



Planning
Department
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Director

STAFF REPORT
Text Study

Docket No. TXT-3-23
Summary No. 26312
Industrial Zoning Districts

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Study Intent: A study of the Jefferson Parish industrial zoning districts, including an analysis of the Parish’s current industrial zoning districts, make recommendations that modernize the industrial zoning districts, acknowledge and define new uses in the Unified Development Code, assign these uses to existing or newly established districts in a use matrix, apply development standards to mitigate any impacts to surrounding uses, determine if changes are required to parish public hearing notification requirements for certain industrial uses, and to propose and draft amendments to the Code of Ordinances to effectuate recommendations.

Council District: Parish-wide
PAB Hearing: 4/11/2024
Last Meeting Date for Council Action: 8/7/2024

Authorization: Res. No. 137617 (5/19/2021)

Companion Cases: TXT-4-23 & Z-17-23

OVERVIEW

This study was undertaken to modernize the current industrial zoning districts, identify, define, and allow the variety of industrial and other related uses found in or common to the existing or newly established districts, and create development standards for the industrial districts and certain specific uses to mitigate any impacts to surrounding areas.

The current industrial zoning districts and regulations date back over 50 years. The current regulations, in many cases, do not relate to the current built environment, do not contain adequate standards to facilitate compatibility with surrounding areas and uses, and do not allow for certain newer, more clean uses and development forms that are desired. This effort creates a set of industrial districts that address the range of character seen in the industrial areas of the Parish, allow for modern industrial uses, and builds more predictability into the zoning process. It also specifically addresses the storage of hazardous materials, located primarily in the West Bank industrial areas, to address concerns raised by the public regarding the potential negative impacts created by bulk storage.

Finally, the revision addresses issues related to the administration of the special permitted use process (SPU). The update of the SPU provisions addresses issues related to minor

amendments that are currently not allowed but are common to the operation of an SPU as well as defining the parameters for validity and expiration.

Finally, it also furthers the Parish goal of integrating all zoning regulations into one chapter of the Parish Code of Ordinances, Chapter 33, Unified Development Code (UDC).

STAFF RECOMMENDATION

Update and modernize the industrial zoning district structure to address the range of industrial development within the Parish as well as desired types of development not currently allowed, and create development standards within the districts that allow for both the growth of the industrial economy and facilitate compatibility within adjacent areas by the following:

- Restructure the zoning district structure to be clearer and more predictable in the type of development and address the range of industrial types. These districts as proposed are:
 - I-MU Industrial Mixed-Use District
 - I-L Light Industrial District
 - I-H Heavy Industrial District
 - I-LF Landfill Industrial District
- Update the uses allowed within the districts to align with the use approach used in the UDC – the Land Based Classification System (LBCS).
- Include clear dimensional and development standards within the districts.
- Include standards in the district that increase compatibility between uses, such as buffer yards and landscape provisions.
- Define and allow for new types of industrial uses desired by the Parish, such as those related to “clean and green” industries, logistics, and food production.
- Clearly define bulk storage of hazardous materials as a use and create standards for such that mitigate potential negative impacts.
- Create an overlay district to specifically address the bulk storage of hazardous materials, the HM-O Hazardous Materials Overlay District.
- Add additional standards for bulk storage of hazardous materials, including emissions reporting and data dissemination requirements for major source facilities.
- Merge special permitted uses (SPUs) and conditional use permits (CUPs) into one section in the UDC, update renewal period, add provisions related to minor amendments, expiration, validity, and emergency exceptions.
- Allow existing residential dwellings were added as conforming uses in the new industrial zoning districts with development standards for reconstruction and repair

PLANNING ADVISORY BOARD RECOMMENDATION

On April 11, 2024, the PAB deferred to April 25, 2024 (see PAB Minutes).

On April 25, 2024, the PAB deferred to May 9, 2024 (see PAB Minutes).

On May 9, 2024, the PAB recommended approval (see PAB minutes).

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BACKGROUND

Study Calls

This consultant-led study was initiated on December 9, 2020 to evaluate the Jefferson Parish industrial zoning districts, including an analysis of the Parish’s current industrial zoning districts, make recommendations that modernize the industrial zoning districts, acknowledge and define new uses in the Unified Development Code, assign these uses to existing or newly established districts in a use matrix, apply development standards to mitigate any impacts to surrounding uses, determine if changes are required to parish public hearing notification requirements for certain industrial uses, and to propose and draft amendments to the Code of Ordinances to effectuate recommendations (Table 1).

The consultant, Camiros, Ltd., was selected on February 24, 2021 to perform this study. On May 19, 2021 the Parish Council adopted Resolution No. 137617, which approved a two-year agreement with Camiros, Ltd. to perform the study. Several other Planning Department study calls will also be addressed by this study (Table 1).

Table 1. Related Study Calls			
Date	Res. No.	Type	Description
<i>Text Related</i>			
5/12/04	101067	Text	Flammable and Combustible. Study of the text of the Jefferson Parish Comprehensive Zoning Ordinance, Chapter 40 of the Jefferson Parish Code of Ordinances, more particularly Article XXXI, Industrial District, M-2; Article XXXII, Industrial District M-3; Article XXXVII, Nonconforming Uses; and Article XL, Special Permitted Uses with respect to the processing, refining or bulk storage of flammable and combustible liquids and other hazardous chemicals and to provide any additional language, criteria and conditions deemed necessary. <u>Established moratorium</u> where all facilities engaged in the processing, refining or storage of flammable and combustible liquids and other hazardous chemicals, before obtaining a permit, shall be required to seek approval from the Jefferson Parish Council in accordance with Article XL. Special Permitted Use, Section 40-761 of the Comprehensive Zoning Ordinance. Gasoline filling stations and other facilities storing flammable and combustible liquids and other hazardous chemicals in amounts equivalent to, equal to or less than 5,000 gallons shall not be included under this moratorium. Res. No. 103247 (5/13/2005) extended moratorium for an additional six months.
11/3/10	115605	Text	Industrial Buffers. Study of the text of Chapter 8 Buildings and Building Regulations, Chapter 25, Article VI Comprehensive Plan, Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances of the Parish of Jefferson, with the intent of determining screening and buffering criteria or other performance standards that promote health, safety and welfare in the Industrial Districts M-1, M-2, and M-3 and compatibility between the industrial districts and other zoning districts, and providing for related matters.

Table 1. Related Study Calls

Date	Res. No.	Type	Description
5/8/19	133538	Text	DRI Notice. Study of the text of Chapter 25 Planning and Development, Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating, updating, and establishing procedures for mandatory notice for PAB public hearings concerning developments of regional impact that because of their character, magnitude, or location may have a substantial effect upon the health, safety or welfare of persons outside the Parish's current 300 feet mail notice, including establishing the definition and criteria for determining when a development shall be classified as a development of regional impact; and providing for related matters.
1/12/22	138807	Text & Map	AIM 2022. Study the zoning and future land use of the area encompassing property currently mapped with the AIM Avondale Industrial Marine Overlay District and Lot AV-7, Fairfield Plantation Subdivision, bounded by the Mississippi River and River Road, as shown on a map titled "AIM Overlay Study Area" dated 12/15/2021, which map is attached hereto; more specifically evaluating the appropriateness of expanding the AIM Avondale Industrial Marine Overlay District on Lot AV-7, Fairfield Plantation Subdivision; to conduct a concurrent text study of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating and clarifying the regulations of the AIM Avondale Industrial Marine Overlay District; and providing for related matters.
11/8/23	143179	Text	Existing Residential in Industrial Zoning Districts. Study the text of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating provisions for existing residential dwellings in industrial zoning districts; establishing interim development standards during the study; and providing for related matters.
Map Related			
3/19/14	122554	Map	9-Mile Point. a zoning and land use study of the M-1 and M-2 Industrial District properties bounded by River Road, the western limits of the City of Westwego, the railroad right-of-way, and the eastern boundary of Pecan Grove Subdivision; the properties zoned M-1, U-1 Unrestricted, or OW-1 Office Warehouse bounded by the western boundary of Claiborne Gardens Subdivision, US Hwy 90, the eastern boundary of Avondale Homes Subdivision, River Rd and State Hwy 18; the properties zoned M-1 or R-1A Single-Family Residential bounded by Bridge City Avenue, River Road, and US 90; the properties zoned C-2 General Commercial, R-3 Multiple Family Residential, or M-1 at the intersection of US 90 and Seven Oaks Blvd/Bridge City Ave; and the portions of property zoned C-2 or R-1A extending 300 feet on the north side of Seven Oaks Blvd as shown on a map prepared by the Planning Department titled '9-Mile Point Study Area' dated 3/10/2014, with the intent of reclassifying properties in the area from the existing zoning district and zoning overlay district; changing the existing Future Land Use Category to the most appropriate category; establishing interim development standards during the course of the study; and providing for related matters. <u>Interim standards established</u> that development sites fronting or adjacent to Nine Mile Point Rd; West Nine Mile Point Rd excluding Robert Wiegand Subdivision, Lot E2B; the intersection of US Hwy 90 and Bridge City Ave/Seven Oaks Blvd; and 300 feet on both sides of Seven Oaks Blvd as shown on a map prepared by the Planning Department titled '9-Mile Point Study Area Interim Standards Boundary 3/10/2014' are subject to the requirements of the Commercial Parkway Overlay District (CPZ) during the study. Res. No. 124020 (12/10/2014) extended interim standards for an additional six months.
9/19/18	132224	Map	Bridge City-Avondale. Study the zoning and land use study of the properties in the area bounded by the Mississippi River, U.S. Highway 90, LA Highway 18, and a line approximately 3,000 feet east of Avondale Garden Road as shown on a map prepared by the Planning Department titled "Bridge City/Avondale Area Study" dated 9/19/2018, with the intent of rezoning properties in the area from the existing zoning district to the most appropriate zoning district and changing the Future Land Use category to the most appropriate FLU category; to conduct a concurrent text study of Ch. 33 Unified Development Code and Ch. 40 Zoning of the Code of Ordinances with the intent of evaluating zoning districts and development and use standards to determine any changes needed to promote the redevelopment of the property

Table 1. Related Study Calls			
Date	Res. No.	Type	Description
			commonly referred to as the Avondale Shipyard; to establish interim development standards during the course of the study; and to provide for related matters.
4/27/23	n/a	Map	Planning Director initiates a study of the zoning and future land use of properties zoned OW-1 Office Warehouse District, M-1 Industrial District, M-2 Industrial District, M-3 Industrial District, and M-4 Industrial District, with the intent of rezoning the properties to the most appropriate zoning district in order to implement the industrial districts established as a result of the Jefferson Parish Industrial Zoning Districts Study undertaken by Camiros, Ltd., established via Resolution No. 137617, as applicable; and providing for related matters, in accordance with the Comprehensive Plan.

Process and Outreach

This study began during the summer of 2021 (Figure 1).



Figure 1. Project Timeline

Phase 1: Summer 2021 - February 2022

Phase 1 consisted of discussions with Parish staff regarding current issues, review of all relevant materials, site visit, and meetings with stakeholders. Phase 1 concluded with the *Framework Report*¹. The Framework Report was not intended to present specific zoning changes in detail; it identified key issues with current industrial zoning and presented a framework for zoning revisions, which were presented in Phase 2. The Framework Report’s approach was developed from the following: input received from staff and stakeholders; an evaluation of current zoning districts and existing conditions; and review of comparable industrial areas in other municipalities.

Phase 1 Outreach

Met with the Westbank Port Development Task Force (WBPDTF). The West Bank Port Development Task Force was established by Resolution No. 135914, which was adopted on June 24, 2020 by the Parish Council, to develop recommendations to encourage the redevelopment of key sites along the Mississippi River on the Westbank of Jefferson Parish. The WBPDTF was comprised of landowners, local political leaders and staff, Jefferson Parish administration, industry representatives, and representatives from the

¹ Available at https://jpindustrialzoning.com/wp-content/uploads/2022/03/JP_Framework-Report_03042022.pdf

Jefferson Parish Economic Development Commission (JEDCO). From 2021-2023, the WBPDTF functioned like an advisory committee for the Industrial Zoning Districts Study. Staff and Camiros met three times with the WBPDTF in the initial phase of the project.

- July 8, 2021; August 12, 2021; February 17, 2022;
- Conducted in-person and virtual interviews with stakeholders
 - Held over 15 stakeholder interviews both in-person and virtual
- Two in-person open house stakeholder sessions on each bank
- Hosted two public meetings on Study
 - February 16, 2022; February 17, 2022

Summary of Stakeholder Input

Interviews were conducted with various stakeholders connected to the East Bank and West Bank industrial areas, including industrial interests, Parish staff, representatives of local boards and agencies like JEDCO, residents, environmental interest groups, and others. The following summary is a high-level synopsis of the issues and concerns heard during these interviews. The intent of this section of the Report is simply to document what was heard during the sessions; as such no opinion, recommendation, or resolution should be construed from the summary. Additionally, as stakeholders provided comments across a broad spectrum of viewpoints, there may be instances where these summary statements appear to be in conflict. Finally, certain of these comments and/or issues raised may be outside the purview of what zoning is able to regulate.

Development Context

- Development may require remediation in certain areas (brownfields).
- The West Bank has unbuilt areas, which are opportunities for new development, while the East Bank is built-out.
- Industrial, especially on the West Bank, would like to expand within their sites.
- Industrial must be sensitive to surrounding uses, especially residential neighborhoods.
- Industrial areas should become more walkable (sidewalks, landscape, etc.). An example was cited that workers would like to take walks on lunch breaks and have more access to options for purchasing lunch.

Industrial Expansion

- Expansion of storage tanks is a sensitive issue, with some opposed to any further expansion of land area devoted to the use.
- Some expressed a desire to limit further expansion of all industrial areas.
- Industrial uses expressed concern over not being able to modernize if expansion was not allowed

Land Use Relationships

- Industrial uses place stress on the roadway system with additional vehicles and heavy truck traffic.
- Equal enforcement is critical. Enforcement of existing and new industrial standards is critical.
- There are significant concerns regarding the impact of industry on the surrounding

residential, especially those neighborhoods in close proximity. These include potential negative impacts from contamination of air and water, a lack of buffers, and truck traffic.

- Industrial should work as a supportive partner to surrounding residential neighborhoods.

Zoning Concerns

- Current industrial zoning is out of date. Regulations should be modern, clear, and predictable.
- The Code should be clear where each type of industrial use(s) can locate.
- Buffering is needed between industrial and residential areas. Screening of uses with outdoor storage or operations should be added to the Code.
- With new standards, the Code must be sensitive to how nonconformities are treated; both industrial and residential.
- The Parish should work to attract “clean” and “green” technologies, and new types of industrial, such as micro-breweries and craft artisan industrial.
- Industrial areas should allow for sustainable elements, such as electric vehicle charging spaces and solar panels.
- If possible, zoning should incorporate air quality control standards.

Administrative Issues

- Notice requirements for certain industrial uses need to be clearly defined. The uses that require notice should be evaluated.
- Evaluate special permitted use process and how to allow for minor modifications through an administrative process.
- The special permitted use process should be clear that non-hazardous materials, such as water, should be exempt from the permit controls and subject to the underlying districts.
- Special approvals should be objective and as apolitical as possible.

Phase 2: Fall 2022 - Winter 2023

Following public review of this Framework Report, a discussion of the proposed approaches and an in-depth review of all of the stakeholder input to date, **Phase 2** took in all input received and began the drafting of the industrial districts. **Phase 2** also included a public process for review and revision. The first draft of the Industrial Districts Regulations², in addition to a concept map, were presented in November 2022.

The first proposed industrial district regulations resulted in five new zoning districts: (1) I-MU Industrial Mixed Use, (2) I-L Light Industrial, (3) I-H Heavy Industrial, (4) I-LF Landfill Industrial, and (5) HM-O Hazardous Materials Overlay. The earlier Framework Report had proposed the OFX Office Flex Zoning District to replace the existing OW-1 District. Upon further evaluation, this proposed district (OFX) was unnecessary, because many of the current OW-1 areas could be translated to the proposed I-MU District.

² Available at https://jpindustrialzoning.com/wp-content/uploads/2022/11/JP-Draft-Industrial-Regs-Nov_2022.pdf

The HM-O Hazardous Materials Overlay is a new overlay district that was created during the drafting process specifically to address the bulk storage of hazardous materials (previously the Processing, Refining, or Bulk Storage of Flammable and Combustible Liquids). Key regulations for the HM-O were:

- This district would be mapped upon the existing SPU sites for bulk storage of hazardous materials (previously Flammable or Combustible Liquids).
- As of the effective date of the industrial districts, no additional applications for the HM-O Overlay District would be permitted. This would limit bulk storage to those SPU sites currently in place.
- The standards of the base district apply unless modified by the overlay district.
- This is the only district that will permit “Bulk Storage of Hazardous Materials.”
- There are specific use standards for bulk storage of hazardous materials. Many of these are the current regulations but some additional standards have been added. These are:
 - An odor control plan is required, to be submitted to and approved by the Department of Environmental Affairs.
 - Where bulk storage of hazardous material includes or primarily conducts storage of hazardous materials in drums, tote tanks, boxes, or other intermediate bulk containers (IBC), the general location of such storage areas must be shown on the site plan and/or special permit use. If locations are changed, an amendment to the site plan and/or special permit use is required.
 - A 24-hour hotline number for the public to contact is required and must be clearly posted on the site in multiple locations that are clearly visible to the public.
- Expansion of existing bulk storage of hazardous materials is permitted only as follows:
 - Expansion of the area for bulk storage of hazardous materials through additional tanks is permitted within the existing bulk storage development site under the special permitted use if all standards of the overlay district are met.
 - Expansion to the lot lines of the development site under the SPU is also allowed if the site is expanded to adjacent lots and such adjacent lots are used only to install the required HM-O landscape buffer and meet all the use standards. The landscape buffer must be a minimum of 500 feet and is divided into Zone A and Zone B. Zone A is 200 feet and requires dense planting, while Zone B is the remainder with a slightly lesser planting requirement.

Phase 2 Outreach

- Met with the Westbank Port Development Task Force (WBPDTF)
 - November 15, 2022, January 11, 2023
- Conducted several in-person and virtual interviews with stakeholders (November 2022 – May 2023)
 - Held eight stakeholder interviews both in-person and virtual ³
- Continued to compile a list of stakeholders, which include industry representatives,

³ In Person Meetings. Meeting with the JP Chamber of Commerce (11/16/22); Meeting with the JP Chamber of Commerce (12/19/22); Meeting with Marrero Land (1/9/23); Meeting with the JP Business Council (1/11/23); Meeting with Robinson Ave Potential Area Study mtg (1/31/23); Meeting with the WBIA & Council District 2 (1/31/23); Meeting with JP Planning & Cornerstone (4/13/23); Meeting with Jesse Hoppes (5/5/23).

property owners and operators with industrial interests on both the East and West Bank, Parish staff, representatives of local boards and agencies, such as JEDCO, the Jefferson Chamber of Commerce, the Jefferson Business Council, residents, environmental interest groups, etc.

- Hosted two public meetings on the first draft of proposed regulations.
 - November 15, 2022; November 16, 2022

Summary of Stakeholder Input

Several meetings were conducted to discuss the first draft of proposed regulations and proposed industrial zoning districts. The following summary is a high-level synopsis of the issues and concerns heard during these interviews. The intent of this section of the Report is simply to document what was heard during the sessions; as such no opinion, recommendation, or resolution should be construed from the summary. Additionally, as stakeholders provided comments across a broad spectrum of viewpoints, there may be instances where these summary statements appear to be in conflict. Finally, certain of these comments may be outside the purview of what zoning is able to regulate.

Development Context

- It is important to keep industrial companies invested in order to avoid additional Brownfield sites.

Industrial Expansion

- The prohibition of certain uses and the prohibition of expansion of certain uses is problematic; shows “winners and losers”.
- Not allowing variances with the proposed HM-O district is daunting for Industry.
- Are we limiting economic growth by limiting expansions?

Land Use Relationships

- Some facilities are already monitoring for odors and have 24-hour phone lines.
- Additional buffering will prevent new growth along the Harvey Canal.
- There is concern for existing businesses’ inability to expand because of landscape/buffer zone requirements for HM-O districts
- Proposed regulations do not do enough to protect the neighborhood from existing tank farms.

Zoning Concerns

- Updating and modernizing the zoning code is needed.
- Eliminating a “catch-all” zoning district (M-2) will make development harder.
- The labeling of “hazardous materials” will negatively impact the branding of Industry.
- There are duplicative regulations with the State or Federal government (odor, 24hr hotline); can those be eliminated?
- More clarification is needed for the definitions of “culinary and medicinal” and “hazardous.”
- More clarification is needed for 24-hour hotline and an odor control plan.
- Zoning needs to provide some relief for residential uses in industrial areas so that

property owners can maintain or expand their homes.

Administrative Issues

- SPU renewal time frame should be expanded from two to five years.
- The proposed *minor amendment* for an SPU process makes administrative changes to the site easier.
- The DEQ and EPA are not doing enough enforcing.

Phase 2.5: Summer 2023 - Winter 2023

Similar to Phase 2, Phase 2.5 further refined the draft Industrial Districts Regulations from stakeholder input. This draft⁴ also included draft maps shown through an ArcGIS StoryMap.

The revised industrial district regulations provided more clarity, in general, and made more substantial revisions to the proposed HM-O district.

Minor clarifications included:

- Use Standards
 - Standards were added regarding what is required in the odor control plan, based upon current Parish requirements.
 - Standards were added to clarify the requirements for the 24-hour hotline.
- Use Matrix
 - Clarified in the use matrix that bulk storage of hazardous materials is only permitted in the HM-O.
 - Zoning permissions were deleted for “Fitness, recreational sports, gym, athletic club” as this is a header for the more specific uses below, and not a standalone use.
 - A general definition for bulk storage was added.
 - Certain uses were added to the districts as a permitted use as these uses are currently existing within these districts. This is meant to align use permissions with the types of uses present in the district.
- Special Permitted Uses
 - Language was added to clarify how the SPU is handled upon sale, lease, or transfer to a new owner.
 - Department names were updated to address recent department name changes.
 - Added demolition of any structure(s) or building(s) as a minor amendment.
 - Simplified minor amendments related to changes in size and location of buildings, structures, and other site elements.
 - Clarified minor amendments specific to bulk storage.
 - Language added to clarify the Department of Code Compliance and Enforcement shall review the site and any necessary supplemental material to complete the review. For the renewal of bulk storage of hazardous materials SPUs, the Department of Hazardous Materials, and the Department of

⁴ Available at https://jpinustrialzoning.com/wp-content/uploads/2023/06/JP_IND_Districts_Regs_Draft2_June2023.pdf

Environmental Affairs, shall also review the site and any necessary supplemental material to complete the review, as part of the renewal.

- Industrial Districts
 - Language regarding variances was clarified as to which district standards cannot apply for a variance and criteria for Council consideration were added for each district.

Major revisions to the draft industrial regulations included:

- HM-O District. Whereas the previous iteration of the HM-O District was tied to existing approved special permitted uses for bulk storage of hazardous materials with limited permissions for expansion of existing sites, this draft proposed to allow for the expansion of existing sites, as well as, the ability to apply the overlay district to new areas for additional bulk storage. With this change, the following are some of the key revisions to bulk storage of hazardous materials and the HM-O District:
 - A new separation requirement from districts other than the I-L or I-H District for storage tanks has been added. This is measured from the adjoining lot line.
 - The landscape buffer language has been clarified regarding its applicability only for expansion of existing sites or for new sites.
 - New air monitoring requirements were added for new facilities that are involved with the bulk storage of hazardous materials after the effective date of the ordinance to install an air monitoring system by either federal or state law, rule, regulation, or guidance by the facility's permit.
 - As the revision allows for new hazardous materials bulk storage facilities, a new map amendment process has been added. This includes the following:
 - The HM-O District may only be applied over the I-H District.
 - Mailed notice for the proposed amendment is increased to 1,000 feet.
 - A neighborhood meeting, to occur after the review by the Planning Advisory Board meeting.
 - A general evaluation of environmental impacts is required.
 - The map amendment and the SPU may be applied for concurrently.
 - Language regarding variances in the HM-O District was clarified as to which district standards cannot apply for a variance.
- Existing residential dwellings were added as conforming uses in the new industrial zoning districts with development standards for reconstruction.
- A clarification was added that “Bulk storage of culinary and medicinal materials” includes animal, vegetable, and/or plant oils and fats that are not ready for human consumption. The definition was also reformatted as a separate definition. SPU Amendments and Change to Validity Period
- Updated the SPU term of validity from two years to three years and clarified terms for an extension.
- The standard regarding the number of SPUs per lot was revised to the current standard to allow only one SPU per dwelling or lot, tract, plot, or development site.
- Added temporary equipment and structures to be allowed on-site, for a period of no more than 90 days, as an emergency exception.

Phase 2.5 Outreach

- Met with the Study with the Westbank Port Development Task Force (WBPDTF)
 - June 21, 2023; August 30, 2023
- Conducted several in-person and virtual interviews with stakeholders (June 2023 – August 2023)
 - Held nine stakeholder interviews both in-person and virtual

Summary of Stakeholder Input

Similar to Phase 2, several meetings were conducted to discuss the revised draft regulations of the proposed industrial zoning districts. The Jefferson Parish Industrial Alliance, consisting of industrial firms, business organizations and economic development partners, presented their formal comments and recommendations on the Draft 2 – Industrial Districts Regulations to the West Bank Port Development Task Force (WBPDTF) on August 30, 2023. The formal recommendations were formally voted on by the WBPDTF and generally stated that the Parish’s current industrial zoning regulations need to be modernized, but there is concern that the additional regulations will stifle economic growth in our Parish.

The following summary is a high-level synopsis of the issues and concerns heard during these interviews. The intent of this section of the Report is simply to document what was heard during the sessions; as such no opinion, recommendation, or resolution should be construed from the summary. Additionally, as stakeholders provided comments across a broad spectrum of viewpoints, there may be instances where these summary statements appear to be in conflict. Finally, certain of these comments may be outside the purview of what zoning is able to regulate.

Development Context

- Jefferson Parish should increase opportunities for redevelopment and reuse of existing industrial areas, work to attract new, more diverse types of industrial businesses; and protect key areas for industrial uses that demand strategic port, rail, and roadway access.

Industrial Expansion

- No new chemical or fertilizer plants, refineries, tank farms, coke plants, and grain transfer and storage facilities and no expansion of existing, even within current footprints.

Land Use Relationships

- Buffering and landscaping should not apply to property along waterways.
- Cumulative emissions along with other considerations (e.g., traffic, landscape buffers, need for fence line air monitoring and odor control programs, transport of hazardous materials on the roadways, effect on stormwater management, etc.) must be addressed when updating zoning regulations.
- A 500-foot buffer is insufficient for large chemical plants. It would be reasonable to require 1,500-2,000 feet at new facilities.
- Certain landscaping requirements may be preempted by federal law so there should

be provisions to allow for that type of situation.

Zoning Concerns

- Current industrial zoning is out of date; regulations should be modern, clear, and predictable.
- Modernizing regulations, such as expanding the uses allowed with certain industrial districts, can help attract new and diversified types of industrial users.
- Clarify certain definitions or important terms in Draft 2
 - Define “new facility” to ensure a modified or expanded existing facility is not a “new” facility for the purpose of Sections 33-3.45.4(m) and 33-3.45.9
 - Further define “hazardous materials”
 - Clarify the “expansion” of an existing bulk storage facilities to mean the extension of the boundary of the existing SPU
- As written, the odor monitoring requirements are onerous and impractical.
- Air emissions from industrial facilities are already subject to mandatory air emission monitoring and emissions control requirements under Federal and State laws and regulations and as conditions of their air permits. The proposed air monitoring system is overly burdensome, impractical, and infeasible.
- The proposed air monitoring system is unclear.
- The proposed air monitoring section is not sufficient to protect the public.
- The 1,500-foot setback is onerous and will greatly restrict use and development of industrial sites.
- The proposed regulations already require minimum setback of 3 times the NFPA 30 distance for hazardous material bulk storage to address safety concerns.
- How is “ready access” defined?
- What constitutes “adequate safeguards?”
- The Parish should be able to impose additional requirements.
- 1,000-foot mailed notice for HM-O map amendment is insufficient.

Administrative Issues

- Request ability for administrative or council action to approve an increase in the capacity of bulk storage tanks as these storage tanks are essential to industry and economic growth in certain sectors.
- Emission data should be reviewed by an individual who has the required knowledge, skill, and expertise to review emissions data.

Staff has considered all feedback on the draft regulations from all interviews, meetings, and comments. The proposed regulations within this report aim to make the zoning regulations more modern, clearer, and more predictable. Additionally, the proposed regulations acknowledge the unique development patterns on the West Bank and seek to encourage/provide compatibility between the different uses found in industrial areas. Definitions, purpose statements, and applicability sections have been added for clarity. More modern uses have been added, such as *alternative energy manufacturing* and *distribution and fulfillment center*. Requirements specific to the HM-O district have been refined.

Adopted Industrial Land Use Policies

This project offers an opportunity to comprehensively evaluate the current industrial districts' structure and associated regulations to create a set of new, modern districts and standards that work with existing industrial development patterns and implement adopted Parish industrial development policies.

The Jefferson Parish Comprehensive Plan: *Envision Jefferson 2040* (adopted 2019) is a strategic component of the existing industrial districts' structure and addresses revising existing industrial land use regulations within the Parish. The Comprehensive Plan divides industrial development into two land use categories that can serve as a guide for a new district structure:

1. **PDR Production, Distribution, Repair:** PDR acknowledges a mix of light and medium industrial uses, with allowances for some commercial and institutional uses.
2. **HI Heavy Industrial:** This land use category is for the heaviest industrial users - processing, refining, bulk storage, chemical manufacturing.

A key task of the Comprehensive Plan is to add, modify, or map development regulations, more specifically, industrial development standards that capture new or advanced products and processes and address compatibility with adjacent and nearby land uses, access to transportation, availability of public services and facilities, or other purposes (EJ 2040, page 88).

As stated in the Comprehensive Plan: "The parish's major industry clusters provide opportunities for growth, investment, and sustainability." In seeking to leverage these opportunities, the Plan suggests that the Parish should increase opportunities for redevelopment and reuse of existing industrial areas, work to attract new, more diverse types of industrial businesses, and protect key areas for industrial uses that demand strategic port, rail, and roadway access. While recommending growth and diversification of the Parish's industrial base, the Plan also acknowledges that environmental and nuisance protections are needed broadly throughout the Parish, and more specifically for heavy industrial users and the risks associated with activities involving hazardous material.

In addition to the *Envision Jefferson 2040 Comprehensive Plan*, additional plans and studies have also informed this assessment. A review of the adoption timeline of these plans, shows how the category of industrial use has evolved over time to incorporate new uses such as food-related industries and logistics, rather than solely traditional manufacturing and processing activities. These additional plans and studies include the following:

Harvey Canal Corridor Plan (adopted 2015)

The Plan recognizes that the maintenance of the area surrounding the Harvey Canal as a home to heavy industrial users, and more specifically maritime industrial, is vital to Jefferson Parish. This requires that zoning regulations prevent the encroachment

of incompatible uses, while also ensuring there are protections in place for the non-industrial users that abut the area, such as site-specific requirements from landscape buffers to using district transitions, such as lower-intensity office campus uses to residential areas.

Port NOLA Forward (adopted 2018)

The strategies within Port NOLA's Strategic Master Plan do not speak directly to zoning actions or to Jefferson Parish in specific, but rather to an overall vision for freight-based economic growth that is tied to the region's maritime and interconnected transportation modes, as well as the hospitality industry (ocean-going and river cruises). What this Plan means in regard to an assessment of Jefferson Parish's industrial zoning is that land use and zoning designations within the Parish should support these regional economic policies and objectives as part of the Port NOLA's tri-parish jurisdiction.

Jefferson EDGE 2025 Plan: Strategic Economic Development Plan (adopted 2021)

The Jefferson EDGE 2025 plan lays out a path to grow Jefferson Parish's economy through the retention and creation of quality jobs, entrepreneurship, and investment over the next five years (2021 to 2025). The Plan specifically speaks to enacting zoning changes that would continue to support and expand manufacturing, warehousing/distribution, industrial flex space, and other industrial businesses. EDGE 2025 speaks to numerous opportunities available to the Parish including:

- Attracting and expanding technology, innovation, and research and development (R&D) firms.
- Enhancing the capacity for industrial growth related to the unique combination of multimodal facilities - airport, water transport, rail, and highway - with development-ready sites.
- Supporting the growth of food-related industries such as packaging facilities and cold storage and refrigeration facilities, as well as food production facilities like cloud kitchens and microbreweries, further building upon the greater area's reputation as a food destination.

Geographically, EDGE 2025 seeks to "promote Avondale Marine and the surrounding area as a global logistics hub" (EDGE 2025, page 40) and "maintain the appropriate land use and zoning regulations, in and around Cornerstone Energy Park to ensure major current and future industrial employment sites are protected from incompatible development and land uses." (EDGE 2025, page 41).

Resolutions and Staff Reports

Various resolutions and staff reports related to industrial zoning were reviewed for this Report. These include, but are not limited to:

- Staff reports related to the Avondale Shipyard and Avondale Industrial Marine (AIM) Overlay District Zoning (2019)
- Staff reports related to various industrial rezonings and subdivisions
- Staff reports related to various special permitted uses
- Resolution and staff research related to industrial landscape buffers (2010)

- Resolution related to notice for developments of regional impact (2019)

Informational Material Submitted by Stakeholders

Additional materials submitted by various stakeholders were also reviewed. These include, but are not limited to:

- Barriers to Entry to the Brewing and Distilling Industry in Jefferson Parish Research for JEDCO Technical Assistance Project, prepared by GCR, Inc. (2018)
- Best Practices – Local Zoning for Small Scale Alcohol Production, prepared by GCR, Inc. (2018) Recommendations – Brewery and Distillery Regulations, prepared by GCR, Inc. (2019)
- Heavy Industry in Jefferson Parish is a Bad Deal for Our Health & Economy: Summary prepared for Jefferson Parish Zoning Study, prepared by JOIN for Clean Air (2021)

Current Zoning Overview

Jefferson Parish has two distinct areas of industrial development, one located on the East Bank, and one on the West Bank of the Mississippi River. In general, the East Bank area is characterized by a mix of different types of light and medium industrial uses, organized in a somewhat typical clustered development pattern in the Elmwood Business Park and along corridors like Airline Drive, Earhart Expressway, and Jefferson Highway. The West Bank, in contrast, has two primary industrial areas oriented in a linear pattern along the Mississippi River and then along the Harvey Canal. Many of the industrial uses on the West Bank fall within the heavy industrial category, ranging from ship repair to bulk storage. It is also important to note that, within the West Bank, there are significant industrial facilities located within larger residential areas, such as Waggaman and Avondale.

As these two areas contain distinct orientations, they must be treated as such in the Code. In addition to these industrial areas, there is also the OW-1 Office-Warehouse District, intended for office and warehouse uses with some limited commercial, which is located both within these industrial areas as well as in other parts of the Parish.

The following table summarizes how the current Zoning Ordinance (Chapter 40) organizes industrial zoning by district. This table does not offer an analysis or any recommendations for these existing districts, but only summarizes current zoning standards (Table 2).

Table 2: Current Industrial Zoning Districts

Current District	Summary of Current District Purpose Statement	Current Dimensional + Use Standards
<p>OW-1 Office-Warehouse District</p>	<ul style="list-style-type: none"> • Business and wholesaling that do not create outside nuisances • Modern landscaped buildings and attractive locations • Located to provide opportunities for employment closer to places of residence • Certain commercial uses are permitted, primarily for service to employees 	<p>Dimensional Standards:</p> <ul style="list-style-type: none"> • 65' maximum building height • No yards required unless abutting residential <p>Uses Generally:</p> <ul style="list-style-type: none"> • Primarily office and warehouse uses • Limited trade and repair - no more than 25 employees • Allows C-2 District uses with the exception of residential <i>C-2 uses include retail, personal services such as beauty salons, restaurants and bars</i>
<p>M-1 Industrial District</p>	<ul style="list-style-type: none"> • Industrial development that is compatible with nearby commercial and residential development • District standards will control the impacts of industrial operations but still permit normal operations of industrial uses 	<p>Development Standards:</p> <ul style="list-style-type: none"> • No height limit unless abutting residential • No yards required unless abutting residential <p>Uses Generally:</p> <ul style="list-style-type: none"> • M-1 has an open-ended use structure that allows light industrial uses that are not listed in higher intensity districts like the M-2 District • Specific standards for certain uses (i.e., marine-related uses, truck stops, gaming establishments, off-track wagering, and self-storage, etc.)
<p>M-2 Industrial District</p>	<ul style="list-style-type: none"> • Accommodates general industrial development • District standards will control the impacts of industrial operations but still permit normal operations of industrial uses • District standards intended to protect adjacent industrial, commercial and residential uses. 	<p>Development Standards:</p> <ul style="list-style-type: none"> • No height limit unless abutting residential • No yards required unless abutting residential <p>Uses Generally:</p> <ul style="list-style-type: none"> • Primarily heavy industrial uses • Specific standards for processing, refining or bulk storage of flammable and combustible liquids, and recycling facilities

Table 2: Current Industrial Zoning Districts		
Current District	Summary of Current District Purpose Statement	Current Dimensional + Use Standards
M-3 Industrial District	<ul style="list-style-type: none"> Accommodates heavy industrial development Such uses, by the nature of their operation, create conditions unsuitable for residential, retail, and typical office uses Where practical, district should be buffered from nearby residential by more restrictive zoning 	<p>Development Standards:</p> <ul style="list-style-type: none"> No building height limit Lots must be 10,000 square feet in area and a minimum lot depth of 100 feet <p>Uses Generally:</p> <ul style="list-style-type: none"> Heavy industrial uses
M-4 Industrial District	<ul style="list-style-type: none"> Intended solely for industrial activities relating to or involving waste collection, handling, and disposal facilities Allows the normal operation of state permitted landfills and other waste handling, recycling, and disposal establishments Conditions should protect adjacent land uses Where practical, district should be buffered from nearby residential by more restrictive zoning 	<p>Development Standards:</p> <ul style="list-style-type: none"> Height and setbacks per state and federal law (related to waste collection, handling, and disposal facilities) Minimum lot area of 30 acres Landscape screening required Distancing requirement from residential <p>Uses:</p> <ul style="list-style-type: none"> Waste collection, handling, and disposal facilities

The current industrial zoning districts are outdated and overly complicated. As an example, the permitted use section of the M-1 district states:

Sec. 40-562. - Permitted uses.

(a) All uses not otherwise prohibited by law except for those shown as permitted uses or special permitted uses in Article XXXI, Industrial District M-2, section 40-582; and Article XXXIV, Unrestricted Rural District (U-1R), section 40-642; and hazardous, nuclear or radioactive waste treatment and disposal facilities; provided, however, that no building or structure shall be erected, reconstructed or structurally altered for residential use except for temporary living quarters for industrial related personnel employed upon the premises. Residential dwellings located in main structures containing non-residential uses shall not be permitted.

An interested party must review, at a minimum, two other sets of regulations in order to determine what uses are not allowed and then is left to determine exactly what is meant by “all other uses not otherwise prohibited by law” and where to look to determine those uses. Any perceived benefit in using this language as a “catch-all” is grossly outweighed by the lack of clarity and reassurance that clear and concise regulations can provide.

* * *

A primary goal of this project is to create a set of industrial districts that build clearer regulations and predictability into the zoning process. Zoning establishes the uses, some with specific standards, that are allowed within a district, whether permitted by-right or through an approval process, such as special permitted uses (SPU), as well as the dimensional standards for development (minimum lot areas for development, maximum heights, and minimum setbacks). A comprehensive set of industrial zoning districts and standards will ensure that both existing and new industrial property owners are clear on what they can build on their property, and neighboring property owners are aware of what may be built next door. Further, modernizing regulations, such as expanding the uses allowed within certain industrial districts, can also help to attract new and diversified types of industrial users - logistics hubs, clean/green industry, craft manufacturing, flex industrial, etc.

Industrial Emissions

Air pollution from heavy industrial is a concern that was voiced by stakeholders, both Jefferson Parish residents as well as those in neighboring Orleans Parish. As is the case nationwide, emission levels and other environmental impacts are primarily regulated by state and federal agencies. Municipalities rely on the permits issued, and the reviews and inspections conducted by these agencies to regulate the impacts and enforce compliance.

Jefferson Parish does provide a supplementary control on emissions and odors that may emit from the processing and bulk storage of hazardous materials in Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, of the Parish Code, which is under the authority of the Fire Department. Specifically, Sec. 13-127 includes a general performance standard regarding emissions and odors for hazardous materials: "The plant operator shall be responsible for controlling emissions and nuisance odors from his facility. Safeguards shall be provided to limit obnoxious or offensive emissions of smoke, gas, dust, and odors, other noxious or offensive fumes, or spilled liquids." Enforcement of this standard follows in Section 13-128.

In the scope of this project, permits and enforcement of emission control does not fall under zoning authority and is outside of the purview of this study. However, additional reporting and the control over the location and certain operational aspects of these uses, particularly Bulk Storage of Hazardous Materials, can be addressed and an approach to regulating these proposed.

ANALYSIS

Based on the review of related plans, planning best practices, research from other communities and extensive feedback from stakeholders and members of the public over the course of the study, Camiros, Ltd. has proposed a series of amendments to Chapter 33 Unified Development Code and Chapter 40 Zoning. Camiros and Staff have:

- Developed a responsive zoning district structure;
- Updated the uses allowed within the districts, all dimensional and development standards within those districts, including landscape, screening, and buffering, and

- standards related to special permitted uses (SPU);
- Provided for buffering and landscaping when abutting residential uses as additional protection for existing residential;
 - Provided for existing residential located on industrially zoned property to be maintained, renovated, and rebuilt following natural disasters without having to seek a zoning change;
 - Established new industrial uses, not currently addressed in the Code of Ordinances;
 - Added specific controls be placed upon the bulk storage of hazardous materials both through the creation of an overlay district and by specifically defining bulk storage and hazardous materials;
 - Addressed industrial emissions and established emissions reporting provisions, permit compliance requirements for Title V major source facilities;
 - Merged special permitted uses (SPUs) and conditional use permits (CUPs) into one section in the UDC, update renewal period, add provisions related to minor amendments, expiration, validity, and emergency exceptions; and
 - Integrated all industrial zoning regulations into one chapter of the Parish Code of Ordinances, Chapter 33, Unified Development Code (UDC).

Industrial District Structure

A new industrial district structure will create a more predictable zoning environment and incorporate standards that relate more specifically to the purpose and function of each district. The proposed set of industrial base districts would modernize the Parish's approach to industrial zoning and align with the adopted land use policies and economic development studies undertaken. The Comprehensive Plan's land use categories of PDR Production, Distribution, Repair and HI Heavy Industrial serve as an as organizing principal for the industrial district structure. Using these land use categories as "baskets" that contain zoning districts, a new industrial district structure is proposed below.

The industrial district structure is as follows (Figure 2):

Base Industrial Zoning Districts

- **Industrial Mixed-Use (I-MU)** Incorporates former OW-1
- **Light Industrial (I-L)** Formerly M-1
- **Heavy Industrial (I-H)** Formerly M-2 and M-3
- **Landfill Industrial (I-LF)** Formerly M-4
- **Avondale Industrial Marine (AIM)** Formerly an overlay district; addressed in TXT-4-23

Overlay Industrial Zoning Districts

- **NEW Hazardous Materials Overlay (HM-O)**

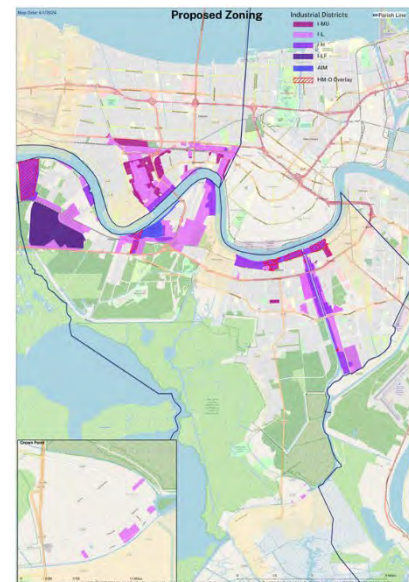


Figure 2. Proposed Industrial Zoning District Structure

I-MU Industrial Mixed-Use District

The East Bank contains a mix of light and medium industrial uses. However, the land use pattern also shows that certain portions of the East Bank have seen a turnover of certain buildings and sites into non-industrial uses, creating a more intensive mixed-use character.

To accommodate this, an **Industrial Mixed-Use District (I-MU)** has been created. This district would accommodate areas that have evolved to contain a broader mix of light industrial, artisan industrial, and commercial uses, and can help encourage and accommodate the adaptive reuse of existing structures. I-MU Districts are ideal incubator spaces for artisan uses such as glassblowing and specialty food production such as, local coffee roasters and microbreweries. Further, identifying and mapping areas where an **I-MU District** may be appropriate can help to direct development in a manner that protects those industrial areas the Parish wants to ensure remain strictly industrial in nature.

Typical uses include:

- Light industrial
- Warehousing
- Craft/artisan industrial; maker/creator spaces
- Specialty food service - for example, coffee roasters, breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries Food production related industries, such as packaging and cold storage
- Research & development, tech-industry offices
- Retail, restaurant, personal services

I-L Light Industrial District

A **Light Industrial District (I-L)** includes those industrial uses where processes occur indoors, there is limited outdoor storage, and there are no allowances for the large-scale handling of hazardous materials. This type of district is often appropriate in closer proximity to other non-industrial districts.

Typical uses include:

- Light industrial (generally, manufacturing, assembly, and processing uses that do not create unusual safety hazards, do not generate excessive noise, do not emit smoke, dust, dirt, toxic or offensive odors/gas, and do not produce heat or glare perceptible from an adjacent site)
- Warehousing and distribution
- Food production related industries, such as packaging and cold storage
- Research & development, tech-industry offices

I-H Heavy Industrial District

A **Heavy Industrial District (I-H)** should be created to accommodate those heavy industrial uses that have significant impacts and may include large areas of outdoor storage or operations.

Typical uses include:

- Light industrial (as described in **I-L** above)
- Heavy industrial (generally, manufacturing, assembly, and processing uses that have greater impacts on the environment and/ or significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare or health and safety hazards, and may include significant outdoor storage and/or operations)
- Ship repair, shipbuilding
- Metal manufacturing
- Multi-modal logistics hubs

I-LF Landfill Industrial District

This district is intended solely for “waste collection, handling, and disposal facilities” and ties to “state permitted landfills and other waste handling, recycling, and disposal establishments.” Uses are limited to state permitted landfills and other waste handling, recycling, and disposal establishments.

HM-O Hazardous Materials Overlay District

This district is an overlay district; therefore, the standards of the base district apply unless modified by the overlay district. The **HM-O** district is intended to protect the public health, safety, and environment by controlling uses that store hazardous materials in bulk. This is the only district that permits the use “Bulk Storage of Hazardous Materials.” (This use is specifically defined and has specific use standards provided later in the report). The district provides opportunities for existing uses to continue to operate and expand with the limited establishment of new bulk storage of hazardous materials within specific parameters.

This overlay district permits uses authorized in the underlying base zoning district and is the only district that permits the bulk storage of hazardous materials as a special permitted use (SPU) with additional standards. Because of the use-oriented nature of this overlay district, additional analysis is provided later in the report.

Future Land Use Compatibility

The Future Land Use Map (FLUM) illustrates a place-based vision for what Jefferson Parish will look like in twenty years. It assigns all land in the unincorporated parish to one of nine future land use categories, which describe a general development pattern and types of uses that could be expected in a particular area. Unlike the official zoning map, the FLUM is not regulatory; rather, it provides guidance for land use decisions. It is the zoning district, not the FLUM category, which specifies the types of uses that are allowed and the standards that apply to the uses, structures, or sites within the district.

The proposed industrial districts are compatible with the following FLU designations:

Base Zoning District	RUR	SUB	URB	COM	MU	PDR	HI
I-MU	⊙	—	—	●	⊙	●	—
I-L	⊙	—	—	⊙	⊙	●	⊙
I-H	—	—	—	⊙	⊙	●	●
● Compatible ⊙ Possibly compatible - Not compatible							

The **I-MU** and **I-L** zoning districts may be consistent with the Rural FLU category in the following circumstances, provided that adequate public facilities are available:

- i. The site has frontage on a major or minor arterial;
- ii. The site is located at a strategic intersection of different modes of transportation, particularly rail and water;
- iii. The site is contiguous with an existing C-1 or C-2 area; or
- iv. The site would serve as a transition or buffer between residential and non-residential uses.

* * *

The **I-L** and **I-H** zoning districts may be consistent with the Commercial FLU category in the following circumstances:

- i. The surrounding commercial area is characterized by heavy, non-retail commercial activity;
- ii. The site is readily accessible from a major or minor arterial on streets that do not pass through residential areas; or
- iii. The site is adjacent to conforming industrial uses.

* * *

The **I-MU**, **I-L**, and **I-H** zoning districts may be consistent with the Mixed-Use FLU category in the following circumstances:

- i. The site would serve as a transition or buffer between the mixed-use area and higher intensity zoning districts;
- ii. The site is adjacent to conforming industrial uses; or
- iii. The site is located in a defined area that is characterized by a mix of uses and zoning districts and would contribute to the mixed-use character of the area.

* * *

The **I-L** zoning district may be consistent with the HI FLU category in the following circumstances:

- i. The site is contiguous with an existing **I-L** area; or
- ii. The site would serve as a transition or buffer between the heavy industrial and less intense uses.

Because the **HM-O** is an overlay district, future land use compatibility does not apply.

Industrial District Development Standards and Approval

As a part of the framework report, Camiros, Ltd. reviewed the industrial zoning district regulations of 16 communities across the United States, including eight jurisdictions in Louisiana. The consultant used the information gathered from other communities, the existing industrial zoning district regulations, and planning best practices to develop purpose statements and development standards for each new zoning district, additional landscaping and buffering requirements for certain development and zoning districts, and clear review procedures and variance provisions.

Community Comparison

The following table, Table 3: District Standards Comparison, provides examples of general district standards for sixteen (16) other municipalities with a similar industrial character as Jefferson Parish. The table shows the standards for heavy industrial areas within these municipalities. (Standards within the table are from ordinances currently posted online; standards may not reflect any recent changes that have not yet been posted to these online ordinances.)

Dimensional standards, including minimum lot area, maximum building height, and setback requirements vary amongst communities reviewed.

In terms of minimum lot area, over a third (5 or 37.5%) of the communities reviewed do not require any minimum lot area in their industrial zoning districts. Of those communities that do have minimum lot area requirements, most require between 5,000-15,000 square feet as the minimum lot area.

Some communities do not have maximum building height requirements in their industrial zoning districts (3 or 18.75%). Three communities reviewed do not require a maximum, unless the district is abutting a residential district. The remainder have maximum building heights that range from 45-150 ft.

Setback requirements also vary greatly amongst communities reviewed. Some communities have used setback requirements to separate industrial uses from non-industrial districts. For example, in St. Bernard Parish, when industrial tract or site abuts a residential district, no structure may be located closer than 50-100 feet to a residential district, depending on the yard. In St Charles Parish, major operations **must be located 2,000 feet from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments (Table 3).**

Table 3. District Standards Comparison						
City	Minimum Lot Area	Maximum Building Height	Front Setback	Interior Side Setback	Corner Side Setback	Rear Setback
Louisiana Cities						
New Orleans, LA: HI Heavy Industrial District	10,000sf	None, unless adjacent to a residential district then 50' - may exceed 50' if set back 1' for each foot above 50'	Existing established setback or averaging of adjacent lots, but no more than 20'	None, unless lot abuts residential district then 10'	None	None, unless lot abuts residential district then 20'
Gretna, LA: M-2 District	Determined in the plan review process	45'	Determined in the plan review process	Determined in the plan review process	Determined in the plan review process	Determined in the plan review process
Kenner, LA: H-I Heavy Industrial Districts	5,000sf and Min. width of 50' and min. depth of 100'	100'	Min.: 30'	Min.: 5' unless abutting residence, commercial building, residential district, or commercial district, then 10'	Min.: 30'	Min.: 10' unless abutting residence, commercial building, residential district, or commercial district, then 20'
Lafayette City Parish, LA: I-H Heavy Industrial	None	3 stories for the first 50' from the front, side or rear lot line, then 1 additional story for each additional 50 feet from the setback line. This requirement does not apply beyond 200' from any lot line bordering the RS	None	None	None	None

Table 3. District Standards Comparison						
City	Minimum Lot Area	Maximum Building Height	Front Setback	Interior Side Setback	Corner Side Setback	Rear Setback
		district				
Baton Rouge City-East Baton Rouge Parish, LA: M-2 Heavy Industrial	5 acres and min. width of 100'	None except when abutting a residential district, building height shall be determined by the distance the building is located from the property line, with 7' of building height permitted for every 1' above required setback	Min.: 25'	Min.: 100' - only apply when yard abuts a residential zoning district	Min.: 10'	Min.: 100' - only apply when yard abuts a residential zoning district
St. John the Baptist Parish, LA: I-3 Industrial District 3	15,000sf and Min: width of 100' and min.: depth of 150'	None except when a structure exceeds 45', in which case, there shall be an additional 1' setback for every 1' of height over 45' from the nearest property line	Min. 30'	Min.: Where abuts an existing residential, rural (except industrial use), or commercial use or district: 15' for the first 100' of lot width or depth; and an additional 10' for each additional 100' or major fraction thereof	Min. 30'	Min.: Where abuts an existing residential, rural (except industrial use), or commercial use or district: 15' for the first 100' of lot width or depth; and an additional 10' for each additional 100' or major fraction thereof
St. Bernard Parish, LA: I-2 Heavy Industrial	None.	None.	When industrial tract or site is across from a residential district, a setback is 50' from the side abutting the street (does not apply to industrial	When industrial tract or site abuts a residential district, no structure may be located closer than 100' to a residential	When industrial tract or site is across from a residential district, a setback is 50' from the side abutting the street (does not	When industrial tract or site abuts a residential district, no structure may be located closer than 100' to a residential

Table 3. District Standards Comparison						
City	Minimum Lot Area	Maximum Building Height	Front Setback	Interior Side Setback	Corner Side Setback	Rear Setback
			sites of one acre or less, where the yard requirements of the residential district apply)	district (does not apply to industrial sites of one acre or less, where the yard requirements of the residential district apply)	apply to industrial sites of one acre or less, where the yard requirements of the residential district apply)	district (does not apply to industrial sites of one acre or less, where the yard requirements of the residential district apply)
Plaquemines Parish, LA: I-3 Heavy Industrial District	None.	150'	20'; 40' when lot fronts on state or parish hwy	Min.: 20% lot width, but minimum of 5'	20'; 40' when lot fronts on state or parish hwy	Min.: 20% lot depth, but min. of 25'
St. Charles, LA: M-2 Heavy Manufacturing & Industry; M-3 Heavy Manufacturing & Industry	15,000sf and Min. width of 100'		Major operations must be located 2,000' from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments	Major operations must be located 2,000' from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments	Major operations must be located 2,000' from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments	Major operations must be located 2,000' from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments
Additional Cities						
Buffalo, NY: D-IH Heavy Industrial District	5,000sf	4 stories	None	None	None	None
Chicago, IL: M Districts	None	None	M lots that are across the street from an R district must provide a setback along the street property line opposite the R district	None, except when abuts the side property line or rear property line of a lot in an R district or is separated from an R district property line	M lots that are across the street from an R district must provide a setback along the street property	None, except when abuts the side property line or rear property line of a lot in an R district or is separated from an R

Table 3. District Standards Comparison						
City	Minimum Lot Area	Maximum Building Height	Front Setback	Interior Side Setback	Corner Side Setback	Rear Setback
			equal to the minimum front setback required on the R lot on the opposite side of the street	by an alley, then 30'	line opposite the R district equal to the minimum front setback required on the R lot on the opposite side of the street	district property line by an alley, then 30'
Mobile, AL: I-2 Heavy Industry District	10,000sf	100'	25'	None	25'	None
Providence, RI: M-2 General Industrial District	None	90'	None except when abutting a residential district, then 20'	None except when abutting a residential district, then 20'	None except when abutting a residential district, then 20'	None except when abutting a residential district, then 20'
Panama City, FL: HI Heavy Industrial District	None	None	No less than 25 feet from any property line at the perimeter of the zoning; Industrial uses adjacent to lands designated as Industrial on the Future Land Use Map, 5'	No less than 25 feet from any property line at the perimeter of the zoning; Industrial uses adjacent to lands designated as Industrial on the Future Land Use Map, 5'	No less than 25 feet from any property line at the perimeter of the zoning; Industrial uses adjacent to lands designated as Industrial on the Future Land Use Map, 5'	No less than 25 feet from any property line at the perimeter of the zoning; Industrial uses adjacent to lands designated as Industrial on the Future Land Use Map, 5'
Philadelphia, PA: I-3 Heavy Industrial		None, except 60' if abutting a Residential or SP- PO district	Where abuts a residential district, the minimum requirements for those yards shall be those for the residential district on the abutting side	Where abuts a residential district, the minimum requirements for those yards shall be those for the residential district on the abutting side	Where abuts a residential district, the minimum requirements for those yards shall be those for the residential district on the abutting side	Where abuts a residential district, the minimum requirements for those yards shall be those for the residential district on the abutting side
Texas City,	20,000sf	None, except	50'	None, except	50'	None, except

Table 3. District Standards Comparison						
City	Minimum Lot Area	Maximum Building Height	Front Setback	Interior Side Setback	Corner Side Setback	Rear Setback
TX: H Heavy Industrial	and minimum lot width and depth of 100'	75' if abutting residential		50' if abutting residential		50' if abutting residential

Each of the proposed industrial districts are structured as other districts within the UDC (Ch. 33). Therefore, there is a new dimensional table for each (lot area, height, setbacks, etc.). Other regulations are generally cross-referenced, such as signs, landscaping, and parking, with the exception of new standards such as the property buffers or screening for the **I-H** and **I-LF** districts.

