I. GENERAL INFORMATION:

Applicant: City Council Motion M-14-314

Request: The complete amendment to the entirety of Ordinance No. 4264 M.C.S., the Comprehensive Zoning Ordinance of the City of New Orleans.

Location: All property in the City of New Orleans

Why is City Planning Commission action required?

The City Planning Commission is required to make a recommendation on all requests for zoning amendments prior to City Council action, in accordance with Article 16, Section 16.2.3.2 Planning Commission Recommendation of the Comprehensive Zoning Ordinance.

II. ANALYSIS

A. NEED FOR A NEW COMPREHENSIVE ZONING ORDINANCE

Upon completion of the City’s Master Plan in 2010, the CPC staff, with the assistance of a consultant team, began work on a complete overhaul of the City’s Comprehensive Zoning Ordinance (CZO). The impetus behind this effort was twofold:

- The Master Plan – and the “force of law” provision added to the Charter in 2008 – requires that the City’s zoning be consistent with the Master Plan’s land use provisions.

- The current CZO – first adopted in the 1970s – is inconsistent with the Master Plan, overly complex, confusing, internally inconsistent, and has been haphazardly-amended over the years. Moreover, the current CZO was purchased “off the shelf,” and it does not reflect the City’s unique development character and future opportunities for development.

B. GUIDING PRINCIPLES

The development of the Draft CZO was guided by the following principles:
1. **Administration**: Create consistent, predictable and understandable processes that allow administrative flexibility and clearly govern nonconformities. This is accomplished by:

- User-friendly organization
- Clear definitions for all terms and uses
- Concise text
- Clear approval standards for all applications
- Clear nonconformity and grandfathering rules
- Completeness requirement for all applications
- Inclusion of summary tables and flowcharts to illustrate administrative processes

2. **Zoning Districts**: Create place-based zoning districts that reflect unique “places” identified in the Master Plan. This is accomplished by:

- Grouping of similar areas by place: Historic Core, Historic Urban, Rural, Suburban, Commercial Centers, Institutional, CBD, Industrial
- Elimination of “cumulative” zoning
- Zoning designed to reflect development character thereby reducing nonconformities
- Expanded use of design controls to preserve and enhance neighborhood character
- Commercial design standards to enhance pedestrian and transit-oriented development

3. **Development Standards**: Create clear standards for sites and uses that allow flexibility, encourage development and protect adjacent uses from impact. This is accomplished by:

- Comprehensive landscape and stormwater management standards
- Provisions for renewable energy and green technology
- Updated accessory structure provisions
- Updated parking and loading standards with flexibility
- Signage regulations to reflect scale of commercial areas
- Expanded design standards and additional design review corridors

4. **Zoning Map**: Specify which set of zoning district requirements apply to each lot in the City. This is accomplished by:

- New maps reflect the policies of the Master Plan
- New districts mapped to allow current desired land use patterns and lot development requirements to continue
- New districts generally fit local development conditions
- New districts designed to encourage specific development patterns
C. PROCESS

The first public Draft Comprehensive Zoning Ordinance was released in 2011. A series of ten public meetings were held in planning districts across the city. Participants spoke one-on-one with planners and consultants and submitted written comments. Of particular interest was obtaining public input on the specific recommended zoning categories which would be assigned to each property. The 2011 maps displayed up to three options, each of which was consistent with the Master Plan. This public input was incorporated into a second public draft, which was released in September, 2013.

Since the release of the 2013 Draft, the CPC staff and its consultants have engaged in the following activities:

- 10 community meetings held throughout the City in October of 2013
- Receipt of over 1,000 written comments during a public comment period which ended on November 30, 2013
- Numerous internal meetings to review, sort and consider each written comment received
- Approximately 30 follow-up meetings with various neighborhood, business, and interest groups to discuss the numerous issues raised by the public and work towards resolutions of outstanding issues

D. NEW/EXPANDED ZONING CONCEPTS

The Draft CZO includes numerous planning and zoning concepts that have never been utilized in New Orleans, and expands several existing concepts that have proven successful:

1. **Neighborhood Engagement**: The recently-adopted Neighborhood Participation Program (NPP) has been fully integrated into the administrative provisions of the CZO.

2. **Design Review**: Expanded design review regulations have been included to balance the streamlining of the development process with the need to ensure that appropriate scrutiny is given those projects with the potential to have significant impacts on the urban design and aesthetic character of the City.
   - Expanded design review corridors
   - Design review for new private development exceeding 40,000 square feet
   - Expanded Design Advisory Committee to advise the CPC on design issues

3. **Arts and Cultural Districts**: To accommodate live entertainment uses, including small-scale live entertainment venues, in neighborhood business or mixed-use districts. A version of the Arts & Cultural Overlay District would be applied in the following areas:
4. **Residential Diversity Overlay (RDO):** Permits a number of low-intensity commercial uses in historic commercial structures located in residential areas (i.e., historic corner stores). Some permit restaurants; none permit Alcoholic Beverage Outlets (ABOs). One of two versions would be applied in the following neighborhoods:

- Marigny, Bywater, Treme, Sixth Ward, South Seventh Ward

5. **Riverfront Design Overlay:** Establishes design standards for new development in Marigny, Bywater, Lower Garden District and Algiers. Encourages pedestrian access and view corridors to the River. In some areas (Bywater, Algiers), density bonuses are available for certain public amenities which result in public access to the riverfront at designated “pedestrian gateways.”

6. **Reasonable Accommodations/Affordable Housing:** Provisions have been added which establish a process for consideration of requests for zoning variances pursuant to the reasonable accommodations requirements of the Fair Housing Act. Additionally, density bonuses are available in certain areas for the provision of affordable housing. Finally, the CZO will have clearer definitions and standards regarding supportive housing which are consistent with federal laws.

7. **Parking/Loading/Bicycle:** Parking standards have been revised to reflect the ‘on-the-ground’ realities which exist in the City. Standards have been reduced and/or made more flexible in historic and other select areas in order to reduce the incentive for parking-related demolition. Since 2005, the Board of Zoning Adjustments has approved 90% of requested parking waivers, recognizing the inability of many sites to provide parking. The Draft also encourages alternatives, such as land-banking for satellite parking, shared parking and cross-access servitudes, credit for on-street spaces, and bicycle parking. A fee-in-lieu requirement is held in reserve to be implemented along with proposed public parking lots to be shared by business customers in commercial corridors.

8. **Landscaping/Stormwater Management:** New standards are established to require that projects over 5,000 square feet employ storm water management plans designed to reduce impacts on the City’s drainage system.

