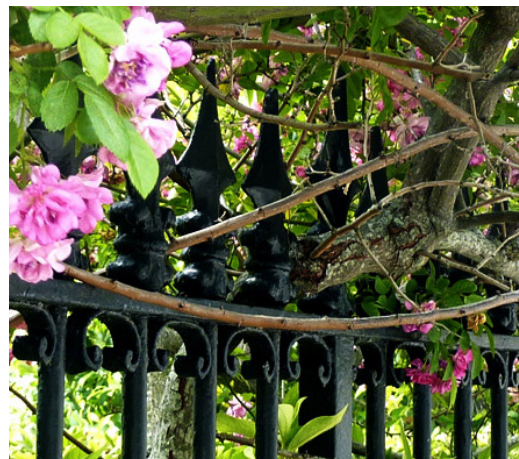


Garden District Association
Comprehensive Zoning Ordinance Update

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Introduction

The following provides a summary of the Comprehensive Zoning Ordinance (CZO) specific to the Garden District Association (GDA). Numerous reports and summaries (under separate cover) were prepared during the multi-year CZO re-write/update process. The reports provide the details for the specific GDA amendments, various CZO uses, definitions, standards, map amendments, etc. that were approved throughout the CZO process. The City Planning Commission (CPC) adopted the CZO in September of 2014. The City Council process of adopting the CZO culminated on May 14, 2015. The new CZO went into effect August 14, 2015.

Throughout the process, the GDA and its planning consultant worked with the CPC and City Council to amend the CZO to protect the residential integrity of the Garden District as well as enhance the commercial areas of the Garden District. Further, the GDA worked with surrounding neighborhood organizations specific to Magazine Street zoning and St. Charles Avenue zoning. It should be noted, the new CZO aims to standardize many uses (restaurants, live entertainment, alcohol sales, hours of operation, etc.) and development standards (lot size) throughout the city thus neglecting neighborhood level characteristics. The GDA worked diligently to present amendments and the rationale for the amendments that would better protect the neighborhood.

GDA Area Zoning Districts

Map 1 (following this summary) illustrates the zoning of the GDA area. The GDA area zoning districts include:

