

**MOTION**

**NO. M-22-447**

**CITY HALL: October 6, 2022**

**BY: COUNCILMEMBERS KING AND HARRIS**

**WHEREAS**, S-RM1 Multi-Family Residential District and S-B2 Pedestrian-Oriented Corridor Business District zoning require study to determine what impacts high-density and/or high-traffic developments may have on existing rural infrastructure and what community development and infrastructure improvements may be necessary; and

**WHEREAS**, future development sites need to be studied and evaluated to determine what environmental impacts may occur as a result of any future high-density and/or high traffic developments; and

**WHEREAS**, given the importance of stormwater management and flood protection to the existing residential properties, as well as to any future development plan, future development sites need to be studied and evaluated to determine what impacts will occur as the result of any future high-density and/or high traffic developments; **NOW THEREFORE**

**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 establish a new interim zoning district to be named the Lower Algiers Rural Protection Interim Zoning District (IZD). The intent of the district, area of applicability, and limitations on uses shall be as follows:

- A. Intent of the District.** The intent of the IZD is to temporarily prohibit the development of multi-family residential homes in S-RM1 Multi-Family Zoning Districts and commercial development in S-B2 Pedestrian-Oriented Corridor Business District in order to allow for appropriate impact studies regarding drainage, road and utility infrastructure, municipal services for fire, police, emergency response services, and other public safety considerations, and an environmental impact analysis. The intent of the IZD is to utilize these studies to allow for the appropriate development within the district and the adoption of appropriate building design standards to promote the general health, safety, and welfare of the community.
- B. Area of Applicability.** The IZD applies to all properties currently zoned S-RM1 Multi-Family Residential District and S-B2 Pedestrian-Oriented Corridor Business District generally bounded by the Intercoastal Waterway, the Mississippi River, the Donner Canal, and Delacroix Road.
- C. Limitations on Uses.** The use restrictions contained herein shall apply in addition to the use restrictions provided by the Comprehensive Zoning Ordinance for each base zoning district and overlay district, and should there be a conflict the heightened restrictions shall prevail:
1. The IZD temporarily prohibits the establishment of multi-family residential or commercial developments in S-RM1 and S-B2 zoning districts.
  2. The City Planning Commission shall commission the following independent studies in considering multi-family residential or commercial developments in the S-RM1 and S-B2 zoning districts:

- a. Drainage at the site and surrounding areas, this shall include a comprehensive stormwater management study;
  - b. Road usage and traffic study;
  - c. Utility infrastructure impact;
  - d. Available municipal services for fire, police, and emergency response services;  
and
  - e. An environmental impact analysis as a result of multi-family residential or commercial developments in the S-RM1 and S-B2 zoning districts.
3. Using the commissioned independent studies, the City Planning Commission shall issue a report with recommendations and propose for adoption for the use and development of undeveloped property appropriate building design standards and requirements in the IZD within twelve (12) months.

**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 new applications for permits or issue any permits that are in conflict with the intent and provisions of the proposed Interim Zoning District for any property during consideration of this matter. The Interim Zoning District is to be in effect for a period of twelve (12) months and is subject to extension as provided by Section 3-126 of the City Charter. Applications to appeal this IZD shall be submitted to the Executive Director of the City Planning Commission, whose staff shall review and make recommendations relative to the appeal within sixty (60) days of receipt, utilizing the following review standards:

1. Is the requested appeal compatible with the surrounding land uses and structures?
2. Does the requested appeal provide for an efficient use of land?

3. Will granting the requested appeal increase traffic and safety hazards?
4. Does the requested appeal provide for an efficient parking layout?
5. Will the requested appeal increase community environmental impacts?
6. Does the requested appeal preserve maximum tree canopy?

**BE IT FURTHER MOVED**, That the Council hereby waives the requirement for a Neighborhood Participation Program required by Ord. Cal. No. 33,7481 for purposes of this Interim Zoning District; and

**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:**

**NAYS:**

**ABSENT:**

**AND THE MOTION WAS ADOPTED.**