9. **Controlled Restoration of Historic Non-Conforming Uses:** In addition to the RDO described above, the CZO will include two ways to restore historic non-conforming uses in certain residential areas. First, owners of vacant, non-conforming, multi-family structures in single and two-family residential districts may request conditional use approval for restoring the multi-family use. This permits buildings that were originally constructed for multi-family purposes to be used, while allowing provisos to be attached to any approval in order to mitigate impacts. Second, in Historic Urban residential
districts, owners of certain historic non-conforming commercial structures may request conditional use approval for a limited range of low-intensity commercial uses. Again, the conditional use process permits provisos to be approved in order to mitigate impacts. Both of these processes eliminate the need to spot zone properties in order to restore historic structures to their original uses.

10. **Legal Consistency for Review of Variances**: Variances heard by the Board of Zoning Adjustments (BZA) are subject to a hardship standard utilizing nine criteria that are mandated under State law. However, under the current CZO, certain types of variance requests (height in the CBD, church parking, and design review standards) are reserved for review by the City Council, which generally does not apply any hardship analysis or use the nine criteria in making its decisions. Additionally, the current CZO allows the City Council to consider variances in connection with conditional use requests; again, no hardship analysis occurs, and the state-mandated nine criteria are not used. As a result, certain applicants can not only choose which body to go before, they can choose which standard they want to apply. The Final Draft CZO makes two changes to address this issue: (i) all stand-alone variances must go to the BZA – the reservations of certain types for Council review have been eliminated; and (ii) variances considered in connection with conditional use applications must be evaluated for a hardship using the state-mandated nine criteria.

**III. INITIAL PUBLIC HEARINGS (8/26/14 AND 9/2/14)**

The City Planning Commission held two initial public hearings to hear testimony from the public regarding Zoning Docket 81/14: August 26 and September 2, 2014.

**August 26, 2014**

The City Planning Commission adopted special public hearing rules. Commissioner Mitchell made a motion to adopt rules, which was seconded by Commissioner Hughes and unanimously adopted.

**MOVER: CRAIG MITCHELL**
**SECONDER: JASON HUGHES**
**ACTION: ADOPT THE RULES FOR DRAFT COMPREHENSIVE ZONING ORDINANCE PUBLIC HEARING MEETING**
**VOTE: 5-0**
**YEAS: ROYCE DUPLESSIS, KYLE WEDBERG, CRAIG MITCHELL, NOLAN MARSHALL III, JASON HUGHES**
**NAYS: NONE**
**ABSTAINING: NONE**
**ABSENT: KELLY BROWN, ROBERT STEEG, PAMELA BRYAN**

The Commission suspended its rules to allow the release of the preliminary staff report on
Thursday, September 4, 2014. The purpose of the delayed release was to process and include written public comments received by the deadline, as well as to hear comments made at the September 2, 2014 public hearing prior to releasing the staff report. Commissioner Hughes made a motion to suspend the rules, which was seconded by Commissioner Duplessis and adopted unanimously.

MOVER: JASON HUGHES
SECONDER: ROYCE DUPLESSIS
ACTION: SUSPEND THE RULES
VOTE: 5-0
YEAS: ROYCE DUPLESSIS, KYLE WEDBERG, CRAIG MITCHELL, NOLAN MARSHALL III, JASON HUGHES
NAYS: NONE
ABSTAINING: NONE
ABSENT: KELLY BROWN, ROBERT STEEG, PAMELA BRYAN

In consideration of the Labor Day holiday, the Commission suspended its rules to extend the deadline for receipt of written public comments up to 5pm, Tuesday, September 2, 2014. A motion to suspend the rules was made by Commissioner Marshall, seconded by Commissioner Hughes, and adopted unanimously.

MOVER: NOLAN MARSHALL III
SECONDER: JASON HUGHES
ACTION: SUSPEND THE RULES
VOTE: 5-0
YEAS: ROYCE DUPLESSIS, KYLE WEDBERG, CRAIG MITCHELL, NOLAN MARSHALL III, JASON HUGHES
NAYS: NONE
ABSTAINING: NONE
ABSENT: KELLY BROWN, ROBERT STEEG, PAMELA BRYAN

At the August 26, 2014 meeting, there were twenty-two (22) speakers.

September 2, 2014

At the September 2, 2014 meeting, there were thirty-eight (38) speakers.

IV. PRELIMINARY STAFF RECOMMENDATIONS

In its report to the CPC date September 4, 2014, the CPC staff proposed a number of modifications to the July 2014 Public Hearing Draft Comprehensive Zoning Ordinance. Many of these proposed modifications are response to public comments received. Additional recommendations have come from the CPC’s Zoning Technical Advisory Committee (ZTAC), which has met three times in 2014 to review and address major issues.
A. PROPOSED TEXT MODIFICATIONS

Table of Contents:

Page vii – Correct the Article number for Suburban Neighborhood Residential Districts. Replace “14” with “13.”

Global or Multi-Article Changes:

- **Cultural Facility**: Add citation in Articles 8, 11, 13, 14, 15, and 17 for cultural facility use standard: 20.3.R
- **Bulk and Yard Regulations, Maximum Total Floor Area – Commercial Use**: Add clarification that limits refer to total floor area per use.
- **Catering Kitchen**: Add district permissions consistent with standard restaurant.
- **District Design Standards**: The ZTAC recommends revising the most prescriptive of design standards within the place-based districts, Articles 9, 10, 11, 12, 13, 14, 15, and 16, to encourage creative design. The design standards as proposed in the Public Hearing Draft may not sufficiently ensure good design results.
- **District Permitted and Prohibited Materials**: As recommended by the ZTAC, delete the lists of “permitted materials” to avoid confusion where some new materials would not fit in either the permitted or prohibited category. Pare down the list of “prohibited materials” to only EIFS, Stuccato Board, and Vinyl.

**Article 4 Applications and Approvals**

The ZTAC recommended a comprehensive revision of the design standards as well a threshold change

- **Development Plan and Design Review Applicability**: In Section 4.5.B., set the applicability for multi-family dwellings at 40,000 square feet, consistent with the threshold for mixed use or non-residential development. Further clarify that in local historic districts, the design guidelines of the applicable Commission, the New Orleans Historic District Landmarks Commission, Central Business District Historic District Landmarks Commission, or Vieux Carre Commission, shall prevail over building design standards of the Comprehensive Zoning Ordinance.

**Article 5 Planned Developments Standards**

A number of revisions to Article 5 Planned Development are proposed to eliminate inconsistencies and clarify the intent.

- 5.2.B.3. Revise the text to read as follows: 3. Historic Core and Historic Urban
Residential Districts, but only for the adaptive reuse of institutional, industrial, and commercial structures.

