flash, blink, or fluctuate; and shall not be animated.
6. *Detached Signs.* Each development shall be allowed one (1) monument sign subject to the content and area restrictions listed below. Pole signs are prohibited within the ENORC IZD except for those properties within the Highway Urban Corridor District.
   a. *Permitted Contents.* The contents of a detached sign for a development containing a single use is limited to identification by letter, numeral, symbol or design of the use, its name and/or address unless otherwise noted in paragraph 7 below. The contents of a detached sign for a development containing two (2) or more businesses on the premises is limited to the overall name of the development and address; uses containing over fifty thousand (50,000) square feet may have a separate detached identification sign.
   b. *Permitted Sign Area.* The allowable sign area shall be computed at one (1) square foot per lineal foot street frontage. In a development containing less than two (2) acres the maximum allowable sign area is seventy (70) square feet. The maximum allowable sign area for development containing two (2) acres or more shall be limited to one hundred (100) square feet.
   c. *Permitted Setback.* Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.

d. *Permitted Sign Height.* The maximum height permitted for a monument sign or a pole sign shall be thirty-five (35) feet.

7. *Rate and Price Signs of Gasoline Service Stations.* Gasoline service stations shall be allowed to integrate rate and price information on gasoline prices into the detached identification sign subject to the following provisions:
   a. Freestanding signs displaying price and rate information are prohibited.
   b. Price and rate information on the detached identification sign shall be limited in area to thirty percent (30%) of the surface of the sign.

(Ord. No. 23893, § 1, adopted 3/11/10; Ord. No. 23893, § 1, adopted 3/11/10; Ord. No. 024709, § 1, adopted 12/15/11; Ord. No. 25037, § 1, adopted 10/4/12)

18.51.11. Special Site Design Conditions

All authorized uses shall comply with the following standards:

1. *Landscape Buffer along Eastern New Orleans Renaissance Interim Zoning District Corridors.* All sites within the Eastern New Orleans Renaissance Corridor Interim Zone District shall provide a landscape buffer within the property line abutting the Renaissance Corridor frontage. The landscape buffer shall have a depth of not less than twenty (20) feet. No parking or pavement shall be allowed in the landscape buffer except for approved accessways, pedestrian walks, and permitted detached signs. The landscape buffer shall contain trees, shrubs, and other landscape elements. Trees shall be planted at the rate of one (1) per twenty-five (25) lineal feet of street frontage, and may be spaced evenly or planted in groups or clusters. Acceptable trees shall be limited to those with ratings of 1 Excellent or 2 Good in the most current revision of the Louisiana Cooperative Extension Service bulletin, "Tree Rating for the New Orleans Area supplement to Trees for Louisiana Landscapes", subject to the review and approval of the staff of the City Planning Commission. All such trees shall have minimum trunk sizes of two-inch caliper, and have a height of twelve (12) feet, with the exception of wax myrtle and crape myrtle, which shall be a minimum of eight (8) feet. The following palm species shall be permitted at a rate of two (2) palms and continue with a minimum clear trunk of ten (10) feet for each required tree for up to twenty-five percent (25%) of the required trees: Sabal Palmetto, Sabal Mexicana, Washington Robusta, Phoenix Canariensis and Phoenix Dactylifera 'Medjool'. Other species may be included in the landscape buffer but they may not be counted toward fulfilling the requirements of this section. Whenever a development is intended to be phased, the required landscape buffer shall be implemented as a part of the first phase undergoing construction.
2. *Setbacks.* All buildings located within the underlying B-1 and B-2 Neighborhood Business Districts and C-1 and C-2 General Commercial Districts shall be set back not less than twenty (20) feet from the property line facing the Eastern New Orleans Renaissance Corridor Interim Zoning District rights-of-way, or in cases where private streets are constructed within the interior of a development site, not greater than ten (10) feet from the interior street pavement line. In all other base zones, the buildings shall be set back not less than twenty (20) feet from the Renaissance Corridor right-of-way. No vehicular parking shall be allowed within the setback area, and the land within the setback shall be planted in turf and landscaped.
3. *Off-Street Loading.* Service drives or other areas shall be provided for off-street loading in such a way that while in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street.

4. *Off-Street Loading Screening.* All loading areas shall be screened by wooden, brick or masonry fences at least six (6) feet in height.
5. *Required Screening.* The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
   a. When a vehicular use area abuts any residential district or permitted residential use, a six-foot-high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.
   b. When any part of a vehicular use area is visible from a street or public right-of-way which abuts the property, there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. At the time of planting, shrubs shall have a minimum height of two (2) feet upon installation with an eighteen-inch spread. As an alternative, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted.
   c. Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.
6. *Interior Landscaping of Vehicular Use Area.* Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:
   a. The total of all interior landscaped areas shall occupy at least ten percent (10%) of the vehicular use area.
   b. Each interior landscape area shall be at least one hundred (100) square feet in area.
   c. The length of any side shall be at least five (5) feet.
   d. The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety-degree height of six (6) inches.
   e. Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one hundred (100) square feet of interior landscape island. * See 18.51.11.1 for acceptable trees.
   f. There shall be at least three (3) shrubs, each having minimum height of two (2) feet upon installation with an eighteen-inch spread, for each tree planted within the development.
   g. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.
7. *Perimeter Landscape Strip.* The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement, as described in subsection (F)(1) [6.a.], above.
   a. A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:
      (1) Where access ways exist between vehicular use areas of separate developments.
      (2) Where required landscape buffer is located.
      (3) Where service drives or loading zones are located behind a main building, and are not visible from the main parking area and not directly abut a residential zoning district.

(4) Where a vehicular use area abuts a building.

b. Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:
   (1) The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.
   (2) Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

c. Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems.

d. Trees shall be planted within the perimeter strips at the same rate as for the interior landscape areas, that is, one (1) tree per one hundred (100) square feet of landscape area. They may be planted either evenly spaced or in groups or clusters. * See 18.51.11.1 for acceptable trees.

8. *Credit for Preserved Trees.* Trees which have been identified by the LSU Cooperative Extension Service tree rating guide as 1 Excellent may be included for credit towards the requirements of this Ordinance according to the following criteria:

Diameter of Trunk Measured 4½ Feet Above Ground	**Number of Trees Credited**
36" or greater	9
26"—35"	7
13"—25"	5
4"—12"	3

a. If any preserved tree dies within three (3) years of construction, one (1) tree shall be replaced for each tree credited against such a preserved tree.

b. For each tree to be credited, a planting area or open ground area of at least twenty-five (25) square feet shall be included around trees up to four (4) inches in diameter. An additional twenty-five (25) square feet is required for each additional two (2) inches of tree trunk diameter, measured four and one-half (4½) feet above the natural grade.

c. In no case shall the trunk area of a preserved tree be closer to the edge of the planting area than one-third (⅓) of the length of the longest side of the open ground area in which it is planted.

d. If the developer is to utilize the above tree credit program, then the health and measurement of all trees proposed for credit shall be verified by a certified licensed arborist.

9. *Special Design Considerations for Vehicular Storage Yards.* The landscape requirements set forth by this section do not apply to automobile vehicular storage yards. For purposes of this section, a "vehicular storage yard" is defined as any exterior area within an automobile dealership development that is used exclusively for the storage of vehicles intended for sale. The following criteria shall be used in determining compliance:

a. A vehicular storage yard shall not be accessible to vehicular traffic of the general public.

b. Any vehicular storage yard shall be located behind the minimum building setback of fifty (50) feet.

c. Any vehicular storage yard shall be enclosed with an opaque fence having a minimum height of six (6) feet. A wooden fence or masonry wall may be used to satisfy this requirement.

d. Automobile display pads may be located within the twenty-foot landscape buffer, subject to the following provisions:

(1) Only one (1) automobile display pad per one hundred (100) lineal feet of street frontage is permitted.

(2) Any automobile display pad shall be set back a minimum of ten (10) feet from the public right-of-way, and shall contain sufficient area for the display of one (1) automobile.

(3) Any automobile display pad shall have a maximum height of three (3) feet above curb elevation.

(4) Except for permitted automobile display pads as described above, all other landscape requirements as indicated in this section shall apply to the required landscape buffer zone in any automobile dealership development.

10. *Exterior Lighting.*

a. *Light Trespass and Distraction.*

(1) No exterior lighting shall glare into, or upon, the surrounding area or any residential premises. In addition, no exterior lighting may be used in any manner that should interfere with the safe movement of motor vehicles on public streets. The light level shall be no greater than one-half (0.5) foot-candle at a residential property line and one (1) foot-candle at any nonresidential property line or public right-of-way line.

(2) Specifically, the following types of light trespass are prohibited:

(a) Any light not designed for roadway illumination that produces direct or reflected glare that could disturb the operator of a motor vehicle.

(b) Any light that may be confused with, or construed as, a traffic control device, except as authorized by state, federal or local government.

b. *Unshielded Lighting.* The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, is prohibited, except on a temporary basis in areas where approved carnivals, fairs of other similar activities are held and only when such activities are taking place.

c. *Light Pole and Building-Mounted Lighting Heights.* The maximum height of light poles on private property, as measured from grade at the base to the bottom of the luminaries, shall be as specified below. These standards do not apply to public right-of-way lighting. Permitted light pole heights shall be as follows:

(1) *Nonresidential Uses.*

(a) Light poles and building-mounted fixtures shall be designed with fully shielded luminaries. Such poles or mounts shall not exceed twenty-five (25) feet in height.

(b) Light poles for outdoor recreational facilities shall not exceed sixty (60) feet in height. Exterior lighting for the outdoor recreation areas is subject to administrative site plan review. Light poles for outdoor recreational facilities that exceed sixty (60) feet in height may be considered as a conditional use.

(2) *Residential Uses.* Light poles for single- and two-family dwellings shall not exceed eight (8) feet in height. Light poles for nonresidential uses, multifamily and townhouse

uses shall not exceed twelve (12) feet in height. Lighting, including under-soffit lighting mounted upon a single-family, two-family or townhouse residential dwelling, shall not be mounted higher than fifteen (15) feet above grade.

(Ord. No. 23893, § 1, adopted 3/11/10; Ord. No. 024709, § 1, adopted 12/15/11)

18.51.12. B-1 and B-2 and C-1 and C-2 Base District Design Standards.

Development within the B-1 and B-2 Neighborhood Business Districts and C-1 and C-2 General Commercial Districts shall comply with the design standards of this section.

1. Residential Development.
   a. No residential units are allowed on the ground floor of any structure located in the B-1 and B-2 and C-1 and C-2 Districts. The ground floor of all buildings designed to accommodate residential shall be used for retail or services uses. The first floor of habitable residential uses shall be a minimum of twelve (12) feet above grade.
   b. No building containing residential units shall exceed one hundred fifty (150) feet in length and one hundred (100) feet in width.
2. *Façade.*
   a. Multistory buildings shall be designed with a definable base, middle and top. Rooflines, cornice treatments, and window designs shall divide larger buildings.
   b. Façades of buildings, including side façades, shall be visually broken into bays to avoid the appearance of large, blank walls. When visible from the public right-of-way, façades shall include architectural features to avoid the appearance of blank walls facing the street. These include, but are not limited to, changes in the wall plane of at least two (2) feet, changes in wall texture or masonry patterns, colonnade, columns or pilasters.
   c. The use of multiple materials, textures or colors is required to add visual interest to the façade. Building façades in excess of one hundred (100) feet shall include a repeating pattern with no less than two (2) of the following elements: color change, texture change, material module change, or a wall articulation change of no less than two (2) feet such as an offset, reveal, pilaster or projecting rib. All elements shall repeat at intervals of no more than twenty (20) feet.
   d. Predominant façade colors shall be subtle, neutral or earth-tone colors. Primary colors, high-intensity colors such as hot pink or bright blue, metallic or fluorescent colors, and black are prohibited as predominant façade colors. Building trim and accent areas may be brighter and include primary colors.
3. *Fenestration.*
   a. Windows shall be set back into or projected out from the façade to provide depth and shadow. Windows shall include visually prominent sills or other appropriate forms of framing. Awnings or shutters shall be used to accentuate window openings and add interest to the design of the building. Shutters shall be functional rather than solely decorative.
   b. The ground floor shall maintain a transparency of sixty percent (60%). Windows shall be constructed of clear or lightly tinted glass (no tinting above twenty percent (20%) or reflective glass).
4. *Rooflines.*
   a. Roofs shall be designed as an integral part of the façade design.

b. Roof lines shall either be varied with a change in height or with the incorporation of a major focal point feature, such as a dormer, gable or projected wall feature, every one hundred (100) linear feet in building length.
c. Flat roofs shall be discouraged except where they contribute to the overall aesthetic quality of the structure.
d. Mansard roofs are prohibited.
e. Parapet walls shall feature three-dimensional cornice treatments or other shadow-creating detail elements along their tops.
f. Green roof designs will be considered when the design contributes to the overall aesthetic quality of the structure.
g. All mechanical equipment shall be screened from view from the adjacent rights-of-way and shall not be visible from ground level or elevated roadway.

5. *Entrances.*
   a. All buildings shall have a public entrance from the sidewalk along the primary street frontage. Public entrances shall be articulated from the building mass.
   b. Façades that abut parking areas and contain a public entrance shall make provision for pedestrian walkways and landscape areas.
   c. If outlot buildings are part of a large retail development, outlot buildings shall define the street frontage by placement near the street with showcase windows and entrances oriented toward the street, as well as to the interior parking lot. "Outlot" is defined as a lot of record which is part of a larger zoning lot or use lot, which shares access and egress routes or drives with the larger zoning lot and is locating abutting the property lines of the zoning lot, usually bordering upon a major road.
6. *Building Materials.*
   a. The following materials are permitted for use on exterior elevations:
      (1) Clay brick (utility-sized brick is prohibited);
      (2) Natural or cast stone;
      (3) Wood;
      (4) Architectural precast concrete;
      (5) Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this district.
   b. The following building materials are prohibited. However, such materials may be used as part of decorative or detail elements, or as part of the exterior construction that is not used as a surface finish material.
      (1) Plain concrete block;
      (2) Utility-sized brick;
      (3) Aluminum, steel or other metal sidings;
      (4) Metal wall panels;
      (5) Exposed aggregate (rough finish) concrete wall panels;
      (6) Exterior insulating finish systems (EIFS);
      (7) Plastic;
      (8) Glass curtain walls.
   c. Use of uniform exterior building materials is required on all façades.

(Ord. No. 23893, § 1, adopted 3/11/10; Ord. No. 024709, § 1, adopted 12/15/11)

18.51.13. Multiple-Family Dwelling Design Standards.

Multiple-family dwellings outside of the C-1 and C-2 General Commercial Districts shall comply with the design standards of this section.

1. *Ground Floor of Multiple-Family Dwellings and Townhomes.*
   a. No habitable units are allowed on the ground floor of any multiple-family or townhome unit. The first habitable floor of all multiple-family buildings or townhome unit shall be a minimum of eight (8) feet above grade. Parking, entry and public areas may be located on the first floor. All parking areas shall be designed such that they are fully integrated into the design of the structure rather than appearing as separate elements of the building's design. Simple screening of the areas shall not suffice rather the areas shall be treated with a continuation of the structures façade treatment, subject to the review and approval of the City Planning Commission staff.
   b. Portions of the nonhabitable ground floor façade not used for building access or fenestration shall be designed according to the following requirements:
      (1) For multifamily buildings units that use the ground floor for common tenant facilities (such as a fitness room or meeting space), foundation landscaping and/or grading shall be used to screen the portion of the wall between the existing grade and a line three (3) above the existing grade. (See Figure 1) On the portion of the ground floor façade above this line, windows shall be provided that create an appropriate level of transparency and reflect the character of the upper floor façade design. Landscaping may be omitted directly in front of windows or doors in order to provide adequate interior light and access.
      (2) For multifamily buildings that do not use the ground floor for common resident facilities, or use it for utility spaces (such as vehicular parking, storage, or building infrastructure), foundation grading shall be provided such that the grading meets the building façade at a point four (4) feet above the existing grade. In addition, foundation landscaping shall be provided in accordance with subsection 6 of this section.
      (3) For townhouses, the entire portion of the ground floor façade between the existing grade and a line four (4) feet above the existing grade shall be screened. (See Figure 2) Screening techniques may include grading and landscaping, or stairs and hardscape that provide access to the first habitable floor, or a combination of both. (See Figure 3) However, no flight of stairs shall account for more than four (4) feet in elevation change without providing a landing area.
2. *Façade Articulation and Reduction of Mass and Scale.*
   a. All buildings should be oriented toward the public street in terms of architectural interest and materials, façade transparency, and building access.
   b. All buildings shall provide a clearly articulated entry from the public sidewalk and from rear parking areas.
   c. Large, flat façades shall be prohibited. The building mass shall be articulated to create substantial shadows and visual interest. Form giving elements such as, but not limited to, windows, dormers, projected entrances and overhangs are required on the street facing façade.
   d. For multifamily buildings and townhouses, the rear façade of a building shall not be within sixty (60) feet of the rear façade of another multifamily or townhouse building. Nonresidential ground-floor façades are permitted to encroach into the required yard up to ten (10) feet beyond the edge of the upper story residential façade. (See Figure 3)

e. Façades shall be designed to be viewed from multiple directions and, therefore, they shall be designed with consistent materials and treatment that wraps around all façades. There shall be a unifying architectural theme for an entire multiple-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials and colors around the entire structure.

f. To avoid the appearance of blank walls facing the street, when the side walls of a multiple-family or townhouse dwelling face a street, building façades shall be designed with elements of a front façade, including doors and/or windows. However, fire stairs shall be completely enclosed within the structure.

g. Windows and doors shall have raised elements to create shadow and articulation. In addition, three-dimensional elements, such as balconies and bay windows, shall be incorporated to provide dimensional elements on a façade. Windows shall be set back ("punched") into or projected out from the façade to provide façade depth and shadow, vertical in orientation and a consistent style.

h. All attached townhouse units within the same building shall have the same unit width.

3. *Roof Forms.*

a. Allowable roof types include:

(1) For townhouses, pitched gable roofs.

(2) For multifamily buildings, pitched gable roofs and flat roofs shall be allowable.

b. To ensure that new developments are consistent and compatible with the surrounding neighborhood character, consistency in the roofline shall be achieved by using similar roof forms with varying height and proportion.

c. Varied roof planes should be used to create visual interest and reflect articulated façade massing. However, roof planes should be similar in slope, in materials and detail to create a unified theme and silhouette.

d. Large, monotonous, simple pitched roofs, without breaks in the expanse of the roof, shall be avoided. Dormers and gables can be used to break up large expanses of roof area. For flat roofs, cornices and parapets shall be used to add variety and break up the roofline. Rooflines shall be modulated every seventy-five (75) feet through the use of varied roof heights.

e. All rooftop mechanical equipment shall be screened from view from the adjacent public rights-of-way and shall not be visible from ground level or elevated roadways.

4. *Representative Building Types.* The following images in Figure 5 represent desired building design concepts for future development. Building design should generally emulate the scale, massing and design detail as illustrated, and reflect the noted principles.

5. *Parking Areas and Pedestrian Walkways.* (See Figures 6 & 7)

a. No parking shall be located in the required front and corner side yards. Such yards must be landscaped. Any surface parking shall be located to the rear of the lot, in areas that are less visible or prominent from the street. Larger parking areas shall be broken into smaller segments separated by landscaping but still linked to provide adequate on-site circulation and access.

b. Driveways shall be consolidated, where possible, in order to reduce curb cuts. Adjacent townhouse or multifamily buildings should, where possible, share driveway access.

c. Clearly defined pedestrian access from any parking areas to the building shall be required. A clearly defined visible and identifiable network of pedestrian connections shall be provided in and between parking lots, street sidewalks, open spaces and buildings.
d. Interior lots may provide access from the primary street, although the number of access points should be minimized to the extent possible. Corner lots shall provide access to parking from the less prominent street to be determined through site plan review.
e. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.

6. *Building Materials* A list of permitted and prohibited building materials is included as follows.
   a. *Permitted Building Materials.* Approved materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Clay brick;
      (2) Natural or cast stone (minimum four-inch thickness);
      (3) Cedar or equivalent simulated wood, or fiber-cement, horizontal siding;
      (4) Cementitious stucco;
      (5) Wood, molded polymer copper, and fiber cement material for trim, freeze boards, soffits and fascia boards; aluminum or vinyl material may be used for soffits and fascia boards only;
      (6) Architectural concrete block for a foundation course only and for a maximum of six (6) feet above the three (3) foot required berm;
      (7) Slate or tile roofing material;
      (8) Terra cotta or similar glazed masonry units;
      (9) Architectural grade asphalt and fiberglass shingles for roofs only;
      (10) Glass block for accenting purposes (glass block walls are not included in this category);
      (11) Fiber cement siding;
      (12) Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this District.
   b. *Prohibited Materials.* Prohibited materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Standard concrete masonry units (CMU);
      (2) King-size or jumbo brick;
      (3) Exposed aggregate (rough finish) concrete wall panels;
      (4) Plywood, composite plywood or masonite sidings (T-111);
      (5) Panel brick or thinset stone veneers;
      (6) Plastic;
      (7) Glass curtain wall systems;
      (8) Reflective glass;
      (9) Bright wall flashings and copings;
      (10) Metal wall panels;
      (11) Exterior insulation finish systems (EIFS) (e.g. "Dryvit");
      (12) Miscellaneous metals;

(13) Stuccato board;

(14) Wood shake shingles.

