

Attachment A: Proposed UDO Edits

Substantive Changes to UDC

The following Items 1-29 list the proposed UDO edits that are potentially substantive edits. New text is provided in red with underlines; deleted text is presented in red with strikethrough formatting.

1. Edit Section 58-46 as follows to require proof of ownership or owner authorization for all development applications.

Sec 58-46 Completeness Review

- (a) **Completeness Required.** No application is complete unless all the information required herein is included and all filing fees have been paid. An application that includes such information is deemed complete.

(1) Proof of ownership or authorization by the owner of the property shall be required for all development applications.

~~(1)~~(2) Additional information may be required to decide whether the development, if completed as proposed, will comply with all UDC requirements. Failure to provide additional required information may result in application denial. The presumption established by this UDC is that all required application information is necessary.

~~(2)~~(3) Review for completeness of application forms is solely for the purpose of determining whether preliminary information required for submission with the application is sufficient to allow further processing and shall not constitute a decision as to whether application complies with the provisions of the UDC.

~~(3)~~(4) The Planning Director may agree to process an application without all required information upon determining that the information is not necessary to evaluate compliance with the UDC and informing the applicant that the decision-making body may later require the information prior to acting on the application.

2. Edit Exhibit 58-51 as follows to adjust notification requirements for variances and minor subdivisions.

Exhibit 58-51: Notice Requirements

Development Application	Publication	Mail	Signage	Agenda
Comprehensive Plan Amendment	✓			✓
UDC Text Amendment	✓			✓
UDC Map Amendment (rezonings)	✓	✓	✓	✓
Planned Development District				
Conceptual PD Plan			✓	✓
Preliminary PD Plan	✓		✓	✓
Final PD Plan				✓
Conditional Use Permit	✓	✓	✓	✓
Variances		✓	✓	✓
Appeals		✓	✓	✓
Development Approval Revocation		✓	✓	✓
Major Subdivision/Resubdivision				
Preliminary Plat	✓	✓	✓	✓
Development Agreement or Subdivision Improvement Agreement	✓			✓
Final Plat				
Minor Subdivision		<u>✓</u>	✓	✓
Vacations of Streets, Alleys, or Servitudes		✓		✓
Major Site Plans			✓	✓
Minor Site Plans				
Certificates of Appropriateness (Major Work)				✓

✓ - indicates that the corresponding type of notice is required. Additional standards for notice may apply.

3. Modify Section 58-69 (c)(1) as follows to clarify that the administrative relief provisions giving the Planning Director authority to reduce lot sizes in cases of betterments applies to minor subdivisions.

(1) **Minor Subdivisions** that may be approved by Planning Director pursuant to Sec. 58-83 include:

- a. Lot line adjustments, which provide for the realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers provided the application meets the following requirements:

1. Does not involve the creation of any new street or other public improvement except as otherwise provided in this Section.

2. Does not involve more than two acres of land or five (5) lots of record.
 3. Does not reduce a lot size below the minimum area or frontage requirements established for the applicable base or overlay district unless the subdivision results in a betterment of existing site conditions.
 4. Otherwise meets all the requirements of the UDC.
4. Modify Section 58-69 (c)(2) as follows to allow concurrent preliminary and final plat review for subdivisions that do not require public improvements.
- (2) **Major Subdivisions** that must be approved by the City Council include any subdivision not exempted by the UDC or state law, other than a minor subdivision. Any subdivision that involves an increase in the number of lots or record within the City shall be considered a major subdivision, but for subdivisions that do not involve the construction of public improvements other than the extension of service lines, the Planning Director may authorize the modification of submittal requirements and the concurrent processing of the preliminary and final plats.
5. Modify Section 58-83 (b) to match the definition of minor subdivisions in Section 58-69, which requires subdivisions that result in net increases in lots to be reviewed as major subdivisions by the City Council.
- (b) **Minor Subdivisions include:**
- (1) Lot line adjustments, which provide for the realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers provided the application meets the following requirements:
 - a. Does not involve the creation of any new street or other public improvement except as otherwise provided in this Section.
 - b. Does not involve more than two acres of land or five (5) lots of record.
 - c. Does not reduce a lot size below the minimum area or frontage requirements established for the applicable base or overlay district unless the subdivision results in a betterment of existing site conditions.
 - d. Otherwise meets all the requirements of the UDC.
 - ~~(1) Resubdivisions that:~~
 - a. ~~Realign or shift lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the designation or redesignation of lot numbers provided the application meets the following requirements:~~

~~1. Does not involve the creation of any new street, right of way in full ownership, or other public improvement but may provide for the dedication, acceptance, relocation, or deletion of public utility servitudes granted to the City of Gretna, other than streets.~~

~~Does not involve more than two (2) acres of land or five (5) lots of record.~~

~~Does not result in the creation of a new lot that is below the minimum width, depth, and area requirements of this code, except when the new width, depth, or area increases overall conformance with the minimum width, depth, or area requirements of this code, or when minimum requirements are not met for all parcels, the Planning Director determines that either:~~

~~i. The subdivision complies with the neighborhood norm provisions of Sec. 58-65(h); or~~

~~ii. The subdivision would result in the overall betterment of existing conditions and the function of the affected parcels.~~

~~Does not involve the creation of a subdivision with private street(s);~~

~~Does not result in a lot of record that is designated with two (2) or more zoning districts, excluding overlay districts.~~

~~Does not result in the creation of a through lot if the abutting lots are lots with single frontage when the property to be subdivided is within or abutting a residential zoning district.~~