- 5.2.B.3. Add “commercial” to the list of structures that may apply for a planned development as part of an adaptive reuse. Indicate that only planned developments with adaptive reuse are authorized in the Historic Core and Historic Urban Districts.
- 5.2.C.1. – Delete this section in its entirety. The planned development process shall only be used for adaptive reuse of existing structures with at least 10,000 square feet of floor area.
- 5.2. C.2. – add the word “floor” before area in describing the minimum size requirement for adaptive reuse.
- 5.2. C.2. – add the word “residential” before describing both the Historic Core and Historic Urban Districts where planned developments would be applicable. Indicate that planned developments are only authorized in the districts described in 5.2.B.
- 5.3.A. Revise text to indicate that a planned development is subject to the underlying zoning district regulations unless the City Council grants an exception, after City Planning Commission consideration.
- 5.3.A.2. – In the first sentence, indicate that the applicant should provide a rationale for how proposed use exceptions are aligned with the intent of the planned development.
- 5.3.A.3. and 5.3.A.4. – At the beginning of each section, insert the words “Where applicable,”
- 5.3.A.7. – Indicate that the planned development yields “cumulative public benefits as determined pursuant to Sec. 5.3.B.”
- 5.3.B. – Move the second sentence to be #8 in the list of standards in Section 5.3.A. The sentence is “Exceptions to district regulations may be granted when such modifications do not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or the flow of traffic.”
- 5.3.B – in the first sentence, refer to “planned development” approval instead of “conditional use.”
- 5.3.B.2.a. – delete “mixed-use development” as an enhanced design characteristic.

**Planned Development Standards for Environmentally Sensitive Development District** – Change the name of the district to General Planned Development District. In Section 5.4. – create a subdistrict to be applied only to previously-developed sites, which are not as environmentally sensitive as undeveloped, wooded sites in their natural state. Set the development regulations with 10,000 square feet of maximum floor area per acre and 50 ft. maximum building height. Only 20% of the entire development site shall be required to be open space as described in Section 5.4.C.2.

**Affordable Housing Density Bonus**
In Sections 5.6, 5.7, and 5.8, revise the affordable housing density standards to further encourage market-rate developers to include affordable units in housing developments:

- Revise the minimum lot area per dwelling unit maximum development bonus from twenty percent (20%) to thirty percent (30%) for the provision of affordable housing.

To encourage developers to provide housing units at a variety of affordability levels:

- Revise from fifteen percent (15%) reserved for low income residents earning sixty-five percent (65%) of the area median income (AMI) to the following weighted reservations. Setting five percent (5%) of units aside at thirty percent (30%) AMI should yield a fifteen percent (15%) density bonus; five percent (5%) of units at fifty percent (50%) AMI should yield a ten percent (10%) density bonus; and five percent (5%) of units at eight percent (80%) AMI should yield a five percent (5%) density bonus.

Article 6 Zoning Districts and Zoning Map

- Change the name of the ESD Environmentally Sensitive District to General Planned Development District.
- Change the name of the S-RD Two-Family and Townhouse Residential District to S-RD Two Family Residential District.

Article 7 Open Space Districts

- Environmentally Sensitive District – revise the name of the district to GPDA General Planned Development District.

Article 9 Historic Core Neighborhood Residential Districts

Revise Section 9.6 Building Design Standards as follows:

The following standards shall apply to all sites, except single and two-family residential dwellings:

1. For new construction, ADA accessible ramps and lifts shall be visually unobtrusive, preferably through internalized ramps or sloped walkways.
2. All buildings shall be oriented towards a public or private street in terms of architectural interest and building access.

Revise Table 9-2 Bulk and Yard Regulations as follows:

HMR-3 Historic Marigny, Bywater, Treme Residential District
• Modify the minimum lot area per dwelling unit for multi-family (3-4 units) to 1,200 square feet.

Article 10 Historic Core Neighborhood Non-Residential Districts

• **T-shirt shops:** Add 10.2.B.10.: In any Vieux Carre District, T-shirt shops are prohibited.

HMC-1 Historic Marigny, Treme, Bywater Commercial District

• **Medical/Dental Clinic:** Add as a conditional use.
• **Indoor Amusement Facility:** Add as a conditional use.

Revise Section 10.7 Building Design Standards as follows:

The following standards shall apply to all sites, except single and two-family residential dwellings:

1. For new construction, ADA accessible ramps and lifts shall be visually unobtrusive, preferably through internalized ramps or sloped walkways.
2. All buildings shall be oriented towards a public or private street in terms of architectural interest and building access.

Article 11 Historic Urban Neighborhood Residential Districts

Revise Section 11.3 Building Design Standards as follows:

A. The following standards shall apply to all sites, except single and two-family residential dwellings:

1. All buildings shall provide a clearly identifiable entry from the public sidewalk at the front (primary street) elevation.
2. All buildings shall be oriented towards a public or private street in terms of architectural interest and building access.
3. To avoid the appearance of blank walls facing the street, when the side walls of a dwelling face a street, building facades shall be designed with multiple windows of a size matching those on the front elevation.

B. The following standards shall apply to all sites that meet the applicability thresholds of Section 4.5 Development Plan and Design Review:
1. Large, flat facades facing the street shall be avoided. Form-giving elements such as, but not limited to galleries, balconies, projected entrances, and overhangs are required on the street-facing façade.
2. Roof planes shall be consistent in slope, material, and detail to those typical in the area.
3. All shutters shall be operational and sized to fit windows.
4. Facades shall be designed to be viewed from multiple directions with consistent materials and treatments that wraps around all facades. There shall be a unifying architectural theme for an entire multi-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials, and colors around the entire structure.

Article 12 Historic Urban Neighborhood Non-Residential Districts

On the introductory page of Article 12, under “Character of the Historic Urban Neighborhoods,” change the second bullet point to state:

- Commercial structures compatible in scale and design with the majority of buildings in nearby residential.

HU-B1 Historic Urban Neighborhood Business
- Add **Funeral Homes** as a conditional use.

HU-MU Historic Urban Mixed Use District
- Add **Funeral Homes** as a conditional use.

**Revise Section 12.3 Building Design Standards** as follows:

A. The following standards shall apply to all sites, except single and two-family residential dwellings:

1. All buildings shall provide a clearly identifiable entry from the public sidewalk at the front (primary street) elevation.
2. Structures on a corner lot shall be built to the corner.
3. Where the average of the front yard of the adjacent lots on either side of a property is greater than five feet (5’), that average front yard shall be used to establish the required front yard build-to line. Averaging is based on the two (2) adjacent lots or, in the case of a corner lot, two (2) neighboring lots on the same blockface. The applicant is permitted a plus or minus three (3) foot variation from a front yard build-to line established by the above method.
4. Where reuse of an existing gas station is proposed, parking is permitted in the front of the structure, subject to the landscape standards of Article 23 provided that a designated pedestrian access way between the sidewalk and main entrance is provided. This access way shall be separated from parking areas by a landscaped area no less than five (5) feet wide.