7. *Landscaping.* All proposed trees and shrubs shall be identified as acceptable by the LSU AgCenter.
   a. *[Pervious Materials.]* No less than fifty percent (50%) of the entire site shall contain landscape or other pervious materials.
   b. *Required Screening.* The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
      (1) When a vehicular use area abuts any residential district or permitted residential use, a six-foot-high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.
      (2) When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian access ways.
      (3) Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.
   c. *[Interior Landscaping of Vehicular Use Area.]* Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:
      (1) The total of all interior landscaped areas shall occupy at least ten percent (10%) of the vehicular use area.
      (2) Each interior landscape area shall be at least one hundred (100) square feet in area.
      (3) The length of any side shall be at least five (5) feet.
      (4) The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety-degree height of six (6) inches.
      (5) Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one hundred (100) square feet of interior landscape island. Trees shall be a minimum of three-inch diameter breast height (d.b.h.) and a minimum of twelve (12) feet in height.
      (6) There shall be at least three (3) shrubs, each having minimum height of two (2) feet upon installation, for each tree planted within the development. Such shrubs may be planted in any combination or configuration. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, bulbs, or other herbaceous perennials, providing they meet the minimum size requirement.
      (7) All residuals areas not specified for parking, travel lanes, or pedestrian circulation shall be landscaped.

d. *Perimeter Landscape Strip.* The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement, as described in subsection c.(1), above.

(1) A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:
   (a) Where access ways exist between vehicular use areas of separate developments.
   (b) Where required landscape buffer is located.
   (c) Where service drives or loading zones are located behind a main building, and are not visible from the main parking area or abutting property.
   (d) Where a vehicular use area abuts a building.

(2) Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:
   (a) The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.
   (b) Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

(3) Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems. Design priority shall be given to the area first approved.

(4) Trees shall be planted within the perimeter strips at the same rate as for the interior landscape areas, that is, one (1) tree per one hundred (100) square feet of landscape area. They may be planted either evenly spaced or in groups or clusters.

e. *Credit for Preserved Trees.* Trees which have been identified by the LSU Cooperative Extension Service tree rating guide as acceptable, may be included for credit towards the requirements of this article according to the following criteria:

Diameter of Trunk Measured 4½ Feet Above Ground	**Number of Trees Credited**
36" or greater	9
26"—35"	7
13"—25"	5
4"—12"	3

(1) If any preserved tree dies within three (3) years of construction, one (1) tree shall be replaced for each tree credited against such a preserved tree.

(2) For each tree to be credited, a planting area or open ground area of at least twenty-five (25) square feet shall be included around trees up to four (4) inches in diameter. An additional twenty-five (25) square feet is required for each additional two (2) inches of tree trunk diameter, measured four and one-half (4½) feet above the natural grade.

(3) In no case shall the trunk area of a preserved tree be closer to the edge of the planting area than one-third (1/3) of the length of the longest side of the open ground area in which it is planted.
(4) If the developer is to utilize the above tree credit program, then the health and measurement of all trees proposed for credit shall be verified by a certified licensed arborist.

(Ord. No. 23893, § 1, adopted 3/11/10; Ord. No. 024709, § 1, adopted 12/15/11)

18.51.14. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for new construction, structural alteration and the installation of signage within the Eastern New Orleans Renaissance Corridor Interim Zoning District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission.

The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Article 16, Section 16.7 as augmented by the requirements and guidelines listed in Article 18, Sections 18.51.12 and 18.51.13 listed below. Upon approval of such plan, the Executive Director shall affix his/her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. No. 23893, § 1, adopted 3/11/10)

18.51.15. Appeals.

Application for any variance or waiver from requirements set forth herein or from the regulations of the underlying zoning district shall be reviewed and approved by the City Council. The request shall be submitted to the City Planning Commission, accompanied by any site plans, drawings or data, either written or graphic, as deemed necessary by the City Planning Commission, for review and recommendation. The Planning Commission shall make a recommendation within forty-five (45) days of receipt of request. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the request for the variance or waiver and shall allow discussion on the variance or waiver prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver.

(Ord. No. 23893, § 1, adopted 3/11/10)

18.51.16. Duration of Designation.

The Eastern New Orleans Renaissance Corridor Interim Zoning District is designated for a period of one (1) year. This designation may be extended pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of one hundred eighty (180) days each.

The effectiveness of this Interim Zoning District is hereby extended for a period of twelve (12) months from May 3, 2012 to May 3, 2013.

(Ord. No. 23893, § 1, adopted 3/11/10)

(Ord. No. 024333, § 1, 3-3-11; Ord. No. 024640, § 1, adopted 10/20/11; Ord. No. 25070, § 1, adopted 11/1/12)

Section 18.52. Claiborne Avenue Interim Zoning District.

18.52.1. Purpose of the District.

The purpose of this Claiborne Avenue Interim Zoning District is to prohibit issuance of permits within the Inner-City Urban Corridor District (where applied on South Claiborne Avenue) that are inconsistent with the regulations as requested in Motion No. M-09-612, which amends Article 10, Section 10.3A. Inner-City Urban Corridor District to expand the area of applicability under Section 10.3A.2(d) to include those lots or developments fronting on Claiborne Avenue, or having fronting on both Claiborne Avenue and Jena Street between Earhart Boulevard and Jena Street and amend Section 10.3A.4(h) to read "stores selling package liquor".

(Ord. No. 023955, § 1, adopted 4/23/10)

18.52.2. Area of Applicability.

This IZD applies to the entirety of the Inner-City Urban Corridor District as it is applied on South Claiborne Avenue.

(Ord. No. 023955, § 1, adopted 4/23/10)

18.52.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance.

(Ord. No. 023955, § 1, adopted 4/23/10)

18.52.4. Duration of Designation.

The Claiborne Avenue Interim Zoning District is designated for a period of one hundred eighty (180) days. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of one hundred eighty (180) days each.

(Ord. No. 023955, § 1, adopted 4/23/10)

Section 18.55. Lafitte Corridor Interim Zoning District.

18.55.1. Purpose of the District.

The purpose of this Lafitte Corridor Interim Zoning District is to prohibit the establishment of any use not authorized as permitted, accessory or conditional in the C-1A General Commercial District, and to further classify the sale of packaged alcoholic beverages as conditional within this Interim Zoning District.

18.55.2. Area of Applicability.

This interim zoning district applies to all lots in an LI Light Industrial District in the areas generally bounded by Orleans Avenue/Basin Street, Lafitte Avenue and North Claiborne Avenue, as well as North Claiborne Avenue, Orleans Avenue, Canal Street and Jefferson Davis Parkway, excluding those squares bounded by Canal, North White, Bienville and North Gayoso Streets.

18.55.3. Appeals.

Any appeal to the regulations of this interim zoning district shall be made to the City Council in accordance with the provisions of Section 16.4.5.1. of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5.1. of the Comprehensive Zoning Ordinance.

18.55.4. Duration of Designation.

The Lafitte Corridor Interim Zoning District is designated for a period of 180 days. This designation may be extended pursuant to Section 3-126 of the Code of the City of New Orleans.

(Ord. No. 024485, § 1, adopted 7/7/11; Ord. No. 024733, § 1, adopted 2/2/12; Ord. No. 24926, § 1, adopted 6/28/12)

Editor's note—Ord. No. 024733, § 1, adopted Feb. 2, 2012, extended the effectiveness of Ord. No. 024485 for the first 180-day period from January 11, 2012 to July 9, 2012.

Ord. No. 24926, § 1, adopted June 28, 2012, extended the effectiveness of Ord. No. 024485 for the second 180-day period from July 13, 2012 to January 9, 2013.

Section 18.56. Greater Tulane Interim Zoning District.

18.56.1 Purpose of the District.

The purpose of the Greater Tulane Avenue Interim Zoning District is to prohibit the issuance of permits within the area bounded by South Claiborne Avenue, Gravier Street, South Hennessey Street, and Palmyra Street that are inconsistent with the regulations as requested in City Council Motion M-10-157, which proposes the amendment of Article 10, Section 10.3A Inner-City Urban Corridor District to expand the area of applicability under Section 10.3A.2(d) to include the area generally bounded by South Claiborne Avenue, Gravier Street, South Hennessey Street, and Palmyra Street.

(Ord. No. 024571, § 1, adopted 9/1/11)

18.56.2 Area of Applicability.

This IZD applies to all squares within the area bounded by South Claiborne Avenue, Gravier Street, South Pierce Street, Interstate Highway 10, South Hennessey Street, and Palmyra Street.

(Ord. No. 024571, § 1, adopted 9/1/11)

18.56.3 Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance.

(Ord. No. 024571, § 1, adopted 9/1/11)

18.56.4 Duration of Designation.

The Greater Tulane Avenue Interim Zoning District is designated for a period of 180 days. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.
(Ord. No. 024571, § 1, adopted 9/1/11)

Section 18.57. Hoffman Triangle Low Density Residential Interim Zoning District.

18.57.1. Purpose of the District.

The purpose of the Hoffman Triangle Low Density Residential Interim Zoning District is to prohibit the establishment within the Interim Zoning District of any residential uses other than those uses authorized as permitted, accessory, or conditional (only after having obtained conditional use approval from the City Council) in the RD-3 Two-Family Residential District.
(Ord. No. 024569, § 1, adopted 9/1/11)

18.57.2. Area of Applicability.

This IZD applies to parcels zoned RM-4 Multiple Family Residential District within the area bounded by South Claiborne Avenue, Toledano Street, South Broad Street and Martin Luther King Jr. Boulevard.
(Ord. No. 024569, § 1, adopted 9/1/11)

18.57.3. Appeals.

Any appeal of the lot width, depth, area, setback, and height requirements of this IZD shall be made to the board of Zoning Adjustments in accordance with the provisions of Article 14, Section 14.8, of the Comprehensive Zoning Ordinance. An appeal of any other regulation of this IZD shall be made to the City Council in accordance with the provisions of Article 16, Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance.
(Ord. No. 024569, § 1, adopted 9/1/11)

18.57.4. Duration of Designation.

Hoffman Triangle Low Density Residential Interim Zoning District is designated for a period of 365 days. This designation may be extended, pursuant to Section 3-126 of the Home Rule Charter, for no more than two (2) additional periods of 180 days each.
(Ord. No. 024569, § 1, adopted 9/1/11)

Section 18.58. District D Inner-City Urban Corridor District Interim Zoning District

18.58.1 Purpose of the District.

The purpose of the District D Inner-City Urban Corridor District Interim Zoning District is to prohibit the issuance of permits that are inconsistent with all design, use, and other requirements of Article 10, Section 10.3A Inner-City Urban Corridor District for all properties zoned B-2 Neighborhood Business District within City Council District D. The Interim Zoning District also classifies all retail uses occupying at least 7,500 square feet of floor area, including new construction and the renovation of existing structures, in those B-2 Districts as conditional uses.
(Ord. No. 024688, § 1, adopted 12/1/11)

18.58.2 Area of Applicability.

This IZD applies to all properties zoned B-2 Neighborhood Business District within City Council District D.

(Ord. No. 024688, § 1, adopted 12/1/11)

18.58.3 Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance.
(Ord. No. 024688, § 1, adopted 12/1/11)

18.58.4 Duration of Designation.

The District D Inner-City Urban Corridor District Interim Zoning District is designated for a period of twelve (12) months. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.
(Ord. No. 024688, § 1, adopted 12/1/11)

Section 18.59. District D Urban Corridor Interim Zoning District.

18.59.1 Purpose of the District.

The purpose of the District D Urban Corridor District Interim Zoning District is to prohibit the issuance of permits that are inconsistent with all design, use, and other requirements of Article 10, Section 10.1.2 Urban Corridor District for all properties zoned C-1 General Commercial District within City Council District D and east of the Industrial Canal.
(Ord. No. 024689, § 1, adopted 12/1/11)

18.59.2 Area of Applicability.

This Interim Zoning District applies to all properties zoned C-1 General Commercial District within City Council District D and east of the Industrial Canal.
(Ord. No. 024689, § 1, adopted 12/1/11)

18.59.3 Appeals.

Any appeal to the regulations of this Interim Zoning District shall be made to the City Council in accordance with the provisions of Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance.
(Ord. No. 024689, § 1, adopted 12/1/11)

18.59.4 Duration of Designations.

The District D Urban Corridor District Interim Zoning District is designated for a period of twelve (12) months. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.
(Ord. No. 024689, § 1, adopted 12/1/11)

Section 18.60. Central City Multi-Family Minimum Design Standards Interim Zoning District.

18.60.1. Purpose of the District.

The purpose of the district is to facilitate the design of high-quality multi-family development that promotes neighborhood compatibility and protects the historic and architectural integrity of the Central City neighborhood. The regulations are intended to maintain an appropriate scale and development pattern that is responsive to the surrounding built environment, to create visual interest and vitality in the streetscape and to promote the retention of distinctive architectural materials, features, size, scale and

proportion, and massing. The regulations are intended to allow for contemporary design that is physically and visually compatible with the existing architectural character and development pattern of Central City.
(Ord. No. 024836, § 1, 4/5/2012)

18.60.2. Areas of Applicability.

All property within the entirety of Central City, being the area generally bounded by South Claiborne Avenue, Carondelet Street, Louisiana Avenue and the Pontchartrain Expressway.
(Ord. No. 024836, § 1, 4/5/2012)

18.60.3. Regulations of the Underlying Zoning District.

Unless otherwise noted in these Central City Multi-Family Minimum Design Standards Interim Zoning District regulations, the regulations of the underlying zoning district shall apply. Nothing here shall be construed to supersede standards applicable to approved site plans in pre-existing zoning districts.
(Ord. No. 024836, § 1, 4/5/2012)

18.60.4. Applicability of Regulations.

All permit applications for multi-family residential buildings, including new construction, redevelopment, and alteration within the interim zoning district, shall be subject to design review by the City Planning Commission and shall comply with the design standards of this section. Exemptions: Applications for construction, redevelopment, alteration or improvements involving single-family, two-family and three-family residential buildings shall be exempted from the provisions of these regulations.
(Ord. No. 024836, § 1, 4/5/2012)

18.60.5. Design Review Standards.

The following design standards shall take precedence over ones specified in the underlying zoning districts, which are less restrictive:

1. Building Design.
    a. A strong visual connection shall be made between the building's design and the existing character of the area. The overall building design (including its height-and bulk) should be compatible with the neighborhood. Architectural details, material, colors, textures and landscape treatments shall be coordinated to provide visual continuity, quality and consistency. The design vernacular and site development shall adhere to the character and scale of the surroundings.
    b. New additions and exterior alterations to existing historic structures shall not compromise the historic and/or architectural integrity of the property. Distinctive materials, features, and spatial relationships shall be retained to the extent feasible. Additions shall be distinguishable from the original portions of structures and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
    c. New infill construction shall be responsive to the scale, massing, siting, orientation, fenestration, alignment, rhythm and spacing of adjacent structures.
    d. To assist in providing compatible building design and scale within the neighborhood, new multi-family development may include multiple structures of two (2) or more residential units on the same lot of record.
2. Site Development.
    a. *Setbacks.* Front yard setbacks shall be the average of the existing buildings on the block face with the installation of landscaping in any front yard setback.
    b. *Vehicular Use Area—Landscaping and Screening.* Parking areas shall be designed to meet the standards set forth in Section 15.2.5 of the Comprehensive Zoning Ordinance. A

continuous landscape hedge at a minimum height of thirty (30) inches shall be required along the perimeter of any vehicular use area adjacent to the public right-of-way. Alternatively, masonry wall, earth berm, metal fence and a hedge, or any combination thereof meeting the same height requirements may be substituted. Any residual areas not used for parking or vehicular access shall be landscaped with trees, shrubs and groundcover. Additionally, a landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or groundcover. All required trees shall be a minimum of ten (10) feet in height and have a minimum caliper of two (2) inches upon installation.

c. *Street Tree Planting.* Where the continuity of major street tree plantings has been interrupted, as determined by the City Planning Commission staff, the reestablishment of such planting shall be required as a condition of development/redevelopment. Such plantings shall be in accordance with the standards of the Department of Parks and Parkways.

d. *Trash Dumpsters.* Trash dumpsters (and any other type of refuse storage area) that are positioned adjacent to or visible from any other land use or street right-of-way shall be screened from view from them with an opaque wooden fence or masonry wall that is no less than six (6) feet tall.

(Ord. No. 024836, § 1, 4/5/2012)

18.60.6. Design Review Procedure.

Prior to the issuance of any permit by the Director of Safety and Permits for multi-family residential buildings including new construction, redevelopment, and alteration within the Central City Multi-Family Minimum Design Standards Interim Zoning District, a site plan shall be reviewed and approved by the Executive Director of the City Planning Commission, with the advice of the Historic District Landmarks Commission, in accordance with the following procedures:

1. Site Plan Requirements. The applicant shall submit a site plan to the Executive Director of the City Planning Commission which shall contain either an original or reproduced drawing to no less than one inch equals twenty feet (1 inch: 20 feet) and depicting the following items:
   a. Site design, including parking, interior drives, landscaping, screening, fencing and lighting, if any. All relevant measurements (lot and building size, driveway width, loading area, etc.) and specification of the proposed improvements including planting materials (type, size, quantity) shall be indicated on the plan.
   b. Floor plans with all relevant measurements and identification of spaces/rooms.
   c. Building elevations indicating height, materials and color scheme, and placement of any signage.
   d. Existing and proposed improvements within the public right-of-way, including but not limited to the following: light posts, benches, bus stops, paving, landscaping.
   e. Any other information deemed necessary by the City Planning Commission staff.
2. Decision by the Executive Director. The Executive Director of the City Planning Commission shall review and take action on the plan within forty-five (45) days from submission of the application in proper form. Approval of the plan shall be evidenced by the signature of the Executive Director.

(Ord. No. 024836, § 1, 4/5/2012)

18.60.7. Appeal to City Council.

Any appeals shall be made to the City Council after recommendation of the City Planning Commission, in accordance with the provisions set forth in Section 16.4.5(3) of the Comprehensive Zoning Ordinance.

(Ord. No. 024836, § 1, 4/5/2012)

18.60.8. Duration of Designation.

The Central City Multi-Family Minimum Design Standards Interim Zoning District is designated for a period of one (1) year. This designation may be extended pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.

(Ord. No. 024836, § 1, 4/5/2012)

Section 18.61. Lafayette Square/Warehouse District Refined Height Plan Interim Zoning District.

18.61.1. Purpose of the District.

The purpose of the Lafayette Square/Warehouse District Refined Height Plan Interim Zoning District (IZD) is to institute a clear set of building height requirements that respect the historic character and scale of development within the Lafayette Square and Warehouse District neighborhoods and encourage taller development along the Poydras Street, Loyola Avenue, and Pontchartrain Expressway corridors that frame the Central Business District.

(Ord. No. 25068, § 1, adopted 11/1/12)

18.61.2. Area of Applicability.

This IZD applies to all property located within the area bounded by Loyola Avenue, the Pontchartrain Expressway, Convention Center Boulevard, and Poydras Street.

(Ord. No. 25068, § 1, adopted 11/1/12)

18.61.3. Height Requirements.

1. All structures within the area of applicability must conform to the height limits indicated by the letter-number designations provided below and by the interim zoning district height district boundary lines on the Official Zoning Map. The height limits of the interim zoning district height districts on that map and within this section supersede all other minimum and maximum building height requirements within the area of applicability provided in any other section of the Comprehensive Zoning Ordinance or on the Official Zoning Map. The height limits of the interim zoning district height districts on the Official Zoning Map and within this section do not affect any other development standard, including maximum Floor Area Ratio (FAR), provided within the Comprehensive Zoning Ordinance for any property within the area of applicability. The letter-number designations associated with the interim zoning district height districts on the Official Zoning Map indicate the maximum building height for any structure within the boundaries of the height district, as defined below:
    a. The designation HT-5 indicates a height limit of five (5) stories and sixty-five (65) feet;
    b. The designation HT-6 indicates a height limit of six (6) stories and seventy-five (75) feet;
    c. The designation HT-6/10 indicates a height limit of six (6) stories and seventy-five (75) feet within twenty (20) feet of all property lines adjacent to any public right-of-way and a height limit of ten (10) stories and one hundred twenty-five (125) feet for all other portions of a property;
    d. The designation HT-10 indicates a height limit of ten (10) stories and one hundred twenty-five (125) feet;
    e. The designation HT-15 indicates a height limit of fifteen (15) stories and one hundred eighty-five (185) feet;
    f. The designation HT-16 indicates a height limit of sixteen (16) stories and one hundred eighty-four (184) feet;
    g. The designation HT-U indicates that the height of a structure is unlimited; and
    h. The designation HT-P indicates that the height of a structure is limited to thirty-five (35) feet and that the number of stories of a structure within the defined area is not limited, subject to the provision for additional height in Section 18.60.3.3.
2. All structures hereafter erected within the area of applicability must have a minimum height of three (3) stories and forty (40) feet, with the exception of any structure erected on a property that is designated HT-P on the Lafayette Square/Warehouse District Refined Height Plan IZD Map.

3. No minimum height shall be required for any structure erected on any property that is designated HT-P on the Lafayette Square/Warehouse District height map. Furthermore, a height of greater than thirty-five (35) feet shall be allowed for any structure on a property within such designation where one (1) foot of additional setback is provided on all sides of the structure for each additional one (1) foot in height in excess of thirty-five (35) feet, in which instance there shall be no height limitation.

