

# NEW ORLEANS COMPREHENSIVE ZONING ORDINANCE

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## ARTICLE 9 HISTORIC CORE NEIGHBORHOODS RESIDENTIAL DISTRICTS

### **PURPOSE OF THE HISTORIC CORE NEIGHBORHOODS**

The Historic Core Neighborhoods are the neighborhoods that developed during the City's colonial period, including adjacent areas that continued those development patterns. Consisting of the Vieux Carré, Faubourg Marigny, Tremé, Bywater, and portions of surrounding neighborhoods, the Historic Core Neighborhoods reflect a scale resulting from historically pedestrian movement.

The regulations of the residential districts of the Historic Core Neighborhoods preserve and reflect the historic development pattern. Each of the residential districts within the Historic Core Neighborhoods contains a mix of dwelling types, creating a dense residential environment.

### **CHARACTER OF THE HISTORIC CORE NEIGHBORHOODS**

The character of the residential districts of the Historic Core Neighborhoods is defined by:

- » Numerous historic structures that date to the end of the 18th century and early part of the 19th century, which are protected by historic district regulations and the Vieux Carré Commission and Historic District Landmarks Commission
- » A variety of residential dwelling types integrated throughout the neighborhood as well as within a square
- » Single-family and two-family homes of one to two stories, with multi-family dwellings rising three to four stories or more
- » Historic patterns of mixed residential and neighborhood commercial uses
- » Dense historic development patterns with minimal to no setbacks between structures and between structures and the street
- » An absence of off-street parking

## 9.1 PURPOSE STATEMENTS

### 9.1.A PURPOSE OF THE VCR-1 VIEUX CARRÉ RESIDENTIAL DISTRICT

The VCR-1 Vieux Carré Residential District is intended to preserve and protect existing residential development to maintain the authentic character of the historic Vieux Carré. Incompatible uses and building modifications are excluded from this residential district, and rehabilitation and adaptive reuse are encouraged.



### 9.1.B PURPOSE OF THE VCR-2 VIEUX CARRÉ RESIDENTIAL DISTRICT

The VCR-2 Vieux Carré Residential District is intended to preserve and protect existing residential development and to maintain the authentic character of the historic Vieux Carré while permitting moderately higher density than allowed in the VCR-1 District. Incompatible uses and building modifications are excluded from this residential district, and rehabilitation and adaptive reuse are encouraged.



### 9.1.C PURPOSE OF THE HMR-1 HISTORIC MARIGNY/TREMÉ/BYWATER RESIDENTIAL DISTRICT

The HMR-1 Historic Marigny/Tremé/Bywater Residential District is intended to protect existing residential development and to maintain a desirable character of such development within the historic Marigny/Tremé/Bywater areas. Incompatible uses are excluded from this residential district. Rehabilitation, renovation, and adaptive reuse particularly of historically significant buildings are encouraged.



### 9.1.D PURPOSE OF THE HMR-2 HISTORIC MARIGNY/TREMÉ/BYWATER RESIDENTIAL DISTRICT

The HMR-2 Historic Marigny/Tremé/Bywater Residential District is intended to protect existing residential development and to maintain a desirable character of such development within the historic Marigny/Tremé/Bywater areas. Incompatible uses are excluded from this residential district. Rehabilitation, renovation, and adaptive reuse particularly of historically significant buildings are encouraged. Smaller lot areas and higher floor-to-area ratios are permitted in the HMR-2 Historic Marigny/Tremé/Bywater Residential District than those allowed in the HMR-1 Historic Marigny/Tremé/Bywater Residential District.



## 9.1.E PURPOSE OF THE HMR-3 HISTORIC MARIGNY/TREMÉ/BYWATER RESIDENTIAL DISTRICT

The HMR-3 Historic Marigny/Tremé/Bywater Residential District is intended to provide for single-family dwellings and two-family dwellings, accommodate small-scale multi-family dwellings of three to four units, protect the existing residential development and maintain the desirable character of such development within the historic Marigny/Tremé/Bywater areas. Incompatible uses are excluded from this residential district. Rehabilitation, renovation, and adaptive reuse particularly of historically significant buildings are encouraged.