Each of the proposed industrial districts is generally structured as follows:

- Purpose statement of the district
- Authorized uses, which is a cross-reference to the new use matrix in the UDC (See uses discussion section below)
- District dimensional standards, including minimum lot area, width, and **REVISED 04/25/24** including depth,

maximum height, and required setbacks

- Development standards:
 - Building and site design
 - Landscaping and screening
 - Applicability of landscaping, which references other sections of the UDC
 - Property buffers, as applicable
- Parking requirements, which references other requirements of the Zoning Ordinance (parking updates are not part of this study)
- Signs, which references other requirements of the Zoning Ordinance (sign updates are not part of this study)
- Development approvals:
 - Site plan review, which is required when certain actions are taken
 - Variances, with limitations, to be granted by the Parish Council

Purpose Statements

The purpose statements of the proposed districts are as follows:

Industrial Mixed-Use (I-MU)

• The I-MU district is intended to accommodate those areas that have originally developed as industrial areas, but are transitioning from an exclusively industrial orientation to a broader mix of light industrial, artisan industrial, commercial, and even moderate density residential uses. As such, the broader mix of allowed uses in the I-MU district encourages and accommodates the adaptive reuse of existing structures.

Light Industrial (I-L)

• The I-L district is intended to accommodate a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses, as well as, limited commercial, recreational, and agricultural uses. Light industrial processes are conducted within enclosed buildings, may include some limited outdoor storage, and do not create nuisances, hazards, or other outside impacts.

Heavy Industrial (I-H)

• The I-H district is intended to accommodate general manufacturing, fabricating, processing, distributing, and warehousing uses, including those uses that may be hazardous or noxious. Such uses typically have significant external impacts and may include large areas of outdoor storage or operation. Therefore, screening and buffering requirements ensure adequate separation and mitigation of potential impacts on surrounding areas.

Landfill Industrial (I-LF)

• The I-LF is a specialized zoning district for industrial activities that involve waste collection, handling, ~~and~~ disposal, **and resource recovery** facilities. The I-LF District is intended to allow for the normal operation of state permitted landfills, ~~and~~ other waste handling, recycling, and disposal establishments, **and renewable or sustainable energy facilities, arrays, and systems.**

Hazardous Materials Overlay (HM-O)

• The Hazardous Materials Overlay District (HM-O) is intended to protect the public health, safety, and environment by controlling uses that store hazardous materials in bulk. The HM-O District provides additional standards and safeguards regarding the storage of hazardous materials to protect public health and safety, and the environment. The district provides opportunities for existing uses to continue to operate and expand with the limited establishment of new bulk storage of hazardous materials within specific parameters.

Dimensional Standards

The dimensional standards include minimum lot areas for development, maximum heights, and minimum setbacks (yards). The proposed dimensional standards for the industrial districts are laid out in table format within each district for easier interpretation. A summary of the existing dimensional standards is provided in Table 4 and proposed dimensional standards are provided in Table 5.

Table 4. Existing Dimensional Standards					
	OW-1	M-1	M-2	M-3	M-4
Lot Standards					
Minimum Lot Area	None specified, general standards apply 5,000 ft ²	None specified, general standards apply 5,000 ft ²	None specified, general standards apply 5,000 ft ²	10,000 ft ² Depth of 100 ft.	30 acres
Minimum Lot Width	None specified, general standards apply (50 ft.)	None specified, general standards apply (50 ft.)	None specified, general standards apply (50 ft.)	None specified, general standards apply (50 ft.)	None
Height					
Maximum Building Height¹	65 ft.	None, except that when a building is in a lot in its respective district adjoins or abuts a lot within a residential district, such building shall not exceed the maximum height permitted in the		No limit on height	Height limits shall be in accordance with all

Table 4. Existing Dimensional Standards					
	OW-1	M-1	M-2	M-3	M-4
		adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.			applicable federal and state regulations.
Setbacks					
Minimum Front Yard	None, unless facing a residential district ³	None, unless facing residential district ³	None, unless facing residential district ³	None specified	200'
Minimum Corner Side Yard	None, unless abutting residential district 10 ft.	None, unless abutting residential district 10 ft.	None, unless abutting residential district 10 ft.		200'
Minimum Interior Side & Rear Yard	None, unless abutting residential district 5 ft. side, 15 ft. rear	None, unless abutting residential district 5 ft. side, 15 ft. rear	None, unless abutting residential district 5 ft. side, 15 ft. rear		200', unless abutting residential district, then 500'

¹ Any structures integral to the operation of a use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and other similar items that exceed the maximum height allowed in the district are permitted. Any such structures that are freestanding must be set back from all lot lines a distance equal to the height of the structure.

² Non-residential dimensional standards

³ In which case the front yard regulations of the residential district shall apply.

Lot Area

Currently:

- No minimum lot area is specified in the OW-1, M-1 and M-2, thus the general minimum lot area requirements in Sec. 33-6.6.1 apply in these districts. Per Sec. 33-6.6.1 (b), Lots shall comply with the minimum dimensions established in this Code. Where no minimum dimensions are established, all lots or development sites shall have a minimum width at the front line of fifty (50) feet and shall not be less than five thousand (5,000) square feet in area.
- The minimum lot area in the M-3 is 10,000 square feet.
- The minimum lot area in the M-4 is 30 acres.

The proposed minimum lot area requirements are consistent with other communities reviewed and with existing regulations. Per Table 5 below, no minimum lot area is proposed for the **I-MU**. Thus, the minimum lot area requirements provided in Sec. 33-6.6.1. will not apply. Several of the communities reviewed do not require a minimum lot area. The **I-MU** is proposed to function as a transition district and may support smaller lots and more dense development. Camiros is proposing a minimum lot area of 5,000 square feet for both the **I-L** and **I-H**, which currently applies in the M-1 and M-2 zoning districts. Camiros is proposing to retain the 30-acre minimum lot area in the **I-LF**.

Height

Currently in Jefferson Parish,

- the OW-1 zoning district has a maximum building height of 65 feet.
- In the M-1 and M-2 districts there are no limits on height, except when a building in an [M-1, M-2] district adjoins or abuts upon a residential district, such building shall not exceed the maximum height permitted in the residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.
- In the M-3 there is no building height; and
- In the M-4 the height limits shall be in accordance with all applicable federal and state regulations.

The proposed height regulations retain, with slight modifications, the provisions applied in the M-1 and M-2 to all new industrial districts, except the I-LF. Camiros has proposed no building maximum in the **I-LF**, but retained the clause that states “all uses must comply with any setbacks, buffering, height, and security requirements mandated by federal and/or state law; in the event any of conflict with local, state, or federal regulations, the more restrictive control governs.”

Setbacks

Currently in the OW-1, M-1, and M-2 zoning districts, no minimum front, side, or rear yard setbacks are required, unless abutting or facing a residential district (see Table 5). No setbacks are required in the M-3 zoning district (Sec. 40-604). Per Sec. 40-614, the M-4 zoning district setback regulations are as follows:

- All uses must comply with any perimeter setbacks, buffering and security requirements mandated by federal and/or state law.
- Required setbacks between M-4 uses shall be in accordance with federal and state regulations.
- There shall be a minimum 200 ft. setback between M-4 uses and other nonresidential zoning districts or public streets and a 500 ft. setback between M-4 uses and any residential zoning district.
- Private service roads may be located within the required setback area provided they are not used for any waste hauling of any kind or used by any vehicles to discharge waste. The setbacks may also include any drainage or private driveways necessary to access a permitted use.

The proposed minimum setbacks for I-MU and I-L are 10 ft. front, side, and rear setbacks and retaining additional setback when abutting a residential district (20 ft.). These proposed setbacks are consistent with other communities. Adding a larger setback in the **I-H** (25 ft. front, rear, and side setback) with 50 ft. setback when abutting residential is appropriate given the intensity of the permitted uses allowed in the zoning district and the size of most of the sites where the **I-H** is proposed to be mapped (Average lot size is over 4 acres; see Z-17-23 for more information).

As proposed in the **I-H**, the Parish Council may grant variances to the dimensional standards, including setbacks. These provisions provide necessary flexibility for smaller sites.

No changes should be made or have been proposed to the **I-LF** (previously M-4) setback requirements. Camiros is proposing to retain the current setback requirements of 200 feet except 500 feet when abutting a residential zoning district.

Table 5: Proposed Dimensional Standards				
	I-MU²	I-L	I-H	I-LF
Lot Standards				
Minimum Lot Area	None	5,000 ft ²	5,000 ft ²	30 acres
Minimum Lot Width	None	None	None	None
Height				
Maximum Building Height ¹	None, except that when a building is in a lot in its respective district adjoins or abuts a lot within a residential district, such building shall not exceed the maximum height permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.			None
Setbacks				
Minimum Front Yard	10'	10'	25'	200'
Minimum Corner Side Yard	10'	10'	25'	200'
Minimum Interior Side & Rear Yard	10', unless abutting residential district, then 20'	10', unless abutting residential district, then 20'	25', unless abutting residential district, then 50'	200', unless abutting residential district, then 500'

¹ Any structures integral to the operation of a use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and other similar items that exceed the maximum height allowed in the district are permitted. Any such structures that are freestanding must be set back from all lot lines a distance equal to the height of the structure.

² Non-residential dimensional standards

Because the **I-MU** district permits certain residential uses, the **I-MU** has a separate dimensional table for residential uses (shown below).

Residential Dimensional Standards: Townhouses and Multi-Family Dwellings: I-MU Industrial Mixed-use Zoning District		
Lot Standards	Townhouse	Multi-Family
Minimum Lot Area Per Family	1,350sf	800sf
Minimum Lot Depth	75'	None
Minimum Lot Width	18'	None
Height		
Maximum Building Height ¹	None, except that when a building is on a lot in the I-MU District that adjoins or abuts another lot within a residential district such building shall not exceed the maximum height permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.	

Residential Dimensional Standards: Townhouses and Multi-Family Dwellings: I-MU Industrial Mixed-use Zoning District		
Number of Units	Townhouse	Multi-Family
Minimum Number of Units	5	30
Setbacks	Townhouse	Multi-Family
Minimum Front Yard Setback	10'	10'
Minimum Corner Side Yard Setback	10'	10'
Minimum Interior Side Yard Setback	None	10'
Minimum Rear Yard Setback	10'	10'

Building and Site Design (I-MU)

The proposed **I-MU** district also contains specific development standards in order to promote design practices that support a variety of uses and character of the zoning district. These standards include:

- Building Design. Sec. 33-6.8. Building design shall apply.
- Site Design. Sec. 33-6.9. Site design shall apply. For business park or campus developments over two (2) acres in size in the **I-MU** District, the following design elements are required:
 - Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, plazas, and open space, etc.). All internal sidewalks must have a hard surface constructed of concrete, asphalt, or other similar material and at least five (5) feet in width and up to Engineering standards.
 - Remaining open space within the site must be sixty (60) percent covered in a combination of the following: grass and groundcover; shrubs and trees; usable outdoor hardscape features, such as courtyards, seating areas, patios, and water features.

Buffering and Landscape Standards

Buffering of industrially zoned property from adjacent uses is critical to achieving compatibility. Buffering can be accomplished through various types of development regulations, including minimum distance requirements for structures or uses, setback provisions, and landscape property buffer standards.

Division 3. Greenspace, Sec. 33-6.25. Landscaping, Buffering, and Screening of the UDC contains landscape requirements. As proposed, the general landscaping provisions of Sec. 33-6.25, Landscaping, buffering, and screening. shall apply in certain circumstances.

This characterization dictates the type and number of trees/shrubs for streetscape landscaping and the property buffer requirements for commercial or mixed-use uses or zoning districts.

The type of required landscaping may require streetscape, property buffers (continuous strips of landscape area alongside or rear lot lines and intended to provide separation and screening of adjacent land uses where appropriate), parking lot (perimeter and/or

interior), screening, and signs (Figure 4) .

For example, the **I-MU** district requires landscaping if *Site Plan Review* thresholds are met. For the **I-MU** district, landscaping includes streetscape, property buffers, parking lots, screening, and sign landscaping. Whereas, the **I-L** district requires landscaping only when abutting or located across the street from any zoning district other than the **I-L**, **I-H**, and **I-LF** districts.

The proposed landscaping requirements include existing landscaping regulations, except for buffers tied to the **I-H** and **HM-O** overlay districts. Landscape property buffer standards for certain land uses and zoning districts are contained within Section 33-6.25.5 (c) of the UDC. These standards only apply when a use allowed within the district requires and references them or if a district is listed within that section. Some industrial uses and properties overlaid with the Commercial Parkway Overlay Zone (CPZ) are currently required to comply with standards provided in the section.

The proposed property buffers for the **I-H** district is required when the **I-H** district abuts any district other than an **I-L**, **I-H**, or **I-LF** district. Property buffers are required for new development and for expansions as described in Section 33-6.25.2.

The property buffer must be a minimum width of either twenty-five feet (25) or fifty (50) feet, measured perpendicularly from the rear or side lot line. The property buffer shall be divided into Zone A and Zone B (Figure 3).

- Zone A and Zone B shall apply when abutting a residential district.
- Zone A shall apply when abutting any other district, except the **I-L**, **I-H** or **I-LF** districts.
- Zone A comprises the first twenty-five (25) feet of the property buffer, measured perpendicularly from the rear or side lot line. Requirements for plantings within Zone A are as follows:
 - One (1) Class A tree must be planted every twenty-five (25) linear feet. Trees may be spaced at various intervals, but the total number of trees planted must be no less than one (1) per twenty-five (25) linear feet of property buffer length.
 - One (1) shrub must be planted for every three (3) linear feet of landscape area, spaced linearly. Shrubs may be spaced at various intervals, but the total number of shrubs planted must be no less than one (1) per three (3) linear feet of buffer yard length.
 - The remainder of the yard must be planted in live groundcover, perennials, grass, or additional trees or shrubs.
 - A solid fence or wall, constructed of wood, brick, masonry, chain link fence with vegetative screening, or stone a minimum of six (6) feet in height to a maximum of ten (10) feet shall be erected along the applicable lot line for one hundred (100) percent of the property buffer length, with the exception of required ingress/egress points. A berm is permitted; if constructed on a berm, the height of the berm is included in the calculation of fence height.
- Zone B comprises the remainder of the required property buffer outside of Zone A. Requirements for plantings within Zone B are as follows:

- Four (4) Class A trees is required per two-thousand five-hundred (2,500) square feet of property buffer area within Zone B.
- The remainder of the yard must be planted in live groundcover, shrubs, or additional trees.
- Trees shall be planted in a cluster pattern.

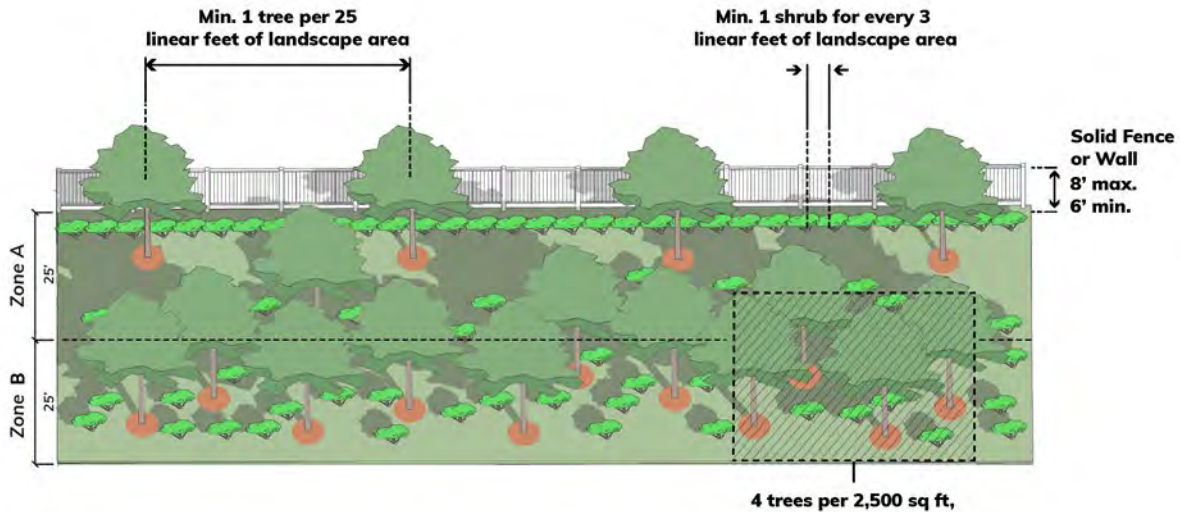


Figure 3. Proposed Landscape Buffering Requirements for I-H District

The proposed **HM-O** district requires landscaping tied to the base district and specific landscaping tied to the bulk storage of hazardous materials. The landscape buffer is required for the expansion of any existing hazardous materials bulk storage facilities or any new hazardous materials bulk storage facilities. Because there are additional standards tied to the bulk storage of hazardous materials and the **HM-O** district, additional analysis is provided later in the report.

Signs, Parking, other General Requirements

The current sign regulations for the General Commercial District (C-2) apply to the current industrial districts (OW-1, M-1, M-2, M-3, and M-4) (Sec. 40-525. Sign regulations).

In summary, the following sign regulations apply in the industrial zoning districts:

- *Number.* Either one (1) detached sign or one (1) roof sign shall be permitted on a development site, but not both. Corner lots may have 1 additional sign provided additional criteria are met.
- *Detached Sign Area.* The maximum detached sign area shall be calculated at a ratio of 3.5 square feet per linear foot of property frontage or 450 square feet, whichever is less. The sign area for any additional detached signs allowed shall be calculated in the same manner as the first sign.
- *Attached Sign Area.* The maximum attached sign area shall be calculated at a ratio of 3.5 square feet per linear foot of an establishment's primary building frontage or 20% of the primary building frontage elevation area, whichever is less. Signs on windows and awnings shall be included in the total sign area.
- *Signs with supplemental criteria.* There are additional standards for freestanding,

marquee, roof, flat, EVM, and off-premise signs.

Industrial zoned properties overlaid with the Commercial Parkway Overlay (CPZ) shall be subject to the sign regulations in Sec. 40-477. The current sign regulations are being evaluated under a separate comprehensive sign study. Therefore, no changes are proposed to sign regulations specific to the industrial zoning districts.

The current parking regulations (Sec. 40-546. Off-street parking and clear vision area requirements.) apply to the current industrial districts. These regulations are also being evaluated under a separate study, and therefore no changes are proposed to parking regulations specific to the industrial zoning districts.

Development Approval

Site plans are intended to provide detailed information about the location, design, and configuration of proposed buildings, parking, access ways, landscaping, yards, and other features of site development. This information is needed to demonstrate compliance with applicable requirements for the location and type of development and is vital to ensure the continued health, safety, and welfare of the general public.

The proposed industrial regulations contain clear language for when *site plan review* is required in each industrial district, summarized in Figure 4.

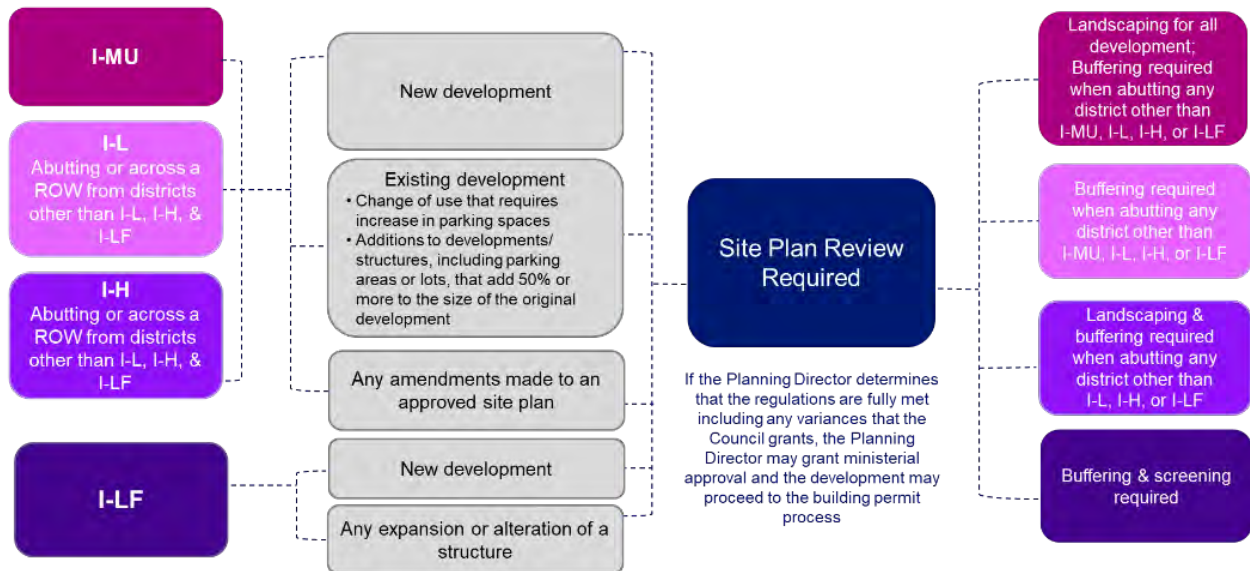


Figure 4. Thresholds for site plan review.

Site plan review is not required in the **I-MU**, **I-L**, and **I-H** districts for the following:

- Interior renovations;
- Any routine exterior maintenance as determined by the Planning Director, including excavation, filling, or grading;
- Change of use that does not increase required parking; or
- Sign permits for signs meeting all requirements of, except detached signs in the **I-MU**

district and monument or freestanding directional signs in the **I-L** and **I-H** districts, which are subject to site plan review.

Variances

Chapter 40 defines *variance* as a *dispensation, waiver, or authorization granted, in accordance with this chapter, to use or build on property in a way prohibited or otherwise not allowed by strict application of this chapter.*⁵ The proposed industrial district regulations include clear language regarding variances, as to which district standards cannot apply for a variance and criteria for Council consideration. These include:

The Parish Council may grant variances to the **I-MU**, **I-L**, **I-H**, **I-LF**, **HM-O** dimensional, development, signs, and parking regulations provided the following criteria are met:

- The proposal complies with the requirements to the maximum extent possible taking into account space limitations of existing structures.
- The proposal does not adversely affect the harmony or compatibility of surrounding land uses.
- That special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures, or buildings in the same zone.
- The granting of the variance will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.
- If the applicant complies strictly with the provisions of this UDC, then the applicant will be unable to make reasonable use of the affected property.
- The requested variance will not conflict with the purposes of this district, UDC, or the comprehensive plan.

The Parish Council shall not grant a variance in the **I-MU** and **I-L** districts:

- For more than fifty (50) percent of the required minimum property buffer.

The Parish Council shall not grant a variance in the **I-H** district for:

- More than fifty (50) percent of the required minimum property buffer.

In the **I-LF** district, variances to the minimum setback requirements shall not be granted, except upon a finding by the Parish Council that granting the variance will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the area in which the property or improvements in the area in which the property for which the variance is sought is located.

In the **HM-O** district, the Parish Council shall not grant variances to the following standards within the **HM-O** district regulations:

- Specific use standards (Sec. 33-3.45.4)
- Separation requirement (Sec. 33-3.45.6)
- Landscape buffer (Sec. 33-3.45.7)

⁵ Jefferson Parish Code of Ordinances. Chapter 40 Zoning. Sec. 40-3. Definitions.

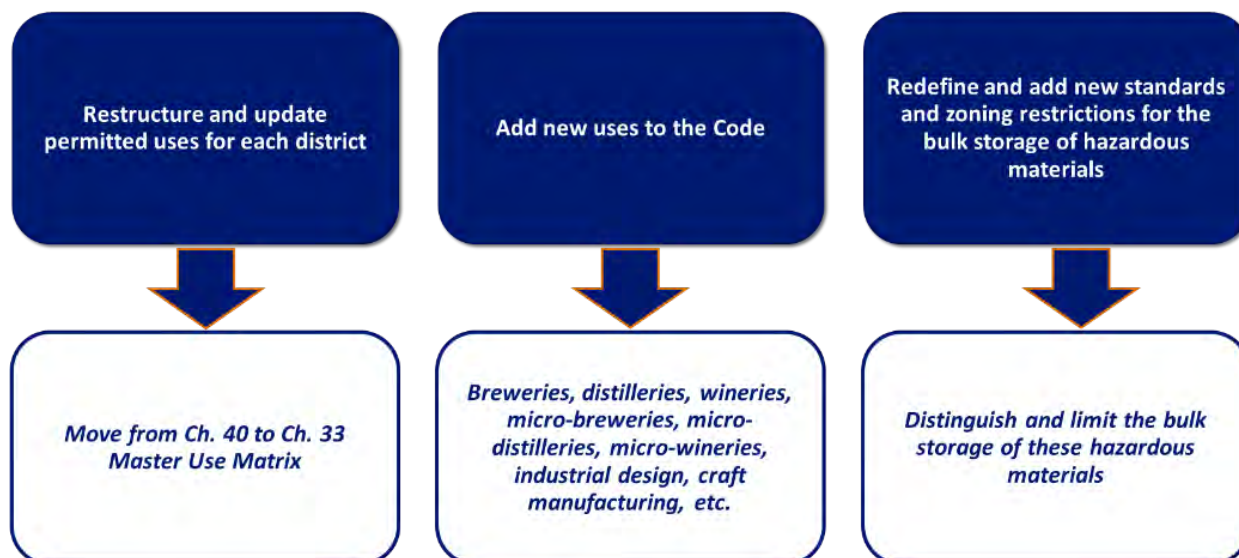


Figure 5. New and Existing Land Uses

Land uses

There are three components to amendments related to land uses: (1) restructuring and updating permitted uses within the industrial zoning districts; (2) adding new uses to the Code; and (3) redefining and adding new standards and zoning restrictions for the bulk storage of hazardous materials (Figure 5).

Restructuring and Updating Land Use Permissions

As the industrial districts are moved from Ch. 40 Zoning into Ch. 33, the Unified Development Code (UDC), the uses allowed within the industrial districts will be part of the UDC's use matrix, which is based upon the Land-Based Classification Standards (LBCS) system. Developed by the American Planning Association in the 1990s and publicly released in 2000, the LBCS addresses multiple aspects of land uses. Uses are defined using up to five dimensions: activities, functions, building types, site development character, and ownership constraints. Codes are associated with each of these dimensions. Also, as part of this system, specific standards for certain uses that have additional impacts are included and are referenced as appropriate.

The following uses are currently located in Ch. 40 as part of the industrial districts, but not located within the UDC. These uses have been added to the UDC and reflect the current zoning permissions and standards:

- Temporary living quarters
- Ammonia and acid manufacturing
- Recycling facilities
- Junk/salvage yard
- Borrow pit
- Off-track wagering facility

With the new industrial zoning districts, the uses allowed in each district have been

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evaluated and updated. Uses are sorted to correspond to the purpose and function of each industrial district (Figure 6). More specifically:

- The proposed **I-MU** district permits a broader mix of uses. This district permits limited residential uses, such as townhomes and multi-family dwellings, a range of commercial uses, and light industrial uses, such as office and warehousing. This district also permits most arts, entertainment, and recreation uses and most education, public administration, healthcare, and other institutional uses. Construction-related businesses are also permitted.
- The **I-L** district permits a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. This district permits hotels and temporary living quarters, as well as limited commercial uses. The **I-L** district permits recreational, construction-related businesses, and agricultural uses.
- The **I-H** district permits general manufacturing, fabricating, processing, distributing, and warehousing uses, including those uses that may be hazardous or noxious. Other permitted uses are strictly limited in order to preserve the **I-H** district as a heavy industrial district.
- The **I-LF** district permits **primarily** waste collection, handling, and disposal facilities in order to allow for the normal operation of State-permitted landfills and other waste handling, recycling, and disposal establishments.⁶

⁶ At the 5/2 PAB General and 5/9 PAB Public Hearing, the Planning Department clarified that that solar panel disposal is considered hazardous waste collection (LBCS Function Code 4341) and would only be allowed as an SPU in the I-LF, with standards and appropriate permits.

Land-Based Classification Standards (LBCS)		I-MU	I-L	I-H	I-LF
1000	Residence or Accommodations 	Limited	Limited	X	X
2000	General Sales or Services 	✓	Limited	Limited	X
3000	Manufacturing & Wholesale Trade 	Limited	✓	✓	X
4000	Transportation, Communication, Information, & Utilities 	✓	✓	Limited	Limited
Land-Based Classification Standards (LBCS)		I-MU	I-L	I-H	I-LF
5000	Arts, Entertainment, & Recreation 	✓	✓	X	X
6000	Education, Public Administration, Healthcare, & Other Institutions 	✓	Limited	X	X
7000	Construction-Related Businesses 	✓	✓	✓	X
8000	Mining & Extraction 	X	X	Limited	X
9000	Agriculture, Forestry, Fishing, & Hunting 	X	✓	✓	Limited

Figure 6. General Land Use Permissions by LBCS Function Code

New uses and Standards

There are a number of uses desired by the Parish but currently are not defined within the Zoning Ordinance (Figure 7). These types of modern industrial-related uses are proposed to be added to the use matrix and permitted within the appropriate districts (Figure 7 and 8):

- Food-related industries (packaging facilities and cold storage and refrigeration facilities) and **food production facilities** (cloud or **commercial kitchens**, local food production like coffee roasters, and **microbreweries**).
- **Industrial design**, defined as the design, marketing, and/or brand development of various products that are researched and developed by integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and products, but does not mass manufacture products from the premises.
- **Craft industrial/manufacturing** where artisan-related crafts and industrial processes that are more intensive uses, such as small-scale metalworking, glassblowing, and

furniture making, are allowed.

- Green industry, which includes renewable energy generation and storage, **alternative energy manufacturing**, including energy efficient product manufacturing, such as solar panels, energy efficient light bulbs, and vehicles, and natural and sustainable product manufacturing.
- **Transportation and logistics hubs**, which includes establishments, or activities comprised of or engaged in one or more of manufacturing, production, product finishing, value-added services, packaging, labeling, assembly, distribution, freight handling, transshipment, wholesaling, warehousing, recycling, repair, marketing, or information technologies.
- **Distribution fulfillment centers**, which include facilities where goods or products are stored on-site temporarily, for the purpose of delivery to a neighborhood retail, fulfillment center or residential or commercial property.

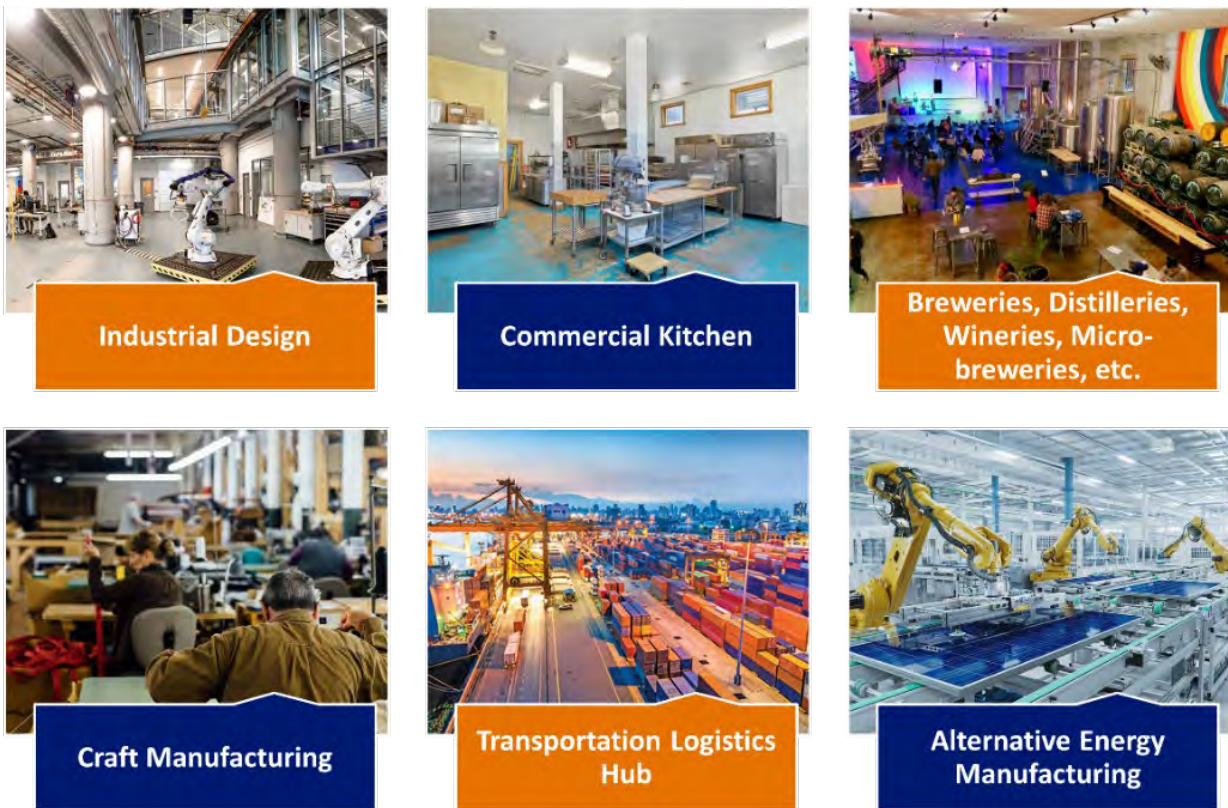


Figure 7. Proposed New Uses

Figure 8: Proposed New Uses and Standards					
LBCS Classification	LBCS Function Code	Description	I-MU	I-L	I-H
Industrial design	2419	The design, marketing, and/or brand development of various products that are researched and developed by integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and	P	P	P

Figure 8: Proposed New Uses and Standards

LBCS Classification	LBCS Function Code	Description	I-MU	I-L	I-H
		products but does not mass manufacture products from the premises.			
food and non-alcoholic beverage	3111	Includes production of food, non-alcoholic beverages, and ice; may include coffee roasting	P	P	P
Commercial kitchen	3112	A certified shared commercial kitchen in which individuals or businesses prepare value-added food products and meals, usually paying an hourly, daily, weekly, or monthly rate to lease a space shared by others.	P	P	P
Food production support services	3113	Establishments that support local food production companies in the assembly of their products, such as packaging/co-packing facilities, cold storage, and refrigeration facilities.	P	P	P
brewery	3121	A facility licensed as a "Manufacturer or brewer" as defined in <u>Title 26, Section 241, of the Louisiana Revised Statutes</u> . The facilities may include an on-site tasting room or rooms as an accessory use with retail sales of only those alcoholic beverages produced at the facility for consumption on or off the premises.	S	S	X
distillery	3122	A facility licensed as a "Manufacturer" as defined in <u>Title 26, Section 2, of the Louisiana Revised Statutes</u> . The facilities may include an on-site tasting room as an accessory use with retail sales of only those alcoholic beverages produced at that facility for consumption on or off the premises.	S	S	X
micro-brewery	3123	A facility licensed as a "Microbrewery" as defined in <u>Title 26, Section 241, of the Louisiana Revised Statutes</u> . The facilities may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises.	S	S	X
micro-distillery	3124	A facility licensed as a "Microdistillery" as defined in <u>Title 26, Section 2, of the Louisiana Revised Statutes</u> . The facility may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises.	S	S	X
micro-winery	3125	A facility licensed as a "micro-winery" in accordance with <u>Title 26, Section 2, of the Louisiana Revised Statutes</u> . The facilities may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises.	S	S	X
winery	3126	A facility licensed as a "Winery" in	S	S	X

Figure 8: Proposed New Uses and Standards

LBCS Classification	LBCS Function Code	Description	I-MU	I-L	I-H
		accordance with <u>Title 26, Section 2, of the Louisiana Revised Statutes</u> . An on-site tasting room with retail sales of only wine produced at that facility for consumption on or off the premises shall be a permitted accessory use.			
Wholesale alcoholic beverage production	3127	A licensed facility for the production and packaging of alcoholic beverages, such as beer, wine, spirits, cider, and mead, for distribution and consumption off-premises.	X	P	P
Alternative energy manufacturing	3380	Establishments that manufacture, install, or repair, equipment used for wind and solar energy	P	P	P
Artisan production	3450	Artisan-related industrial processes that create goods by hand, with or without tools, such as metalworking, glassblowing, woodworking, and pottery.	P	P	P
Light assembly	3460	The assembly of previously Manufactured parts within a fully enclosed structure that does not create noise, smoke, fumes, odors, glare, or health or safety hazards outside the building	P	P	P
Other craft manufacturing	3470	Miscellaneous manufacturing processes engaged in the processing, fabrication, treatment, or packaging of products primarily from previously prepared materials, but does not include basic industrial processing from raw materials.	P	P	P
Distribution and fulfillment center	3621	A facility where goods or products are stored on-site temporarily, for the purpose of delivery to a neighborhood retail, fulfillment center or residential or commercial property. Such facilities may include automated systems, office space, and a pick and pack area to be used by employees for sorting and packaging goods and products for delivery from available, on-site inventory. Distribution and fulfillment center may include Warehousing not defined as Courier and messenger services LBCS Function Code (4160) and Postal services (4170).	P	P	P
Transportation and logistics hub	3622	Establishments, or activities comprised of or engaged in one or more of manufacturing, production, product finishing, value-added services, packaging, labeling, assembly, distribution, freight handling, transshipment, wholesaling, warehousing, recycling, repair, marketing, or information technologies.	X	P	P
Permitted by-right (P), permitted with supplemental use regulations (S), permitted as a special					

Figure 8: Proposed New Uses and Standards					
LBCS Classification	LBCS Function Code	Description	I-MU	I-L	I-H
permitted use (SPU), or prohibited (X)					

According to the American Planning Association, a municipality’s zoning code may be amended to pass a stand-alone prohibition of particular uses it deems undesirable.⁷ “Coke plant” and “grain elevator” are also proposed to be added and defined in Ch. 33 and prohibited within the Parish due to their inherently nuisance and dangerous natures. “Data mining center” is also proposed to be added and permitted only within the I-H district as an **SPU** with standards for mitigating impacts.

A recent Zoning Practice publication identified seven policies around the country that explicitly used bans to address uses deemed incompatible (Table 6).⁸

Table 6. Examples of Policies Banning (or Seeking Bans on) Specific Land Uses		
Jurisdiction	Year	Uses Banned
Baltimore, MD	2018	Crude oil terminals (§32-1-218 & §32-1-304)
Chicago, IL	2014	Coke and coal bulk material uses (§17-9-0117-B)
	2018	Manganese-bearing material operation uses (§17-9-0117-D)
Oakland, CA	2016	Storage and handling of coal and coke (§8.60)
Portland, OR	2019	Fossil fuel terminals (Ordinance 189807)
Seattle, WA	2017	Fossil fuel infrastructure (Resolution 31757)
Whatcom County, WA	2016	Unrefined fossil fuel facilities (Ordinance 2016-039)

Uses with Additional Standards

In Article 5, Supplemental Conditions of the UDC, Division 1. Specific Use Standards., there are standards for certain uses in certain zoning districts. Some new and existing uses within the industrial districts are proposed to have new standards added to this section and referenced within the Use Matrix, as applicable. As mentioned previously, some existing standards have been moved from within the industrial districts in Ch. 40 to Ch. 33, and standards for new uses are proposed.

Proposed new uses and standards include:

- Breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries (LBCS function codes 3121-3126)
 - The establishment shall include a restaurant, bar, and/or tasting room within the same building. The minimum size of the restaurant, bar, and/or tasting room shall be 20% of the total square footage of the use or 1,500 square feet, whichever is less.
 - Facilities may include retail areas for the purchase of beverages manufactured on-site and related items
- Data Mining Center (LBCS function code 4245)
 - All noise, exhaust, heat, or humidity in any form shall be carried on in such a manner that it is not perceptible at or beyond the property line. Any data mining

⁷ American Planning Association. Zoning Practice. Vol. 38, No. 3. Practice Environmental Justice. March 2021.

⁸ Ibid.

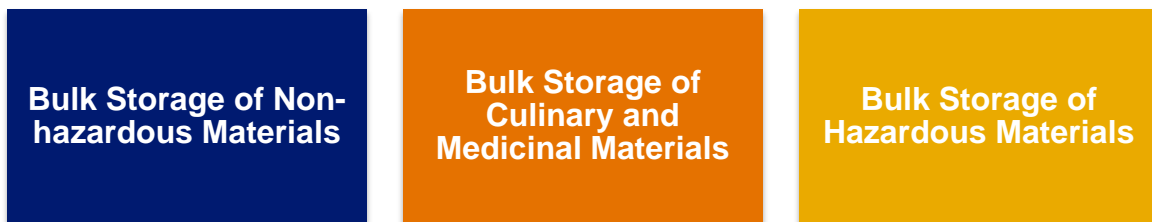
center located within five-hundred (500) feet of a residential district or use is required to submit a noise mitigation plan.

- Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception off the premises where the activity is conducted.
- The use of cargo containers, railroad cars, semi-truck trailers and other similar storage containers for any component of the operation is prohibited.
- Prior to approving the special permitted use, the applicant shall provide written verification from utilities that:
 - Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity is available to serve the other needs of the area.
 - Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the use.
 - The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises.

Bulk Storage

Bulk storage is defined as the *storage of gases, liquids, and/or solids not under active shipping papers, stored or able to be stored (e.g., existing tanks not in use/empty) in the following amounts: gases with a liquid capacity equal to or greater than five thousand (5,000) gallons; liquids or slurries equal to or greater than ten thousand (10,000) gallons or one hundred thousand (100,000) pounds; and solids equal to or greater than one hundred thousand (100,000) pounds. If thresholds for storage in bulk are amended in Chapter 13 of the Parish Code, the standards of Chapter 13 shall control.*

Because there are different types of bulk storage with different impacts and zoning permissions, Staff and Camiros have proposed to break the bulk storage use into three uses:



The proposed *bulk storage of non-hazardous materials* means the storage of non-hazardous materials stored or able to be stored in the quantities mentioned above. Proposed zoning permissions include permitting this use in the **I-MU**, **I-L**, and **I-H** districts.

The proposed *bulk storage of culinary and medicinal materials* means culinary and medicinal materials stored or able to be stored in the quantities mentioned above. **Bulk storage of culinary and medicinal materials** may be considered hazardous materials but are not considered the *Bulk Storage of Hazardous Materials*. Bulk storage of food

grade and edible products include, but are not limited to:

- Edible cooking oils including, but not limited to, palm kernel oil, sunflower seed oil, coconut oil, vegetable callow, and peanut oil, cake, and meal;
- Corn oils and corn by products including, but not limited to, corn starch, corn syrup, glucose, high fructose syrup, corn oil, edible starches, and wheat gluten;
- Shortening, table oils, margarine, and other edible fats and oils;
- Animal oils, including fish oil and other marine animal oils, and fish and animal meal;
- Raw sugar, syrups, or finished (granulated or clarified) cane sugar from sugarcane;
- Materials for candy and other confectionery products, including chocolate candy, other confections, and related products;
- Food flavoring extracts, syrups, powders;
- Prepared foods and miscellaneous food specialties including, but not limited to, baking powder, yeast, peanut butter, tea, spices, vinegar, and dry preparations, such as pasta, rice, potatoes, textured vegetable protein, and similar products, to be prepared and cooked by the consumer;
- Flour or meal from grain (does not include grain elevators (LBCS function code 9111));
- Dairy products, such as milk, cheese, yogurt, and ice cream and frozen desserts; or
- Malt beverages, wines, brandy and brandy spirits, alcoholic liquors, including for blending processes or mixing, soft drinks and carbonated waters, and fruit and vegetable juice (does not include the LBCS Classification Uses breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries).
- Animal, vegetable, and/or plant oils and fats that are not ready for human consumption, including those in a crude, unrefined or unprocessed state.
- Bulk storage of organic and inorganic medicinal chemicals and their derivatives, and botanical drugs and herbs, such as agar-agar, basic vitamins, and isolating active medicinal principals such as alkaloids from botanical drugs and herbs.

Proposed zoning permissions for the bulk storage of culinary and medicinal materials include permitting this use as a special permitted use (**SPU**) in the **I-H** district.

The proposed **bulk storage of hazardous materials** is hazardous materials, as defined in Chapter 13 of the Parish Code, not under active shipping papers, stored or able to be stored (e.g., existing tanks for hazardous materials not in use/empty) in the following cumulative amounts. If thresholds for storage in bulk are amended in Chapter 13 of the Parish Code, the standards of Chapter 13 shall control.

- Gases with a liquid capacity equal to or greater than 5,000 gallons
- Liquids or slurries equal to or greater than 10,000 gallons or 100,000 pounds
- Solids equal to or greater than 100,000 pounds

Bulk Storage of Hazardous Materials includes both:

- Terminals where hazardous materials are received from a pipeline, marine vessels, tank railcars, tank vehicles, or other means; are stored in aboveground tanks; and are shipped out by any of the same means by which they are received or shipped out by tank vehicle directly to the end user.
- Warehouses or yards that store hazardous materials in drums, tote tanks, boxes or

other containers containing gases, liquids, solids, or slurries, where the cumulative total of materials stored exceeds the above amounts.

This definition also includes some specific exceptions in order to accommodate bulk storage that is not within the parameters of the overlay’s intended control. These include:

- Retail outlets that store hazardous materials in that meet or exceed the established thresholds.
- Select uses or use categories within the use matrix that store hazardous materials in quantities that meet or exceed these thresholds established but where such materials are accessory to and essential to operation of the principal use. For example, these exceptions include micro-breweries, dry cleaners, utilities, and craft manufacturing (Table 7).

Table 7. Use Categories that are not considered Bulk Storage of Hazardous Materials when storage is accessory and essential to primary operations
Automobile Sales or Service
Business, Professional, Scientific, and Technical
Dry Cleaning and Laundry
Food and Non-Alcoholic Beverage Production
Breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries
Craft manufacturing and Assembly
Distribution and Fulfillment Center
Transportation, Communication, Information, and Utilities
Utilities and Utility Services
Amusement, Sports, or Recreation Uses
Other Government Functions
Public Safety
Health and Human Services
Construction-Related Businesses
Heavy Construction
Mining and Extraction
Agriculture, Forestry, Fishing, and Hunting

The proposed zoning permissions for the **Bulk Storage of Hazardous Materials** (LBCS Function Code 3633) is limited to a special permitted use (SPU) only in the HM-O District. The zoning permissions for the bulk storage of hazardous materials for the AIM district will be addressed in TXT-4-23.

Bulk Storage of Hazardous Materials and the HM-O District

Additional standards

A key part of the use-oriented **HM-O** district is to provide additional standards and safeguards regarding the bulk storage of hazardous materials to protect public health and safety, and the environment.

According to a recent Zoning Practice publication, some municipalities use targeted interventions, such as buffer zones, or additional environmental review processes to

address existing land uses that may negatively impact the surrounding community. For example, in 2008, San Francisco, CA passed a review requirement for new proposed power plants in specific manufacturing zones to obtain conditional authorization from the zoning board and thus undergo a more extensive review of potential impacts to nearby residents (Ordinance 282-08).⁹

Because of the impacts associated with the bulk storage of hazardous materials, there are currently specific use standards in the zoning ordinance:

- All requirements of Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, are complied with.
- The site has a minimum of one hundred thousand (100,000) square feet and the total floor area of all structures used for bulk storage of hazardous materials does not exceed fifty (50) percent of the total site area.
- At a minimum, bulk storage tanks must be located three (3) times the minimum distance required by NFPA 30 distance in feet from all property lines.
- There is ready access for fire and emergency equipment.
- In the event the use for which a special use permit is being sought pursuant hereto requires any air emission or water discharge permit from any state or federal agency, the application therefor, together with proof of submission, and the issued permit, if available shall be made a part of the application for the special use permit.
- The proposed use complies with the standards of the National Fire Protection Association Code, as adopted by the Jefferson Parish Council, and applicable standards of the National Association of Corrosion Engineers (NACE), the American Petroleum Institute (API), the American Society of Testing and Materials (ASTM), and requirements found in the Clean Water Act, the Clean Air Act, and Resource Conservation and Recovery Act.
- Any proposed changes in use, including any changes in the use of the products or products themselves which may affect emission data previously submitted, shall be submitted to the Parish Council for approval in accordance with this section.
- Adequate safeguards are provided to limit obnoxious or offensive emissions of smoke, gas, gases, vibration, light, noise, glare, dust, and odors or other noxious or offensive fumes or spilled liquids.
- In the event any of the above criteria, standards, or regulations are in conflict with each other or with local, state or federal regulations, the more restrictive shall govern.
- Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.
- Any proposed changes in use or processing, including any changes in the use of the products or products themselves which may affect emission data previously submitted, shall be submitted to the council for approval in accordance with this section.¹⁰

The proposed **HM-O** district has additional standards for the bulk storage of hazardous materials located within the overlay district regulations. These are:

⁹ Ibid.

¹⁰ Jefferson Parish Code of Ordinances Chapter 40 Zoning. Sec. 40-582 (g).

- An odor control plan is required, to be submitted to and approved by the Department of Environmental Affairs.
- Where bulk storage of hazardous material includes or primarily conducts storage of hazardous materials in drums, tote tanks, boxes, or other intermediate bulk containers (IBC), the general location of such storage areas must be shown on the site plan and/or special permit use. If locations are changed, an amendment to the site plan and/or special permit use is required.
- A 24-hour manned hotline number (state required emergency contact) for the public to contact is required and must be clearly posted on the site in multiple locations that are clearly visible to the public.
- Emission reporting requirements for any facility designated as a Title V major source as of [INSERT THE EFFECTIVE DATE OF THIS ORDINANCE] of this ordinance, [INSERT THIS ORDINANCE NO.], or any new facility designated as a Title V major source that involves bulk storage of hazardous materials and requires the installation of a continuous emission monitoring system (CEMS) by either federal or state law, rule, regulation, or by the Facility's permit.
- Existing bulk storage tanks may be replaced for maintenance, safety reasons, or where new technologies contribute to safer and/or more efficient storage.

HM-O Hazardous Material Overlay District

According to the American Planning Association, “proactive planning tools can help communities guide future growth, institute new standards, target investments, or attract beneficial developments. Examples of these tools include comprehensive plan, overlay or special use zones...”¹¹ Examples of proactive planning policies are listed in the table below (Table 8).

Jurisdiction	Year	Proactive Planning Policy
Austin, TX	1997	East Austin Overlay District (§25-2-169 & §25-2-645)
Commerce, CA	2015	Green Zones Working Group Action Plan; Phase I Implementation Plan (2018)
Eugene, OR	2013	Envision Eugene Comprehensive Plan (Policy 3.24)
Fulton County, GA	2016	2035 Comprehensive Plan (Environmental Justice Chapter)
Los Angeles, CA	2016	Building Standards (Ordinance 184245)
	2016	Clean Up, Green Up Ordinance (Ordinance 184246)
Los Angeles County, CA	2015	Green Zones Program
Minneapolis, MN	2017	Green Zones Resolution (Resolution 2017R-188)
National City, CA	2012	General Plan (Health and EJ Element)
San Francisco, CA	2002	Electricity Resource Plan
Seattle, WA	2005	Public Utilities Environmental Justice and Service Equity Division
Washington, DC	2011	Comprehensive Plan (Municipal Regulations §10-A625)

As mentioned previously, buffering of industrial districts from adjacent uses is critical to achieving compatibility. A local example of industrial buffering can be found within St. Charles Parish’s zoning ordinance. St. Charles Parish requires the following special provisions in their M-2 Heavy Manufacturing District:

¹¹ American Planning Association. Zoning Practice. Vol. 38, No. 3. Practice Environmental Justice. March 2021.