~~Otherwise meets all the requirements of the UDC.~~

~~Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the City, Parish, or State, thereby leaving a severed portion of the original property that requires a re-designation of lot numbers and establishment of new lot boundary lines.~~

6. Modify Section 58-84 (a) to include a provision that allows the Building Official to authorize other work with insignificant impacts on historic districts as follows:

(a) **Purpose and Applicability.** The Building Official may approve minor work, which includes exterior work that involves the repair and/or partial replacement of an architectural feature or building element but does not involve a significant alteration or addition to the existing building or structure. Minor work shall include alterations or new construction of fences, plantings, grading and:

- a. Establishment of parking spaces or driveways;
- b. Installation of swimming pools; Construction or placement of sheds not exceeding ten (10) feet in height or 150 square feet in area;
- c. Construction of wooden fences;
- d. Installation of metal fences that are consistent with the City's pattern book;

- e. Repair or replacement of metal fences, windows, doors, windows, railings, siding, or trim that is consistent with the City’s pattern book;
- f. Aerials or antennas located in a side or rear yard;
- g. Satellite dishes measuring twenty-four (24) inches or less in diameter; ~~and~~
- h. Solar panels when the installation is ten (10) feet or more behind the front wall of the structure, twelve (12) inches or more below ridgeline of the installation area of the structure, and less than eight (8) inches above the roof surface; and
- h.i. Other work deemed by the Building Official to have insignificant impact on the historic integrity of the building or site.

7. Modify Exhibit 58-85 to include additional provisions for setback relief and to repair cross-references.

Exhibit 58-85: Types of Administrative Relief

Relief Factor	Description	UDC Reference
Application Submittal Requirements	Modify application information requirements required for a complete application where the information is not required to evaluate compliance with the UDC.	Sec. 58-46(a)(3)
Building Setback Reductions	Reduce building setbacks to reflect character of the existing neighborhood, to protect existing trees or achieve other purposes of this UDC. <u>Reduce setbacks by not more than ten (10) percent to facilitate efficient use of lots.</u>	Sec. 58-150(b), Sec. 58-171
Lot Size and Dimensions	Reduce minimum lot sizes and dimensions to reflect the character of the neighborhood and allow for more efficient use of constrained properties. <u>Reduce lot sizes and dimensions by not more than ten (10) percent to facilitate efficient use of land through the minor subdivision process.</u>	Sec. 58-83, Sec. 58-172
Loading Zones	Waiver of loading zone requirements when there is no practical way to provide a side or rear yard loading berth that is consistent with the applicable zoning district purposes.	Sec. 58-188
Sidewalks	Waiver or reduction of sidewalk requirements where property or right-of-way conditions render construction of a sidewalk impractical.	Sec. 58-221(n)
Building Design Requirements	Modify specified standards for buildings and site subject to minor site plan review.	Sec. 58-82(e)(3)a
Parking Spaces	Reduce the minimum number of spaces where uses sharing parking have different peak demands, or where existing standards would result in a parking surplus	Sec. 58-180(d), Sec. 58-184

Relief Factor	Description	UDC Reference
Parking Lots Design	Reduce minimum parking aisle widths where insufficient space is available, and the parking spaces are widened.	Sec. 58-185
Lighting Design	Allow alternative lighting plans or designs that provide adequate lighting without resulting an increase in spillover lighting onto adjacent properties.	Sec. 58-208(b)
Open Space Design	Minor changes to open space design requirements.	Sec. 58-255
Fencing or Screening	Allow for alternative screening requirements that achieve the same functional benefits of those required by the UDC.	Sec. 58-261(b)
Stormwater Management Standards	City Engineer may; <ul style="list-style-type: none"> a) Allow alternative green infrastructure designs that are certified by a licensed landscape architect or engineer to achieve the same rates of on-site capture and retention as otherwise approved designs. b) Allow for a waiver of reduction of stormwater management requirements when the proposed development would reduce or not increase stormwater runoff rates from existing conditions. 	Sec. 58-271(b), Sec. 58-89(d)
Planting and Buffer Design	Allow alternative planting layouts that achieve the purposes of the landscaping requirements	Sec. 58-272
Minor Amendments	Subject to specific conditions of approval, the Planning Director may approve minor amendments to planned development plans, conditional use permits, site plans, certificates of appropriateness, and stormwater management permits	Sec. 58-62(f)(9), Sec. 58-63(l)(2)a, Sec. 58-64(m), Sec. 58-70(d)(9), Sec. 58-72(i), Sec. 58-89(h)

8. In Exhibit 58-109, delete free-standing cemetery as a permitted use in the R-3 district.
9. Modify Section 58-114 (a), BC-1 Use Conditions to reduce the maximum number of bail bonding establishments from ten to eight and, allow the Council to consider the concentration of bail bonding establishments on a block when considering the conditional use permit, to make arms sales

a conditional use, to eliminate separation requirements between religious institutions and other uses in the district, and to clarify parking requirements for religious institutions as follows:

