

Re: Appeal of Permit 22-30174-NEWC for 7417-19 Zimple St, AKA 7419-21 Zimple St, AKA 7429 Zimpel St

To the Board of Zoning Adjustments:

I am appealing the issuance of Building Permit 22-30174, issued on 11/28/2022, for 7417-19 Zimple/Zimpel Street because of the following violations:

**1. The plans show insufficient lot depth for a 2-family dwelling in a HU-RD2 district.**

Minimum required lot depth is 90 ft, and the proposed lot depth is only 86 ft. This project therefore requires a zoning variance in order to proceed without alterations to the plans. (See Diagram A and Attachment B, page 7)

*Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Depth*

**2. The plans show insufficient side yard width for a 2-family dwelling in a HU-RD2 district.**

Minimum required side yard width is 3 ft, and the proposed side yard width along the right side is only 2.2 ft. This project therefore requires a zoning variance in order to proceed without alterations to the plans. (See Diagram A and Attachment B, page 8)

*Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Yard Requirements*

**3. This project has a deficit of FOUR required parking spaces under both the 2021 University Area Off-Street Parking Overlay and the 2022 University Area Off-Street Parking IZD.**

The building permit application for 7417-19 Zimple was submitted on 10/5/2022, one day before the new IZD was passed on 10/6/2022. However, “Permit Intake” was NOT complete until 10/11/2022; “Zoning” review was NOT complete until 10/31/2022; “Plan Review” was NOT complete until 11/28/22; and the Permit was approved, issued, and paid for on 11/28/2022. (See Attachment C, Permit Summary)

The only date cited on the entire Permit Summary that falls before 10/6/2022 is the "Application Submitted" date. Therefore, this permit application was not “substantially complete” before 10/6/2022 and clearly falls under the regulations of the new 2022 IZD (See Attachment E), and not the 2021 University Area Off-Street Parking Overlay District (See Attachment D), as Safety & Permits is claiming.

Under the new 2022 IZD, a new construction double such as this, with four bedrooms and four baths per unit (eight bedrooms and eight baths total), would require SIX parking places, one for each bedroom beyond the first in each unit. It is only providing TWO spaces in "tuck-under" parking, therefore this project is short FOUR required parking spaces under the terms of the new IZD. (See Attachment E)

However, even if Safety & Permits continues to insist this project is subject only to the 2021 Overlay and not the 2022 IZD, the University Area Off-Street Parking Overlay District only exempts new units with THREE or fewer bathrooms—and these new units have FOUR bathrooms each so are therefore NOT exempt from the parking requirements of the 2021 Overlay either. (See Attachment D)

Therefore, this project is not compliant with either the 2021 Overlay or the 2022 IZD because it has a deficit of FOUR parking spaces.

**4. This project is incompatible with the principals of the City's Master Plan and HU-RD2 zoning, and our Comprehensive Zoning Ordinance is failing to reflect and protect these principals.**

Chapter 13 of New Orleans' Master Plan requires "Preservation of neighborhood residential character" and stipulates that infill development within historic established neighborhoods must be compatible with existing patterns in terms of prevailing **character, scale, and massing**. (Attachments F & G)

The section titled "Residential Neighborhood Zoning Principles" includes:

-Ensure that new housing built within established neighborhoods is compatible with the scale and character of the existing development; and

-Development standards are integrated into district regulations that preserve the established building character in terms of scale, massing, and placement. This benefits areas that do not have local historic district designation but want to ensure that their character is maintained.

Why isn't the CZO meeting its responsibilities under the Master Plan? Why isn't the CZO enforcing compatibility with "prevailing character, scale, and massing" issues in our historic neighborhoods? These are not merely "design issues," which residents have been told ad nauseam are not regulatable by either the CZO or the HDLC. Who decided our historic residential neighborhoods would ONLY be protected by the HDLC, and not by the CZO and Safety & Permits too?

Yes, this project is an "eyesore" from a design point of view on almost every level. But it's not due to a "design issue" that the behemoth bulk and scale of this project is so wildly out of scale and out of place on that block, in that neighborhood, and it will dwarf most of the nearby traditional single-story and raised basement existing structures.

In addition, this particular project incorporates a "lack-of-compatibility-with-neighborhood-character" nightmare in the form of very atypical "**tuck-under parking**," requiring elevation of the structure in order to put two parking spaces under the house, or even a parking lot. Elevating a residential structure to put parking under the house is never mentioned anywhere in the CZO as an acceptable, much less permitted, parking plan in a HU-RD2 district, and there is no doubt that "tuck-under parking" is utterly incompatible with the character of the surrounding neighborhood.

Due to this project's lot size and setback violations, its violation of both the University Area Off-Street Parking Overlay and IZD, and its lack of compatibility with our city's Master Plan, I am asking the BZA to rescind the building permit for 7417-19 Zimple and require the developer to go back to the drawing board to correct these deficiencies.