- Must maintain a buffer zone to insure the protection and well-being of neighboring areas.
- Major operations must be located two thousand (2,000) feet from the nearest R (Residential districts), CR-1 (Residential-Commercial Transition District) or C-2 District (General Commercial District- Retail sales) or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments. Accessory uses of lesser intensity may be developed in this buffer area. Examples include office buildings, parking facilities, substations, and storage areas (including open storage of solid fuels for energy generating facilities) as well as uses identified in the M-1 District and subject to any required restrictions established in that M-1 District.
- New construction within the confines of existing industrial developments shall provide adequate buffer areas near R and C Districts in accordance with industry standards, national fire code regulations, and those standards established in the M-1 District (Light Industrial) under "Other Industrial Uses."

St. Charles Parish also requires a one-mile buffer distance between the M-3 district (Heavy Manufacturing) and residential and commercial zones. This zoning district only permits grain elevators and associated milling operations including uses related to the principal use.¹²

In general, the **purpose of HM-O District and approach is** to address environmental and safety concerns inherent in the bulk storage of hazardous materials, balance the needs of industrial facilities and the larger community, create clear rules for existing facilities, and allow limited expansion.

The district provides opportunities for existing uses to continue to operate and expand, with the limited establishment of new bulk storage of hazardous materials facilities within specific parameters.

The district is proposed to be mapped on the **existing special permitted use footprint for facilities involved in the bulk storage of hazardous material** as defined in this staff report (Figure 9). Future map amendments may be considered, provided additional criteria are met. Standards of the base **I-H** District apply, unless modified by the **HM-O** District.

¹² St. Charles Parish Zoning Ordinance. Section VI. - Zoning district criteria and regulations.

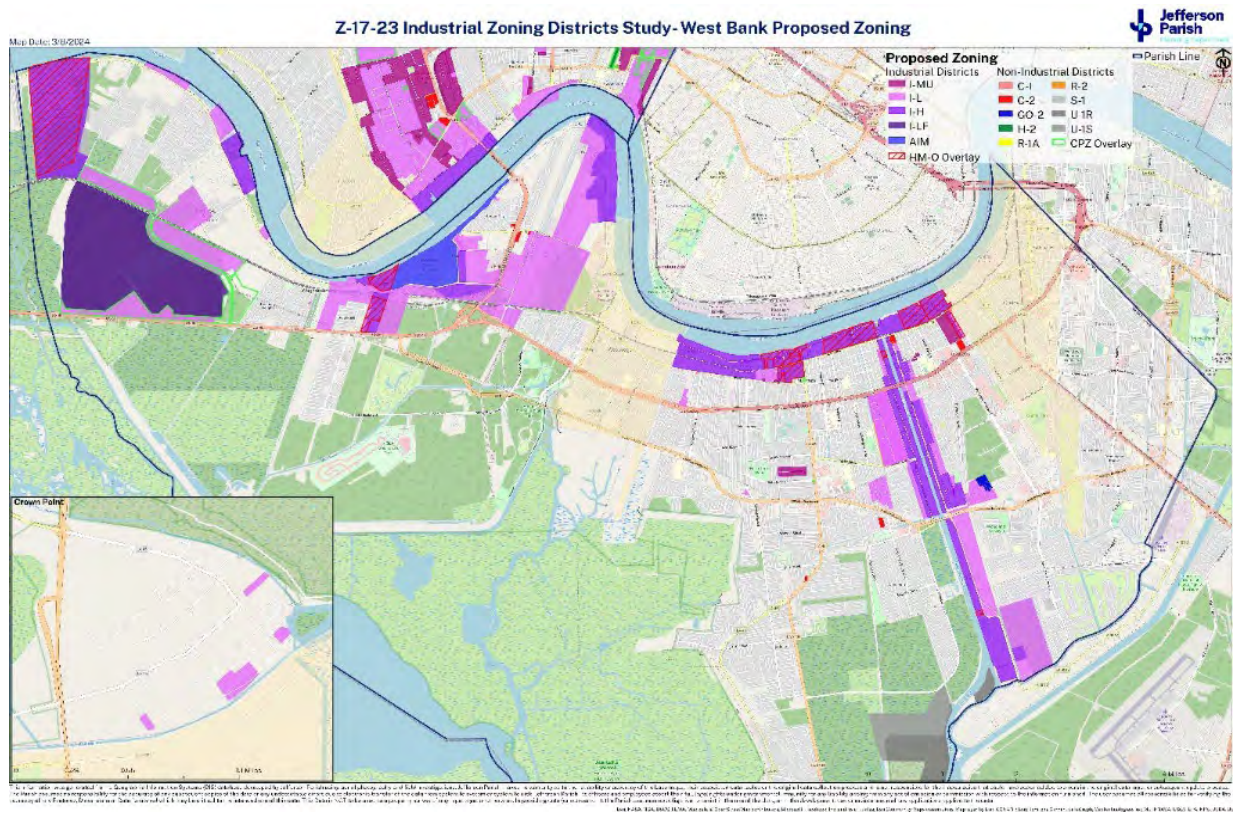


Figure 9. Proposed HM-O District (Z-17-23)

A key difference between the first draft regulations pertaining to the **HM-O** district and those drafted during Phase 2.5 is that Phase 2.5 includes a **map amendment process**, which would allow for the establishment of new bulk storage of hazardous material facilities or the expansion of existing facilities. The map amendment process includes the following:

- The **HM-O** District may only be applied over the **I-H** District.
- Mailed notice for the proposed amendment is increased from 300 feet to 1,000 feet.
- A neighborhood meeting, to occur after the application submittal but before
- review by the Planning Advisory Board meeting
A general evaluation of environmental impacts is required.
- The map amendment and the SPU may be applied for concurrently.

Key regulations of this district are:

- It is an overlay district; therefore, the standards of the base district apply unless modified by the overlay district.
- This is the only industrial district specified in this report that permits the use “Bulk Storage of Hazardous Materials.” This use is specifically defined and has specific use standards with which it must comply.
- The Parish Council may grant variances to the **HM-O** district dimensional, development, signs, and parking regulations provided certain criteria are met. This is consistent with the other proposed industrial districts.

- The Parish Council shall not grant a variance for the following standards within the **HM-O** district:
 - Specific use standards
 - Separation requirement
 - Landscape buffer

Additional standards for new facilities and the expansion of existing facilities:

- For new facilities and the expansion of existing facilities, a separation requirement of 1,500 ft. from districts other than the **I-L, or I-H, or I-LF** District for storage tanks, **containing hazardous materials**. This is measured from the adjoining lot line.
- A landscape buffer is required to create a physical separation between hazardous material and the surrounding area. The landscape buffer is required for the expansion of any existing hazardous materials bulk storage facilities or any new hazardous materials bulk storage facilities. The buffer is measured perpendicularly from any lot line that shared with another lot that is not part of the development site.

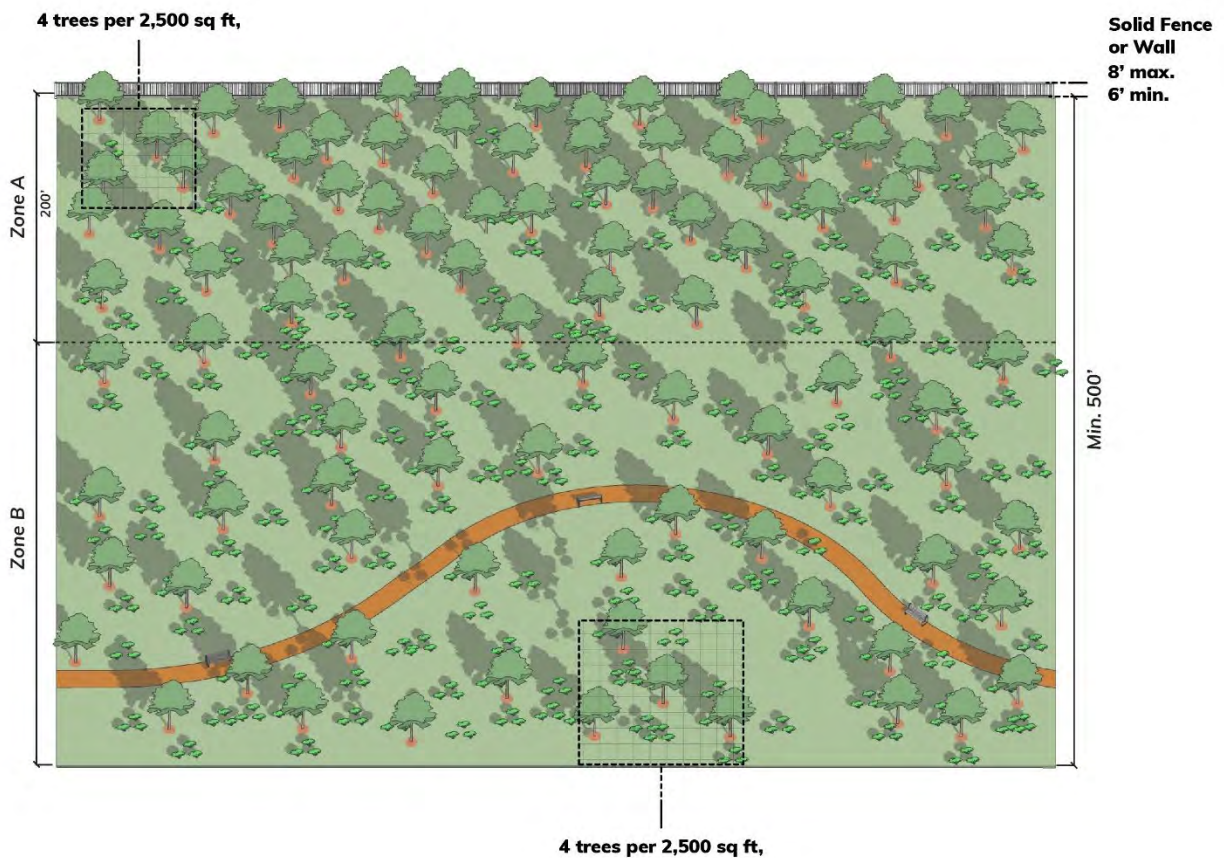


Figure 10. HM-O District Property Buffer.

- New emission reporting and public information website required for certain facilities.

These additional standards (1,500 ft separation distance and landscape buffer) should apply to any new facility approved as a new SPU, as of the effective date of this ordinance,

or any expansion of an existing special permitted use boundary as of this effective date, when abutting or adjoining a lot zoned a district other than I-L, I-H, or I-LF (see graphics below).

When a special permitted use is expanded, the required separation distance requirements and landscape buffer shall apply on an incremental basis, which means that the separation requirement and buffer shall only be applied to the expansion. ~~When a SPU is expanded, the required landscape buffer shall apply on an incremental basis, which means that a landscaping and buffering requirement shall applied to the expansion, or in the case where a requirement is calculated as a percentage of the overall site, is applied in the same proportion that the expanded site or lot area has to the existing development.~~

Figure 33-3.70.7-2. Existing facility with an SPU in the HM-O District; No expansion.

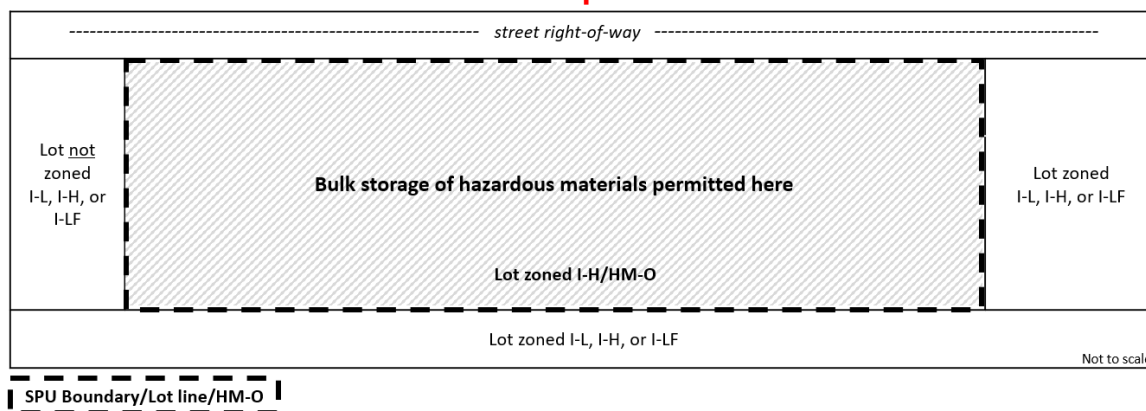


Figure 33-3.70.7-3. New facility, approved as an SPU in the HM-O District.

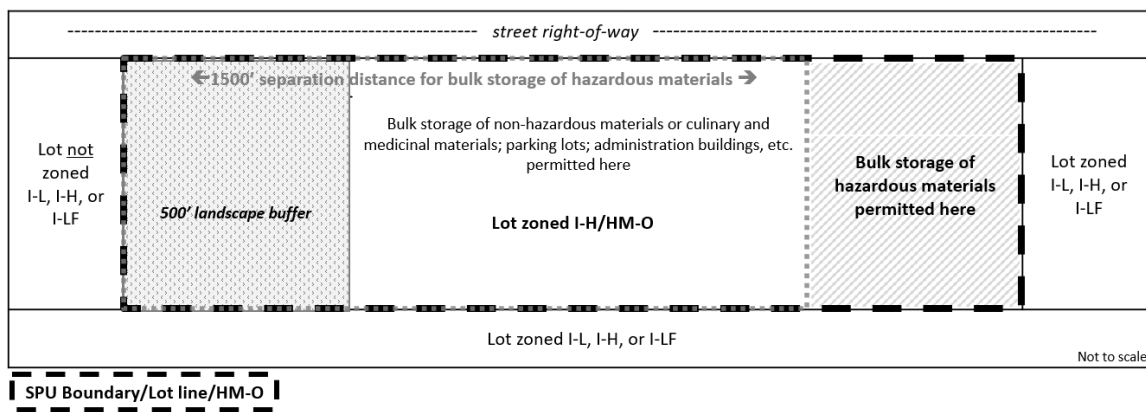
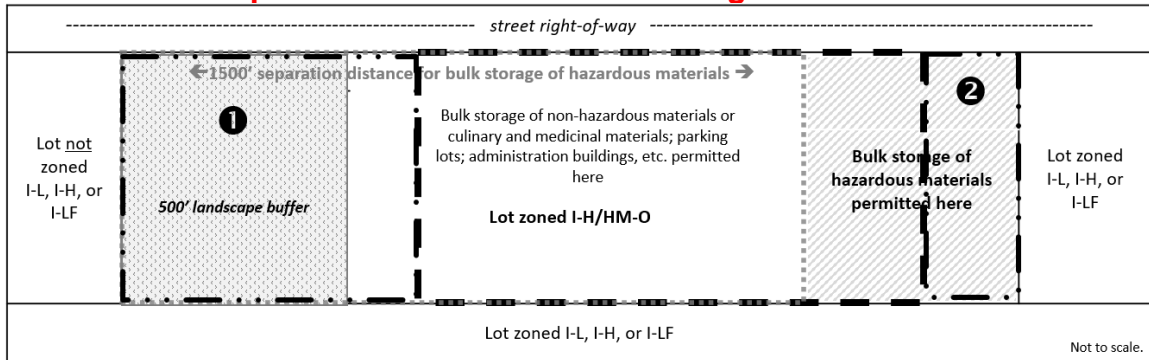


Figure 33-3.70.7-4. Expansion scenarios of an existing SPU in the HM-O District.



- ① Expansion towards property not zoned I-L, I-H, or I-LF would trigger 1500' separation distance and 500' landscape buffer; if the expansion is less than 1500', then the bulk storage of hazardous materials cannot be placed within expansion area.
- ② Expansion towards property zoned I-L, I-H, or I-LF would not trigger 1500' separation distance or 500' landscape buffer.

Emission Reporting and Air Permit Compliance Website

Local, State (Louisiana), and Federal Environmental Regulations

Air pollution from heavy industrial is a concern for Jefferson Parish residents as well as those in neighboring municipalities, such as Orleans Parish. As is the case nationwide, emission levels and other environmental impacts are primarily regulated by state and federal agencies.¹³ In Louisiana, the Louisiana Department of Environmental Quality (LDEQ) is the agency responsible for issuing air permits for major source facilities. The US Environmental Protection Agency (EPA) provides oversight over LDEQ permits and handles public petitions of objection to State permit. The State runs the permitting program. Municipalities, like Jefferson Parish, rely on the permits issued, and the reviews and inspections conducted by these agencies to regulate the impacts and enforce compliance.

Jefferson Parish addresses emissions and odors that may emit from the processing and bulk storage of hazardous materials in Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, of the Parish Code, which is under the purview of the Fire Department. Specifically, Sec. 13-127 includes a general performance standard regarding emissions and odors for hazardous materials: "The plant operator shall be responsible for controlling emissions and nuisance odors from his facility. Safeguards shall be provided to limit obnoxious or offensive emissions of smoke, gas, dust and odors, other noxious or offensive fumes, or spilled liquids." Enforcement of this standard follows in Section 13-128.

Enforcement of such emission and odor control does not fall under zoning authority. In Jefferson Parish, authority falls under environmental agencies and departments, LDEQ and the Jefferson Parish Department of Environmental Affairs, as is the case in other

¹³ Per CFR, Title 40, Subchapter 70, state agencies, like LDEQ, are authorized to administer federal programs (Title V and NSR) and issue permits. <https://ecfr.io/Title-40/Part-70>

municipalities.¹⁴ Some municipalities create specific bodies, such as a local air pollution control board, to address these issues more specifically.

What is a major source?

Title V Major Source Facilities are major sources that have actual or potential emissions at or above the major source threshold of 100 tons per year for any “air pollutant.” Major source thresholds for “hazardous air pollutants” (HAP) are 10 tons/year for a single HAP or 25 tons/year for any combination of HAP.¹⁵

Air Permits

Air permits for Major Sources are referred to as Part 70, also known as Title V, operating permits.¹⁶

The public is able to comment during the public notice period, participate in public hearings, coordinate with environmental advocacy groups, and contact LDEQ Staff.¹⁷

Per the EPA, most operating permits are:

- Legally-enforceable documents designed to improve compliance by clarifying what facilities (sources) must do to control air pollution.
- Required by Title V of the Clean Air Act.
- Issued to all large sources (“major” sources) and a limited number of smaller sources (called “area” sources, “minor” sources, or “non-major” sources).
- Issued by state or local agencies (“Clean Air Act part 70” permits);¹⁸and
- Include pollution control requirements from federal or state regulations that apply to a source.

¹⁴ Jefferson Parish Code of Ordinances. Sec. 13-141 Administrative Authority.

¹⁵ The United States Environmental Protection Agency (EPA). “Who Has to Obtain a Title V Permit?”. Last updated on May 4, 2023. <https://www.epa.gov/title-v-operating-permits/who-has-obtain-title-v-permit>

¹⁶ Louisiana Department of Environmental Quality (LDEQ) . “ Air Permits 101: Understanding the Basics”. https://deq.louisiana.gov/assets/docs/About_LDEQ/enviroschool/ENVIROSCHOOL-AIR-PERMITS-101-2013.pptx

¹⁷ Ibid.

¹⁸ A small number are issued by the EPA (“Clean Air Act part 71” permits).The United States Environmental Protection Agency. “CAA Part 71 Air Operating Permits in EPA’s South Central Region. “ Last Updated on February 20, 2024. <https://www.epa.gov/caa-permitting/caa-part-71-air-operating-permits-epas-south-central-region>

Air Permit requirements are tied to the Federal Clean Air Act (CAA) and Clean Air Act Amendments. Permits are required when businesses are capable of reaching or exceeding certain thresholds of pollutant release.

Final air permits usually contain:

- A description of the facility;
- Specific enforceable standards that apply;
- Specific limits that apply;
- Specific monitoring or recordkeeping requirements; and
- Specific reporting requirements.

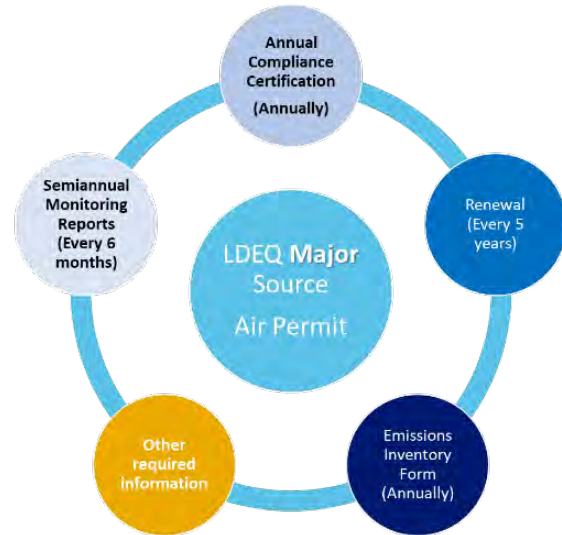


Figure 11. Components of LDEQ Major Source Air Permits

Title V major source facilities are required to provide the following annual and semiannual reports to LDEQ:

- Emissions Inventory (Annual report) due to LDEQ by April 30th for previous calendar year;
- Annual compliance certification due to LDEQ by March 31st for previous calendar year;
- Semiannual Monitoring Report due to LDEQ by March 31st and September 30th.

Currently in the Code, air permit information is required to be submitted as part of the SPU applications for bulk storage of flammable and combustible liquids. For example, Sec. 40-582 (31) f. states that, "...in the event the use for which a special use permit is being sought pursuant hereto requires any air emission or water discharge permit from any state or federal agency, the application therefor, together with proof of submission, and the issued permit, if available shall be made a part of the application for the special use permit." As permit applications and amendments submitted to LDEQ are all housed online, the Department of Environmental Affairs reviews all applications and amendments online for proposed special permitted uses.

Other Communities

A few municipalities have started to look at the environmental impacts of development as part of the zoning approval process. The intent is to assess potential impacts from new development or expansion of existing operations on air quality prior to establishment of the use. Such assessment is in addition to that required by state and federal authorities. Outlined below are two recent examples - Chicago, Illinois and Camden, New Jersey.

Chicago, IL

The City of Chicago in March 2021 adopted an Air Quality Ordinance, Ordinance No. 2020-4590, which incorporates performance standards as part of plan review for heavy industrial uses.¹⁹ The regulations create a review process and expanded public review

¹⁹ "Air Quality Zoning". [Home \(chicago.gov\) https://www.chicago.gov/city/en/sites/air-quality-zoning/home.html](https://www.chicago.gov/city/en/sites/air-quality-zoning/home.html)

opportunities for more intensive manufacturing and industrial operations. For reference, the following uses are subject to this ordinance: Class III/IVA/IVB/V recycling, container storage, freight terminal, intensive manufacturing, production, and industrial service, outdoor storage of raw materials, as a principal use, warehousing, wholesaling, and freight movement, waste-related uses, coke and coal bulk material uses, windrow composting, and manganese bearing material uses. In addition to review against zoning regulations, public health (air quality) and transportation elements are reviewed. An air quality control plan and a traffic impact study are required in addition to standard site plan submittals (The traffic impact study is reviewed separately by the Chicago Department of Transportation and forwarded to the Zoning Administrator).²⁰

More specifically, per the City of Chicago: “The air quality impact study will model potential emissions from the business and its proposed operations. Applicants will use air modeling software, such as the U.S. EPA’s AERMOD and EPA MOVES, to evaluate emissions from various sources, such as processing equipment, diesel engines of yard and on-road vehicles, paved and unpaved surfaces, material handling, and wind erosion of stockpiles. In addition to a written report, applicants will submit data files for review by CDPH.”

What is important to note is that the air quality impact study is reviewed by the Chicago Department of Public Health (CDPH). CDPH offers opportunities for public comment as part of its review process and the recommendation is sent to the City’s Zoning Administrator to be included as part of the final site plan review recommendation.

Camden, New Jersey

Camden includes an environmental impact assessment (EIA) as part of site plan review for certain uses. This requirement emerged from the planning efforts the City took on to address environmental justice on a comprehensive level. The City requires an EIA to be prepared by a licensed professional engineer or planner. It must describe the proposed development, as well as benefits to the public which will result from the proposed project, the suitability of the site for the use, the facilities to be constructed. In addition, the “resident population, working population and visitor population shall be estimated.”

The City’s EIA is applied broadly, rather than just to heavy industrial uses with potential environmental impacts. In relation to industrial impacts more specifically, it requires the following:

- “An analysis shall be conducted of existing air quality and noise levels as prescribed by the New Jersey State Department of Environmental Protection and this chapter.
- A discussion of both the negative and positive impacts during and after construction, including specifically those negative impacts that are unavoidable. The specific concerns that shall be considered include air quality degradation and noise levels.
- The measures that will be employed during the planning, construction and operation phases which will minimize or eliminate negative impacts that could result from the proposed project shall be described, including noise reduction techniques and screening and landscaping intended to enhance the compatibility of the project with its surroundings.”

²⁰ Ibid.

California Air Districts and Air Monitoring Requirements for Refineries

California has 35 local Air Districts responsible for regional air quality planning, monitoring, and stationary source and facility permitting.²¹ The districts administer air quality improvement grant programs and are California Air Resources Board's (CARB) primary partners in efforts to ensure that all Californians breathe clean air.

In July 2017, the Legislature passed AB 617[2], establishing a comprehensive integrated suite of actions to reduce community-level health impacts of criteria pollutant and toxic air contaminants. These statutes and regulations improve refinery safety/emergency preparedness, require fence-line/community air monitoring, improve notification systems, and establish permanent refinery oversight. Within each district's website is a page about fence-line monitoring.

Staff evaluated refinery regulations for three of the 35 air districts:

- South Coast Air Quality Management District (Rule 1180).²²
- Bay Area Air Quality Management District (Regulation 12, Rule 15).²³
- Santa Barbara Air Pollution Control District (Rule 364).²⁴

All of the regulations reviewed included definitions, fence-line air monitoring plan and system requirements. Each set of regulations also included provisions for reporting and recordkeeping, and referenced supplemental guidelines for air monitoring plans. As a part of the requirements, refineries were required to establish websites that provide real-time information about air pollutant levels at the refinery fence-line and in nearby communities. The regulations and required websites are designed to help the general public obtain a better understanding of long-term variations and trends of refinery related emissions, and potential air quality impacts of refinery emissions. They also establish a platform that enables refineries to quickly address significant changes in emissions and notify the community if emissions exceed pre-determined thresholds.²⁵

Findings

There are a variety of regulations that impact industrial sites at the local, state, and federal level. Per Title 40 Protection of the Environment, Part 70 State Operating Permit Programs of the Code of Federal Regulations, individual states can establish their own Air permit programs. These regulations are tied to Title V of the Clean Air Act. LDEQ is the state agency responsible for issuing air permits for minor or major source facilities, and other types of establishments that emit pollutants in Louisiana.

A major source is a facility that has actual or potential emissions at or above the major source threshold of 100 tons per year for any "air pollutant." Major source thresholds for

²¹ California Air Resource Board. "California Air Districts." [California Air Districts | California Air Resources Board.](https://ww2.arb.ca.gov/california-air-districts) <https://ww2.arb.ca.gov/california-air-districts>

²² South Coast AQMD, "Rule 1180- Refinery Community and Fence line Air Monitoring." <https://www.aqmd.gov/home/rules-compliance/rules/support-documents/rule-1180-refinery-fenceline-monitoring-plans>

²³ Bay Area Air Quality Management District. "Fence line Monitoring Plans." <https://www.baaqmd.gov/plans-and-climate/emission-tracking-and-monitoring/fenceline-monitoring-plans>

²⁴ Rule 364. Refinery Fence line and Community Air Monitoring. <https://www.ourair.org/wp-content/uploads/rule364.pdf>

²⁵ South Coast AQMD, "Rule 1180- Refinery Community and Fence line Air Monitoring." <https://www.aqmd.gov/home/rules-compliance/rules/support-documents/rule-1180-refinery-fenceline-monitoring-plans>

“hazardous air pollutants” (HAP) are 10 tons/year for a single HAP or 25 tons/year for any combination of HAP. There are only a few major source facilities in Jefferson Parish.

LAC Title 33, Part III pertains to Air regulations administered and enforced by LDEQ. Under these regulations LDEQ enforces air permitting and reporting requirements for major sources and other types of facilities. Under these regulations, major source facilities are required to submit semiannual monitoring reports, annual compliance certifications and emissions inventories. All applications, reports and other information are made accessible to the public via the LDEQ website. An air permit is required to be submitted to the Parish before a building permit is issued.

Although information regarding pending air permits is addressed in the Code, the ongoing more detailed reports required by LDEQ associated with these facilities are not typically part of the SPU review, amendment, or renewal process. Other communities require similar facilities to host real time emission information on their website. Requiring major Title V. facilities to develop and maintain a web-based system that is regularly updated with the information routinely provided to LDEQ, will promote education about these facilities, what they emit, and how they operate. The proposed website will include the following:

- Essential information already required by LDEQ for the Title V. major source air permit;
- General information about emission sources, pollutants, and processes; and
- Other information related to the air permit and/ or other local, state, or federal requirements.

In many cases, SPU amendments also trigger updates or new LDEQ air permits. Although air permit information is required in those instances, information provided with the SPU application to Jefferson Parish is limited. Requiring **MAJOR SOURCE facilities in the HM-O district** to share the information submitted to the state in a simpler, more user-friendly way can help promote transparency and education between major facilities and the residents of Jefferson Parish.

JP Approach for Major Source Title V Facilities

The proposed emission reporting requirements and air permit compliance website:

- Build off existing LDEQ Part 70/ Title V Air Permit requirements, without being in conflict.
- Link state/ federal air permitting information, which is already technically required by the zoning ordinance to the SPU.
- Will promote transparency, public engagement, and education:
 - Provide compliance data and information to the public and local response agencies in a way that is easy to understand and interpret;
 - Provide context on what, how, and why industrial facility owners and operators monitor for permitted emissions; and
 - Provide a means for contacting the facility owner or operator with concerns or requests for additional information.

Purpose

The purpose of an emission reporting plan and air permit compliance website is to:

- Report levels of various criteria and toxic/hazardous air pollutant concentrations, at or near the property of certain industrial facilities, as required by state or federal law, rules, or regulations, or a Facility's air permit;
- Provide compliance data and information to the public and local response agencies in a way that is easy to understand and interpret;
- Provide context on what, how, and why industrial facility owners and operators monitor for permitted emissions; and
- Provide a means for contacting the facility owner or operator with concerns or requests for additional information.

Applicability

Staff is proposing to add an applicability section to clarify what types of facilities are required to comply with emission reporting requirements and clarify how to address conflicting regulations. The emission reporting plan and air permit compliance website provisions shall apply to any facility designated as a Title V major source as of [INSERT THE EFFECTIVE DATE OF THIS ORDINANCE] of this ordinance, [INSERT THIS ORDINANCE NO.], or any new facility designated as a Title V major source that involves bulk storage of hazardous materials and requires the installation of a continuous emission monitoring system (CEMS) by either federal or state law, rule, regulation, or by the Facility's permit.

The applicable facilities are required to obtain air permits from LDEQ and submit semiannual and annual reports to the state.

Definitions

Staff is proposing to add definitions based on information gathered from the EPA, LAC Title 33, Part III, draft Senate bill 35, and BAAQMD Regulation 12, Rule 15, and information provided from industry representatives.

Term	Proposed Definition
Air permit compliance website	A website or web-based system, hosted by a Facility that presents existing monitoring, recordkeeping, and reporting requirements and resources.
Annual emissions inventory	an emissions inventory for any facility required by the Louisiana Administrative Code (LAC) Title 33, Part III, covering a calendar year.
Criteria pollutant	Any air pollutant specified in LAC 33: III.111. (Includes an air pollutant for which an ambient air quality standard has been established, or that is an atmospheric precursor to such an air pollutant. Criteria pollutants, include but are not limited to the following, carbon monoxide (CO), lead (Pb), oxides of nitrogen (NO _x), particulate matter with an aerodynamic diameter of 10 micrometers or less (PM ₁₀), particulate matter with an aerodynamic diameter of 2.5 micrometers or

Table 9. Proposed Definitions related to Emission Reporting and Air Permit Compliance Website.	
Term	Proposed Definition
	less (PM _{2.5}), precursor organic compounds (POC), sulfur dioxide (SO ₂), volatile organic compounds (VOC), and ammonia (NH ₃). ²⁶
Emissions inventory	A listing of actual air pollutant emissions associated with a specific facility for a specific time interval.
Emission reporting plan	A site-specific plan that: <ul style="list-style-type: none"> • Explains how a Facility complies with state and federal air emission laws and permitting requirements; • Includes a list of permitted criteria and toxic/ hazardous air pollutants that are emitted by the Facility; • Includes a description of the equipment and/or methods used to monitor, record, and report emissions, air pollutant levels, as required by the state or federal law; • Includes a reference to procedures for implementing data quality assurance and quality control (QA/QC); and • Includes a presentation for providing data to the public in the form of an air permit compliance website.
Facility	Any facility engaged in the bulk storage of hazardous materials, considered a Title V major source facility, and considered a special permitted use in Jefferson Parish.
Minor source facility	Any stationary source that is not a major source. ²⁷
Source	The point at which emissions are generated, typically a piece of, or a closely related set of equipment. ²⁸
Title V major source facility	Any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties, which are under the common control of the same person or persons, and defined as a major source under the Federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Louisiana Air Control Law, or any rule or regulation promulgated pursuant to either of these laws. ²⁹
Toxic/hazardous air pollutants (TAPs/HAPs)	Any pollutant that is defined as a toxic air pollutant in LAC 33: III. 5103. (Pollutants that are hazardous to human health and the environment and are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. Hazardous air pollutants include, but are not limited to benzene, perchloroethylene, methylene chloride, dioxin, asbestos, toluene, cadmium, mercury, chromium, and other lead compounds.) ³⁰
Volatile organic compound (VOC)	Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions as defined in 40 CFR 51.10.

²⁶Louisiana Department of Environmental Quality (LDEQ). "Air Emissions Inventory and Other Emissions Data". <https://deq.louisiana.gov/assets/docs/Enviroschool/EIEnviroschool21.pdf>; Bay Area Air Quality Management District. "Fence line Monitoring Plans." <https://www.baaqmd.gov/plans-and-climate/emission-tracking-and-monitoring/fenceline-monitoring-plans>

²⁷ Louisiana Department of Environmental Quality (LDEQ). "General Environmental Air Regulations". <https://deq.louisiana.gov/page/general-environmental-air-regulations>

²⁸ LAC Title 33, Part III, Section 919

²⁹ Draft LA Senate bill 35. <https://legiscan.com/LA/drafts/SB35/2023>

³⁰ The United States Environmental Protection Agency (EPA). "What are Hazardous Air Pollutants?" Last updated December 7, 2023. [What are Hazardous Air Pollutants? | US EPA .https://www.epa.gov/haps/what-are-hazardous-air-pollutants](https://www.epa.gov/haps/what-are-hazardous-air-pollutants)

Emission Reporting Plan

An emission reporting plan is required for all existing and new Title V. facilities. Staff based the plan elements off air monitoring plan requirements applied to refineries in CA (Figure 12) with some modification.

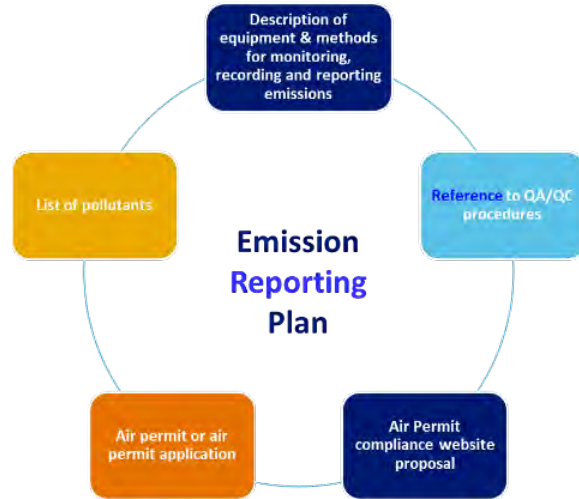


Figure 12. Proposed components of the emission reporting plan

Plan Review Process

Staff developed a plan review process that was similar to the review process applied in the CA Air Districts, but more streamlined (Figure 13). As proposed, the Department of Environmental Affairs shall review the plan for completeness, make any comments needed. The Facility will have the opportunity to address any noted deficiencies with the Parish.

Air Permit Compliance Website

The proposed air permit compliance website provisions were developed through discussions with industry representatives in the Fall-Winter 2023. In an effort to make emissions information more accessible to the public, Staff is proposing to require Title V major source facilities to develop and host a website/web-based system for disseminating information to the public. Required Information shall include:

- Essential information already required by LDEQ for the Title V major source air permit;
- General information about emission sources, pollutants, and processes; and
- Other information related to the air permit and/ or other local, state, or federal requirements.

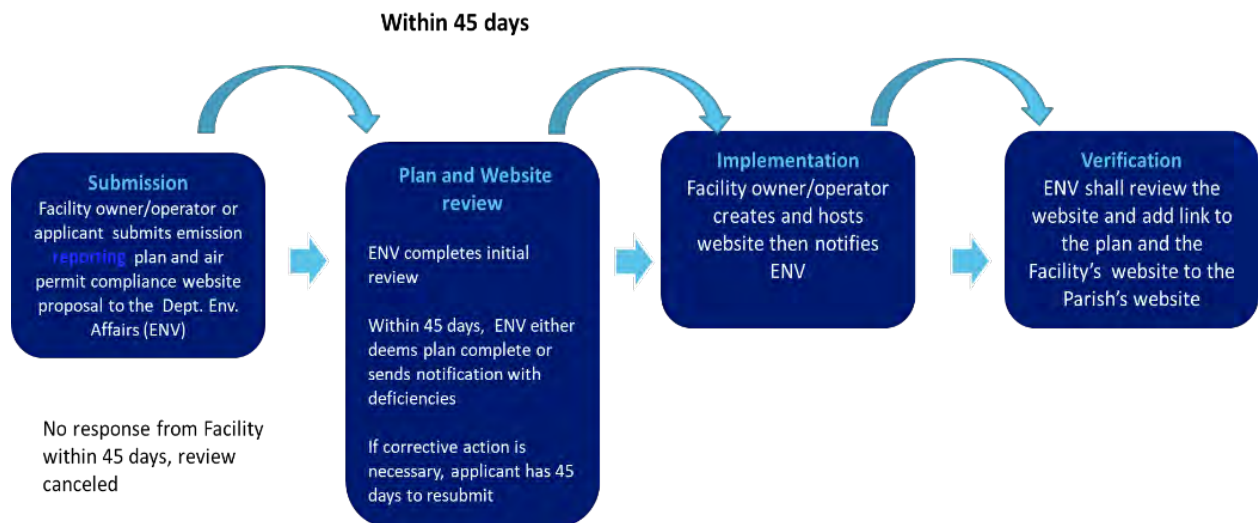


Figure 13. Proposed emission reporting plan and air permit compliance review and approval procedures

Other provisions

As noted previously, Title V major facilities are required to submit semiannual and annual reports to LDEQ, as a condition of their air permit. The proposed regulations would require Title V facilities to post on their website, and send the semiannual monitoring, annual compliance certification, and emissions inventory, to Jefferson Parish in addition to LDEQ. Other provisions related to recordkeeping and confidentiality have been added as well.

Special Permit Use (SPU) and Conditional Use Permit (CUP)

A key administrative provision tied to the industrial zoning districts is the special permitted use (SPU), which is a use allowed by ordinance passed by the Jefferson Parish Council.

Existing Provisions and Procedures

The process for legislative review and approval for special permitted uses (SPUs) and conditional use permits (CUPs) are the same. An owner of real property in unincorporated Jefferson Parish or the owner's authorized applicant may apply for a SPU and CUP for that property by filing an application with the Planning department. When the application is deemed complete, the Planning Director forwards the application to the LURTC for review and comment. After the LURTC review, the Planning Director shall make findings and a technical recommendation regarding approval of the SPU or CUP and submit his/ her findings and recommendation to the Planning Advisory Board (PAB). A public hearing is held, the PAB then makes a recommendation to the Parish Council. The Parish Council approves or denies the SPU or CUP (Figure 14). The SPU/CUP is required to be renewed every 2 years.

The renewal process for SPUs and CUPs is the same. The applicant shall submit to the Planning Department an affidavit stating that there have been no changes plus a copy of the site plan and/or floor plan submitted with the original application and any other materials necessary to depict the current operation of the special permitted use. The Planning Director shall receive the application for renewal and shall renew the permit if the said use is being operated as originally approved by the Council following review from other Parish departments as needed.

Code Compliance and Enforcement (CCE) or other applicable departments shall inspect the premises in order to complete this review. Upon completion of review, CCE shall either renew the permit or shall deny the permit, stating its reasons therefore and shall notify the applicant and the Planning Department of this decision by letter. Should CCE deny the renewal or revoke the permit for a SPU/CUP, the applicant may within 30 days of the denial for renewal or revocation appeal the denial to the Parish Council (Figure 14).



Figure 14. Current SPU/CUP review process

The criteria for review and approval of SPUs and CUPs are different (Figure 15). Although the criteria for CUP approval is newer and includes more criteria components than the criteria for SPUs, the CUP criteria is missing the limitation on one SPU/CUP per lot. The conflicting criteria, as well as other inconsistencies with the regulations create confusion.

For SPUs, there are no minor amendments, all amendments are considered legislative and require Council approval. However, for CUPs, the following minor amendments may be approved administratively:

- A shift of 5% or less, calculated cumulatively over what was approved in the initial CUP application, in the width, length, depth, or diameter of the location of a building, structure, or impervious surface to meet a foundation or similar study or accommodate a condition discovered during construction; or
- A 5% or less increase in either building footprint, gross floor area, or impervious surface calculated cumulatively over what was approved in the initial CUP application; provided that such minor changes comply with additional criteria.

Within the CUP regulations in Chapter 33, there are detailed provisions for additional conditions the Council may impose as a part of the approval, that are not specified in the SPU provisions in Chapter 40.

Criteria for SPU Approval	Criteria for CUP Approval
<p>(1) The permit, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.</p> <p>(2) The permit, if granted, will tend to preserve and advance the prosperity and general welfare of the neighborhood and community.</p> <p>(3) The granting of the special permitted use will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located, in that it will not impair an adequate supply of light and air, or increase substantially the congestion in the public streets, create a traffic hazard, or permit inadequate parking, or increase the danger of fire, or substantially affect or overburden existing drainage or sewerage systems, or endanger the public safety, nor cause serious annoyance or injury to occupants of adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise or vibration, light or glare or other nuisances.</p> <p>(4) Only 1 special permitted use shall be allowed per dwelling or lot, tract, plot or building site. A special permitted use may not be permitted on premises containing a home occupation, as defined in <u>section 40-3</u>.</p>	<p>a. The proposed use shall comply with all applicable regulations of this Code;</p> <p>b. The proposed use shall promote a high quality of development and will be compatible with existing development and development anticipated in the future, including recreational uses, public facilities, and open space resources.</p> <p>c. The establishment, maintenance, or operation of the proposed use shall not have adverse impacts on the health, safety, comfort, or general welfare of persons living or working in the area, and shall not be injurious to property or improvements in the area. In making such a determination, consideration shall be given to:</p> <ul style="list-style-type: none"> • The location, type, and height of buildings, structures, or facilities; • The type and extent of landscaping, screening, and buffering on the site; and • Whether the proposed use is consistent with the comprehensive plan, especially ones that encourage mixed uses or densities; <p>d. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas;</p> <p>e. Adequate public facilities shall be provided as set forth in <u>article Z</u>, adequate public facilities required of this UDC;</p> <p>f. Adequate measures shall be taken to provide ingress, egress, and interior circulation so designed as to minimize traffic hazards and congestion on the public streets and facilitate safe and convenient multi-modal transportation for vehicles, pedestrians, and cyclists;</p> <p>g. The proposed use shall not impede the orderly development and improvement of surrounding property or the area;</p> <p>h. The public interest and welfare supporting the proposed use shall be sufficient to outweigh the individual interests that may be adversely affected by the establishment of the proposed use.</p>

Figure 15. Criteria for Approval

Issues, Findings and Regulatory Approach

Merge SPUs with CUPs

SPUs are synonymous with CUPs, with slight variations, which can cause confusion. Limited minor amendments are allowed with CUPs, but not with SPUs. The criteria for SPU approval by the Parish Council are different than the CUP approval criteria. The CUP regulations are relatively new, established in 2015, and have not been applied to as many facilities as the SPU regulations. Consolidating CUPs with SPUs into one section will address inconsistencies between the two sets of regulations. Camiros has proposed merging SPUs with CUPs into one section in the UDC, retaining SPUs, and deleting old references to CUPs. The related amendments associated with this change are addressed in the staff report for TXT-4-23. Camiros is also proposing to maintain current regulation of no more than one SPU per lot, tract, plot, or development site.

Establish minor amendments

The lack of a minor amendment process for SPUs is problematic. Once an SPU is approved, any change, no matter how small, requires a legislative SPU amendment, including those not directly related to the use approved. This can delay the process for approval for several months, even for minor changes to a site. As part of this approach, Camiros established specific thresholds for minor amendments approved

administratively, and major amendments, which would still require legislative Council approval. All thresholds are contingent on the action complying with all zoning regulations for (e.g., cannot exceed the permitted height).

The following qualify as minor amendments:

- Installation of site elements, such as parking, landscape, signs, and fencing
- Changes in the location of vehicle and pedestrian circulation ways, and parking areas (must meet Code)
- Construction of accessory structures and mechanical equipment (must meet Code)
- Construction of a new existing principal building where no direct operation of the special permitted use occurs (must meet Code)
- Establishment of an additional principal use that is allowed within the district and unrelated to the special permitted use and meets applicable standards for that use
- Demolition of any existing building(s) or structure(s)
 - A change in the location of a building, structure, or impervious surface by no more than 10% of the width or depth of the lot(s) located within the SPU boundary, or any change in the location of an accessory structure.
 - A change of 10% or less increase in either building footprint, gross floor area, or impervious surface calculated cumulatively over what was approved in the initial application.
 - Specific to bulk storage:
 - Installation of new or reconstruction of existing water storage tanks
 - Repair or replacement of a tank holding any material with one (1) of the exact same size and footprint in the exact location.
 - When there has been a change in ownership of a previously approved SPU, an affidavit stating that the new owners acknowledge the special permitted use and the prior approval of such on the site.

Clarify major amendments

The following qualify as major amendments:

(1) Any changes in the use of the products or products themselves **as well as a significant modification in an existing or new air emission or water discharge permit from any state or federal agency**, shall be submitted to the Parish Council for approval as a major amendment; and

(2) Any proposed amendment other than those provided in this section for minor amendment are considered a major amendment and shall be approved in the same manner and under the same procedures as are applicable to the issuance of the initial development approval.

Extend renewal period from 2 to 3 years

Especially for bulk storage facilities, the required two-year renewal period may be burdensome and inconsistent with other required permitting. For certain heavy industrial SPUs, state and federal permits require renewal every 5 years. Camiros is proposing to

extend the renewal period from 2 years to 3 years. Updating the renewal period to every 3 years provides some leniency in terms of renewal requirements, especially for facilities involved with the bulk storage of hazardous materials.

Clarify provisions related to property transfers

When there is a change in ownership of an SPU, the Parish currently requires an affidavit from the new owners that acknowledges there is an SPU on the site, which is now explicitly required. Also, Camiros has clarified that a property with an SPU may be sold, leased, or otherwise transferred to a new owner, lessee, tenant, or transferee and the transfer shall not adversely affect or restrict the right of the transferee to conduct special permitted use.

Add validity provisions

Currently, SPUs do not have an expiration. This can lead to a situation where an SPU is approved for a use, such as bulk storage tanks, which are only constructed many years following approval or perhaps not at all. A three-year period of validity has been incorporated. (The expiration provision would apply to new SPU applications following the approval of the new industrial zoning districts.) As proposed, the approval of an SPU will expire when no building permit has been issued or the building permit lapses and has not been reactivated; the SPU will then be deemed null and void.

Currently the Code does not include validity provisions for SPUs. Camiros is proposing to clarify the period of validity. Where the special permitted use requires approvals from agencies outside the Parish, the Planning Director may extend the period of validity for **an additional one or two years upon submittal of evidence** in the form of a formal letter that the permits or approvals have been submitted for review:

- If a minor amendment to the SPU has been approved prior to the renewal date, this does not modify the timeframe for renewal.
- When there has been an amendment to the SPU prior to the renewal timeframe, the date of such amendment approval will serve as the start date for the required three-year renewal timeframe.

Add exceptions for emergency equipment

Exceptions for emergency equipment are not addressed in either the SPU and CUP provisions in the Code. The necessity for such provisions was discussed during the public comment/outreach process for this project. To address these comments, Camiros has proposed to add an emergency exception: temporary equipment and structures allowed on-site, for a period of no more than 90 days, (longer time period allowed by minor amendment).

CONCLUSION AND STAFF RECOMMENDATION

(for Amended Ordinance Text, see page 73 of this report)

A study and subsequent proposed revision of the Jefferson Parish Industrial Zoning Districts was undertaken to modernize the current industrial zoning districts, identify, define, and allow the variety of industrial and other related uses found in or common to the existing or newly established districts, and create development standards for the industrial districts and certain specific uses to mitigate any impacts to surrounding areas.

The current industrial zoning dates back over 50 years. These current regulations in many cases do not relate to the current built environment, do not contain adequate standards to facilitate compatibility with surrounding areas, and do not allow for certain uses and development forms that are desired.

Some other issues with the existing regulations identified throughout the course of the study, include but are not limited to the following:

- Because our regulations are so outdated, certain uses, like coke ovens and grain elevators, are still listed as permitted uses, but new modern uses like microbreweries and distribution facilities, are not.
The M-1 and M-2 zoning districts serve as a catch-all district, with “All uses not otherwise prohibited by law except ...”. This language promotes an inconsistent land use pattern, which has been a source of ambiguity for the Parish, site selectors, etc., and keeps the current industrial districts from functioning as true industrial **zoning** districts.
- The bulk storage of flammable and combustible liquids is allowed as a SPU in the M-2 and M-3 zoning districts, provided specific criteria, mostly related to public health, safety, and welfare, are met. Broadening the use category to be inclusive of hazardous material and adding additional standards that promote transparency and education is consistent with other regulations in the Code.
- The special permitted use (SPU) regulations are rigid and require legislative approval for any change to an approved site plan which can be costly and lengthy for applicants, and not necessary for minor changes to a site.

This effort creates a set of industrial districts that address the range of character seen in the industrial areas of the Parish, allows for modern industrial uses, and builds more predictability into the zoning process. It creates development standards within the districts that allow for both the growth of the industrial economy and facilitate compatibility with surrounding land uses. It defines and allows for new types of industrial uses desired by the Parish, such as those related to “green and clean” industries, logistics, and food production.

The proposed approach balances the needs of industrial facilities and the larger community, by addressing environmental and safety concerns with new standards and restrictions without limiting industry’s ability to operate, expand, and attract new investment. It streamlines the special permitted use review, allows administrative approval for minor changes, and makes other refinements to the regulations that make the process more efficient. It also protects prime industrial property from incompatible uses like new residential, and vice versa. Finally, it also furthers the Parish goal of integrating all zoning regulations into one chapter of the Parish Code of Ordinances, Chapter 33, Unified Development Code (UDC).

Camiros, Ltd. recommends that the Parish update and modernize the industrial zoning district structure to address the range of industrial development within the Parish as well as desired types of development not currently allowed, and create development

standards within the districts that allow for both the growth of the industrial economy and facilitate compatibility within adjacent areas by the following:

- Restructure the zoning district structure to be clearer and more predictable in the type of development and address the range of industrial types. These districts as proposed are:
 - I-MU Industrial Mixed-Use District
 - I-L Light Industrial District
 - I-H Heavy Industrial District
 - I-LF Landfill Industrial District
- Update the uses allowed within the districts to align with the use approach used in the UDC – the Land Based Classification System (LBCS).
- Include clear dimensional and development standards within the districts.
- Include standards in the district that increase compatibility between uses, such as buffer yards and landscape yards.
- Define and allow for new types of industrial uses desired by the Parish, such as those related to “clean and green” industries, logistics, and food production.
- Clearly define bulk storage of hazardous materials as a use and create standards for such that mitigate potential negative impacts.
- Create an overlay district to specifically address the bulk storage of hazardous materials, the HM-O Hazardous Materials Overlay District.
- Add additional standards for bulk storage of hazardous materials, including emissions reporting and data dissemination requirements for major source facilities.
- Merge special permitted uses (SPUs) and conditional use permits (CUPs) into one section in the UDC, update renewal period, add provisions related to minor amendments, expiration, validity, and emergency exceptions.
- Allow existing residential dwellings were added as conforming uses in the new industrial zoning districts with development standards for reconstruction and repair.

The proposed regulations are unique to Jefferson Parish and reflect the specific concerns and interests of Jefferson Parish residents, landowners, and industry. Throughout the course of the study, stakeholders provided comments across a broad spectrum of viewpoints, and many concerns continue to be in conflict. However, many aspects of the proposed regulations support multiple interests and parties. The proposed regulations balance the needs of facilities and the larger community. They provide clarity, permit and promote modern industrial uses, and make existing review processes clearer and more efficient. These benefits will not be realized if we do not adopt new industrial zoning regulations.

Sec. 33-2.21.4. - Decision makers. and Consistency with the Comprehensive Plan

In determining its recommendation or decision, the Planning Director, PAB, and Council shall consider the *approval criteria* of Sec. 33-2.21.4(e)(1).

A. Whether the proposed amendment is consistent with the comprehensive plan in accordance with section 25-108 Consistency of key development actions with the plan of this Code, other adopted plans and policies, or other

parish regulations and guidelines:

This recommendation supports the following *Envision Jefferson 2040* goals and objectives:

- **Land Use Goal 1** The development and redevelopment of land, buildings, and structures is orderly and well-planned.
 - **Objective 4** Provide sufficient land for residential, commercial, industrial, and recreational land uses.
 - **Objective 5** Encourage redevelopment and reuse of existing commercial and industrial facilities and sites.
 - **Objective 6** Employ best planning practices and effective regulatory tools.