(Ord. No. 25068, § 1, adopted 11/1/12; Ord. No. 25492, § 1, adopted 9/12/13)

18.61.4. Appeals.

1. An applicant for development subject to the regulations of this IZD may appeal these regulations to the City Council in the manner set forth in Section 16.4.5.(3) of the Comprehensive Zoning Ordinance.
2. Site Plan Requirements. The applicant shall submit a design review site plan to the Executive Director of the City Planning Commission, both on paper and in digital form, which shall contain either an original or a reproduced drawing with a scale of not less than one inch equal to twenty feet (1 inch: 20 feet) and which shall depict the following items:
   a. Existing and proposed improvements within the public right-of-way, including but not limited to light posts, street furniture, bus stops, and landscaping;
   b. The locations of all property lines forming the boundaries of the site and of all existing and proposed structures with respect thereto;
   c. Elevations indicating the height of each façade of all existing and proposed structures on the site;
   d. Any areas to be used for vehicular access and off-street parking;
   e. Any landscaping to be provided on the site and within any public right-of-way adjacent to the site;
   f. Any exterior lighting to be provided on the site;
   g. The location, size, and contents of any signage to be provided on the site; and
   h. Any other information deemed necessary by the City Planning Commission staff.
3. Advice of the Director of the Historic District Landmarks Commission. Upon the submission of the application in proper form, the Executive Director shall request the advice of the Director of the Historic District Landmarks Commission with respect to the site plan and elevations for the proposed development. The City Planning Commission may proceed with its consideration of the application without such advice if necessary in order to provide a recommendation to the City Council within forty-five (45) calendar days of its receipt of the application in proper form.

(Ord. No. 25068, § 1, adopted 11/1/12)

18.61.5. Duration of Designation.

The Lafayette Square/Warehouse District Refined Height Plan Interim Zoning District is designated for a period of one (1) year and is subject to extension as provided by Section 3-126 of the Home Rule Charter of the City of New Orleans.

(Ord. No. 25068, § 1, adopted 11/1/12; Ord. No. 25603, § 1, adopted 11/21/13)

Editor's note—Ord. No. 25603, § 1, adopted Nov. 21, 2013 extended the effectiveness of Ord. No. 25068 for the first 180-day period from November 10, 2013 to May 9, 2014.

Section 18.62. RM-2E Algiers Multiple-Family Residential Interim Zoning District.

18.62.1. Purpose of the District.

The RM-2E Algiers Multiple-Family Residential Interim Zoning District is intended to maintain a residential environment while permitting a variety of dwelling types. Population density is maintained in the medium range, while buildings are permitted to rise to forty-five (45) feet. The district is intended to assist in the development and redevelopment of multifamily dwellings in Algiers.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.2. Areas of Applicability.

This IZD applies to all RM Multiple-Family Residential Districts and all multiple-family residential developments with a minimum of ten (10) dwelling units outside of multiple-family residential districts, within the entirety of the area bounded by the Mississippi River, Jefferson and Plaquemines Parish lines with the exception of properties within the English Turn gated subdivision.

(Ord. No. 25035, § 1, adopted 10/4/12; Ord. No. 25706, § 1, adopted 2/20/14)

18.62.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance. Properties located within the Algiers Point Local Historic District will require review and approval by the Historic District Landmarks Commission prior to the City Planning Commission recommendation being rendered.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.4. Duration of Designation.

The RM-2E Algiers Multi-Family Interim Zoning District is designated for a period of one (1) year. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.

(Ord. No. 25035, § 1, adopted 10/4/12; Ord. No. 25510, § 1, adopted 9/26/13)

Editor's note—Ord. No. 25510, § 1, adopted Sept. 26, 2013 extended the effectiveness of Ord. No. 25035 for the first 180-day period from October 4, 2013 to April 4, 2014.

18.62.5. Uses Authorized in the District.

Only those uses of land listed under permitted use, accessory use or conditional use provisions of this section are authorized within this zoning district. Supplementary use standards, which are set forth in Article 11, apply to any permitted, accessory or conditional use designated with an asterisk (*) in the use lists appearing in this section.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.6. Permitted Uses.

The following uses of land are authorized as permitted uses within the RM-2E Algiers Multiple-Family Residential Interim Zoning District except that timeshare buildings and transient vacation rentals are prohibited:

1. Adult day care centers.* (Section 11.14)
2. Artist Community.* (Section 11.62)
3. Cable communication system cables, amplifiers and related facilities but excluding distribution or switching centers and cable casting studios.
4. Child care facilities.* (Section 11.15)
5. Churches, rectories, parish homes, temples and synagogues, provided that such uses shall be located on a lot of at least twenty thousand (20,000) square feet in area.
6. Detached single-family dwellings.

7. Electric utility distribution facilities, meters and service lines, but not including transmission facilities.* (Section 11.40)
8. Electric utility substation facilities and transmission facilities.
9. Gas distribution mains and gas regulator stations.
10. Home occupations, provided such use does not occupy more than fifteen percent (15%) of the floor area of the dwelling unit.
11. Homes for the aged, nursing homes, and convalescent homes.* (Section 11.23)
12. Multi-family dwellings subject to the requirements of Sections 18.62.10 and 18.62.11.
13. Personal wireless communication facilities consisting of façade-mounted installations.* (Section 11.55)
14. Private golf courses operated on sites of not less than seventy-five (75) acres, provided that no building or accessory use is located closer than one-hundred (100) feet from adjoining property lines.
15. Private recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and their guests, provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line unless such property line fronts a public street or drainage canal with rights-of-way not less than twenty-five (25) feet in which instance, the required setback need not exceed twenty-five (25) feet, and provided further that all such facilities must be located on a site having a minimum of three (3) acres.
16. Public parks, parkways and playgrounds, including uses accessory or incidental to their operation. Accessory concession stands not to exceed one-hundred fifty (150) square feet in gross floor area for parks or playgrounds containing two (2) to ten (10) acres.
17. Public and private forests, wildlife reservations, and similar conservation projects.
18. Public telephone (booth or otherwise) when approved by the Department of Utilities.* (Section 11.41)
19. Public transit waiting stations.* (Section 11.31)
20. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations
21. Sewerage lift or pumping stations, aboveground or underground.* (Sections 11.42 and 11.43)
22. Small group homes.* (Section 11.22)
23. Storm water pumping stations.* (Section 11.44)
24. Telephone and communications lines and related facilities but excluding telephone exchanges.
25. Telephone exchanges.* (Section 11.45)
26. Town house.* (Subject to the requirements of Section 18.50.8 and 18.50.9)
27. Two-family dwellings.* (Section 11.33)
28. Water distribution systems, meters, sanitary and storm water sewerage systems and related appurtenances, but not including lift and pumping stations or water towers.
29. Water pumping stations.* (Section 11.46)

(Ord. No. 25035, § 1, adopted 10/4/12; Ord. No. 25706, § 1, adopted 2/20/14)

18.62.7. Accessory Uses.

The following uses of land are authorized as accessory uses within the RM-2E Algiers Multiple-Family Residential Interim Zoning District:

1. Any accessory use authorized in RS-1 Single-Family Residential District.
2. An office containing an area of not more than two percent (2%) of the gross floor area of the development located in a main building for administration of a multiple-family development.
3. Each dwelling unit shall contain clothing washers and dryers. No common laundry rooms or common laundry facilities shall be permitted.
4. A newsstand within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units, such newsstand to have no exterior entrances or exits, in accord with specifications set forth in Section 15.6.3.
5. A meeting room within and operated primarily for convenience of occupants of a multiple-family dwelling containing fifty (50) or more dwelling units; such meeting room to have no exterior entrances or exits in accordance with specifications set forth in Section 15.6.3, and contain no more than two thousand (2,000) square feet of floor area.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.8. Conditional Uses.

The following uses of land are authorized as conditional uses within the RM-2E Algiers Multiple-Family Residential District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Advertising sign—One (1) flat, double-faced general, illuminated or non-illuminated, limited in area to thirty (30) square feet shall be permitted on public transit waiting stations, and other transit amenities (benches, kiosks, public information signs, etc.), provided that no such advertising sign shall be placed higher than nine (9) feet or to the roof of the public transit waiting station, whichever is lower.
2. Borrow pits.* (Section 11.16)
3. Business or vocational schools providing non-industrial training provided they utilize existing educational facilities and provided further that off-street parking shall be provided in accordance with Section 15.2 Article 4, Section 4.1, RS-1 District.
4. Cemeteries and mausoleums with the following accessory uses: a storage building for the storage of maintenance equipment used in maintaining cemeteries, a caretaker's house, an administrative office, a crematorium, and a chapel.* (Section 11.11)
5. Child care facilities.* (Section 11.15)
6. Colleges, junior colleges, or institutions of higher learning.* (Section 11.36)
7. Convents and monasteries when located on a site of at least twenty-five thousand (25,000) square feet and provided further that the total gross floor area of the buildings(s) shall not exceed fifty percent (50%) of the total site area.
8. Hospitals and sanitariums, but not animal hospitals, located on a site of not less than three (3) acres or one (1) square whichever is the lesser, and provided such facilities are set back a minimum of fifty (50) feet from all property lines and provided further that such facilities have direct access to an officially designated major street.
9. Personal wireless communication facilities consisting of: a) standard and nonstandard monopoles, b) mast-mounted tower installations and c) façade-mounted installations which do not satisfy the requirements for such installations as permitted uses under Section 11.55.

10. Public and governmental buildings limited to police stations, fire stations, community health centers, neighborhood centers, libraries, branch postal stations and branch administrative offices.* (Section 11.30)
11. Public elementary schools or private elementary schools having the curriculum essentially the same as ordinarily given in public elementary schools, including kindergartens.* (Section 11.37)
12. Public junior high or senior high schools or private junior or senior high schools having the curriculum essentially the same as ordinarily given in public junior or senior high schools.* (Section 11.38)
13. Radio, television and microwave relay, transmitting or receiving towers or antennae (including accessory buildings, but excluding broadcast studios and office buildings) when all such facilities are set back a minimum of fifty (50) feet from all property lines.
14. Real estate office in a residential development of five-hundred (500) or more acres or of three-hundred (300) lots which may be undertaken at once or in phases by a single developer, officers of the developer, its successors or assigns and affiliates, for the sale of lots, the sale and/or facilities, and/or the operation (offices only) of a property owner's association are permitted within the development, provided however, that no real estate agent or company shall be excluded from doing business in the development nor shall the developer insert any language in the original or subsequent sales agreement to restrict the owner from utilizing any licensed real estate broker for resale. Such designated property may be used as offices in connection with the subdivision in which the property is located.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.9. Permitted Signs.

Subject to the general sign regulations of Article 12, the permitted signs are the accessory signs authorized in the RM-1 Multiple-Family Residential District.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.10. Site Plan Review.

Prior to the issuance of a building permit by the Director of Safety and Permits for establishment, change, or alteration of any use, other than single- and two-family uses, within the RM2-E District, an administrative site plan shall be approved by the Executive Director of the City Planning Commission. The site plan shall be prepared and approved in accordance with the requirements and procedures set forth in Section 16.7 and augmented by the Design Standards listed in Section 9. For properties located within the Algiers Point Local Historic District, the approval of the Historic District Landmarks Commission shall be secured prior to the approval of the administrative site plan by the City Planning Commission (CPC). Upon approval of such plan, the Executive Director of the CPC shall affix his/her signature to a reproducible copy of said plan. The City Planning Commission shall retain one (1) copy of the approved plan for its records.

(Ord. No. 25035, § 1, adopted 10/4/12)

18.62.11. Height, Area and Bulk Requirements.

Minimum requirements for lot areas, yards and maximum height for the RM-2E Algiers Multiple-Family Residential District are contained in Table 4.M. These standards apply to all permitted, accessory, and conditional uses unless modified by the City Council in conjunction with approval of a conditional use permit under Section 16.6. The design standards of Sections 18.62.10 and 18.62.11 below apply to all multiple-family and townhouse dwellings.

Table 4.M
Area Regulations for the RM-2E Algiers Multiple-Family Residential District

	TYPE OF DEVELOPMENT						
	Single-Family	**Two-Family**	**Three-Family**	**Four-Family**	**Town-house**	**Multi-Family**	**Nonresi-dential**
Minimum Lot Area	3,125 sf/du	1,750 sf/du	1,500 sf/du	1,200 sf/du	2,000 sf/du	2,722.5 sf/du	20,000 sf
Minimum Lot Width	30'	30'	40'	50'	80'	50'	100'
Minimum Lot Depth	90'	90'	90'	90'	100'	130'	100'
Maximum Building Height	40'	40'	45'	45'	40', but not more than 3.5 stories	45', but not more than 3 total stories	45'
Minimum ceiling height of residential floors					9'	9'	
Maximum FAR					1.0	1.0	1.0
Minimum Open Space Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Maximum Lot Coverage	60%	60%	60%	60%	60%	50%	60%
Maximum Density						16 DU/acre	
Minimum Space Between Buildings for multiple buildings on a lot	See Setback Requirements						
Building side to building side						20' for a yard without curb cut access; 40' for a yard with curb cut access (see section 9.D)	See Setback Requirements
Building side to building rear						40'	
Building rear to building rear						60' for residential façades	
Maximum Space Between Buildings					30'	40'	
Maximum Building Length (see figures 1 and 2)					180'	180'	
Minimum Number of Attached Dwelling Units					3		
Maximum Number of Attached Dwelling Units					6		
Maximum Number of Dwelling Units Per Building					6	40	
Minimum Unit Width (see figure 1)					20'		
Maximum Number of Buildings Per Lot	1	1	1	1	1		1
Minimum Unit Size						1 br: 900 sf 2 br: 1,200 sf 3 br: 1,800 sf 4 br: 2,000 sf (More than 4 bedrooms prohibited)	
SETBACK REQUIREMENTS							
Minimum Front Yard							20'
Minimum Front Yard (see figures 3 and 4)	20'	20'	20'	20'	20'	20'	

	TYPE OF DEVELOPMENT						
	Single-Family	**Two-Family**	**Three-Family**	**Four-Family**	**Town-house**	**Multi-Family**	**Nonresi-dential**
Minimum Interior Side Yard	3'	3'	3'	3'	10'	10'	10'
Maximum Interior Side Yard (see figures 3 and 4)							
When building is adjacent to property line				15'	15'		
When curb cut access is provided between building and property line				40'	40'		
Minimum Corner Side Yard	10'	10'	10'	10'			10'
Maximum Corner Side Yard (see figures 3 and 4)					20'	20'	
Minimum Required Aggregate Width of Side Yards	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'	20% to a maximum required aggregate of 12'			20% to a maximum required aggregate of 20'
Minimum Rear Yard	15'	15'	20'	20'	30'	30'	20'

Figure 1. Townhouse

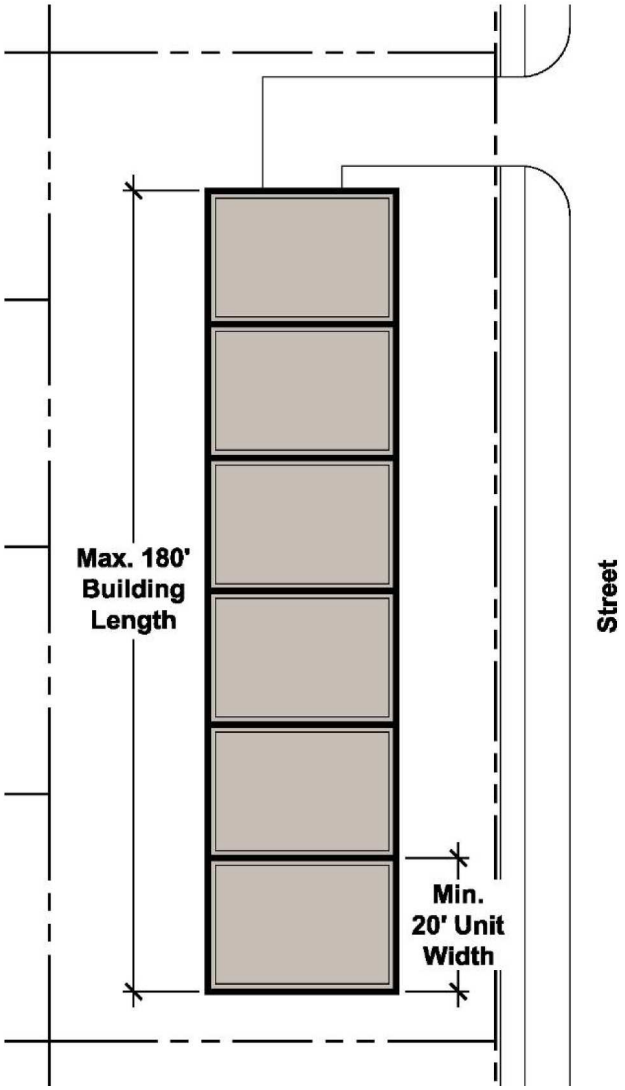


Figure 2. Multi-family maximum building length

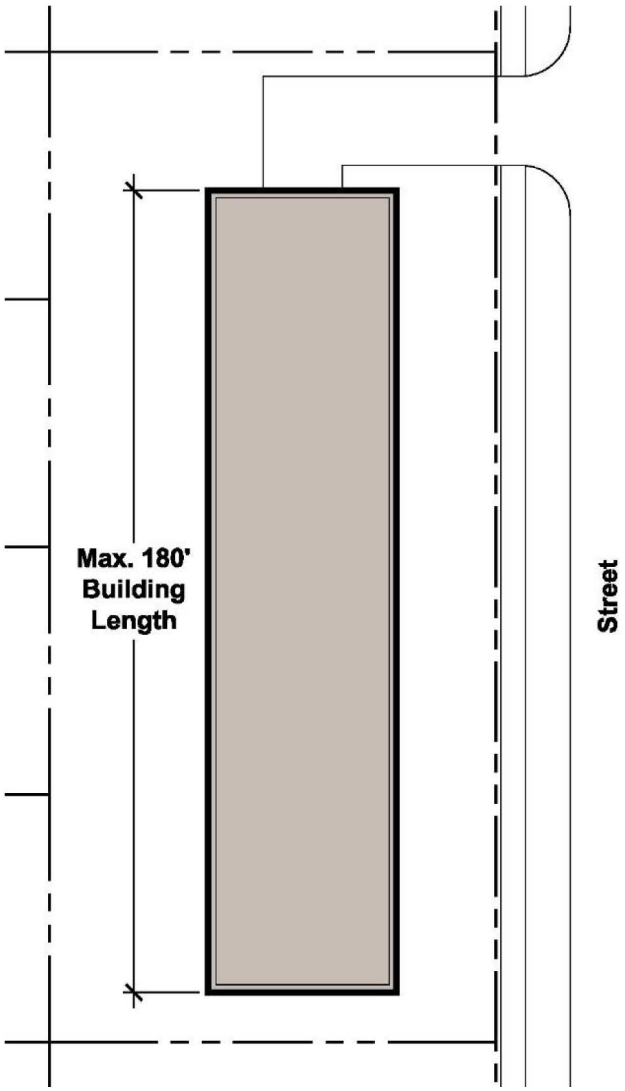


Figure 3. Townhouse Build-to Zones and Yards for interior lots (top) and corner lots (bottom)

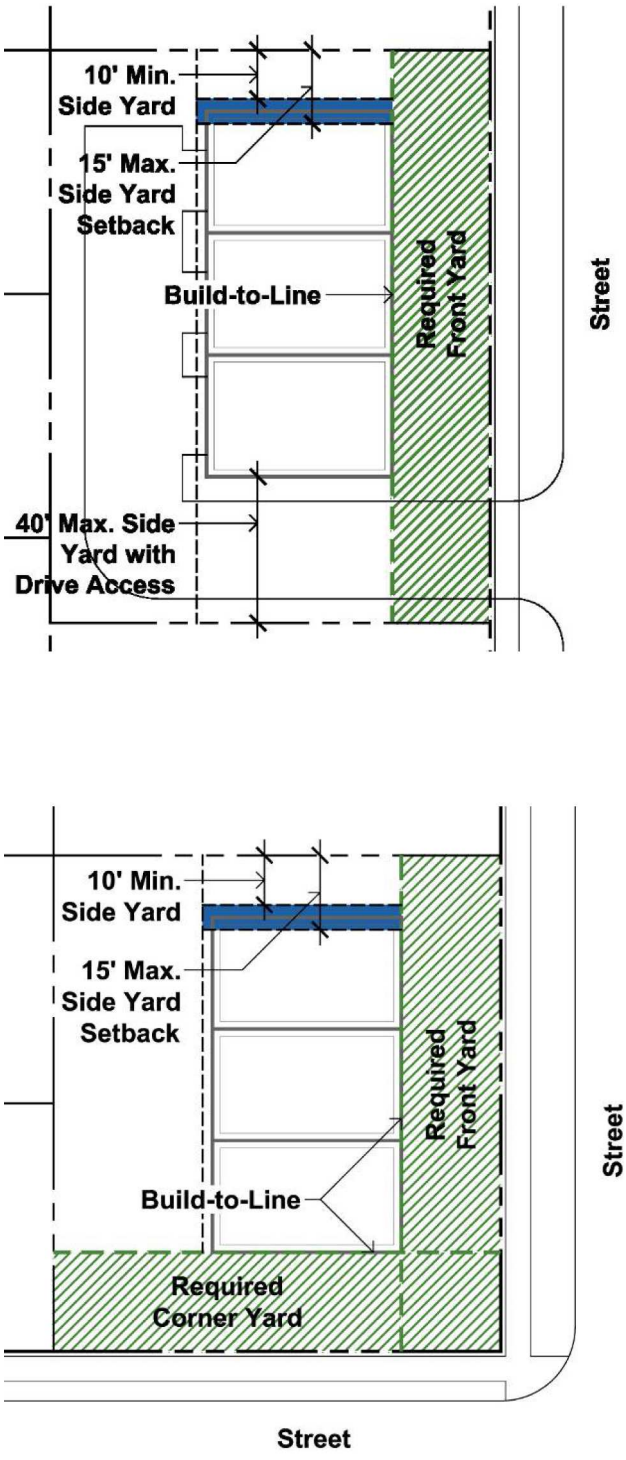
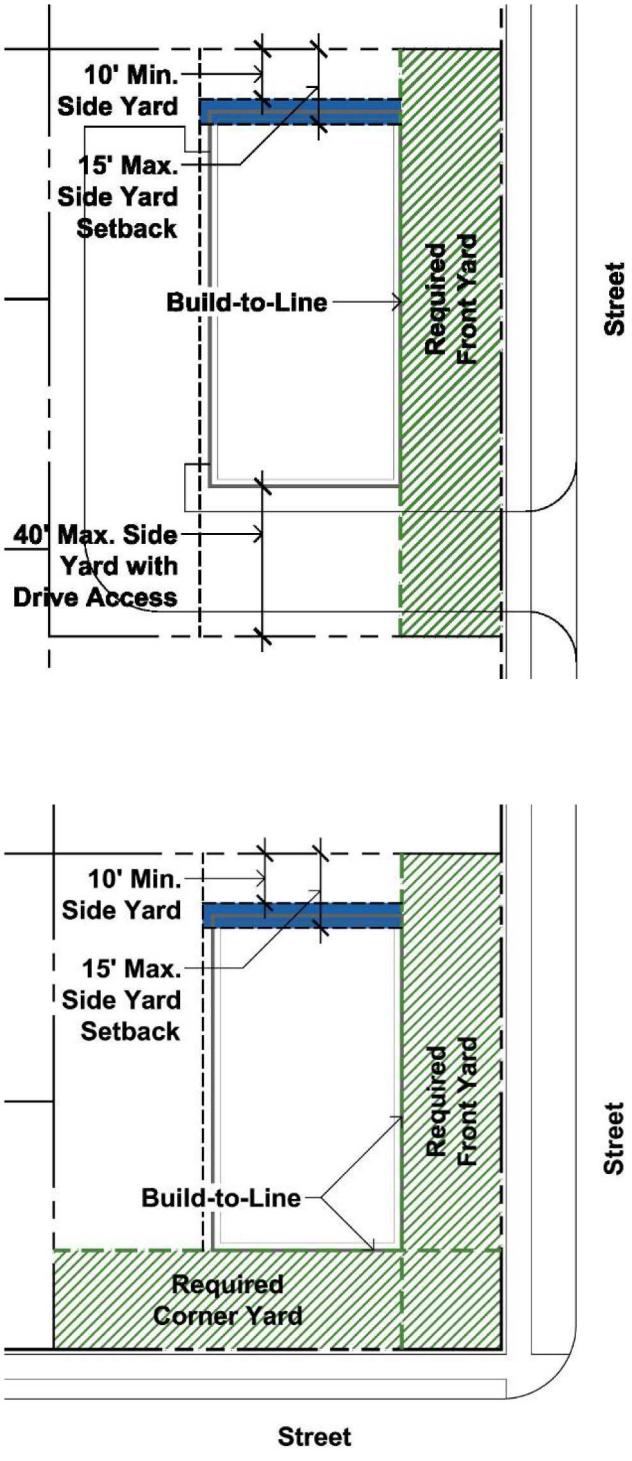