Thank you,  
Debra Howell  
1538 Adams Street, NOLA 70118

List of attachments:

Application-Appeal-of-Permit\_22-30174-NEWC\_7417-19-Zimple\_D-Howell  
Letter-to-Board\_Appeal-of-Permit\_22-30174-NEWC\_7417-19-Zimple\_D-Howell  
Decision\_7417-19-Zimple-Building Permit  
A\_7417-19 Zimple\_lot survey diagram

B\_CZO-City of New Orleans\_Article 11

C\_7417-19\_Print Summary\_11-28-22

D\_2021-Overlay-CZO section 18-30 UniversityAreaOFParkingOverlay

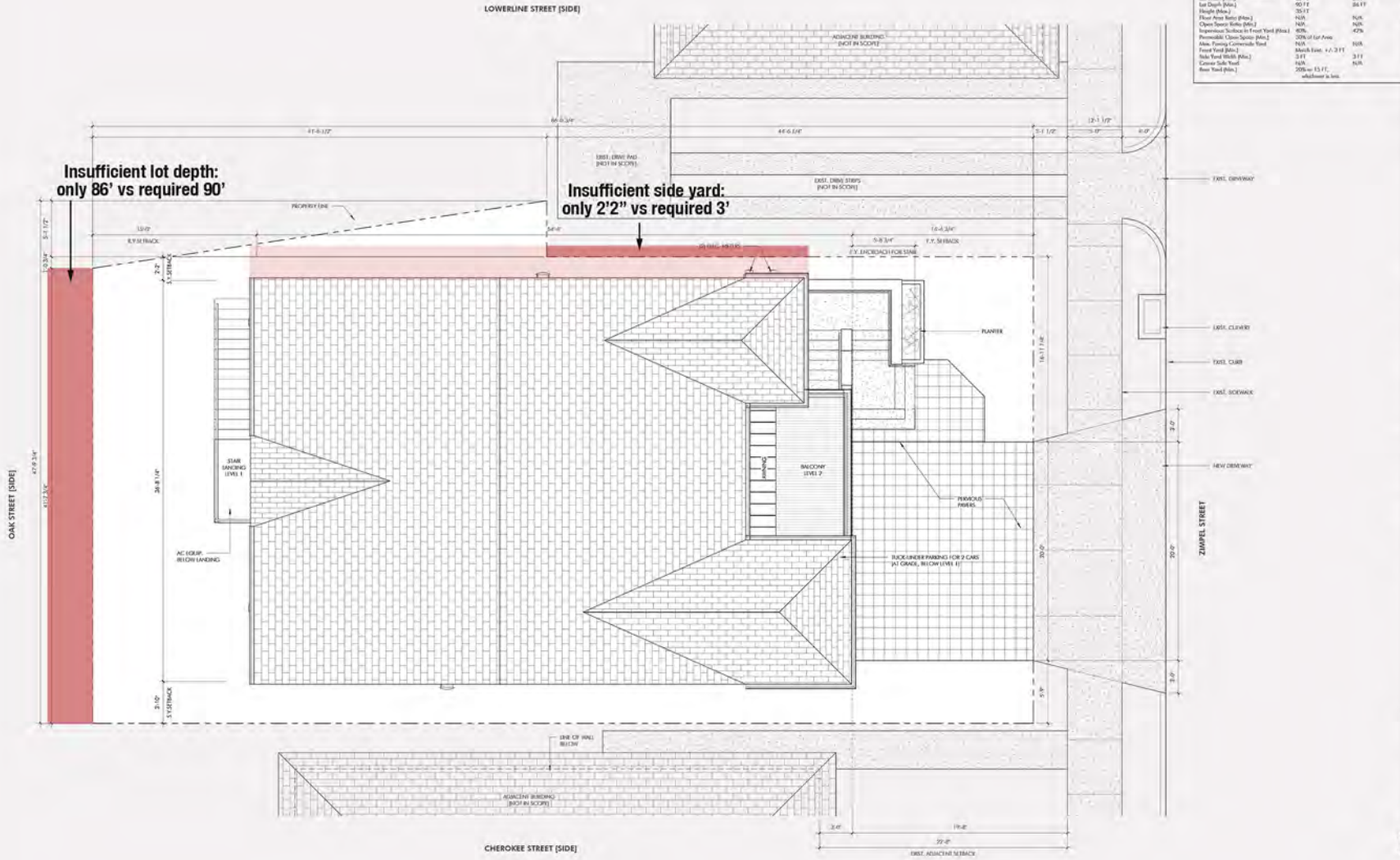
E\_2022-IZD-Motion\_M-22-449\_10-6-22\_new-construction