~~(b)~~(a) **BC-1 Use Conditions.**

- (1) Residential units are allowed in the upper floors or behind non-residential uses on the ground floor of mixed-use building. Ground floor residential uses shall not exceed fifty (50) percent of the ground floor area.
- (2) Existing single family residential and two-family residential units are non-conforming structures in the BC-1 district, but may be reconstructed, remodeled and enlarged, as if they are permitted uses, provided that the changes comply with all applicable zoning regulations.
- (3) Retail establishments may not exceed 15,000 square feet of floor area unless authorized through issuance of a conditional use permit.
- (4) The number of bail bond establishments in the BC-1 district shall not exceed ~~ten~~ eight (8). When reviewing the conditional use permit for a bail bond establishment the Council may consider the proximity of other bail bond establishments to avoid a concentration of facilities on any given block.
- (5) Bars are allowed as accessory uses to hotels and restaurants, or when located in a main structure containing two (2) or more of the following uses: offices, retail, hotels, restaurants, and theatres. Accessory use bars shall not exceed the lesser of twenty-five (25) percent of the total floor area of the business or floor on which the bar is located.
- (6) Parking lots and structures shall comply with the provisions of Division 2 of Article IV of this UDC. Parking lots should not be located on corner lots where one or more of the intersecting streets is a collector unless liner buildings are established pursuant to Division 2 of Article IV.
- (7) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.
- ~~(6)~~(8) Religious institutions in this district shall not impose separation requirements between this use and any other authorized use within this district. The building of a new facility, expansion of a new facility or the establishment of the use within an existing structure shall trigger compliance with applicable parking requirements.

10. Modify Section 58-114 (b), BC-2 Use Conditions to make arms sales a conditional use, to eliminate separation requirements between religious institutions and other uses in the district, and to clarify parking requirements for religious institutions as follows:

(a) **BC-2 Use Conditions.**

- (1) Residential uses are limited to dwellings that are located within a mixed-use building or are part of the mixed-use development where residential uses either:

- a. Are located on floors above a nonresidential use permitted in this district in a mixed-use building; or
 - b. Do not exceed 50 percent of the total floor area of a mixed-use development.
- (2) Bars are allowed as accessory uses to hotels and restaurants, or when located in a main structure containing two (2) or more of the following uses: offices, retail, hotels, restaurants, and theatres. Accessory use bars shall not exceed the lesser of twenty-five (25) percent of the total floor area of the business or floor on which the bar is located.
- (3) Authorized health clinics do not include chemical dependency units.
- (4) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.
- ~~(3)~~(5) Religious institutions in this district shall not impose separation requirements between this use and any other authorized use within this district. The building of a new facility, expansion of a new facility or the establishment of the use within an existing structure shall trigger compliance with applicable parking requirements.

11. Modify Exhibit 58-123 to correct the section reference for additional conditions for single-family residential development, correct the name of short-term vacation rentals, and allow drive-through restaurants and snack bars as conditional uses in the C-1 district as follows:

Exhibit 58-123: Authorized Uses in Commercial Districts
P – Permitted by Right, S – Supplemental Conditions Apply, C- CUP Required

Land Use	LBCS #	Description	C-1	C-2	Additional Conditions
RESIDENCE OR ACCOMMODATION FUNCTIONS	1000	Homes, apartments, housing for the elderly, and hotels			
Detached unit	S1110	Detached, single-family dwelling	S		See <u>Sec. 58-124(a)</u> , Sec. 58-125(a)
Short-term home sharing <u>vacation rentals</u>	1352	Dwelling units with one or more rooms that may be rented for periods of 30 days or less	S		See Sec. 58-302
GENERAL SALES OR SERVICES	2000	Comprises the vast majority of establishments associated with commercial land use			
Snack or non-alcoholic bar	2530	Food and/or beverage service, including drive-through or drive-in service, includes bakeries, candy and coffee shops primarily engaged in retail sales of goods on-site	<u>C</u>	S	See Sec. 58-125

12. Modify Section 58-114 (b), BC-2 Use Conditions to make arms sales a conditional use, to eliminate separation requirements between religious institutions and other uses in the district, and to clarify parking requirements for religious institutions as follows:

(b) **BC-2 Use Conditions.**

- (1) Residential uses are limited to dwellings that are located within a mixed-use building or are part of the mixed-use development where residential uses either:
 - a. Are located on floors above a nonresidential use permitted in this district in a mixed-use building; or
 - b. Do not exceed 50 percent of the total floor area of a mixed-use development.
- (2) Bars are allowed as accessory uses to hotels and restaurants, or when located in a main structure containing two (2) or more of the following uses: offices, retail, hotels, restaurants, and theatres. Accessory use bars shall not exceed the lesser of twenty-five (25) percent of the total floor area of the business or floor on which the bar is located.

(3) Authorized health clinics do not include chemical dependency units.

(4) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.

~~(3)~~(5) Religious institutions in this district shall not impose separation requirements between this use and any other authorized use within this district. The building of a new facility, expansion of a new facility or the establishment of the use within an existing structure shall trigger compliance with applicable parking requirements.

13. Modify Section 58-124, C-1 Use Conditions to make arms sales a conditional use, to eliminate separation requirements between religious institutions and other uses in the district, and to clarify parking requirements for religious institutions as follows:

Sec 58-124 C-1 District Use Conditions.

The following provisions apply in addition to the use conditions in Article V.

- (a) Detached, single-family dwellings shall comply with R-1 district requirements. Other authorized residential dwellings shall comply with R-3 district requirements.
- (b) Outdoor operations, display or storage are prohibited, except that
 - (1) Plants for sale may be kept within portions of the side or rear yards that are screened by an opaque wall or fence that is at least six (6) feet in height.
 - (2) Outdoor seating, event and dining areas shall comply with the standards in Sec. 58-302(a).
- (c) Residential dwellings that are part of a mixed-use structure or development may be allowed subject to the following conditions:
 - (1) Compliance with building and fire safety codes;

- (2) Provision of a separate entrance for residents; and
- (3) Provision of at least one on-site parking space per dwelling unit and provision of additional required spaces pursuant to Sec. 58-184(d).
- (d) Dry cleaning and laundries, collection and distribution stations, including pressing machines operated as part of the business, shall not discharge steam or lint into the atmosphere.
- (e) Residential institutional uses shall not to include chemical dependency units and penal, correctional, or mental institutions in a C-1 district.
- ~~(e)~~(f) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.
- ~~(f)~~(g) Religious institutions in this district shall not impose separation requirements between this use and any other authorized use within this district. The building of a new facility, expansion of a new facility or the establishment of the use within an existing structure shall trigger compliance with applicable parking requirements.