Figure 4. Multi-family Build-to Zones and Yards for interior lots that do not include curb cuts (top) and corner lots (bottom)

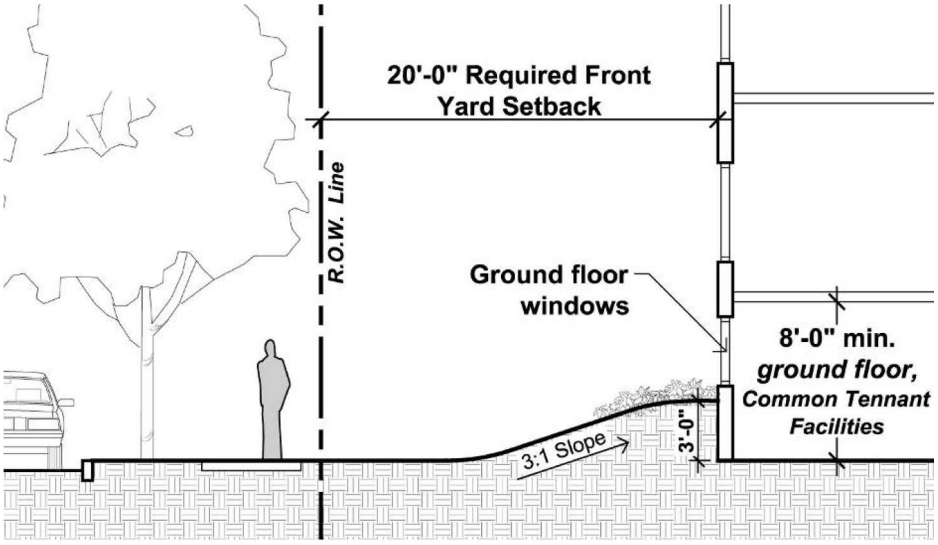


(Ord. No. 25035, § 1, adopted 10/4/12; Ord. No. 25482, § 1, adopted 9/12/13; Ord. No. 25706, § 1, adopted 2/20/14)

18.62.12. Design Standards.

1. *Ground Floor of Multiple-Family Dwellings and Townhomes.*
   a. For any residential unit built after the effective date of this Ordinance, habitable units are allowed on the ground floor of any multiple-family unit or institutional facility designed to accommodate overnight stay. Parking, entry and public areas may be located on the first floor.
   b. Portions of the ground floor façade not used for building access or fenestration shall be designed according to the following requirements:
      (1) For multi-family buildings that use the ground floor for common tenant facilities (such as a fitness room, or meeting space), foundation landscaping and/or grading shall be used to screen the portion of the wall between the existing grade and a line three (3) feet above the existing grade. (See Figure 5) On the portion of the ground floor façade above this line, windows shall be provided that create an appropriate level of transparency and reflect the character of the upper floor façade design. Landscaping may be omitted directly in front of windows or doors in order to provide adequate interior light and access.

Figure 5. Multi-family grading with common tenant facilities



      (2) For multi-family buildings that do not use the ground floor for common resident facilities, or use it for utility spaces (such as vehicular parking, storage, or building infrastructure), foundation grading shall be provided such that the grading meets the building façade at a point four (4) feet above the existing grade. In addition, foundation landscaping shall be provided in accordance with Section 6 of this section.
      (3) Ground floor parking areas shall be designed in such a way that they are fully integrated into the design of the structure rather than appearing as separate elements of the building's design. Simple screening of the areas shall not suffice; rather, the areas should be treated with a continuation of the structures façade treatment, subject to the review and approval of the City Planning Commission staff.
      (4) For townhouses, the entire portion of the ground floor façade between the existing grade and a line four (4) feet above the existing grade shall be screened. (See Figure 6) Screening

techniques may include grading and landscaping, or stairs and hardscape that provide access to the first habitable floor, or a combination of both. (See Figure 7) However, no flight of stairs shall account for more than four (4) feet in elevation change without providing a landing area.

Figure 6. Multi-family grading without common tenant facilities

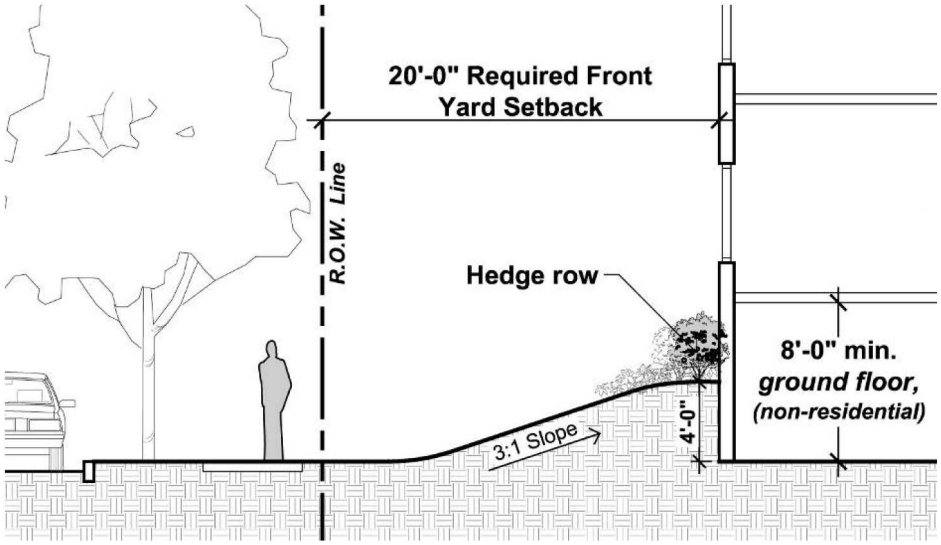


Figure 7. Townhouse grading and hardscape example

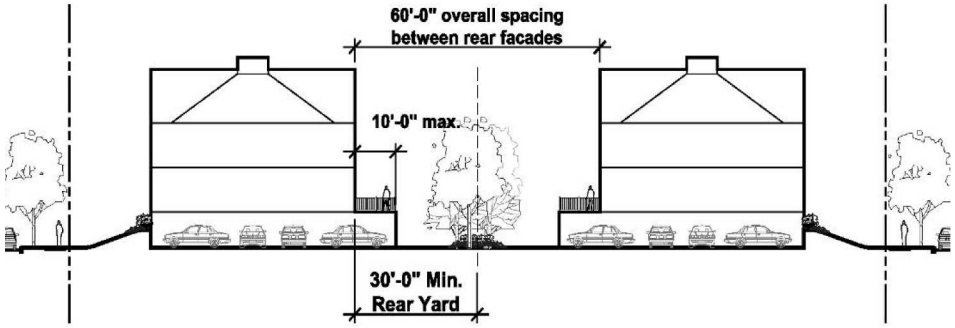


2. *Façade Articulation and Reduction of Mass and Scale.*
   a. All buildings should be oriented towards the public street in terms of architectural interest and materials, façade transparency, and building access.
   b. All buildings shall provide a clearly articulated entry from the public sidewalk and from rear parking areas.

c. Large, flat façades shall be prohibited. The building mass shall be articulated to create substantial shadows and visual interest. Form giving elements such as, but not limited to, windows, dormers, projected entrances and overhangs are required on the street facing façade.

d. For townhouses, the rear façade of a building shall not be within sixty (60) feet of the rear façade of another townhouse building. Non-residential ground-floor façades are permitted to encroach into the required yard up to ten (10) feet beyond the edge of the upper story residential façade.

Figure 8. Townhouse rear spacing requirement cross-section



e. Façades shall be designed to be viewed from multiple directions and, therefore, they shall be designed with consistent materials and treatment that wraps around all façades. There shall be a unifying architectural theme for an entire multiple-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials and colors around the entire structure.

f. To avoid the appearance of blank walls facing the street, when the side walls of a multiple-family or townhouse dwelling face a street, building façades shall be designed with elements of a front façade, including doors and/or windows. However, fire stairs shall be completely enclosed within the structure.

g. Windows and doors shall have raised elements to create shadow and articulation. In addition, three-dimensional elements, such as balconies and bay windows, shall be incorporated to provide dimensional elements on a façade. Windows shall be set back ("punched") into or projected out from the façade to provide façade depth and shadow, vertical in orientation and a consistent style.

h. All attached townhouse units within the same building shall have the same unit width.

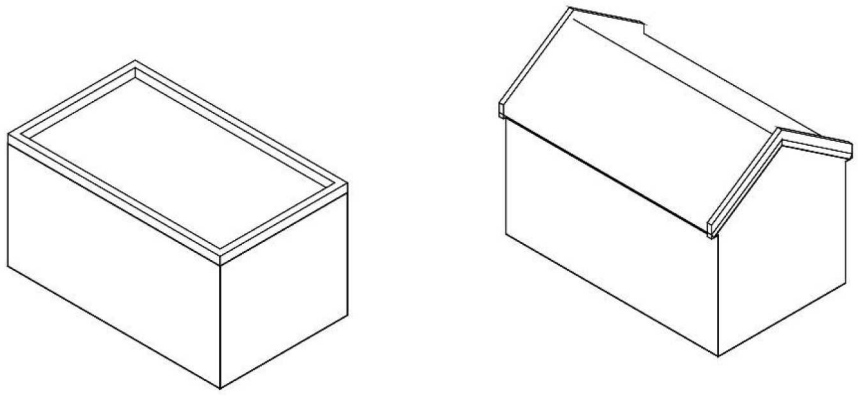
3. *Roof Forms.*

a. Allowable roof types include:

(1) For townhouses, pitched gable roofs.

(2) For multi-family buildings, pitched gable roofs and flat roofs shall be allowable, although flat roofs shall be discouraged unless they contribute to the overall aesthetic quality of the structure.

Figure 9. Allowable roof forms



b. To ensure that new developments are consistent and compatible with the surrounding neighborhood character, consistency in the roofline shall be achieved by using similar roof forms with varying height and proportion.

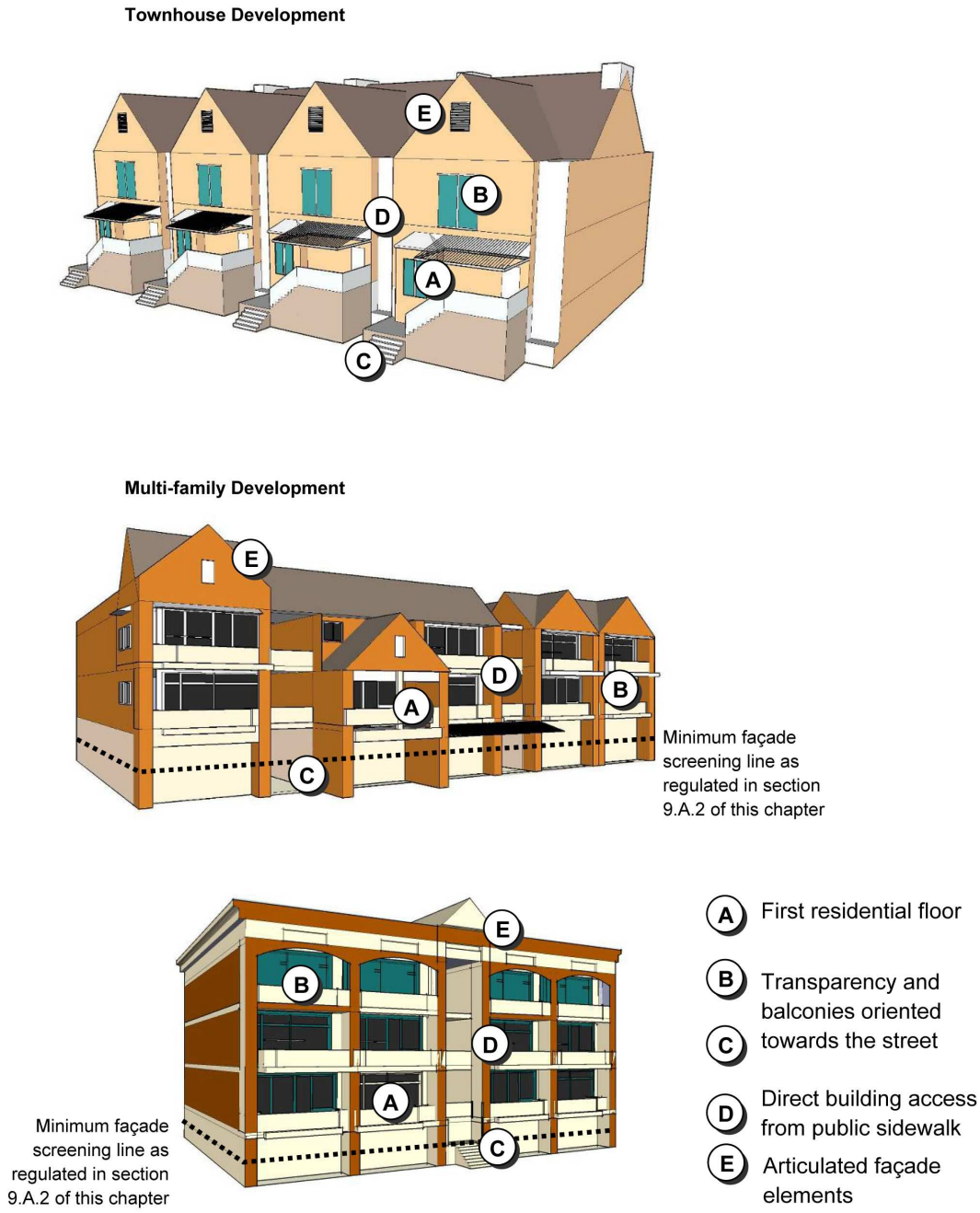
c. Varied roof planes should be used to create visual interest and reflect articulated façade massing. However, roof planes should be similar in slope, materials and detail to create a unified theme and silhouette.

d. Large, monotonous, simple pitched roofs, without breaks in the expanse of the roof, shall be avoided. Dormers and gables can be used to break up large expanses of roof area. For flat roofs, cornices and parapets shall be used to add variety and break up the roofline. Rooflines shall be modulated every seventy-five (75) feet through the use of varied roof heights.

e. All rooftop mechanical equipment shall be screened from view from the adjacent rights-of-way and shall not be visible from ground level or elevated roadways.

4. *Representative Building Types.* The following images in Figure 10 represent desired building design concepts for future development. Building design should generally emulate the scale, massing and design detail as illustrated, and reflect the noted principles.

Figure 10. Representative Building Types



5. *Parking Areas and Pedestrian Walkways (See Figures 11 and 12).*

   a. No parking shall be located in the required front and corner side yards. Such yards must be landscaped. Any surface parking shall be located to the rear of the lot, in areas that are less

visible or prominent from the street. Large parking areas shall be broken into smaller segments separated by landscaping but still linked to provide adequate on-site circulation and access.

b. Driveways shall be consolidated, where possible, in order to reduce curb cuts. Adjacent townhouse or multi-family buildings should, where possible, share driveway access.
c. Clearly defined pedestrian access from any parking areas to the building shall be required. A clearly defined visible and identifiable network of pedestrian connections shall be provided in and between parking lots, street sidewalks, open spaces and buildings.
d. Interior lots may provide access from the primary street, although the number of access points should be minimized to the extent possible. Corner lots shall provide access to parking from the less prominent street to be determined through site plan review.
e. All residual areas not used for parking, travel lanes, or pedestrian walkways shall be landscaped.

Figure 11. Townhouse vehicular access for interior lots (top) and corner lots (bottom)

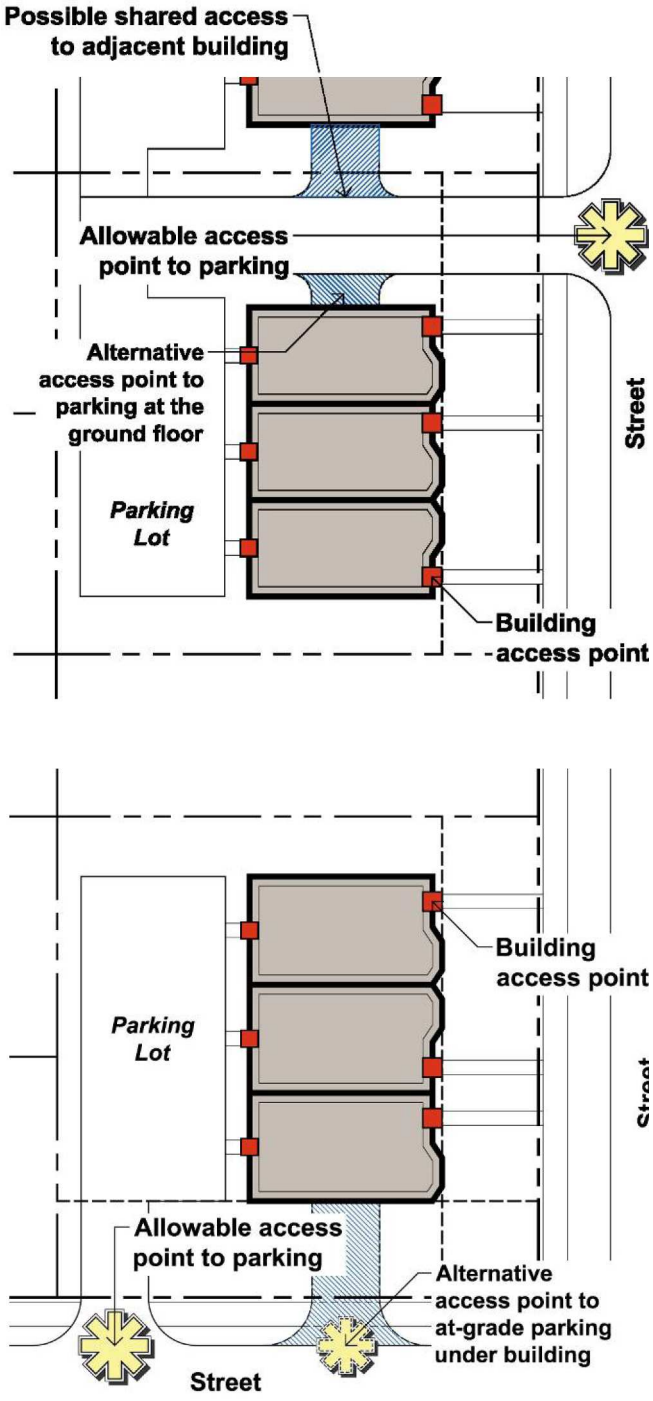
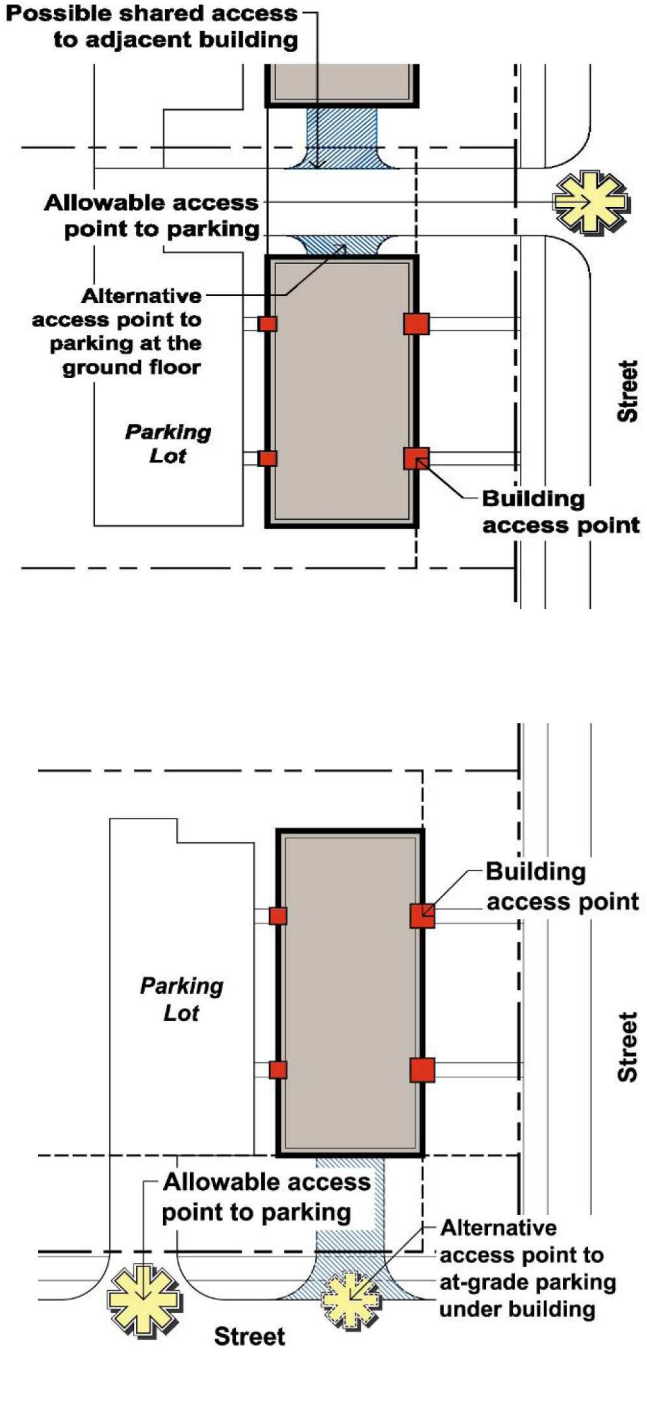