F\_Master-Plan-Introduction

G\_Master-Plan-General Zoning Principles

### ZONING ANALYSIS

Zoning Classification	HU-RD2	Requirement	Value
Lot Area per Dwelling Unit (Min.)	1,800 SF	1,478 SF	N/A
Lot Width (Min.)	30 FT	30 FT	30 FT
Lot Depth (Min.)	95 FT	86 FT	90 FT
Height (Max.)	35 FT	N/A	N/A
Floor Area Ratio (Max.)	N/A	N/A	N/A
Open Space Ratio (Min.)	N/A	N/A	N/A
Impervious Surface to Front Yard (Max.)	45%	47%	45%
Permeable Open Space (Min.)	20% of Lot Area	N/A	N/A
Min. Front Setback (Min.)	N/A	30 FT	30 FT
Front Yard (Min.)	N/A	Mark Elev. +/- 3 FT	N/A
Side Yard (Min.)	N/A	2 FT	3 FT
Corner Side Yard	N/A	5 FT	5 FT
Rear Yard (Min.)	N/A	whichever is less	N/A



Insufficient lot depth:  
only 86' vs required 90'

Insufficient side yard:  
only 2'2" vs required 3'

TWO-FAMILY RESIDENCE  
7419-7429 ZIMPEL STREET  
NEW ORLEANS, LOUISIANA

DATE: 10-03-2022, PERMIT:



PROJECT NO: 22-28-05  
PREPARED BY: AJC  
CHECKED BY: CJC

SITE PLAN

SCALE: A2.0

# 11.3 SITE DESIGN STANDARDS

## 11.3.A BULK AND YARD REGULATIONS

### 11.3.A.1 GENERAL REGULATIONS

Table 11-2A: Bulk and Yard Regulations establishes bulk and yard regulations for the Historic Urban Neighborhood Districts, less and except the HU-RD1 zoned properties in the area known as the Garden District Historic District. The boundaries of the Garden District Historic District are roughly Magazine Street, Josephine Street, Carondelet Street and Delachaise Street, excluding parcels facing along St. Charles Avenue except at the intersection with Jackson Avenue. (Highlighted letters in Table 11-2A indicate where those bulk and yard regulations are illustrated on the accompanying site diagram.)

Table 11-2B: Bulk and Yard Regulations establishes bulk and yard regulations for the HU-RD1 zoned properties in the area known as the Garden District Historic District. The boundaries of the Garden District Historic District are roughly Magazine Street, Josephine Street, Carondelet Street and Delachaise Street, excluding parcels facing along St. Charles Avenue except at the intersection with Jackson Avenue. (Highlighted letters in Table 11-2B indicate where those bulk and yard regulations are illustrated on the accompanying site diagram.)

Table 11-2A: Residential Districts Bulk & Yard Regulations

<b>Table 11-2A: Residential Districts Bulk &amp; Yard Regulations</b>						
<b>BULK &amp; YARD REGULATIONS</b>		<b>DISTRICTS</b>				
		<b>HU-RS</b>	<b>HU-RD1</b>	<b>HU-RD2</b>	<b>HU-RM1</b>	<b>HU-RM2</b>
<b>BULK REGULATIONS</b>						
<b>MINIMUM LOT AREA</b>			SF:	SF:	SF:	SF:
			2,250sf/du	2,250sf/du	3,000sf/du	3,000sf/du
			2F:	2F:	2F:	2F:
			1,800sf/du	1,800sf/du	1,700sf/du	1,700sf/du
		Residential:	2,200sf/du	Townhouse:	MF:	MF:
		5,000sf/du	MF:	2,000sf/du	1,250sf/du	800sf/du
		Non-Residential:	2,000sf/du	MF:	Small MF	Small MF
		10,000sf	Small MF	2,000sf/du	Affordable:	Affordable:
		Affordable:	Small MF	None	None	
		None	Affordable:	Townhouse:	Townhouse:	
		Non-Residential:	None	2,000sf/du	1,800sf/du	
		10,000sf	Non-Residential:	Non-Residential:	Non-Residential:	
			10,000sf	10,000sf	10,000sf	