5. The ground floor of newly constructed commercial buildings shall contain a minimum transparency of fifty percent (50%) on the primary street and windows shall be constructed of transparent glass. Opaque, highly tinted, or reflective glass is prohibited. Transparency into the building shall be maintained. Any window signs shall consist of individual letters and numerals without the use of any background.

6. For new construction, ADA accessible ramps and lifts shall compliment the building and be visually unobtrusive, preferably through internalized ramps or sloped walkways.

7. The first floor of commercial buildings shall be designed with a minimum ceiling height of twelve (12) feet.

8. Security bars, if installed, shall be on the inside of windows. Roll-up or accordion security grilles are permitted on the ground floor when constructed of a see-through, non-solid material. The Casing shall be painted to match the building and shall not damage or obscure architectural detailing.

B. The following standards shall apply to all sites that meet the applicability thresholds of Section 4.5 Development Plan and Design Review:

1. 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 into or projected out from the façade to provide façade depth and shadow and a consistent style.

2. Facades shall be designed to be viewed from multiple directions with consistent materials and treatments that wraps around all facades. There shall be a unifying architectural theme for an entire multi-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials, and colors around the entire structure.

Article 13 Suburban Residential Districts

- **Change the name of the S-RD Two-Family and Townhouse Residential** District to S-RD Two Family Residential District.

**Revise Section 13.3 Building Design Standards** as follows:
A. The following standards shall apply to all single and two-family dwellings:

1. All buildings shall provide a clearly articulated entry from the public sidewalk at the front elevation.
2. In the S-LRS1 Lakeview Single-Family Residential District, all single- and two-family dwellings having rear alley access shall be prohibited from having front facing garages, carports, and/or parking areas, and curb cuts in or to a front yard. 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 (5) feet behind the front façade of the principal building.
3. Front-loaded attached garages shall not occupy more than twenty-two (22) feet in garage door width or fifty percent (50%) of the width of the front façade of the house, as measured along the building line that faces the street, whichever is greater.
4. Roll down shutters and hardware shall not be visible from a public right-of-way when not in use.

B. The following standards shall apply to all townhouse and multi-family developments in the residential districts of the Suburban Neighborhoods.

1. All buildings shall be oriented towards the public or private street in terms of architectural interest and materials and building access.
2. All buildings shall provide a clearly articulated entry from the public sidewalk at the front elevation.
3. Driveways should be configured to minimize the reduction of on-street parking spaces.
4. The site shall be designed with safe pedestrian access to the development from the street and from any parking areas, as well as internal to the site.
5. Safe pedestrian access from adjacent properties is required. Sidewalks shall extend to the lot line and connect to existing sidewalks on abutting property if feasible.
6. Plain mansard roofs are prohibited. Decorative mansard roofs are permitted on buildings with a minimum wall height of two (2) stories. (See Figure 15-1: Examples of Decorative Mansard Roofs.)
7. To avoid the appearance of blank walls facing the street, when the side walls of a dwelling face a street, building facades shall be designed with multiple windows of a size matching those on the front elevation.

C. The following standards shall apply to all sites that meet the applicability thresholds of Section 4.5 Development Plan and Design Review:
1. Large, flat facades facing the street shall be avoided. Form-giving elements such as, but not limited to, galleries, balconies, projected entrances, and overhangs are required on the street-facing façade.
2. To ensure that new developments are compatible with the surrounding neighborhood character, consistency in the roofline shall be achieved by using similar roof types, slope, materials and details.
3. 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 into or projected out from the façade to provide façade depth and shadow and a consistent style.
4. Facades shall be designed to be viewed from multiple directions and with consistent materials that wraps around all facades. There shall be a unifying architectural theme for an entire multi-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials, and colors around the entire structure.
5. Unless typical of existing development within the neighborhood, large, monotonous, simple pitched roofs, without breaks in the expanse of the roof, are prohibited. Properly proportioned dormers and gables shall be used to break up large expanses of roof area.

**Article 14 Suburban Non-Residential Districts**

**Revise Section 14.3 Building Design Standards** as follows:

A. The following standards shall apply to all sites except single and two family dwellings:

1. The primary entrance for each business shall be oriented to the street. If residential dwellings are located above the ground floor, separate street level access is required for residential access.
2. The ground floor of newly constructed commercial buildings shall contain a minimum transparency of fifty percent (50%) on the primary street and windows shall be constructed of transparent glass. Opaque, highly tinted, or reflective glass is prohibited. Transparency into the building shall be maintained. Any window signs shall consist of individual letters and numerals without the use of any background.
3. The first floor of commercial buildings shall be designed with a minimum ceiling height of twelve (12) feet.
4. Plain mansard roofs are prohibited. Decorative mansard roofs are permitted on buildings with a minimum wall height of two (2) stories. (See Figure 15-1: Examples of Decorative Mansard Roofs).
5. Decorative elements having historically functional purposes, such as shutters, balconies, windows, and doors, shall be operational.

6. Security bars, if installed, shall be on the inside of windows. Roll-up or accordion security grilles are permitted on the ground floor when constructed of a see-through, non-solid material. The Casing shall be painted to match the building and shall not damage or obscure architectural detailing.

B. The following standards shall apply to all sites that meet the applicability thresholds of Section 4.5 Development Plan and Design Review:

1. Where appropriate, buildings shall provide climate protection through the incorporation of overhangs, arcades, balconies, and galleries. Exterior facades shall respect and reflect a pedestrian scale.

2. 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 surrounding neighborhood and provide a pedestrian environment through the use of visually active ground level treatments. The design and site development shall adhere to the character and scale of the surroundings.

3. Architectural details, material, colors, textures, and landscape treatments shall be coordinated to provide visual continuity, quality, and consistency.

Article 15 Commercial Centers and Institutional Campus Districts

To encourage appropriate economic development and consistency with existing development patterns, the CPC staff recommends the following changes in response to public input.

C-1 General Commercial District
- Add micro-breweries and micro-distilleries as conditional uses in the C-1 General Commercial Districts.

C-2 General Commercial District
- Add micro-breweries and micro-distilleries as permitted uses in the C-2 General Commercial Districts.

C-3 General Commercial District
- Change height limit in the C-3 General Commercial District to 130 feet and 12 stories.
- Add micro-breweries and micro-distilleries as permitted uses in the C-3 General Commercial Districts.

MU-1 Mixed Use Medium Intensity District
- Add Light Manufacturing as a conditional use.
• Add Brewery as a conditional use.
• Add Greenhouse/Nursery as a conditional use.
• Change fast food restaurant from permitted to conditional use.
• Delete Emergency Shelter as a conditional use.

MU-2 Mixed Use High Intensity District
• Add Emergency Shelter as a conditional use.

MS Medical Services District
• Add Hotel as a permitted use.