Figure 12. Multi-family vehicular access for interior lots (top) and corner lots (bottom)



6. *Building Materials.* A list of permitted and prohibited building materials is included as follows.
   a. Permitted Building Materials. Approved materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Clay brick.
      (2) Natural or cast stone (minimum four (4) inch thickness).
      (3) Cedar or equivalent simulated wood, or fiber-cement, horizontal siding.
      (4) Cementious stucco.
      (5) Wood, molded polymer, copper, and fiber cement material for trim, freeze boards, soffits and fascia boards; aluminum or vinyl material may be used for soffits and fascia boards only.
      (6) Architectural concrete block for a foundation course only and for a maximum of six (6) feet above the three (3) foot required berm.
      (7) Slate or tile roofing material.
      (8) Terra cotta or similar glazed masonry units.
      (9) Architectural grade asphalt and fiberglass shingles for roofs only.
      (10) Glass block for accenting purposes (glass block walls are not included in this category).
      (11) Fiber cement siding (i.e., hardi plank).
      (12) Such other materials as may become available in the future and shall be deemed acceptable by the Executive Director of the City Planning Commission as consistent with the purpose of this District.
   b. Prohibited Materials. Prohibited materials for exterior use in the construction of new multiple-family and townhouse developments are as follows:
      (1) Standard concrete masonry units (CMU).
      (2) King-size or jumbo brick.
      (3) Exposed aggregate (rough finish) concrete wall panels.
      (4) Plywood, composite plywood or masonite sidings (T-111).
      (5) Panel brick or thinset stone veneers.
      (6) Plastic.
      (7) Glass curtain wall systems.
      (8) Reflective glass.
      (9) Bright wall flashings and copings.
      (10) Metal wall panels.
      (11) Exterior insulation finish systems (EIFS) (e.g. "Dryvit").
      (12) Miscellaneous metals.
      (13) Stuccato board.
      (14) Wood shake shingles.
7. *Landscaping.* All proposed trees and shrubs shall be identified as acceptable by the LSU AgCenter.
   a. No less than fifty percent (50%) of the entire site shall contain landscape or other pervious materials.
   b. Required Screening. The vehicular use area, defined as all areas subject to vehicular traffic, including parking lots, access ways, loading areas, and service areas, shall be screened according to the following criteria:
      (1) When a vehicular use area abuts any residential district or permitted residential use, a six (6) foot high opaque screen is required along the abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.

(2) When any part of a vehicular use area is visible from a street of public right-of-way which abuts the property there shall be a continuous planting between such vehicular use areas and the abutting public right-of-way. Such a planting shall attain a height between thirty-six (36) inches and fifty-four (54) inches above the top of curb elevation. Such a continuous planting may be in the form of a hedge, but may also include several types of plants, providing the overall continuity of the planting is not interrupted. As an alternative to the continuous planting, a masonry wall or earth berm meeting the same height requirements as the planting, or a combination of the above elements, may be substituted. The only exception to this requirement shall be at the location of approved vehicular and pedestrian access ways.

(3) Refuse storage areas shall be enclosed with an opaque screen, a minimum of six (6) feet in height, with gates.

c. Interior Landscaping of Vehicular Use Area. Landscaped areas within the interior of the vehicular use area shall be provided when the vehicular use area is over five thousand (5,000) square feet. The following conditions apply to these interior landscaped areas:

(1) The total of all interior landscaped areas shall occupy a minimum of ten percent (10%) of the vehicular use area.

(2) Each interior landscape area shall be at least one-hundred (100) square feet in area.

(3) The length of any side shall be at least five (5) feet.

(4) The interior landscaped areas shall be raised and curbed with permanently anchored curbing having a ninety (90) degree height of six (6) inches.

(5) Each interior landscaped area shall have an approved tree planted at the minimum ratio of one (1) tree per one-hundred (100) square feet of interior landscape island. Trees shall be a minimum of twelve (12) feet in height and a minimum of three (3) inches diameter breast height (d.b.h.).

(6) There shall be at least three (3) shrubs, each having minimum height of two (2) feet and a minimum spread of 18" upon installation, for each tree planted within the development. Such shrubs may be planted in any combination or configuration. Plants other than shrubs may be considered for fulfilling this requirement, such as palms, bulbs, or other herbaceous perennials, providing they meet the minimum size requirement.

(7) All residual areas not specified for parking, travel lanes or pedestrian circulation shall be landscaped.

d. Perimeter Landscape Strip. The purpose of the perimeter landscape strip is to clearly delineate the boundaries of vehicular use areas associated with individual development. This requirement is intended to ensure compatibility of abutting developments, particularly in terms of vehicular circulation safety. Where vehicular circulation is desired between two (2) abutting developments, it is the responsibility of the developers to submit plans which reflect compatibility in design. The perimeter landscape strip shall count as part of the minimum ten percent (10%) interior landscape area requirement, as described in subsection (c)(1), above.

(1) A landscape perimeter strip having a minimum width of five (5) feet is required along the outer edge of the vehicular use area, except in the following situations:

(a) Where access ways exist between vehicular use areas of separate developments.

(b) Where required landscape buffer is located.

(c) Where service drives or loading zones are located behind a main building, and are not visible from the main parking area or abutting property.

(d) Where a vehicular use area abuts a building.

(2) Where two (2) developments are intended to interconnect, an alternative to the perimeter landscape strip in its strictest sense may be proposed. Such an alternative shall be contingent upon the following factors:

(a) The square footage of the alternate proposal shall be at least half of the area that would otherwise be required as a perimeter strip.

(b) Site plans for both developments shall be submitted in order to determine feasibility of the interconnection.

(3) Two (2) landscape perimeter strips may abut one another. The planting design of each shall be compatible in order to prevent maintenance problems. Design priority shall be given to the area first approved.

(4) Trees shall be planted within the perimeter strips at the same rate and at the same minimum height and d.b.h. as for the interior landscape areas, that is, one (1) tree per one-hundred (100) square feet of landscape area, a minimum height of twelve (12) feet, and a minimum three (3) inches d.b.h. They may be planted either evenly spaced or in groups or clusters.

e. Credit for Preserved Trees. Trees which have been identified by the LSU Cooperative Extension Service tree rating guide as acceptable may be included for credit towards the requirements of this Ordinance according to the following criteria:

Diameter of Trunk Measured 4½ Feet Above Ground	**Number of Trees Credited**
36" or greater	9
26"—35"	7
13"—25"	5
4"—12"	3

(1) If any preserved tree dies within three (3) years of construction, one (1) tree shall be replaced for each tree credited against such a preserved tree.

(2) For each tree to be credited, a planting area or open ground area of at least twenty- five (25) square feet shall be included around trees up to four (4) inches in diameter. An additional twenty-five (25) square feet is required for each additional two (2) inches of tree trunk diameter, measured four and one-half (4½) feet above the natural grade.

(3) In no case shall the trunk area of a preserved tree be closer to the edge of the planting area than one-third (1/3) of the length of the longest side of the open ground area in which it is planted.

(4) If the developer is to utilize the above tree credit program, then the health and measurement of all trees proposed for credit shall be verified by a certified licensed arborist.

8. *Storm Water Management.* For all sites greater than or equal to one (1) acre in total site area, the developer shall submit a storm water management plan to the City Planning Commission staff and the Sewerage and Water Board for review and approval.

(Ord. No. 25035, § 1, adopted 10/4/12; Ord. No. 25706, § 1, adopted 2/20/14)

Section 18.63. Lafitte Greenway Revitalization Corridor Interim Zoning District.*

18.63.1. Purpose of the District.

The purpose of the Lafitte Greenway Revitalization Corridor Interim Zoning District (IZD) is to prohibit the establishment of any uses other than those authorized in the C-IA General Commercial District as permitted by right (main or accessory) or those classified as conditional (only after having obtained conditional use approval from the City Council) on all properties currently zoned LI Light Industrial District, and to further classify the sale of packaged alcoholic beverages as conditional for all properties currently zoned LI Light Industrial District, in the areas generally bounded by: Orleans Avenue/Basin Street, Lafitte Avenue and North Claiborne Avenue, as well as the area bounded by North Claiborne Avenue, Bienville Street, Jefferson Davis Parkway and Orleans Avenue, and also to prohibit the establishment of any uses other than those authorized in the MU-A Mixed Use District as permitted by right (main or accessory) or those classified as conditional (only after having obtained conditional use approval from the City Council) on all properties currently zoned HI Heavy Industrial District or LI Light Industrial District in the areas generally bounded by: Jefferson Davis Parkway, Bienville Avenue, North Alexander Street, and Orleans Avenue.

(Ord. No. 25309, § 1, adopted 5/2/13)

18.63.2. Areas of Applicability.

This IZD applies to all lots currently zoned LI Light Industrial District in the areas generally bounded by Orleans Avenue/Basin Street, Lafitte Avenue and North Claiborne Avenue, as well as the area bounded by North Claiborne Avenue, Bienville Street, Jefferson Davis Parkway and Orleans Avenue, and to all lots currently zoned HI Heavy Industrial District or LI Light Industrial District in the areas generally bounded by Jefferson Davis Parkway, Bienville Street, North Alexander Street, and Orleans Avenue.

(Ord. No. 25309, § 1, adopted 5/2/13)

18.63.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5.(1.) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5(1.) of the Comprehensive Zoning Ordinance.

(Ord. No. 25309, § 1, adopted 5/2/13)

18.63.4. Duration of Designation.

The Lafitte Greenway Revitalization Corridor Interim Zoning District is designated for a period of one year. This designation may be extended pursuant to Section 3-126 of the Home Rule Charter of the City of New Orleans.

(Ord. No. 25309, § 1, adopted 5/2/13)

***Editor's note**—Ord. No. 25309, § 1, adopted May 2, 2013, set out provisions intended for use as §§ 18.62.1—18.62.4. At the editor's discretion, to prevent duplication of section numbers, these provisions have been included as §§ 18.63.1—18.63.4.

Section 18.63A. City Council District D Prohibition of Reception Halls and Reception Facilities Interim Zoning District.*

18.63A.1. Purpose of the District.

The purpose of this City Council District D Reception Hall and Reception Facilities Interim Zoning District (IZD) is to prohibit the issuance of any permits for reception halls or reception facilities within City Council District D.
(Ord. No. 25505, § 1, adopted 9/26/13)

18.63A.2. Area of Applicability.

The provisions of this IZD apply to all property within the entirety of City Council District D.
(Ord. No. 25505, § 1, adopted 9/26/13)

18.63A.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5.(1.) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5(1.) of the Comprehensive Zoning Ordinance.
(Ord. No. 25505, § 1, adopted 9/26/13)

18.63A.4. Duration of Designation.

The City Council District D Prohibition of Reception Halls and Reception Facilities Interim Zoning District (IZD) shall be established for a period of one (1) year with the option of renewing for up to two (2) 180-day periods.
(Ord. No. 25505, § 1, adopted 9/26/13)

Section 18.63B. District D Urban Corridor District Interim Zoning District.†

18.63B.1. Purpose of the District.

The purpose of the District D Urban Corridor District Interim Zoning District is to prohibit the issuance of permits that are inconsistent with all design, use, and other requirements of Article 10, Section 10.1 Urban Corridor District for all properties zoned C-1 General Commercial District within City Council District D and east of the Industrial Canal.
(Ord. No. 25514, § 1, adopted 10/10/13)

18.63B.2. Area of Applicability.

This IZD applies to all properties zoned C-1 General Commercial District within City Council District D east of the Industrial Canal.
(Ord. No. 25514, § 1, adopted 10/10/13)

18.63B.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5(3) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5 of the Comprehensive Zoning Ordinance.
(Ord. No. 25514, § 1, adopted 10/10/13)

***Editor's note**—Ord. No. 25505, § 1, adopted Sept. 26, 2013, set out provisions intended for use as §§ 18.63.1—18.63.4. At the editor's discretion, to prevent duplication of section numbers, these provisions have been included as §§ 18.63A.1—18.63A.4.

†**Editor's note**—Ord. No. 25514, § 1, adopted Oct. 10, 2013, set out provisions intended for use as §§ 18.63.1—18.63.4. At the editor's discretion, to prevent duplication of section numbers, these provisions have been included as §§ 18.6B3.1—18.63B.4.

18.63B.4. Duration of Designation.

The District D Urban Corridor District Interim Zoning District is designated for a period of twelve (12) months. This designation may be extended, pursuant to Section 16.4.3(3) of the Comprehensive Zoning Ordinance, for no more than two (2) additional periods of 180 days each.
(Ord. No. 25514, § 1, adopted 10/10/13)

Section 18.64. Zion City Residential Character Preservation Interim Zoning District.

18.64.1. Purpose of the District.

The purpose of the Zion City Residential Character Preservation Interim Zoning District (IZD) is to prohibit the establishment of any use and the issuance of any permit, certificate, or license except in accordance with the provisions of the RD-3 Two-Family Residential District within the area of applicability, with the exception that Lots V and W of Square 494 shall be subject to the regulations of the B-1A Neighborhood Business District.
(Ord. No. 25723, § 1, adopted 3/13/14)

18.64.2. Area of Applicability.

This IZD applies to all lots currently zoned LI Light Industrial District within Squares 494 and 495 (excluding Lots J, K, and 3 of Square 495), bounded by South White, Thalia, South Dupre, and Clio Streets.
(Ord. No. 25723, § 1, adopted 3/13/14)

18.64.3. Appeals.

Any appeal to the regulations of this IZD shall be made to the City Council in accordance with the provisions of Section 16.4.5.(1.) of the Comprehensive Zoning Ordinance. The City Planning Commission shall make a recommendation to the City Council following a public hearing on the appeal request, in the manner provided in Section 16.9.5(1.) of the Comprehensive Zoning Ordinance.
(Ord. No. 25723, § 1, adopted 3/13/14)

18.64.4. Duration of Designation.

The Zion City Residential Character Preservation Interim Zoning District is designated for a period of one (1) year. This designation may be extended pursuant to Section 3-126 of the Home Rule Charter of the City of New Orleans.
(Ord. No. 25723, § 1, adopted 3/13/14)

ORDINANCE LIST AND DISPOSITION TABLE

Beginning Supplement No. 6-09, this table will be replaced with the "Ordinance Comparative Table and Disposition List."

Ordinance Number	Zoning Docket Number	
17,253	39/95	Adds §§ 2.2.145(A) [2.2.146A], 7.3.5.9 [7.3.5.11], 7.4.6.7 [7.4.6.8], radioactive uses (2, 7)
17,254	60/95	Adds §§ 2.2.93(A) [2.2.94A], 5.7.5.12, 5.8.5.30 [5.8.5.29], 6.1.5.18, 6.2.5.4, 6.4.5.15, 6.5.5.5, 6.8.5.4, 7.2.5.13, 7.3.5.9, 11.50 and 15.2.11, tourist homes, travelers inns, tourist lodges and guest homes (2, 5, 6, 7, 11, 15)
17,310	55/95	Adds §§ 2.2.193 [2.2.104A], 5.7.5.13, 6.2.5.5, 6.4.5.16 and 6.6.5.3, interactive theaters (2, 5, 6)
17,359	67/95	Adds new section to Art. 18 [18.22], Carrollton-Claiborne Interim Zoning District (Expired)
17,377	72/95	Adds new section to Art. 18 [18.23], South Claiborne Demolition Prohibition Interim Zoning District (Expired)
17,438	90/95	Adds § 5.8.5.30, radio, television and microwave relay transmitting or receiving towers or antennas (5)
17,514	24/96	Amends § 2.2.169, specialty urban marketplaces (2)
17,529	26/96	Adds § 5.8.5.30 [5.8.5.31], mini-warehouses (5)
17,530	6/96	Adds § 5.7.3.30, large group homes (Repealed by 17,900)
17,577	9/96	Adds subsection (c) to § 16.9.6.2; amends §§ 18.6.5.4, 18.6.5.5, 18.8.5.4, 18.8.5.5, 18.9.5.4, 18.9.5.5, 18.10.5.4 and 18.10.5.5, interim zoning district procedures (16, 18)
17,658	56/96	Adds § 5.5.3.35, manufacture, repair and service of jewelry in the B-1A District (5)
17,659	15/96	Adds § 12.2.3.3 [12.2.3.4], exterior laser light promotional displays (12)
17,664	86/95	Adds § 11.50 [11.51]; amends § 2.2.153, restaurants (2, 11)
17,694	11/96	Adds §§ 15.2.3A and 15.2.3B, parking of authorized motor vehicles; repeals § 15.2.5.12 (15)
17,765	38/96	Adds § 18.24, Garden District Interim Zoning District (Expired)
17,803	99/96	Amends §§ 2.2.39 and 6.2.9.4; repeals and replaces § 5.7.5.10, casinos; repeals § 5.7.9.1 (2, 5, 6)
17,811	69/96	Amends § 6.1.3.19, Central Business District (6)
17,812	55/96	Adds §§ 4.10.5.6 [4.10.5.5], 4.11.5.6, 4.12.5.5 and 5.7.5.12 [5.7.5.14]; repeals and replaces § 4.12.3.11, group homes; repeals §§ 4.10.3.6, 4.11.3.8 and 5.7.3.31 [5.7.3.30] (4, 5)
17,900	87/96	Adds §§ 5.7.3.31, 5.8.3.49 and 5.9.3.30, medical clinics (5)

17,901	95/96	Adds § 5.5.3.35 [5.5.3.36], light manufacturing (5)
17,929	73/96	Adds § 6.7.5.16, self-storage (6)
17,939		Extends effectiveness of § 18.23, South Claiborne Demolition Prohibition Interim Zoning District (Expired)
17,941		Extends effectiveness of § 18.22, Carrollton-Claiborne Interim Zoning District (Expired)
18,001	123/96	Adds § 18.25, Telecommunications Facility Prohibition Interim Zoning District (Expired)
18,021	148/96	Adds § 5.8.5.29 [5.8.5.32], supper clubs (5)
18,037	114/96	Adds § 8.6.3.22, specialty urban marketplaces (8)
18,039	94/96	Adds subsection (d) to § 11.21 and subsection (e) to § 11.22; amends §§ 2.2.93 and 2.2.94, large group homes (2, 11)
18,042	126/96	Amends § 12.5.11, variance or waiver of requirements (Not codified)
18,069	112/96	Adds § 15.2.3.6, parking in front yards (15)
18,074	133/96	Adds § 18.26, Demolition Prohibition Interim Zoning District (18)
18,076	121/96	Adds § 15.6.6, limitation on pavement of required yard areas (15)
18,077	126/96	Amends § 12.5.11, variance or waiver of requirements (12)
18,140	12/97	Adds §§ 7.3.3.102 and 11.36.3, schools, colleges, junior colleges or institutions of higher learning (7, 11)
18,177	107/96	Adds §§ 2.2.200 [2.2.92A], 5.7.5.12 [5.7.5.15], 6.9.5.3 [6.9.5.23], 7.3.5.9 [7.3.5.10], 9.5.5.3 and 11.50 [11.52]; amends §§ 6.10.5 and 7.4.6.1, green markets (2, 5, 6, 7, 9, 11)
18,198	135/96	Amends § 7.4.6, conditional uses in the Heavy Industrial District; repeals § 7.4.4 (7)
18,229	140/96	Adds §§ 5.4.5.12, 5.5.5.20, 5.7.3.30 [5.7.3.32] and 5.9.3.29; amends introductory paragraphs to §§ 5.4.3 and 5.5.3; amends § 11.13, cocktail lounges; repeals § 5.4.3.11 (5, 11)
18,267	19/97	Amends § 1.10, adult establishments (1)
18,271	38/97	Amends § 2.2.78, floor area (2)
18,323		Extends effectiveness of § 18.22, Carrollton-Claiborne Interim Zoning District (Expired)
18,324		Extends effectiveness of § 18.23, South Claiborne Demolition Prohibition Interim Zoning District (Expired)
18,325	27/97	Adds §§ 2.2.200 [2.2.22A], 4.1.5.26 and 11.16.2, borrow pits (2, 4, 11)
18,361	13/97	Adds § 11.50 [11.53]; amends §§ 7.3.5.2(b), 7.4.4.9, 7.4.4.78, 7.4.4.97 [7.4.6.105], auto dismantling, storage and/or used parts sales, scrap metal collection and transfer, auto crushing and junkyards (7, 11)
18,362	29/97	Adds §§ 2.2.202, 2.2.203, 7.3.3.9 [7.3.5.12], 7.3.3.10, [7.3.5.13], 7.4.3.43, 7.4.6.8 [7.4.6.106], 7.4.6.9 [7.4.6.107], 7.6, 11.51, [11.54] and 15.2.11 [15.2.12]; amends §§ 7.3.3.74, 7.1.3.102 [7.3.3.103], 7.4.3.1, truck terminals and truck stops; repeals §§ 6.9.3.13 and 18.12 (2, 6, 7, 11, 15, 18)