14. Modify Section 58-125, C-2 Use Conditions to make arms sales a conditional use, to eliminate separation requirements between religious institutions and other uses in the district, and to clarify parking requirements for religious institutions as follows:

Sec 58-125 C-2 District Use Standards.

The following provisions apply in addition to the use conditions in Article V.

- (a) Residential uses established on or after May 13, 2002 are non-conforming unless authorized by Sec. 58-123; free-standing residences in a mixed-use development may be approved through the conditional use process. Residences that are part of a mixed-use building may be approved through the major site plan process.
- (b) Accessory buildings, warehouses, and other uses customarily pertinent to C-2 commercial uses may be located on the same lot to provide for storage of articles or materials necessary to conduct the principal use. These materials must be stored in an enclosed building or side or rear yards that are screened from view by an opaque wall or fence that is at least eight (8) feet in height.
- (c) Outdoor dining areas shall comply with the standards in Sec. 58-302(a).
- (d) Automobile, trailer and farm equipment sales are not required to be enclosed but outdoor display areas shall comply with the design standards for parking lots in Sec. 58-185. However, any major mechanical or body repairs must be conducted within a building having no opening other than stationary windows and doors, located a minimum of 1,000 feet from a residential district. All vehicles on a car sales lot must be operable at all times. Customer parking as set forth in Chapter 58, Article I Division 2 of Article IV of this UDC must be provided and minimum street frontage of one hundred (100) feet is required.
- (e) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.

~~(d)~~(f) Religious institutions in this district shall not impose separation requirements between this use and any other authorized use within this district. The building of a new facility, expansion of a new facility or the establishment of the use within an existing structure shall trigger compliance with applicable parking requirements.

15. Modify Section 58-134, M-1 Use Conditions to make arms sales a conditional use as follows:

Sec. 58-134 M-1 District Use Standards.

The following provisions apply in addition to the use conditions in Article V.

- (a) On May 13, 2002, all existing residential uses in this district became non-conforming.
- (b) Outdoor storage shall not be located closer than twenty-five (25) feet to any public street right-of-way line and shall be screened in accordance with Sec. 58-262(d). This provision shall not permit wrecking yards, junkyards, or yards used in whole or in part for a scrap or salvage operation.
- (c) The storage of hazardous and obnoxious substances shall be prohibited in above-ground storage tanks greater in volume than 3,000 gallons, except for existing tanks used exclusively for the storage of Class III Class IIIA and Class IIIB combustible liquids (as defined in Section 42-278 NFPA 1) with a flash point above 140 degrees Fahrenheit.
- (d) Subject to penalties provided in this UDC, where such properties house an adult establishment, adult cabaret, or other sexually oriented business as defined in this code, such use of property shall meet the following criteria:
 - (1) The use shall be located a minimum of 1,000 feet from any residential district, as measured along the nearest pedestrian walkway or sidewalk, from the structure used for the adult use to the nearest residential district boundary.
 - (2) Approval of the use will not result in more than one such use per 1,000 linear feet, as measured from the nearest point of the lot on which the use is proposed, to the nearest point on the lot on which another M-1 light industrial use is located.
 - (3) The use shall be located at a minimum of 1,000 feet from any existing or proposed school, nursery, kindergarten, church, or place of worship.
 - (4) The use shall be located at a minimum of 1,000 feet from any park or recreational area.
 - (5) All necessary state and parish licenses and/or permits shall be applied for and obtained by the applicant.
- (e) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.

16. Modify Section 58-135, M-2 Use Conditions to recognize that there are some permitted uses, to require permitted uses to comply with M-1 standards, and to make arms sales a conditional use as follows:

Sec. 1-47 M-2 District Use Conditions.

The following provisions apply in addition to the use conditions in Article V.

- (a) All permitted uses in this district shall comply with the standards in the M-1 district. All conditional uses and any permitted use that does not comply with the M-1 district standards must be established through the conditional use process and be subject to applicable district use conditions and development standards.
- (b) On May 13, 2002, all existing residential uses in this district became non-conforming.
- (c) Storage of petroleum products and gases that are clearly incidental and secondary to the principal use of the property, provided that all aboveground tanks contain a maximum of 500 gallons and are located no closer than 300 feet from all property lines. All storage tanks below ground shall contain a maximum of 12,000 gallons and shall be located no closer to any property line than the largest dimension (diameter, length, height) of the tanks to be buried.
- (d) The storage of hazardous and obnoxious substances shall be prohibited in above ground storage tanks greater in volume than 3,000 gallons.
- (e) Petroleum storage tanks, said tanks, defined as any vessels designed to contain petroleum liquid having a liquid capacity that exceeds 60 gallons (227 L), shall not be used for the processing of petroleum products.
- (e)f) The sale of firearms shall be considered a conditional use, whether as a primary use or as an accessory to another use.