Revise Section 15.3 Building Design Standards as follows:

A. The following building design standards apply to all development within the C-1, C-2, C-3, MU-1, MU-2 and LS Districts, with the exception of single and two family residential uses.

1. The primary entrances shall be oriented to the street or to the corner if the structure is on a corner lot.
2. The ground floor of newly constructed commercial buildings shall contain a minimum transparency of fifty percent (50%) on the primary street and windows shall be constructed of transparent glass. Opaque, highly tinted, or reflective glass is prohibited. Transparency into the building shall be maintained. Any window signs shall consist of individual letters and numerals without the use of any background.
3. Security bars, if installed, shall be on the inside of windows. Roll-up or accordion security grilles are permitted on the ground floor when constructed of a see-through, non-solid material. The Casing shall be painted to match the building and shall not damage or obscure architectural detailing.
4. Plain mansard roofs are prohibited. Decorative mansard roofs are permitted on buildings with a minimum wall height of two (2) stories. (See Figure 15-1: Examples of Decorative Mansard Roofs).
5. Decorative elements having historically functional purposes, such as shutters, balconies, windows, and doors, shall be operational.
6. Any structure designed for a ground floor non-residential use shall be designed with a minimum ceiling height of twelve (12) feet.
7. Loading areas for retail anchor stores of twelve thousand (12,000) square feet in gross floor area or more are required to be located in the rear.
8. Outlot buildings shall be designed with showcase windows and entrances oriented to the street.
9. Secondary access points are encouraged from rear parking lots. Facades that abut parking areas and contain a public entrance shall include pedestrian walkways.

10. When a shopping center is located behind a parking lot, a street presence for the shopping center shall be created by locating part of the center and/or outlot buildings near the lot line at the primary street corner or the shopping center entrance. When the center’s frontage on the primary street exceeds two-hundred fifty (250) feet in width, part of the center and/or outlot buildings shall hold at least fifty percent (50%) of the front lot line. (See Figure 15-2: Building Siting).

B. The following standards shall apply to all sites that meet the applicability thresholds of Section 4.5 Development Plan and Design Review:

1. A cohesive shopping center character is required through the use of coordinated hardscape treatment, such as special paving materials, lighting, and street furniture, coordinated signs and landscape. Pedestrian areas shall include shade trees and seating areas.

2. Public entrances shall be articulated from the structure mass.

3. Shopping centers with frontage on the primary street that exceeds two-hundred fifty (250) feet in width and a lot depth of three-hundred (300) feet or more are encouraged to construct an access road with parallel parking along that primary street. If an access road is constructed, retail storefronts shall be oriented to this access road.

4. Structures shall use decorative roof elements, such as projecting cornices, to define public entrances, main pedestrian routes or activity areas.

5. When visible from the public right-of-way (excluding alleys), 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 six (6) inches, changes in wall texture or masonry patterns, colonnade, columns, or pilasters.

6. Windows along the street shall be set back into or projected out from the façade to provide depth and shadow.

7. Green roof, blue roof, and white roof designs are encouraged.

**Revise Section 15.5.A. Institutional Master Plan for EC and MC Districts - Institutional Master Plan Required** as follows:

A. **Institutional Master Plan Required**

In an EC or MC District, an Institutional Master Plan (IMP) shall be submitted to the City Planning Commission within one-hundred eighty (180) days of the effective date of this ordinance. If the institution fails to submit the IMP within 180 days, the base district regulations shall become the effective IMP
automatically, and the effective IMP shall be subject to the amendment procedures in Article 15, Section 15.F of these regulations.

Until the IMP is approved, projects classified as permitted uses (both main and accessory) in the EC or MC Districts may proceed thru permitting, subject to compliance with all relevant parking, bulk and yard, and development standards, and any administrative design review processes required by this ordinance (where applicable). Those uses classified as conditional uses may be reviewed thru the conditional use process in Article 4, Section 4.3. Those projects that do not meet the parking, bulk and yard, and development standards of the underlying district, shall also be reviewed thru the conditional use process.

There are two types of Institutional Master Plans:

**Revise Section 15.5.D.4 Institutional Master Plan – Post Approval**

4. **Post-Approval**

   Once an IMP is approved, any use approved therein becomes permitted by right, regardless of the original classification in the underlying district.

**Article 16 Centers for Industry**

- Add micro-breweries and micro-distilleries as permitted uses in the BIP Business Industrial Park Districts.

**Revise Section 16.3 Building Design Standards** as follows:

A. The following standards shall apply to all sites except those buildings or portions thereof that are not visible from the public right-of-way.

   1. Nearly vertical roofs (A-frames) and piecemeal mansard roofs used on a portion of the building perimeter are prohibited.
   2. Reflective roof materials that produce glare are prohibited.

B. The following standards shall apply to all sites that meet the applicability thresholds of Section 4.5 Development Plan and Design Review:

   1. Buildings shall use decorative roof elements, such as projecting cornices, to define building entrances, main pedestrian routes, or activity areas.
   2. Green roof, blue roof, and white roof designs are encouraged.
3. In the LI and BIP Districts, multi-building complexes shall develop a comprehensive architectural concept within a campus-like design. Various site components shall be unified through the use of similar design features, construction, material, and colors. Buildings within such complexes shall be compatible in height and scale.

4. The design of accessory structures, such as security kiosks, maintenance buildings, and outdoor equipment enclosures, shall be incorporated into and compatible in design with the overall design of the project and the principal buildings on the site.

**Article 17 Central Business District**

CBD-2 Central Business District
- Add **micro-breweries and micro-distilleries** as permitted uses in the CBD-2 Central Business District.

CBD-7 Central Business District
- Add **micro-breweries and micro-distilleries** as permitted uses in the CBD-7 Central Business District.

**Article 18 Overlay Zoning Districts**

- Revise text to clarify the boundaries and major intersections in the overlay districts of sections 18.3, 18.4, 18.5, 18.6, 18.14, 18.15, and 18.16 as shown in Appendix C.
- Revise the text of Sections 18.15, 18.16, and 18.17 to prohibit neon signage on the interior or exterior of windows, other than an “open” sign.
- **RDO-1 Residential Diversity Overlay** – In Section 18.7.B.3.i – delete text stating “outdoor dining” as a use. Outdoor dining is not a main use. As accessory use, prohibit outdoor dining in RDO-1 except on sidewalk, subject to a sidewalk café franchise agreement with the City.
- **RDO-2 Residential Diversity Overlay** – In Section 18.8.B.3.i - delete text stating “outdoor dining” as a use. Outdoor dining is not a main use. As accessory use, prohibit outdoor dining in RDO2 except on sidewalk, subject to a sidewalk café franchise agreement with the City.
- **Enhancement Corridors** – In Section 18.15.B.4, revise text to state “The use of contemporary architectural design that meets these goals and blends with older forms is encouraged, so that each form is recognized as being of its time, place and use. Design that copies historic styles is discouraged.
- **Transformation Corridors** - In Section 18.16.B.4, revise text to state “The use of contemporary architectural design that meets these goals and blends with older forms is encouraged, so that each form is recognized as being of its time, place and use. Design that copies historic styles is discouraged.
- **AC-3 Arts & Cultural Overlay** – In Sections 18.11.C.1 and 18.11.C.2, revise text to
state that the provisions of Section 10.2.B.9. restricting the number of live performance venues or live entertainment, secondary uses, per blockface shall not apply within the AC-3 Arts & Cultural Overlay District.