18,373	14/97	Adds definition to § 2.2; adds §§ 6.1.3.65; amends 11.48(d), multi-discipline arts centers (2, 6, 11)
18,374	63/97	Amends § 4.5.8.3, RD-2 subdistrict standards (4)
18,384	86/96	Adds §§ 142.1, 4.1.3.22 [4.1.3.26], 4.1.5.26 [4.1.5.27], 4.2.3.24, 4.2.5.8, 5.5.5.20 [5.5.5.21], 5.7.3.31 [5.7.3.33], 5.7.5.12 [5.7.5.16], 5.7.5.13 [5.7.5.17], 5.8.3.49 [5.8.3.50], 5.8.5.29 [5.8.5.33], 5.9.3.30 [5.9.3.31], 6.1.5.18 [6.1.5.19], 6.4.5.15 [6.4.5.17], 6.7.5.16 [6.7.5.17], 6.9.5.23 [6.9.5.24], 7.1.3.33, 7.1.5.13 [7.1.5.10], 7.2.3.33, 7.2.5.13 [7.2.5.14], 7.1.3.102 [7.3.3.104], 7.4.6.7 [7.4.6.108], 8.2.3.21, 8.7.3.21, 8.8.3.20 [8.8.3.21], 8.9.3.11, 9.1.3.7, 10.4.5.3, 10.5.3.30, 10.5.5.20, 10.6.3.4, 10.6.5.3,

		10.8.3.7, 10.8.5.3 and 11.50 [11.55], personal wireless communication facilities (2, 4, 5, 6, 7, 8, 9, 10, 11)
18,425	50/97	Adds section [18.28] to Article 18, Lakeview Design Review Interim Zoning District (Expired)
18,473	51/97	Amends § 18.26, Riverbend Demolition Prohibition Interim Zoning District (Expired)
18,502	72/97, 76/97	Adds § 10.11, Lower St. Charles Avenue Design Review District; amends §§ 4.10.1, 4.10.5.1, Table 4.J, 4.10.8 and 5.5.9; repeals §§ 4.8.8, 4.10.8, 18.4, 18.20 and 18.27 (4, 5, 10)
18,517		Extends effectiveness of § 18.24, Garden District Interim Zoning District (Expired)
18,562	78/97	Adds § 5.7.5.12 [5.7.5.18], 7.3.3.102 [7.3.3.105], 8.6.5.4, 8.7.3.21 [8.7.3.22], 8.8.5.5, 9.6.5.5; amends §§ 1.10, 2.2.4, 2.2.8, 2.2.23, 2.2.101, 2.2.110, 2.2.133, 2.2.153, 6.4.5.6, 8.5.5.2, 8.7.5.1, 8.8.5.1, adult cabarets (1, 2, 5, 6, 7, 8, 9)
18,569	118/97	Adds § 10.12 [10.3A], Inner-City Urban Corridor District (10)
18,573	128/97	Amends § 13.4, change of use (13)
18,574	121/97	Adds § 5.1.5.5; amends § 5.1.3, Medical Service District (5)
18,581	103/97	Adds §§ 6.8.5.4 [6.8.5.5], 6.9.3.16, 6.9.5.23 [6.9.5.25]; amends § 6.8.3, trade schools and retail stores (6)
18,582	82/97	Adds section [18.29] to Article 18, Delachaise/Loyola Redevelopment Interim Zoning District (Expired)
18,601	89/97	Adds section [18.30] to Article 18, Irish Channel Demolition/Construction Review Interim Zoning District (Expired)
18,609	107/97	Adds § 6.9.5.23 [6.9.5.26], expansion of timeshares and transient vacation rentals (6)
18,616	108/97	Adds § 6.4.10; amends § 6.4.2, CBD-3 district (6)
18,639	97/97	Adds §§ 7.3.5.9 [7.3.5.14] and 7.4.6.8 [7.4.6.109], live entertainment (7)
18,662	127/97	Amends § 15.2.5.16, design standards for off-street parking (15)
18,663	8/98	Adds section [18.31] to Article 18, Mid-City Development/ Redevelopment Prohibition Interim Zoning District (Expired)
18,691		Extends effectiveness of § 18.24, Garden District Interim Zoning District (Expired)
18,709	11/98	Adds Section 7.6 [7.4A], MU-A Mixed Use District (7)
18,710	17/98	Adds section [18.32] to Article 18, Labor Pool/Employment Services Interim Zoning District (18)
18,711	13/98	Adds Section 10.11 [10.9A], MUPC Mixed-Use Planned Community District (10)
18,737	45/98	Amends § 16.9.10, amendments and revisions to approval (16)
18,762	3/98	Amends §§ 2.2.17, 2.2.20, 2.2.21, 4.1.5, 5.4.3, 5.5.3, 5.6.3, 5.8.3, 6.1.3, 11.6.1, 11.6.3, 11.6.5, 11.7.1, 11.7.2, 11.7.3, 11.7.5, 11.8.1, 11.8.2, 11.8.3, 11.9.1, 11.9.3, 11.9.4, 11.9.5 and 11.9.6; repeals §§ 4.8.5.7, 4.9.5.4, 4.11.5.5, 5.5.5.13—5.5.5.16, 5.8.5.22—5.8.5.25, 6.1.5.13—6.1.5.16, 6.4.5.9—6.4.5.12, 6.7.5.9—6.7.5.12 and 6.9.5.15—6.9.5.18, bed and breakfasts (2, 4, 5, 6, 11)
18,825	40/98	Amends §§ 15.5.7.1, 15.5.8.4 and 15.5.10.1, supplementary height, area, and bulk regulations (15)

18,938		Extends effectiveness of § 18.27 [18.28], Lakeview Design Review Interim Zoning District (18)
18,959	79/98	Amends § 4.1.4, servants' quarters (4)
18,980	73/98	Amends § 4.11.5.7, medical clinic (4)
19,033	66/98	Adds § 4.10.8 [4.10.9], bed and breakfasts (4)
19,036	113/98	Adds § 11.56; amends § 6.1.3, chilled water, hot water and steam generation facilities (6,11)
19,037	112/98	Amends §§ 5.1.3 and 11.56, chilled water, hot water and steam generation facilities (5, 11)
19,040	96/98	Adds § 18.29 [18.33], Upper Mid-City Demolition Prohibition Interim Zoning District (Expired)
19,044	94/98	Adds § 12.2.6; amends § 13.5.2, signs for nonconforming uses (12, 13)
19,080		Extends effectiveness of § 18.28 [18.29], Delachaise/Loyola Redevelopment Interim Zoning District (18)
19,102		Extends effectiveness of § 18.29 [18.30], Irish Channel Demolition/Construction Review Interim Zoning District (Expired)
19,106	127/98	Amends §§ 5.8.5 and 10.11.4, pharmacies (5, 10)
19,151	118/98	Amends §§ 8.2.2, 8.3.2, 8.4.2, 8.5.2, 8.6.2, 8.7.2, 8.8.2 and 8.9.2, Class B licensed package liquor sales (8)
19,177		Extends effectiveness of § 18.28, Lakeview Design Review Interim Zoning District (Expired)
19,178		Extends effectiveness of § 18.31, Mid-City Development/Redevelopment Prohibition Interim Zoning District (Expired)
19,236		Extends effectiveness of § 18.32, Labor Pool/Employment Services Interim Zoning District (18)
19,295		Amends § 18.29.1 [18.33.1], Upper Mid-City Demolition Prohibition Interim Zoning District (Expired)
19,343		Extends effectiveness of § 18.29 [18.30], Irish Channel Demolition/Construction Review Interim Zoning District (Expired)
19,365	40/99	Amends § 14.5.4, appeals from administrative decisions (14)
19,441		Extends effectiveness of § 18.32, Labor Pool/Employment Services Interim Zoning District (18)
19,502	119/99	Adds section [18.34] to Art. 18, Tremé/Marigny Triangle Alcoholic Beverage Permit Interim Zoning Districts (Expired)
19,554	84/99	Amends § 10.11.4, Lower St. Charles Avenue Design District (10)
19,599	105/99	Amends § 8.8.3, VCE-1 Vieux Carré Entertainment District (8)
19,613	95/98	Adds § 11.56 [11.61]; amends §§ 5.7.3, 5.8.5, 5.9.3, 7.3.3, and 7.4.3, retail uses greater than 25,000 square feet in floor area (5, 7, 11)
19,708	54/00	Amends §§ 2.2.47A and 2.2.154A, definitions, and 5.9.3, C-2 General Commercial District and § 6.1.3, permitted uses (2, 5, 6)
19,722	42/00	Adds 9.4.4a; amends §§ 9.4.3 and 9.5.5, historic Marigny/Tremé Commercial District, and 11.51.1, supplementary use standards (9, 11)
19,731	27/00	Amends §§ 2.2.105A, definitions, 7.3.3 and 7.4.3, industrial districts, and 11.57, supplementary use standards (7, 11)
19,758	25/00	Amends § 8.7.4, VCE Vieux Carré Entertainment District (8)

19,763	38/00	Amends § 6.4.9.7, CBD-2B Central Business District (6)
19,815	76/00	Amends §§ 9.5.3, 9.5.5, HMC-2 Historic Marigny/Tremé Commercial District (9)
19,832	56/00	Adds section [18.35] to Art. 18, Algiers Point Interim Zoning (Expired)
19,885	95/00	Adds section [18.36] to Art. 18, CBDHDLC Design Review Interim Zoning District (Expired)
19,886	94/00	Amends § 5.5.3, B1-A Neighborhood Business District (5)
19,887	92/00	Amends § 4.1.4, RS-1 Single-Family Residential District (4)
19,945	75/00	Amends § 10.1.11, Special Site Design Conditions (10)
19,983	119/00	Amends §§ 6.4.3, 6.4.9, CBD-3 Central Business District (6)
19,986	93/100	Adds section [18.37] to Art. 18, South Claiborne Avenue Urban Overlay Corridor Interim Zoning District (Expired)
20,031	127/00	Amends §§ 5.3.3, 11.6.2, 11.6.3, 11.7.2, 11.7.3, 11.8.2, 11.9.3, 11.9.4, Bed and Breakfasts (5, 11)
20,049	139/00	Amends §§ 4.1.5, 11.15.1, Single-Family Residential District (4, 11)
20,071	74/100	Adds section [18.38] to Art. 18, Holy Ghost Redevelopment Interim Zoning District (Expired)
20,082	10/01	Amends § 6.2.9, subdistrict standards (6)
20,223	20/01	Adds section [18.39] to Art. 18, Algiers Riverpoint Interim Zoning District (Expired)
20,271	29/01	Amends §§ 8.5.3, 8.7.3, 8.8.3, 9.4.3, 9.5.3, HMC-2 Commercial District (8, 9)
20,274	24/01	Amends §§ 6.1.6, 6.2.6, 6.3.6, 6.6.6, CBD permitted signs (6)
20,309	28/01	Amends § 11.36.3, institutions of higher learning (11)
20,346	7/01	Adds section [18.40] to Art. 18, Central City Alcoholic Beverages Interim Zoning District (Expired)
20,354	38/01	Adds section [18.41] to Art. 18, Uptown Square Interim Zoning District (Expired)
20,355	39/01	Amends § 5.9.8, General Commercial District (5)
20,458		Extends effectiveness of § 18.36, CBDHDLC Design Review Interim Zoning District (Expired)
20,640	13/02	Adds section [18.42] to Art. 18, Lakeshore Interim Zoning District (18)
20,641		Extends the effectiveness of § 18.37, South Claiborne Avenue Urban Overlay Corridor Interim Zoning District (Expired)
20,643		Extends the effectiveness of § 18.41, Uptown Square Interim Zoning District (Expired)
20,677		Extends the effectiveness of § 18.38, Holy Ghost Redevelopment Interim Zoning District (Expired)
20,686	1/02	Adds section [18.43] to Art. 18, Algiers Lower Coast Interim Zoning District (Expired)
20,687	5/02	Amends §§ 2.2, 5.7.3, 5.8.3, 5.9.3, 6.1.3, 7.3.3, 11.58, permitted uses (2, 5, 6, 7, 11)
20,692	22/02	Adds § 10.12, Residential Diversity Overlay District (10)
20,700	17/02	Amends §§ 2.2, 12.2.4, murals (2, 12)

20,716	12/02	Amends §§ 2.2, 5.1.3, 6.1.3, 6.4.3, 6.5.3, 6.6.3, 6.7.3, 7.3.3, guidance service (2, 5, 6, 7)
20,719	4/02	Adds section [18.44] to Art. 18, Alcoholic Beverage Permit Interim Zoning District (18)
20,744	26/02	Amends §§ 5.6.3, 5.7.3, 5.8.3, 5.9.3, Neighborhood Business District (5)
20,756	19/02	Adds section [18.45] to Art. 18, New Orleans East Interim Zoning District (Extended)
20,814	41/03	Amends § 15.5.7, yards and open space (15)
20,854		Extends the effectiveness of § 18.41, Uptown Square Interim Zoning District (18)
20,855		Extends the effectiveness of § 18.38, Holy Ghost Redevelopment Interim Zoning District (18)
20,912	68/02	Repeals § 6.8.9, subdistrict regulations (Repealer)
20,937		Extends the effectiveness of § 18.45, New Orleans East Interim Zoning District (18)
21,007	96/02	Amends § 10.4.4, accessory uses (10)
21,047	21/03	Amends §§ 2.2, 12.2.4, murals (2, 12)
21,087		Extends the effectiveness of § 18.42, Lakeshore Interim Zoning District (Extended)
21,124	20/03	Adds § 11.59; amends § 10.1.7, conditional uses (10, 11)
21,134		Extends the effectiveness of § 18.45, New Orleans East Interim Zoning District (Extended)
21,208	41/03	Adds § 11.60; amends §§ 7.1.5, industrial districts (7, 11)
21,287	57/03	Amends §§ 8.6.5, 15.2.13, Vieux Carré District (8, 15)
21,308		Extends the effectiveness of § 18.42, Lakeshore Interim Zoning District (Extended)
21,391	92/02	Amends §§ 2.2 and 4.1, wineries (2, 4)
21,457	103/03	Amends §§ 10.1.2 and 10.1.5, urban corridor district (10)
21,460	104/03	Amends §§ 10.1.2 and 10.1.5, urban corridor district (10)
21,538	10/04	Amends § 10.3A.2, inner-city urban corridor district (10)
21,546	19/04	Adds § 15.6.7, regulations for one- and two-family dwellings (15)
21,664	42/04	Amends § 6.8.5, sale of alcoholic beverages for existing retail store (6)
21,714	60/04	Amends §§ 4.1.3, 4.1.5, 4.2.3, 4.2.5, 4.3.3, and 4.3.5, permitted uses in single-family residential districts (4)
21,766	70/04	Adds § 11.62; amends §§ 2.2, 4.1.3, 11.62, artist community (2, 4, 11)
21,806	72/04	Adds § 8.6A, VCS-1 Vieux Carré Service District (8)
21,813	94/04	Adds § 10.13, AC Arts & Cultural Overlay District (10)
21,891	106/04	Amends § 10.7.4, Planned Development District (10)
21,893	4/05	Amends § 10.12, Residential Planned Community District (10)
21,975	14/05	Adds § 18.46, Lakeview Subdistrict Interim Zoning District (18)
22,052	32/05	Amends § 4.5.4, RD-2 Two-Family Residential Districts (4)
22,083	71/05	Amends § 8.10.1, existing development in the Vieux Carré Districts (8)

22,237	3/06	Amends §§ 6.4 and 15.2, off-street parking in CBD Central Business Districts (6, 15)
22,344	18/06	Amends § 6.7, CBD-6 Central Business District (6)
22,432	46/06	Amends § 10.3A, Inner City Urban Corridor District (10)
22,484	43/06	Amends § 10.2, Eastern New Orleans Renaissance Corridor District (10)
22,518	52/06	Amends § 10.3A, Inner City Urban Corridor District (10)
22,558	53/06	Amends § 15.2.7, parking regulations in CBD Central Business Districts (15)
22,639	2/07	Amends § 4.1, RS-1 District (4)
22,655	12/07	Amends § 7.4A, Mixed Use District (7)
22,751	44/07	Amends §§ 2.2 and 6.9, CBD-8 Central Business District (2, 6)
22,789	48/07	Adds § 11.63 and amends §§ 2.2, 5.1—5.9 and 13.6, reception facilities (2, 5, 11, 13)
22,852	65/07	Amends §§ 10.2 and 10.3, Eastern New Orleans Renaissance Corridor District and Highway Urban Corridor District (10)
22,854	72/07	Amends § 10.3A, Inner City Urban Corridor District (10)
22,857	66/07	Adds § 11.64, motion picture studios over 25,000 square feet; and amends § 5.7, C-1 District (5, 11)
22,892	1/07	Adds § 18.47, Mirabeau/St. Anthony Redevelopment Interim Zoning District (18)
22,896	62/07	Adds Article 9A, Lake Area Zoning Districts (9A)
22,921	90/07	Adds § 10.14, Freret Street AC Arts and Cultural Overlay District (10)
23,056	139/07	Amends § 6.4, CBD-3 Central Business District (6)
23,087	8/08	Amends §§ 5.1—5.6, 10.3A, Business and Commercial Districts, Inner City Urban Corridor District (5, 10)
23,147	26/08	Amends §§ 5.6, 5.8, 7.1—7.3, 7.4A, 9A.10, 11.30, public and government buildings (5, 7, 9A, 11)

Beginning Supplement No. 6-09, this table will be replaced with the "Ordinance Comparative Table and Disposition List."

ORDINANCE COMPARATIVE TABLE AND DISPOSITION LIST

This is a chronological listing of the Zoning Ordinances of New Orleans beginning with Supplement No. 6-09, included in this volume.