- **Land Use Goal 2** Residential neighborhoods are safe, cohesive, and thriving.
 - **Objective 6** Protect residential neighborhoods from incompatible development or redevelopment.

- **Land Use Goal 3** New development and redevelopment are compatible with established residential, commercial, or industrial areas.
 - **Objective 2** Foster mixed-used development that combines residential uses with compatible nonresidential uses in appropriate locations.
 - **Objective 5** Provide development regulations and design standards to maximize compatibility.
 - **Objective 6** Minimize negative impacts of new development or redevelopment through up-to-date regulations and standards based on best practices.

- **Land Use Goal 4** The Parish's major industry clusters provide opportunities for growth, investment, and sustainability.
 - **Objective 3** Provide opportunities that leverage and expand existing warehousing and distribution hubs.
 - **Objective 4** Facilitate the development or re-use of commercial building stock to provide space or facilities for the parish's businesses and major industry clusters.
 - **Objective 5** Protect prime industrial land with strategic port, rail, and roadway access from encroachment of inappropriate non- industrial uses.
 - **Objective 6** Facilitate the development or re-use of land and buildings for value-added business activities.

- **Land Use Goal 10** Land use practices and policies enhance sustainability and reduce risk to life and property from hazards
 - **Objective 4** Reduce and mitigate the risks of hazardous materials activities.

- **Land Use Goal 11** Businesses provide abundant goods, services, and jobs and create vibrant corridors and centers.
 - **Objective 3** Provide sites and areas where businesses can locate and thrive.

- **Economic Development Goal 1** A diverse business core gives Jefferson Parish the

competitive edge as the region's economic engine.

- **Objective 1** Promote sustainability, job growth, and investment in Jefferson Parish.
- **Objective 3** Target the needs of industry clusters with the greatest opportunity for growth.
- **Objective 4** Focus on other industries and businesses that drive the parish's success.
- **Objective 5** Address issues that have an impact on business across all industry clusters.

B. Whether the amendment is consistent with the purpose and intent of the UDC and Chapter 40 Zoning:

The proposed amendments are consistent with the purpose and intent of the UDC and Chapter 40 Zoning:

- The proposed amendments promote the public health, safety, comfort, order, and general welfare by limiting certain land uses that are incompatible and not appropriate in industrial zoned areas.
- The proposed amendments promote safe, orderly development and use of land and natural resources by adding additional setback and buffering requirements that apply in transition areas where industrial zoning districts abut or are located across the street from non-industrial districts.

C. Whether the amendment will benefit the public health, safety, and welfare.

The proposed amendments promote the public health, safety, comfort, order, and general welfare by:

- Limiting certain land uses that are incompatible and not appropriate in industrial zoned areas.
- Balancing the needs of industrial facilities and the larger community.
 - Addressing environmental and safety concerns with new standards and restrictions without limiting industry's ability to operate, expand, and attract new investment.
- Defining bulk storage of hazardous materials as a use and establishing standards that mitigate potential negative impacts.
- The amendments will benefit the public health, safety, and welfare by providing an area where businesses can locate and thrive while minimizing the impact on nearby residents.

To achieve this recommendation, Camiros, Ltd. recommends the following text amendments:

- Amend Chapter Amend Chapter 13 Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, Article VIII Processing or Storage of Hazardous Materials in Bulk, to include a new section for specific standards requiring an emission reporting plan and air permit compliance website for any bulk

storage of hazardous materials located within the HM-O district. (#1)

- Add new Sec. 33-2.23 Special permitted uses, to include new language for SPU minor amendments and clarifications to the current SPU process. Eliminate Conditional Use Process (CUP) in Sec. 33-2.24 as SPU and CUP would be consolidated (#2)
- Add a new section for a use matrix that lists the uses allowed within the new industrial district structure, based upon the LBCS currently in place in the UDC, in Chapter 33: Sec. 33-3.40. Industrial Zoning Districts Use Matrix (#3)
- Add the following sections for the new industrial districts within Chapter 33 Unified Development:
 - Sec. 33-3.41. Industrial Mixed-Use District (I-MU) (#4)
 - Sec. 33-3.42. Light Industrial District (I-L) (#5)
 - Sec. 33-3.43. Heavy Industrial District (I-H) (#6)
 - Sec. 33-3.44. Landfill Industrial District (I-LF) (#7)
 - Sec. 33-3.70. Hazardous Materials Overlay District (HM-O) (#8)
- Amend Article 5, Supplemental Conditions of the UDC, Division 1 – Specific Use Standards to include the new and revised use standards, added sequentially to Division 1 of Article 5 (Section 33-5.3) (#9)
- Amend Division 3. Greenspace (Landscaping, Buffering and Screening, Tree Preservation) to include additional landscape, buffering, and screening standards for the new industrial districts (#10)
- Add definitions for the bulk storage of hazardous materials (LBCS function code 3633) and bulk storage of culinary and medicinal materials (LBCS function code 3632), and bulk storage of non-hazardous materials (LBCS function code 3631) (#11)

AMENDED ORDINANCE TEXT

Legend: **added text** ~~deleted text~~ moved text

The following text amendments are recommended:

1. Amend Chapter 13 Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, Article VIII Processing or Storage of Hazardous Materials in Bulk, to include a new section for specific standards requiring an emission reporting plan and air permit compliance website for any bulk storage of hazardous materials located within the HM-O district, and renumber subsequent sections, accordingly, to read as follows:

ARTICLE VIII. PROCESSING OR STORAGE OF HAZARDOUS MATERIALS IN BULK

Sec. 13-120. - Requirements for processing or storage of hazardous materials in bulk.

* * *

Sec. 13-138. ~~Authority to issue violation notices.~~ Additional standards for bulk storage of hazardous materials in the HM-O District. An emission reporting plan and air permit compliance website is required for any bulk storage of hazardous materials located within the HM-O district that meets the applicability criteria provided below:

(a) Purpose. The purpose of an emission reporting plan and air permit compliance website is to:

- (1) Report levels of various criteria and toxic/hazardous air pollutant concentrations, at or near the property of certain industrial facilities, as required by state or federal law, rules, or regulations, or a Facility's air permit;**
- (2) Provide compliance data and information to the public and local response agencies in a way that is easy to understand and interpret;**
- (3) Provide context on what, how, and why industrial facility owners and operators monitor for permitted emissions; and**
- (4) Provide a means for contacting the facility owner or operator with concerns or requests for additional information.**

(b) Applicability.

- (1) The following standards shall apply to any facility designated as a Title V major source as of [INSERT THE EFFECTIVE DATE OF THIS ORDINANCE] of this ordinance, [INSERT THIS ORDINANCE NO.], or any new facility designated as a Title V major source that involves bulk storage of hazardous materials and requires the installation of a continuous emission monitoring system (CEMS) by either federal or state law, rule, regulation, or by the Facility's permit.**
- (2) In the event that any of the regulations or provisions contained in this section conflict with one another or with other parish regulations, or with state or federal regulations, the more restrictive shall govern.**

(c) Definitions. For purpose of this section, certain words and terms are hereby defined:

- (1) Air permit compliance website shall mean a website or web-based system, hosted by a Facility that presents existing monitoring, recordkeeping, and reporting requirements and resources.**
- (2) Annual emissions inventory shall mean an emissions inventory for any facility required by the Louisiana Administrative Code (LAC) Title 33, Part**

III, covering a calendar year.

(3) Criteria pollutant shall mean any air pollutant specified in LAC 33: III.111.

(4) Emissions inventory shall mean a listing of actual air pollutant emissions associated with a specific facility for a specific time interval.

(5) Emission reporting plan shall mean a site-specific plan that:

a. Explains how a Facility complies with state and federal air emission laws and permitting requirements;

b. Includes a list of permitted criteria and toxic/ hazardous air pollutants that are emitted by the Facility;

c. Includes a description of the equipment and/or methods used to monitor, record, and report emissions, air pollutant levels, as required by the state or federal law;

d. Includes a reference to procedures for implementing data quality assurance and quality control (QA/QC); and

e. Includes a presentation for providing data to the public in the form of an air permit compliance website.

(6) Facility shall mean shall mean any facility engaged in the bulk storage of hazardous materials, considered a Title V major source facility, and considered a special permitted use in Jefferson Parish.

(7) Minor source facility shall mean any stationary source that is not a major source.

(8) Source shall mean the point at which emissions are generated, typically a piece of, or a closely related set of equipment.

(9) Title V major source facility shall mean any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties, which are under the common control of the same person or persons, and defined as a major source under the Federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Louisiana Air Control Law, or any rule or regulation promulgated pursuant to either of these laws.

(10) Toxic/hazardous air pollutant (TAP/HAP) shall mean any pollutant that is defined as a toxic air pollutant in LAC 33: III. 5103.

(11) Volatile organic compound (VOC) shall mean any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions as defined in 40 CFR 51.10.

(d) Emission reporting plan. An emission reporting plan is required for any existing or new Facility that is subject to the requirements of this section.

(1) Components. An emission reporting plan shall include the following five (5) components:

a. Air permit or air permit application. A copy of the Facility's Title V air permit or air permit application, including any and all information that demonstrates how a Facility complies or will comply with state and

federal air emission laws and permitting requirements;

b. List of pollutants. A list of permitted criteria and toxic/hazardous air pollutants that are emitted or proposed to be emitted by the Facility;

c. Equipment and methods for monitoring, recording, and reporting emissions. A description of the equipment and/or methods used to monitor, record, and report emissions, air pollutant levels, as required by state or federal law, rule or regulation, or the Facility's permit;

d. Reference to QA/QC procedures. A reference to the applicable data quality assurance and quality control (QA/QC) procedures associated with any emissions monitoring system operated at the Facility; and

e. Air permit compliance website proposal. Presentation for providing data to the public in the form of an air permit compliance website as specified in this section.

(2) Plan review. The Facility owner, operator, or applicant shall submit an emission reporting plan to Jefferson Parish for review in accordance with the requirements below.

a. Submittal requirements.

1. Existing facilities.

i. The Facility owner, operator, or applicant of an existing Title V major source facility shall submit a site-specific emission reporting plan to the Jefferson Parish Department of Environmental Affairs within one (1) year from the [INSERT THE ADOPTION DATE OF THIS ORDINANCE].

ii. The Facility owner, operator, or applicant of an existing Title V major source facility shall submit a modified or new emission reporting plan for any change in emissions requiring a new Title V Air permit or a significant modification of such permit to the Department of Environmental Affairs as a part of their special permitted use application to Jefferson Parish. The Department of Environmental Affairs shall review the emission reporting plan in accordance with the review procedures provided in this section.

2. New facilities. Facility owner, operator, or applicant of any new Facility established after [INSERT THE ADOPTION DATE OF THIS ORDINANCE] shall submit an emission reporting plan to the Department of Environmental Affairs as a part of their special permitted use application to Jefferson Parish. The Department of Environmental Affairs shall review the emission reporting plan in accordance with the review procedures provided in this section.

b. Review procedures.

1. Review for completeness.

i. Within forty-five (45) business days of receipt of the emission reporting plan, the Jefferson Parish Department of Environmental Affairs shall review the emission reporting plan for completeness and make any additional comments, as needed.

- ii. Within forty-five (45) business days of receipt of the emission reporting plan, the Jefferson Parish Department of Environmental Affairs shall provide written notification to the owner/operator that said plan is deemed complete or if any corrective action is necessary.
- iii. If a notification containing specific deficiencies is not sent by Jefferson Parish Department of Environmental Affairs to the owner, operator, or applicant, within forty-five (45) business days after the Jefferson Parish's receipt of the emission reporting plan, the review of the emission reporting plan shall be deemed complete, and the owner or operator may create and publish the air permit compliance website.

2. Plans that necessitate corrective action.

- i. If the Jefferson Parish Department of Environmental Affairs determines that the submitted plan is missing required information, the Jefferson Parish Department of Environmental Affairs shall notify the owner, operator, or applicant in writing. The notification shall specify the basis for this determination and the required corrective action.
- ii. Corrective action. Upon receipt of such notification, the owner, operator, or applicant shall correct the plan and resubmit the proposed plan within forty-five (45) business days. If the Jefferson Parish Department of Environmental Affairs determines that the owner/operator failed to correct any deficiency identified in the notification, or provide a written response that states how the applicant will address the findings, the Jefferson Parish Department of Environmental Affairs may cancel the review of the emission reporting plan.

(3) Implementation.

- a. After the emission reporting plan is deemed complete by the Jefferson Parish Department of Environmental Affairs, an air permit compliance website shall be established for the Facility.
- b. Once the air permit compliance website is active, Jefferson Parish Department of Environmental Affairs shall review the air permit compliance website in accordance with the emission reporting plan and the provisions of this section.
- c. A link to the Facility's air permit compliance website and a copy of the emission reporting plan shall be posted on Jefferson Parish's website.

(4) Amendments. Any change in emissions requiring a Title V Air permit or a major modification of such permit shall be considered a major amendment to the special permitted use and shall require the review of

the Jefferson Parish Department of Environmental Affairs for a modified or new emission reporting plan.

(e) Air permit compliance website. The Facility shall host an air permit compliance website that is available to the public. The data displayed on the web-based system shall include, but is not limited to the following:

- (1) A copy of the Facility's emission reporting plan(s) reviewed by Jefferson Parish Department of Environmental Affairs.
- (2) List of permitted criteria and toxic/hazardous air pollutants that are emitted by the facility:
 - a. An easy-to-understand description of each pollutant, how it affects human health, and a description of non-industrial background sources;
 - b. Links to the Occupational Safety and Health Administration (OSHA) health standards for each pollutant;
 - c. Permitted emission rates for each pollutant; and
 - d. Annual emission reports submitted to Louisiana Department of Environmental Quality (LDEQ).
- (3) For monitoring/recordkeeping programs:
 - a. An easy-to-understand description of what is monitored, how it is monitored and why it is monitored; and
 - b. Monitoring reports submitted to LDEQ.
- (4) For other compliance demonstrations:
 - a. Description of how the facility complies with other air permit requirements (unrelated to emissions or monitoring systems);
 - b. Compliance reports posted on the LDEQ website; and
 - c. Enforcement actions taken by LDEQ or the Environmental protection agency (EPA) in regards to the Facility's air permit.
- (5) Meteorological Data:
 - a. If available, a link to on-site, real-time monitoring data (temperature, wind speed and direction); and
 - b. Links to nearby National Oceanic and Atmospheric Administration (NOAA) meteorological systems.
- (6) Description of emergency response procedures:
 - a. In-house emergency response capabilities;
 - b. Mutual aid/municipal response capabilities;
 - c. Communicating with the public in the event of an emergency; and
 - d. Shelter-in-place and evacuation procedures.
- (7) Site contact information:
 - a. Who to reach out to in the event of an emergency or concern; and
 - b. Who to reach out to for general information.

(f) Reporting and recordkeeping.

- (1) General. Once the air permit compliance website is operational, the facility owner/operator shall ensure that the website is operated in

accordance with the emission reporting plan reviewed by the Jefferson Parish Department of Environmental Affairs. Air permit compliance website data shall also be reported to the Jefferson Parish Department of Environmental Affairs, as specified in this section and the Facility's plan.

- (2) Emissions inventory. The emissions inventory and the certification statements required by LDEQ for each Title V major source facility shall be submitted to the Jefferson Parish Department of Environmental Affairs annually in accordance with deadlines set forth by LDEQ and posted on the air permit compliance website.
- (3) Annual compliance certification. The annual compliance certification required by LDEQ for each Title V major source facility shall be submitted to the Jefferson Parish Department of Environmental Affairs annually in accordance with deadlines set forth by LDEQ and posted on the air permit compliance website.
- (4) Semiannual monitoring. The semiannual monitoring report required by LDEQ for each Title V major source facility shall be submitted to the Jefferson Parish Department of Environmental Affairs every six (6) months in accordance with deadlines set forth by LDEQ and posted on the air permit compliance website.
- (5) Recordkeeping. All facility owners or operators required to create an emission reporting plan and host an air permit compliance website pursuant to this section, shall maintain records related to compliance, emissions, and monitoring reports formally submitted to Jefferson Parish including the time periods any emission monitoring system was inoperable due to malfunction or maintenance, for a period of five (5) years after the data is collected.
- (6) Designation of Confidential Information. The facility owner/operator shall designate as confidential any information claimed to be exempt from public disclosure under state law.

Sec. 13-1389. Authority to issue violation notices.

The Jefferson Parish's Hazardous Material Risk Coordinator, the Department of Environmental Affairs, or the appropriate fire department(s) shall have authority to issue a notice of violation to a plant for any violation of this article. The Jefferson Parish Sheriff's Office and the Louisiana State Police may also enforce violations of this article.

Sec. 13-13940. Fines and penalties.

- (a) If it is determined that a plant has violated any provisions of this article the plant shall be subject to actions and/or penalties in accordance with Chapter 1, section 1-10. The plant may also be subject to any correctives orders and actions including, but not limited to, closure of the plant, as deemed necessary to insure the wellbeing of the public.

(b) Adjudication. Citations issued for the violation of any of the provisions of this article may be adjudicated by the Jefferson Parish Administrative Hearing Officer or in the appropriate Parish Court or in the Environmental Division of the Twenty-Fourth Judicial District Court for the Parish of Jefferson, State of Louisiana or in any other division of the Twenty-Fourth Judicial District Court for the Parish of Jefferson, State of Louisiana.

Sec. 13-14041. Limitation of liability.

No procedure or provision of this article or any action taken by the parish to enforce this article shall constitute, or be construed by any individual or enforcement agency, as a warranty or guarantee regarding the safety or fitness of the operation or equipment of any plant processing or storing hazardous materials in the parish. Further, no procedure or provision of this article or any action taken, or the failure by the parish to take action, to enforce this article shall constitute, or be construed by any individual or enforcement agency, as a basis for liability of the parish. Each plant is responsible for the safety of the operation and the equipment related in any way to it.

Sec. 13-14142. Administrative authority.

Minor amendments to reporting and documentation requirements in this article shall become effective when approved by the Jefferson Parish Director of Fire and the Director of the Department of Environmental Affairs.

Sec. 13-14243. Conflict.

In the event that any of the regulations or provisions contained in this article conflict with one another or with other parish regulations, or with state or federal regulations, the more restrictive shall govern.

2. Amend Chapter 33 Unified Development Code, Sec. 33-2.23. Special use permit (reserved), to rename to Special Permitted Uses and populate with existing provisions from Article XL. Special Permitted Uses. and new provisions, to read as follows:

Sec. 33-2.23. Special permitted uses ~~permit (reserved)~~.

Sec. 33-2.23.1. Purpose.

This section applies to certain uses, that because of unique characteristics or potential impacts on adjacent and nearby land uses, are not permitted as a matter of right but which may, under appropriate standards and factors, be approved. Compliance with the generally applicable requirements may not be sufficient, and additional measures and conditions may be necessary to mitigate the impact of the proposed development. These uses shall be permitted through the an application for approval of a special permitted use (SPU) with a site plan approved by the Parish Council after ensuring that the use can be appropriately accommodated on the specific property; that it will conform to the Comprehensive Plan; that it can be constructed and operated in a manner that is compatible with the surrounding land uses and overall character of the community; and that the public interest, health, safety, and general welfare will be promoted.

Sec. 33-2.23.2. Applicability and Initiation.

- (a) The special permitted use procedures apply only to any special permitted use authorized by this UDC or Chapter 40 of this Code. The provisions of this section apply to any application for approval of a special permitted use enumerated by a “SPU” in the applicable use matrix.
- (b) An owner of real property in unincorporated Jefferson Parish or the owner’s authorized applicant may apply for a special permitted use for that property by filing an application with the Planning Department. The application shall include the material required for a site plan in the Appendix of the UDC and shall provide substantial competent evidence in the form of data, reports, or impact assessments to support findings related to the suitability of the use.
- (c) A property with a special permitted use, including but not limited to any lot, plant, development site, facility, and/or vacant or undeveloped property, may be sold, leased, or otherwise transferred to a new owner, lessee, tenant, or transferee and such transfer shall not adversely affect or restrict the right of the transferee to conduct the use associated with the approved special permitted use on the property in accordance with the existing authorization as of the date of the transfer and/or renewal of such special permitted use in accordance with the requirements of this section.

Sec. 33-2.23.3. General review criteria.

In deliberating on any application, the Parish Council shall not grant approval of any special permitted use unless it makes findings based upon the evidence presented to it that each case shall indicate all of the following:

- (a) The permit, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.
- (b) The permit, if granted, will tend to preserve and advance the prosperity and general welfare of the neighborhood and community.
- (c) The granting of the special permitted use will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located, in that it will not impair an adequate supply of light and air, or increase substantially the congestion in the public streets, create a traffic hazard, or permit inadequate parking, or increase the danger of fire, or substantially affect or overburden existing drainage or sewerage systems, or endanger the public safety, nor cause serious annoyance or injury to occupants of adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise or vibration, light, or glare or other nuisances.
- (d) The proposed use shall comply with all applicable regulations of this Code.

(e) The establishment, maintenance, or operation of the proposed use shall not have adverse impacts on the health, safety, comfort, or general welfare of persons living or working in the area, and shall not be injurious to property or improvements in the area. In making such a determination, consideration shall be given to:

(1) The location, type, and height of buildings, structures, or facilities.

(2) The type and extent of landscaping, screening, and buffering on the site.

(f) Adequate public facilities shall be provided as set forth in Article 7, Adequate public facilities required of this UDC.

(g) Adequate measures shall be taken to provide ingress, egress, and interior circulation so designed as to minimize traffic hazards and congestion on the public streets and facilitate safe and convenient multi-modal transportation for vehicles, pedestrians, and cyclists, as appropriate.

(h) The proposed use shall not impede the orderly development and improvement of surrounding property or the area.

Sec. 33-2.23.4. Procedures.

(a) Approval of a special permitted use shall be by passage of an ordinance by the Jefferson Parish Council in accordance with Article 2, Procedures, Division 1. Common Procedures, of this UDC.

(b) No more than one (1) special permitted use shall be allowed per dwelling or lot, tract, plot, or development site.

(c) A special permitted use may not be permitted on premises containing a home occupation, as regulated in Article 5, Supplemental Conditions, Division 1. Specific Use Standards.

Sec. 33-2.23.5. Conditions.

In approving any special permitted use, the Council may:

(a) Impose such reasonable standards, conditions, or requirements, in addition to or that supersede any standard specified in this Code, or within federal or state regulations and standards if federal or state provisions allow additional or stricter application, as the Council may deem necessary to protect the public interest and welfare. Such additional standards may include, but are not limited to:

(1) Availability and financing of adequate public facilities.

(2) Dedication or reservation of land.

(3) Creation of special assessment districts.

(4) Creation of restrictive covenants, easements, or servitudes.

(5) Special setbacks, yard, or area requirements.

(6) Increased screening, landscaping, or buffering requirements.

(7) Development phasing.

(8) Standards pertaining to traffic, circulation, lighting, hours of operation, vibration, noise, odor, dust, smoke, gas, or other performance-related impact, or protection of environmentally sensitive areas and similar characteristics.

(9) Provision of sustainable features.

- (b) Require that a performance **security** be posted and a development agreement be entered into by the applicant to ensure continued compliance with all conditions and requirements as may be specified, in accordance with Article 2 Procedures, Division 4 Development agreements of this UDC.

Sec. 33-2.23.6. Renewal of special permitted use.

Unless exempted in a zoning district or specific use standard, or otherwise provided, a special permitted use shall be renewed every three (3) years subject to the following provisions:

- (a) An application for renewal shall be filed within three (3) years of approval in accordance with this section. Uses not renewed within this three (3) year period shall terminate and must be resubmitted for approval in accordance. This does not apply when a use is exempted in a zoning district or specific use standard from this required renewal.**
- (b) The Planning Department shall receive the application for renewal. The applicant shall submit to the Planning Department an affidavit stating that there have been no changes to the special permitted use, a copy of the site plan and/or floor plan submitted with the original application, and any other materials necessary to depict the current operation of the special permitted use. **If the Special Permitted Use requires a 24-hour manned hotline number, the applicant shall also include evidence of the required hotline and postings.**
- (c) The Department of Code Compliance and Enforcement shall **review the site and any necessary supplemental material to complete the review. For the renewal of bulk storage of hazardous materials special permitted uses, the Department of Hazardous Materials, and the Department of Environmental Affairs, shall also review the site and any necessary supplemental material to complete the review, as part of the renewal.**
- (d) Upon completion of reviews, the Department of Code Compliance and Enforcement shall either renew the permit or shall deny the permit, stating its

reasons therefore and shall notify the applicant and the Planning Department of this decision by letter.

(e) Should the Department of Code Compliance and Enforcement deny the renewal or revoke the permit for a special permitted use, the applicant may within thirty (30) days of the denial for renewal or revocation appeal the denial to the Parish Council. The use shall be allowed to continue operation during the appeal process.

(f) If a minor amendment to the special permitted use has been approved prior to the renewal date, this does not modify the timeframe for renewal per this Section. When there has been a major amendment to the special permitted use prior to the renewal timeframe, the date of such major amendment approval will serve as the start date for the required three (3) year renewal timeframe.

Sec. 33-2.23.7. Amendments.

(a) Permitted minor amendments. The Planning Director may approve a minor amendment to an approved special permitted use in accordance with the procedures provided in Sec. 33-2.3. Approval categories and site plan when it is determined by the Planning Director that such change is not related to the operation, physical design, or any conditions related to the special permitted use and is in substantial conformance with the original approval. The Planning Director may require any minor amendment, even if it meets the criteria of this section, to be approved as a major amendment to the special permitted use. Any of the actions allowed by this section as a minor amendment must meet all zoning regulations in order to qualify. The following qualify as minor amendments:

(1) Installation of site elements, such as parking, landscape, signs, and fencing.

(2) Changes in the location of vehicle and pedestrian circulation ways, and parking areas that meet the requirements of this Code.

(3) Construction of accessory structures and mechanical equipment that meet the requirements of this Code.

(4) Construction of a new or expansion of an existing principal building or structure where no direct operation of the special permitted use occurs, and that meets the requirements of this Code.

(5) Establishment of an additional principal use that is either a permitted or special permitted use within the district and is unrelated to the special permitted use and meets any applicable standards for that use.

(6) Demolition of any structure(s) or building(s).

(7) The following changes are also permitted as minor amendments:

a. A change in the location of a building, structure, or impervious surface by no more than ten (10) percent of the width or depth of the lot(s) within the SPU boundary, or any change in the location of an accessory structure.

b. A change of ten (10) percent or less increase in either building footprint(s), gross floor area, or impervious surface calculated cumulatively over what was approved in the initial application.

c. Minor amendments specific to bulk storage (LBCS function code 3630) include:

1. Installation of new or reconstruction of existing water storage tanks.

2. Repair or replacement of a tank holding any material with one (1) of the exact same size and footprint in the exact location.

(8) A change in ownership of a previously approved special permitted use, provided an affidavit is submitted to the Parish stating that the new owners acknowledge the special permitted use and the prior approval of such on the site.

(b) Minor amendment additional criteria. Minor amendments must also comply with the following criteria:

(1) There will be no detrimental impact on any adjacent property caused by significant change in appearance or use of the property or any other contributing factor.

(2) The change does not involve the storage of hazardous materials as determined by the Department of Hazardous Materials, Department of Environmental Affairs, and/or Fire Department except as allowed in item (a)(7)(c) above.

(3) Nothing in the currently valid approval precludes or otherwise limits such expansion or enlargement; and

(4) The proposal conforms to the requirements of this UDC, complies with all regulations of this Code, and is in keeping with the intent of the Comprehensive Plan.

(c) Major amendment.

- (1) Any proposed changes in use, including any changes in the use of the products or products themselves which may affect emission data previously submitted as well as a significant modification in an existing or new air emission or water discharge permit from any state or federal agency, shall be submitted to the Parish Council for approval as a major amendment; and
- (2) Any proposed amendment other than those provided in this section for minor amendment are considered a major amendment and shall be approved in the same manner and under the same procedures as are applicable to the issuance of the initial development approval.

Sec. 33-2.23.8. Emergency exception.

Installation or construction of temporary structure(s) or equipment necessary to address an operational emergency and/or natural disaster provided that the structures/equipment will not remain on the site for more than ninety (90) days. If a longer time period is needed, then a minor amendment to the special permitted use is required with evidence as to why such longer period is necessary. The property owner or applicant shall provide proof of the removal of the temporary equipment structures to the Planning Department within ten (10) business days of the expiration date.

Sec. 33-2.23.9. Validity.

- (a) The approved special permitted use site plan shall be valid for a period of three (3) years. Where the special permitted use requires approvals from agencies outside the Parish, the Planning Director may extend the period of validity for an additional one (1) or two (2) year(s) upon submittal of evidence in the form of a formal letter that the permits or approvals have been submitted for review.
- (b) Approval of a special permitted use site plan will expire when no building permit has been issued or the building permit lapses and has not been reactivated. The special permitted use site plan will then be deemed null and void.
- (c) This expiration provision only applies to any new special permitted use applications received after (EFFECTIVE DATE OF THIS ORDINANCE).

Sec. 33-2.23.10. Nonconforming uses.

For an existing and currently valid special permitted use that is no longer allowed as a special permitted use in the zoning district in which it is located, the Parish Council, upon receipt of an application forwarded by the Planning Director, may review and approve an amendment to said development approval, provided that such amendment does not allow the use to be enlarged, expanded, increased in intensity, relocated, or continued beyond

any limitation specified in the existing use development approval or established in Chapter 40, Zoning, Article XXXVII Nonconforming uses of this Code.

3. Amend Chapter 33 Unified Development Code, Sec. 33-3.40. Industrial Zoning Districts Use Matrix., to add new uses and descriptions, new industrial districts, and the U-1R district, populate permissions, and reference sections for supplemental use regulations, as applicable, in a table, to read as follows:

Sec. 33-3.40. Industrial Zoning Districts Use Matrix (~~reserved~~).

[Table 33-3.40-1. Authorized Land Uses for Industrial Base Zoning Districts lists the principal uses, as described in this chapter, permitted by-right \(P\), permitted with supplemental use regulations \(S\), permitted with approval of a special permitted use \(SPU\), or prohibited \(X\) within the industrial base zoning districts, in accordance with the interpretation provided in Sec. 33-3.4.2 Interpretation of zoning district use matrices.](#)

Table 33-3.40-1. Authorized Land Uses for Industrial Base Zoning Districts.

<u>LBCS Classification</u>	<u>LBCS Function Code</u>	<u>Description</u>	<u>Specific Use Standard Sec. No.</u>	<u>I-MU</u>	<u>I-L</u>	<u>I-H</u>	<u>I-LF</u>
<u>RESIDENCE OR ACCOMMODATION FUNCTIONS</u>	<u>1000</u>	<u>Homes, apartments, housing for the elderly, and hotels</u>					
<u>PRIVATE DWELLING</u>	<u>1100</u>	<u>Single-family homes, doubles, apartments, condominiums, mobile homes, townhouses; excludes households with special provisions</u>					
<u>Single family</u>	<u>1110</u>						
<u>single family detached</u>	<u>1111</u>	<u>Typical single-family dwelling</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>single family attached (townhouse)</u>	<u>1112</u>	<u>Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered</u>	<u>33-5.3.4.1.2</u>	<u>S</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>single family manufactured home</u>	<u>1113</u>		<u>33-5.3.4.1.3</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Two family (double or duplex)</u>	<u>1120</u>						
<u>two family detached</u>	<u>1121</u>	<u>Secondary or accessory dwelling unit</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>two family attached</u>	<u>1122</u>	<u>Two attached dwelling units on a single lot</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Three family (triplex)</u>	<u>1130</u>						
<u>three family detached</u>	<u>1131</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>three family attached</u>	<u>1132</u>	<u>Three attached dwelling units on a single lot</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Four family (quadruplex)</u>	<u>1140</u>	<u>Four attached dwelling units on a single lot</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Multi-family</u>	<u>1150</u>	<u>Five or more units</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>HOUSING SERVICES</u>	<u>1200</u>	<u>Housing and custodial services for those who cannot care for themselves, such as the elderly. The subcategories reflect four common patterns of housing for the elderly</u>					

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		<u>and relate to the level of dependence on the care provider</u>					
<u>retirement housing services</u>	<u>1210</u>	<u>Housing with minimal convenience services, but focus on attracting elderly residents so as to provide a social support system among the residents</u>		X	X	X	X
<u>congregate living services</u>	<u>1220</u>	<u>Housing with convenience services such as meals, housekeeping, transportation, recreational programs</u>		X	X	X	X
<u>Assisted-living and board and care homes</u>	<u>1230</u>	<u>Adult care, group homes, board and care; services include daily activity assistance such as dressing, grooming, bathing, etc.</u>					
<u>board and care home</u>	<u>1231</u>	<u>See definition in Article 10. Definitions of this UDC</u>	<u>33-5.3.4.2</u>	X	X	X	X
<u>assisted living</u>	<u>1232</u>	<u>See definition in Article 10. Definitions of this UDC</u>		X	X	X	X
<u>continuing care retirement center</u>	<u>1240</u>	<u>Retirement centers to which residents turn over some or all of their assets in exchange for housing, personal care, convenience care, and some health care. Also called endowment facilities, founders care facilities, continuing care retirement centers, etc.</u>		X	X	X	X
<u>nursing or convalescent home</u>	<u>1250</u>	<u>Nursing homes and convalescent hospitals providing 24-hour skilled nursing care</u>		X	X	X	X
<u>HOTELS, MOTELS, OR OTHER ACCOMMODATION SERVICES</u>	<u>1300</u>	<u>Lodging and short-term accommodation for travelers, may offer wide range of services</u>					

<u>LBCS Classification</u>	<u>LBCS Function Code</u>	<u>Description</u>	<u>Specific Use Standard Sec. No.</u>	<u>I-MU</u>	<u>I-L</u>	<u>I-H</u>	<u>I-LF</u>
<u><i>bed and breakfast</i></u>	<u>1310</u>	<u>See definition in Article 10. Definitions of this UDC</u>	<u>33-5.3.4.3</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>rooming and boarding</i></u>	<u>1320</u>	<u>Dormitory, fraternity or sorority house or other specific group membership, providing temporary accommodations and may offer housekeeping, meals, and laundry services</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>barracks</i></u>	<u>1321</u>	<u>Primarily associated with uniformed services (police, military, etc.)</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>dormitory</i></u>	<u>1322</u>	<u>Primarily associated with an institution that provides sleeping units and communal dining facilities (college and universities)</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Temporary living quarters</u>	<u>1323</u>	<u>A dwelling used by a person or persons who care for and ensure the security of the building, plant, equipment, or grounds associated with an industry, business, office, or recreation area located on the site.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Hotel or motel</u>	<u>1330</u>	<u>Hotels that do not have gambling services but may offer food services, recreational services, convention hosting services, laundry services, etc.; includes extended-stay hotels</u>					
<u><i>hotel</i></u>	<u>1331</u>	<u>See definition in Article 10. Definitions of this UDC</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>motel</i></u>	<u>1332</u>	<u>See definition in Article 10. Definitions of this UDC</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Casino hotel</u>	<u>1340</u>	<u>Functions like a resort or hotel in addition to the gambling operations in the casino portions of the premises providing services packaged to serve gambling, sports betting,</u>	<u>33-5.3.8.2</u>	<u>SP U</u>	<u>SP U</u>	<u>SP U</u>	<u>X</u>

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		<u>slot machines, food services, conference or convention facilities, and recreational amenities like spas; see definition of gaming establishment in Article 10. Definitions of this UDC.</u>					
<u>Other traveler accommodations</u>	<u>1350</u>	<u>Guest houses, youth hostels and similar short-term lodging</u>		X	X	X	X
<u>GENERAL SALES OR SERVICES</u>	<u>2000</u>	<u>Comprises the vast majority of non-residential uses associated with commercial land use; establishments engaged in retailing merchandise generally without transformation, in small quantities, and to the general public, and rendering services incidental to the sale of merchandise</u>					
<u>RETAIL SALES OR SERVICE AND REPAIR</u>	<u>2100</u>	<u>Non-residential uses with displays of merchandise sold to the general public and other businesses, or after-sales services such as repair or installation</u>					
<u>Automobile sales or service</u>	<u>2110</u>	<u>Motor vehicle and parts and accessories dealers including repair and maintenance, may have showrooms or open lots for selling vehicles</u>					
<u>car dealer</u>	<u>2111</u>	<u>Retail new or used automobiles and light trucks such as SUV's</u>		P	P	X	X
<u>bus, truck, mobile homes, or large vehicles</u>	<u>2112</u>	<u>Retail new or used larger vehicles not included in car dealers category such as buses, RV's, and trucks;</u>		P	P	X	X
<u>motorcycle, atv</u>	<u>2113</u>	<u>Retail new or used motorcycles, motorbikes, motor scooters, mopeds, and off-road all-</u>		P	P	X	X

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		<u>terrain vehicles</u>					
<u>boat or marine craft dealer</u>	<u>2114</u>	<u>Retail new or used boats, personal watercraft, outboard motors, boat trailers, related marine equipment supplies</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>parts, accessories, or tires</u>	<u>2115</u>	<u>Automotive parts and supply stores, automotive stereo stores, tire and tube shops</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>gasoline service</u>	<u>2116</u>	<u>Primarily retail automotive fuels with or without convenience stores or food marts and may provide automotive repair, automotive oils, and replacement parts and accessories</u>	<u>33-5.3.5.1.2</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>automotive repair and maintenance</u>	<u>2117</u>	<u>Automotive repair garages, maintenance and tune-up shops, body and paint shops, oil change and lubrication shops, detail shop, car wash</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>truck stop</u>	<u>2118</u>	<u>Primarily retailing fuels to trucks often in combination with activities such as providing repair or food services; See definition in Article 10. Definitions of this UDC</u>	<u>33-5.3.5.1.3</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>car wash</u>	<u>2119</u>	<u>Primarily engaged in cleaning, washing, and/or waxing automotive vehicles such as passenger cars, trucks, vans, and trailers; includes automotive detail shops</u>	<u>33-5.3.5.1.4</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Heavy consumer goods sales or service</u>	<u>2120</u>	<u>Heavy or durable goods sales or services</u>					
<u>furniture or home furnishings</u>	<u>2121</u>	<u>Furniture (household, outdoor, office), flooring, bedding, window treatment; may be</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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		<u>sold in combination with major appliances or home electronics, or in combination with installation and repair services</u>					
<u>hardware, home center</u>	<u>2122</u>	<u>Retail home building and repair supplies, may sell other products, such as lumber, plumbing and electrical goods, tools, housewares, hardware, lawn and garden supplies, paint and wallpaper store</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>lawn and garden supplies</u>	<u>2123</u>	<u>Retail nursery and garden products predominantly grown elsewhere, outdoor power equipment sales or services, pool supply</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>department store, warehouse club, or superstore</u>	<u>2124</u>	<u>Retail large variety of goods, may include apparel, furniture, appliances and home furnishings, paint, hardware, toiletries, cosmetics, photographic equipment, jewelry, toys, sporting goods, and groceries in combination with general merchandise; no single line of merchandise predominating</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>electronics and appliances</u>	<u>2125</u>	<u>Retail household-type appliances, tv's, stereos, cameras, cell phones, may sell computer hardware and software along with other lines of merchandise and may include trained repair persons to handle maintenance and repair; however, businesses primarily selling computer hardware, software and services or camera equipment and services are classified in separate categories</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>

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<u><i>lumber yard and building materials</i></u>	<u>2126</u>	<u>Lumber yards and heavy building materials retailing establishments</u>		P	P	P	X
<u><i>heating and plumbing equipment</i></u>	<u>2127</u>	<u>Heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category</u>		P	P	X	X
<u><i>Durable consumer goods sales and service</i></u>	<u>2130</u>	<u>Retail wide range of product lines such as apparel, appliances and home furnishings, paint, hardware, toiletries, cosmetics, photographic equipment, jewelry, toys, sporting goods, automotive parts, and dry goods.</u>					
<u><i>computer and software</i></u>	<u>2131</u>	<u>Retail computers, computer peripherals, and prepackaged software without other electronic or office equipment; may also provide repair, support, and training</u>		P	X	X	X
<u><i>camera and photographic supplies</i></u>	<u>2132</u>	<u>Primarily retail cameras and photographic supplies or retail with repair and film developing</u>		P	X	X	X
<u><i>clothing, footwear, jewelry, silverware, watches and clocks, luggage and leather goods, sewing supplies</i></u>	<u>2133</u>	<u>Included is retailing in combination with repair and lapidary work; for stand-alone tailor, use LBCS Function Code 2624</u>		P	X	X	X
<u><i>sporting goods, toy and hobby, and musical instruments</i></u>	<u>2134</u>	<u>Primarily retailing bicycles and bicycle parts, camping equipment, exercise and fitness equipment, trophies, athletic uniforms, specialty sports footwear, toys, games, hobby, craft, musical instruments.</u>		P	X	X	X

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<u>books, magazines, music, stationery</u>	<u>2135</u>	<u>Primarily retailing books, newspapers, magazines, stationery, school and office supplies, gift and novelty merchandise, souvenirs, greeting cards and candles, seasonal and holiday decorations, curios, sheet music, prerecorded audio and video tapes, CDs, DVDs and similar products</u>		P	X	X	X
<u>Consumer goods, other</u>	<u>2140</u>	<u>Retail merchandise (except groceries or health items) not included in preceding codes</u>					
<u>florist</u>	<u>2141</u>	<u>Retail cut flowers, floral arrangements, and potted plants purchased from others</u>		P	X	X	X
<u>art dealer, supplies, sales and service</u>	<u>2142</u>	<u>Retail original and limited edition art works and may offer art supplies and services; Included in this category are establishments displaying works of art for retail sale in art galleries</u>		P	X	X	X
<u>tobacco sales or tobacconist</u>	<u>2143</u>	<u>Retail cigarettes, cigars, tobacco, pipes, and other tobacco supplies</u>		P	X	X	X
<u>mail order sales or direct selling</u>	<u>2144</u>	<u>Retailing other than in stores, offer services through sales staff that may go to the customer's location or may utilize mail or electronic media, includes businesses retailing from catalogue showrooms of mail-order houses</u>		P	X	X	X
<u>antique shop, flea market, thrift stores</u>	<u>2145</u>	<u>Primarily retail a general line of used goods</u>		P	X	X	X
<u>Grocery, food, beverage, dairy</u>	<u>2150</u>	<u>Retail food and beverage merchandise from fixed point-of-sale locations</u>					

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<u>grocery store, supermarket, or bakery</u>	<u>2151</u>	<u>Retail a general line of food, includes meat and seafood markets, delicatessens, and businesses retailing baked goods made on- or off-premises; not principally for but may include immediate consumption [8-23-17]</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>convenience store</u>	<u>2152</u>	<u>Excludes those with fuel pumps; primarily retail a limited line of goods that generally includes milk, bread, soda, and snacks</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>specialty food store</u>	<u>2153</u>	<u>Primarily retail specialty food items such as packaged coffee, tea, confectionery products, nuts, spices, and gourmet foods</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>fruit and vegetable store</u>	<u>2154</u>	<u>Primarily retail fresh fruits and vegetables either as stand-alone business or larger collection of shops such as common with farmers' markets and roadside grocery stands</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>beer, wine, and liquor store</u>	<u>2155</u>	<u>Primarily retail packaged alcoholic beverages</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Health and personal care</u>	<u>2160</u>	<u>Retail health and personal care merchandise from fixed point-of-sale locations; may have specialized staff trained in dealing with the products, such as pharmacists and opticians</u>					
<u>pharmacy or drug store</u>	<u>2161</u>	<u>Primarily retail prescription or nonprescription drugs; often include general line of products common to a convenience store</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>cosmetic and beauty supplies and personal grooming products</u>	<u>2162</u>	<u>Primarily retail cosmetics, perfumes, toiletries, and personal grooming products</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>

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<u>optical and contact lenses</u>	<u>2163</u>	<u>Retail prescription or nonprescription eyeglasses and contact lenses; includes customer fitting or lens grinding</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>convalescent supply, prosthetic, hearing aid store</u>	<u>2164</u>	<u>Retail prescription or nonprescription health and convalescent aids; includes customer fitting</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>health food supplement store</u>	<u>2165</u>	<u>Primarily retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>FINANCE AND INSURANCE</u>	<u>2200</u>	<u>Businesses engaged in financial transactions that create, liquidate, or change ownership of financial assets; also pool financial risks by underwriting insurance and annuities or support employee benefits programs</u>					
<u>Bank, credit union, or savings institution</u>	<u>2210</u>	<u>Perform central banking functions and accept deposits or lend funds from these deposits</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>drive-through bank or credit union</u>	<u>2211</u>	<u>Includes drive-through banking services to patrons</u>	<u>33-5.3.5.1.5</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Credit and finance businesses</u>	<u>2220</u>	<u>Extend credit or lend funds raised by credit market borrowing, such as issuing commercial paper or other debt instruments or by borrowing from other financial intermediaries; also include credit card, sales financing, unsecured consumer lending, real estate credit, international trade financing, and secondary market financing</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>pawn shop and retail</u>	<u>2221</u>	<u>Consumer cash lending secured by personal</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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<u>loan</u>		<u>property; retail unsecured loan operations</u>					
<u>Investment banking, securities, and brokerages</u>	<u>2230</u>	<u>Securities underwriting, brokering, exchange services, managing portfolios, providing investment advice and trust, fiduciary, and custody services</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Insurance-related businesses</u>	<u>2240</u>	<u>Insurance and annuity underwriting, selling insurance and employee-benefit related services</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Fund, trust, or other financial businesses</u>	<u>2250</u>	<u>Pool assets, such as funds and trusts, on behalf of shareholders or beneficiaries; act as principals in buying or selling financial contracts, and provide related investment services</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>REAL ESTATE, AND RENTAL AND LEASING</u>	<u>2300</u>	<u>Establishments that rent or lease and may sell assets, which can be tangible such as real estate or equipment or intangible such as patents and trademarks</u>					
<u>real estate services</u>	<u>2310</u>	<u>Establishments that lease real estate (except buildings) such as manufactured home sites and vacant lots; includes real estate appraisers and other establishments performing real estate related services while not leasing buildings</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Property management services</u>	<u>2320</u>	<u>Manage real property for others; management includes services associated with overall operation of property such as collecting rents, overseeing maintenance, security and trash removal</u>					
<u>commercial property-</u>	<u>2321</u>	<u>Establishments that rent or lease buildings</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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<u>related</u>		<u>not used as residences [4-25-18]</u>					
<u>rental housing-related</u>	<u>2322</u>	<u>Establishments that rent or lease buildings used as residences</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Rental and leasing</u>	<u>2330</u>	<u>Establishments that rent or lease tangible goods such as consumer goods and mechanical equipment to customers; excludes businesses primarily renting equipment with operators</u>					
<u>cars rental and leasing</u>	<u>2331</u>	<u>Rent or lease passenger cars without drivers</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>leasing trucks, trailers, rv's, buses, aircraft, tugboats, etc.</u>	<u>2332</u>	<u>Rent or lease trucks, tractors, buses, semi-trailers, utility trailers, RVs, or off-highway transportation equipment such as aircraft, railroad cars, steamships, or tugboats; drivers or operators not provided</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>recreational goods rental</u>	<u>2333</u>	<u>Rent skis, canoes, bicycles, sailboats, motorcycles</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>leasing commercial, industrial machinery and equipment</u>	<u>2334</u>	<u>Rent or lease office machinery and equipment, heavy equipment without operators for construction, well-drilling, forestry, agriculture, telecommunications, manufacturing, metalworking, institutional furniture, motion picture, or theatrical equipment</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>consumer goods rental</u>	<u>2335</u>	<u>Rent personal and household-type goods and a range of consumer, commercial, and industrial equipment geared toward consumers, often operate from a retail-like or store-front facility; rental items include home health equipment, consumer electronics,</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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		<u>formal wear, costumes, furniture and party supplies</u>					
<u>intellectual property rental</u>	<u>2336</u>	<u>Establishments that assign patents, trademarks, brand names, and franchise agreements</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>BUSINESS, PROFESSIONAL, SCIENTIFIC, AND TECHNICAL</u>	<u>2400</u>	<u>Establishments that perform professional, scientific, and technical services that require a high degree of expertise and training; often operate from an office</u>					
<u>Professional services</u>	<u>2410</u>	<u>Establishments that sell expertise and perform professional scientific, and technical services, which depend on worker skills and knowledge rather than equipment; employees tend to be highly specialized</u>					
<u>legal services</u>	<u>2411</u>	<u>Title abstract and real estate settlement offices, lawyers, notaries, and other legal service establishments</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>accounting, tax, bookkeeping, payroll services</u>	<u>2412</u>	<u>Accounting-related establishments that provide services such as auditing accounting records, designing accounting systems, preparing financial statements, developing budgets, preparing tax returns, processing payrolls, bookkeeping, billing</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>architectural, engineering, surveying and related services</u>	<u>2413</u>	<u>Architectural, landscape architectural, engineering, drafting, building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission) such as acoustics, calibration, electronic, mechanical</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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<u><i>graphic, industrial, interior design services</i></u>	<u>2414</u>	<u>Provide specialized design services that include interior, industrial, and graphic design, includes commercial studios with artists that generate illustrations requiring technical accuracy or interpretative skills</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>consulting services (management, environmental technical)</i></u>	<u>2415</u>	<u>Advise and assist businesses and other organizations on management, scientific, and technological issues; includes establishments that provide expertise in information technologies</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>scientific research and development services</i></u>	<u>2416</u>	<u>Conduct research or analyze in the physical, engineering, cognitive, or life sciences</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>advertising, media, and photography services</i></u>	<u>2417</u>	<u>Advertising, public relations, media buying agencies, direct mail advertisers, market research, translation providers, commercial and consumer photography and ideography studios; translation and interpretation providers</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>veterinary services</i></u>	<u>2418</u>	<u>Establishments with licensed practitioners of veterinary medicine, dentistry or surgery for animals; testing services for licensed veterinary practitioners; veterinary clinics, and animal hospitals</u>	<u>33-5.3.5.2</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u><i>industrial design</i></u>	<u>2419</u>	<u>The design, marketing, and/or brand development of various products that are researched and developed by integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>products but does not mass manufacture products from the premises.</u>					
<u>Administrative services</u>	<u>2420</u>	<u>Typical office uses in any business area, provide a variety of standard administrative services; the default assignment for most office buildings</u>					
<u>office administrative services</u>	<u>2421</u>	<u>Office providing administrative services such as billing, record keeping, personnel, organizational planning; use this classification for stand-alone establishments which, although they may be part of a larger company, are separate from the actual goods or services producing facilities</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>facilities support services</u>	<u>2422</u>	<u>Office providing operating staff for support services within a client's facilities, including janitorial, security, maintenance, laundry services, trash disposal, and mail reception</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>employment agency</u>	<u>2423</u>	<u>Office providing employee placement, temporary help, and employee leasing services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>copy center, private mail center, other business support services</u>	<u>2424</u>	<u>Establishments that provide document preparation, telephone answering, telemarketing, mailing (except direct mailing advertising), court reporting, steno typing, facsimiles, word processing, on-site PC rental, may operate copy centers which provide photocopying, duplicating, blueprinting</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>collection agency</u>	<u>2425</u>	<u>Collect payments, compile credit and</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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		<u>employment information, repossess tangible assets</u>					
<u>Travel arrangement and reservation services</u>	<u>2430</u>	<u>Office promoting or selling travel, tour, or accommodation services, includes convention and visitors' bureaus and wholesale tour operators</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Investigation and security services</u>	<u>2440</u>	<u>Office providing investigation, detective, guard and patrol services, picking up and delivery of money or valuable items with protection while in transit, selling of security systems along with installation, repair or monitoring, remote monitoring of security systems, locksmiths</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Services to buildings and dwellings</u>	<u>2450</u>	<u>Office providing pest control, janitorial services, landscaping, carpet and upholstery cleaning, and other services for buildings and dwellings</u>					
<u>extermination and pest control</u>	<u>2451</u>	<u>Exterminate and control birds, mosquitoes, rodents, termites and other insects and pests (except for crop and forestry production), includes businesses that provide fumigation services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>janitorial</u>	<u>2452</u>	<u>Clean building interiors, interiors of transportation equipment, windows, swimming pools, drains or gutters</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>landscaping</u>	<u>2453</u>	<u>Office providing landscape maintenance, and tree, shrub, plant, lawn, or garden installation, may design landscape plans or construct walkways, retaining walls, decks,</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>fences, ponds, or similar structures; for nurseries, see 2121 (retail) or 9140 (agricultural)</u>					
<u>carpet and upholstery cleaning</u>	<u>2454</u>	<u>Establishments that clean and dye used rugs, carpets, and upholstery</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>packing, crating, and convention and trade show</u>	<u>2455</u>	<u>Establishments that package client owned materials, organize, promote, and manage events such as business and trade shows, conventions, conferences, with or without staff, float building and decorating; use this code for standalone conference and convention facilities</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
FOOD SERVICES	2500	<u>Prepare meals, snacks, and beverages for immediate consumption</u>					
<u>Full-service restaurant</u>	<u>2510</u>	<u>Provide food services to patrons who order and are served while seated and pay after eating, may provide this service in combination with selling alcoholic beverages, providing takeout services, or presenting live nontheatrical entertainment</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Cafeteria or limited-service restaurant</u>	<u>2520</u>	<u>Provide food services to patrons who order or select items and pay before eating; may be consumed on premises, taken out, or delivered, includes deli, pizza delivery, cafeterias which use cafeteria-style serving equipment, a refrigerated area, and self-service beverage dispensing equipment, and which display food and drink items in a continuous cafeteria line</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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<u>drive-through restaurants</u>	<u>2521</u>	<u>Provides drive-in, drive-through or drive-up food service to patrons; includes most fast-food restaurants</u>	<u>33-5.3.5.1.5</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Snack or nonalcoholic bar</u>	<u>2530</u>	<u>Prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, and other baked goods, and nonalcoholic beverages such as coffee, tea, juice or soda for consumption on or near the premises; includes snowball stands</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>drive-through snack or nonalcoholic bar</u>	<u>2531</u>	<u>Provides drive-in, drive-through or drive-up food service to patrons; limited to restaurants that prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, and nonalcoholic beverages</u>	<u>33-5.3.5.1.5</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Bar or drinking place</u>	<u>2540</u>	<u>Bars, taverns, nightclubs primarily serving alcoholic beverages for immediate consumption; may provide limited food and entertainment</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>drive-through alcoholic beverage service</u>	<u>2541</u>	<u>Provides drive-in, drive-through or drive-up sale of alcoholic beverages to patrons; includes drive-thru daiquiri shops</u>	<u>33-5.3.5.1.5</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Mobile food services</u>	<u>2550</u>	<u>Prepare and serve meals and snacks for immediate consumption from a motorized vehicle, cart, stand, or table; the use is the central location from which the services are provided, not each vehicle, cart, stand, or table; the land used as the primary site for the business' sales</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Caterer, banquet hall</u>	<u>2560</u>	<u>Provide single event-based food services via</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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		<u>transport of food to events or preparation of food at an off-premise site for a restaurant. Includes banquet halls with catering for wedding receptions and other similar uses.</u>					
<u>Food service contractor</u>	<u>2570</u>	<u>Provide food services at institutional, governmental, commercial, or industrial locations based on contracts for a specified period of time</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Vending machine operator</u>	<u>2580</u>	<u>Establishments that retail merchandise through vending machines that they service, not primarily engaged in warehousing or wholesale distribution of machines and equipment</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>PERSONAL SERVICES</u>	<u>2600</u>	<u>Catch-all category for all personal service establishments: provided to individuals rather than to businesses</u>					
<u>Personal care</u>	<u>2610</u>	<u>Hair, nail, and skin care and related personal care</u>					
<u>hair, nail, and cosmetic skin care</u>	<u>2611</u>	<u>Barber or beauty shop, nail, facial, or cosmetology salon, hair stylist shop</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>dieting and weight reducing</u>	<u>2612</u>	<u>Provides nonmedical services to assist clients in attaining or maintaining a desired weight, services include individual and group counseling, menu and exercise planning, and weight and body measurement monitoring</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>tanning salon</u>	<u>2614</u>			<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>commercial body art facility</u>	<u>2615</u>	<u>See definition in Article 10 Definitions of this UDC</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>