**Table 11-2A: Residential Districts Bulk & Yard Regulations**

BULK & YARD REGULATIONS	DISTRICTS				
	HU-RS	HU-RD1	HU-RD2	HU-RM1	HU-RM2
<b>A</b> <b>MINIMUM LOT WIDTH</b>	50'	SF: 30' 2F: 40' MF: 40' Non-Residential: 50'	SF, 2F, & MF: 30' Townhouse: 18' per du Non-Residential: 50'	SF: 30' 2F: 40' MF: 40' Townhouse: 18' per du Non-Residential: 50'	SF: 30' 2F: 40' MF: 50' Townhouse: 18' per du Non-Residential: 50'
<b>MINIMUM LOT DEPTH</b>	90'	90'	90'	90'	90'
<b>B</b> <b>MAXIMUM BUILDING HEIGHT</b>	35'	35'	35'	SF & 2F: 35' Townhouse: 40' & no more than 3 stories MF & Non-Residential: 40' & no more than 3 stories	SF & 2F: 35' Townhouse: 40' & no more than 3 stories MF: 48' & no more than 4 stories Non-Residential: 45'
MINIMUM PERMEABLE OPEN SPACE	30% of lot area	30% of lot area	30% of lot area	30% of lot area	30% of lot area
MINIMUM OPEN SPACE	None	Townhouse or Multi-Family: 120sf/du	Townhouse or Multi-Family: 120sf/du	Townhouse or Multi-Family: 120sf/du	Townhouse or Multi-Family: 120sf/du
<b>MAXIMUM IMPERVIOUS SURFACE IN FRONT YARD</b>	40%	40%	40%	40%	40%
<b>MAXIMUM IMPERVIOUS SURFACE IN CORNER SIDE YARD</b>	40%	40%	40%	40%	40%

**Table 11-2A: Residential Districts Bulk & Yard Regulations**

<b>BULK &amp; YARD REGULATIONS</b>		<b>DISTRICTS</b>				
		<b>HU-RS</b>	<b>HU-RD1</b>	<b>HU-RD2</b>	<b>HU-RM1</b>	<b>HU-RM2</b>
<b>MAXIMUM NUMBER OF ATTACHED TOWNHOUSE UNITS</b>				6	6	6
<b>MINIMUM YARD REQUIREMENTS</b>						
<b>C</b>	<b>FRONT YARD</b>	See Section 11.3.A.2	See Section 11.3.A.2	See Section 11.3.A.2	See Section 11.3.A.2	See Section 11.3.A.2
<b>D</b>	<b>INTERIOR SIDE YARD</b>	10% of lot width or 3', whichever is greater	SF & 2F: 3' MF: 3' Non-Residential: 5'	SF & 2F: 3' MF: 3' Townhouse: 2-Story: 3' Over 2-Story: 10' Non-Residential: 5'	SF, 2F & MF – 3-4 Unit: 3' Townhouse: 2-Story: 3' Over 2-Story: 10' MF – 5+ Unit: 10' Non-Residential: 5'	SF, 2F & MF – 3-4 Unit: 3' Townhouse: 2-Story: 3' Over 2-Story: 10' MF – 5+ Unit: 10' Non-Residential: 5'
<b>E</b>	<b>CORNER SIDE YARD</b>	Residential: See Section 11.3.A.3 Non-Residential: 10'	SF & 2F: See Section 11.3.A.3 Non-Residential: 10'	SF & 2F: See Section 11.3.A.3 Townhouse: 2-Story: 3' Over 2-Story: 10' Non-Residential: 10'	SF & 2F: See Section 11.3.A.3 Townhouse: 2-Story: 3' Over 2-Story: 10' MF – 3-4 Unit: 10% of lot width but a minimum of 3' MF – 5+ Unit, & Non-Residential: 10'	SF & 2F: See Section 11.3.A.3 Townhouse: 2-Story: 3' Over 2-Story: 10' MF – 3-4 Unit: 10% of lot width but a minimum of 3' MF – 5+ Unit, & Non-Residential: 10'

Table 11-2A: Residential Districts Bulk & Yard Regulations					
BULK & YARD REGULATIONS	DISTRICTS				
	HU-RS	HU-RD1	HU-RD2	HU-RM1	HU-RM2
<b>F REAR YARD</b>	20% of lot depth or 20', whichever is less	20% of lot depth or 15', whichever is less	20% of lot depth or 15', whichever is less	SF & 2F: 20% of lot depth or 15', whichever is less  Townhouse, MF & Non-Residential: 20'	20'

Table 11-2B: Garden District Historic District HU-RD1 Bulk and Yard Regulations

Table 11-2B: Garden District Historic District HU-RD1 Bulk and Yard Regulations					
BULK REGULATIONS					
		Single-Family	Two-Family	Small MF Affordable	Non-Residential
	Minimum Lot Area (Sq. Feet)	4,400	2,500	None	20,000
<b>A</b>	Minimum Lot Width (Feet)	40	50	50	100
	Minimum Lot Depth (Feet)	90	90	90	100
<b>B</b>	Maximum Building Height (Feet)	40	40	40	40
	Minimum Permeable Open Space	By lot width 40' or less: 30% of lot area  Greater than 40': 40% of lot area	By lot width 40' or less: 30% of lot area  Greater than 40': 40% of lot area	By lot width 40' or less: 30% of lot area  Greater than 40': 40% of lot area	By lot width 40' or less: 30% of lot area  Greater than 40': 40% of lot area
	Maximum Impervious Surface in Front Yard	30%	30%	30%	30%
	Maximum Impervious Surface in Corner Side Yard	30%	30%	30%	30%
YARD REQUIREMENTS					
<b>C</b>	Maximum Front Yard (Feet) – See Section 11.3.A.2	20	20	20	20
<b>D</b>	Minimum Interior Side Yard (Feet)	3	3	3	10
<b>E</b>	Minimum Corner Side Yard (Feet) – See Section 11.3.A.3	4	4	4	10
<b>F</b>	Minimum Depth of Rear Yard (Feet)	18	18	18	20