17. Modify Section 58-138 (a), M-2 District Development Standards to recognize that there are some permitted uses and that the state has responsibility for environmental regulations enforcement as follows:

- (a) **Administration and Enforcement.** As required by State law, the Department of Natural Resources will administer, monitor and enforce the environmental requirements of this section. ~~All development shall be subject to conditional use review of the site plan in accordance with Sec. 58-63.~~ Before the City issues a building permit, the City Council may require additional buffering if noise, sight, sound and public safety factors relating to the proposed use warrant greater buffer requirements than are otherwise required by this section.

18. Modify Section 58-149 (b) Supplemental Historic District Use Standards to allow for continuance of existing doubles by right and the establishment of new doubles as a conditional use under certain conditions as follows:

(b) **Supplemental Historic District Use Standards.** Where historic districts overlay residential zoning districts, the following uses may be authorized subject to site plan approval.

(1) Buildings existing at the time of adoption of this UDC that were designed for and previously used for commercial purposes may be used for commercial purposes authorized in the C-1 zoning district. Said buildings may be remodeled but may not be enlarged more than twenty-five (25) percent. Sites for changed buildings shall comply with site development standards to the greatest practicable extent as determined by the Planning Director.

(2) On corner lots that abut two major or minor collector streets or abut one or more arterial streets, a single family residential structure may be modified and used for a professional office, personal service or restaurant use, provided that the use does not exceed 3,000 square feet and that the parking requirements for the non-residential use can be met on-site, or through the C-1 provisions for off-site parking or parking partnerships.

(3) An existing double shall be considered a conforming use. When an existing double has been converted to a single-family dwelling, it may be reestablished on any parcel subject to owner occupancy and issuance of a conditional use permit. In addition to the conditional use permit approval criteria, the City shall consider the availability of on-street and off-street parking, compliance with historic district guidelines for four-bay, double shotgun residences and signs of blight that should be remedied prior to issuance of a conditional use permit.

Sample Images of Doubles



19. Modify Section 58-150 (b) Setback Adjustments for neighborhood overlay districts to clarify the Planning Director's authority for administrative relief as follows:

- (c) **Setback Adjustments.** The Old Gretna-Mechanickham, Old Garden Park and McDonoghville overlay districts include extensive development that predates the application of current zoning setback standards and the application of R-1 zoning standards in these neighborhoods would result in an incongruous street line. Therefore, the setbacks in these neighborhoods shall be ~~reduced~~modified as follows:
- (1) Front setbacks shall not exceed the average of the front setbacks sharing the same block face. For purposes of this calculation, any building with a setback that exceeds the minimum required setback shall be calculated as being setback to that minimum required setback. For non-residential properties, the setback may exceed the minimum setback required by this district where a courtyard or other public space is established.
 - (2) The Planning Director may increase or decrease front setbacks in other neighborhoods upon finding that the minimum required front setback for the applicable zoning district is inconsistent with the average setback of the block face on which a new structure is proposed.
 - (3) Exterior or street side setbacks may be reduced by the Planning Director to reflect the front setback of the abutting property along the side street, historical precedence of nearby parcels or other circumstances that improve the function and compatibility of the building with adjacent properties.
 - (4) Internal side and rear setbacks may be reduced by the Planning Director to the average-typical setback of the block ~~face~~ on which the property is located, provided that the resulting setback does not violate adopted building and fire safety codes.

20. Create a new Section 58-150 (e) to allow for doubles as a conditional use in R-1 districts north of the expressway as follows:

- (e) **Doubles or Two-family Dwellings.** In R-1 districts in the Old Gretna-Mechanickham, McDonoghville, and Old Garden Park neighborhood overlays, where an existing double has been converted to a single-family dwelling, it may be reestablished on any parcel subject to owner occupancy and issuance of a conditional use permit. In addition to the conditional use permit approval criteria, the City shall consider the availability of on-street and off-street parking, compliance with historic district guidelines for four-bay, double shotgun residences and signs of blight that should be remedied prior to issuance of a conditional use permit.

Modify Section 58-170 (b) to change the base for building height measurement to the average elevation at the pre-fill front building line as follows:

- (b) **Measurement.** The height of a building is the vertical distance measured from the mean elevation of ~~finished grade at the front property~~front building line prior to the addition of fill to the highest point of a flat roof or parapet, the deck line of a mansard roof or the midpoint between the ridge and the eave for a pitched roof (see building height definition for more detail). For buildings subject to the height transition provisions, height is measured to the highest point of the building at the applicable distance from the property line.

Modify Exhibit 170b Height Incentives to reduce the threshold for height incentives for photovoltaics as follows:

Exhibit 170b: Height Incentives

Public Benefit	Description	Height Incentive
Photovoltaic Electricity	50-25 – 74 <u>50</u> % of projected energy used produced by photovoltaics	5 feet
	75-51 – 90 <u>99</u> % of projected energy used produced by photovoltaics	10 feet
	100% or more of projected energy used produced by photovoltaics	15 feet

21. Modify Section 58-197 (i) (2) to allow for extension of the duration of temporary signs when a building is for sale or lease as follows:

- (2) **In business core, commercial and manufacturing districts**, the following rules shall apply to attached temporary signs:
- a. One temporary sign shall be allowed per building or per business for multi-tenant businesses.
 - b. Each business shall be allowed to display a temporary sign not more than two (2) times per calendar year for not more than two (2) weeks at a time, provided, however that this time period may be extended for up to ninety (90) days for properties that are for lease, for sale or are using the temporary sign in lieu of a permanent sign for which the applicant has obtained a sign permit.