## 9.1.F PURPOSE OF THE HISTORIC CORE NEIGHBORHOODS RESIDENTIAL MANDATORY INCLUSIONARY ZONING SUB-DISTRICTS

The Historic Core Neighborhoods Residential Mandatory Inclusionary Zoning core and strong Sub-Districts are intended to include mandatory affordable housing requirements, in accordance with Article 28, in districts that allow the development of ten or more dwelling units.

Adopted by Ordinance 28036 MCS, Section 1, March 28, 2019, ZD #112/18; Ord 28178, 9-5-19, ZD 49/19

## 9.2 USES

Only those uses of land listed under Table 9-1: Permitted and Conditional Uses as permitted uses or conditional uses are allowed within the Historic Core Neighborhood Districts. A "P" indicates that a use is permitted within that zoning district. A "C" indicates that a use is a conditional use in that zoning district and would require a conditional use approval as required in Section 4.3 (Conditional Use). No letter (i.e., a blank space) or the absence of the use from the table indicates that use is not permitted within that zoning district.

Table 9-1: Permitted and Conditional Uses

Table 9-1: Permitted and Conditional Uses						
USE <sup>1</sup>	VCR-1	VCR-2	HMR-1	HMR-2	HMR-3	USE STANDARDS
<b>RESIDENTIAL USES</b>						
Bed and Breakfast - Accessory			C	C	C	Section 20.3.I
Bed and Breakfast - Principal			C	C	C	Section 20.3.I
Day Care Home, Adult - Small	P	P	P	P	P	Section 20.3.T
Day Care Home, Adult - Large	C	C	C	C	C	Section 20.3.T
Dwelling, Established Multi-Family					P, C <sup>4</sup>	Section 20.3.W
Dwelling, Single-Family	P	P	P	P	P	
Dwelling, Two-Family	P	P	P	P	P	Section 20.3.Y
Dwelling, Multi-Family	P	P	P	P		
Dwelling, Multi-Family - Limited to 4 Units Maximum					C	

**Table 9-1: Permitted and Conditional Uses**

<b>USE<sup>1</sup></b>	<b>VCR-1</b>	<b>VCR-2</b>	<b>HMR-1</b>	<b>HMR-2</b>	<b>HMR-3</b>	<b>USE STANDARDS</b>
Dwelling, Small Multi-Family Affordable					P	Section 20.3.SSS
Group Home, Small	P	P	P	P	P	Section 20.3.GG
Group Home, Large	P	P	P	P	P	Section 20.3.GG
Home Based Child Care, Small	P	P	P	P	P	Section 20.3.T
Home Based Child Care, Large	P	P	P	P	P	Section 20.3.T
Group Home, Congregate	C	C	C	C	C	Section 20.3.GG
Permanent Supportive Housing	P	P	P	P	C <sup>3</sup>	Section 20.3.PP
Residential Care Facility	P	P	P	P	P	Section 20.3.YY
<b>COMMERCIAL USES</b>						
Child Care Center, Small	P	P	P	P	P	Section 20.3.S
Child Care Center, Large	C	C	C	C		Section 20.3.S
Day Care Center, Adult – Small			P	P	P	Section 20.3.S
Day Care Center, Adult – Large			C	C		Section 20.3.S
Neighborhood Commercial Establishment			C	C	C	Section 20.3.NN
<b>INSTITUTIONAL USES</b>						
Community Center	C	C	C	C	C	
Convent and Monastery	P	P	P	P	P	
Cultural Facility	C	C	C	C	P	Section 20.3.R
Educational Facility, Primary	P	P	P	P	P	Section 20.3.Z
Educational Facility, Secondary	P	P	P	P	P	Section 20.3.Z
Place of Worship	P	P	P	P	P	
<b>OPEN SPACE USES</b>						
Agriculture – No Livestock	P	P	P	P	P	Section 20.3.C
Parks and Playgrounds	P	P	P	P	P	
<b>OTHER</b>						
Parking Lot (Accessory Use)	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	
Planned Development	C	C	C	C	C	Article 5
Pumping Station	P	P	P	P	P	Section 20.3.UU
Utilities	P	P	P	P	P	Section 20.3.GGG