Your reference code is **LW8AH8**

### Application Summary

**Type:** New Construction  
**Location:** 7417-7419 Zimple St  
**Property Owner:** Esn Property LLC  
**Description:** New construction of 2-family residence on vacant lot.  
**Created By:** publicwebcrm

### Status Information

Name	Complete	Date
Application Submitted	Yes	10/5/2022
Zoning Review	Yes	10/31/2022
Application Review	Yes	11/9/2022
Plan Review	Yes	11/28/2022
Permit Approved	Yes	11/28/2022
Permit Issued	Yes	11/28/2022

### Fees

Type	Amount	Paid
Building	\$3,835.00	Yes
Building Plan Review	\$755.00	Yes

### Reviews

Division	Status	Reviewer
Zoning	Complete (10/31/2022)	Todd Breckman
Permit Intake	Complete (10/11/2022)	April Huang
Floodplain Administration	Complete (11/9/2022)	Jerome Landry
GIS Addressing	Complete (10/6/2022)	Joseph V Trinh
Plan Review	Complete (11/28/2022)	Warren Jones
SWBNO Plumbing Riser	Approved (10/11/2022)	Michael A Evans
Public Works - Traffic	Complete (11/22/2022)	Dwayne Shelby

### Review Comments

Division	Status	Comment
GIS Addressing	Resolved	Need to add 2nd address.
Permit Intake	Resolved	Permit Intake - Please provide a plumbing riser diagram.
Plan Review	Resolved	PLAN REVIEW This project has been reviewed by Warren E. Jones, PE. Any questions, more information needed, or for digital document correspondence, email warren.jones@nola.gov or call (504) 658-7121.
Plan Review	Resolved	PLAN REVIEW New Sidewalks, Driveways & Curb Cuts: New or renovated driveways, sidewalks or curb cuts (including patches and repairs), require approval from the Department of Public Works. Site plan

### Details

Name	Value
Construction Value	754500
Construction Type	Site Built
New Construction/Addition Area(ft <sup>2</sup> )	5700
Existing Building Area (ft <sup>2</sup> )	0
Number of Floors	3
Foundation Type	Slab
Existing Use	Vacant Lot
Proposed Use	Two Family Dwelling
Footprint >5,000 sq ft?	No
Site area > 1 Acre?	No
Total project sq ft > 40,000?	No
Will any portion of the sidewalk be repaired?	No
Expected Project Completion Date	10/1/2023
Commercial Short Term Rental	No
Total Number of Units	2
Number of Bedrooms	8
Number of Bathrooms	8.00
Kitchen Added	Yes
Garage Area (ft <sup>2</sup> ) (If New Construction or affected by Addition)	630
Number of new Electrical Meters	2
Number of New Gas Meters	2
Dwelling Area (ft2)	3200
Parcel Tax Bill Numbers	716109812
Addresses	7419 Zimple St
Square	127
Elevation Requirement	+4.49 NAVD
Is In Historic District	Yes
Is In Vieux Carré	No
Is In Neighborhood Conservation District	No
Subdivision	EAST CARROLLTON
Zoning	HU-RD2
Historic District Name	Carrollton
Apply Sub-Permit Triggers?	Yes
Does Structure Encroach / Overhang Sidewalk or Public ROW	No
Number of Bed Rooms per Dwelling	Efficiency
Current Number of Units	0
Current Rental Price	0.00
Number of Proposed New Units	2

indicating location of the planned improvements must be submitted to DPW. (Note: Depending on address and other details of your work, you may also need additional approvals (e.g. Vieux Carre Commission, Parks and Parkways etc.) to comply with all applicable City codes and regulations.) For more information including a DPW driveway/curb cut permit application, fee schedule and sample standard drawing, go to <https://www.nola.gov/onestop/building/street/driveway-sidewalk-cut-permit> or contact DPW at (504) 658-8040 or contact Kevin Giroir, PE (DPW) at [kggiroir@nola.gov](mailto:kggiroir@nola.gov) / (504) 658-8006 or Imran Ali at [imran.ali@nola.gov](mailto:imran.ali@nola.gov) / (504) 658-8041