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<u>depilatory or electrolysis (i.e., hair removal), hair weaving or replacement (except by offices of physicians), ear piercing</u>	<u>2616</u>			P	X	X	X
<u>Dry cleaning and laundry</u>	<u>2620</u>						
<u>coin-operated laundromat</u>	<u>2621</u>	<u>Primarily engaged in operating facilities with coin-operated or similar self-service laundry equipment for customer use on the premises</u>		P	P	X	X
<u>dry cleaning and laundry</u>	<u>2622</u>	<u>Provide dry-cleaning and laundering services (except coin-operated), drop-off and pickup sites for laundries/drycleaners, specialty cleaning services for special types of garments</u>	<u>33-5.3.5.3</u>	P	P	X	X
<u>linen and uniform supply</u>	<u>2623</u>	<u>Primarily engaged in supplying, on a rental or contract basis, laundered items such as uniforms, gowns and coats, table linens, bed linens, clean room apparel, and treated mop or shop towels</u>		P	P	P	X
<u>tailor, alterationist</u>	<u>2624</u>	<u>Primarily engaged in altering personal clothing items purchased elsewhere to fit individual customers; for Textiles, see LBCS Function Code 3130</u>		P	P	X	X
<u>Photofinishing</u>	<u>2630</u>	<u>Primarily engaged in developing film or making slides, prints and enlargements</u>		P	P	X	X
<u>Parking lot and parking garage</u>	<u>2640</u>	<u>Primarily engaged in providing parking for motor vehicles, usually on an hourly, daily, or monthly basis, may provide valet parking services</u>					

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<u><i>parking lot</i></u>	<u>2641</u>	<u>Use this code for stand-alone parking lots only</u>	<u>33-6.25.5</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>parking garage</i></u>	<u>2642</u>	<u>Use this code for stand-alone parking garages only</u>	<u>33-5.3.5.1.6</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Adult use</u>	<u>2650</u>						
<u><i>massage parlor</i></u>	<u>2651</u>	<u>See definitions in Article 10. Definitions of this UDC</u>	<u>33-5.3.5.5</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>
<u><i>adult establishment</i></u>	<u>2653</u>			<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>
<u><i>adult cabaret</i></u>	<u>2654</u>			<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>
<u>Self-storage</u>	<u>2660</u>	<u>Establishments comprised of buildings or group of buildings with individual, generally contiguous rooms or units rented to the public for the storage and retrieval of personal property and which have access and locks under control of the tenant</u>	<u>33-5.3.5.4</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>PET AND ANIMAL SALES OR SERVICE (EXCEPT VETERINARY)</u>	<u>2700</u>	<u>Establishments that retail pets and other animals (except for farming purposes) and pet supplies, provide animal services such as grooming, training, and care taking</u>					
<u><i>pet or pet supply store</i></u>	<u>2710</u>	<u>Retail pets, pet foods, pet supplies</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>animal and pet services and kennels</i></u>	<u>2720</u>	<u>Provide animal and pet care services (except veterinary services and horse boarding), such as boarding, grooming, sitting, and training</u>	<u>33-5.3.5.6</u>	<u>S</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>MANUFACTURING AND WHOLESALE TRADE</u>	<u>3000</u>	<u>Are located in plants, factories or mills and employ power-driven machines and materials-handling equipment but may employ workers who create new products by hand: these establishments process</u>					

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		<u>products of agriculture, forestry, fishing, mining as well as products of other manufacturing uses. When captive services such as accounting are provided by a separate business, they are classified in the appropriate function code and not in manufacturing</u>					
<u>FOODS, TEXTILES, AND RELATED PRODUCTS</u>	<u>3100</u>	<u>Primarily produce food, tobacco, textiles, and leather products</u>					
<u>Food and non-alcoholic beverages</u>	<u>3110</u>	<u>Transform livestock and produce into products for intermediate or final consumption typically sold to wholesalers or retailers; manufacture beverages as nonalcoholic; includes principally wholesale bakery and candy producers for later consumption and ice manufacturing</u>					
<u>food and non-alcoholic beverage production</u>	<u>3111</u>	<u>Includes production of food, non-alcoholic beverages, and ice; may include coffee roasting</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>commercial kitchen</u>	<u>3112</u>	<u>A certified shared commercial kitchen in which individuals or businesses prepare value-added food products and meals, usually paying an hourly, daily, weekly, or monthly rate to lease a space shared by others.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>food production support services</u>	<u>3113</u>	<u>Establishments that support local food production companies in the assembly of their products, such as packaging/co-packing facilities, cold storage, and</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>refrigeration facilities.</u>					
<u>animal slaughtering and processing</u>	<u>3114</u>	<u>Establishments that slaughter animals, prepare processed meats and meat byproducts, and render or refine animal fat, bones, and meat scraps</u>		<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Alcoholic beverages</u>	<u>3120</u>	<u>Manufacture or produce alcoholic beverages, such as beer, wine, spirits, cider, and mead.</u>					
<u>brewery</u>	<u>3121</u>	<u>A facility licensed as a “Manufacturer or brewer” as defined in Title 26, Section 241, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room or rooms as an accessory use with retail sales of only those alcoholic beverages produced at the facility for consumption on or off the premises.</u>	<u>33-5.3.6.1</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>distillery</u>	<u>3122</u>	<u>A facility licensed as a “Manufacturer” as defined in Title 26, Section 2, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room as an accessory use with retail sales of only those alcoholic beverages produced at that facility for consumption on or off the premises.</u>	<u>33-5.3.6.1</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>micro-brewery</u>	<u>3123</u>	<u>A facility licensed as a “Microbrewery” as defined in Title 26, Section 241, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises.</u>	<u>33-5.3.6.1</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>

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<u>micro-distillery</u>	<u>3124</u>	<u>A facility licensed as a "Microdistillery" as defined in Title 26, Section 2, of the Louisiana Revised Statutes. The facility may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises.</u>	<u>.33-5.3.6.1</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>micro-winery</u>	<u>3125</u>	<u>A facility licensed as a "micro-winery" in accordance with Title 26, Section 2, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises.</u>	<u>.33-5.3.6.1</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>winery</u>	<u>3126</u>	<u>A facility licensed as a "Winery" in accordance with Title 26, Section 2, of the Louisiana Revised Statutes. An on-site tasting room with retail sales of only wine produced at that facility for consumption on or off the premises shall be a permitted accessory use.</u>	<u>33-5.3.6.1</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>Wholesale alcoholic beverage production</u>	<u>3127</u>	<u>A licensed facility for the production and packaging of alcoholic beverages, such as beer, wine, spirits, cider, and mead, for distribution and consumption off-premises.</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Tobacco manufacturing</u>	<u>3130</u>	<u>Redry and stem tobacco or manufacture cigarettes, cigars or other tobacco products</u>		<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Textiles</u>	<u>3140</u>	<u>Textile mills, textile product mills, apparel manufacturers, includes uses that work with materials owned by others and those that</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>manufacture custom garments for individual clients; for tailors and alterationists only, use LBCS Function Code 2624</u>					
<u>Leather and leather substitute products</u>	<u>3150</u>	<u>Manufacture products for final consumption from leather and leather substitutes such as rubber, plastics, or textiles. Rubber footwear, textile luggage, and plastic purses are examples.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Leather and hide tanning and finishing</u>	<u>3151</u>	<u>Establishments primarily engaged in one or more of the following: tanning, currying, and finishing hides and skins; having others process hides and skins on a contract basis; dyeing or dressing furs</u>		<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>WOOD, PAPER, AND PRINTING PRODUCTS</u>	<u>3200</u>	<u>Manufacture wood and paper products, such as lumber, furniture, wood building products, mobile homes, and paper products; some perform related services such a printing and bookbinding</u>					
<u>Wood products</u>	<u>3210</u>	<u>Manufacture wood products, except furniture, such as lumber, plywood, veneers, wood containers, wood flooring, wood trusses, mobile homes, and prefabricated wood buildings; may include sawing, planning, shaping, laminating, or assembling wood products</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Paper and printing materials</u>	<u>3220</u>	<u>Manufacture paper and offer printing-related products that include newspapers, books, periodicals, and greeting cards; may perform support activities such as bookbinding,</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>plate-making and data imaging; does not include publishers of printed products or those that both print and publish</u>					
<u>pulp, paper, and paperboard mills</u>	<u>3221</u>	<u>Establishments primarily engaged in manufacturing pulp, paper, or paperboard</u>		<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>printing and related support activities</u>	<u>3222</u>	<u>Establishments that do not manufacture the stock that they print; for publishers and publishers that also print, use publishing or information codes</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Furniture and related products</u>	<u>3230</u>	<u>Manufactures furniture and related articles such as mattresses, window blinds, cabinets, fixtures; for manufacturers of transportation equipment seats and furniture, use the transportation manufacturing category; for manufacturers of medical-type furniture, use the miscellaneous manufacturing category</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>CHEMICALS, AND METALS, MACHINERY, AND ELECTRONICS MANUFACTURING</u>	<u>3300</u>	<u>Transform or refine chemicals or metals, and manufacture products from chemicals or metals; establishments working with base materials (such as iron ore) are classified by the input material, while establishments creating more finished products (such as machinery) are classified by the finished product</u>					
<u>Petroleum and coal products: refineries, asphalt materials</u>	<u>3310</u>	<u>Transform crude petroleum and coal into usable products through petroleum refining, including establishments that primarily further refine into products such as asphalt,</u>		<u>X</u>	<u>X</u>	<u>SP U</u>	<u>X</u>

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		<u>asphalt materials, and lubricating oils</u>					
<u>coke plant</u>	<u>3311</u>	<u>A facility that produces coke from coal in either a by-product coke oven battery or a non-recovery coke oven battery.</u>		X	X	X	X
<u>Chemicals manufacturing/Chemicals, plastics, and rubber products</u>	<u>3320</u>	<u>Process and transform organic and inorganic raw materials, plastics and rubber, and form products by chemical processes</u>					
<u>basic chemical manufacturing</u>	<u>3321</u>	<u>Establishments engaged in the manufacture of chemicals using basic processes, such as thermal cracking and distillation; includes petrochemical hydrocarbons, industrial gas, dyes, alkalis and chlorine, ethyl alcohol, acids</u>	<u>33-5.3.6.2</u>	X	X	<u>SP</u> <u>U</u>	X
<u>ammonia and acid manufacturing</u>	<u>3322</u>	<u>A facility for the production of ammonia and acid products.</u>		X	X	<u>SP</u> <u>U</u>	X
<u>resin, synthetic rubber</u>	<u>3323</u>	<u>Establishments primarily engaged in manufacturing synthetic resins, plastics materials, and related products</u>		X	X	<u>SP</u> <u>U</u>	X
<u>pesticide, fertilizer, and other agricultural chemicals</u>	<u>3324</u>	<u>Establishments primarily engaged in manufacturing nitrogenous or phosphatic fertilizer materials, fertilizers from sewage, animal waste, or other mixed ingredients, and agricultural and household pest control chemicals</u>		X	X	<u>SP</u> <u>U</u>	X
<u>adhesive</u>	<u>3325</u>	<u>Establishments primarily engaged in manufacturing adhesives, glues, and caulking compounds</u>		X	X	<u>SP</u> <u>U</u>	X

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<u>explosives and pyrotechnics</u>	<u>3326</u>	<u>Establishments primarily engaged in the manufacture of explosives or pyrotechnics</u>		X	X	<u>SP</u> <u>U</u>	X
<u>Nonmetallic mineral products</u>	<u>3330</u>	<u>Transform, mine, and quarry nonmetallic minerals, such as sand, gravel, stone, clay, and refractory materials, into bricks, refractories, ceramics, glass, cement, concrete, lime, gypsum, abrasives, ceramic plumbing fixtures, statuary, cut stone products, and mineral wool. Also includes concrete crushing and other related activities.</u>	<u>33</u> <u>5.3.11.1</u>	X	X	<u>SP</u> <u>U</u>	X
<u>Primary metal manufacturing</u>	<u>3340</u>	<u>Smelt or refine metals and transform metal into basic metal products, such as bars, rods, wires, and castings or finished products other than machinery, electronics, computers or furniture</u>					
<u>iron and steel mills; foundries</u>	<u>3341</u>	<u>Establishments engaged in one or more of the following: direct reduction or iron ore; manufacturing pig iron in molten or solid form; converting pig iron into steel; manufacturing ferroalloys; making steel; making steel and manufacturing shapes, and making steel and forming tube and pipe</u>		X	X	<u>SP</u> <u>U</u>	X
<u>alumina or cooper refining, production, smelting, and alloying; foundries</u>	<u>3342</u>	<u>Establishments engaged in one or more of the following: refining alumina; making aluminum from alumina; recovering aluminum from scrap or dross; alloying purchased aluminum; manufacturing aluminum primary forms; smelting copper</u>		X	X	<u>SP</u> <u>U</u>	X

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		<u>ore; and refining and alloying of copper</u>					
<u>coating, engraving, heat treating, and allied activities</u>	<u>3343</u>	<u>Establishments primarily engaged in heat treating metals and metal products; enameling, lacquering, and varnishing metals and metal products; hot dip galvanizing or powder coating metals; electroplating, plating, anodizing, and other metal surfacing services</u>		X	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>	X
<u>ammunition</u>	<u>3344</u>	<u>Establishments primarily engaged in manufacturing ammunition (except small arms), includes bombs, depth charges, rockets, grenades, mines, torpedoes</u>		X	X	<u>SP</u> <u>U</u>	X
<u>Machinery manufacturing</u>	<u>3350</u>	<u>Make machinery for particular applications, such as construction, ventilation, heating and cooling; create products that apply mechanical force; processes include forging, stamping, bending, forming, machining, welding, and assembling; design considerations are inherent</u>		X	P	P	X
<u>Electrical equipment, appliance, and components manufacturing</u>	<u>3360</u>	<u>Manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, computer peripherals and other products that generate, distribute, and use energy or power</u>		X	P	P	X
<u>Transportation equipment</u>	<u>3370</u>	<u>Establishments that provide equipment for transporting people and goods</u>		X	P	P	X
<u>Alternative energy manufacturing</u>	<u>3380</u>	<u>Establishments that manufacture, install, or repair, equipment used for wind and solar energy.</u>		P	P	P	X

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<u>CRAFT MANUFACTURING AND ASSEMBLY</u>	<u>3400</u>	<u>An establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are no external effects across property lines from such process.</u>					
<u>Jewelry and silverware</u>	<u>3410</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Sporting goods, dolls, toys, games, and musical instruments</u>	<u>3420</u>	<u>Includes electronic games</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Office supplies (except paper)</u>	<u>3430</u>	<u>Manufacture pens, pencils, markers, crayons, chalk, staplers, inked ribbons and similar products, except paper</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Signs</u>	<u>3440</u>	<u>Manufacture signs and related displays of all materials except printing paper or paperboard</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Artisan production</u>	<u>3450</u>	<u>Artisan-related industrial processes that create goods by hand, with or without tools, such as metalworking, glassblowing, woodworking, and pottery.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Light Assembly</u>	<u>3460</u>	<u>The assembly of previously manufactured parts within a fully enclosed structure that does not create noise, smoke, fumes, odors, glare, or health or safety hazards outside the building</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Other craft manufacturing</u>	<u>3470</u>	<u>Miscellaneous manufacturing processes engaged in the processing, fabrication,</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>treatment, or packaging of products primarily from previously prepared materials, but does not include basic industrial processing from raw materials.</u>					
<u>WHOLESALE TRADE</u>	<u>3500</u>	<u>Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses and having little or no display of merchandise</u>					
<u>Durable goods</u>	<u>3510</u>	<u>Sell or arrange the purchase or sale of capital or durable goods to other businesses, products include motor vehicles, furniture, construction materials, machinery and equipment, sporting goods, toys and hobby goods, recyclable materials</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Nondurable goods</u>	<u>3520</u>	<u>Sell or arrange the purchase or sale of nondurable goods to other businesses, products include paper products, chemicals, drugs, textiles, apparel, footwear, groceries, farm products, petroleum products, alcoholic beverages, books, magazines, newspapers, flowers, and tobacco products</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>WAREHOUSING AND STORAGE SERVICES</u>	<u>3600</u>	<u>Establishments that operate warehouse and storage facilities for general merchandise, refrigerated goods, portable storage units (PSUs), and other warehouse products, provide the facilities to store goods but do not sell the goods they handle and may provide a range of services related to distribution, such as labeling, breaking bulk,</u>					

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		<u>inventory control, light assembly, packaging, and transportation arrangement</u>					
<u>Office and warehousing</u>	<u>3610</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Warehousing and Distribution</u>	<u>3620</u>						
<u>Distribution and fulfillment center</u>	<u>3621</u>	<u>A facility where goods or products are stored on-site temporarily, for the purpose of delivery to a neighborhood retail, fulfillment center or residential or commercial property. Such facilities may include automated systems, office space, and a pick and pack area to be used by employees for sorting and packaging goods and products for delivery from available, on-site inventory. Distribution and fulfillment center may include Warehousing not defined as Courier and messenger services LBCS Function Code (4160) or Postal services (4170).</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Transportation logistics hub</u>	<u>3622</u>	<u>Establishments, or activities comprised of or engaged in one or more of manufacturing, production, product finishing, value-added services, packaging, labeling, assembly, distribution, freight handling, transshipment, wholesaling, warehousing, recycling, repair, marketing, or information technologies.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Bulk Storage</u>	<u>3630</u>	<u>Storage of gases, liquids, and/or solids not under active shipping papers, stored or able</u>					

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		<u>to be stored (e.g., existing tanks not in use/empty) in the following amounts: gases with a liquid capacity equal to or greater than five thousand (5,000) gallons; liquids or slurries equal to or greater than ten thousand (10,000) gallons or one hundred thousand (100,000) pounds; and solids equal to or greater than one hundred thousand (100,000) pounds. If thresholds for storage in bulk are amended in Chapter 13 of the Parish Code, the standards of Chapter 13 shall control.</u>					
<u>bulk storage of non-hazardous materials</u>	<u>3631</u>	<u>See definitions in Article 10. Definitions of this UDC</u>	<u>33-5.3.6.3</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>bulk storage of culinary and medicinal materials</u>	<u>3632</u>	<u>See definitions in Article 10. Definitions of this UDC</u>	<u>33-5.3.6.4</u>	<u>X</u>	<u>X</u>	<u>SPU</u>	<u>X</u>
<u>bulk storage of hazardous materials Only allowed within the HM-O District as an SPU with additional standards (Sec. 33-3.45)</u>	<u>3633</u>	<u>See definitions in Article 10. Definitions of this UDC</u>	<u>See standards within the HM-O District</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>TRANSPORTATION, COMMUNICATION, INFORMATION, AND UTILITIES</u>	<u>4000</u>	<u>Transportation, communication, and utilities for essential facilities; cannot be distinguished by a single physical location but in most cases the type of use is deduced from the type of structures and activities on the land</u>					

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<u>TRANSPORTATION SERVICES</u>	<u>4100</u>	<u>Facilities that serve passengers and cargo movements, grouped by modes of transportation</u>					
<u>Air transportation facility</u>	<u>4110</u>	<u>Provide air transportation for passengers or cargo using aircraft, such as airplanes and helicopters; includes scenic and sightseeing air transportation uses but excludes air courier (see 4160)</u>					
<u>air passenger transportation</u>	<u>4111</u>	<u>Provide scheduled and nonscheduled air transportation for passengers</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>air freight transportation</u>	<u>4112</u>	<u>Provide scheduled and nonscheduled air transportation of cargo without transporting passengers; uses primarily providing scheduled air transportation of mail on a contract basis are included in this class</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>airport and support uses</u>	<u>4113</u>	<u>Provide air traffic control, operate airports or public flying fields or support airport operations such as rental of hangar space and cargo handling services; uses that provide specialty air transportation or flying services</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>aircraft and accessories</u>	<u>4114</u>	<u>Aircraft maintenance, repair, and testing (except factory conversions)</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>other air transportation</u>	<u>4115</u>	<u>Operate for scenic or sightseeing purposes, hot air balloon rides, helicopter rides, aerial tram and cable cars</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>heliport or helistop</u>	<u>4116</u>	<u>A takeoff and landing place for helicopters, often located on the roof of a building or in some other limited area.</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>

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<u>Rail transportation facility</u>	<u>4120</u>	<u>Establishments that provide passenger and freight transportation and rail transportation support</u>					
<u>rail passenger transportation</u>	<u>4121</u>	<u>For passengers only; operate over long distances between metropolitan areas; for systems within local areas only, use the appropriate local transit system classification</u>		P	P	P	X
<u>rail freight transportation</u>	<u>4122</u>	<u>For freight systems only; may operate over long distances, or within local areas only</u>		P	P	P	XP
<u>rail transportation support uses</u>	<u>4123</u>	<u>Provide specialized services such as repair, maintenance, loading and unloading rail cars; operate independent terminals</u>		P	P	P	XP
<u>Road, ground passenger, and transit transportation</u>	<u>4130</u>	<u>Establishments that operate urban transit systems, charter and school bus transportation, taxis</u>					
<u>local transit systems— bus, special needs, and other motor vehicles</u>	<u>4131</u>	<u>Single-mode local transit systems other than rail, included are shuttle services and special needs transportation</u>		P	P	P	X
<u>non-local and charter bus</u>	<u>4132</u>	<u>Non-local passenger buses for charter or for special needs transportation for elderly, infirm, or handicapped</u>		P	P	P	X
<u>school and employee bus transportation</u>	<u>4133</u>	<u>Provide buses and other motor vehicles to transport pupils or employees</u>		P	P	P	X
<u>sightseeing</u>	<u>4134</u>	<u>Scenic or sightseeing land transportation</u>		P	P	P	X
<u>taxi and limousine service</u>	<u>4135</u>	<u>Provide passenger transportation by automobile or van, includes taxicab owners and operators, taxicab fleet operators, taxicab organizations, and limousine and</u>		P	P	P	X

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		<u>luxury sedan businesses</u>					
<u>towing and other road and ground services</u>	<u>4136</u>	<u>Tow light and heavy motor vehicles, both local and long distance; may provide incidental services, such as storage and emergency repair services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Truck and freight transportation services</u>	<u>4140</u>	<u>Establishments that provide over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers</u>					
<u>general freight trucking, local</u>	<u>4141</u>	<u>Provide local general freight trucking, usually within a metropolitan area which may cross state lines; most trips are same-day return</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>general freight trucking, long-distance</u>	<u>4142</u>	<u>Provide long-distance freight trucking, usually between metropolitan areas which may cross country borders</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Marine and water transportation facility</u>	<u>4150</u>	<u>Establishments that provide transportation of passengers and cargo using watercraft, such as ships, barges, tankers, or refrigerated trailers</u>					
<u>marine and sightseeing transportation</u>	<u>4151</u>	<u>Provide water transportation, including scenic and sightseeing, for passengers</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>marine freight transportation</u>	<u>4152</u>	<u>Provide water transportation for cargo</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>marine port and harbor operations</u>	<u>4153</u>	<u>Operate ports, harbors, or canals</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>marine cargo handling and dry dock services</u>	<u>4154</u>	<u>Provide stevedoring and other marine cargo handling services except warehousing</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>marine navigational and</u>	<u>4155</u>	<u>Arrange for transportation of freight between</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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<u>other services</u>		<u>shippers and carriers and provide navigational and other shipping services not included in other classes; include shipping agents, customs brokers, freight forwarders, and salvage uses</u>					
<u>Courier and messenger services</u>	<u>4160</u>	<u>Establishments that provide air, surface, or combined courier delivery services of parcels and messages, may form a network including local and point-to-point pick-up and delivery; for retail business or copy center, see LBCS Function Code 2424</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Postal services</u>	<u>4170</u>	<u>Operate the national postal service, including businesses that sort, route, and deliver on a contract basis</u>					
<u>national post office</u>	<u>4171</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Pipeline transportation</u>	<u>4180</u>	<u>Use transmission pipelines to transport products, such as crude oil, natural gas, or refined petroleum; transportation of natural gas includes the storage of natural gas</u>		<u>X</u>	<u>SP U</u>	<u>SP U</u>	<u>X</u>
<u>COMMUNICATIONS AND INFORMATION</u>	<u>4200</u>	<u>These establishments produce or distribute information and pertain to those that transform information into a commodity</u>					
<u>Publishing</u>	<u>4210</u>	<u>Issue copies of works for which they usually possess copyright; may publish works originally created by others for which they have obtained the rights or works that they have created in-house</u>					
<u>newspapers, books, periodicals, etc.</u>	<u>4211</u>	<u>Publish newspapers, magazines, books, databases, greeting cards, calendars, maps,</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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		<u>and similar works</u>					
<u>software publisher</u>	<u>4212</u>	<u>Publish and reproduce computer software, including designing, providing documentation, assisting in installation, and providing support services to software purchasers</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Motion pictures and sound recording</u>	<u>4220</u>	<u>Produce and distribute motion pictures and sound recordings; activities include contracting with performers, creating the film or sound content and producing technical postproduction services; does not include wholesaling video and sound recordings</u>					
<u>motion picture and video production, publishing, and distribution</u>	<u>4221</u>	<u>Produce or distribute motion pictures, videos, television programs, or commercials</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>motion picture viewing and exhibition services</u>	<u>4222</u>	<u>Operate movie theaters, drive-ins, film festival exhibitions; this category does not include movie-theaters; for movie-theaters, see Function Code 5170</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>sound recording, production, publishing</u>	<u>4223</u>	<u>Produce, distribute, or publish music and musical recordings or provide sound recording</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Telecommunications and broadcasting</u>	<u>4230</u>	<u>Provide point-to-point communications and related services; if multiple services are shared between the same facilities, use this general category</u>					
<u>radio and television broadcasting</u>	<u>4231</u>	<u>Operate broadcasting studios and facilities for over the air or satellite delivery of radio and television programs</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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<u><i>cable networks and distribution</i></u>	<u>4232</u>	<u>Operate studios and facilities or cable systems, direct-to-home satellite systems</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>wireless telecommunications</i></u>	<u>4233</u>	<u>Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound, or full motion picture video; cell towers</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>telephone and other wired telecommunications</i></u>	<u>4234</u>	<u>Operate telephone networks</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>Information services and data processing industries</i></u>	<u>4240</u>	<u>News syndicates and information and data processing services; may supply information to the news media or provide electronic data processing services</u>					
<u><i>online information services</i></u>	<u>4241</u>	<u>Internet access and service providers</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>library or archive</i></u>	<u>4242</u>	<u>Provide library or archive services</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>news syndicate</i></u>	<u>4243</u>	<u>Supply information such as news reports, articles, pictures and features to the news media</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u><i>data processing, hosting and related services</i></u>	<u>4244</u>	<u>Provide web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u><i>data mining center</i></u>	<u>4245</u>	<u>A facility for the operation of specialized computer equipment for the primary purpose of mining one (1) or more blockchain based cryptocurrencies. Physical characteristics of this use include specialized computer hardware, high density load electricity use, a high energy use intensity, and with a high</u>	<u>33-5.3.7.1</u>	<u>X</u>	<u>X</u>	<u>SP U</u>	<u>X</u>

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		<u>load factor in addition to the use of equipment to cool the hardware and operating space.</u>					
<u>UTILITIES AND UTILITY SERVICES</u>	<u>4300</u>	<u>Provide utility services such as electric power, gas, water and sewage removal; not included are waste management services, which collect, treat, and dispose of waste materials, and do not directly use or operate utilities</u>					
<u>Electric power</u>	<u>4310</u>	<u>Provide electric power generation, transmission, control, and distribution; include electric power transmission and control systems (including lines and transformer stations), and distribution systems (i.e., lines, poles, meters, and wiring)</u>					
<u>hydroelectric power generation</u>	<u>4311</u>	<u>Operate hydroelectric power generation facilities by using water power to drive a turbine and produce electric power</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>fossil fuel electric power generation</u>	<u>4312</u>	<u>Operate fossil fuel electric power generation by using coal, oil, gas or other fossil fuels in internal combustion or combustion turbine conventional steam process to produce electric power</u>	<u>33-5.3.7.2</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>X</u>
<u>nuclear power generation</u>	<u>4313</u>	<u>Operate nuclear electric power generation facilities</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>alternative energy sources</u>	<u>4314</u>	<u>Convert other forms of energy such as solar, wind, or tidal power into electric power; does not include establishments that</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u> <u>P</u>

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		<u>manufacture, install, or repair equipment used for wind and solar energy (LBCS Function Code 3380)</u>					
<u>Natural gas, petroleum, fuels</u>	<u>4320</u>	<u>Operate gas distribution systems, gas marketers, gas brokers, transmit and distribute gas to final customers</u>		X	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>	X
<u>Water, steam, air conditioning supply</u>	<u>4330</u>	<u>Public and private utility establishments that offer drinking water, water treatment, water supply, irrigation, steam supply, or hot or cool air supply</u>					
<u>drinking water</u>	<u>4331</u>	<u>Operate water treatment plants, filtration plants, pumping stations for drinking water only</u>		X	P	P	X
<u>irrigation and industrial water supply</u>	<u>4332</u>	<u>Operate water treatment plants and water supply systems for irrigation and industrial supply only</u>		X	P	P	X <u>P</u>
<u>air conditioning and steam supply</u>	<u>4333</u>	<u>Provide steam, heated air, or cooled air</u>		X	P	P	X
<u>Sewer, solid waste, and related services</u>	<u>4340</u>	<u>Collect, treat, and dispose of waste materials; locally haul waste materials; operate materials recovery facilities; provide remediation services; operate sewer systems or sewage treatment facilities; or provide septic pumping or other miscellaneous waste management services; establishments that primarily haul over long distances are classified in transportation</u>					
<u>hazardous waste collection</u>	<u>4341</u>	<u>Operate treatment and disposal facilities for hazardous waste; combine, collect, or haul</u>	<u>33-5.3.7.4</u>	X	X	X	<u>SP</u> <u>U</u>

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		<u>hazardous waste materials within a local area while operating treatment or disposal facilities</u>					
<u>hazardous waste treatment and disposal</u>	<u>4342</u>	<u>Remediate and clean contaminated buildings, soil, or ground water; abate asbestos, lead paint and other toxic materials</u>	<u>33-5.3.7.4</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SP U</u>
<u>solid waste collection</u>	<u>4343</u>	<u>Collect or haul hazardous waste, non-hazardous waste, or recyclable materials within a local area; operate waste transfer stations</u>		<u>X</u>	<u>X</u>	<u>SP U</u>	<u>SP U</u>
<u>solid waste combustor or incinerator</u>	<u>4344</u>	<u>Operate combustors and incinerators for the disposal of non-hazardous solid waste, includes compost dumps; may produce byproducts such as electricity and may locally collect or haul nonhazardous waste materials along with the operation of facilities; compost dumps</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>
<u>solid waste landfill</u>	<u>4345</u>	<u>Operate landfills for the disposal of non-hazardous solid wastes; may locally collect or haul nonhazardous waste materials along with landfill operation; also manage recycling and resource recovery facilities that operate in conjunction with landfills and process nonhazardous solid waste to extract, convert to energy, or otherwise separate, prepare, and convert solid waste, including waste tires and waste plastics, for reuse into a variety of products such as</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>

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		<u>renewable gas and beverage quality CO₂ and operate any and all renewable energy facilities, arrays, or systems</u>					
<u>waste treatment and disposal</u>	<u>4346</u>	<u>Operate facilities for separating and sorting recyclable materials from non-hazardous waste streams</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>P</u>
<u>septic tank and related services</u>	<u>4347</u>	<u>Pump septic tanks and cesspools, rent or service portable toilets</u>		<u>X</u>	<u>SP</u> <u>U</u>	<u>P</u>	<u>P</u>
<u>sewer systems or sewage treatment facilities</u>	<u>4348</u>	<u>Establishments operating sewer systems or sewage treatment facilities that collect, treat, and dispose of waste</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Recycling facilities</u>	<u>4349</u>	<u>Facilities used for the sorting, processing and/or treatment of refuse, waste, or any other material for the primary purpose of recycling or reuse.</u>	<u>33-5.3.7.5</u>	<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>
<u>Junk/salvage yard</u>	<u>4400</u>	<u>A facility used for the abandonment, sale, storage, collection, or baling of scrap metal, other scrap or discarded materials, waste tire processing or collection area, and/or abandoned vehicles or machinery, or parts thereof.</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>ARTS, ENTERTAINMENT, AND RECREATION</u>	<u>5000</u>	<u>Establishments that operate facilities or provide services for a variety of cultural, entertainment, and recreational functions</u>					
<u>PERFORMING ARTS OR SUPPORTING USES</u>	<u>5100</u>	<u>Produce or organize and promote live presentations, excludes nightclubs</u>					
<u>theater, dance or music use</u>	<u>5110</u>	<u>Companies, groups, or theaters that produce theatrical presentations and dance, dinner theaters, and live musical entertainment</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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<u>performance theater</u>	<u>5111</u>	<u>Includes concert halls and other structures with fixed seats typically arranged on a sloped or stepped floor</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Amphitheater</u>	<u>5112</u>	<u>Primarily open air; modern versions have fixed seating under a roof (but no walls)</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Sports team or club</u>	<u>5120</u>	<u>Professional or semi-professional sports teams or clubs participating in live sporting events</u>					
<u>sports training or operation facility</u>	<u>5121</u>	<u>A facility used for the typically private activities of a professional or semi-professional sports team; primarily includes practice facilities as well as management offices</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>sports stadium or arena</u>	<u>5122</u>	<u>A large facility seating spectators of sporting events like football, baseball, and basketball; also house circuses, ice shows, horse shows, music concerts and other entertainment</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Racetrack</u>	<u>5130</u>	<u>Operate racetracks for events such as auto, dog, and horse races</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Promoter of sports, performing arts, similar events</u>	<u>5140</u>	<u>Organize, promote, and manage performances, events; may operate their own facilities or rent to other promoters from an office within the facility or a separate office use</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Agent for management services</u>	<u>5150</u>	<u>Agents representing artists, athletes, entertainers, and other public figures typically from an office use</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Independent artist,</u>	<u>5160</u>	<u>Studio of independent individual(s) engaged</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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<u>writer, or performer</u>		<u>in performing in artistic productions, in creating artistic and cultural works or productions, or in providing technical expertise necessary for these productions</u>					
<u>Movie theater</u>	<u>5170</u>	<u>Specialized theater for showing movies or motion pictures; includes cineplexes and megaplexes which are grouped in a manner that allows them to share box or ticket offices, parking facilities, lobby areas, restrooms, concession stands, signs and marquee displays, and other service and maintenance facilities</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>drive-in theater</u>	<u>5171</u>	<u>A form of cinema consisting of a large outdoor movie screen, a projection booth, a concession stand and a large parking area for automobiles from which customers can view movies; may include multiple screens</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>MUSEUMS AND OTHER SPECIAL PURPOSE RECREATIONAL INSTITUTIONS</u>	<u>5200</u>	<u>Public and private museums, historical sites, zoos, and similar uses</u>					
<u>Museum</u>	<u>5210</u>	<u>Preserve and exhibit objects of historical, cultural, or educational value; includes art museums, halls of fame, planetariums, science or technology museums, wax museums</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Historical _____ or archeological institution</u>	<u>5220</u>	<u>Archeological sites, battlefields, historical ships, and pioneer villages</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Zoos, _____ aquariums,</u>	<u>5230</u>	<u>Preserve and exhibit live plant and animal life</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>

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<u>botanical gardens, arboreta</u>		<u>displays, including those in natural areas or settings</u>					
<u>AMUSEMENT, SPORTS, OR RECREATION USES</u>	<u>5300</u>	<u>Operate facilities offering activities such as sports, recreation, amusement, or gambling, and provide services such as facilitating amusement in places operated by others, operating recreational sports groups, and guiding tours; for establishments using transportation equipment, such as sightseeing buses, dinner boats, or helicopters, use the appropriate transportation category</u>					
<u>Amusement or theme park</u>	<u>5310</u>	<u>Operate a variety of attractions such as mechanical rides, water rides, games, shows, theme exhibits, refreshment stands, and picnic grounds</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Games arcade</u>	<u>5320</u>	<u>Operate arcades and parlors, except gambling, billiard, or pool</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Casino or gambling</u>	<u>5330</u>	<u>Uses that operate gambling establishments (except casino hotels), includes riverboat casinos, bingo halls, and video gaming terminals, or provide services such as lotteries.</u>	<u>33-5.3.8.2</u>	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>off-track wagering facility</u>	<u>5331</u>	<u>Establishments that allow for sanctioned gambling on horse racing outside a racetrack.</u>	<u>33-5.3.8.3</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>X</u>
<u>Golf course and country club</u>	<u>5340</u>	<u>Operate golf courses (except miniature) or primarily operate golf courses along with dining facilities and other recreational</u>	<u>33-5.3.8.4</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

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		<u>facilities or country clubs that often provide food and beverage services, equipment rental services, and golf instruction services. Definition of club, private or service includes LBCS function code 5340. [10-7-15]</u>					
<u>Marina or yachting club facility operators</u>	<u>5360</u>	<u>Operate docking and storage facilities for pleasure craft owners, may retail fuel and marine supplies, and may repair, maintain, or rent pleasure boats</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Fitness, recreational sports, gym, athletic club</u>	<u>5370</u>	<u>Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities</u>					
<u>fitness and recreational sports center</u>	<u>5371</u>	<u>Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>miniature golf courses, archery or shooting ranges, outdoor volleyball, tennis, or swimming facilities, recreational ball parks and courts</u>	<u>5372</u>			<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>recreational day camp (except instructional), recreational or youth sports teams and</u>	<u>5373</u>			<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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<u>leagues not operating facilities, boating clubs (without marinas), dance halls</u>							
<u>stable, horseback riding</u>	<u>5374</u>	<u>Use this code for recreational establishments only, for others see LBCS Function Code 9372</u>		<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Bowling, billiards, pool</u>	<u>5380</u>	<u>Establishments that operate bowling, billiards, or pool centers</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Skating rink, roller skating</u>	<u>5390</u>	<u>Establishments that operate skating rinks; may offer skating products and services</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>CAMPS, CAMPING, AND RELATED USES SUCH AS RV PARKS</u>	<u>5400</u>	<u>Operate sites to accommodate campers, travelers, and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles; provide overnight recreational camps, such as children's camps, family vacation camps, hunting and fishing camps and outdoor adventure retreats; may provide cabins, food services, washrooms, recreational facilities; RV parks.</u>		<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>NATURAL AND OTHER RECREATIONAL PARKS</u>	<u>5500</u>	<u>All parks without special economic functions</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS</u>	<u>6000</u>						
<u>EDUCATIONAL SERVICES</u>	<u>6100</u>	<u>Offer teaching and learning</u>					
<u>Day care center,</u>	<u>6110</u>	<u>Accessory to a grade school (LBCS 6120).</u>	<u>33-</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>

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<u>accessory to a school, religious use, or institution</u>		<u>religious use, or institutions.</u>	<u>5.3.9.2 or 33-5.3.9.1</u>				
<u>Grade school</u>	<u>6120</u>	<u>Comprises all public, private, and specialty schools between the preschool and university level</u>					
<u>elementary</u>	<u>6121</u>		<u>33-5.3.9.1</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>middle or junior</u>	<u>6122</u>		<u>33-5.3.9.1</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Senior or high</u>	<u>6123</u>		<u>33-5.3.9.1</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Special needs education services</u>	<u>6125</u>	<u>Offer specialized services such as for the physically or mentally disabled</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Adult education services</u>	<u>6126</u>			<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>College or university</u>	<u>6130</u>	<u>Comprise junior colleges, universities, and professional schools furnishing academic or technical courses and granting degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Technical, trade, or other specialty school</u>	<u>6140</u>	<u>Offer vocational and technical training; often leads to job-specific certification</u>					
<u>beauty schools</u>	<u>6141</u>	<u>Train in barbering, hair styling, or cosmetic arts</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>business management</u>	<u>6142</u>	<u>Offer courses in office procedures, secretarial skills, basic office skills, office machine operation, reception and communication</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>

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<u>computer or electronic equipment training</u>	<u>6143</u>	<u>Conduct computer training in computer repair and programming, software packages, computerized business systems, computer electronics technology, computer operations, local network management; includes other electronic equipment</u>		P	P	X	X
<u>driving education</u>	<u>6144</u>	<u>All driver education establishments, including mandatory public drivers education, truck drivers education, and operation, and operation of public transit motor vehicles</u>		P	P	X	X
<u>fine and performing arts education</u>	<u>6145</u>	<u>Offer instruction in dance, art, drama, and music including graphic arts, photography and modeling</u>		P	X	X	X
<u>flight training</u>	<u>6146</u>	<u>Offer vocational or recreational aviation and flight training</u>		X	<u>SP</u> <u>U</u>	<u>SP</u> <u>U</u>	X
<u>sports and recreation education</u>	<u>6147</u>	<u>Offer instruction in athletic activities, includes overnight and day sports camps that primarily instruct</u>		P	P	X	X
<u>medical, dental, veterinary, nursing (except academic) assistance</u>	<u>6148</u>	<u>Offer vocational training in medical, dental, veterinary, pharmacy, or nursing assisting; for nursing or other training with academic degrees, see LBCS code 6130 College or university</u>		P	P	X	X
<u>language and tutoring</u>	<u>6149</u>	<u>Offer foreign language instruction, including sign language, public speaking training, academic tutoring, speed reading, and exam preparation services</u>		P	X	X	X
<u>PUBLIC</u>	<u>6200</u>	<u>All government functions, includes federal,</u>					

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<u>ADMINISTRATION</u>		<u>state and local government agencies that administer, oversee, and manage programs and have executive, legislative, or judicial authority; however, use the appropriate category if the government agency is engaged in a function (selling maps or operating a convention center, e.g.) similar to private businesses</u>					
<u>Legislative and executive functions</u>	<u>6210</u>	<u>Government and public administrative offices</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Judicial functions</u>	<u>6220</u>	<u>Civilian courts of law and correctional institutions</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>court</u>	<u>6221</u>	<u>Civilian courts, courts of law, and sheriff's offices conducting court functions only</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>correctional institution or jail</u>	<u>6222</u>	<u>Facilities for the confinement, correction, and rehabilitation of offenders sentenced by a court</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>OTHER GOVERNMENT FUNCTIONS</u>	<u>6300</u>	<u>Use this category for government owned uses not classified elsewhere such as defense and national guard facilities</u>					
<u>Military and national security</u>	<u>6310</u>	<u>Armed Forces, including Air Force, Army, Marine Corps, National Guard, Navy, and military police and courts facilities</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Space research and technology</u>	<u>6320</u>	<u>Administer and operate space flights, space research, and space exploration</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>PUBLIC SAFETY</u>	<u>6400</u>	<u>Government-owned facilities providing fire and rescue, police, and emergency response services</u>					
<u>Fire and rescue</u>	<u>6410</u>	<u>Includes combined fire and ambulance or</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>rescue services</u>					
<u>Police</u>	<u>6420</u>	<u>Includes combined police and fire departments</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Emergency response</u>	<u>6430</u>	<u>Provide ground or air transportation for medical relief</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>HEALTH AND HUMAN SERVICES</u>	<u>6500</u>	<u>Provide health care, social assistance, and associated services</u>					
<u>Ambulatory or outpatient care services</u>	<u>6510</u>	<u>Offer health care services directly to patients without providing inpatient services</u>					
<u>clinic</u>	<u>6511</u>	<u>Offices of physicians; dentists; chiropractors; optometrists; mental health specialists; physical, occupational, and speech therapists; audiologists; podiatrists; licensed massage therapists; and other health practitioners; with related support services, including but not limited to simple testing and imaging.</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>family planning or outpatient care clinic</u>	<u>6512</u>	<u>Provide outpatient family planning services and outpatient care</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>medical or diagnostic laboratory</u>	<u>6513</u>	<u>Provide analytic or diagnostic services including medical imaging as a primary use in a stand-alone laboratory.</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>blood or organ bank</u>	<u>6514</u>	<u>Collect, store, or distribute blood and organs</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Nursing, supervision and other rehabilitative services</u>	<u>6520</u>	<u>Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes convalescent homes or hospitals, nursing homes and rest homes with nursing care, inpatient care hospices</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>

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<u>Hospital</u>	<u>6530</u>			<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Health care facility</u>	<u>6540</u>	<u>Maximum of 25 beds for overnight care</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Social assistance, welfare, and charitable services</u>	<u>6560</u>	<u>Provide social assistance directly to individuals, do not offer residential or accommodation services</u>					
<u>child and youth services</u>	<u>6561</u>	<u>Offer services such as adoption, foster care, drug prevention services, and life-skills training</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>day care center</u>	<u>6562</u>	<u>See definition in Article 10. Definitions of this UDC.</u>	<u>33-5.3.9.2</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>community food services</u>	<u>6563</u>	<u>Collect, prepare, and deliver food for the needy, food banks, meal delivery programs and soup kitchens</u>		<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>emergency and relief services</u>	<u>6564</u>	<u>Provide food, shelter, clothing, medical relief, resettlement and counseling to disaster victims</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>other family services</u>	<u>6565</u>	<u>Hotline centers, suicide crisis centers, self-help organizations, etc.</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>services for elderly and disabled</u>	<u>6566</u>	<u>Provide group support, companionship, day care, homemaker services to the elderly and persons with disabilities; does not include housing for the elderly</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>veterans affairs</u>	<u>6567</u>	<u>Provide health and human services for veterans</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>vocational rehabilitation</u>	<u>6568</u>	<u>Provide job counseling, job training, and other vocational services</u>		<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>RELIGIOUS INSTITUTION</u>	<u>6600</u>	<u>Churches, temples, synagogues, mosques, etc.</u>	<u>33-5.3.9.3</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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<u>DEATH CARE SERVICES</u>	<u>6700</u>	<u>Funeral homes, crematories, cemeteries</u>					
<u>Funeral home and services</u>	<u>6710</u>	<u>Includes funeral homes combined with crematories</u>		P	P	X	X
<u>Cemetery or cremation services</u>	<u>6720</u>	<u>Operate sites or structures reserved for the internment of human or animal remains, or for cremating the dead</u>		P	P	X	X
<u>ASSOCIATIONS, NON-PROFIT ORGANIZATIONS, CLUBS</u>	<u>6800</u>	<u>Includes grant making, civic, professional, and similar organizations, promote the interests of their members or a particular cause, may publish newsletters, books and periodicals for distribution to their membership</u>					
<u>Labor or political organization</u>	<u>6810</u>	<u>Promote the interests of labor unions, political groups, and political fund-raising groups</u>		P	X	X	X
<u>Business association or professional membership</u>	<u>6820</u>	<u>Promote the business interests of their members organization or of their profession</u>		P	X	X	X
<u>Civic, social, or fraternal organization</u>	<u>6830</u>	<u>Promote the interests of their members or a particular cause; may provide grantmaking foundations or charitable trusts, raise funds for social welfare activities or solicit contributions and offer memberships. Definition of club, private or service includes LBCS function code 6830.</u>	<u>33-5.3.8.4</u>	P	X	X	X
<u>CONSTRUCTION-RELATED BUSINESSES</u>	<u>7000</u>	<u>Build or demolish buildings and structures, or perform additions, alterations, reconstruction, installation, and repairs; test drilling, landfill, leveling, earthmoving,</u>					

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		<u>excavating, land drainage, and other land preparation; should reflect the location of the use and not where it is performing its services; engaged primarily in on-site heavy equipment and material storage</u>					
<u>BUILDING, DEVELOPING, AND GENERAL CONTRACTING</u>	<u>7100</u>	<u>Custom builders, engineer-constructors, general contractors, developers, land subdividers, and construction management firms; if engaged primarily in administration and management without on-site heavy equipment and material storage, see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>MACHINERY RELATED</u>	<u>7200</u>	<u>Contractors that install or utilize specialized machinery not generally used by other contractors, building equipment and machinery installation, excavation, wrecking and demolition, structural steel erection contractors; if engaged primarily in administration and management without on-site heavy equipment and material storage, see LBCS code 2421 office administrative services</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>SPECIAL TRADE CONTRACTOR</u>	<u>7300</u>	<u>Specialize in construction activities such as plumbing, painting and electrical work; if engaged primarily in administration and management without on-site heavy equipment and material storage, see LBCS code 2421 office administrative services</u>					
<u>Carpentry, floor, and tile</u>	<u>7310</u>	<u>Provide framing, carpentry, finishing work,</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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<u>contractor</u>		<u>floor laying and miscellaneous floor installation and tiling services; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>					
<u>Concrete contractor</u>	<u>7320</u>	<u>Use concrete, asphalt and other materials to produce parking areas, building foundations, structures, retaining walls, patios, driveways and walks; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Electrical contractor</u>	<u>7330</u>	<u>Perform on-site electrical work, equipment service and installation and may sell electrical equipment along with installation; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Glass and glazing contractor</u>	<u>7340</u>	<u>Install and tint glass, excludes automotive glass businesses; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Masonry and drywall contractor</u>	<u>7350</u>	<u>Provide masonry, stone setting, drywall, plaster and other stone and building</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>

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		<u>insulation work; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>					
<u>Painting and wall covering</u>	<u>7360</u>	<u>Provide exterior painting and interior wall covering; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Plumbing, heating, and air conditioning</u>	<u>7370</u>	<u>Install or service plumbing, heating, and air-conditioning equipment. may sell equipment along with installation; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Roofing, siding, or sheet metal contractor</u>	<u>7380</u>	<u>Provide installation and services for roofing, siding, sheet metal, and roof drainage equipment; if engaged primarily in administration and management without on-site heavy equipment and material storage. see LBCS code 2421 office administrative services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>HEAVY CONSTRUCTION</u>	<u>7400</u>	<u>Provide heavy nonbuilding construction</u>					
<u>Highway and street construction</u>	<u>7410</u>	<u>Highway, street, road, or airport runway construction</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Bridge and tunnel</u>	<u>7420</u>	<u>Bridge, viaduct, elevated highway, or tunnel</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>

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<u>construction</u>		<u>construction</u>					
<u>Water, sewer, and pipeline construction</u>	<u>7430</u>	<u>Water main, sewer, drain, gas main, natural gas pumping station, oil and gas pipeline construction</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Power lines, communication and transmission lines</u>	<u>7440</u>	<u>Electric power and communication transmission line and tower, radio and television tower, and cable television line construction, cable laying,</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Industrial and other non-building construction</u>	<u>7450</u>	<u>Heavy industrial or other nonbuilding construction such as chemical complexes, cement plants, industrial incinerators, docks, golf courses, canals, sewage or water treatment plants</u>		<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>MINING AND EXTRACTION</u>	<u>8000</u>	<u>Extract natural mineral solids (coal and ores), liquid minerals (crude petroleum), and gases (natural gas); mining includes quarrying, well operations, beneficiating, and other preparations customarily performed at the mine site or as a part of mining activity</u>					
<u>OIL AND NATURAL GAS</u>	<u>8100</u>	<u>Operate and develop oil and gas field properties; activities include exploration, drilling and equipping wells, operation</u>		<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>BORROW PIT</u>	<u>8200</u>	<u>Excavation for the purpose of removing gravel, clay, and sand used in construction,</u>	<u>33-5.3.11.1</u>	<u>X</u>	<u>X</u>	<u>SP</u> <u>U</u>	<u>X</u>
<u>AGRICULTURE, FORESTRY, FISHING, AND HUNTING</u>	<u>9000</u>	<u>Grow crops, raise animals, harvest timber, and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries</u>					
<u>CROP PRODUCTION</u>	<u>9100</u>						

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<u>Grain and oilseed</u>	<u>9110</u>	<u>Grows oilseed and/or grain crops in open fields</u>		X	P	X-P	X
<u>grain elevator</u>	<u>9111</u>	<u>A facility designed to stockpile or store grain, which contains a bucket elevator or a pneumatic conveyor to move grain from lower levels up into silos or similar storage facilities, to be later conveyed, blended, and weighted into trucks, railroad cars, or barges for shipment. A grain elevator may also include receiving and testing offices, weighbridges, and storage facilities.</u>		X	X	X	X
<u>Vegetable farming or growing</u>	<u>9120</u>			X	P	X-P	X
<u>Fruits and trees</u>	<u>9130</u>			X	P	X-P	X
<u>Greenhouse, nursery and floriculture</u>	<u>9140</u>	<u>Grow crops under cover, nursery stock, and flowers; includes hydroponics</u>		P	P	X-P	X
<u>All other crops</u>	<u>9150</u>			X	P	X-P	X
<u>SUPPORT FUNCTIONS FOR AGRICULTURE</u>	<u>9200</u>	<u>Perform activities associated with production and distribution of forest and agricultural products, includes dusting, spraying, fertilizing</u>		X	P	X-P	X
<u>ANIMAL PRODUCTION</u>	<u>9300</u>	<u>Keep, graze, breed or feed animals in farms or feedlots</u>					
<u>Cattle ranch</u>	<u>9310</u>			X	P	X-P	X
<u>Dairy cattle and milk production</u>	<u>9320</u>			X	P	X-P	X
<u>Hog farm</u>	<u>9330</u>			X	P	X-P	X
<u>Poultry and egg</u>	<u>9340</u>			X	P	X-P	X

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<u>LBCS Classification</u>	<u>LBCS Function Code</u>	<u>Description</u>	<u>Specific Use Standard Sec. No.</u>	<u>I-MU</u>	<u>I-L</u>	<u>I-H</u>	<u>I-LF</u>
<u>production</u>							
<u>Sheep and goat farm</u>	<u>9350</u>			<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>Fish hatchery, fishery, aquaculture</u>	<u>9360</u>	<u>Farm raise finfish, shellfish, or any other kind of animal aquaculture</u>		<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>All other animal production</u>	<u>9370</u>	<u>Raises other animals and insects for sale or product production</u>		<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>bees</u>	<u>9371</u>			<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>horse and equine</u>	<u>9372</u>			<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>fur-bearing</u>	<u>9373</u>			<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>Support function for animal production</u>	<u>9380</u>	<u>Provide services such as animal breeding, pedigree records, horse boarding, livestock spraying</u>		<u>X</u>	<u>P</u>	<u>X-P</u>	<u>X</u>
<u>FORESTRY AND LOGGING</u>	<u>9400</u>	<u>Grow and harvest timber on long production cycles, or specialize in reforestation, seeding and similar activities</u>		<u>X</u>	<u>X</u>	<u>X-P</u>	<u>XP</u>
<u>FISHING, HUNTING AND TRAPPING, GAME PRESERVES</u>	<u>9500</u>	<u>Commercially harvest fish and other wild animals from their natural habitats</u>					
<u>Fishing</u>	<u>9510</u>	<u>Commercially catch or take finfish, shellfish, or marine products from a natural habitat</u>		<u>X</u>	<u>P</u>	<u>X-P</u>	<u>XP</u>
<u>Hunting and trapping, game retreats, game and fishing preserves</u>	<u>9520</u>	<u>Commercially hunt and trap or operate commercial or recreational game or hunting preserves</u>		<u>X</u>	<u>P</u>	<u>X-P</u>	<u>XP</u>
<u>UNCLASSIFIABLE OR NO FUNCTION</u>	<u>9900</u>	<u>Temporary placeholder until a code can be assigned</u>					

4. Amend Chapter 33 Unified Development Code, Sec. 33-3.41. Office Warehouse (OW-1), to delete the OW-1 District and reference to Chapter 40, rename to Industrial Mixed-Use District (I-MU), and populate with new provisions, to read as follows:

Sec. 33-3.41. Office Warehouse Industrial Mixed-Use District (OW-4 I-MU).