<b>Table 9-1: Permitted and Conditional Uses</b>						
<b>USE<sup>1</sup></b>	<b>VCR-1</b>	<b>VCR-2</b>	<b>HMR-1</b>	<b>HMR-2</b>	<b>HMR-3</b>	<b>USE STANDARDS</b>
Wireless Telecommunications Antenna & Facility	C,P <sup>2</sup>	C,P <sup>2</sup>	C,P <sup>2</sup>	C,P <sup>2</sup>	C,P <sup>2</sup>	Section 20.3.JJJ
Wireless Telecommunications Tower & Facility	C	C	C	C	C	Section 20.3.JJJ

**TABLE 9-1 FOOTNOTES**

<sup>1</sup> The terms in this column (“Use”) are defined in Article 26.

<sup>2</sup> Only wireless telecommunications antennas that comply with the stealth design standards of Section 20.3.JJJ are considered permitted uses.

<sup>3</sup> Limited to a maximum of four (4) dwelling units.

<sup>4</sup> Established Multi-Family Dwellings that comply with Section 20.3.W.1 are permitted uses while those that comply with Section 20.3.W.2 are conditional uses.

<sup>5</sup> As authorized in Article 22, Section 22.8.A.2.a.

Adopted by Ord. No. 27,375, §1, April 28, 2017, Zoning Docket 118/16; Ord. No. 27,707, §1, April 2, 2018, Zoning Docket 001/18; Ord. No. 28,156 MCS, §3, August 8, 2019, Zoning Docket 026/19 & 027/19; Ord. 28432 MCS, 8-6-20, ZD 38/20; Ord. No. 28,911, §1, January 6, 2022, Zoning Docket 084/21; Ord. No. 29,126, §8, Aug. 12, 2022, Zoning Docket 16/22; Ordinance No. 29382, March 23, 2023, Zoning Docket 02/23

## 9.3 SITE DESIGN STANDARDS

### 9.3.A GENERAL REGULATIONS

Table 9-2: Bulk and Yard Regulations establishes bulk and yard regulations for the Historic Core Neighborhood Districts. (Highlighted letters in Table 9-2 indicate where those bulk and yard regulations are illustrated on the accompanying site diagram.)

Table 9-2: Bulk & Yard Regulations

<b>Table 9-2: Bulk &amp; Yard Regulations</b>					
<b>BULK &amp; YARD REGULATIONS</b>	<b>DISTRICTS</b>				
	<b>VCR-1</b>	<b>VCR-2</b>	<b>HMR-1</b>	<b>HMR-2</b>	<b>HMR-3</b>
<b>BULK REGULATIONS</b>					