Price of Proposed Units	0.00
Sale or Rent	Rent
Bed Rooms in New Units	4.00

Plan Review	Resolved	PLAN REVIEW Zoning and Floodplain Administration reviews are pending. Additional review comments may be forthcoming.
Zoning	Resolved	This property is located within the University Area Off-street Parking Overlay District. Please verify compliance with <a href="http://czo.nola.gov/Article-18#18-30">http://czo.nola.gov/Article-18#18-30</a> - Alternatively, if a hardship exists, you may seek a variance from the Board of Zoning Adjustments. Contact CPC for more information at <a href="mailto:cpcinfo@nola.gov">cpcinfo@nola.gov</a> or 504-658-7033. For application materials and approval criteria please see this link: <a href="https://www.nola.gov/onestop/building/planning-project/variances/">https://www.nola.gov/onestop/building/planning-project/variances/</a>
Public Works - Traffic	Resolved	Driveway location approved as per 22-31385-RDRV

**Inspections**

Type	Date	Status
Residential Final C/O Inspection	Unscheduled	Unscheduled
Residential Final C/O Documents	Unscheduled	Unscheduled
Slab	Unscheduled	Unscheduled
Rough Framing	Unscheduled	Unscheduled
Footing	Unscheduled	Unscheduled

**Inspection Correction Items**

**Contractors**

Name	License
Esn Property LLC	

# NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

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## 18.30 UNIVERSITY AREA OFF-STREET PARKING OVERLAY DISTRICT

### 18.30.A APPLICABILITY

Properties in the area generally bounded by: Cecil Street, a straight line connecting Cecil Street to Monticello Avenue, Monticello Avenue, to Leake Avenue, to River Drive, to Riverview Drive, to East Drive, to Tchoupitoulas Street, turning north on Nashville Avenue, turning west on South Claiborne Avenue, connecting to South Carrollton Avenue, turning east on Tulane Avenue/Airline Highway connecting to Palmetto Street, to Northline Street, to Monticello, to Cecil Street. Within this are, only properties zoned HU-RS Historic Urban Single-Family Residential, HU-RD1 Historic Urban Two-Family Residential, HU-RD2 Historic Urban Two-Family Residential, HU-RM1 Historic Urban Multi-Family Residential and HU-RM2 Historic Urban Multi-Family Residential Districts are subject to the University Area Off-Street Parking Overlay District's requirements.

Adopted by Ord. 28848 MCS, 11-18-21, ZD 44/21

### 18.30.B OFF-STREET PARKING REQUIREMENTS

The university area off-street parking overlay requirements are as follows:

1. One (1) off-street parking space is required per new bedroom. "Bedroom" shall be defined as an enclosed room that cannot be used for any other purpose such as a kitchen, bathroom, dining room, living room, or laundry room. Any room not explicitly labeled as a kitchen, bathroom, dining room, living room, or laundry room shall be counted as a bedroom.
2. This off-street parking requirement shall apply to new construction, and any renovations of existing structures that result in an increase in existing bedrooms or bathrooms, as determined by the Department of Safety and Permits.
3. This off-street parking requirement shall not apply to new construction dwelling units with four (4) or fewer bedrooms, or renovations of existing dwelling units where the total number of bedrooms is four (4) or fewer as determined by the Department of Safety and Permits.
4. This off-street parking requirement shall not apply to any new construction dwelling units where the total number of full bathrooms is less than three (3) per dwelling unit, or renovations of existing dwelling units where the total number of full bathrooms is less than three (3), as determined by the Department of Safety and Permits.
5. "Full Bathroom" shall be defined as an enclosed room with plumbing for a sink, toilet, and bathtub and/or shower. "Half Bathroom" shall be defined as an enclosed room with plumbing for a sink and toilet.
6. This off-street parking requirement shall only apply to properties zoned HU-RD1, HURD2, HU-RS, HU-RM1, and HU-RM2 as determined by the City Planning Commission and the Department of Safety and Permits.
7. All residentially-zoned properties with a homestead exemption shall be exempt from this overlay.
8. This off-street parking requirement shall not apply to any residential Affordable Housing development, as determined by the Department of Safety & Permits, that meets the following criteria:
  - a. Any affordable housing development must set aside 50% of all units at 60% AMI or below.
  - b. Each affordable unit must have an affordability period of 20 years.
  - c. Any affordable housing development must have a covenant or deed restriction limiting the future sales price of each affordable unit to the initial sales price plus 5% for the entire 20-year affordability period. This covenant or deed restriction must be disclosed to prospective buyers.
9. Each additional parking space, as required by this overlay, must be a permeable surface as defined in Section 26.6 in the Comprehensive Zoning Ordinance.