See Chapter 40, Article XXIX of this Code.

Sec. 33-3.41.1. Purpose.

The I-MU Industrial Mixed-Use District is intended to accommodate those areas that have originally developed as industrial areas, but are transitioning from an exclusively industrial orientation to a broader mix of light industrial, artisan industrial, commercial, and even moderate density residential uses. As such, the broader mix of allowed uses in the I-MU District encourages and accommodates the adaptive reuse of existing structures.

Sec. 33-3.41.2. Authorized uses.

(a) Use matrix. For the table of authorized uses in this district, see Table 33-3.40-1, Authorized Land Uses for Industrial Zoning Districts, of this UDC.

(1) However, any existing standalone single-family, two-family, three-family, or four-family dwelling in existence prior to the effective date [INSERT EFFECTIVE DATE] of this ordinance [INSERT THIS ORDINANCE NO.], shall be recognized as a conforming use; and furthermore, shall be allowed to:

a. Be granted permits for repair and maintenance.

1. If an expansion is included in the repair or maintenance, the area regulations of the R-3 Multiple-Family Residential District shall apply.

b. Be restored if it is demolished or destroyed beyond seventy-five (75) percent of its value or more, without having to go through the restoration of a nonconforming status procedure, provided that the new construction meets the minimum dimensional standards provided below:

1. The restoration of residential dwelling shall be subject to the area regulations of the R-3 Multiple-Family Residential District; and

2. The restoration of the dwelling shall be the same dwelling type as prior to the demolition or destruction (i.e., a single-family dwelling may only be restored as a single-family dwelling).

(b) Accessory uses or structures. Accessory buildings and uses, including offices, restaurants, cafeterias, retail, and wholesale outlets, when operated in conjunction with and located on the same site as a permitted use in this district.

(c) Mechanical equipment. Mechanical equipment is allowed in accordance with Sec. 33-6.9. Site design, of this UDC.

Sec. 33-3.41.3. Dimensional standards.

The dimensional standards within the I-MU Industrial Mixed-Use Zoning District are provided in Tables 33-3.41.3-1 and 33-3.41.3-2.

<u>Table 33-3.41.3-1: Residential Dimensional Standards: Townhouses and Multi-Family Dwellings: I-MU Industrial Mixed-use Zoning District</u>		
<u>Lot Standards</u>	<u>Townhouse</u>	<u>Multi-Family</u>
<u>Minimum Lot Area Per Family</u>	<u>1,350sf</u>	<u>800sf</u>
<u>Minimum Lot Depth</u>	<u>75'</u>	<u>None</u>
<u>Minimum Lot Width</u>	<u>18'</u>	<u>None</u>
<u>Height</u>	<u>Townhouse</u>	<u>Multi-Family</u>
<u>Maximum Building Height ¹</u>	<u>None, except that when a building is on a lot in the I-MU District that adjoins or abuts another lot within a residential district such building shall not exceed the maximum height permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted</u>	
<u>Number of Units</u>	<u>Townhouse</u>	<u>Multi-Family</u>
<u>Minimum Number of Units</u>	<u>5</u>	<u>30</u>
<u>Setbacks</u>	<u>Townhouse</u>	<u>Multi-Family</u>
<u>Minimum Front Yard Setback</u>	<u>10'</u>	<u>10'</u>
<u>Minimum Corner Side Yard Setback</u>	<u>10'</u>	<u>10'</u>
<u>Minimum Interior Side Yard Setback</u>	<u>None</u>	<u>10'</u>
<u>Minimum Rear Yard Setback</u>	<u>10'</u>	<u>10'</u>

¹ Any structures integral to the operation of a use, such as chimneys, water towers, elevator houses, mechanical equipment, and other similar items that exceed the maximum height allowed in the district are allowed.

<u>Table 33-3.41.3-2. Nonresidential Dimensional Standards: I-MU Industrial Mixed-Use Zoning District</u>	
<u>Lot Standards</u>	
<u>Minimum Lot Area</u>	<u>None</u>
<u>Minimum Lot Depth</u>	<u>None</u>
<u>Minimum Lot Width</u>	<u>None</u>
<u>Height</u>	
<u>Maximum Building Height ¹</u>	<u>None, when a building is on a lot in the I-MU District that adjoins or abuts another lot within a residential district such building shall not exceed the maximum height</u>

Table 33-3.41.3-2. Nonresidential Dimensional Standards: I-MU Industrial Mixed-Use Zoning District

	<u>permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.</u>
Setbacks	
Minimum Front Yard Setback	10'
Minimum Corner Side Yard Setback	10'
Minimum Interior Side Yard Setback	<u>10', unless abutting residential district, then 20'</u>
Minimum Rear Yard Setback	<u>10', unless abutting residential district, then 20'</u>

¹ Any structures integral to the operation of a use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and other similar items that exceed the maximum height allowed in the district are allowed. Any such structures that are freestanding must be set back from all lot lines a distance equal to the height of the structure.

Sec. 33-3.41.4. Development standards.

(a) Purpose. It is the intent of these standards to promote design practices that support a variety of uses and character of the zoning district.

(b) Building and Site Design.

(1) Building Design. Sec. 33-6.8. Building design shall apply.

(2) Site Design. Sec. 33-6.9. Site design shall apply. For business park or campus developments over two (2) acres in size in the I-MU District, the following design elements are required:

a. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, plazas, and open space, etc.). All internal sidewalks must have a hard surface constructed of concrete, asphalt, or other similar material and at least five (5) feet in width.

b. Remaining open space within the site must be sixty (60) percent covered in a combination of the following: grass and groundcover; shrubs and trees; usable outdoor hardscape features, such as courtyards, seating areas, patios, and water features.

(c) Landscaping and screening.

(1) Generally.

a. Section 33-6.25, Landscaping, buffering, and screening, shall apply,

b. Where there is a conflict between Sec. 33-6.25. and standards of this section, the standards of this section shall govern.

c. Where this section is silent on a standard, Sec. 33-6.25. shall apply.

(2) Property buffers. A property buffer is required when the I-MU District abuts any district other than an I-MU, I-L, I-H, or I-LF District. Property buffers are required for new development and for expansions as

described in Section 33-6.25.2 (b).

a. Table 33-6.25.5-2: Property Buffer Requirements by Use shall apply.

b. *Property buffer fencing.* A solid fence or wall, constructed of wood, brick, masonry, chain-link fence with vegetative screening, or stone a minimum of six (6) feet in height to a maximum of ten (10) feet shall be erected along the applicable lot line of the development site for one hundred (100) percent of the property buffer length, with the exception of required ingress/egress points. Where chain-link fence with vegetative screening is used, vegetative screening must be evergreen vines or climbing plants and maintained in healthy condition.

(d) *Parking and clear vision areas.* Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Requirements, of Chapter 40, Zoning, of this Code.

(e) *Group Development and Outparcels.* Sec. 33-5.22. Group development of this Code shall apply.

Sec. 33-3.41.5. Signs.

The sign regulations provided in **Article XXVI. Commercial Parkway Overlay** ~~Article XXVIII. General Commercial District C-2~~ of Chapter 40 shall apply to the **I-MU District**. The general sign regulations of Article XXXVI. General Sign Regulations shall also apply for any standards that are not provided in this section.

Sec. 33-3.41.6. Development approval.

Sec. 33-3.41.6.1. Site plan review.

(a) *Site plan review required.* In accordance with this section and Section 33-2.25, Site plan, in Article 2, Procedures, of this UDC, site plan review is required when the following actions occur:

(1) New development.

(2) For existing development:

a. Change of use that requires an increase in the number of parking needed to service the structure, shall result in greater compliance with the I-MU District requirements for the portion of the building, structure, or site area that is proposed to be altered, to the maximum extent practical, given the type and extent of the alteration, and the constraints of the site, as determined by the Planning Director after considering LURTC comments.

b. Any additions to developments or structures, including construction of parking area(s) or lots, which add fifty (50) percent or more to the size, in terms of total area or total number of parking spaces, of the original development. Any addition shall fully comply with the provisions of the I-MU District.

c. Any amendments made to an approved site plan.

(b) *Site plan review not required.* The following developments or activities shall not be subject to site plan review.

(1) Interior renovations;

(2) Any routine exterior maintenance as determined by the Planning Director, including excavation, filling, or grading;

(3) Change of use that does not increase required parking; or

(4) Sign permits for signs meeting all requirements of these standards except detached signs, which are subject to site plan review.

Sec. 33-3.41.6.2. Variances.

(a) The Parish Council may grant variances to the I-MU dimensional, development, signs, and parking regulations provided the following criteria are met:

(1) The proposal complies with the requirements to the maximum extent possible taking into account space limitations of existing structures.

(2) The proposal does not adversely affect the harmony or compatibility of surrounding land uses.

(3) That special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures, or buildings in the same zone.

(4) The granting of the variance will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.

(5) If the applicant complies strictly with the provisions of this UDC, then the applicant will be unable to make reasonable use of the affected property.

(6) The requested variance will not conflict with the purposes of this district, UDC, or the comprehensive plan.

(b) The Parish Council shall not grant a variance for more than fifty (50) percent of the required minimum property buffer depth.

5. Amend Chapter 33 Unified Development Code, Sec. 33-3.42. Industrial (M-1), to delete the M-1 District and reference to Chapter 40, rename to Light Industrial District (I-L), and populate with new provisions, to read as follows:

Sec. 33-3.42. Light Industrial District (M-1 I-L).

~~See Chapter 40, Article XXX of this Code.~~

Sec. 33-3.42.1. Purpose.

The I-L Light Industrial District is intended to accommodate a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses, as well as, limited commercial, recreational, and agricultural uses. Light industrial processes are conducted within enclosed buildings, may include some limited outdoor storage, and do not create nuisances, hazards, or other outside impacts.

Sec. 33-3.42.2. Authorized uses.

(a) Use matrix. For the table of authorized uses in this district, see Table 33-3.40-1, Authorized Land Uses for Industrial Zoning Districts, of this UDC.

(1) However, any existing stand-alone residential dwelling in existence prior to the effective date, [INSERT EFFECTIVE DATE], of this ordinance [INSERT THIS ORDINANCE NO.], shall be recognized as a conforming use; and furthermore, shall be allowed to:

a. Be granted permits for repair and maintenance.

1. If an expansion is included in the repair or maintenance, the area regulations of the R-3 Multiple-Family Residential District shall apply.
- b. Be restored if it is demolished or destroyed beyond seventy-five (75) percent of its value or more, without having to go through the restoration of a nonconforming status procedure, provided that the new construction meets the minimum dimensional standards provided below:
 1. The restoration of residential dwelling shall be subject to the area regulations of the R-3 Multiple-Family Residential District; and
 2. The restoration of the dwelling shall be the same dwelling type as prior to the demolition or destruction (i.e., a single-family dwelling may only be restored as a single-family dwelling).
- (b) Accessory uses or structures. Accessory buildings and uses, including offices, restaurants, cafeterias, retail, and wholesale outlets, when operated in conjunction with and located on the same site as a permitted use in this district.
- (c) Mechanical equipment. Mechanical equipment is allowed in accordance with Sec. 33-6.9. Site design of this UDC.

Sec. 33-3.42.3. Dimensional standards.

The dimensional standards within the I-L Light Industrial Zoning District are provided in Table 33-3.42.3-1.

<u>Table 33-3.42.3-1. Dimensional Standards - I-L Light Industrial Zoning District</u>	
<u>Lot Standards</u>	
<u>Minimum Lot Area</u>	<u>5,000sf</u>
<u>Minimum Lot Depth</u>	<u>None</u>
<u>Minimum Lot Width</u>	<u>None</u>
<u>Height</u>	
<u>Maximum Building Height ¹</u>	<u>None, except that when a building is on a lot in the I-L District that adjoins or abuts another lot within a residential district such building shall not exceed the maximum height permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.</u>
<u>Setbacks</u>	
<u>Minimum Front Yard Setback</u>	<u>10'</u>
<u>Minimum Corner Side Yard Setback</u>	<u>10'</u>
<u>Minimum Interior Side Yard Setback</u>	<u>10', unless abutting residential district, then 20'</u>
<u>Minimum Rear Yard Setback</u>	<u>10', unless abutting residential district, then 20'</u>

¹ Any structures integral to the operation of a use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and other similar items that exceed the maximum height allowed in the district are permitted. Any such structures that are freestanding must be set back from all lot lines a distance equal to the height of the structure.

Sec. 33-3.42.4. Development standards.

(a) Landscaping and screening.

(1) Applicability. Sec. 33-6.25, Landscaping, buffering, and screening, shall apply when:

- a. The I-L district abuts or is located across the street right-of-way from any district other than an I-L, I-H, or I-LF District; and**
- b. When site plan review is required, according to Sec. 33-3.42.6. Development approval.**

(2) Generally.

- a. Where there is a conflict between Sec. 33-6.25. and standards of this section, the standards of this section shall govern.**
- b. Where this section is silent on a standard, Sec. 33-6.25. shall apply.**

(3) Property buffers. A property buffer is required when the I-L District abuts any district other than an I-MU, I-L, I-H, or I-LF District. Property buffers are required for new development and for expansions as described in Section 33-6.25.2 (b).

- a. Table 33-6.25.5-2: Property Buffer Requirements by Use shall apply.**
- b. Property buffer fencing.** A solid fence or wall, constructed of wood, brick, masonry, chain-link fence with vegetative screening, or stone a minimum of six (6) feet in height to a maximum of ten (10) feet shall be erected along the applicable lot line of the development site for one hundred (100) percent of the property buffer length, with the exception of required ingress/egress points. Where chain-link fence with vegetative screening is used, vegetative screening must be evergreen vines or climbing plants and maintained in healthy condition.

(b) Parking and clear vision areas. Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Requirements, of Chapter 40, Zoning, of this Code.

(c) Group Development and Outparcels. Sec. 33-5.22. Group development of this Code shall apply.

Sec. 33-3.42.5. Signs.

The sign regulations provided in Article XXVIII, General Commercial District C-2 of Chapter 40 shall apply to the I-L District. The general sign regulations of Article XXXVI, General Sign Regulations shall also apply for any standards that are not provided in this section.

Sec. 33-3.42.6. Development approval.

Sec. 33-3.42.6.1. Site plan review.

(a) Site plan review required. In accordance with this section and Section 33-2.25, Site plan, in Article 2, Procedures, of this UDC, site plan review is required when the following actions occur:

(1) When the I-L District abuts or is located across the street right-of-way from any district other than an I-L, I-H, or I-LF District and when the following actions occur:

a. New development.

b. For existing development:

1. Change of use that requires an increase in the number of parking spaces needed to service the structure, shall result in greater compliance with the I-L District requirements for the portion of the building, structure, or site area that is proposed to be altered, to the maximum extent practical, given the type and extent of the alteration, and the constraints of the site, as determined by the Planning Director after considering LURTC comments.

2. Any additions to developments or structures, including construction of parking area(s) or lots, which add fifty (50) percent or more to the size, in terms of total area or total number of parking spaces, of the original development. Any addition shall fully comply with the provisions of the I-L District.

c. Any amendments made to an approved site plan.

(b) Site plan review not required. The following developments or activities shall not be subject to site plan review.

(1) Interior renovations;

(2) Any routine exterior maintenance as determined by the Planning Director, including excavation, filling, or grading;

(3) Change of use that does not increase required parking; or

(4) Sign permits for signs meeting all requirements of these standards or the underlying zoning district, except monument or freestanding directional signs, which are subject to site plan review.

Sec. 33-3.42.6.2. Variances.

(a) The Parish Council may grant variances to the I-L District dimensional, development, signs, and parking regulations provided the following criteria are met:

(1) The proposal complies with the requirements to the maximum extent possible taking into account space limitations of existing structures.

(2) The proposal does not adversely affect the harmony or compatibility of surrounding land uses.

(3) That special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures or buildings in the same zone.

(4) The granting of the variance will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.

(5) If the applicant complies strictly with the provisions of this UDC, then the applicant will be unable to make reasonable use of the affected property.

(6) The requested variance will not conflict with the purposes of this district, UDC, or the comprehensive plan.

(b) The Parish Council shall not grant a variance for more than fifty (50) percent of the required minimum property buffer.

6. Amend Chapter 33 Unified Development Code, Sec. 33-3.43. Industrial (M-2), to delete the M-2 district and reference to Chapter 40, rename to Heavy Industrial District (I-H), and populate with new provisions, to read as follows:

Sec. 33-3.43. Heavy Industrial District (M-2 I-H).

See Chapter 40, Article XXXI of this Code.

Sec. 33-3.43.1. Purpose.

The I-H Heavy Industrial District is intended to accommodate general manufacturing, fabricating, processing, distributing, and warehousing uses, including those uses that may be hazardous or noxious. Such uses typically have significant external impacts and may include large areas of outdoor storage or operation. Therefore, screening and buffering requirements ensure adequate separation and mitigation of potential impacts on surrounding areas.

Sec. 33-3.43.2. Authorized uses.

(a) Use matrix. For the table of authorized uses in this district, see Table 33-3.40-1, Authorized Land Uses for Industrial Zoning Districts, of this UDC.

(1) However, any existing stand-alone residential dwelling in existence prior to the effective date [INSERT EFFECTIVE DATE] of this ordinance [INSERT THIS ORDINANCE NO.], shall be recognized as a conforming use; and furthermore, shall be allowed to:

a. Be granted permits for repair and maintenance.

1. If an expansion is included in the repair or maintenance, the area regulations of the R-3 Multiple-Family Residential District shall apply.

b. Be restored if it is demolished or destroyed beyond seventy-five (75) percent of its value or more, without having to go through the restoration of a nonconforming status procedure, provided that the new construction meets the minimum dimensional standards provided below:

1. The restoration of residential dwelling shall be subject to the area regulations of the R-3 Multiple-Family Residential District; and

2. The restoration of the dwelling shall be the same dwelling type as prior to the demolition or destruction (i.e., a single-family dwelling may only be restored as a single-family dwelling).

(b) Accessory uses or structures. Accessory buildings and uses, including offices, restaurants, cafeterias, retail, and wholesale outlets, when operated in conjunction with and located on the same site as a permitted use in this district.

(c) Mechanical equipment. Mechanical equipment is allowed in accordance with

Sec. 33-6.9. Site design of this UDC.
Sec. 33-3.43.3. Dimensional standards.

The dimensional standards within the I-H Heavy Industrial Zoning District are provided in Table 33-3.43.3-1.

<u>Table 33-3.43.3-1. Dimensional Standards - I-H Heavy Industrial Zoning District</u>	
<u>Lot Standards</u>	
<u>Minimum Lot Area</u>	<u>5,000sf</u>
<u>Minimum Lot Depth</u>	<u>None</u>
<u>Minimum Lot Width</u>	<u>None</u>
<u>Height</u>	
<u>Maximum Building Height ¹</u>	<u>None, except that when a building is on a lot in the I-H District that adjoins or abuts another lot within a residential district such building shall not exceed the maximum height permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.</u>
<u>Setbacks</u>	
<u>Minimum Front Yard Setback</u>	<u>25'</u>
<u>Minimum Corner Side Yard Setback</u>	<u>25'</u>
<u>Minimum Interior Side Yard Setback</u>	<u>25', unless abutting residential district, then 50'</u>
<u>Minimum Rear Yard Setback</u>	<u>25', unless abutting residential district, then 50'</u>

¹ **Any structures integral to the operation of a use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and other similar items that exceed the maximum height allowed in the district are permitted. Any such structures that are freestanding must be set back from all lot lines a distance equal to the height of the structure.**

Sec. 33-3.43.4. Development standards.

(a) Landscaping and screening.

(1) Applicability. Sec. 33-6.25, Landscaping, buffering, and screening. shall apply when:

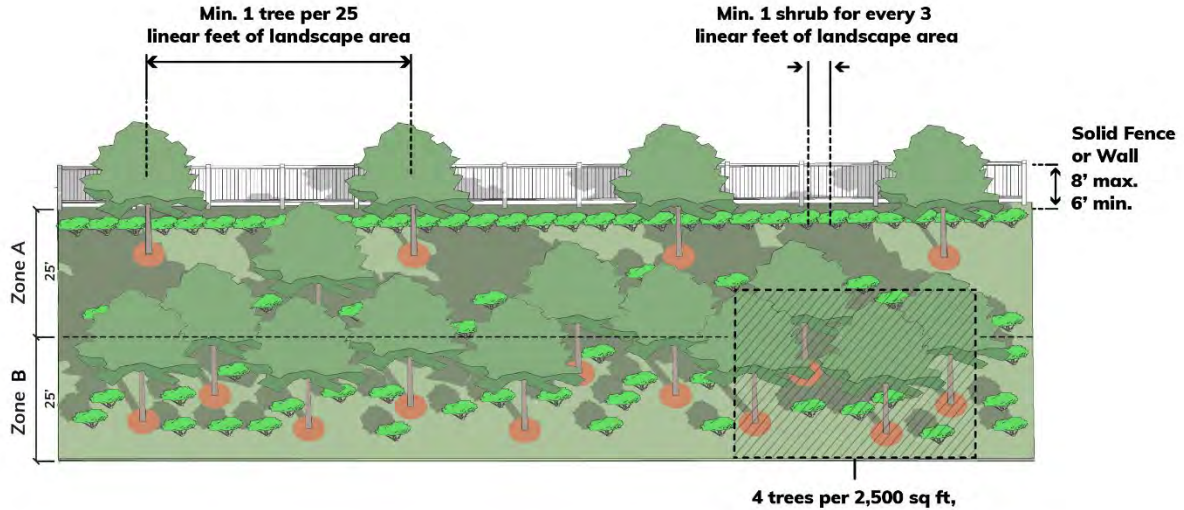
- a. The I-H District abuts or is located across the street right-of-way from any district other than an I-L, I-H, or I-LF District; and**
- b. When site plan review is required, according to Sec. 33- 3.43.6. Development approval.**

(2) Generally.

- a. Where there is a conflict between Sec. 33-6.25. and standards of this section, the standards of this section shall govern.**
- b. Where this section is silent on a standard, Sec. 33-6.25. shall apply.**

(3) Property buffers. A property buffer is required when the I-H District abuts any district other than an I-L, I-H, or I-LF District. Property buffers are required for new development and for expansions as described in Section 33-6.25.2 (b).

- a. The property buffer must be a minimum width of either twenty-five (25) feet or fifty (50) feet as specified below and measured perpendicularly from the rear or side lot line. The property buffer shall be divided into Zone A and Zone B.
1. Zone A and Zone B shall apply when abutting a residential district.
 2. Zone A shall apply when abutting any other district.
- b. Zone A comprises the first twenty-five (25) feet of the property buffer, measured perpendicularly from the rear or side lot line. Requirements for plantings within Zone A are as follows:
1. One (1) Class A tree must be planted every twenty-five (25) linear feet. Trees may be spaced at various intervals, but the total number of trees planted must be no less than one (1) per twenty-five (25) linear feet of property buffer length.
 2. One (1) shrub must be planted for every three (3) linear feet of landscape area, spaced linearly. Shrubs may be spaced at various intervals, but the total number of shrubs planted must be no less than one (1) per three (3) linear feet of buffer yard length.
 3. The remainder of the yard must be planted in live groundcover, perennials, grass, or additional trees or shrubs.
 4. A solid fence or wall, constructed of wood, brick, masonry, chain-link fence with vegetative screening, or stone a minimum of six (6) feet in height to a maximum of ten (10) feet shall be erected along the applicable lot line for one hundred (100) percent of the property buffer length, with the exception of required ingress/egress points. A berm is permitted; if constructed on a berm, the height of the berm is included in the calculation of fence height. Where a chain-link fence with vegetative screening is used, vegetative screening must be evergreen vines or climbing plants and maintained in healthy condition.
- c. Zone B comprises an additional twenty-five (25) feet of the property buffer measured from the boundary of Zone A. Requirements for plantings within Zone B are as follows:
1. Four (4) Class A trees are required per two-thousand five-hundred (2,500) square feet of property buffer area within Zone B.
 2. The remainder of the yard must be planted in live groundcover, shrubs, or additional trees.
 3. Trees shall be planted in a cluster pattern with an example illustrated in Figure 33-3.43.4-1 below.
- Figure 33-3.43.4-1: I-H District Property Buffer.



(b) Parking and clear vision areas. Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Requirements, of Chapter 40, Zoning, of this Code.

(c) Group Development and Outparcels. Sec. 33-5.22. Group development of this Code shall apply.

Sec. 33-3.43.5. Signs.

The sign regulations provided in Article XXVIII, General Commercial District C-2 of Chapter 40 shall apply to the I-H District. The general sign regulations of Article XXXVI, General Sign Regulations shall also apply for any standards that are not provided in this section.

Sec. 33-3.43.6. Development approval.

Sec. 33-3.43.6.1. Site plan review.

(a) Site plan review required. A site plan is required in accordance with this section and Section 33-2.25, Site plan, in Article 2, Procedures, of this UDC, when the following actions occur:

(1) When the I-H District abuts or is located across the street right-of-way from any district other than the I-L, I-H, or I-LF District, and when the following actions occur:

a. New development.

b. For existing development:

1. Change of use that requires an increase in the number of parking spaces needed to service the structure, shall result in greater compliance with the I-H District requirements for the portion of the building, structure, or site area that is proposed to be altered, to the maximum extent practical, given the type and extent of the alteration, and the constraints of the site, as determined by the Planning Director after considering LURTC comments.

2. Any additions to developments or structures, including construction of parking area(s) or lots, which add fifty (50) percent

or more to the size, in terms of total area or total number of parking spaces, of the original development. Any addition shall fully comply with the provisions of the I-H District.

c. Any amendments made to an approved site plan.

(b) Site plan review not required. The following developments or activities shall not be subject to site plan review.

(1) Interior renovations;

(2) Any routine exterior maintenance as determined by the Planning Director, including excavation, filling, or grading;

(3) Change of use that does not increase required parking; or

(4) Sign permits for signs meeting all requirements of these standards or the underlying zoning district, except monument or freestanding directional signs, which are subject to site plan review.

Sec. 33-3.43.6.2. Variances.

(a) The Parish Council may grant variances to the I-H dimensional, development, signs, and parking regulations provided the following criteria are met:

(1) The proposal complies with the requirements to the maximum extent possible taking into account space limitations of existing structures.

(2) The proposal does not adversely affect the harmony or compatibility of surrounding land uses.

(3) That special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures or buildings in the same zone.

(4) The granting of the variance will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.

(5) If the applicant complies strictly with the provisions of this UDC, then the applicant will be unable to make reasonable use of the affected property.

(6) The requested variance will not conflict with the purposes of this district, UDC, or the comprehensive plan.

(b) The Parish Council shall not grant a variance for more than fifty (50) percent of the required minimum property buffer.

7. Amend Chapter 33 Unified Development Code, Sec. 33-3.44. Industrial (M-3)., to delete the M-3 district and reference to Chapter 40, rename to Landfill Industrial District (I-LF), and populate with new provisions, to read as follows:

Sec. 33-3.44. Landfill Industrial District (M-3 I-LF).

See Chapter 40, Article XXXII of this Code.

Sec. 33-3.44.1. Purpose.

The Landfill Industrial District (I-LF) is a specialized zoning district for industrial activities that involve waste collection, handling, disposal, **and resource recovery** facilities. The I-LF District is intended to allow for the normal operation of state permitted landfills, other waste handling, recycling, and disposal establishments, **and**

renewable or sustainable energy facilities, arrays, and systems.

Sec. 33-3.44.2. Authorized uses.

(a) Use matrix. For the table of authorized uses in this district, see Table 33-3.40-1, Authorized Land Uses for Industrial Zoning Districts, of this UDC.

(b) Accessory uses or structures. Accessory buildings and uses, including offices or cafeterias, when operated in conjunction with and located on the same site as a permitted use in this district

(c) Mechanical equipment. Mechanical equipment is allowed in accordance with Sec. 33-6.9. Site design, of this UDC.

Sec. 33-3.44.3. Dimensional standards.

The dimensional standards within the I-LF Landfill Industrial Zoning District are provided in Table 33-3.44.3-1. However, all uses must comply with any setbacks, buffering, and security requirements mandated by federal and/or state law; in the event any of conflict with local, state, or federal regulations, the more restrictive control governs.

<u>Table 33-3.44.3-1. Dimensional Standards - I-LF Landfill Industrial Zoning District</u>	
<u>Lot Standards</u>	
<u>Minimum Lot Area</u>	30 acres
<u>Minimum Lot Depth</u>	<u>None</u>
<u>Minimum Lot Width</u>	<u>None</u>
<u>Height</u>	
<u>Maximum Building Height</u>	<u>None</u>
<u>Setbacks</u>	
<u>Minimum Front Yard Setback</u>	<u>200'</u>
<u>Minimum Corner Side Setback</u>	<u>200'</u>
<u>Minimum Interior Side Setback</u>	<u>200', unless abutting residential district, then 500'</u>
<u>Minimum Rear Setback</u>	<u>200', unless abutting residential district, then 500'</u>

Sec. 33-3.44.4. Development standards.

(a) Landscaping and screening. The I-LF District is not subject to the standards of Section 33-6.25. The following screening and buffering is required:

- (1) The first twenty (20) feet from any property line which abuts an improved public street shall be landscaped and buffered by trees, shrubs, earth berms, or a combination of the same. In no event shall such buffer be less than seven (7) feet in height.
- (2) Within the required setback areas, existing vegetation shall not be disturbed or removed except for paved access areas, landscaping, and security fencing.
- (3) A solid fence or wall, constructed of wood, brick, masonry, chain-link fence with vegetative screening, or stone a minimum of six (6) feet in height to a maximum of ten (10) feet shall be erected along any property line which abuts an improved public street for one hundred (100) percent of the property line length, with the exception of required ingress/egress points. The fence may be located farther from the edge but additional plantings groundcover, perennials,

grass, or additional trees or shrubs are required within the area. A berm is permitted; if constructed on a berm, the height of the berm is included in the calculation of fence height. Where chain-link fence with vegetative screening is used, vegetative screening must be evergreen vines or climbing plants and maintained in healthy condition.

(4) In the event any of the above are in conflict with other local, state, or federal regulations, the more restrictive shall govern.

(b) *Parking and clear vision areas.* Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Requirements, of Chapter 40, Zoning, of this Code.

(c) *Group Development and Outparcels.* Sec. 33-5.22. Group development of this Code shall apply.

Sec. 33-3.44.5. Signs.

The sign regulations provided in Article XXVIII. **General Commercial District C-2 of Chapter 40 shall apply to the I-LF District.** The general sign regulations of Article XXXVI. General Sign Regulations shall also apply for any standards that are not provided in this section.

Sec. 33-3.44.6. Development approval.

Sec. 33-3.44.6.1. Site plan review.

Site plan review is required for all new development and any expansion or alteration of a structure in the I-LF in accordance with Section 33-2.25, Site plan, in Article 2, Procedures, of this UDC. If the Planning Director determines that the I-LF regulations are fully met, the Planning Director may grant ministerial approval and the development may proceed to the building permit process.

Sec. 33-3.44.6.2. Variances.

(a) The Parish Council may grant variances to the I-LF District dimensional, development, signs, and parking regulations provided the following criteria are met:

(1) The proposal complies with the requirements to the maximum extent possible taking into account space limitations of existing structures.

(2) The proposal does not adversely affect the harmony or compatibility of surrounding land uses.

(3) That special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures or buildings in the same zone.

(4) The granting of the variance will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.

(5) If the applicant complies strictly with the provisions of this UDC, then the applicant will be unable to make reasonable use of the affected property.

(6) The requested variance will not conflict with the purposes of this district, UDC, or the comprehensive plan.

(b) Variances to the minimum setback requirements shall only be granted when, in addition to meeting the standards above, the Parish Council also finds that granting the variance will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the area in which the property or improvements in the area in which the property for which the variance is sought is located.

8. Amend Chapter 33 Unified Development Code, Sec. 33-3.70. Avondale Industrial Marine (AIM) District., to replace the AIM overlay district section title and regulations, with the new Hazardous Materials Overlay District (HM-O) District and provisions, to read as follows:

Sec. 33-3.70. Avondale Industrial Marine Hazardous Materials Overlay (AIM HM-O) District.

~~Sec. 33-3.70.1. Purpose and findings.~~

~~The Avondale Industrial Marine (AIM) District is an overlay district intended to recognize and protect the historically productive industrial site commonly known as the “Avondale Shipyard.”~~

~~The AIM District promotes the redevelopment of the site as a strongly performing, value-added logistics hub that encompasses production, distribution and repair and takes advantage of the existing multi-modal transportation infrastructure that provides direct access to port, rail, and roadway systems. The Avondale site is suitable for the AIM district by having the following characteristics:~~

~~At least seventy-five (75) percent of the land area in the district was zoned and improved for industrial uses at least twenty-five (25) years ago. For this purpose, improved shall mean developed with buildings or other structures, paving, or storage for industrial uses;~~

~~It is at least two hundred (200) contiguous acres, has a minimum frontage on the Mississippi River of one (1) mile, and contains or is within three hundred (300) feet of an active rail line measured from the property line of the site.~~

~~The AIM district has the following purposes:~~

- ~~(1) Protect and promote active or prime industrial land along the Mississippi River to take advantage of port and rail facilities and services that represent indispensable nodes in the global economic network;~~
- ~~(2) Provide industrial businesses greater ease and more certainty in their ability to remain and prosper in their current locations;~~
- ~~(3) Facilitate a wide variety of production uses and activities and promote integrated, value-added logistics hubs;~~
- ~~(4) Promote strong distribution and repair infrastructure with efficient freight and warehousing networks;~~
- ~~(5) Facilitate modern and state-of-the-art processes, controls, buildings, and equipment for production, distribution, and repair that minimize nuisance complaints and keep impacts on adjacent and nearby areas to a minimum;~~

- ~~(6) Discourage an inappropriate level of non-industrial uses and encourage appropriate commercial activity that could improve employment opportunities and the physical condition of the district without conflicting with production, distribution, and repair activities;~~
- ~~(7) Improve employment diversity, the quality of jobs, and wages in Jefferson Parish;~~
- ~~(8) Promote orderly development to efficiently bring regional assets back into commerce; and~~
- ~~(9) Promote the health, safety, and general welfare of residents and businesses.~~

Sec. 33-3.70.2. Generally.

Development standards of the base zoning district shall apply.

- ~~(1) Where there is a conflict between the standards of the AIM district and the standards of the base district, the standards of the AIM district shall apply.~~
- ~~(2) Where the AIM district is silent on a standard, the standard of the base district shall apply.~~

Sec. 33-3.70.3. Authorized uses.

All uses listed in Sec. 40-582 of this Code are allowed by right, including a logistics cluster or hub and logistics facilities, establishments, or activities comprised of or engaged in one or more of manufacturing, production, product finishing, value-added services, packaging, labeling, assembly, distribution, freight handling, transshipment, wholesaling, warehousing, recycling, repair, marketing, or information technologies, with the following exceptions:

- ~~(1) The processing, refining, or bulk storage of flammable and combustible liquids that comprises thirty (30) percent or more of the total area of the development site is a conditional use subject to the procedures of Sec. 33-2.24 of this UDC. If the application is an amendment to an approved conditional use, the thirty (30) percent limitation shall apply cumulatively.~~
- ~~(2) The following uses are accessory or ancillary uses, provided that the maximum site coverage of all accessory or ancillary uses shall not exceed thirty (30) percent of the total area of the site, and that the location of these uses is governed by the same area requirements of the base zoning district where sharing block frontage with or abutting a residential zoning district:
 - ~~a. Hotels, Motels, or Other Accommodation Services (LBCS Code 1300);~~
 - ~~b. General Sales or Services (LBCS Code 2000);~~
 - ~~c. Arts, Entertainment, and Recreation (LBCS Code 5000);~~
 - ~~d. Education, Public Administration, Health Care, and Other Institutions (LBCS Code 6000); and~~
 - ~~e. Agriculture, Forestry, Fishing, and Hunting (LBCS Code 9000).~~~~
- ~~(3) Gaming establishment is a prohibited use.~~

Sec. 33-3.70.1. Purpose.

The Hazardous Materials Overlay District (HM-O) is intended to protect the public health, safety, and environment by controlling uses that store hazardous materials in bulk. The HM-O District provides additional standards and safeguards regarding the storage of hazardous materials to protect public health and safety, and the environment. The district provides opportunities for existing uses to continue to

operate and expand with the limited establishment of new bulk storage of hazardous materials within specific parameters.

Sec. 33-3.70.2. Applicability of base district.

The standards of the base district apply unless otherwise modified by this overlay district. In the case of conflict between the standards of the base district and this overlay, the HM-O District controls.

Sec. 33-3.70.3. Authorized uses.

(a) Authorized uses. Authorized uses in this district are those uses authorized in the underlying zoning district with the following exception:

(1) Bulk storage of hazardous materials (LBCS function code 3633) may be permitted as a special permitted use in accordance with Sec. 33-2.23. Special permitted uses and in compliance with the standards of this Section.

Sec. 33-3.70.4. Specific use standards.

The following specific use standards shall apply to the bulk storage of hazardous materials within the HM-O District.

- (a) All requirements of Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, are complied with.
- (b) The site has a minimum of one hundred thousand (100,000) square feet and the total floor area of all structures used for bulk storage of hazardous materials does not exceed fifty (50) percent of the total site area.
- (c) At a minimum, bulk storage tanks must be located three (3) times the minimum distance required by NFPA 30 distance in feet from all property lines.
- (d) There is ready access for fire and emergency equipment in accordance with Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials.
- (e) In the event the use for which a special permitted use is being sought pursuant hereto requires any air emission or water discharge permit from any state or federal agency, the application therefor, together with proof of submission, and the issued permit, if available shall be made a part of the application for the special permitted use.
- (f) The proposed use complies with the standards of the National Fire Protection Association Code, as adopted by the Jefferson Parish Council, and applicable standards of the National Association of Corrosion Engineers (NACE), the American Petroleum Institute (API), the American Society of Testing and Materials (ASTM), and requirements found in the Clean Water Act, the Clean Air Act, and Resource Conservation and Recovery Act.
- ~~(g) Any proposed changes in the bulk storage of hazardous materials use, including any changes in the use of the products or products themselves which may affect emission data previously submitted shall be submitted to the Parish Council for approval as a major amendment in accordance with Section 33-2.23 Special permitted uses.~~
- ~~(h)(g) Adequate safeguards are provided to limit obnoxious or offensive emissions of smoke, gases, vibration, light, noise, glare, dust, and odors or other noxious or offensive fumes or spilled liquids.~~
- ~~(i) (h)An odor control plan is required, to be submitted to and approved by the Department of Environmental Affairs. At the time of special permitted use~~

renewal, if an odor control plan is not in place, it is required as part of the renewal. The odor control plan consists of five components. The Department of Environmental Affairs may modify these plan components.

- (1) Conduct a product odor assessment, including review of product safety data sheets (SDS) to identify odor related information.
 - (2) Identify odor sources within the facility, including temporary odor sources from activities such as cleaning and maintenance.
 - (3) Provide a work program that describes how site monitoring and investigation of odor complaints will be conducted. This should describe processes such as routine inspections and/or odor patrol, as well as how the facility will document odor complaints and conduct follow-up investigations.
 - (4) Describe the operational procedures to control odors.
 - (5) Catalog potential additional emission and odor control equipment that may be necessary if there are excessive offsite impacts of odors from the facility.
- (j) Where bulk storage of hazardous material includes or primarily conducts storage of hazardous materials in drums, tote tanks, boxes, or other intermediate bulk containers (IBC), the general location of such storage areas must be shown on the site plan and/or special permitted use. If locations are changed, an amendment to the site plan and/or special permitted use is required. All locations of such storage areas must be updated as part of special permitted use renewal.
- (k) A 24-hour manned hotline number for the public to contact is required and must be posted on the site in multiple locations that are clearly visible to the public. At the time of special permitted use renewal, if a 24-hour manned hotline number for the public is not posted, it is required as part of the renewal. The 24-hour manned hotline number must be that of the state required emergency contact.
- (l) In the event any of the above criteria, standards, or regulations are in conflict with each other or with local, state or federal regulations, the more restrictive shall govern.
- (m) An emission reporting plan and air permit compliance website is required in accordance with Sec. 13-138. Additional standards for bulk storage of hazardous materials in the HM-O District.

Sec. 33-3.70.5. Replacement of existing bulk storage tanks.

Existing bulk storage tanks may be replaced for maintenance, safety reasons, or where new technologies contribute to safer and/or more efficient storage. Site plan review for such replacement is required per Sec. 33-2.23.7. Any increase in capacity or change of the list of approved materials stored within such tanks requires a major amendment to the special permitted use in accordance with Sec. 33-2.23. Special permitted uses.

Sec. 33-3.70.6. Required separation.

- (a) Bulk storage containers, containing hazardous materials, must be located a minimum of one-thousand five-hundred (1,500) feet from the lot line of any

other adjoining or abutting lot that is zoned a district other than the I-L, or I-H District, or I-LF District.

(b) These separation requirements for bulk storage tanks apply to any new facility, approved as a new SPU, as of the effective date, [INSERT EFFECTIVE DATE] of this ordinance, [INSERT THIS ORDINANCE NO.], or containers, containing hazardous materials, apply when abutting or adjoining a lot zoned a district other than I-L, I-H, or I-LF, for:

(1) Any new facility, approved as a new SPU, as of the effective date, [INSERT EFFECTIVE DATE], of this ordinance, [INSERT THIS ORDINANCE NO.] (See Figure 33-3.70.7-3); or

(2) Any expansion of an existing special permitted use boundary as of this effective date (See Figure 33-3.70.7-4).

(c) These requirements shall not apply within any existing special permitted use boundary, established prior to this effective date (See Figure 33-3.70.7-2).

(d) When a special permitted use is expanded, the required separation shall apply on an incremental basis, which means that a separation requirement shall **only** be applied to the **enlargement-expansion**.

(e) However, adjoining or abutting lots under the same ownership that are not zoned the I-L, or I-H, or I-LF District may be used to meet this separation requirement **so long as such lots are used only to install the required landscape buffer of Section 33-3.70.7.**

(f) The required landscape buffer (Sec. 33-3.70.7) may be located within this separation area.

Sec. 33-3.70.7. Required landscape buffer.

A landscape buffer is required to create a physical separation between hazardous material and the surrounding area.

(a) The landscape buffer must be a minimum width of five hundred (500) feet. The landscape buffer shall be divided into Zone A and Zone B. The buffer is measured perpendicularly from any lot line that shared with another lot that is not part of the development site and zoned a district other than I-L, I-H, or I-LF.

(1) Zone A comprises the first two hundred (200) feet of the landscape buffer, measured perpendicularly from the lot line.

(2) Zone B comprises the remainder of the required landscape buffer outside of Zone A.

(3) Required plantings in the landscape buffer are as follows:

<u>Zone</u>	<u>Required Trees</u>
<u>Zone A</u>	<u>4 trees per 2,500sf</u>
<u>Zone B</u>	<u>4 trees per 5,000sf</u>

- (4) The remainder of both zones must be planted in live groundcover, shrubs, or additional trees.
- (5) Trees shall be planted in a cluster pattern with an example illustrated in Figure 33-3.45.7-1 below.
- (6) In Zone A, a solid fence or wall, constructed of wood, brick, masonry, chain-link fence with vegetative screening, or stone a minimum of six (6) feet in height to a maximum of ten (10) feet shall be erected along the applicable lot line for one hundred (100) percent of the property buffer length, with the exception of required ingress/egress points. A berm is permitted; if constructed on a berm, the height of the berm is included in the calculation of fence height. Where chain-link fence with vegetative screening is used, vegetative screening must be evergreen vines or climbing plants and maintained in healthy condition.
- (7) Where the required landscape buffer is located along a rail line and landscape is prohibited along such rail lines by the owner/operator, landscape is not required only in that area controlled by the rail owner/operator. Such area is included in the total dimension of the landscape buffer. The remaining area outside of such control must be landscaped in accordance with this section.
- ~~(a) The landscape buffer is required for any new facility, approved as a new SPU, of the effective date, [INSERT EFFECTIVE DATE], of this ordinance, [INSERT THIS ORDINANCE NO.].~~
- ~~(1) These requirements shall not apply within any existing special permitted use boundary, established prior to this effective date.~~
- ~~(2) These requirements also apply to any expansion of an existing special permitted use boundary as of this effective date.~~
- ~~(b) When a SPU is expanded the required landscape buffer shall apply on an incremental basis, which means that a landscaping and buffering requirement is applied to the expansion, or in the case where a requirement is calculated as a percentage of the overall site, is applied in the same proportion that the expanded site or lot area has to the existing development.~~
- (b) The landscape buffer is required when abutting or adjoining a lot zoned a district other than I-L, I-H, or I-LF, for:
- (1) Any new facility, approved as a new SPU, as of the effective date, [INSERT EFFECTIVE DATE], of this ordinance, [INSERT THIS ORDINANCE NO.] (See Figure 33-3.70.7-3); or
- (2) Any expansion of an existing special permitted use boundary as of this effective date (See Figure 33-3.70.7-4).
- (c) These requirements shall not apply within any existing special permitted use boundary, established prior to this effective date (See Figure 33-3.70.7-2).
- (d) When a SPU is expanded the required landscape buffer shall apply on an incremental basis, which means that the landscape buffer requirement shall only be applied to the expansion.

Figure 33-3.70.7-1. HM-O District Landscape Buffer

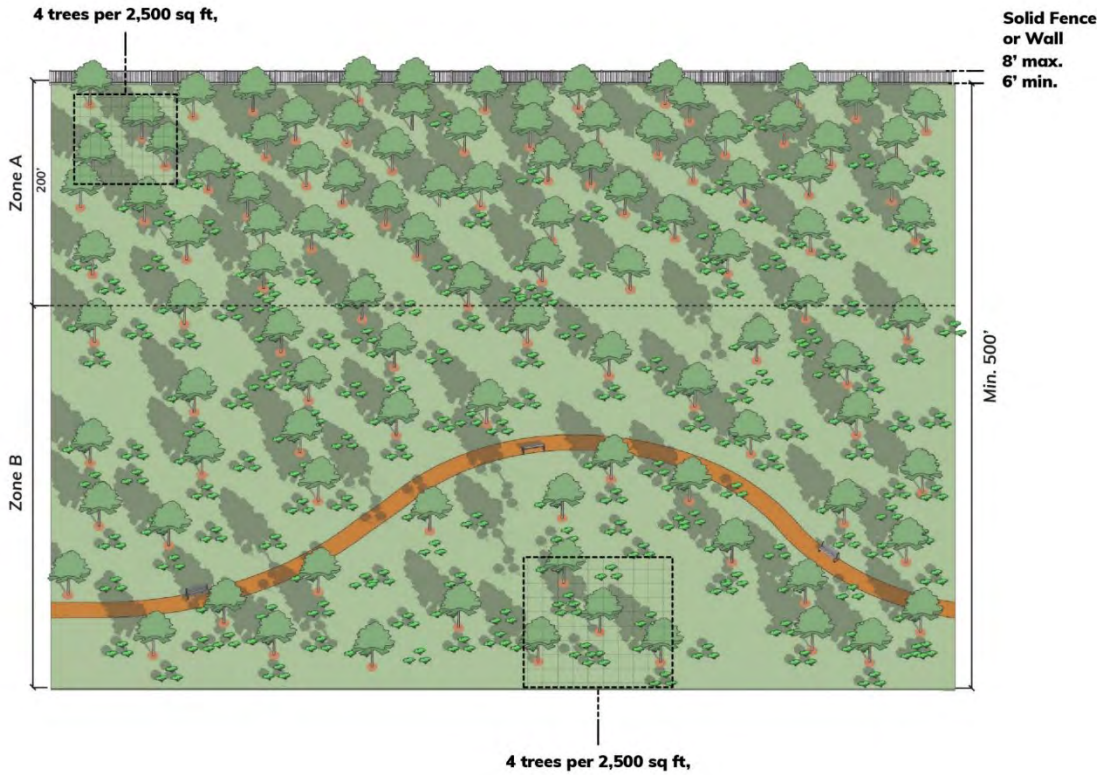


Figure 33-3.70.7-2. Existing facility with an SPU in the HM-O District; No expansion.

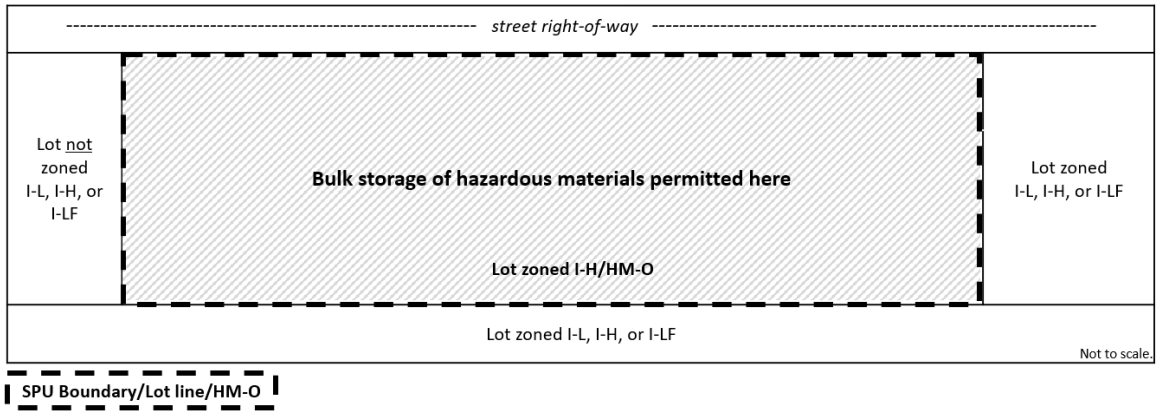


Figure 33-3.70.7-3. New facility, approved as an SPU in the HM-O District.

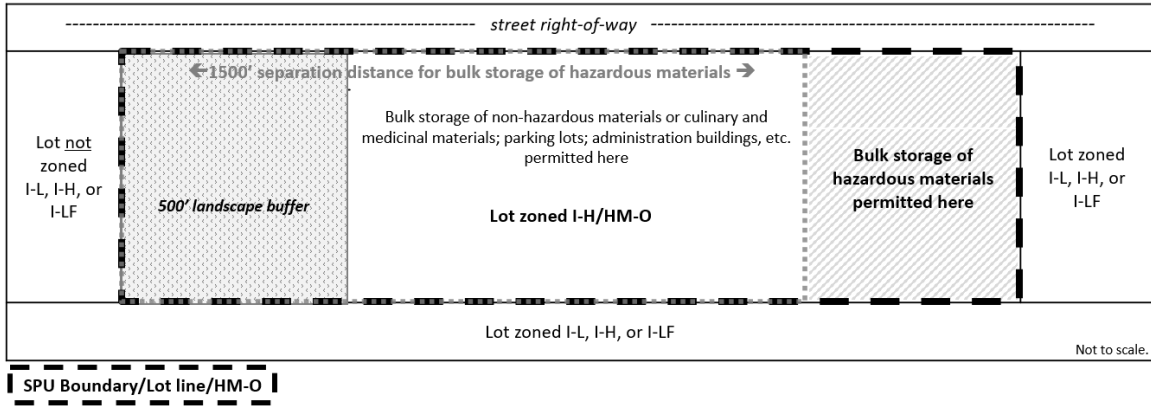
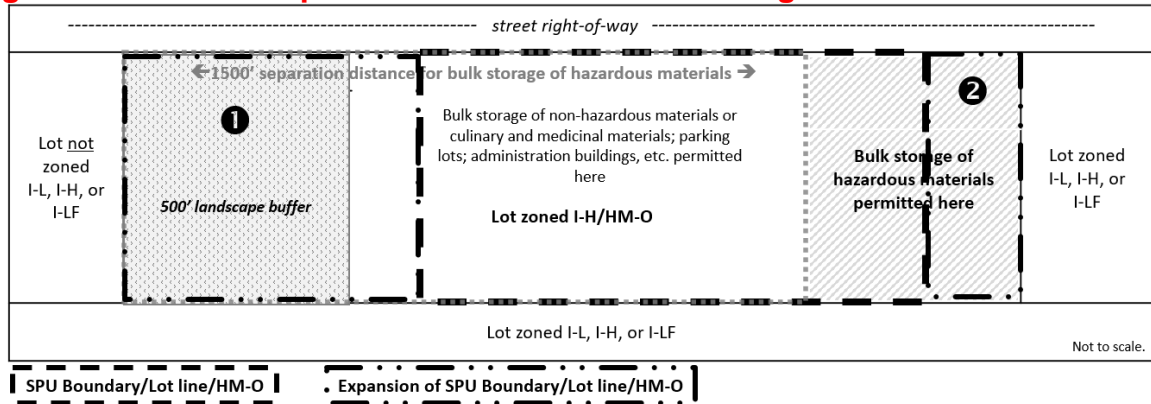


Figure 33-3.70.7-4. Expansion scenarios of an existing SPU in the HM-O District.