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section	Section this Volume
22012		7-14-05	Providing for a conditional use to permit redevelopment of a seven-story office building for hotel use in a VCS-1 Vieux Carré District	1—3	Vetoed by mayor, 7-24-05; (Not codified)
22013		8- 4-05	Effecting a map change from an SC-Shopping Center District to an MS-Medical Service District	1, 2	(Not codified)
22036		8- 4-05	Effecting a map change from an RD-2 Two Family Residential District to a B-1A Neighborhood Business District	1—3	(Not codified)
22037		8- 4-05	Establishing a conditional use and a residential planned community in an HMR-3 Historic Marigny/Tremé Light Industrial District and an HMLI Historic Marigny/Tremé Light Industrial District	1—4	(Not codified)
22038		8- 4-05	Establishing a conditional use to permit a dental clinic in a B-1A Neighborhood Business District	1—3	(Not codified)
22039		8- 4-05	Permitting expansion of an existing private elementary and secondary school in an RD-2 Two Family Residential District and an RM-2A Multiple Family Residential District	1—3	(Not codified)
22053		8-18-05	Amending a conditional use to permit construction of a building to house 700 lost machine gaming floor and additions to the existing facility and site improvements in an RD-2 Two family Residential District	1—3	(Not codified)
22054		8-18-05	Establishing a conditional use to permit a height waiver (including side and rear yard waivers) in a CBD-7 Central Business District	1—3	(Not codified)
22100		12- 1-05	Permitting a fast-food restaurant with drive-through in a B-1 Neighborhood Business District	1	(Not codified)
22102		12- 1-05	Temporarily allowing placement of trailers and travel trailers in certain zoning districts	1—6	(Not codified)
27,183	54/08	11- 6-08	Amends §§ 10.1 and 10.3, UC Urban Corridor District and Highway Urban Corridor District	1	10.1.7
					10.3.6
27,187	57/08	11- 6-08	Amends §§ 9A.1 and 9A.8, LRS-1 Lakeview Single-Family Residential District and LB-1 Lake Area Neighborhood Business District	1	9A.1.3
				2	9A.1.7, 9A.1.8
					9A.8.3

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
						9A.8.5
27,188	49/08	11- 6-08	Amends § 10.2, Eastern New Orleans Renaissance Corridor District	1		10.2.7
27,246	65/08	12- 1-08	Amends § 10.2, Eastern New Orleans Renaissance Corridor District	1		10.2.2
27,248	66/08	12- 1-08	Amends § 10.2, Eastern New Orleans Renaissance Corridor District	1		10.2.2
27,257	61/08	12-18-08	Amends § 9.5, HMC-2 Historic Marigny/Tremé Commercial District	1		9.5.5
23472	116/08	4- 2-09	Establishing the Central City Mixed Use Interim Zoning District	1	Added	18.48
23650	40/09	7-23-09	Establishing the Gert Town Mixed Use Interim Zoning District	1	Added	18.49
23717	63/09	9-17-09	Adds historic signs as accessory uses in all LI-Light Industrial Districts	1		7.3.6
23892	88/09	3-11-10	Establishing the Eastern New Orleans Multiple-Family Residential Mixed Use Interim Zoning District	1	Added	18.50
23893	89/09	3-11-10	Establishing the Eastern New Orleans Renaissance Corridor Mixed Use Interim Zoning District	1	Added	18.51
23899	107/09	3-11-10	Adds dog day care and kennel boarding as permitted uses in the HMC-2 Historic Marigny/Tremé Commercial Districts	1		9.5.3
23902	119/09	3-11-10	Adds art galleries as a conditional use in the VCP Vieux Carré Park district	1		8.9.5
023955	126/09	4-23-10	Establishing the Claiborne Avenue Interim Zoning District	1	Added	18.52
023956	125/09	4-22-10	Amends § 10.3A Inner-City Urban Corridor District regarding areas of applicability and uses authorized in the district	1		10.3A.2.d.
				2		10.3A.4.2
024010		6-17-10	Extends effectiveness of M.C.S., Ord. No. 23,650, establishing the "Gert Town Mixed Use Interim Zoning District," for 180 days	1		18.49.4
024041		7- 1-10	Extends effectiveness of M.C.S., Ord. No. 23,472, establishing the "Central City Mixed Use Interim Zoning District," for 180 days	1		18.48.4
024146	53/10	10- 7-10	Amends Residential Diversity Overlay District areas of applicability	1	Rnbd	10.12.6
					as	10.12A
024149	55/10	10- 7-10	Amends Inner-City Urban Corridor District areas of applicability	1		10.3A.2 d.
024181	64/10	11- 4-10	Amends C-2 General Commercial District permitted uses	1	Added	5.9.3. 37
			Amends C-2 General Commercial District conditional uses	2	Added	5.9.5. 1., 2.
024188	66/10	11- 4-10	Amends Central Business Districts conditional uses	1	Added	6.9.5. 25.
024236	86/10	12- 1-10	Amends Inner-City Urban Corridor District areas of applicability	1	Added	10.3A.2. f.

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
			Amends Inner-City Urban Core District, uses authorized in the district			10.3A.4. 2.
024237	87/10	12- 1-10	Amends Inner-City Urban Corridor District areas of applicability	1	Added	10.3A.2. e.
			Amends Inner-City Urban Core District, uses authorized in the district			10.3A.4. 2.
024300	94/10	2-17-11	Amending sections regarding permitted uses in the Vieux Carré Historic Districts	1		8.4.3, 8.5.3, 8.6.3
			Amending Art. 11 to include provisions related to T-shirt, novelty and souvenir shops	2	Added	11.65
24332		3- 3-11	Extends effectiveness of the ordinance creating the RM-2E Eastern New Orleans Multi-Family Residential District	1		18.50.12
24333		3- 3-11	Extends effectiveness of the ordinance creating the Eastern New Orleans Mixed-Use Interim District zoning classification	1		18.51.16
024394	4/11	4-28-11	Amends provisions related to the Lake Area Design Corridor Overlay District	1	Added	9A.13.2.c.
024485	22/11	7- 7-11	Adds provisions related to the Lafitte Corridor Interim Zoning District	1	Added	18.55
024522	33/11	8- 4-11	Amends accessory uses in the RS-1 Single-Family Residential District	1	Added	4.1.4.25.
			Adds provisions related to accessory uses in public libraries		Added	11.66
024523	34/11	8- 4-11	Amends permitted uses in the CBD-1 Central Business District	1		6.2.4.64.
			Amends subdistrict standards in the CBD-1 Central Business District			6.1.9.2.
			Amends permitted uses in the CBD-2 Central Business District			6.2.3.1.
			Amends permitted uses in the CBD-2B Central Business District			6.3.3.4.
			Amends subdistrict standards in the CBD-2B Central Business District			6.3.9.4.
			Amends permitted uses in the CBD-3 Central Business District			6.4.3.2.
			Amends subdistrict standards in the CBD-3 Central Business District			6.4.9.5.
			Amends permitted uses in the CBD-4 Central Business District			6.5.3.1.
			Amends permitted uses in the CBD-5 Central Business District		Rpld	6.6.3.3.
					Rnbd.	4.
					as	3.
			Amends permitted uses in the CBD-6 Central Business		Rpld	6.7.3.1.e.
					Rnbd	6.7.3.1.f.
					as	6.7.3.1.e.
024593	52/11	9-22-11	Amends provisions related to alcoholic beverage outlets	1		11.48.a.—d.

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
					Rpld	1.48.e.
024565	39/11	9- 1-11	Amending areas of applicability of the Inner-City Urban Corridor District	1	Added	10.3A.2.g.
			Amending uses authorized in the Inner-City Urban Corridor District			10.3A.4. 2.
024569	47/11	9- 1-11	Establishing the Hoffman Triangle Low Density Residential Interim Zoning District	1	Added	18.57
024571	40/11	9- 1-11	Establishing the Greater Tulane Avenue Interim Zoning District	1	Added	18.56
024640		10-20-11	Extending the effectiveness of the Eastern New Orleans Renaissance Corridor Interim Zoning District by an additional 180 days	1		18.51.16
024643	76/11	10-20-11	Adding definition of micro-distillery	1		2.2
			Adding micro-distillery as a conditional use in the C-1A General Commercial District	2	Added	5.8.5 36.
			Adding micro-distillery as a permitted use in the LI-Light Industrial District	3	Added	7.3.3. 111.
			Adding micro-distillery as a permitted use in the HI-Heavy Industrial District		Added	7.4.3. 46.
024653		11- 3-11	Extending the effectiveness of the Eastern New Orleans Multi-Family Residential Interim Zoning District for an additional 180 days	I		18.50.12
024670	51/11	11-17-11	Amending provisions related to artists community	1		11.62
024688	86/11	12- 1-11	Establishing the District D Inner-City Urban Corridor District Interim Zoning District	1	Added	18.58
024689	90/11	12- 1-11	Establishing the District D Urban Corridor Interim Zoning District	1	Added	18.59
024708	84/11	12-15-11	Amending areas of applicability in the Inner-City Urban Corridor District	1		10.3A.2.g.
			Amending uses authorized in the Inner-City Urban Corridor District			10.3A.4. 2.
024709	85/11	12-15-11	Amending provisions related to accessory uses in the Eastern New Orleans Renaissance Corridor District Interim Zoning District	1		18.51.6
			Amending provisions related to permitted signs			18.51.10
			Amending provisions related to special site design conditions			18.51.11
			Amending provisions related to design standards in the B-1 and B-2 and C-1 and C-2 base districts			18.51.12
			Amending provisions related to multiple-family dwelling design standards			18.51.13

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
024710	96/11	12-15-11	Adding health clubs, yoga or dance studios, community centers, banks (except drive-in), and police stations limited to 500 square feet in floor area and providing permanent office space for no more than two (2) police personnel as permitted uses in the HMC-2 Historic Marigny/Tremé Commercial District	1	Added	9.5.3. 10.—14.
			Adding theaters with alcoholic beverages and amusement places, limited to one (1) per block face as conditional uses in the HMC-2 Historic Marigny/ Tremé Commercial District		Added	9.5.5. 7.
024720	102/11	1- 5-12	Amending provisions related to purpose of the Vieux Carré Park District	1		8.9.1.
			Amending provisions related to conditional uses in the Vieux Carré Park District			8.9.5.
024733		2- 2-12	Extending the effectiveness of Ord. No. 024485 for the first 180-day period from January 11, 2012 to July 9, 2012	1		18.55.4
024751	113/11	3- 1-12	Amending provisions related to discontinuance of nonconforming uses, land and buildings	1		13.2
024836	2/12	4- 5-12	Establishing the Central City Multi-Family Minimum Design Standards Interim Zoning District (IZD)	1	Added	18.60
024839	1/12	4- 5-12	Amending provisions related to Inner-City Urban Corridor District	1		10.3A.2
						10.3A.4 2.
24925	31/12	6-28-12	Amends supplementary use standards	1		11.6
						11.7
						11.8
						11.9
24926		6-28-12	Extending the effectiveness of Ord. No. 24,485 for the second 180-day period from July 13, 2012 to January 9, 2013	1		18.55.4
24956	35/12	7-26-12	To provide for a Residential Planned Community District Overlay (RPC) to permit a multi-family development in an existing structure in an RD-2 Two-Family Residential District			(Not codified)
24957	53/12	7-26-12	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-2 Neighborhood Business District			(Not codified)
24979	45/12	8- 9-12	To provide for a Residential Planned Community District Overlay (RPC) to permit a multi-family development in an existing structure in an RD-2 Two-Family Residential District			(Not codified)
24981	52/12	8- 9-12	To provide for the establishment of a conditional use to permit the expansion of an existing cemetery in an RM-2 Multi-Family Residential District			(Not codified)
24982	54/12	8- 9-12	To effect a zoning change from a RD-3 Two-Family Residential District to a B-1A Neighborhood Business District			(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
24983	55/12	8- 9-12	To provide for the establishment of a conditional use to permit a new public/ government building (New Orleans Juvenile Justice Center) in an RD-2 Two-Family Residential District and an RM-3 Multi-Family Residential District			(Not codified)
24984	57/12	8- 9-12	To provide for a zoning change from a HMR-3 Historic Marigny/Tremé Residential District to a HMC-2 Historic Marigny/Tremé Commercial District and a conditional use to permit a multi-family development			(Not codified)
24995	61/12	8-23-12	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-2 Neighborhood Business District			(Not codified)
24996	59/12	8-23-12	To effect a zoning change from a RD-2 Two-Family Residential District to a RM-2A Multi-Family Residential District			(Not codified)
24997	64/12	8-23-12	To effect a zoning change from a RM-3 Multi-Family Residential District to a B-2 Neighborhood Business District			(Not codified)
24999	56/12	8-23-12	To provide for the establishment of a conditional use to permit a fire station (NOFD 22/39) in a RD-3 Two-Family Residential District			(Not codified)
25003	47/12	9- 6-12	To provide for the establishment of a conditional use to permit a fast food restaurant in a B-1 Neighborhood Business District			(Not codified)
25004	71/12	9- 6-12	To administratively amend Ordinance No. 22,242 M.C.S., (ZD 17/06, a Conditional Use to permit a mixed use development over 10,000 square feet and ZD 71/11, an administrative amendment), to permit the expansion of buildings and associated parking at a site, in a C-1 General Commercial District and within the UC Urban Corridor District			(Not codified)
25005	72/12	9- 6-12	To provide for the establishment of a conditional use to permit a four-family development in a HMR-3 Historic Marigny/Tremé Residential District			(Not codified)
25006	48/12	9- 6-12	To effect a zoning change for all properties currently located within any RM Multi-Family Residential Zoning District designation in the entirety of New Orleans East, the area bounded by the Industrial Canal, Lake Pontchartrain, the St. Tammany and St. Bernard Parish lines, to RM-2E Eastern New Orleans Multi-Family Residential District			(Not codified)
25007	49/12	9- 6-12	Establishing the RM-2E Eastern New Orleans Mulitiple-Family Residential District	1	Added	4.13.1—4.13.9
25024	75/12	9-20-12	To provide for the establishment of a conditional use to permit an amusement place in a CBD-1 Central Business District			(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
25025	77/12	9-20-12	To rescind Ordinance Number 23,651 M.C.S., and to permit a new conditional use for a non-accessory parking garage in a CBD-5 Central Business District			(Not codified)
25026	43/12	9-20-12	To effect a zoning change from a HMR-1 Historic Marigny/Trem Residential District to a HMC-1 Historic Marigny/Trem Commercial District			(Not codified)
25035	82/12	10- 4-12	Establishing the RM-2E Algiers Multiple-Family Residential Interim Zoning District	1	Added	18.62.1—18.62.12
25037	80/12	10- 4-12	Amends sign regulations	1		18.51.10
				2		12.1
25067	83/12	11- 1-12	To provide for the establishment of a conditional use to permit a conditional use and a moratorium appeal to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-1 Neighborhood Business District on Square 81, Lots 15 and 16, in the Seventh Municipal District, bounded by Maple, Hampson, Burdette and Adams Streets (Municipal Address: 7708-10 Maple Street)			(Not codified)
25068	86/12	11- 1-12	Establishing the Lafayette Square/ Warehouse District Refined Height Plan Interim Zoning District	1	Added	18.61.1—18.61.5
25069	87/12	11- 1-12	To provide for the establishment of a conditional use to permit an elementary school in an RS-2 Single-Family Residential District, on Square N, Lot 1, in the Third Municipal District, bounded by Curran and Aberdeen Roads, Benson and Meyn Streets (Municipal Address: 8500 Curran Road)			(Not codified)
25070	81/12	11- 1-12	Amends Eastern New Orleans Renaissance Corridor Interim Zoning District	1		18.51.7
						18.51.16
25071	91/12	11- 1-12	To provide for a zoning change from a B1-A Neighborhood Business District to a C-1A General Commercial District and a conditional use to permit an amusement place, on Square 631, Lot 4 or A, in the Third Municipal District, bounded by North Claiborne Avenue, Columbus, North Robertson, and Laharpe Streets (Municipal Address: 1500 North Claiborne Avenue)			(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
25088	84/12	11-15-12	To administratively amend Ordinance No. 23,674 MCS, (ZD 23/09, a Conditional Use to permit the redevelopment of a gasoline service station) to modify provisos relative to the consolidation of lots, canopy design, landscaping, right-of-way planting and curbing, and a new Conditional Use to permit a fast food restaurant, in a C-1 General Commercial District and within the Inner-City Urban Corridor Overlay District, on Square 398, Lots 15-A and 17-A, in the Fourth Municipal District, bounded by South Claiborne and Jackson Avenues, Josephine and Willow Streets (Municipal Addresses: 2124 thru 2150 South Claiborne Avenue)			(Not codified)
25089	101/12	11-15-12	To effect a zoning change from a B-1 Neighborhood Business District to an RS-2 Single-Family Residential District, on Square 1 Paris Park, Lots 1 and 3, in the Third Municipal District, bounded by Paris and Van Avenues, Pratt, Rayne and Churchill Drives (Municipal Address: 4321Paris Avenue)			(Not codified)
25090	98/12	11-15-12	To provide for the establishment of a conditional use to permit an elementary school in an RD-2 Two-Family Residential District, on Squares 2149 and 2158, Lot 1 Pt. 2149 and Lot 1, Pt. 2158, in the Third Municipal District, bounded by Humanity Street, West St. Roch Avenue, and Clermont Drive (Municipal Address: 2401 Humanity Street)			(Not codified)
25091	99/12	11-15-12	Creating a designation for wine bar and wine shop	1		2.2
				2	Added	9.5.5. 8.
					Added	9.6.5. 6.
25092	90/12	11-15-12	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-1A Neighborhood Business District, on Square 216, Lots Y and C, in the Sixth Municipal District, bounded by Louisiana Avenue, Magazine, Toledano and Constance Streets (Municipal Address: 3336 Magazine Street)			(Not codified)
25093	88/12	11-15-12	To provide for a zoning change from an RM-2 Multiple Family Residential District to a B-1A Neighborhood Business District and a Conditional Use to permit the storage of alcoholic beverages, on Square 197, Lots 15 and 16, in the Sixth Municipal District, bounded by Upperline, Constance, Lyons and Magazine Streets (Municipal Address: 4846 Magazine Street)			(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section	Section this Volume
25111	105/12	11-30-12	To provide for the establishment of a conditional use to permit a retail development greater than 7,500 square feet in floor area, in a C-2 General Commercial District, and within the Eastern New Orleans Renaissance Corridor Interim Zoning District, for consideration of a CVS, on Square Section 24, Lot 7F-2B-1, in the Third Municipal District, bounded by I-10 Service Road, Read and Lake Forest Boulevards and Plaza Drive (Municipal Address: 5902 Read Boulevard)		(Not codified)
25113	106/12	11-30-12	To rescind Conditional Uses Ordinance Numbers 10,384 M.C.S., 12,751 M.C.S. and 12,686 M.C.S., with any subsequent administrative amendments, all of which are no longer required or applicable for the site of a proposed Wal-Mart retail store, in an SC Shopping Center District, located on an undesignated square, Lots 4-A-4-1-C-2, 4-A-4-2, 4-A-4-1-C-1, 4-A-4-1-A, 4-A-4-1-B, and 4-A-4-3, in the Third Municipal District, bounded by Bullard Avenue, the Berg Canal, I-10 Service Road, and Lake Forest Boulevard (Municipal Addresses: 6000 through 6050 Bullard Avenue)		(Not codified)
25114	89/12	11-30-12	To rescind Ordinance Number 20,606 M.C.S. (ZD 3/00, a conditional use to permit a parking garage) and a new conditional use to permit a non-accessory parking lot in a CBD-1 Central Business District, on Square 267, Lots 19, 20, 21, or 77, and 22 or 76, in the First Municipal District, bounded by University Place, Common, South Rampart and Canal Streets (Municipal Addresses: 150 and 162 South Rampart Street and 1015 Tulane Avenue)		(Not codified)
25120	93/12	12- 6-12	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Neighborhood Business District and within the LADC Lake Area Design Corridor Overlay District, on Square 231, Lots 25 and 26, in the Second Municipal District, bounded by Harrison Avenue, Canal Boulevard, Bragg and Louis XIV Streets (Municipal Address: 607 Harrison Avenue)		(Not codified)
25121	96/12	12- 6-12	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an B-2 Neighborhood Business District, on an undesignated square, Parcels 7E, 8E and 9E, in the Second Municipal District, bounded by Lakeshore and Lake Marina Drives, New Basin Canal and Lake Pontchartrain (Municipal Address: 7400 Lakeshore Drive)		(Not codified)
25122	107/12	12- 6-12	Amends front yard parking regulations and front yard setback requirements	1	15.2.3 15.5.8 4.1.7

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						4.2.7
						4.3.7
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						4.12.7
						5.1.7
						5.2.7
						5.3.7
						5.4.7
						5.6.7
						9A.1.8
25123	108/12	12- 6-12	To effect a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District, on Square 471, Lot 2, in the Third Municipal District, bounded by Mazant, Marias, Urquhart, and Frances Streets (Municipal Address: 1201 Mazant Street)			(Not codified)
25141	97/12	1-10-13	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an LB-1 Lake Area Business District and within the LADC Lake Area Design Corridor Overlay District, on Square 231, Lot 28-A, in the Second Municipal District, bounded by Canal Boulevard, Harrison Avenue, Bragg and Louis XIV Streets (Municipal Address: 6300 Canal Boulevard)			(Not codified)
25142	113/12	1-10-13	Granting an exceptional use to permit the expansion of an existing recycling facility in a C-1 Commercial District, on Square 450, Lots 3-6, 9-14, C, A or Pt. 8, B, D or 7, in the First Municipal District, bounded by South Claiborne Avenue, Thalia, Willow, and Erato Streets (Municipal Address: 1320 South Claiborne Avenue)			(Not codified)
25143	114/12	1-10-13	To amend Article 7, Section 7.4A.5, MU-A Mixed-Use District Conditional Uses, to add gasoline service stations as Conditional Uses, on Square 85, on an undesignated lot, in the First Municipal District, bounded by Tchoupitoulas, Saint James, Religious, and Market Streets (Municipal Address: 1667 Tchoupitoulas Street)	1	Added	7.4A.5. 13.