10. Waivers of these off-street parking requirements restrictions may be considered by the Board of Zoning Adjustments.

Adopted by Ord. 28848 MCS, 11-18-21, ZD 44/21

**MOTION**

**(AS AMENDED)**

**NO. M-22-449**

**CITY HALL: October 6, 2022**

**BY: COUNCILMEMBERS GIARRUSSO AND HARRIS**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is directed to conduct a public hearing to amend and reordain Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 19 to re-establish the *University Area Off-Street Parking Interim Zoning District (IZD)*, the intent of which is to require off-street vehicular parking for any increase in the number of existing bedrooms, on all lots bounded by: Cecil Street, a straight line connecting Cecil Street to Monticello Avenue, Monticello Avenue, to Leake Avenue, to River Drive, to Riverview Drive, to East Drive, to Tchoupitoulas Street, turning north on Jefferson Avenue, turning east on South Claiborne Avenue, turning north on Toledano Street, connecting to Washington Avenue, turning east on Earhart Boulevard, turning north on South Carrollton Avenue, turning east on Tulane Avenue/Airline Highway connecting to Palmetto Street, to Northline Street, to Monticello Avenue, to Cecil Street; the off-street vehicular parking requirements shall be as follows:

1. Any increase in the number of existing “bedrooms” in a dwelling or dwelling unit, as determined by the Department of Safety and Permits, shall require one off-street parking space for each additional bedroom.
2. For purposes of this IZD, the one parking space per additional bedroom applies to:
  - a. new construction of any residential dwelling or dwelling unit. (For example, construction of a new dwelling with two bedrooms will require the creation of one, off-street parking space); or

- b. any substantial renovation of a residential dwelling or dwelling unit. (For example, an existing tri-plex (with no off-street parking) that is being renovated to create two additional bedrooms will require two off-street parking spaces).
  - c. For purposes of this IZD:
    - i. "Bedroom" shall be defined as an enclosed room that cannot be used for any other purpose such as a kitchen, bathroom, living room, or laundry room. Any room not explicitly labeled as a kitchen, bathroom, living room, or laundry room shall be counted as a bedroom.
    - ii. "Substantial renovation" shall be defined as the removal, erection, or reconfiguration of interior walls in a dwelling or dwelling unit to increase the number of existing bedrooms, as verified by the Department of Safety and Permits.
3. These increased parking requirements shall not be waivable. The applicable Exemptions and Flexibilities provided in Section 22.5 of the Comprehensive Zoning Ordinance shall not be applicable or available to dwellings and dwelling units within the boundaries of this IZD if the dwelling/dwelling unit is being substantially renovated or newly constructed as contemplated herein.
4. These increased parking requirements may be appealed to the City Council in accordance with applicable law.

**BE IT FURTHER MOVED**, That in accordance with Article 19, Section 19.3.C.4 of the Comprehensive Zoning Ordinance, all appropriate agencies of City Government shall not accept any applications for permits or license that are in conflict with the intent and provisions of the proposed *University Area Off-Street Parking Interim Zoning District* for the properties contained within the aforesaid area during consideration of this matter. Applications to appeal this Interim Zoning District shall be consistent with the application and approval procedures provided in Article 4, and all applicable notice and hearing procedures provided in Article 3 of the Comprehensive Zoning Ordinance, as amended, shall be complied with.

**BE IT FURTHER MOVED**, That in the process of reviewing this request the City Planning Commission staff is directed and granted the flexibility to make all appropriate changes to the proposed regulations and any existing corresponding regulations in the Comprehensive Zoning Ordinance, as amended, to establish consistency and continuity with the format of the existing zoning code, to add references wherever references are customary, needed, and/or appropriate, to make the appropriate adjustments to clarify any ambiguities or mistakes, and to make adjustments deemed necessary in light of public testimony resulting from this review.

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

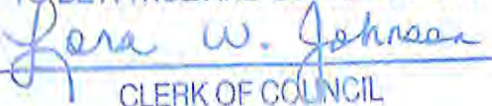
**YEAS:** Giarrusso, Green, Harris, King, Morrell, Thomas - 6

**NAYS:** 0

**ABSENT:** Moreno - 1

**AND THE MOTION WAS ADOPTED.**

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THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
  
CLERK OF COUNCIL

Volume 2 | Strategies and Actions

Chapter 13 | Land Use Plan

A | Introduction

B | Setting the Direction for Future Land Use: Guidelines and Placemaking Principles

C | Future Land Use Categories

D | Future Land Use by District

E | Future Land Use and Zoning

F | Urban Design Framework

G | General Zoning Principles

H | Opportunity Sites

I | Future Land Use Consistency Table

The Land Use Plan sets forth the policy framework for the physical development of the city, providing a guide for city decision makers in directing the pattern, distribution, and intensity of land uses that will, over time, best achieve the goals for livability, opportunity, and sustainability expressed throughout the Master Plan and provide sufficient land to meet demand for various land uses in the future.