22. Modify Exhibit 58-198 (g) Sign Requirements by Zoning District to clarify when pole signs will be allowed along the Expressway as follows:

Exhibit 58-199: Sign Requirements by Zoning District

Zoning District	Section #	Sign Requirement
	(g) 1.	One detached sign shall be allowed up to a maximum of 200 square feet in area and a height of 20 feet. However, total height for a detached sign may be

Zoning District	Section #	Sign Requirement		
General Commercial District (C-2)		increased to 30 feet if an additional one-foot setback for every foot over 20 feet in height is provided.		
	2.	A detached sign for developments with multiple tenants may have an additional 20 square feet in area per tenant up to a maximum of 300 square feet in area.		
	3.	One electronic message sign may be allowed up to a maximum of 40 square feet in area as part of the primary detached sign or in the attached signage and shall be included in the respective detached or attached allowable sign area.		
	4.	One marquee sign shall be allowed up to a maximum of 30 percent of the allowable attached or detached signage.		
	5.	One additional detached sign shall be permitted on a secondary street frontage, up to a maximum of half of the area of the primary sign and at the same height restrictions set for the primary detached sign.		
	6.	Attached signs shall be allowed up to a maximum of 100 square feet. However, larger developments that meet minimum area and setback requirements listed below may have larger attached signs:		
		Minimum Site Area (sq.ft.)	Minimum Setback (ft.)	Maximum Attached Sign Area (sq.ft.)
		25,000	200—299	150
		50,000	300—399	200
		100,000	400+	300
7.	Additional attached signage shall be permitted on a secondary street frontage, up to a maximum of half of the area allowed for the primary building face.			
8.	A street address sign shall be required at a minimum of 3.5 to six inches in height.			
9.	One temporary sign shall be permitted up to a maximum of 32 square feet.			
10.	Businesses located in a C-2 district and located adjacent to U.S. Highway 90 may have one detached <u>pole</u> sign up to a maximum height of 50 feet <u>in lieu of an allowed monument sign for sites of one acre or larger.</u>			

23. Modify Section 58-261 (b) to remove the prohibition on barbed and razor wire in M-1 and M-2 districts as follows:

(b) **General Fence Design Standards.**

- (1) All fences facing public right-of-way shall be constructed of wood, wrought or cast metal and expose the finished side, minimizing public view of non-decorative posts, horizontal posts, cross members and similar unfinished components. The administrator may allow alternative fence materials of similar appearance and durability as allowed under this paragraph.
- (2) Chain-link security fencing may be established on side and rear yards that do not face a street.
- (3) Barbed and razor wire shall not be allowed in any residential, business, or commercial district.; barbed wire may be used in M-1 and M-2 districts, and for

the protection of critical facilities, as determined by the Planning Director.

Fencing incorporating barbed wire shall meet the following design standards:

- a. Where barbed wire is used, it shall be screened with a planted buffer strip measuring at least five (5) feet in depth. Buffer planting requirements of Sec. 58-272(e) shall apply; and
 - b. Barbed wire must be at a height of at least eight feet from the nearest interior adjacent grade.
- (4) A chain wall shall be constructed of concrete or masonry and shall not exceed a height of 12 inches, as measured from the outside adjacent grade, with a minimum width of six inches. Such chain wall shall be constructed in a manner as to effectively withstand the soil and water pressures exerted against it. The chain wall shall extend below the lowest adjacent grade to a depth equal to the height of chain wall. In cases where a chain wall is not sufficient to prevent water flowing onto adjacent lots, a retaining wall, exceeding 12 inches in height, may be used at the determination of the administrator. A retaining wall shall be designed and stamped by a design professional.
- (5) For the purposes of this screening and fencing article, fence measurement shall be made as follows:
- a. Fence height shall be measured from the nearest interior adjacent grade of the permit holder's property and shall include the height of a chain wall; or
 - b. The top of a retaining wall that has been properly permitted, as measured from the nearest interior adjacent grade of the higher elevation.
- (6) A fence exceeding a height of eight feet shall be accompanied by stamped design specifications from a design professional and shall only be allowed for screening purposes in non-residential zoning districts.
- (7) Fences shall be structurally sound and durable and in compliance with Chapter 16, Structural Loads, of the currently adopted International Building Code. No fragile, readily flammable materials, such as paper, cloth, reeds, canes or canvas, shall constitute a part of any fence, nor shall such material be used as an adjunct, attachment or supplement to any fence.

24. Modify Section 58-301 (a) to allow parapet fronts on certain accessory buildings and to clarify the Planning Director's authority to identify accessory structures in non-residential districts as follows:

- (c) **Regulation of Accessory Buildings.** Except as otherwise provided for ADUs or guesthouses:
 - (1) **Accessory Buildings in Side Setback Areas.** A single-story accessory building that is not a part of the main building and not used for an accessory dwelling unit may be built in a required side setback, provided that such accessory building is not less than sixty (60) feet from the front lot line and not less than five (5) feet from the nearest interior side lot line. On through lots, an accessory building may be built in a required side setback if no part of such accessory building is less than

five (5) feet from the nearest interior side lot line and no portion of such building is located in a front setback area.