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
25144	115/12	1-10-13	To provide for the establishment of a conditional use to permit a gasoline service station in an MU-A Mixed Use District, on Square 85, on an undesignated lot, in the First Municipal District, bounded by Tchoupitoulas, Saint James, Religious and Market Streets (Municipal Address: 1667 Tchoupitoulas Street)			(Not codified)
25160	110/12	1-10-13	To provide for the establishment of a conditional use to permit an amusement place at an existing cocktail lounge in an HMC-2 Historic Marigny/Treme Commercial District, on Square 390, Lot 17, in the Third Municipal District, bounded by St. Claude and Elysian Fields Avenues, Marigny and Marias Streets (Municipal Address: 2227 St. Claude Avenue)			(Not codified)
25165	111/12	2- 7-13	To effect a zoning change from an RD-2 Two-Family Residential District to a B-1A Neighborhood Business District, on Square 177, Lots 9 and 10, in the Seventh Municipal District, bounded by Leonidas, Jeannette, Joliet and Willow Streets (Municipal Addresses: 8539 Willow Street and 1401 Leonidas Street)			(Not codified)
25167	112/12	2- 7-13	To effect a zoning change from a B-1A Neighborhood Business District to a C-1A General Commercial District, on Square 406, Lot D-2 or D and 2, in the Third Municipal District, bounded by St. Claude Avenue, Congress, Gallier, and Marais Streets (Municipal Address: 3519 St. Claude Avenue)			(Not codified)
25168	122/12	2- 7-13	To amend Article 2, Definitions, to add "outdoor art markets" and Article 10, AC Arts and Cultural Overlay District, Section 10.13.4, Permitted Uses, to add "outdoor art markets" as permitted uses, on all properties located within the AC Arts & Cultural Overlay District	1	Added	2.2. 139A.
				2	Added	10.13.4. 6.
25169	103/12	2- 7-13	To provide for a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District, and a Conditional Use to permit the expansion of an existing cocktail lounge, on Square 822, Lots Pt. 19 and 19, in the First Municipal District, bounded by Banks, South Olympia, Baudin, and South Saint Patrick Streets (Municipal Addresses: 438-40 South Saint Patrick Street and 4631-33 Baudin Street)			(Not codified)
25170	119/12	2- 7-13	To provide for the establishment of a conditional use to permit a fast food restaurant in a B-1 Neighborhood Business District, on Square 167, Lot 3A, in the Fifth Municipal District, bounded by Newton, Homer, Sumner, and Hendee Streets (Municipal Addresses: 1820 and 1832-34 Newton Street)			(Not codified)

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25171	92/12	2- 7-13	To provide for the establishment of a conditional use to permit a public elementary school in an RD-2 Two-Family Residential District, on Square 482, all lots and Pt. Square 479, and a portion of the former Oleander Street right-of-way, in the Seventh Municipal District, bounded by Live Oak, Forshey, Cherry and Colapissa Streets (Municipal Addresses: 3201 Live Oak Street and 9330 Forshey Street)		(Not codified)
25172	129/12	2- 7-13	To provide for the establishment of a conditional use to permit a retail development greater than 7,500 square feet in floor area, in a C-1 and C-2 General Commercial District within the Eastern New Orleans Renaissance Corridor Interim Zoning District, on Square SEC26, Lot 3D-4-2, in the Third Municipal District, bounded by Bullard Avenue, I-10 East, Levy Drive, and the Jahncke Canal, (Municipal Address: 6011 Bullard Avenue)		(Not codified)
25173	94/12	2- 7-13	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in an existing building over 5,000 square feet in floor area, in a B-1A Neighborhood Business District, on Square 229, Lot 22-A, the Sixth Municipal District, bounded by Magazine, General Pershing, Camp and Milan Streets (Municipal Address: 4213-15 Magazine Street)		(Not codified)
25174	95/12	2- 7-13	To effect a zoning change from an RM-4 Multi-Family Residential District to a B-1A Neighborhood Business District, on Square 290, Lot 8, in the Fourth Municipal District, bounded by Jackson Avenue, Oretha Castle Haley Boulevard, Danneel and Josephine Streets (Municipal Address: 1929 Jackson Avenue)		(Not codified)
25217	126/12	3- 7-13	To provide for the establishment of a conditional use to permit a high school in new structures in an RS-2 Single Family Residential District, on Sector 21, Tract A, in the Third Municipal District, bounded by Dwyer Road, Clements Drive, Farwood Drive, and Mayo Road (Municipal Address: 7301 Dwyer Road)		(Not codified)
25218	123/12	3- 7-13	To administratively amend Ordinance No. 15,423 M.C.S., as amended by Ordinance No. 17,700 M.C.S., which permitted the expansion of an existing nightclub in a VCE-1 Vieux Carre Entertainment District, to permit the expansion of an existing nightclub into a ground floor retail space, on Square 30, Lots P and 1, in the Second Municipal District, bounded by Decatur, Iberville, Bienville and Chartres Streets (Municipal Addresses: 227-29 Decatur Street)		(Not codified)

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25219	120/12	3- 7-13	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-1A Neighborhood Business District, on Square 139, Lot 1, in the Fourth Municipal District, bounded by Magazine, St. Mary, Hastings, and Felicity Streets (Municipal Address: 1800 Magazine Street)		(Not codified)
25220	127/12	3- 7-13	To provide for a zoning change from an RM-3 Multi-Family Residential District to a C-1 General Commercial District and Conditional Use to permit a fast food restaurant in a C-1 General Commercial District and within the ICUC Inner-City Urban Corridor Overlay District, on Square 405, HANO Parcels 155 thru 164, Square 386-B, Pt. Lots 1 and 2, Square 385-A, Pt. Lot 1, and portions of the Willow, Sixth and Toledano Streets rights-of-way and on Square 406, Lots 10, 11, Pt. HANO Parcel 154, and a portion of the Sixth and Toledano Streets right-of-way, in the Fourth Municipal District, bounded by South Claiborne and Washington Avenues, Toledano and Clara Streets (Municipal Addresses: 2600 Sixth Street, 2900 South Claiborne Avenue and 2912 Washington Avenue)		(Not codified)
25221	128/12	3- 7-13	To grant an amendment to a Central Business Planned Community District (CBPCD), as created by Ordinance No. 8611 M.C.S., as amended, to permit the expansion of an existing hotel in a CBD-2 Central Business District, on Square 64, Rear Lot 15 or Lot W, in the First Municipal District, bounded by Poydras, S. Peters, Tchoupitoulas Streets and Natchez Alley, (Municipal Address: 317 Poydras Street)		(Not codified)
25222	117/12	3- 7-13	To provide for the establishment of a conditional use to permit a neighborhood center in a RD-3 Two-Family Residential District, on Square 461, Lot A, in the Third Municipal District, bounded by Urquhart, Deslonde, Tennessee and Marais Streets (Municipal Address: 1233-35 Deslonde Street)		(Not codified)
25244	3/13	3-21-13	To provide for the establishment of a conditional use to permit a bed and breakfast family home in an RD-3 Two Family Residential District, on Square 296, Lot 4-A, in the Third Municipal District, bounded by Poland Avenue, Burgundy, North Rampart and Kentucky Streets (Municipal Address: 911 Poland Avenue)		(Not codified)
25272	7/13	4-11-13	To effect a zoning change from an RD-3 Two Family Residential District to a B-1A Neighborhood Business District, on Square 363, Lot D or 2, in the Third Municipal District, bounded by St. Claude Avenue, Montegut, Clouet and North Rampart Streets, (Municipal Address: 3053 North Rampart Street)		(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
25273	8/13	4-11-13	To administratively amend Conditional Use Ordinance No. 17,456 M.C.S. (ZD 91/95), which allowed the rooftop installation of sectored antennas and electronic equipment for cellular or wireless (Personal Communication Services) and Ordinance No. 24,235 M.C.S. (ZD 85/10), which permitted a cocktail lounge, to permit a hotel within a C-1A General Commercial District and the Lower Saint Charles Avenue Design Review District, on Square 237, Lots Pt. 1, 2, 3, 4, C and D, in the Fourth Municipal District, bounded by St. Charles Avenue, Josephine, Carondelet and St. Andrew Streets (Municipal Addresses: 2035 Saint Charles Avenue and 1619 Josephine Street)			(Not codified)
25287	6/13	4-11-13	To effect a zoning change from an RM-2E Multiple-Family Residential District to an RO-General Office District, in Section 7, Grove 2, in the Third Municipal District, bounded by Lacombe Street, Hayne, Read and Curran Boulevards (Municipal Address: 10250 Hayne Boulevard)			(Not codified)
25288	9/13	4-11-13	To provide for a Residential Planned Community (RPC) Overlay to permit a multi-family development in an RM-2 Multi-Family Residential District, on Squares 1400, 1401 and 1402, All Lots, in the Third Municipal District, bounded by Congress, Law, Alvar and North Dorgenois Streets (Municipal Addresses: Multiple)			(Not codified)
25290	116/12	4-11-13	To provide for the establishment of a Conditional Use to permit a non-accessory parking garage in a CBD-5 Central Business District, on Pt. Square 275 and a portion of the former South Rampart Street right-of-way, in the First Municipal District, bounded by Howard and Loyola Avenues, Julia and South Rampart Streets (Municipal Address: 1001 Howard Avenue)			(Not codified)
25306	1/13	5- 2-13	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for consumption on-premises at a standard restaurant in a B-1 Neighborhood Business District, on Square C, Lot C-2, in the Third Municipal District, bounded by Robert E. Lee Boulevard, Perlita, Hamburg and Aviators Streets (Municipal Address: 6100 Hamburg Street)			(Not codified)
25308	5/13	5- 2-13	To effect a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District, on Square 363, Lots A, 5, 6 and Pt. Lot 9, in the Third Municipal District, bounded by Saint Claude Avenue, Montegut, North Rampart and Clouet Streets (Municipal Address: 3035-41 North Rampart Street)			(Not codified)
25309	11/13	5- 2-13	To amend Article 18, to establish a new Interim Zoning District (IZD) to be named the Lafitte Greenway Revitalization Corridor Interim Zoning District	1	Added	18.63.1—18.63.4

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section	Section this Volume
25310	12/13	5- 2-13	To provide for the establishment of a conditional use to permit an amusement place—Theater in a C-1A General Commercial District, on Square 406, Lot D-2 or D and 2, in the Third Municipal District, bounded by Saint Claude Avenue, Congress, Gallier and Marais Streets (Municipal Address: 3519 Saint Claude Avenue)		(Not codified)
25311	10/13	5- 2-13	To provide for the establishment of a conditional use to permit a multi-family development within an LI Light Industrial District and the Central City Multi-Family Minimum Design Standards Interim Zoning District on Square 242, Lots 1, 2 and 9, in the First Municipal District, bounded by Baronne, Melpomene, Carondelet and Terpsichore Streets (Municipal Addresses: 1527-31 Carondelet Street and 1719-21 Terpsichore Street)		(Not codified)
25331	19/13	6- 6-13	To effect a zoning change from an RS-1 Single-Family Residential District to a B-1 Neighborhood Business District, on Square C, Lot 2, in the Third Municipal District, bounded by Aviators, Hamburg, and Perlita Streets and Robert E. Lee Boulevard (Municipal Address: 1510 Robert E. Lee Boulevard)		(Not codified)
25332	31/13	6- 6-13	To provide for the establishment of a conditional use to permit the construction of a development exceeding 10,000 square feet within a C-1 General Commercial District, within the General DeGaulle Urban Corridor District, on Square 23, Lot N6, in the Fifth Municipal District, bounded by General DeGaulle, Life Center and Sandra Drives (Municipal Address is unassigned)		(Not codified)
25333	17/13	6- 6-13	To effect a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District, on Square 305, Lot 15, in the Second Municipal District, bounded by Bienville Avenue, Iberville, North Rocheblave and North Tonti Streets (Municipal Address: 2436 Bienville Avenue)		(Not codified)
25334	18/13	6- 6-13	To effect a zoning change from an RD-3 Two-Family Residential District to a RM-2A Multi-Family Residential District, on Square 306, Lots S and D or Lots 5 and Pt. 10, Pt. 11 and Pt. 12; in the Second Municipal District, bounded by Bienville Avenue, Conti, North Rocheblave and North Tonti Streets (Municipal Addresses: 2429 and 2431-39 Bienville Avenue)		(Not codified)

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25335	20/13	6- 6-13	To provide for a zoning change from an RM-4 Multi-Family Residential District to a C-1 General Commercial District and for a conditional use to permit a fast food restaurant, on Square 404, Lots E, F, and G and on Square 404, Lots 10-A, B, G, F, E, B, A, C, D, E, F and G in a C-1 General Commercial District and B-2 Neighborhood Business District, all within an Inner-City Urban Corridor Design Review District; in the Fourth Municipal District, bounded by Fourth and Willow Streets, South Claiborne and Washington Avenues (Municipal Address: 2929 Washington Avenue)		(Not codified)
25336	26/13	6- 6-13	To provide for the establishment of a conditional use to permit a cocktail lounge in a CBD-1 Central Business District, on Square 299, Lot X, in the First Municipal District, bounded by Gravier and South Rampart Streets, Loyola and Tulane Avenues (Municipal Address: 212 Loyola Avenue)		(Not codified)
25337	33/13	6- 6-13	To provide for the establishment of a conditional use to permit a fast-food restaurant in an MU-A Mixed Use District, on Square 39, Lot 39A in the Fourth Municipal District, bounded by Felicity, Saint Mary, Saint Thomas and Rousseau Streets (Municipal Address: 1801 Rousseau Street)		(Not codified)
25338	13/13	6- 6-13	To effect the rezoning of thirteen (13) parcels owned by Xavier University from RD-2 Two-Family Residential District, C-1 General Commercial District, and C-1A General Commercial District to RM-4 Multiple-Family Residential District, on Square 721, Lots A, 7, 8, 9, 10 and Square 741, Lots A, G, H and J. Those properties are currently zoned RD-2 Two-Family Residential District. The request also includes Square 584, All Lots; Square 542, Lot 1; and Square 544, Lot A and B. Those properties are currently zoned C-1 General Commercial District. The request also includes Square 4, All Lots; Square 694, All Lots; Square 693, All Lots; Square 699, All Lots; Pt. Square 695, an undesignated Lot; and Square 700, Lot A-1. These properties are currently zoned C-1A General Commercial District, in the First, Sixth and Seventh Municipal Districts, generally bounded by Howard and Washington Avenues, S. Jefferson Davis Parkway and Olive and Short Streets, (Municipal Address: Multiple)		(Not codified)
25347	21/13	6- 6-13	To provide for the establishment of a conditional use to permit an elementary school in an RS-1 Single-Family Residential District, on an undesignated square, Lot 5-R-G, in the Third Municipal District, bounded by Lake Forest and Wright Boulevards, North Idlewood Court and the Berg Canal (Municipal Address: 11110 Lake Forest Boulevard)		(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
25350	25/13	6- 6-13	To effect a zoning change from an RD-3 Two Family Residential District to a B-1A Neighborhood Business District, on Square 251, Lot 9-A or 21, in the Third Municipal District, bounded by Burgundy, Clouet, Dauphine and Montegut Streets (Municipal Address: 840 Clouet Street)			(Not codified)
25351	29/13	6- 6-13	To effect a zoning change from an RD-2 Two-Family Residential District to a B-1A Neighborhood Business District, on Square 694, on an undesignated lot, in the Sixth Municipal District, bounded by South Derbigny and General Pershing Streets, Napoleon and South Claiborne Avenues (Municipal Addresses: 3030 General Pershing Street and 4300 South Derbigny Street)			(Not codified)
25384	27/13	7-11-13	To amend Article 14, Section 14.5, to create a new subsection titled "Limitations on Appeals"	1	Added	14.5.6
25450	16/13	8-22-13	To include the Neighborhood Participation Program for Land Use Actions notification provisions, as adopted by the City Planning Commission on July 30, 2012, into the text and to make any other modifications to the text as needed for consistency and clarity	1		16.9.2
						16.9.3. 2., 3.
				2		14.9
				3		13.9.5. 1.
				4		11.40
25482	63/13	9-12-13	To omit the conditional use requirement in Section 18.62.11 and to establish an appeals process for Interim Zoning District appeals as set forth in Section 16.4.5.3, in all RM Multi-Family Residential Districts within Algiers excluding the gated English Turn subdivision	1		18.62.11
25483	67/13	9-12-13	To establish the St. Claude Avenue Arts and Cultural District	1	Added	10.15.1—10.15.9
25490	71/13	9-12-13	To amend Article 15, Section 15.6.1, to clarify the method of determining the permitted height of fences, walls, and hedges relative to grade	1		15.6.1
25492	70/13	9-12-13	To establish digital zoning maps as the Official Zoning Maps of the City of new Orleans, city-wide	1		2.2
						3.1.1
						3.1.3—3.1.5
						6.11.2. 6.
						10.3.1
						10.7.2
						10.8.9. 6.
						10.9.2
						10.9A.2
						12.5.9

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						13.9.5. 2.
						13.10.4
						15.2.8. 2.
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25505	69/13	9-26-13	To establish an Interim Zoning District that prohibits the issuance of permits for reception halls or reception facilities, for all properties within the City Council District D	1	Added	18.63A.1—18.63A.4
25510		9-26-13	Extending the effectiveness of Ord. No. 25,035 for the first 180-day period from October 4, 2013 to April 4, 2014	1		18.62.4
25514	75/13	10-10-13	To consider the establishment of the District D Urban Corridor District Interim Zoning District to expand the area of applicability, to all properties zoned C-1 General Commercial District in the area bounded by: Lake Pontchartrain, Downman Road, Chef Menteur Highway, Interstate 10, Seagull Lane, Dwyer Road, Crowder Boulevard, Morrison Road and Shubrick Street, that are not currently within the Urban Corridor or Highway Urban Corridor District boundaries	1	Added	18.63B.1—18.63B.4
25515	73/13	10-10-13	To provide for the establishment of a conditional use to permit a wine bar and wine shop in an HMC-2 Historic Marigny/Tremé Commercial District, on Square 375, Lot 1, in the Third Municipal District, bounded by Saint Claude Avenue, North Rampart, Touro and Frenchmen Streets (Municipal Address: 1027-31 Touro Street)			(Not codified)
25516	52/13	10-10-13	To amend Ordinance No. 28,891 M.C.S. (ZD 120/11 a conditional use to permit a development exceeding 10,000 square feet of floor area and exceeding one acre in site area) to permit additional attached signage, in a C-1 General Commercial District and within the UC Urban Corridor District, on Square H-D, Lot 1, in the Fifth Municipal District, bounded by General DeGaulle and Holiday Drives, MacArthur Boulevard and Rue Parc Fontaine (Municipal Addresses: 4100 and 4110 General DeGaulle Drive and 3010 Holiday Drive)			(Not codified)
25523	90/13	10-10-13	To effect a zoning change from an RD-3 Two Family Residential District to an RM-2A Multi-Family Residential District, on Square 250, Lots 11, 11-A, D-1 and Pt. D, in the Third Municipal District, bounded by Burgundy, Clouet, Dauphine and Louisa Streets (Municipal address: 3135 Dauphine Street)			(Not codified)

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section	Section this Volume
25525	60/13	10-10-13	To provide for the establishment of a conditional use to permit a parking lot in a C-1A General Commercial District, on Square 543, Lot 1; Square 545, Lot M; and Square 546, Lots 2 and R; in the Seventh Municipal District, bounded by Palm, Short, Edinburgh and Lowerline Streets (Municipal Addresses: 7801 and 7901 Edinburgh Street and 3501 and 3525 Short Street)		(Not codified)
25526	61/13	10-10-13	To amend and reordain the text of Article 10, Overlay Zoning Districts, Miscellaneous Zoning Districts, Planning Development Districts and Design Review Districts of the Comprehensive Zoning Ordinance, No. 4264 M.C.S., as amended, to amend existing design standards in Section 10.1 "UC Corridor District", Section 10.2 "Eastern New Orleans Renaissance Corridor District" and Section 10.3 "Highway Urban Corridor District" in Eastern New Orleans	1	10.1A.1—10.1A.13
				Added	10.1B.1—10.1B.14
					10.2.1—10.2.13
					10.3.1—10.3.12
25551	65/13	10-24-13	To effect a zoning change from an RM-2A Multi-Family Residential District to a B-1A Neighborhood Business District, on Square 101, Lots 1, 2 and 3 or undesignated lot, in the Fourth Municipal District, bounded by Laurel, Josephine and Annunciation Streets and Jackson Avenue (Municipal Address: 839 Jackson Avenue)		(Not codified)
25553	81/13	10-24-13	To provide for the establishment of a conditional use to permit the sale of alcoholic beverages for on-premises consumption at a standard restaurant in a B-1A Neighborhood Business District, on Square 378, Lots A or X, Y and 11, in the Third Municipal District, bounded by Saint Bernard Avenue, Saint Anthony Street, Henriette Delille Street and McShane Place (Municipal Addresses: 1137-39 Saint Bernard Avenue)		(Not codified)
25554	82/13	10-24-13	To provide for the establishment of a conditional use to permit three residential units in an HMR-3 Historic Marigny/Tremé Residential District, on Square 387, Lot 18, in the Third Municipal District, bounded by Marias, Pauger, Touro Streets and Saint Claude Avenue (Municipal Addresses: 1116-1118½ Touro Street)		(Not codified)
25555	84/13	10-24-13	To provide for the establishment of a conditional use to permit a fast food restaurant in a B-2 Neighborhood Business District and the UC Urban Corridor District, on Square 207, Parcels A and B or Lot A-1, in the Fifth Municipal District, bounded by Behrman Place, Holiday and General DeGaulle Drives (Municipal Address: 3901 General DeGaulle Drive)		(Not codified)
25556	77/13	10-24-13	(Not codified)		

M.C.S., Ordinance Number	Zoning Docket Number	Date	Description	Section		Section this Volume
25603		11-21-13	Extending the effectiveness of Ord. No. 25,068 for the first 180-day period from November 10, 2013 to May 9, 2014	1		18.61.5
25618	112/13	12- 5-13	To establish standards for urgent care centers	1	Added	8.8.3. 23.
				2	Added	11.67
25643	105/13	12-19-13	To delete item #2 which allows cocktail lounges within a development that contains a minimum of twenty-five (25) percent non-transient residential floor area	1		6.9.4
25649	111/13	1- 9-14	To establish the "Middle Harrison Avenue Corridor Subdistrict" and to limit the maximum floor area of uses and structures to 4,000 square feet within the subdistrict, in the LB-1 Lake Area Business District and the Middle Harrison Avenue Corridor Subdistrict	1	Added	9A.8.8
25706	116/13	2-20-14	To include all RM Multiple-Family Residential Districts and all multiple-family residential developments with a minimum of ten (10) dwelling units regardless of the zoning district in which they are located, and to allow living areas on the ground floor, for the entirety of the area bounded by the Mississippi River, the Jefferson Parish line, and the Plaquemines Parish line, with the exception of those properties within the English Turn gated subdivision	1		18.62.2
						18.62.6
						18.62.11
						18.62.12
25723	125/13	3-13-14	To establish the Zion City Residential Character Preservation Interim Zoning District	1	Added	18.64.1—18.64.4
25724	126/13	3-13-14	To create a definition for "batching plant" and establish standards relative to said use	1	Added	2.2. 16A.
						4.1.5. 14.
					Added	7.3.5. 15.
					Added	7.4.3. 47.
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