- **Equity.** The Land Use Plan is the underlay for the regulatory, economic, and social pattern of the City of New Orleans development. For a city whose overall form is as recognizable as its world renown districts, the orderly use of land for private and public purpose is a critical expression of equity. The extent to which individual buildings and developments are both functional and aesthetic enhancements in all communities of our city is a direct result of both how land-use regulations are adopted toward balancing individual rights with the public good and of how they are enforced and interpreted. In New Orleans we are committed to reaching the optimal outcome within these objectives across neighborhoods of all incomes, locations and aesthetic.

The focus of this part of the Master Plan is the Future Land Use Map, which shows the categories of land uses desired over time, and their intensities. The map reflects the land uses that correspond to the long term vision, goals and policies expressed elsewhere in the plan, and it constitutes the most direct link between the Master Plan and the Comprehensive Zoning Ordinance. It is important to note, however, that the Future Land Use Map is not a zoning map and it does not govern design or function. Highlights of the Future Land Use Map include:

- **No change in the overall existing footprint of the city.** New Orleans represents the heart of a much larger region, and focusing regional growth in the city makes sense from the perspective of environmental efficiency and smart growth.
- **Preservation of neighborhood residential character.** Prevailing character, in terms of scale and massing, are reinforced so that infill development must be compatible with existing patterns, while allowing flexibility to provide housing of different types and levels of affordability. Community facilities, such as schools and houses of worship, are included within residential neighborhoods, and corner businesses that meet criteria can continue to operate.
- **Mixed-use land use designations for greater flexibility in areas that would benefit.** Underutilized commercial and industrial areas and similar sites are designated as neighborhood centers and main street corridors for medium- to higher-density mixed-use areas that encourage compact, walkable, and transit-oriented development. A downtown mixed-use category sets the stage for tailoring future zoning to preserve and enhance the unique character of different parts of downtown. Larger parcels would require a site master plan, design guidelines and community process to ensure high quality development.

### THE LAND USE PLAN AND THE "FORCE OF LAW"

The Land Use Plan is the foundation on which the City will implement the "force of law" provisions of the 2008 amendment to the City Charter:

- All land use actions must be consistent with, or at a minimum, not interfere with, the goals, policies and strategies of the Land Use element of the Master Plan and any future amendments to the Master Plan. This includes the Comprehensive Zoning Ordinance and any other land development regulations and amendments, including preliminary or final approval of a subdivision plan, site plan, approval of a planned unit development, or a similar site-specific development plan.



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The Master Plan's themes of How We Live, How We Prosper, Sustainable Systems and From Plan to Action have been tested with the citizens of New Orleans and there are three objectives that have been identified.

The first objective is that the zoning ordinance reinforce the physical character of New Orleans and the important quality-of-life features reflected in its history, culture and public spaces while striking a balance between the need to preserve and the need to innovate and grow. To achieve this objective the new ordinance is divided into "places" based on the character of development found in that area or desired for that area.

The second objective is that for each zoning district, its purpose and intent clearly describes what type of development one would expect to find there consistent with the Master Plan policies and Land Use Map. The ordinance sets standards for 1) the size, shape, and character of new development, 2) how new developments fit together and 3) the location of new development.

The third objective is that the ordinance is predictable, understandable and enforceable. Simple adjustments, repairs or amendments to the previous 40-year-old ordinance were not enough. The ordinance is organized to be user-friendly, to suit the unique characteristics of New Orleans, and to reflect and implement the policies in the plan.

### A ZONING RESPONSE TO THE MASTER PLAN THEME: HOW WE LIVE

A high quality of community life is essential to the success of every city in the 21st century. People want to live in places with high quality of life and where they feel invested in their local community. Quality of life is critical to protecting, attracting and maintaining a stable workforce that, in turn, brings investment, employment, and an image and identity that welcomes tourists and visitors.

A series of goals and policies are identified in the Master Plan that address the key ingredients of high quality-of-life goals for neighborhoods, housing, historic preservation, open space, education, health care and community services. The Comprehensive Zoning Ordinance helps achieve these goals by providing development standards that properly control the built environment—from the design of infill development to districts that encourage a variety of housing stock to the right mix of uses.

### RESIDENTIAL NEIGHBORHOOD ZONING PRINCIPLES

1. **Ensure that new housing built within established neighborhoods is compatible with the scale and character of the existing development.**
  - Zoning districts reflect the established development patterns in the City. Development patterns within the pre-World War II areas of the city are different from those that developed after the war.
  - The bulk and setback regulations within the residential districts reflect existing development characteristics. For example, in the pre-war areas of the City, the front setback requirements preserve the established variability, rather than enforce the previous 20-foot setback requirement. Maximum permitted heights preserve the existing character.
  - Development standards are integrated into district regulations that preserve the established building character in terms of scale, massing, and placement. This benefits areas that do not have local historic district designation but want to ensure that their character is maintained.
  - Zoning districts are coordinated with local historic designations in order to eliminate conflicts and inconsistencies.