- **Riverfront Overlay District**: Section 18.13.G should be revised as follows:

G. Riverfront Gateway Design Standards and Density Bonuses

Certain areas along the riverfront act as gateways to the riverfront and are key to improving and encouraging pedestrian access from the surrounding neighborhoods to the river through the use of special design features. Incorporating superior design elements in a development within one of these areas qualifies a development for consideration of an increase height and/or density, in accordance with the following provisions:

1. Gateways areas are defined as the areas bounded by:

   a. the floodwall along the Mississippi River, Chartres Street, Press Street, and Piety Street on the East Bank of the Mississippi River;
   b. the area bounded by the levee along the Mississippi River, the Orleans Parish/Jefferson Parish boundary line, Brooklyn Avenue, Powder Street, and Pelican Street on the West Bank of the Mississippi River.

2. To be eligible for consideration of an increase in the height limit, a development shall meet the design standards above, in addition to the following additional standards:

   a. Developments shall include landscaped public open space, public plazas, and/or sidewalk/open air cafés with direct visual access to the River, subject to the Public Plaza Standards and Guidelines contained within Section 17.5.F.2.
   b. Developments shall be designed utilizing energy efficient design or other innovative sustainable design characteristics, sufficient to achieve LEED Gold certification, subject to the Whole Building Sustainability Standards and Guidelines contained within Section 17.5.C.2.
   c. At least five percent (5%) of dwelling units shall be reserved as affordable for households with incomes equal to or below fifty percent (50%) of area median income (AMI), subject to the Affordable Housing Standards and Guidelines contained within Section 17.5.H.2.
   d. In lieu of either (b) or (c) above, a development may be eligible for a density bonus if the developer makes a substantial contribution to a new floodwall bridge, rail crossing, or other improvement which significantly increases access to the riverfront. For purposes of this provision, “substantial contribution” shall mean a financial contribution of at least 50% of the cost of the improvement, provided that the remaining cost of the improvement is available from other funding sources within one (1) year of the date of the City Council Ordinance authorizing the development.
3. For any property located within an area defined above as a gateway, incorporating the design features above and within this section qualifies the site for consideration of (i) an increase in the height limit up to two (2) stories, but no greater than twenty-five (25) feet beyond the height limit of the base zoning district, and (ii) an increase of an additional 1.5 FAR.

Requests for height and density bonuses pursuant to this Section shall be considered and approved through the conditional use process provided in Section 4.3.

Article 20 Use Standards

- **Wireless Telecommunications Facilities**: In Section 20.3.III.9.c.: Revise text allowing the city to reserve a portion of the tower for use by the local, state, or federal government, provided that adequate compensation is paid.

- **Bed and Breakfast**: revise text in Section 20.3.I to clarify boundaries where bed and breakfast uses are prohibited. In 20.3.I., subsection i. text should read: “i. The area bounded by the centerlines of Prytania Street, Pontchartrain Expressway, Magazine Street, and the downtown side of Felicity Street from Coliseum Street to Prytania Street.” Subsection ii should read “ii. The area referred to as the Garden District, bounded by the centerline of St. Charles Avenue, the downtown side of Jackson Avenue, the centerline of Magazine Street, and the downtown side of Louisiana Avenue, with the exception of those bed and breakfasts grandfathered pursuant to Ordinance No. 14,168 M.C.S., November 12, 1990, subject to confirmation of continuous use and legal non-conforming status.

- **Bed and Breakfast**: in Sections 20.3.I.2.j and 20.3.I.3.i, delete the fourteen day guest stay limitations.

- **Bed and Breakfast**: in Section 20.3.I.3.e, delete the percentage limit on bedroom rental units in its entirety. The bed and breakfast, principal use, would be found mostly in commercial areas.

- **Bed and Breakfast**: revise use standard in Section 20.3.I.2.c. to add the word “than” before “a permitted sign.”

- **Bed and Breakfast**: revise use standard in Section 20.3.I.3.c. to change the word “occupier” to “operator” in both instances where it appears.

- **Standard Restaurants**: revise text in Section 20.3.YY Restaurants (All Types) to clarify that in addition to on-site micro-brewing, on-site micro-distillery facilities are allowed in standard restaurants only.

- **Restaurant (All Types)**: revise text in Section 20.3.YY Restaurant (All Types) to indicate that opening hour is for first opening of business to customers.

- **Restaurant (All Types)**: add the following requirement in Section 20.3.YY.1.b

  b. All restaurants serving alcoholic beverages shall provide exterior security cameras.

- **Amusement Facility, Indoor or Outdoor**: Revise Section 20.3.E1.b Amusement
Facility to require:
  b. A security and operation plan. The security plan shall include the provision of exterior security cameras.

- **Live Entertainment – Secondary Use and Live Performance Venue**: Revise Section 20.3.II.3.d to require:
  d. All live entertainment – secondary use and live performance venues shall provide exterior security cameras.

- **Bar**: clarify that in addition to on-site micro-brewing, on-site mico-distillery facilities are allowed.

- **Bar**: revise the text of Section 20.3.G.1.a. to state:
  a. A security and operation plan, which includes the provision of exterior security cameras. If the bar contains a brewing facility on-site, a floor plan indicating the area reserved for brewing, a description of the facility and capacity shall be included in the security and operation plan.

**Article 21 On-Site Development Standards**

Section 21.8, Temporary Uses, 21.8.C.4.:

- **Mobile Food Truck**: revise text to authorize a mobile food truck one (1) day per week in the accessory parking lot of a principal use, when operating during the same hours as the principal use. Revise the text to further indicate that in non-residential zoning districts, if the principal use is closed, or the parking spaces in the lot are non-accessory and not providing required parking spaces for another use, mobile food trucks may operate three (3) days per week, requiring four (4) spaces per truck, in compliance with the standards of Section 21.8, Temporary Uses, 21.8.C.4 and their temporary use permit. If occupying a vacant lot, one thousand (1,000) square feet per truck is required.

**Article 22 – Off Street Parking and Loading**

Table 22-1: Off-Street Vehicle and Bicycle Parking Requirements:

- **Hotel/motel parking** requirement: list as 0.5 instead of .5 to avoid mistakes in reading the regulation.