- (2) **Accessory Buildings in Rear Setback Areas.** A single-story accessory building that is not used as an accessory dwelling unit may be built in a required rear setback area, but such accessory buildings shall not occupy more than forty (40) percent of the required rear setback area and they shall not be located less than five (5) feet from either side and not less than three (3) feet from a rear lot line, in residential districts.
- (3) **Accessory Buildings on Corner Lots.** On a corner lot where a side yard is required, there shall be a minimum distance between any accessory building and the side street line equivalent to the width of the required side yard on the side of the lot abutting on the side street. Where a lot to the rear of the corner lot fronts on the side street, no part of any accessory buildings on that corner lot within twenty-five (25) feet of the common lot line shall be placed closer to the side street than the front setback line of the lot facing the side street.
- (4) **Accessory Building Height.** The mean height, as measured along the slope of the roof of accessory buildings or structures permitted in a required rear or side setback area, may not exceed thirteen (13) feet in height. Mean height shall not include the height of the parapet if the Planning Director finds that the parapet is consistent with and complementary to the front of the principal structure.
- (5) **Limits on Accessory Building Area.** The combined gross area of all accessory buildings or portions thereof located in side and rear yards shall not exceed forty (40) percent of the required rear setback area, nor shall more than one (1) accessory building cover any part of a required side or rear setback area.
- (5)(6) **Non-residential Districts.** In BC, C and M districts, all structures shall be considered principle structures unless the Planning Director finds that the structure and its use are accessory to a principal use being conducted in another building on the site.

25. Modify Section 58-307 (a) to clarify that the separation provisions between religious institutions and bars do not apply to accessory bars in hotels and mixed use buildings as follows:

- (a) **Separation from Other Uses.** They must be a minimum of 300 feet from any residential district, church, synagogue, school, park, playground or library measured to the nearest point of the premises to be licensed. This provisions shall not apply to accessory bars in hotels and mixed-use buildings.

26. Modify Section 58-328 (b) to eliminate the reference to special exception uses for Communications Towers as follows:

- (b) **Communications Tower and Antenna Permitted As Conditional Use.** A communications tower and/or antenna may be permitted upon determination that all ~~of~~ the applicable conditions in this ~~article~~ section are met.

- (1) Districts in which conditional uses are permitted; height limitations.
 - a. **Business and commercial districts.** Freestanding or guyed tower with heights not exceeding 180 feet is ~~a permitted~~ as a conditional use; height exceeding 360 feet requires special exception. ~~(Districts designated BC-1, BC-2, C-1, C-2 districts.)~~
 - b. **Industrial districts.** Freestanding or guyed tower with ~~height not exceeding 360 feet is a permitted conditional use; height exceeding 360 feet requires special exception.~~ (Districts designis a conditional uses in anated M-1 or M-2 district.)
 - c. **Residential Districts.** Commercial towers and antennas are prohibited in all residential districts. (Districts designated R-1, R-2, R-3)

27. Modify Section 58-394 to allow for establishment of a non-conforming use through the conditional use permit process for adaptive reuse of buildings under certain conditions as follows:

Sec. 58-394 Change of Use

The provisions of this section apply unless the City grants a CUP pursuant Sec. 58-386.

- (a) **Changes to Conforming Uses.** Any non-conforming use may be changed to a use conforming with these regulations established for the district in which the non-conforming use is located, provided, however, that a non-conforming use so changed shall not in the future be changed back to a non-conforming use.
- (b) **Limitations on Changing Non-Conforming Uses.** All changes of non-conforming uses shall conform to all development standards established in this UDC.
- (c) **Changes to Other Non-Conforming Uses.** A non-conforming use may be changed to another non-conforming use by order of the Planning Director, provided that the new use is determined to be more consistent with the spirit of the UDC, the neighborhood, and the Comprehensive Plan. A non-conforming use that is changed to another non-conforming use shall not be changed back to the former non-conforming use.
- (d) **Re-establishment of a Non-Conforming Use.** If a non-conforming use has been terminated, the City may approve the reuse of a structure for a non-conforming use pursuant to Sec. 58-386 if, in addition to the other findings of that section, it determines that the structure is not a nuisance, the structure cannot be reasonably be used for a conforming use, and the proposed adaptive reuse of the structure and associated site improvements are a betterment to the existing situation.

28. Modify Section 58-400 to allow for adaptive reuse of buildings that are not suitable for authorized uses through the conditional use permit process for adaptive reuse of buildings under certain conditions as follows:

Sec. 58-400 Continuance and Expansion

(a) Subject to all limitations in this article, any non-conforming structure may be occupied, operated, and maintained in a state of good repair, but no non-conforming structure shall be enlarged or extended by more than five (5) percent of gross floor area except pursuant to Sec. 58-386 Any expansion comprising five (5) percent or less of the gross floor area or less shall comply with applicable setback and design standards.

(b) The City may approve the adaptive reuse of a non-conforming structure that cannot reasonably be used for a conforming subject to the provisions of Sec. 58-386 and the findings that the structure is not a nuisance and the proposed adaptive reuse of the structure and associated site improvements are a betterment to the existing situation.