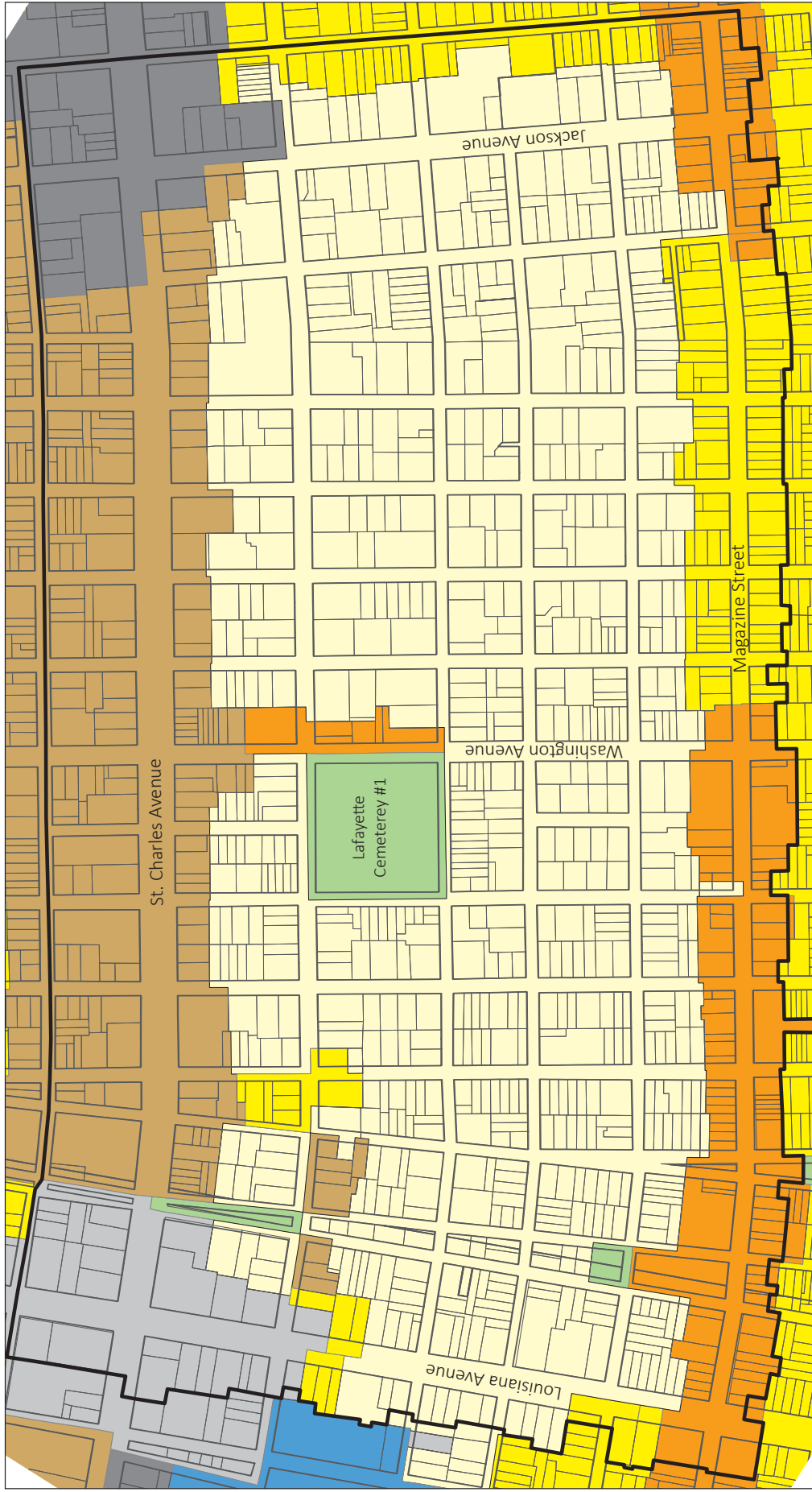
- HU-RD1: Two-Family Residential (which is the majority of the GDA area) allows for two-family developments and single-family residences.
- HU-RD-2: Two-Family Residential allows for two- and single-family residences. Within the GDA area HU-RD2 zoning exists along Magazine Street (between Philip Street and Washington Avenue) and along Josephine Street.
- HU-RM1: Multi-Family Residential that allows for low to medium density multi-family residential uses. Multi-Family structures are limited to 40 feet and no more than three stories in height. Within the GDA, the HU-RM1 zoning is primarily found along St. Charles Avenue between Philip and Toledano streets.
- HU-B1: Neighborhood Business District allows for neighborhood level commercial activities. Magazine Street between Josephine Street and Louisiana Avenue (excluding the residential area between Philip Street and Washington Avenue) is zoned HU-B1. The downriver/downtown side of Washington Avenue including ½ block riverside of St. Charles Avenue to Coliseum Street is zoned HU-B1. Non-residential developments are limited to 40 feet and no more than three stories in height.
- HU-MU: Neighborhood Mixed-Use District allows for mixed-uses such as ground floor retail with residential uses above. Within the GDA area the HU-MU zoning is found around Louisiana Avenue between Prytania Street and Carondelet Street. Non-residential developments are limited to 40 feet and no more than three stories in height.
- MU-1: Medium Intensity Mixed-Use District includes residential uses and commercial uses. The height limitation is 60 feet and no more than five stories. The MU-1 zoning district exists along St. Charles Avenue in the area of Jackson Avenue and extends on the downriver/downtown side of Jackson Avenue to Prytania Street. The MU-1 zoning district also exists in neighboring Touro Bouligny neighborhood in the area of St. Charles Avenue between Delachaise and Peniston streets.