- **Brewery parking** requirement: revise parking requirement from 1 per 500 square feet of gross floor area to 1 per 1,000 square feet of gross floor area + 1 per 500 square feet of tasting room, restaurant, or bar gross floor area. Change bicycle parking requirement from “over 10,000” square feet of gross floor area: 1 per 5,000 square feet to 1 per 5,000 square feet.

- **Micro-brewery, micro-distillery parking** requirement: add parking requirement of 1 per 1,000 square feet of brewery/distillery gross floor area + 1 per 500 square feet of tasting room, restaurant, or bar gross floor area. Add bicycle parking requirement of 1 per 5,000 square feet and percent long term 50%.

- **Food Processing parking** requirement: revise parking requirement from 1 per 300
square feet to 1 per 1,000 square feet.

- **Catering kitchen parking** requirement: add parking requirement of 1 space per 1,000 square feet.

**Article 23. Landscape, Stormwater Management & Screening**

**Revise the text in Section 23.3.C to state:**

- Stormwater Management Plans shall be prepared by a registered landscape architect licensed by the Louisiana Horticulture Commission or a registered professional engineer licensed by the Louisiana Professional Engineering and Land Surveying Board (LAPELS). For all sites one (1) acre or more, a registered professional engineer must approve (stamp) all pertinent drainage and retention calculations. The CPC Executive Director reserves the right to require a registered landscape architect to approve (stamp) and/or delineate all pertinent green infrastructure planting BMP improvements. All Stormwater Management Plans shall include the pre-development and post-development runoff rates and shall contain the following:

**Article 26 Definitions:**

Revise and/or add the definitions as follows:

- **Family**: Add definition. *Family.* An individual or two (2) or more persons who are related by blood, marriage, or registered domestic partnership, 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. Notwithstanding the above, domestic servants, employed and residing on the premises shall be considered as part of the family.

- **Parking Lot**: Revise definition. *Parking lot*: An open, hard-surfaced area, other than a street or public way, used for the storage of operable passenger or commercial motor vehicles for limited periods of time. Parking may be available for residents, visitors, employees, clients, customers, or similar users whether for compensation or at no charge.

- **Casino/Gaming Establishment**: The Official Gaming Establishment as defined in Louisiana Revised Statutes 27:203.

- **Catering Kitchen** – a facility for the preparation and distribution of foods in a ready-to-consume or partially ready state directly to mobile food trucks or for consumption at events off-site. Catering kitchens do not include the on-site sale of individual meals, individual beverages, or the manufacturing of alcoholic beverages.

- **Short Term Rental**: Revise definition of short term rental to reflect recent change in the current Comprehensive Zoning Ordinance definition. *Short Term Rentals*: Rentals of a premises or any portion thereof for dwelling, lodging or sleeping purposes with duration of occupancy of less than sixty (60) consecutive days in the Vieux Carré and less than thirty (30) consecutive days outside the Vieux Carré. Hotels, motels, bed and breakfasts, and other land uses explicitly defined and regulated in this ordinance separately from short term rentals are not considered to be short term rentals.
- **Brewery/Distillery.** A facility for either the production and packaging of malt beverages of low alcoholic content for wholesale distribution, with a production of more than twelve-thousand five hundred (12,500) barrels per year, or for the distilling of liquors, with a production of more than twelve thousand (12,000) gallons per year. The facilities may include a tasting room or other uses such as a standard restaurant, bar, or live entertainment as permitted in the zoning district, subject to the use standards of Article 20 and parking standards of Article 22. A tasting room shall be subject to the use and parking standards of a bar. A separate liquor license is required for the sale of alcoholic beverages on-site; however, only beverages produced on-site may be sold.

- **Micro-Brewery/Micro-Distillery.** A facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail or wholesale, on- or off-premises, with production of not more than twelve-thousand five hundred (12,500) barrels per year, or for the distilling of liquors, with a production of not more than twelve thousand (12,000) gallons per year. The facilities may include a tasting room or other uses such as a standard restaurant, bar, or live entertainment as permitted in the zoning district, subject to the use standards of Article 20 and parking standards of Article 22. A tasting room shall be subject to the use and parking standards of a bar. A separate liquor license is required for the sale of alcoholic beverages on-site; however, only beverages produced on-site may be sold.

**Appendix B. Elevated Dwelling Guidelines**

- **Revise the header** of all pages to add “and is non-binding” to the end of the sentence.
- **Revise the first introductory paragraph** to state:

  Long-term sustainability to and flood/storm risk management of private property is a top priority for all developments in the city. The decisions on how to manage elements of property safety, including height and enclosure of elevated structures, are subject to the requirements of the City of New Orleans Building Code. The intent of these guidelines are to preserve cohesive neighborhoods by accommodating design elements of elevated houses in contextually sensitive ways that respect the neighborhood character and reinforce a house’s physical relationship to the street and nearby homes. The guidelines focus on three key design features that can play a critical role in avoiding or minimizing the potentially disruptive impact an elevated house can have on its surrounding neighborhood context: 1) the design of foundations; 2) driveways and garages; and 3) porches and stairs.

- **Section I. Why Elevate?** On page B-2, remove the sentence “Use the FEMA minimum elevation height for your property as a guide to select the most appropriate height and technique.” Replace with “The Base Flood Elevation (BFE), as shown on the most current Flood Insurance Rate Map (FIRM), should be considered the minimum elevation height for your dwelling.”

- **Section II. Elevation Design Best Practices A. Issues/Challenges** (1). Remove “too high” and replace with “higher than neighboring houses.”

- **Section II. Elevation Design Best Practices, Section B, Best Practices.** Remove the
entirety of #1 which states: With few exceptions, houses should not be elevated above the height necessary to avoid standard flood risk.” In #2, revise the text to state “Foundations shall be closed, at least along facades visible from the street, subject to building code requirements.”

- **Section III. Design Guidelines, Foundation Design, Section A.1.** Delete the sentence “Do not elevate above the FEMA minimum requirement.” Replace with “The dwellings elevation height shall comply with minimum Base Flood Elevation (BFE) regulation, as shown on the most current Flood Insurance Rate Map (FIRM).

**B. PROPOSED ZONING MAP MODIFICATIONS**

**Planning District 2**

Along the Magazine Street commercial corridor: (1) all lots proposed to be zoned HU-MU Historic Urban Mixed Use District or HU-B1A Historic Urban Neighborhood Business District on squares with Magazine Street frontage from Race Street including the riverside, downriver corner, to Philip Street, including the riverside, upriver corner; (2) all lots proposed to be zoned HU-MU Historic Urban Mixed Use District on squares with frontage on Sophie Wright Place from Magazine Street to Race Street:

- Change the zoning from HU-MU Historic Urban Mixed Use District and HU-B1A Historic Urban Neighborhood Business to HU-B1 Historic Urban Neighborhood Business District.