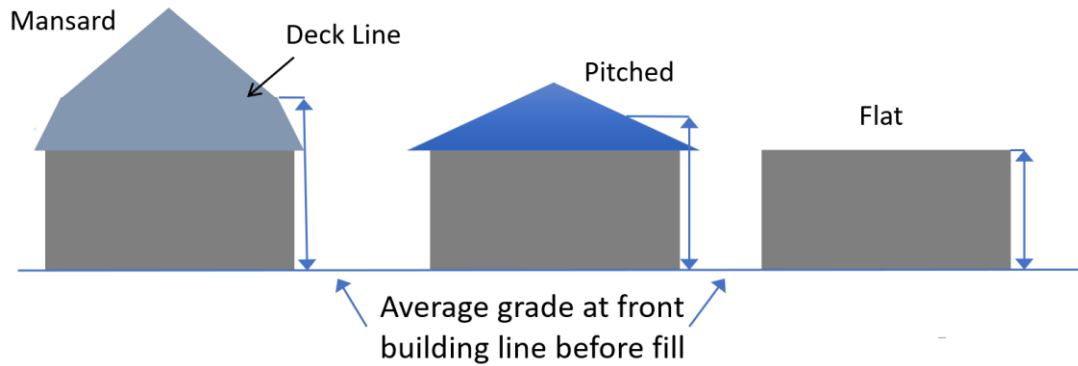
~~(b)~~(c) A non-conforming structure in which only permitted uses are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this chapter established for structures in the district in which the non-conforming structure is located. Such enlargement shall also be subject to all other applicable City ordinances and provisions of this UDC.

~~(c)~~(d) A conforming structure in which a non-conforming use is operated shall not be enlarged or extended except pursuant to Sec. 58-386.

29. Modify the definition of building height in Section 58-424 to measure the base from the average grade at the front building line prior to fill as follows:

23. **Building Height** - The height of a building is the vertical distance measured from the ~~highest point of the street in front of the~~average pre-construction grade at the front of the building or structure before any fill has been added to the site, to:

- a. **For Pitched Roofs:** The midpoint between the highest ridge and the lowest eave in the same roof plane as the highest ridge. For purposes of this provision, if one or more stories are located between the highest ridge and the lowest eave, height shall be measured at midpoint between the top plate of the highest finished floor, or ceiling if there is no top plate, and the highest ridge.
- b. **For Mansard Roofs:** The deck line, which is the line of the where the pitch changes above any windows or openings.
- c. **For Flat or Gambrel Roofs:** The highest point of the coping.
- d. **For Roofs with Parapets:** The highest point of the parapet.



Typos and Non-substantive Changes to UDC

The following Items 30-46 list the proposed UDO edits that are merely corrections to the adopted UDC that were not included in the above list of substantive changes. These are non-substantive edits that reflect the original intent of the text.

30. Section 58-6: delete “a” as follows: “shall proceed without ~~a~~ securing the approvals”
31. Section 58-20: change reference of Exhibit 31 to Exhibit 41
32. Section 58-31 (c): delete “providing” as follows: “and ~~providing~~ identifying public improvement”
33. Section 58-60 (h): insert “if” as follows: “City Council shall consider if the change is needed”
34. Exhibits 58-109, 58-113 and 58-123:
 - a. replace “short-term home sharing” with “short-term vacation rentals”
 - b. repair broken hyperlinks for bars as accessory uses standards reference to: “See Sec. 58-114 and Sec. 58-307”
35. Exhibits 113, 123, and 133: insert section references for supplemental conditions for sporting goods stores and to address the above requirement for conditional use permits to sell firearms in BC, C and M districts.
36. Section 58-116 Additional BC-1 Development Standards, paragraph (e): delete extra text “shall be comprised of windows and glass doorways” as follows: “(e) **Windows**. Unless approved by the Planning Director or HDC, windows and door openings shall comprise at least forty (40) percent of street-facing walls between the heights of two (2) and eight (8) feet above street facing sidewalks ~~shall be comprised of windows and glass doorways~~ for retail and restaurant uses and thirty (30)

percent for office uses. Upper story windows and transparent doors shall comprise at least fifteen (15) percent of street facing wall areas.”

37. Exhibit 58-123: add missing cross-reference (sec. 58-123(a)) for detached single family units in commercial districts
38. Exhibit 58-123: add description of large-scale retail establishment as “A retail business occupying 25,000 square feet or more of floor area”
39. Section 58-127 Additional C-1 Development Standards paragraph (h): delete extra text “shall be comprised of windows and glass doorways” as follows: “(h) **Windows**. Unless approved by the Planning Director or HDC, windows and door openings shall comprise at least forty (40) percent of street-facing walls between the heights of two (2) and eight (8) feet above street facing sidewalks ~~shall be comprised of windows and glass doorways~~ for retail and restaurant uses and thirty (30) percent for office uses. Upper story windows and transparent doors shall comprise at least fifteen (15) percent of street facing wall areas.”
40. Section 58-127 (i): change district reference from BC-1 to C-1
41. Exhibit 58-172: change exhibit name from “Summary of Setback Requirements” to “Lot Area, Lot Dimensions and Density Requirements”
42. Section 58-184:
 - a. Paragraph (a): change reference from “Exhibit 58-185” to “Exhibit 58-184”
 - b. Paragraph (a) (5): insert “of” in “number of spaces”
 - c. Exhibit 58-185: change to Exhibit 58-184
43. Section 58-197 (a)(4): delete “that” from “To ensure ~~that~~ timely emergency services response,”
44. Section 58-271 (d)(2): insert “and” as follows: “To take advantage of the green infrastructure credit, a stormwater management plan including stormwater calculations, prepared and stamped or sealed by a landscape architect or civil engineer licensed by the State of Louisiana, and shall be submitted to the City Engineer_ together with the required detention documentation.”
45. Section 58-272 (a)(1): change are to area as follows: “All new development and substantial redevelopment that requires a planted buffer area, as set forth in Sec. 58-272(e).”
46. Section 58-322 (d): insert missing cross-reference to Chapter 58. Article I, Division 8 as follows:

(e) **In a M-1 or M-2 district**, outdoor operations areas shall be screened in accordance with Chapter 58. Article I, Division 8.

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