- ❶ Expansion towards property not zoned I-L, I-H, or I-LF would trigger 1500' separation distance and 500' landscape buffer; if the expansion is less than 1500', then the bulk storage of hazardous materials cannot be placed within expansion area.
- ❷ Expansion towards property zoned I-L, I-H, or I-LF would not trigger 1500' separation distance or 500' landscape buffer.

Sec. 33-3.70.8. Variances.

(a)The Parish Council may grant variances to the HM-O District dimensional, development, signs, and parking regulations provided the following criteria are met:

- (1) The proposal complies with the requirements to the maximum extent possible taking into account space limitations of existing structures.**
- (2)The proposal does not adversely affect the harmony or compatibility of surrounding land uses.**
- (3) That special conditions and circumstances exist peculiar to the land, structures or buildings which are not applicable to other land, structures or buildings in the same zone.**
- (4) The granting of the variance will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.**

(5) If the applicant complies strictly with the provisions of this UDC, then the applicant will be unable to make reasonable use of the affected property.

(6) The requested variance will not conflict with the purposes of this district, UDC, or the comprehensive plan.

(b) The Parish Council shall not grant variances to the following standards within the HM-O District:

(1) Specific use standards (Sec. 33-3.70.4)

(2) Separation requirement (Sec. 33-3.70.6)

(3) Landscape buffer (Sec. 33-3.70.7)

Sec. 33-3.70.9. HM-O District Zoning Map Amendment Criteria.

(a) A map amendment per Sec. 33-2.21. for the HM-O District is subject to the following additional requirements:

(1) The HM-O District may only be applied as an overlay to the I-H District.

(2) Mailed notice for the proposed amendment, per Sec. 33-2.6, is required for all owners of property located within one-thousand (1,000) feet, measured radially from the lot lines of the subject property.

(3) A neighborhood meeting for the proposed rezoning shall be required. The neighborhood meeting shall be held prior to review by the Planning Advisory Board.

a. Mailed notice for the neighborhood meeting is required for all owners of property located within one-thousand (1,000) feet, measured radially from the lot lines of the subject property. Mailed notice must be provided a minimum of fifteen (15) days up to a maximum of thirty (30) days before the meeting. The applicant is responsible for all notice.

b. The neighborhood meeting shall be open to the public and open for public comment.

c. The public meeting shall include a review of the plan for the development site. The plan shall include:

i. A summary of types of products or services to be stored and/or produced, a physical description of proposed building and site, and an overview of anticipated environmental impact, controls to comply with environmental regulations, and any voluntary activities undertaken to go beyond legally required environmental control standards.

ii. A written statement that lists all federal, state, and local permits on the current development site and those to be applied for.

iii. The expected schedule of construction.

d. Public comment shall be documented, including attendance sheets .

e. Following the public meeting, the applicant shall submit the following materials to the Planning Department to be included as part of the public record. No application will be advertised for Planning Advisory Board review until such documentation is received:

i. A copy of the mailed notice provided to property owners.

- ii. A copy of the materials required under c. above and any other materials distributed at the meeting.
 - iii. Attendance sheets from the meeting.
 - iv. An affidavit signed by the applicant attesting that the required notice procedure was followed.
 - v. A report summarizing the public outreach conducted, including:
 - (A) The dates, times, and locations of all meetings held with interested parties.
 - (B) The total number of people that participated in the process (the number of people who attended all meetings, as well as any others who made contact via other means, as evident from sign-in sheets, emails, etc.).
 - (C) A list of any concerns, issues, and problems expressed by the participants. A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them.
 - f. Any opinions or advice provided at the meeting shall be in no way binding with respect to any official action that may be taken on the subsequent formal application. Any failure to observe formal procedures shall not affect the ultimate validity of any future formal action.
- (b) The following elements of design, construction, and operation intended to mitigate, minimize, or avoid negative environmental impacts in the following categories shall be considered as part of a map amendment for the HM-O District:
- (1) Air pollution reduction technologies for stacks, exhaust pipes, or other such equipment or facilities.
 - (2) Plans to minimize odors, emissions, noise, dust, and glare.
 - (3) Energy efficiency or renewable energy elements.
 - (4) Waste minimization or re-use programs
 - (5) On-site or off-site green stormwater infrastructure.
- (c) A map amendment for the HM-O District and the application/amendment for a special permitted use for the bulk storage of hazardous materials may be applied for simultaneously at applicant's option.

9. Amend Chapter 33 Unified Development Code, Sec. 33-5.3. Specific use standards., to add standards for breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries, adult uses, hazardous waste collection and hazardous waste treatment, recycling facilities, data mining centers, chemical manufacturing, bulk storage of culinary and medicinal materials, and borrow pits and nonmetallic mineral products, and renumber as appropriate, to read as follows:

Sec. 33-5.3. Specific use standards.

* * *

Adult use (includes LBCS function code 2650)

[Proposed Sec. 33-5.3.5.5. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

- (a) The distance between any adult use and any residential district or dwelling, shall be a minimum of one thousand (1,000) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the adult use to the closest property line of the residential district or dwelling, whichever is greater.
- (b) The distance between any two (2) adult uses shall be one thousand (1,000) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business.
- (c) The distance between any adult use and any existing school, day care center, church or place of worship, park or recreational area, public library, museum, or community center, shall be a minimum of one thousand (1,000) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the adult use to the closest property line of the school, day care center, church or place of worship, park or recreational area, public library, museum, or community center.

* * *

Alcohol Brewery, Distillery, Micro-brewery, Micro-distillery, Micro-winery, and Winery (LBCS function codes 3121-3126)

[Proposed Sec. 33-5.3.6.1. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

- (a) The establishment shall include a restaurant, bar, and/or tasting room within the same building. The minimum size of the restaurant, bar, and/or tasting room shall be 20% of the total square footage of the use or 1,500 square feet, whichever is less.**
- (b) Facilities may include retail areas for the purchase of beverages**

manufactured on-site and related items.

* * *

Chemicals manufacturing/Chemicals, plastics, and rubber products (LBCCS function code 3320) - Basic chemical manufacturing (3321); ammonia and acid manufacturing (3322); resin, synthetic rubber (3323); pesticide, fertilizer, and other agricultural chemicals (3324); adhesive (3325); explosives and pyrotechnics (3326)

[Proposed Sec. 33-5.3.6.2. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

(a) All requirements of Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, are complied with.

(b) The site has a minimum of one hundred thousand (100,000) square feet and the total floor area of all structures used for bulk storage of hazardous materials does not exceed fifty percent (50%) percent of the total site area.

(c) The street system, ingress and egress, off-street parking, loading and pedestrian ways, are adequate and in accordance with the Code of Ordinances of Jefferson Parish. A traffic impact analysis may be required as per Section 33-7.5.10, subject to the thresholds of that section.

(d) There is ready access for fire and emergency equipment in accordance with Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials.

(e) In the event the use for which a special permitted use is being sought pursuant hereto requires any air emission or water discharge permit from any state or federal agency, the application therefor, together with proof of submission, and the issued permit, if available shall be made a part of the application for the special permitted use.

(f) The proposed use complies with the standards of the National Fire Protection Association Code, as adopted by the Jefferson Parish Council, and applicable standards of the National Association of Corrosion Engineers (NACE), the American Petroleum Institute (API), the American Society of Testing and Materials (ASTM), and requirements found in the Clean Water Act, the Clean Air Act, and Resource Conservation and Recovery Act.

~~(g) Any proposed changes in these uses, including any changes in the use of the products or products themselves which may affect emission data previously submitted new air emission or water discharge permit from any state or federal agency, shall be submitted to the Parish Council for approval as a major amendment in accordance with Section 33-2.23 Special permitted uses.~~

- (gh) Adequate safeguards are provided to limit obnoxious or offensive emissions of smoke, gases, vibration, light, noise, glare, dust, and odors or other noxious or offensive fumes or spilled liquids.
- (hi) An odor control plan is required, to be submitted to and approved by the Department of Environmental Affairs. At the time of special permit use renewal, if an odor control plan is not in place, it is required as part of the renewal. The odor control plan consists of five components. The Department of Environmental Affairs may modify these plan components.
- (1) Conduct a product odor assessment, including review of product safety data sheets (SDS) to identify odor related information.
 - (2) Identify odor sources within the facility, including temporary odor sources from activities such as cleaning and maintenance.
 - (3) Provide a work program that describes how site monitoring and investigation of odor complaints will be conducted. This should describe processes such as routine inspections and/or odor patrol, as well as how the facility will document odor complaints and conduct follow-up investigations.
 - (4) Describe the operational procedures to control odors.
 - (5) Catalog potential additional emission and odor control equipment that may be necessary if there are excessive offsite impacts of odors from the facility.
- (ii) The general location storage of hazardous materials stored in drums, tote tanks, boxes or other intermediate bulk containers (IBC), must be shown on the site plan and/or special permitted use application. If locations are changed, an amendment to the site plan and/or special permitted use is required. All locations of such storage areas must be updated as part of special permitted use renewal.
- (ik) A 24-hour manned hotline number for the public to contact is required and must be posted on the site in multiple locations that are clearly visible to the public. At the time of special permitted use renewal, if a 24-hour manned hotline number for the public is not posted, it is required as part of the renewal. The 24-hour manned hotline number must be that of the state required emergency contact.
- (kl) In the event any of the above criteria, standards, or regulations are in conflict with each other or with local, state or federal regulations, the more restrictive shall govern.

Bulk storage of nonhazardous materials (LBCS function code 3631)

[Proposed Sec. 33-5.3.6.3. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

Bulk Storage of Non-Hazardous Materials (LBCS function code 3631)

(a) Bulk storage of non-hazardous materials shall mean materials stored or able to be stored (e.g., existing tanks not in use/empty) in the following cumulative amounts that are not classified as hazardous materials as defined by Chapter 13.

(1) Gases with a liquid capacity equal to or greater than five thousand (5,000) gallons.

(2) Liquids or slurries equal to or greater than ten thousand (10,000) gallons or one hundred thousand (100,000) pounds.

(3) Solids equal to or greater than one hundred thousand (100,000) pounds.

(b) Exceptions. Bulk storage of non-hazardous materials, for the purposes of this definition, does not include the following. However, such storage of materials may still be subject to the standards of Chapter 13.

(1) If non-hazardous materials are stored in quantities that meet or exceed the thresholds established above, but are accessory to and essential to operation of the principal use, they are considered part of the principal use and subject to the standards of that use.

Bulk storage of culinary and medicinal materials (LBCS function code 3632)

[Proposed Sec. 33-5.3.6.4. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

(a) All requirements of Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, are complied with.

(b) The site has a minimum of one hundred thousand (100,000) square feet and the total floor area of all structures used for bulk storage of hazardous materials does not exceed fifty (50) percent of the total site area.

(c) At a minimum, bulk storage tanks must be located three (3) times the minimum distance required by NFPA 30 distance in feet from all property

lines.

- (d) There is ready access for fire and emergency equipment in accordance with Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials.
- (e) In the event the use for which a special permitted use is being sought pursuant hereto requires any air emission or water discharge permit from any state or federal agency, the application therefor, together with proof of submission, and the issued permit, if available shall be made a part of the application for the special permitted use.
- (f) The proposed use complies with the standards of the National Fire Protection Association Code, as adopted by the Jefferson Parish Council, and applicable standards of the National Association of Corrosion Engineers (NACE), the American Petroleum Institute (API), the American Society of Testing and Materials (ASTM), and requirements found in the Clean Water Act, the Clean Air Act, and Resource Conservation and Recovery Act.
- ~~(g) Any proposed changes in this use, including any changes in the use of the products or products themselves which may affect emission data previously submitted as well as any change in an existing or new air emission or water discharge permit from any state or federal agency, shall be submitted to the Parish Council for approval as a major amendment in accordance with Section 33-2.23 Special permitted uses.~~
- (gh) Adequate safeguards are provided to limit obnoxious or offensive emissions of smoke, gases, vibration, light, noise, glare, dust, and odors or other noxious or offensive fumes or spilled liquids.
- (hi) An odor control plan is required, to be submitted to and approved by the Department of Environmental Affairs. At the time of special permit use renewal, if an odor control plan is not in place, it is required as part of the renewal. The odor control plan consists of five components. The Department of Environmental Affairs may modify these plan components.
- (1) Conduct a product odor assessment, including review of product safety data sheets (SDS) to identify odor related information.
 - (2) Identify odor sources within the facility, including temporary odor sources from activities such as cleaning and maintenance.
 - (3) Provide a work program that describes how site monitoring and investigation of odor complaints will be conducted. This should describe processes such as routine inspections and/or odor patrol, as well as how the facility will document odor complaints and conduct follow-up

investigations.

(4) Describe the operational procedures to control odors.

(5) Catalog potential additional emission and odor control equipment that may be necessary if there are excessive offsite impacts of odors from the facility.

(j) Where bulk storage of hazardous material includes or primarily conducts storage of hazardous materials in drums, tote tanks, boxes, or other intermediate bulk containers (IBC), the general location of such storage areas must be shown on the site plan and/or special permit use. If locations are changed, an amendment to the site plan and/or special permit use is required. All locations of such storage areas must be updated as part of special permitted use renewal.

(k) A 24-hour manned hotline number for the public to contact is required and must be posted on the site in multiple locations that are clearly visible to the public. At the time of special permit use renewal, if a 24-hour manned hotline number for the public is not posted, it is required as part of the renewal. The 24-hour manned hotline number must be that of the state required emergency contact.

(l) In the event any of the above criteria, standards, or regulations are in conflict with each other or with local, state or federal regulations, the more restrictive shall govern.

* * *

Data mining center. (LBCS function code 4245).

[Proposed Sec. 33-5.3.7.1. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

(a) All noise, exhaust, heat, or humidity in any form shall be carried on in such a manner that it is not perceptible at or beyond the property line. Any data mining center located within five-hundred (500) feet of a residential district or use is required to submit a noise mitigation plan.

(b) Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception off the premises where the activity is conducted.

(c) The use of cargo containers, railroad cars, semi-truck trailers and other similar storage containers for any component of the operation is prohibited.

(d) Prior to approving the special permit use, the applicant shall provide written verification from utilities that:

(1) Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity is available to serve the other needs of the area.

(2) Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the use.

(3) The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises.

* * *

Hazardous Waste Collection and Hazardous Waste Treatment and Disposal.
(LBCS function code 4341 and 4342)

[Proposed Sec. 33-5.3.7.4. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

(a) Nuclear or radioactive waste treatment, storage, and/or disposal facilities are prohibited in the Parish.

Recycling Facilities. (LBCS function code 4349)

[Proposed Sec. 33-5.3.7.5. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

(a) All unloading, processing, bailing, or other activities shall be conducted entirely within an enclosed building.

(b) All materials to be recycled shall be stored and monitored adequately to minimize contamination of the environment, particularly, adjacent properties.

(c) Adequate safeguards shall be provided to limit obnoxious or offensive emissions of smoke, gases, vibration, light, noise, glare, dust, and odors or other noxious or offensive fumes and shall minimize adverse impacts and nuisance in accordance with the best practical technology.

(d) On the perimeter(s) of the lot a continuous unbroken barrier is required. The barrier shall be a fence with a minimum height of seven (7) feet consisting of an opaque material.

(e) Any outdoor operations shall be located a distance of no less than five

hundred (500) feet from any residential zoning district.

(f) The following information shall be submitted to the Jefferson Parish Department of Environmental Affairs for review and approval prior to the issuance of a building permit:

(1) Site plans depicting: all structures on the site with setbacks; height, materials, and location of all fences and buffering; ingress and egress patterns; location, number and dimensions of parking spaces; location and dimensions of loading and unloading areas; and surrounding land use and zoning within five hundred (500) feet of the subject site.

(2) A description of recycling processes, including a complete list of all by-products and all waste generated.

(3) A materials flow plan outlining the procedures for receipt and storage of used materials, and handling of materials during processing and disposal procedures for any waste products.

(4) A list of methods employed in the facility to safeguard emissions.

(g) All local, state, and federal codes shall be met.

(h) In the event any of the above criteria, standards, or regulations are in conflict with each other or with local, state, or federal regulations, the more restrictive shall govern.

(i) In the event the use for which a permit is being sought pursuant hereto requires any air emission or water discharge or any other permit from any local, state, or federal agency, the application therefore, together with proof of submission and the issued permit, if available, shall be made a part of the application for the permit.

(j) Any proposed changes in use or processing, including changes in the use of the products themselves which may affect emission data previously submitted, shall require resubmission to Jefferson Parish Department of Environmental Affairs for review and approval.

* * *

Borrow pit and nonmetallic mineral products (LBCS function code 8200 and 3330).

Proposed Sec. 33-5.3.11.1. See TXT-4-23 for reorganization of Sec. 33-5.3. Specific use standards]

(a) Any site considered for mineral extraction or borrow pit operations shall have a minimum area of twenty (20) acres.

- (b) Notices shall be posted at intervals no greater than one hundred (100) feet along the property boundaries and along any public rights-of-way that shall warn of the excavation or borrow pit operation on the property and against trespassing on such property.
- (c) The excavation sites or borrow pit shall not be located closer than two thousand (2,000) feet from any existing residential structure or any platted residential subdivision boundary.
- (d) The excavation sites or borrow pit shall not be located closer than two thousand (2,000) feet from any existing or abandoned excavation site or borrow pit as measured in a straight line between excavation sites.
- (e) No excavation site or borrow pit shall be closer than one hundred fifty (150) feet to any property line. Within this reserved perimeter buffer area, existing vegetation shall not be disturbed or removed except for paved access areas and required landscaping and buffering.
- (f) No excavation site or borrow pit shall occupy or disturb more than fifty (50) percent of the site.
- (g) All excavation sites or borrow pits shall be secured with a chain-link fence topped with barbed wire with a minimum height of six (6) feet and a self-closing gate with a locking device at each opening to prevent unauthorized access to the site.
- (h) All areas of operation shall be completely screened from view from public rights-of-way and adjacent properties by trees and shrubs, fences, walls or earth berms or any combination thereof.
- (i) All excavation sites or borrow pits shall allow for and preserve the historic topographical drainage of the area. In so complying, the applicant shall in no way increase drainage and/or runoff water to or from any adjacent property.
- (j) All excavation sites will be required to maintain a side slope of one (1) foot vertical drop for three (3) feet horizontal run to a depth of ten (10) feet.
- (k) Hauling during the period of operation requires all trucks with loads of material exiting the site shall be covered with their tailgates securely latched. In addition, all exiting trucks and trailers will be hosed down of excess mud and dirt on tires, wheels and vehicle.
- (l) Vehicular access to the excavation site or borrow pit may not be provided from residential local or residential collector streets. All driveways which serve the site must be wide enough to accommodate two-way traffic at all times and an area on

the site must be provided to accommodate vehicles entering the site so that no traffic waiting to enter the site will be backed up on any public right-of-way. Excess mud and debris shall be removed from any public roadway at intervals necessary to keep the roadway clear and safe for passage at all times within one half (½) mile in both directions of the entrance to the site.

(m)Excavation sites or borrow pits may not be operated on Sunday, and may not operate earlier than 7:00 a.m. nor later than 6:00 p.m. on any other day except in cases of emergency involving safety on the site.

(n) The borrow pit shall not be used for the disposal of any material not originally found in the borrow pit or approved by the Director of the Jefferson Parish Department of Environmental Affairs and the Department of Public Works.

(o) Closed or abandoned excavation sites or borrow pits shall be reclaimed or filled with sand or other approved material to the pre-excitation elevation unless incorporated into a platted subdivision or other permitted use within the district, as a water feature within the development site. Filling will begin within six (6) months of abandonment of operations. Development plans must be approved within twelve (12) months of the abandonment of the operation. The fencing and screening requirements shall be maintained until all improvements are in place and accepted by Jefferson Parish at which time the fencing, screening and complete filling requirements will not be required.

(p) A performance security bond shall be posted equal to one hundred ten (110) percent of the cost to fill the excavated site **and a development agreement shall be executed by the applicant to ensure adequate closure of the site, in accordance with Article 2 Procedures, Division 4 Development agreements of this UDC.**

(q) Existing mineral extraction or borrow pit operations that initiate new excavations after the passage of these regulations shall be subject to all the above criteria for the new operation.

* * *

10. Amend Chapter 33 Unified Development Code, Sec. 33-6.25. Landscaping, buffering, and screening., to include additional landscape, buffering, and screening standards for the new industrial districts, to read as follows:

Sec. 33-6.25. Landscaping, buffering, and screening.

Sec. 33-6.25.1. Purpose.

* * *

Sec. 33-6.25.2. Generally.

(a) *Interpretation of terms.* Where necessary to interpret the precise meaning of terms used in this division, the following rules shall apply:

* * *

(b) *Expansion.* When a development site or parking lot is enlarged, the requirements of Sec. 33-6.25. Landscaping, buffering, and screening, shall apply on an incremental basis, which means that a landscaping and buffering requirement is applied to the enlargement, or in the case where a requirement is calculated as a percentage of the overall site, is applied in the same proportion that the enlarged site or lot area has to the existing development. However, landscaping, buffering, and screening may also be required in specific circumstances within the specific districts.

* * *

Sec. 33-6.25.4. Applicability.

- (a) The requirements of this section apply to the base and overlay zoning districts listed in Table 33-6.25.4-1, Base and Overlay Zoning Districts Requiring Greenspace Areas, and to the uses listed in Table 33-6.25.4-2. Uses or Development Patterns Requiring Greenspace Areas when specifically required by a zoning district.
- (b) *Exemptions.* The requirements of Sec. 33-6.25. Landscaping, buffering, and screening do not apply to single-family residential (LBCS function code 1110), two-family residential (LBCS function code 1120), three-family residential (LBCS function code 1130), or four-family residential (LBCS function code 1140) dwelling.

Table 33-6.25.4-1: Base and Overlay Zoning Districts Requiring Greenspace Areas.

Zoning District	Character
CPZ	S
CPZ-Ped	T
FC-1	T
FC-2	T
FC-3	T
FOD	T/S
GED	S
MUCD	S
OBM-1	T
OBM-2	T
U-1S	T/S
TCMU	T
<u>I-MU</u>	<u>I</u>
<u>I-L</u>	<u>S</u>
<u>I-H</u>	<u>S</u>

Sec. 33-6.25.5. Greenspace standards.

(a) Generally.

* * *

(b) *Streetscape*. Streetscape landscaping is located along street rights-of-way and intended to enhance the streetscape, define entrances and walkways, provide visual breaks along blank building facades, and screen mechanical equipment and similar appurtenances. Streetscape landscaping shall not apply in the I-L and I-H Districts when located across a street right-of-way from a I-L, I-H, or I-LF District.

* * *

(c) *Property Buffer*. Property buffers are continuous strips of landscape area located along side or rear lot lines and intended to provide separation and screening of adjacent land uses where appropriate.

(1) *Applicability and types*. There are four (4) types of property buffers based on district character, use, and adjacent uses or districts. Table 33-6.25.5-2, Property Buffer Requirements by Use, establishes property buffers required for each use or zoning district, by character if applicable. The "adjacent use or zoning district" is not required to provide the buffer. Where the adjacent lot or development site contains a mixed use or is mapped with more than one (1) zoning district, the buffer requirement associated with the most intense adjacent use or district shall apply. However, specific property buffer requirements in the I-H and I-LF Districts are found within the district standards.

* * *

Table 33-6.25.5-2. Property Buffer Requirements by Use

Use or Zoning District	ADJACENT USE OR ZONING DISTRICT				
	Residential		Institutional	Commercial	Industrial
	1—4 Family	5+ Family			
Residential					
1—4 family dwelling	—	—	—	—	—
5+ family dwelling	A	A	A	—	—
Institutional	A	A	A	—	—
Commercial or Mixed-Use (T)	A	A	A	—	—
Commercial or Mixed-Use (S)	B	B	B	—	—
Industrial ¹	<u>D-C</u>	<u>D-C</u>	<u>D-B</u>	<u>C-B</u>	--
<u>Uses in I-H, I-LF Districts</u>	<u>See specific regulations within</u>	<u>See specific regulations within</u>	<u>See specific regulations within</u>	<u>See specific regulations within</u>	<u>See specific regulations within</u>

	district section	district section	district section	district section	district section
--	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------

¹ The property buffers specified in this row shall not apply to the I-H and I-LF Districts.

* * *

- (f) *Signs.* The following landscaping requirements shall apply to the area around the base of any pole sign, monument sign, or menu board that is permanently affixed to the ground. [This is not required in the I-H District.](#)

* * *

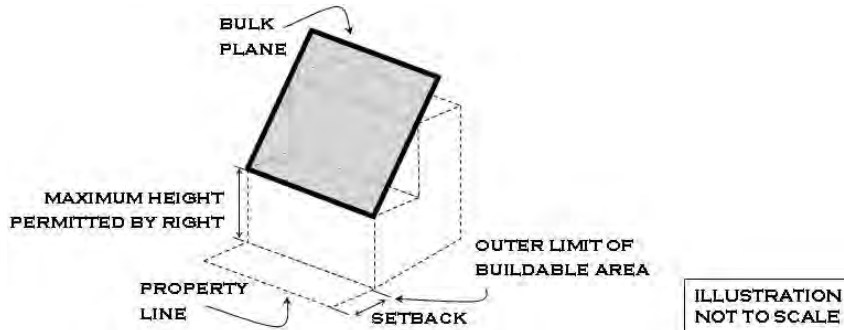
11. Amend Chapter 33 Unified Development Code, Sec. 33-10.2. Definitions applicable to this entire UDC., to add definitions for bulk storage of culinary and medicinal materials, bulk storage of hazardous materials, and bulk storage of non-hazardous materials, to read as follows:

Sec. 33-10.2. Definitions applicable to this entire UDC.

For the purpose of this UDC, certain words and terms are hereby defined.

* * *

Bulk plane shall mean an imaginary inclined plane, rising over a lot, drawn at a specified angle, and used in conjunction with yard requirements, lot size requirements, and height limits as delineated in the district regulations, to establish the maximum bulk of a structure. This definition shall not be construed to mean that solid roofing to follow the angle of the plane is encouraged. Where bulk plane is required, upper floors are set back increasingly greater distances from the street or sides of the lot, often creating “wedding cake” style architecture. The bulk plane concept is illustrated in Figure 40.3.1:



[Bulk Storage shall mean materials stored or able to be stored \(e.g., existing tanks not in use/empty\) in the following cumulative amounts:](#)

- [\(1\) Gases with a liquid capacity equal to or greater than five thousand \(5,000\) gallons.](#)
- [\(2\) Liquids or slurries equal to or greater than ten thousand \(10,000\) gallons or one hundred thousand \(100,000\) pounds.](#)
- [\(3\) Solids equal to or greater than one hundred thousand \(100,000\) pounds.](#)

[A. Bulk storage of culinary and medicinal materials shall mean culinary and medicinal materials stored in the previous cumulative amounts. These materials may be considered hazardous materials and are not considered](#)

Bulk Storage of Hazardous Materials. Bulk storage of food grade and edible products include, but are not limited to:

1. Edible cooking oils including, but not limited to, palm kernel oil, sunflower seed oil, coconut oil, vegetable callow, and peanut oil, cake, and meal;
2. Corn oils and corn by products including, but not limited to, corn starch, corn syrup, glucose, high fructose syrup, corn oil, edible starches, and wheat gluten;
3. Shortening, table oils, margarine, and other edible fats and oils;
4. Animal oils, including fish oil and other marine animal oils, and fish and animal meal;
5. Raw sugar, syrups, or finished (granulated or clarified) cane sugar from sugarcane;
6. Materials for candy and other confectionery products, including chocolate candy, other confections, and related products;
7. Food flavoring extracts, syrups, powders;
8. Prepared foods and miscellaneous food specialties including, but not limited to, baking powder, yeast, peanut butter, tea, spices, vinegar, and dry preparations, such as pasta, rice, potatoes, textured vegetable protein, and similar products, to be prepared and cooked by the consumer;
9. Flour or meal from grain (does not include grain elevators (LBCS function code 9111));
10. Dairy products, such as milk, cheese, yogurt, and ice cream and frozen desserts; or
11. Malt beverages, wines, brandy and brandy spirits, alcoholic liquors, including for blending processes or mixing, soft drinks and carbonated waters, and fruit and vegetable juice (does not include the LBCS Classification Uses breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries).
12. Animal, vegetable, and/or plant oils and fats that are not ready for human consumption, including those in a crude, unrefined or unprocessed state.
13. Bulk storage of organic and inorganic medicinal chemicals and their derivatives, and botanical drugs and herbs, such as agar-agar, basic vitamins, and isolating active medicinal principals such as alkaloids from botanical drugs and herbs.

B. Bulk Storage of Hazardous Materials shall mean hazardous materials, as defined in Chapter 13 of the Parish Code, not under active shipping papers, stored or able to be stored (e.g., existing tanks for hazardous materials not in use/empty) in the previous cumulative amounts. If thresholds for storage in bulk are amended in Chapter 13 of the Parish Code, the standards of Chapter 13 shall control.

1. **LBCS classification.** The bulk storage of hazardous materials shall be designated as LBCS Function Code 3633, within Section 33-3.4.4.

Master use matrix, Table 33-3.4.4-1. Master Use Matrix, unless specified as an exception below.

2. Types. Bulk Storage of Hazardous Materials including, but not limited to:

(a) Terminals where hazardous materials are received from a pipeline, marine vessels, tank railcars, tank vehicles, or other means; are stored in aboveground tanks; and are shipped out by any of the same means by which they are received or by tank vehicle directly to the end user.

(b) Warehouses or yards that store hazardous materials in drums, tote tanks, boxes or other containers containing gases, liquids, solids, or slurries, where the cumulative total of materials stored exceeds the above amounts.

3. Exceptions. Bulk Storage of Hazardous Materials for the purposes of this definition does not include the following; however, such storage of materials may be subject to the standards of Chapter 13.

(1) Retail outlets. Retail outlets that store hazardous materials in drums, tote tanks, boxes or other containers containing gases, liquids, solids, or slurries, for sale, that meet or exceed the thresholds established in above amounts. This is considered part of the principal retail use and subject to the standards of that use.

(2) Accessory storage. The following uses or use categories within Section 33-3.4.4. - Master use matrix, Table 33-3.4.4-1. Master Use Matrix, are not considered Bulk Storage of Hazardous Materials even if hazardous materials are stored in quantities that meet or exceed the thresholds established in above amounts. Storage of such materials must be accessory to and essential to operation of the principal use, and are considered part of the principal use and subject to the standards of that use.

<u>LBCS Classification</u>	<u>LBCS Function Code</u>
<u>LBCS Classification <i>Automobile Sales or Service</i></u>	<u>2110</u>
<u>LBCS Classification <i>Business, Professional, Scientific, and Technical</i></u>	<u>2400</u>
<u>LBCS Classification <i>Dry Cleaning and Laundry</i></u>	<u>2620</u>
<u>LBCS Classification Use <i>Food and Non-Alcoholic Beverage Production</i></u>	<u>3111</u>
<u>LBCS Classification Uses <i>Breweries, distilleries, micro-breweries, micro-distilleries, micro-wineries, and wineries</i></u>	<u>3121-3126</u>
<u>LBCS Classification <i>Craft Manufacturing and Assembly</i></u>	<u>3400</u>
<u>LBCS Classification <i>Distribution and Fulfillment Center</i></u>	<u>3621</u>
<u>LBCS Classification <i>Transportation, Communication, Information, and Utilities</i></u>	<u>4000</u>
<u>LBCS Classification <i>Utilities and Utility Services</i></u>	<u>4300</u>

<u>LBCS Classification</u>	<u>LBCS Function Code</u>
<u>LBCS Classification Amusement, Sports, or Recreation Uses</u>	<u>5300</u>
<u>LBCS Classification Other Government Functions</u>	<u>6300</u>
<u>LBCS Classification Public Safety</u>	<u>6400</u>
<u>LBCS Classification Health and Human Services</u>	<u>6500</u>
<u>LBCS Classification Construction-Related Businesses</u>	<u>7000</u>
<u>LBCS Classification Heavy Construction</u>	<u>7400</u>
<u>LBCS Classification Mining and Extraction</u>	<u>8000</u>
<u>LBCS Classification Agriculture, Forestry, Fishing, and Hunting</u>	<u>9000</u>

C. Bulk Storage of Non-Hazardous Materials shall mean materials that are not classified as hazardous materials as defined by Chapter 13.

Bulk storage of non-hazardous materials, for the purposes of this definition, does not include the following. However, such storage of materials may still be subject to the standards of Chapter 13.

If non-hazardous materials are stored in quantities that meet or exceed the thresholds established above, but are accessory to and essential to operation of the principal use, they are considered part of the principal use and subject to the standards of that use.

Caliper shall mean the diameter measurement of the trunk of a tree taken from a point six (6) inches above final grade.

* * *

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Chevron. Fenceline Air Monitoring Plan for BAAQMD Rule 12-15. Chevron Richmond Refinery. November 11, 2020. [Fenceline Air Monitoring Plan For BAAQMD Rule 12-15 Chevron Richmond Refinery](#)

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United States Environmental Protection Agency (EPA). "Stationary Sources of Air Pollution". Last Updated March 18, 2024. <https://www.epa.gov/technical-air-pollution-resources>

Legislative	Fiscal	Office	Fiscal	Note.
https://legis.la.gov/legis/ViewDocument.aspx?d=1316602				



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Project Overview



Study of Jefferson Parish's current industrial zoning districts- *Current industrial zoning dates back over 50 years*

- Regulations may not relate to the current built environment or new industrial uses
- May not contain standards that help facilitate compatibility with the surrounding areas
- May not allow for certain forms of development that are desired

Phase 1 (Summer of 2021 – Winter 2022)

- Discussions with staff regarding current issues, review of all relevant materials, site visit, & meetings with stakeholders
- Phase 1 concluded with the **Framework Report** that identified key issues with current industrial zoning & presented a framework for zoning revisions

Phase 2 (Fall 2022- Winter 2023)

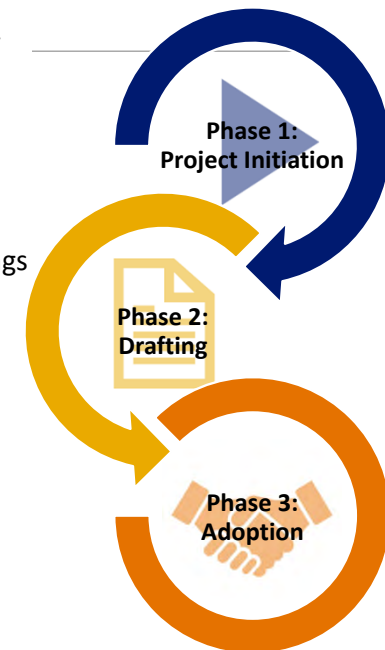
- Draft proposed districts, including uses & development standards

Phase 2.5 (Summer 2023)

- Second draft of proposed districts based upon feedback received

Phase 3: (Winter 2023-Spring 2024)

- Planning Advisory Board Public Hearing Review + Recommendation
- Review + Adoption by Jefferson Parish Council



Study Overview & Related Studies



**Industrial Zoning Districts Study
TXT-3-23**
(Res. No. 137617)
Consultant-led project evaluating the industrial zoning districts

**Industrial Districts Related Amendments
TXT-4-23**
Planning study to address new uses created by the Industrial Districts Study, AIM District (Res. No. 138807), & update sections/references

**Industrial Zoning Districts Map Amendment
Z-17-23**
Planning study to map the new industrial districts established with text studies

Comprehensively evaluates the current industrial district structure and associated regulations to create a set of new, modern districts and standards that work with existing industrial development patterns.



Project Outreach Summary



Compiled a list of nearly 80 stakeholders, which include-

- Industry representatives, property owners and operators with industrial interests on both the East and West Bank, Parish staff, representatives of local boards and agencies, such as JEDCO, residents, environmental interests, etc.



Conducted several in-person and virtual interviews with stakeholders for Framework Report and Draft Regulations

- Nov. 2022 — Feb. 2024
- Two in-person open house stakeholder sessions on each bank
- Held over 20 stakeholder interviews both in-person and virtual



Discussed the Study with the Westbank Port Development Task Force (WBPDTF)

- July 8, 2021
- Aug. 12, 2021
- Feb. 17, 2022
- Nov. 15, 2022
- Jan. 11, 2023
- June 21, 2023
- Aug. 30, 2023



Hosted two public meetings on Framework Report

- Feb. 16, 2022
- Feb. 17, 2022



Hosted meetings on Draft Regulations on both East and West banks

- Nov. 15, 2022
- Nov. 16, 2022
- June 20, 2023
- June 21, 2023

Feedback throughout the process has guided each draft's revisions

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Stakeholder Input



Development Context

- Development may require remediation in certain areas (brownfields).
- The West Bank has unbuilt areas, which are opportunities for new development, while the East Bank is built-out.
- Industrial, especially on the West Bank, would like to expand within their sites.
- Industrial must be sensitive to surrounding uses, especially residential neighborhoods.
- Industrial areas should become more walkable (sidewalks, landscape, etc.). An example was cited that workers would like to take walks on lunch breaks.

Industrial Expansion

- Expansion of storage tanks is a sensitive issue, with some opposed to any further expansion of land area devoted to the use.
- Some expressed a desire to limit further expansion of all industrial areas.

Land Use Relationships

- Industrial uses place stress on the roadway system with additional vehicles and truck traffic.
- Equal enforcement is critical. Enforcement of existing and new industrial standards is critical.
- There are significant concerns regarding the impact of industry on the surrounding residential, especially those neighborhoods in close proximity. These include potential negative impacts from contamination of air and water, a lack of buffers, and truck traffic.
- Industrial should work as a supportive partner to surrounding residential neighborhoods.

Stakeholder Input (cont.)



Zoning Concerns

- Current industrial zoning is out of date. Regulations should be modern, clear, and predictable.
- The Code should be clear where each type of industrial can locate.
- Buffering is needed between industrial and residential areas. Screening of uses with outdoor storage or operations should be added to the Code.
- With new standards, the Code must be sensitive to how nonconformities are treated.
- The Parish should work to attract “clean” and “green” technologies, and new types of industrial, such as micro-breweries and craft artisan industrial.
- Industrial areas should allow for sustainable elements, such as electric vehicle charging spaces and solar panels.
- If possible, zoning should incorporate air quality control standards.

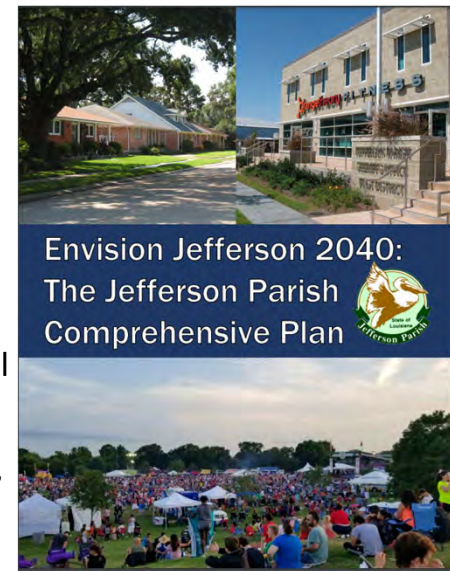
Administrative Issues

- Notice requirements for certain industrial uses need to be clearly defined. The uses that require notice should be evaluated.
- Evaluate special permit use and how to allow for minor modifications through an administrative process.
- The special permit use should be clear that non-hazardous materials, such as water, should be exempt from the permit controls and subject to the underlying districts.
- Special approvals should be objective and as apolitical as possible.

Envision Jefferson 2040 Comprehensive Plan (adopted 2019)



- EJ 2040 divides industrial development into two land use categories that can serve as a guide for a new district structure:
 - PDR Production, Distribution, Repair:** PDR acknowledges a mix of light and medium industrial uses, with allowances for some commercial and institutional uses.
 - HI Heavy Industrial:** This land use category is for the heaviest industrial users - processing, refining, bulk storage, chemical manufacturing.
- The Plan suggests that the Parish should increase opportunities for redevelopment and reuse of existing industrial areas, work to attract new, more diverse types of industrial businesses, and protect key areas for industrial uses that demand strategic port, rail, and roadway access.
- While recommending growth and diversification of the Parish's industrial base, the Plan also acknowledges that environmental and nuisance protections are needed broadly throughout the Parish, and more specifically for heavy industrial users and the risks associated with activities involving hazardous material.



Envision Jefferson 2040:
The Jefferson Parish
Comprehensive Plan



"The parish's major industry clusters provide opportunities for growth, investment, and sustainability."

Jefferson EDGE 2025



EDGE 2025 (adopted 2021) specifically speaks to enacting zoning changes that would **continue to support and expand manufacturing, warehousing/distribution, industrial flex space, and other industrial businesses**. EDGE 2025 speaks to numerous opportunities available to the Parish including:

- Attracting and expanding technology, innovation, and research and development (R&D) firms.
- Enhancing the capacity for industrial growth related to the unique combination of multimodal facilities - airport, water transport, rail, and highway - with development-ready sites.
- Supporting the growth of food-related industries such as such as packaging facilities and cold storage and refrigeration facilities, as well as food production facilities like cloud kitchens and microbreweries, further building upon the greater area's reputation as a food destination.



Additional JP Plans, Studies, Materials



Harvey Canal Corridor Plan (adopted 2015)- recognizes that the area surrounding the Harvey Canal is important to maintain the area as a home to heavy industrial users, and more specifically maritime industrial.

Port NOLA Forward (adopted 2018)- The strategies within Port NOLA's Strategic Master Plan do not speak directly to zoning actions or to Jefferson Parish in specific, but rather to an overall vision for freight-based economic growth that is tied to the region's maritime and interconnected transportation modes, as well as the hospitality industry (ocean-going and river cruises).

Resolutions and Staff Reports. Various resolutions and staff reports related to industrial zoning were reviewed for this Report. These include, but are not limited to:

- Staff reports related to the Avondale Shipyard and Avondale Industrial Marine (AIM) Overlay District Zoning (2019)
- Staff reports related to various industrial rezonings and subdivisions
- Staff reports related to various special permit uses
- Resolution and staff research related to industrial landscape buffers (2010)
- Resolution related to notice for developments of regional impact (2019)

Informational Material Submitted by Stakeholders. Additional materials submitted by various stakeholders include, but are not limited to:

- Barriers to Entry to the Brewing and Distilling Industry in Jefferson Parish Research for JEDCO Technical Assistance Project, prepared by GCR, Inc. (2018)
- Best Practices – Local Zoning for Small Scale Alcohol Production, prepared by GCR, Inc. (2018) Recommendations – Brewery and Distillery Regulations, prepared by GCR, Inc. (2019)
- Heavy Industry in Jefferson Parish is a Bad Deal for Our Health & Economy: Summary prepared for Jefferson Parish Zoning Study, prepared by JOIN for Clean Air (2021)

Current Industrial Zoning

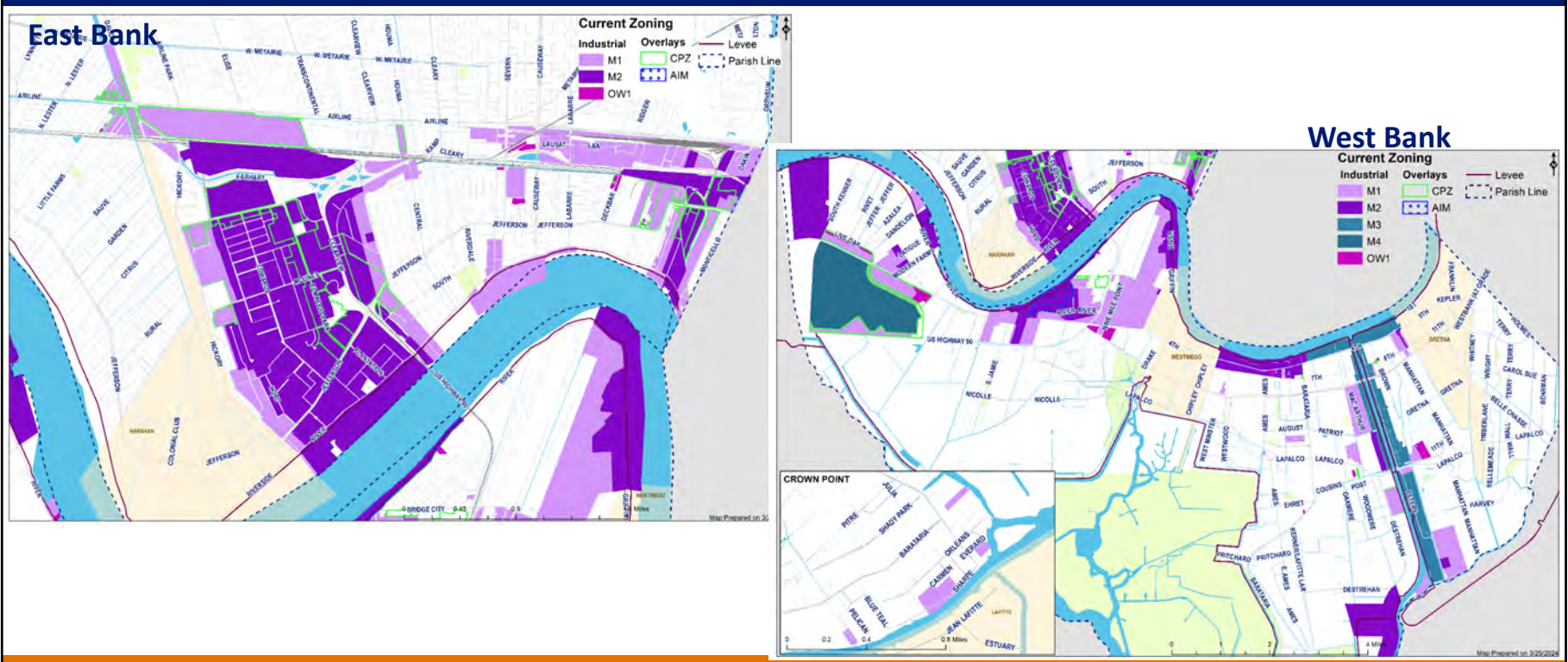


District	Dimensional & Development Standards	Use Standards Generally
OW-1 Office-Warehouse District	<ul style="list-style-type: none"> 65' maximum building height No yards required unless abutting residential 	<ul style="list-style-type: none"> Primarily office and warehouse uses Limited trade and repair - no more than 25 employees Allows C-2 District uses with the exception of residential <i>C-2 uses include retail, personal services such as beauty salons, restaurants and bars</i>
M-1 Industrial District	<ul style="list-style-type: none"> No height limit unless abutting residential No yards required unless abutting residential 	<ul style="list-style-type: none"> Has an open ended use structure that allows light industrial uses that are not listed in higher intensity districts like the M-2 District Specific standards for certain uses (i.e., marine-related uses, truck stops, gaming establishments, off-track wagering, and self-storage, etc.)
M-2 Industrial District	<ul style="list-style-type: none"> No height limit unless abutting residential No yards required unless abutting residential 	<ul style="list-style-type: none"> Primarily heavy industrial uses Specific standards for processing, refining or bulk storage of flammable and combustible liquids, and recycling facilities
M-3 Industrial District	<ul style="list-style-type: none"> No building height limit Lots must be 10,000 square feet in area and a minimum lot depth of 100 feet 	<ul style="list-style-type: none"> Heavy industrial uses
M-4 Industrial District	<ul style="list-style-type: none"> Height and setbacks per state and federal law (related to waste collection, handling, and disposal facilities) Minimum lot area of 30 acres Landscape screening required Distancing requirement from residential 	<ul style="list-style-type: none"> Waste collection, handling, and disposal facilities
AIM Avondale Industrial Marine District	<ul style="list-style-type: none"> Geographically specific overlay: "Avondale Shipyard" Underlying district standards apply unless modified by AIM 	<ul style="list-style-type: none"> Specific limitations related to the amount of processing, refining, or bulk storage of flammable and combustible liquids

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Current Industrial Zoning



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Special Permitted Uses (SPU) and Conditional Use Permits (CUP)

SPU and CUP Application Process



SPU and CUP Renewal Process



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Issues with Current Regulations



- Because our regulations are so outdated, certain uses, like coke ovens and grain elevators, are still listed as permitted uses, but new modern uses like microbreweries and distribution facilities, are not.
- The M-1 and M-2 zoning districts serve as a catch-all district, with “All uses not otherwise prohibited by law except ...”. This language promotes an inconsistent land use pattern, which has been a source of ambiguity for the Parish, site selectors, etc., and keeps the current industrial districts from functioning as true industrial zoning districts.
- The bulk storage of flammable and combustible liquids is allowed as an SPU in the M-2 and M-3, provided specific criteria, mostly related to public health, safety, and welfare, are met. Broadening the use category to be inclusive of hazardous material and adding additional standards that promote transparency and education is consistent with other regulations in the Code.
- The special permitted use (SPU) regulations are rigid and require legislative approval for any change to an approved site plan which can be costly and lengthy for applicants, and not necessary for minor changes to a site.

Summary of Proposed Regulations



Replace current industrial zoning districts with new base and overlay zoning districts

- **Current: OW-1, M-1, M-2, M-3, M-4, AIM Overlay**
- **Proposed: I-MU, I-L, I-H, I-LF, HM-O Overlay, AIM**

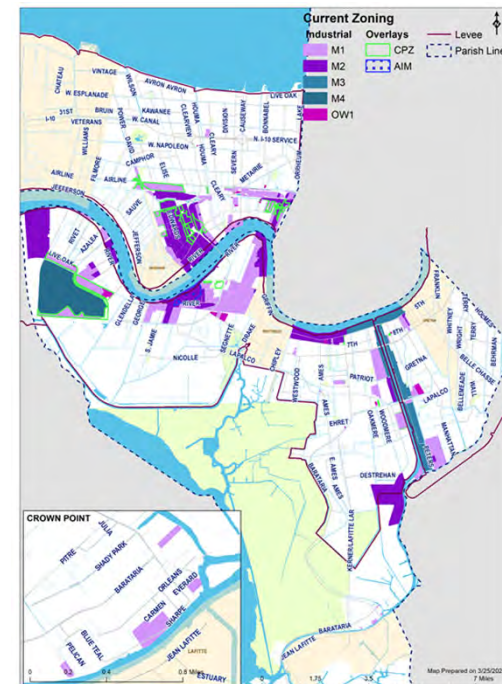
Address land uses

- Restructured and updated allowed uses for each district
- Added new uses to the Code
- Defined and added new standards and zoning restrictions for the bulk storage of hazardous materials

Within the district regulations, clarify dimensional standards, landscaping requirements, and development approval provisions

Amend the Special Permitted Use (SPU) standards and procedures

Allow existing residential uses in industrial zoning districts as conforming uses



Updates to the Recommendation during PAB PH Process



REVISED

Changes to District Regulations and Permitted Land Uses

- Made minor changes to the I-LF purpose statement and permitted uses.
- Allowed agriculture, forestry, fishing, and hunting (LBCS Function Code 9000) in the I-H.
 - Provides necessary flexibility, especially for large tracts of undeveloped land.
- Clarified that solar panel disposal is considered hazardous waste collection (LBCS Function Code 4341)
 - Proposed to be allowed as an SPU in the I-LF, with standards
- Clarified that hydroponics would fall under greenhouse, nursery and floriculture (LBCS Function Code 9140)
- Updated sign regulations in the I-MU to reference the CPZ instead of the C-2

HM-O District Regulations

- Clarified the HM-O separation distance and landscape buffer requirements:
 - Shall not apply within any existing special permitted use boundary, established prior to the effective date of the ordinance; and
 - Only apply when abutting or adjoining a lot that is zoned something other than I-L, I-H, or I-LF.
- Made other minor adjustments to the HM-O provisions to add clarity and simplify proposed regulations.
- Added graphics to the regulations to illustrate potential development scenarios.
- Omitted duplicative standards addressed in the HM-O, specific use standards, and SPU section.

Special Permitted Use Regulations

- Clarified SPU minor amendment provisions in the presentation and report.
- Clarified SPU renewal and major amendment provisions.

Proposed Industrial Districts

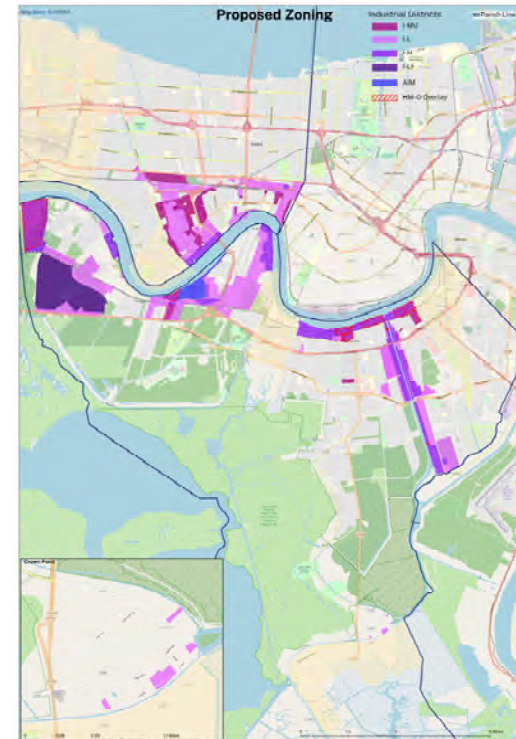


Base Industrial Zoning Districts

- **Industrial Mixed-Use (I-MU)** Incorporates former OW-1
- **Light Industrial (I-L)** Formerly M-1
- **Heavy Industrial (I-H)** Formerly M-2 and M-3
- **Landfill Industrial (I-LF)** Formerly M-4
- **Avondale Industrial Marine (AIM)** Formerly an overlay district; **addressed in TXT-4-23**

Overlay Industrial Zoning Districts

- **NEW Hazardous Materials Overlay (HM-O)**



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Purpose Statements **REVISED**



Industrial Mixed-Use (I-MU)

•The I-MU district is intended to accommodate those areas that have originally developed as industrial areas, but are transitioning from an exclusively industrial orientation to a broader mix of light industrial, artisan industrial, commercial, and even moderate density residential uses. As such, the broader mix of allowed uses in the I-MU district encourages and accommodates the adaptive reuse of existing structures.