**Planning Districts 2 and 3**

Along the Magazine Street commercial corridor, all lots proposed to be zoned HU-MU Historic Urban Mixed Use District on squares with frontage on Magazine Street between Louisiana Avenue and Bordeaux Street, including the upriver corners of Bordeaux and Magazine Street and any other lots on these squares proposed to be zoned HU-MU Historic Urban Mixed Use District:

- Change the zoning from HU-MU Historic Urban Mixed Use District to HU-B1 Historic Urban Neighborhood Business District.

**Planning District 5**

For 6613 Fleur de Lis Drive, Square 68, Lot C:

- Change from S-LRM1 Lake Area Low-Rise Multiple Family Residential District to S-LB1 Lake Area Neighborhood Business District. The property is currently used as parking for the adjacent commercial parcel at 6619 Fleur de Lis Drive.

**Planning District 7**
In the square bounded by Port, Royal, St. Ferdinand and Architect Street:

- **Change from HM-MU Historic Marigny Mixed Use District to HMC-1 Historic Marigny Commercial District** for all properties currently proposed for HM-MU. The properties currently proposed as HMR-3 Historic Marigny Residential District would retain that proposed designation.

Planning District 9

In the industrial area bounded by Chef Menteur Highway, Hayne Boulevard, Downman and Jourdan Roads, the draft zoning map proposes Maritime Industrial District. With no waterfront access, this area would more appropriately be zoned LI Light Industrial and HI Heavy Industrial.

- **Change from MI Maritime Industrial to LI Light Industrial and HI Heavy Industrial Districts** in accordance with existing LI and HI District boundaries.

Along the Downman Road commercial corridor bounded by Dwyer Road and Chef Menteur Highway, including the lots fronting on Reel Street:

- **Change from C-1 General Commercial to S-B2 Pedestrian-Oriented Corridor Business District for all lots currently proposed as C-1 General Commercial.**

C. PRELIMINARY STAFF RECOMMENDATION

The CPC staff recommended **modified approval** of the July 2014 Public Hearing Draft Comprehensive Zoning Ordinance in accordance with the aforementioned proposed modifications and flexibility to make further modifications for consistency in terminology, ordering, and numbering.

VI. FINAL PUBLIC HEARING (9/9/14)

At the September 9, 2014 meeting, the City Planning Commission suspended the rules to accept additional comments received past the deadline. A motion to suspend the rules was made by Commissioner Hughes, seconded by Commissioner Steeg, and adopted unanimously.

MOVER: JASON HUGHES
SECONDER: ROBERT STEEG
ACTION: SUSPEND THE RULES TO ACCEPT ADDITIONAL COMMENTS
VOTE: 5-0
YEAS: KELLY BROWN, ROYCE DUPLESSIS, ROBERT STEEG, NOLAN MARSHALL III, JASON HUGHES
NAYS: NONE
ABSTAINING: NONE
ABSENT: KYLE WEDBERG, CRAIG MITCHELL, PAMELA BRYAN

The Commission also voted to accept additional staff recommendations verbally. A motion to accept additional staff recommendations verbally was made by Commissioner Steeg, seconded by Commissioner Marshall, and adopted unanimously.

MOVER: ROBERT STEEG
SECONDER: NOLAN MARSHALL III
ACTION: SUSPEND THE RULES TO RECEIVE ADDITIONAL STAFF COMMENTS VERBALLY
VOTE: 5-0
YEAS: KELLY BROWN, ROYCE DUPLESSIS, ROBERT STEEG, NOLAN MARSHALL III, JASON HUGHES
NAYS: NONE
ABSTAINING: NONE
ABSENT: KYLE WEDBERG, CRAIG MITCHELL, PAMELA BRYAN

Pursuant to the foregoing motion, Executive Director Robert Rivers made the following additional verbal staff recommendations:

- Change reception halls from a permitted to conditional use.

In the CBD-5 District, Table 17-1, Permitted and Conditional Uses

- Revise text to state: One of the following uses is permitted per blockface within the CBD-5 District.

In Section 17.3.B. Use Restrictions, #4 Spacing of Restaurants in the CBD-5 District

- Change wireless communications towers from conditional to permitted in the MI Maritime Industrial, LI Light Industrial, and HI Heavy Industrial Districts.

In Article 16, Centers for Industry, Table 16-1, Permitted and Conditional Uses

- Add a standard to Restaurant (All Types), Section 20.3.YY that there shall be no cover charge to enter a restaurant.

In Article 15, allow auditoriums as a permitted use in the MU-1 and MU-2 Mixed Use Districts.

In Article 18, Section 18.11.C.3 (AC-3 Arts & Cultural District – St. Claude Avenue)
• Revise the text to make standard restaurant hours of operation consistent with the restricted hours for live entertainment (closing hour 11pm Monday through Thursday, 1am Thursday through Sunday).

In Article 18, Section 18.13.A.2

• Expand the Riverfront Design Overlay District, to include the properties fronting on the upriver side of Elysian Fields Avenue within two blocks of the intersection of Elysian Fields Avenue and North Peters Street.

In Article 18, Section 18.13.G

• Expand the area subject to Riverfront Gateway Design Standards and Height Limit Increases to include the properties fronting on the upriver side of Elysian Fields Avenue within two blocks of the intersection of Elysian Fields Avenue and North Peters Street.

At the September 9, 2014 meeting, there were fifty-five (55) speakers.

A motion for deferral was made by Commissioner Marshall, but it was subsequently withdrawn.

A motion for acceptance of the staff recommendations was made by Commissioner Marshall and seconded by Commissioner Steeg.

Commissioner Steeg offered one amendment to the motion. He recommended that in Section 21.8, Temporary Uses, 21.8.C.4, mobile food trucks be permitted to operate five (5) days per week, requiring four (4) spaces per truck, in compliance with the standards of Section 21.8, Temporary Uses, 21.8.C.4 and their temporary use permit. Further, Commissioner Steeg recommended that in Table 21-3, Permitted Temporary Uses, the hours of operation for mobile food trucks be expanded to a closing hour of 10pm, Sunday through Thursday, and 12am, Friday and Saturday. The amendment was accepted and the motion was adopted unanimously.

MOVER: NOLAN MARSHALL III
SECONDER: ROBERT STEEG
ACTION: MODIFIED APPROVE
VOTE: 5-0
YEAS: KELLY BROWN, ROYCE DUPLESSIS, ROBERT STEEG, NOLAN MARSHALL III, JASON HUGHES
NAYS: NONE
ABSTAINING: NONE
ABSENT: KYLE WEDBERG, CRAIG MITCHELL, PAMELA BRYAN