CZO Summary

- (1) Magazine Street Use Restriction Overlay
Zoning: HU-B1
- The new CZO requires Conditional Use approval for:
 1. All new Standard Restaurants,
 2. Existing Standard Restaurants that want to serve alcohol, and
 3. Any live performance in a Standard Restaurant.
 - Weaknesses:
 1. Does not include Specialty Restaurants (which cannot sell alcohol in the HU-B1 zoning districts but can have live performances).
 2. Repeated attempts were made to include use standards/restrictions (hours of operation, delivery schedule, etc.) in the Overlay but the City Council indicated such matters would be discussed during the Conditional Use process.
 - A Standard Restaurant is defined as a restaurant that has table or counter service and may sell alcohol. Average monthly sales of food and non-alcoholic beverages must exceed 50% of total sales.
 - Examples of Specialty Restaurants are coffee, ice cream and dessert shops. Specialty Restaurants may only sell alcohol if bars are allowed in the zoning district. Bars are **not** allowed in the HU-B1 zoning district.
 - Note:
 1. The GDA (with other neighborhood organizations) was successful in re-zoning all of Magazine Street (from Race Street to Henry Clay Avenue, excluding the residential area between Philip Street and Washington Avenue) from HU-MU to HU-B1 at the CPC level. The re-zoning to HU-B1 eliminated numerous intense commercial uses (Bar, Gas Station, Hostel, Hotel/Motel, Brewery, Distillery, Live Entertainment) as allowable uses.
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- (2) HU-B1A Use Restriction Overlay
- The HU-B1A zoning district is intended to address an individual parcel that may be located within residential areas but is non-residential in its use and construction, i.e., the corner store.
 - The new CZO requires Conditional Use approval for HU-B1A zoning for:
 1. All new Standard Restaurants,
 2. Existing Standard Restaurants that want to serve alcohol, and
 3. Any live performance in a Standard Restaurant.
 - The CZO prohibits Specialty Restaurants from serving alcohol if it is zoned HU-B1A.
 - The GDA area does not have any HU-B1A zoning. However, it could be applied for if a business wants to redevelop a corner commercial establishment, which must be non-residential in its construction and original use.
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- (3) Live Entertainment – Secondary Use & Musical Accompaniment in Standard and Specialty Restaurants
- Live Entertainment is not allowed in the HU-B1 and HU-B1A zoning districts. It is a Conditional Use in the HU-MU and MU-1 zoning districts.
 - Standard and Specialty Restaurants may have musical accompaniment for patrons and must adhere to the following standards:
 1. All doors and windows must be closed.
 2. Any amplification used must be directed toward patrons and not toward doors, windows or outdoor space.
 3. Cover charges are prohibited.
 4. Full restaurant service must remain during any performance.
 5. No more than 10% of the seating area may be used/dedicated to any performance.
 6. Performances are permitted until 10 p.m. on Sundays through Wednesdays and until midnight on Thursdays through Saturdays.
 7. Outdoor performances are not allowed.
 - The Magazine Street Overlay makes musical accompaniment a Conditional Use in Standard Restaurants.
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- (4) Retention of GDA 40-Foot Minimum Lot Size
- As proposed the new CZO would have reduced the minimum lot width from 40 feet to 30 feet.
 - The GDA was successful in amending the proposed CZO to retain the 40-foot lot width within the HU-RD1 zoning district. This is the majority of the residential zoning in the GDA area.
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- (5) Zoning Map Amendments
- The GDA was successful in re-zoning numerous properties to residential from either multi-family or commercial including:
 1. 1101, 1105, 1109 and 1117 Philip Street
 2. 3028 and 3116 Prytania Street
 3. 1442 and 1523 Harmony Street
 4. 1437 and 1528 8th Street
 5. 1120 Toledano Street
 6. 1111 6th Street
 7. 1113 9th Street
 8. 1516 and 1528 Jackson Avenue
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- (6) GDA Area Prohibitions
- The GDA was successful in retaining prohibitions on new Bed and Breakfasts and townhouses. However, it must be noted that the prohibition on Bed and Breakfast uses was eliminated from the CZO with the recent passage of the Short-Term Rental ordinance.
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- (7) Planned Developments Article 5
- Within the GDA area, Planned Developments are intended for the adaptive reuse/ redevelopment of institutional and commercial buildings. While the GDA and the Bureau of Governmental Research opposed elements such as the minimum size and overall flexibility allowed with Planned Developments, the City Council approved the specific Article 5 of the new CZO with amendments as follows:
 1. The existing institutional or commercial structure must exceed 10,000 square feet in size.
 2. Use exceptions are prohibited in the residentially zoned areas of the GDA area.
 - Planned Developments require Conditional Use approval in the residential zoned areas.
 - Planned Developments are not allowed in the HU-B1, HU-B1A, HU-MU and MU-1 zoning districts.
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- (8) St. Charles Avenue
- The zoning of St. Charles Avenue in the area of the GDA includes mixed-use (MU-1 around Jackson Avenue; HU-MU around Louisiana Avenue) and multi-family (HU-RM1 between Jackson and Louisiana avenues).
 - The GDA and the St. Charles Avenue Association (SCAA) collaborated to extend an existing overlay for the length of St. Charles Avenue. CM Cantrell extended the overlay to Jefferson Avenue. The overlay prohibits the following uses:
 1. Car Wash
 2. Drive-Through Facility
 3. Fast Food Restaurant
 4. Gas Station
 5. Motor Vehicle Service & Repair
 6. Tattoo Parlor
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- (9) Security Camera Requirement
- The GDA recommended and the CPC and City Council approved a requirement for exterior security cameras at all restaurants, amusement facilities, live entertainment venues and bars.
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Map 1. Garden District Neighborhood Zoning



GIS Mapping Data Source: data.nola.gov