Light Industrial (I-L)

•The I-L district is intended to accommodate a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses, as well as, limited commercial, recreational, and agricultural uses. Light industrial processes are conducted within enclosed buildings, may include some limited outdoor storage, and do not create nuisances, hazards, or other outside impacts.

Heavy Industrial (I-H)

•The I-H district is intended to accommodate general manufacturing, fabricating, processing, distributing, and warehousing uses, including those uses that may be hazardous or noxious. Such uses typically have significant external impacts and may include large areas of outdoor storage or operation. Therefore, screening and buffering requirements ensure adequate separation and mitigation of potential impacts on surrounding areas.

Landfill Industrial (I-LF)

•The I-LF is a specialized zoning district for industrial activities that involve waste collection, handling, ~~and~~ disposal, **and resource recovery** facilities. The I-LF District is intended to allow for the normal operation of state permitted landfills, ~~and~~ other waste handling, recycling, and disposal establishments, **and renewable or sustainable energy facilities, arrays, and systems.**

Hazardous Materials Overlay (HM-O)

•The Hazardous Materials Overlay District (HM-O) is intended to protect the public health, safety, and environment by controlling uses that store hazardous materials in bulk. The HM-O District provides additional standards and safeguards regarding the storage of hazardous materials to protect public health and safety, and the environment. The district provides opportunities for existing uses to continue to operate and expand with the limited establishment of new bulk storage of hazardous materials within specific parameters.

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Industrial Mixed-Use District (I-MU) **REVISED**



*Accommodate areas that have evolved to contain a broader mix of light industrial, artisan industrial, & commercial uses;
Encourage & accommodate the adaptive reuse of existing structures*

MAINTAINED FROM OW-1 DISTRICT

- Uses-
 - Wide variety of commercial uses permitted
 - Allow for multi-family and townhomes (all other residential prohibited)
- Parking, **sign requirements**, etc. from existing regulations



Example from Framework Report

NEW STANDARDS

- New uses permitted: breweries, distilleries, wineries, micro-breweries, micro-distilleries, micro-wineries, commercial kitchens, food production support services, industrial design, craft production
- Simplify dimensional standards in table format-
 - *Changes to the height, min. setbacks,...*
- General site design standards-
 - *Sec. 33-6.9 shall apply w/ specific transparency and façade requirements, plus:*
 - *Design standards for business park or campus developments 2+ acres*
- Additional landscaping and screening **and CPZ sign regulations**
- Site plan review required
- Variances granted by Council with review criteria

Light Industrial District (I-L)



*Accommodate industrial uses where processes occur indoors & limited outdoor storage, commercial, and agricultural uses;
No allowances for the large-scale handling of hazardous materials (primary use)*

MAINTAINED FROM M-1 DISTRICT

- Maintain residential use restrictions
- Height (clarified measurement)
- Parking, sign requirements, etc. from existing regulations



Example from Framework Report

NEW STANDARDS

- Limited commercial uses are permitted
- New uses permitted: breweries, distilleries, wineries, micro-breweries, micro-distilleries, micro-wineries, commercial kitchens, food production support services, industrial design, craft production
- Added minimum setbacks and minimum lot area requirement of 5,000sf
- Simplified dimensional standards in table format
- **Additional landscaping, screening, and site plan review required when abutting non-industrial districts**
- Variances granted by Council with review criteria
- Included additional uses found in the I-L per the land use survey of existing uses

Heavy Industrial District (I-H)



*Accommodates heavy industrial uses with significant impacts;
May include large areas of outdoor storage or operations;
Uses that have greater impacts on the environment and/or significant impacts on the use & enjoyment of adjacent property*

MAINTAINED FROM M-2 & M-3 DISTRICTS

- Maintain residential use restrictions
- Continue to permit heavy industrial uses, with new limitations on certain uses
- Height (clarified measurement)
- Parking, sign requirements, etc. from existing regulations



Example from Framework Report

NEW STANDARDS

- No longer a catch-all district - allowed uses are tailored to heavy-industrial uses
- New uses permitted: commercial kitchens, food production support services, industrial design, bulk storage of non-hazardous materials, data mining center (SPU), recycling facilities (SPU), junk/salvage yard (SPU)
- Prohibits bulk storage of hazardous materials with a few exceptions (certain food grade and edible products, medicinal products, when accessory to principal use)
- Added minimum setbacks (25 ft.) and minimum lot area requirement of 5,000sf
- Dual zone concept for landscaping (buffers, screening)
- **Site plan review required when abutting non-industrial districts**
- Variances granted by Council with review criteria

Landfill Industrial District (I-LF) **REVISED**



Intended solely for “waste collection, handling, & disposal facilities” & ties to “state permitted landfills & other waste handling, recycling, & disposal establishments”

MAINTAINED FROM M-4 DISTRICT

- Permitted uses **mostly** limited to waste collection, handling, and disposal facilities
- No maximum height
- Minimum lot area (30 acres)
- Minimum setbacks (200’, unless abutting residential use or district, then 500’)
- Maintain existing restriction on setback variances

NEW STANDARDS

- Site plan review required
- Limited variances granted by Council with review criteria



Example from Framework Report

District Regulations: Proposed Dimensional Standards



	I-MU ²	I-L	I-H	I-LF
Lot Standards				
Minimum Lot Area	None	5,000 ft ²	5,000 ft ²	30 acres
Minimum Lot Width	None	None	None	None
Height				
Maximum Building Height ¹	None, except when a building is on a lot in the I-MU/I-L/I-H District that adjoins or abuts another lot within a residential district such building shall not exceed the maximum height permitted in the adjoining or abutting residential district unless it is set back from all yard lines required in the following sections one (1) foot for each foot of additional height in excess of the height so permitted.			None
Setbacks				
Minimum Front Yard	10'	10'	25'	200'
Minimum Corner Side Yard	10'	10'	25'	200'
Minimum Interior Side & Rear Yard	10', unless abutting residential district, then 20'	10', unless abutting residential district, then 20'	25', unless abutting residential district, then 50'	200', unless abutting residential district, then 500'
¹ Any structures integral to the operation of a use, such as smokestacks, chimneys, cooling towers, water towers, elevator houses, mechanical stacks, and other similar items that exceed the maximum height allowed in the district are permitted. Any such structures that are freestanding must be set back from all lot lines a distance equal to the height of the structure.				
² Non-residential dimensional standards				

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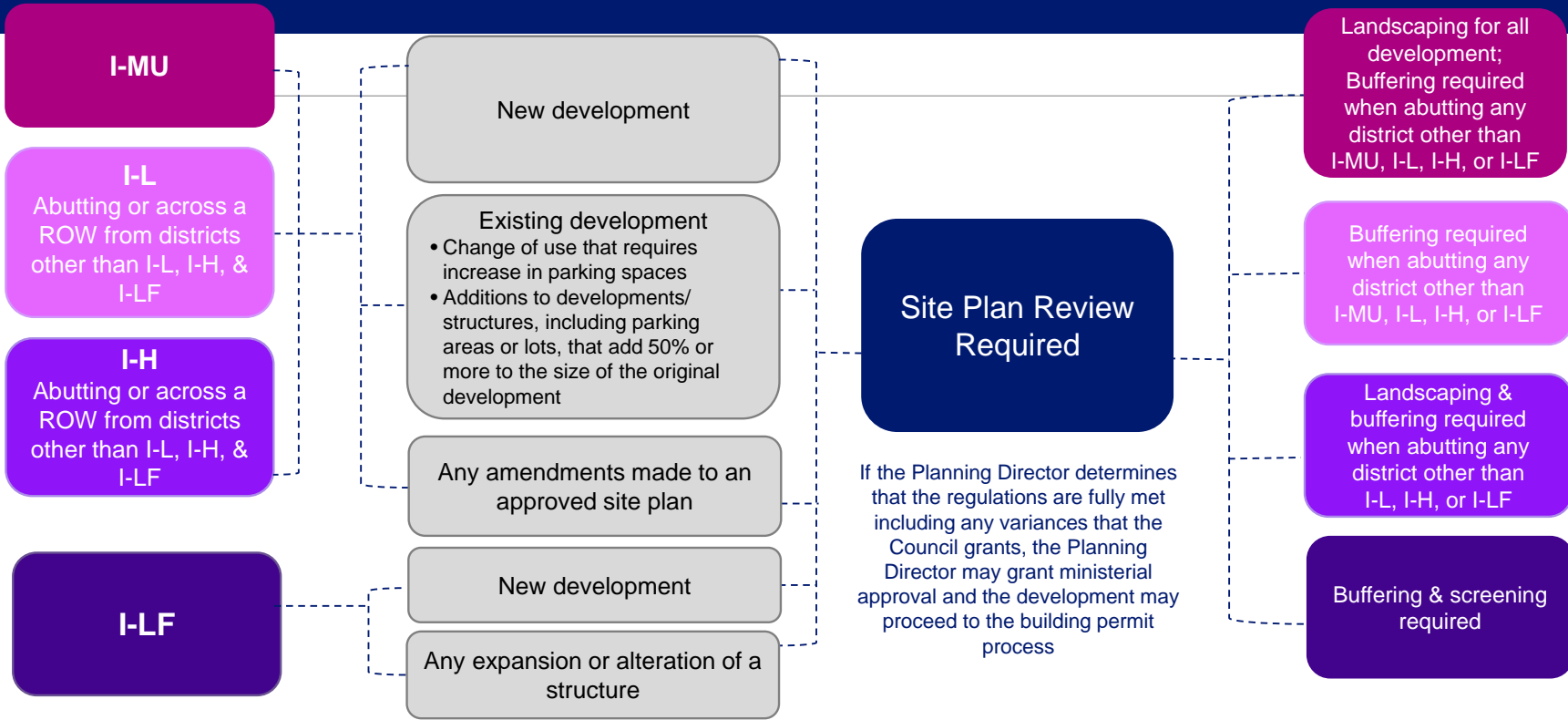
District Regulations: Property Buffers & Landscaping

	I-MU	I-L	I-H	I-LF
Landscaping Required	✓*	When abutting or located across the street from any district except I-L, I-H, & I-LF*	When abutting or located across the street from any district except I-L, I-H, & I-LF*	✓
1) Streetscape	✓*			The first 20' from any property line that abuts an improved public street shall be landscaping & buffered by trees, shrubs, earth berms, or a combination of the same (minimum 7')
2) Property Buffer	Required when abutting any district except for I-MU, I-L, I-H, & I-LF*	Required when abutting any district except for I-MU, I-L, I-H, & I-LF*	Required when abutting any district except for I-L, I-H, & I-LF*	
Minimum Width	Table 33-6.25.5-2. applies*	Table 33-6.25.5-2. applies*	50' Zone A : first 25' Zone B: 25' Zone A and Zone B shall apply when abutting a residential district. Zone A shall apply when abutting any other district, except the I-L, I-H or I-LF districts.	
Requirements	6'-10' fence or wall*			
3) Parking Lot	✓*	Required when abutting any district except for I-L, I-H, & I-LF*	Required when abutting any district except for I-L, I-H, & I-LF*	n/a
4) Screening	✓*	Required when abutting any district except for I-L, I-H, & I-LF*	Required when abutting any district except for I-L, I-H, & I-LF*	See above
5) Signs	✓*	Required when abutting any district except for I-L, I-H, & I-LF*	X	n/a
* When Site Plan Review thresholds are met				

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District Regulations: Site Plan Review



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Land Uses Overview



**Restructure and update
permitted uses for each district**



*Move from Ch. 40 to Ch. 33
Master Use Matrix*

Add new uses to the Code



*Breweries, distilleries, wineries,
micro-breweries, micro-
distilleries, micro-wineries,
industrial design, craft
manufacturing, etc.*

**Redefine and add new standards
and zoning restrictions for the
bulk storage of hazardous
materials**



*Distinguish and limit the bulk
storage of these hazardous
materials*

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Land Uses for Proposed Districts

Land-Based Classification Standards (LBCS)

		I-MU	I-L	I-H	I-LF
1000	Residence or Accommodations 	Limited	Limited	X	X
2000	General Sales or Services 	✓	Limited	Limited	X
3000	Manufacturing & Wholesale Trade 	Limited	Limited	✓	X
4000	Transportation, Communication, Information, & Utilities 	✓	✓	Limited	Limited

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Land Uses for Proposed Districts

REVISED



Land-Based Classification Standards (LBCS)

			I-MU	I-L	I-H	I-LF
5000	Arts, Entertainment, & Recreation 		✓	✓	X	X
6000	Education, Public Administration, Healthcare, & Other Institutions 		✓	Limited	X	X
7000	Construction-Related Businesses 		✓	✓	✓	X
8000	Mining & Extraction 		X	X	Limited	X
9000	Agriculture, Forestry, Fishing, & Hunting 		X	✓	<u>✓</u>	<u>Limited</u>

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Allow Certain Agricultural Uses in Specific Districts



REVISED

LBCS Classification	LBCS Function Code	Description	Specific Use Standard Sec. No.	I-MU	I-L	I-H	I-LF
CROP PRODUCTION	9100						
Grain and oilseed	9110	Grows oilseed and/or grain crops in open fields		X	P	X-P	X

Vegetable farming or growing	9120			X	P	X-P	X
Fruits and trees	9130			X	P	X-P	X
Greenhouse, nursery and floriculture	9140	Grow crops under cover, nursery stock, and flowers; includes hydroponics		P	P	X-P	X
All other crops	9150			X	P	X-P	X

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Allow Certain Agricultural Uses in Specific Districts



REVISED

LBCS Classification	LBCS Function Code	Description	Specific Use Standard Sec. No.	I-MU	I-L	I-H	I-LF
SUPPORT FUNCTIONS FOR AGRICULTURE	9200	Perform activities associated with production and distribution of forest and agricultural products, includes dusting, spraying, fertilizing	-	X	P	X-P	X
ANIMAL PRODUCTION	9300	Keep, graze, breed or feed animals in farms or feedlots	-				
Cattle ranch	9310		-	X	P	X-P	X
Dairy cattle and milk production	9320		-	X	P	X-P	X
Hog farm	9330		-	X	P	X-P	X
Poultry and egg production	9340		-	X	P	X-P	X
Sheep and goat farm	9350		-	X	P	X-P	X
Fish hatchery, fishery, aquaculture	9360	Farm raise finfish, shellfish, or any other kind of animal aquaculture	-	X	P	X-P	X
All other animal production	9370	Raises other animals and insects for sale or product production	-	X	P	X-P	X
bees	9371		-	X	P	X-P	X
horse and equine	9372		-	X	P	X-P	X
fur-bearing	9373		-	X	P	X-P	X
Support function for animal production	9380	Provide services such as animal breeding, pedigree records, horse boarding, livestock spraying	-	X	P	X-P	X
FORESTRY AND LOGGING	9400	Grow and harvest timber on long production cycles, or specialize in reforestation, seeding and similar activities	-	X	X	X-P	X-P
FISHING, HUNTING AND TRAPPING, GAME PRESERVES	9500	Commercially harvest fish and other wild animals from their natural habitats	-				
Fishing	9510	Commercially catch or take finfish, shellfish, or marine products from a natural habitat	-	X	P	X-P	X-P
Hunting and trapping, game retreats, game and fishing preserves	9520	Commercially hunt and trap or operate commercial or recreational game or hunting preserves	-	X	P	X-P	X-P

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Clarify Other Permitted Uses Within the I-LF



REVISED

LBCS Classification	LBCS Function Code	Description	Specific Use Standard Sec. No.	I-MU	I-L	I-H	I-LF
rail freight transportation	4122	For freight systems only; may operate over long distances, or within local areas only		P	P	P	X P
rail transportation support uses	4123	Provide specialized services such as repair, maintenance, loading and unloading rail cars; operate independent terminals		P	P	P	X P

alternative energy sources	4314	Convert other forms of energy such as solar, wind, or tidal power into electric power; does not include establishments that manufacture, install, or repair equipment used for wind and solar energy (LBCS Function Code 3380)		P	P	P	X P

irrigation and industrial water supply	4332	Operate water treatment plants and water supply systems for irrigation and industrial supply only		X	P	P	X P

solid waste landfill	4345	Operate landfills for the disposal of non-hazardous solid wastes; may locally collect or haul nonhazardous waste materials along with landfill operation; also manage recycling and resource recovery facilities that operate in conjunction with landfills <u>and process nonhazardous solid waste to extract, convert to energy, or otherwise separate, prepare, and convert solid waste, including waste tires and waste plastics, for reuse into a variety of products such as renewable gas and beverage quality CO₂, and operate any and all renewable energy facilities, arrays, or systems</u>		X	X	X	P

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Proposed New Uses



There are a number of uses that are desired by the Parish but are not currently defined within the Code.

- **Industrial design** (permitted in I-MU, I-L, I-H)
- **Breweries, distilleries, wineries, micro-breweries, micro-distilleries, micro-wineries** (permitted in I-MU, I-L)
- **Commercial kitchen** (permitted in I-MU, I-L, I-H)
- **Food production support services** (permitted in I-MU, I-L, I-H)
- **Artisan production/craft manufacturing** (permitted in I-MU, I-L, I-H)
- **Alternative energy manufacturing** (permitted in I-MU, I-L, I-H)
- **Distribution and fulfillment center** (permitted in I-MU, I-L, I-H)
- **Transportation logistics hub** (permitted in I-MU, I-L, I-H)



Industrial Design



Commercial Kitchen



Breweries, Distilleries, Wineries, Micro-breweries, etc.



Craft Manufacturing



Transportation Logistics Hub



Alternative Energy Manufacturing

Proposed Bulk Storage of Hazardous Materials



Bulk Storage of Hazardous Materials shall mean hazardous materials, as defined in Ch. 13 of the Parish Code, not under active shipping papers, stored or able to be stored (e.g., existing tanks for hazardous materials not in use/empty) in the following cumulative amounts. If thresholds for storage in bulk are amended in Ch. 13 of the Parish Code, the standards of Ch. 13 shall control.

- Gases with a liquid capacity equal to or greater than 5,000 gallons
- Liquids or slurries equal to or greater than 10,000 gallons or 100,000 pounds
- Solids equal to or greater than 100,000 pounds

Includes both:

- Terminals where hazardous materials are received from a pipeline, marine vessels, tank railcars, tank vehicles, or other means; are stored in aboveground tanks; and are shipped out by any of the same means by which they are received or shipped out by tank vehicle directly to the end user.
- Warehouses or yards that store hazardous materials in drums, tote tanks, boxes or other containers containing gases, liquids, solids, or slurries, where the cumulative total of materials stored exceeds the above amounts.

Does not include the following (may still be subject to the standards of Chapter 13):

- Retail outlets that store hazardous materials in drums, tote tanks, boxes or other containers containing gases, liquids, solids, or slurries, for sale, that meet or exceed the thresholds established in above amounts. This is considered part of the principal retail use and subject to the standards of that use
- Storage of materials accessory to specific principal uses
- Food grade and edible products (i.e. vegetable oil, sugars)
- Organic and inorganic medicinal chemicals and their derivatives

Use Categories that are not considered Bulk Storage of Hazardous Materials when storage is accessory and essential to primary operations

Automobile Sales or Service
Business, Professional, Scientific, and Technical
Dry Cleaning and Laundry
Craft Manufacturing and Assembly
Breweries, Distilleries, Wineries, Micro-breweries, Micro-distilleries, Micro-Wineries, Wineries
Food and Non-Alcoholic Beverage Production
Distribution and fulfillment center
Transportation, Communication, Information, and Utilities
Utilities and Utility Services
Amusement, Sports, or Recreation Uses
Other Government Functions
Public Safety
Health and Human Services
Construction-Related Businesses
Heavy Construction
Mining and Extraction
Agriculture, Forestry, Fishing, and Hunting

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Proposed Bulk Storage of Hazardous Materials **REVISED**

Maintained from existing use standards for flammable and combustible SPUs in M-2 & M-3 Districts

All requirements of Chapter 13, Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials, are complied with.

- The site has a minimum of one hundred thousand (100,000) square feet and the total floor area of all structures used for bulk storage of hazardous materials does not exceed fifty (50) percent of the total site area.
- At a minimum, bulk storage tanks must be located three (3) times the minimum distance required by NFPA 30 distance in feet from all property lines.
- There is ready access for fire and emergency equipment
- In the event the use for which a special use permit is being sought pursuant hereto requires any air emission or water discharge permit from any state or federal agency, the application therefor, together with proof of submission, and the issued permit, if available shall be made a part of the application for the special use permit.
- The proposed use complies with the standards of the National Fire Protection Association Code, as adopted by the Jefferson Parish Council, and applicable standards of the National Association of Corrosion Engineers (NACE), the American Petroleum Institute (API), the American Society of Testing and Materials (ASTM), and requirements found in the Clean Water Act, the Clean Air Act, and Resource Conservation and Recovery Act.
- Adequate safeguards are provided to limit obnoxious or offensive emissions of smoke, gases, vibration, light, noise, glare, dust, and odors or other noxious or offensive fumes or spilled liquids.
- In the event any of the above criteria, standards, or regulations are in conflict with each other or with local, state or federal regulations, the more restrictive shall govern.
- ~~Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.~~
- ~~Any proposed changes in the use or processing, including any changes in the use of the products or products themselves which may affect emission data previously submitted, shall be submitted to the council for approval in accordance with this section.~~

New

- New term- changed from flammable and combustible to hazardous to be consistent with Chapter 13
- An odor control plan required (required by Env. Affairs for CU-1-24 and CU-2-24)
- Clarification on material stored in totes
- A 24-hour manned hotline number posted on site

For new facilities and expansion of existing facilities:

- Siting requirements for new tanks (HM-O)
- Additional landscaping buffers (HM-O)

For Title V major source facilities:

- Emission reporting requirements (HM-O)



Other Proposed Bulk Storage Uses

Bulk Storage of Culinary and Medicinal Materials shall mean materials stored or able to be stored (e.g., existing tanks not in use/empty) in the amounts identified by Chapter 13 but have been specifically *exempted* from the definition of Bulk Storage of Hazardous Materials. Storage of such materials may be subject to the standards of Chapter 13.

- **Includes animal, vegetable, and plant oils not ready for human consumption**
- Permitted as an SPU in I-H District*

Bulk Storage Non-Hazardous Materials shall mean materials stored or able to be stored (e.g., existing tanks not in use/empty) in the amounts identified by Chapter 13 that are *not* classified as hazardous materials as defined by Chapter 13.

- Permitted in I-MU, I-L, and I-H districts*

*AIM use permissions will be addressed as a part of TXT-4-23

Hazardous Materials Overlay District (HM-O)



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Hazardous Materials Overlay District (HM-O)



Purpose of HM-O District & Approach

- Address environmental & safety concerns
- Balance the needs of industrial facilities & the larger community
- Create clear rules for existing facilities
- Limited expansion allowed

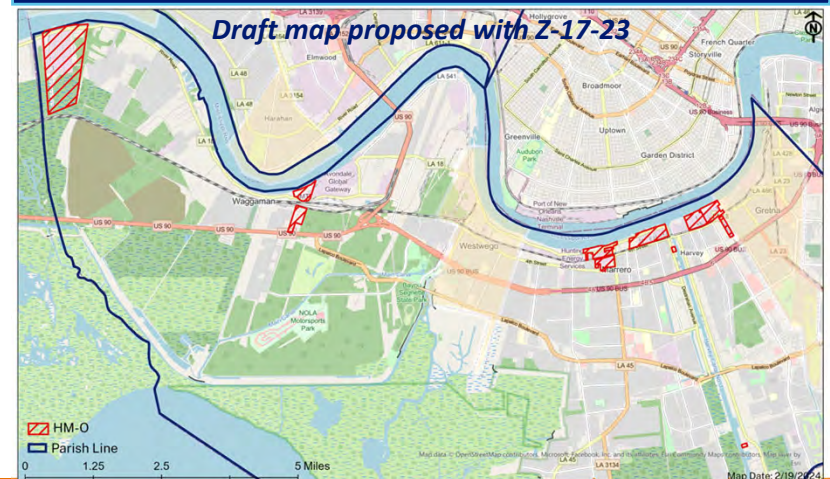
Mapping

- Initially mapped upon the existing SPU sites for bulk storage of hazardous materials

Overlay Application

- Standards of the base I-H District apply unless modified by the HM-O District
- Can only be applied over the I-H District

Many of the changes to the draft regulations provided more clarity to the initial draft regulations. However, one major change reflected in the second draft is the approach for the HM-O District. Whereas the previous iteration of the HM-O District was tied to existing approved SPUs for bulk storage of hazardous materials with limited permissions for expansion of existing sites, the current draft proposes to allow for the expansion of existing sites, as well as the ability to apply the HM-O to new areas for additional bulk storage.



Hazardous Materials Overlay District (HM-O) **REVISED**



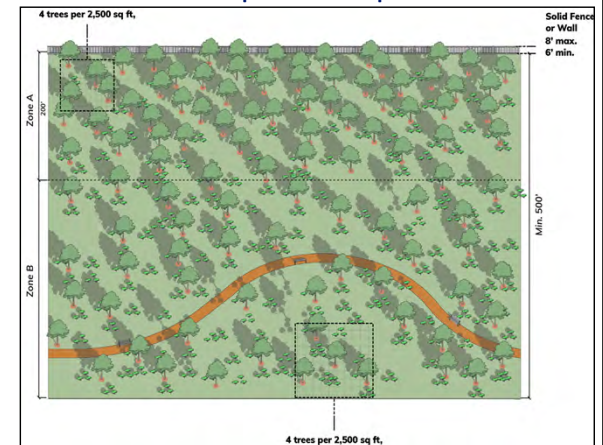
Use Standards

- Details added to the **odor control plan**: 5 components
 1. *Product odor assessment, including review of product safety data sheets (SDS)*
 2. *Identify odor sources within the facility, including temporary odor sources*
 3. *Provide a work program that describes how site monitoring and investigation of odor complaints will be conducted*
 4. *Describe the operational procedures to control odors.*
 5. *Catalog potential additional emission and odor control equipment necessary*
- **24-hour manned hotline** number of state required emergency contact
- **Emission reporting requirements and air permit compliance website for existing and new Title V facilities**

Siting Standards

- Clarified that **required separation of storage tanks** - 1,500 ft from the lot line of any other adjoining or abutting lot that is zoned a district other than the I-L, I-H, **or I-LF for new facilities and any expansion of an existing SPU boundary**
 - **When a special permitted use is expanded**, the required separation shall apply on an **incremental basis**, which means that **the separation requirement shall only be applied to the expansion.**
- **500 ft landscape buffer**, consisting of two zones
 - the required buffer shall **only apply when adjoining or abutting lot that is zoned a district other than the I-L, I-H, or I-LF**, and
 - **involves the expansion of any existing hazardous materials bulk storage facilities or any new hazardous materials bulk storage facilities.**
- **Replacement of Existing Tanks**- may be replaced for maintenance, safety reasons, or where new technologies contribute to safer and/or more efficient storage (increase in the capacity of such bulk storage tanks is prohibited for replacement)
- **Variations-**
 - Council **may** grant variances to the I-H District dimensional, development, signs, and parking regulations
 - Council **shall not** grant variances to: Specific use standards, Separation requirement, Landscape buffer

HM-O Required Landscape Buffer



Landscape buffer may be located within separation area



HM-O Required Separation Distance **REVISED**

Sec. 33-3.70.6. Required separation.

- (a) Bulk storage containers, containing hazardous materials, must be located a minimum of one-thousand five-hundred (1,500) feet from the lot line of any other adjoining or abutting lot that is zoned a district other than the I-L, or I-H District, or I-LF District.
- (b) These separation requirements for bulk storage tanks apply to any new facility, approved as a new SPU, as of the effective date, [INSERT EFFECTIVE DATE] of this ordinance, [INSERT THIS ORDINANCE NO.], or containers, containing hazardous materials, apply when abutting or adjoining a lot zoned a district other than I-L, I-H, or I-LF, for:
- (1) Any new facility, approved as a new SPU, as of the effective date, [INSERT EFFECTIVE DATE], of this ordinance, [INSERT THIS ORDINANCE NO.] (See Figure 33-3.70.7-3); or
 - (2) Any expansion of an existing special permitted use boundary as of this effective date (See Figure 33-3.70.7-4).
- (c) These requirements shall not apply within any existing special permitted use boundary, established prior to this effective date (See Figure 33-3.70.7-2).
- (d) When a special permitted use is expanded, the required separation shall apply on an incremental basis, which means that a separation requirement shall only be applied to the enlargement expansion.
- (e) However, adjoining or abutting lots under the same ownership that are not zoned the I-L, or I-H, or I-LF District may be used to meet this separation requirement so long as such lots are used only to install the required landscape buffer of Section 33-3.70.7.
- (f) The required landscape buffer (Sec. 33-3.70.7) may be located within this separation area.

- ✓ Can include 500 ft. landscaping buffer
- ✓ Can include administrative buildings, parking lots, and accessory uses to the site
- ✓ Can include the storage of non-hazardous materials and culinary and medicinal materials
- ✓ Only applies for new SPU or expansion of the existing SPU boundary
- ✓ **Only applies when abutting or adjoining a lot that is zoned something other than I-L, I-H, or I-LF**
- ✗ **DOES NOT APPLY WITHIN THE EXISTING SPU FOOTPRINT FOR HM-O SITES**
- ✗ **DOES NOT APPLY WHEN ABUTTING OR ADJOINING A LOT ZONED I-L, I-H, OR I-LF**

HM-O Required Landscape Buffer



REVISED

Sec. 33-3.70.7. Required landscape buffer.

A landscape buffer is required to create a physical separation between hazardous material and the surrounding area.

- (a) The landscape buffer must be a minimum width of five hundred (500) feet. The landscape buffer shall be divided into Zone A and Zone B. The buffer is measured perpendicularly from any lot line that shared with another lot that is not part of the development site and zoned a district other than I-L, I-H, or I-LF.

- (b) The landscape buffer is required when abutting or adjoining a lot zoned a district other than I-L, I-H, or I-LF, for:

(1) Any new facility, approved as a new SPU, as of the effective date, [INSERT EFFECTIVE DATE], of this ordinance, [INSERT THIS ORDINANCE NO.] (See Figure 33-3.70.7-3); or

(2) Any expansion of an existing special permitted use boundary as of this effective date (See Figure 33-3.70.7-4).

- (c) These requirements shall not apply within any existing special permitted use boundary, established prior to this effective date (See Figure 33-3.70.7-2).

- (d) When a SPU is expanded the required landscape buffer shall apply on an incremental basis, which means that the landscape buffer requirement shall only be applied to the expansion.

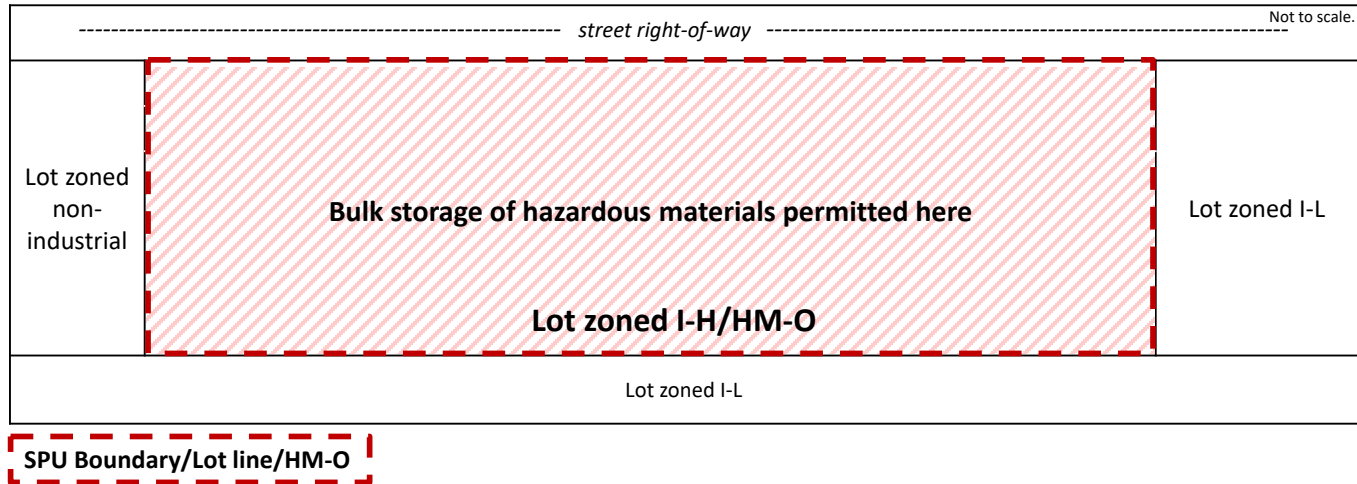
- ✓ **Only applies when abutting or adjoining a lot that is zoned something other than I-L, I-H, or I-LF**
- ✓ **Only applies for new SPU or expansion of the existing SPU boundary**
- ✗ **No administrative buildings, parking lots, accessory uses permitted within the 500 ft. landscaping buffer**
- ✗ **DOES NOT APPLY WITHIN THE EXISTING SPU FOOTPRINT FOR HM-O SITES**

HM-O Scenarios: Existing Facilities (No Expansion)



REVISED

Existing Facility with an SPU in the HM-O; NO Expansion



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HM-O Scenarios: New Facility



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New Facility, Approved as an SPU in the HM-O

- 1500' separation distance applies
- 500' landscape buffer applies



SPU Boundary/Lot line/HM-O
500' landscape buffer

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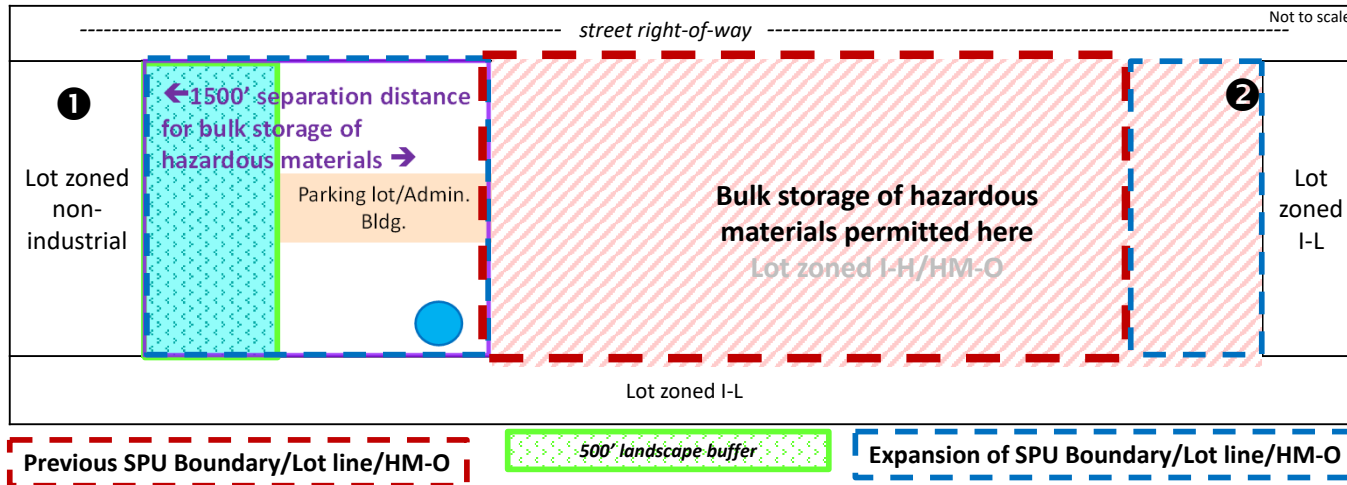
HM-O Scenarios: Existing Facilities (With Expansion)

REVISED



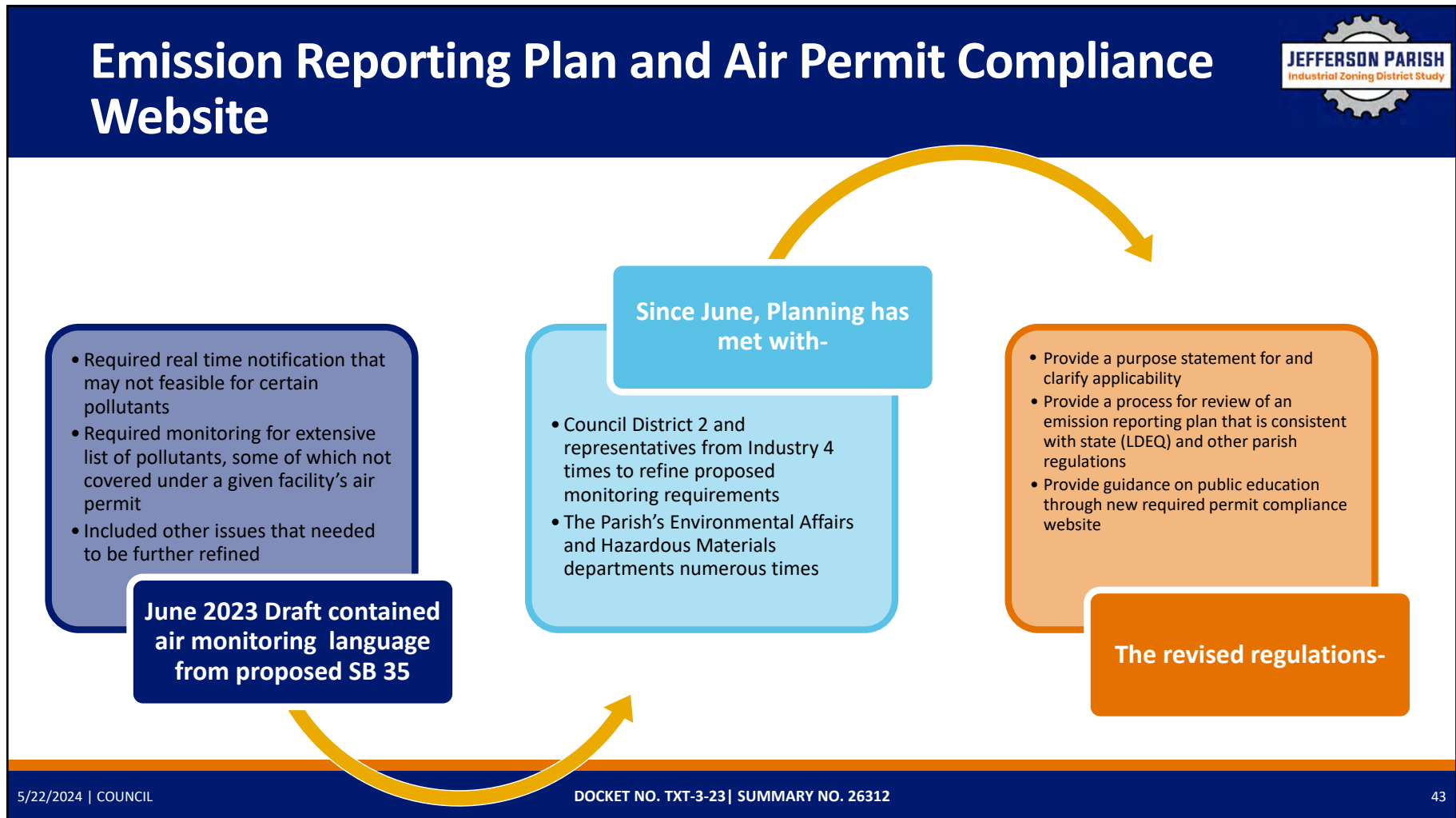
Expansion of an Existing SPU in the HM-O Scenarios

- ❶ Expansion towards property zoned non-industrial would trigger 1500' separation distance and 500' landscape buffer; if the expansion is less than 1500', then the bulk storage of hazardous materials cannot be placed within expansion area.
- ❷ Expansion towards property zoned I-L would not trigger 1500' separation distance or 500' landscape buffer.



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Emission Reporting Plan and Air Permit Compliance Website



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Air Permit Compliance Website

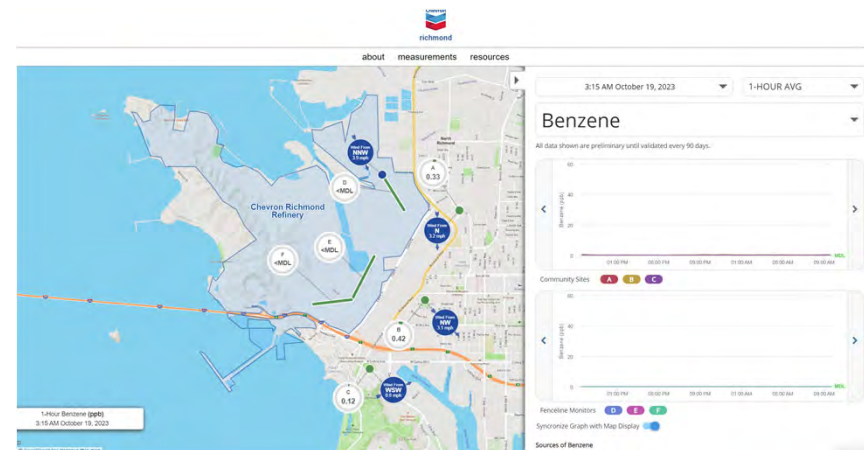


Approach:

Require Title V major source facilities to develop and host a website/web-based system for disseminating information to the public

Required Information shall include:

- Essential information already required by LDEQ for the Title V major source air permit;
- General information about emission sources, pollutants, and processes; and
- Other information related to the air permits and/or other local, state, or federal requirements.

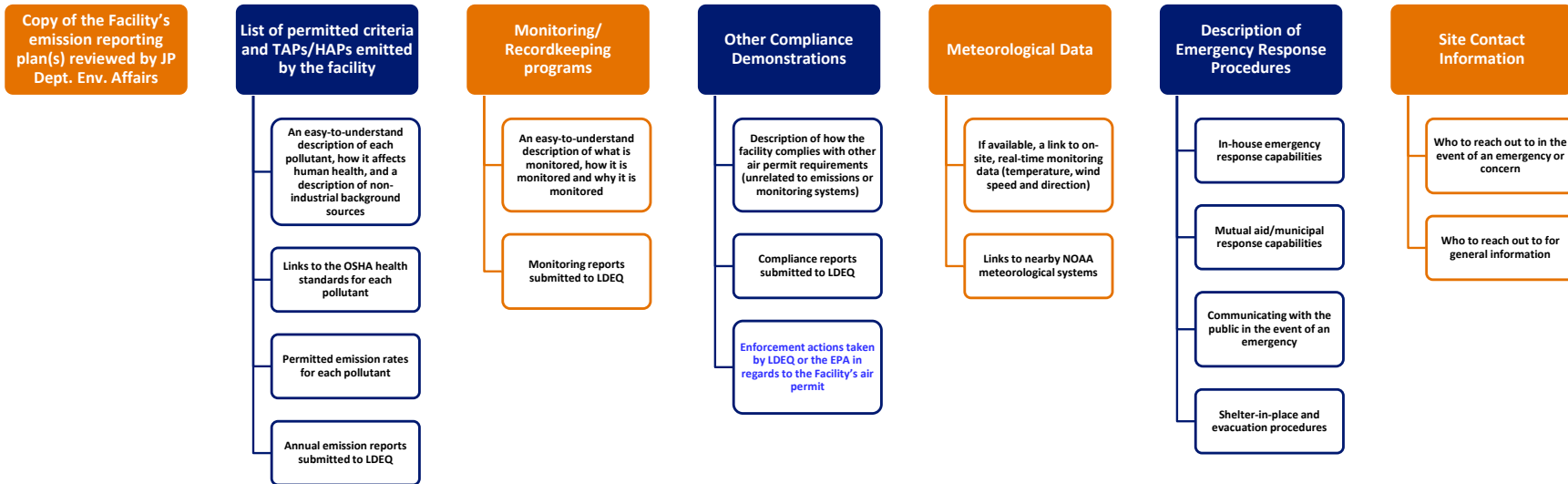


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Air Permit Compliance Website

The facility shall host an air permit compliance website that is available to the public.
 The data displayed on the web-based system shall include, but is not limited to the following:



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SPUs and CUPs Recommendations



- Merge SPUs with CUPs to address inconsistencies
- Maintain *no more than 1 SPU per lot, tract, plot, or development site*
- Clarify that property with an SPU may be sold, leased, or otherwise transferred to a new owner, lessee, tenant, or transferee and the transfer shall not adversely affect or restrict the right of the transferee to conduct SPU
- Establish minor amendments thresholds and standards
- SPU approval shall be valid for a period of 3 years
- Add validity provisions- where the special permitted use requires approvals from agencies outside the Parish, the Planning Director may extend the period of validity for an additional one or two years upon submittal of evidence in the form of a formal letter that the permits or approvals have been submitted for review
 - If a minor amendment to the SPU has been approved prior to the renewal date, this does not modify the timeframe for renewal
 - When there has been an amendment to the SPU prior to the renewal timeframe, the date of such amendment approval will serve as the start date for the required three year renewal timeframe
- Add expiration provisions. *Approval of an SPU will expire when no building permit has been issued or the building permit lapses and has not been reactivated; the SPU will then be deemed null and void*
- Add Emergency exception: *temporary equipment and structures allowed on-site, for a period of no more than 90 days, (longer time period allowed by minor amendment)*

SPUs and CUPs Recommendations **REVISED**



- The Planning Director may approve a minor amendment to an approved special permitted use in accordance with the procedures provided in Sec. 33-2.3. Approval categories and site plan when it is determined by the Planning Director that such change is not related to the operation, physical design, or any conditions related to the special permitted use and is in substantial conformance with the original approval.
- **The Planning Director may require any minor amendment, even if it meets the criteria of this section, to be approved as a major amendment to the special permitted use. Any of the actions allowed by this section as a minor amendment must meet all zoning regulations in order to qualify.**
- Any proposed amendment other than those provided in this section for minor amendment are considered a major amendment and shall be approved in the same manner and under the same procedures as are applicable to the issuance of the initial development approval.

SPUs and CUPs Recommendations **REVISED**



Minor Amendments

The following qualify as minor amendments:

- Installation of site elements, such as parking, landscape, signs, and fencing
- Changes in the location of vehicle and pedestrian circulation ways, and parking areas (must meet Code)
- Construction of accessory structures and mechanical equipment (must meet Code)
- Construction of a new existing principal building where no direct operation of the special permitted use occurs (must meet Code)
- Establishment of an additional principal use that is allowed within the district and unrelated to the special permitted use and meets applicable standards for that use
- Demolition of any existing building(s) or structure(s)
- A change in the location of a building, structure, or impervious surface by no more than 10% of the width or depth of the lot(s) located within the SPU boundary, or any change in the location of an accessory structure.
- A change of 10% or less increase in either building footprint, gross floor area, or impervious surface calculated cumulatively over what was approved in the initial application.
- Specific to bulk storage:
 - Installation of new or reconstruction of existing water storage tanks
 - Repair or replacement of a tank holding any material with one (1) of the exact same size and footprint in the exact location.
- When there has been a change in ownership of a previously approved SPU, an affidavit stating that the new owners acknowledge the special permitted use and the prior approval of such on the site.

SPUs and CUPs Recommendations

REVISED



Sec. 33-2.23.6. Renewal of special permitted use.

Unless exempted in a zoning district or specific use standard, or otherwise provided, a special permitted use shall be renewed every three (3) years subject to the following provisions:

(a) An application for renewal shall be filed within three (3) years of approval in accordance with this section. Uses not renewed within this three (3) year period shall terminate and must be resubmitted for approval in accordance. This does not apply when a use is exempted in a zoning district or specific use standard from this required renewal.

Major Amendments

- (1) Any changes in the use of the products or products themselves as well as a significant modification in an existing or new air emission or water discharge permit from any state or federal agency, shall be submitted to the Parish Council for approval as a major amendment; and
- (2) Any proposed amendment other than those provided in this section for minor amendment are considered a major amendment and shall be approved in the same manner and under the same procedures as are applicable to the issuance of the initial development approval.

Existing Residential Uses in Industrial Zoning Districts



Existing residential dwellings were added as conforming uses in the new industrial zoning districts with development standards for reconstruction and repair.

Any existing stand-alone residential dwelling in existence prior to the effective date of the ordinance, shall be recognized as a conforming use; and furthermore, shall be allowed to:

- Be granted permits for repair and maintenance.
 - If an expansion is included in the repair or maintenance, the area regulations of the R-3 Multiple-Family Residential District shall apply.
- Be restored if it is demolished or destroyed beyond seventy-five (75) percent of its value or more, without having to go through the restoration of a nonconforming status procedure, provided that the new construction meets the minimum dimensional standards provided below:
 - The restoration of residential dwelling shall be subject to the area regulations of the R-3 Multiple-Family Residential District; and
 - The restoration of the dwelling shall be the same dwelling type as prior to the demolition or destruction (i.e., a single-family dwelling may only be restored as a single-family dwelling).

TXT-3-23 Recommendations in Summary



Industrial Zoning Districts

- Restructure the zoning district structure to be clearer and more predictable in the type of development and address the range of industrial types. These districts as proposed are:
 - **I-MU Industrial Mixed-Use District**
 - **I-L Light Industrial District**
 - **I-H Heavy Industrial District**
 - **I-LF Landfill Industrial District**
- Include clear dimensional and development standards within the districts.
- Include standards in the district that increase compatibility between uses, such as buffer yards and landscape yards.

Land Uses

- Update the uses allowed within the districts to align with the use approach used in the UDC – the Land Based Classification System (LBCS).
- Define and allow for new types of industrial uses desired by the Parish, such as those related to “clean and green” industries, logistics, and food production.

Bulk Storage of Hazardous Materials and the HM-O District

- Clearly define *bulk storage of hazardous materials* as a use and create standards for such that mitigate potential negative impacts.
- Create an overlay district to specifically address the bulk storage of hazardous materials, the HM-O Hazardous Materials Overlay District.
- Add additional standards for bulk storage of hazardous materials, including emissions reporting and data dissemination requirements for major source facilities.

Special Permitted Uses (SPUs)

- Merge SPUs and CUPs into one section in the UDC, update renewal period, add provisions related to minor amendments, expiration, validity, and emergency exceptions

Residential Uses in Industrial Zoning Districts

- Allow existing residential uses in industrial zoning districts as conforming uses

TXT-3-23 Recommendations



- The proposed regulations are unique to Jefferson Parish and reflect the specific concerns and interests of Jefferson Parish residents, landowners, and industry.
- The proposed recommendations support numerous *Envision Jefferson 2040* Land use and Economic goals and objectives.
- The proposed recommendations support target industries and specific initiatives and strategies related to industrial development in the *Jefferson Edge 2025* Plan.
- Throughout the course of the study, stakeholders provided comments across a broad spectrum of viewpoints, and many concerns continue to be in conflict. Thus, obtaining universal, unanimous support for the proposed regulations may be difficult. However, many aspects of the proposed regulations support multiple interests and parties. The proposed regulations balance the needs of facilities and the larger community. They provide clarity, permit and promote modern industrial uses, and make existing review processes clearer and more efficient. **These benefits will not be realized if we do not adopt new industrial zoning regulations.**



CONSISTENCY WITH ENVISION JEFFERSON 2040 AND OTHER RELATED PLANS

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Envision Jefferson 2040



This recommendation supports the following *Envision Jefferson 2040* goals and objectives:

- **Land Use Goal 1** The development and redevelopment of land, buildings, and structures is orderly and well-planned.
 - **Objective 4** Provide sufficient land for residential, commercial, industrial, and recreational land uses.
 - **Objective 5** Encourage redevelopment and reuse of existing commercial and industrial facilities and sites.
 - **Objective 6** Employ best planning practices and effective regulatory tools.
- **Land Use Goal 2** Residential neighborhoods are safe, cohesive, and thriving.
 - **Objective 6** Protect residential neighborhoods from incompatible development or redevelopment.
- **Land Use Goal 3** New development and redevelopment are compatible with established residential, commercial, or industrial areas.
 - **Objective 2** Foster mixed-used development that combines residential uses with compatible nonresidential uses in appropriate locations.
 - **Objective 5** Provide development regulations and design standards to maximize compatibility.
 - **Objective 6** Minimize negative impacts of new development or redevelopment through up-to-date regulations and standards based on best practices.
- **Land Use Goal 4** The Parish's major industry clusters provide opportunities for growth, investment, and sustainability.
 - **Objective 3** Provide opportunities that leverage and expand existing warehousing and distribution hubs.
 - **Objective 4** Facilitate the development or re-use of commercial building stock to provide space or facilities for the parish's businesses and major industry clusters.
 - **Objective 5** Protect prime industrial land with strategic port, rail, and roadway access from encroachment of inappropriate non-industrial uses.
 - **Objective 6** Facilitate the development or re-use of land and buildings for value-added business activities.
- **Land Use Goal 10** Land use practices and policies enhance sustainability and reduce risk to life and property from hazards
 - **Objective 4** Reduce and mitigate the risks of hazardous materials activities.
- **Land Use Goal 11** Businesses provide abundant goods, services, and jobs and create vibrant corridors and centers.
 - **Objective 3** Provide sites and areas where businesses can locate and thrive.
- **Economic Development Goal 1** A diverse business core gives Jefferson Parish the competitive edge as the region's economic engine.
 - **Objective 1** Promote sustainability, job growth, and investment in Jefferson Parish.
 - **Objective 3** Target the needs of industry clusters with the greatest opportunity for growth.
 - **Objective 4** Focus on other industries and businesses that drive the parish's success.
 - **Objective 5** Address issues that have an impact on business across all industry clusters.

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Jefferson Edge 2025



This recommendation supports the following *Jefferson Edge 2025 initiatives and strategies*:

INITIATIVE 3.2. INDUSTRIAL DEVELOPMENT. *Protect and grow the inventory of available industrial sites in Jefferson Parish to attract new jobs and investment. Focus industrial development efforts on major sites (listed below) and pursue Parish-wide strategies to preserve and expand sites for job creation and new capital investment.*

3.2.1.H. Conduct a review of Jefferson Parish’s zoning code, land development regulations, and other applicable sections of the Code of Ordinances to evaluate whether existing regulations accommodate specific culinary products businesses, including cloud kitchens, craft breweries, and other key growth sectors within the culinary products industry (Strategy 2.1.3) and other target industries.

3.2.1.I. Based on this review, partner with the Parish government to make zoning changes that increase the availability of designated sites that can accommodate industrial flex space (high-quality industrial space that can house a combination of commercial offices, warehousing, light manufacturing, and related business activities), where appropriate, to ensure that expanding culinary product businesses and other types of companies are given ample opportunity to locate and grow in Jefferson Parish.

Proposed regulations address and support three target industries identified in the Jefferson Edge 2025