**Table 9-2: Bulk & Yard Regulations**

<b>BULK &amp; YARD REGULATIONS</b>		<b>DISTRICTS</b>				
		<b>VCR-1</b>	<b>VCR-2</b>	<b>HMR-1</b>	<b>HMR-2</b>	<b>HMR-3</b>
	<b>MINIMUM LOT AREA</b>	SF: 1,500sf/du 2F: 1,200sf/du MF: 900sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Unit: 800sf/du MF – 4+ Unit: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,200sf/du MF: 900sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 2,000sf/du 2F: 1,250sf/du MF – 3-4 Units: 1,000sf/du (maximum of 4 units) Small MF Affordable: None Non-Residential: None
<b>A</b>	<b>MINIMUM LOT WIDTH</b>	None	None	SF & 2F: 25' MF: 30' Non-Residential: None	SF & 2F: 25' MF: 30' Non-Residential: None	SF: 25' 2F & MF: 30' Non-Residential: None
	<b>MINIMUM LOT DEPTH</b>	None	None	SF: None 2F & MF: 90' Non-Residential: None	SF: None 2F & MF: 90' Non-Residential: None	SF: None 2F & MF: 90' Non-Residential: None
<b>B</b>	<b>MAXIMUM BUILDING HEIGHT</b>	50'	50'	40'	50'	40'
	<b>MINIMUM OPEN SPACE RATIO</b>	Corner Lots: 0.20 Interior Lots: 0.30	Corner Lots: 0.20 Interior Lots: 0.30	0.30	0.30	Interior Lot: 0.30 Corner Lot: 0.20
	<b>MAXIMUM FAR</b>	None	None	1.3	2.0	1.4
<b>MINIMUM YARD REQUIREMENTS</b>						
<b>C</b>	<b>FRONT YARD</b>	None	None	None	None	None
<b>D</b>	<b>INTERIOR SIDE YARD</b>	None	None	None	None	3'

Table 9-2: Bulk & Yard Regulations						
BULK & YARD REGULATIONS		DISTRICTS				
		VCR-1	VCR-2	HMR-1	HMR-2	HMR-3
<b>E</b>	<b>CORNER SIDE YARD</b>	None	None	None	None	None
<b>F</b>	<b>REAR YARD</b>	None	None	None	None	20'

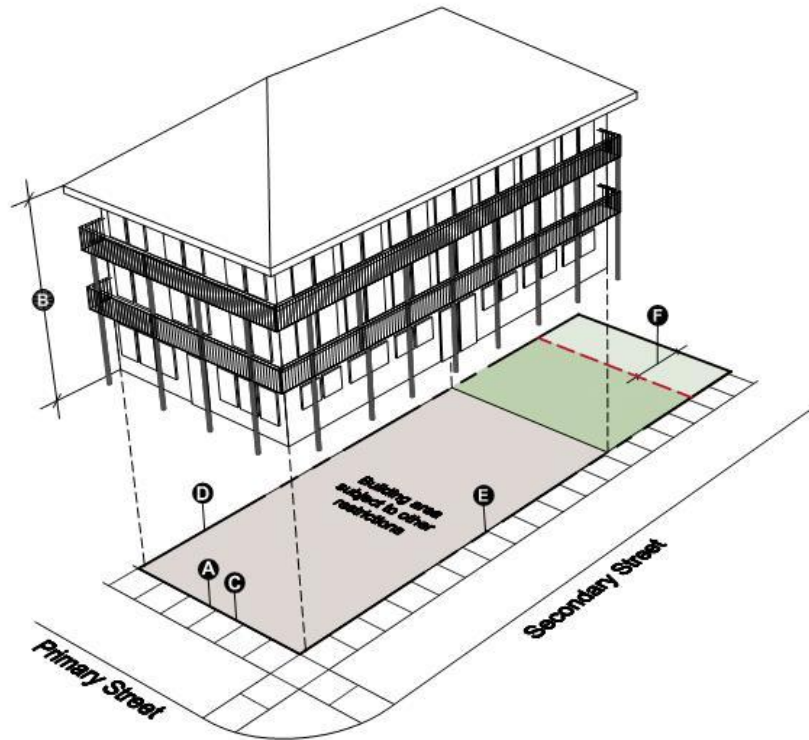
**Table 9-3:** The Mandatory Inclusionary Zoning Sub-District (MIZ) regulations establish mandatory inclusionary unit thresholds, set aside requirements, and Area Medium Income (AMI) levels and is required for any development that contains residential development of 10 or more dwelling units, including rental and homeownership dwelling units in the core or strong sub-districts. Affordable Housing Units shall be in accordance with the standards outlined in the table below. All other bulk and yard regulations for the sub-districts are subject to the corresponding non-inclusionary zoning base district regulations.

Table 9-3: Historic Core Neighborhoods Residential Inclusionary Zoning Sub-District Regulations <sup>1</sup>					
Zoning Sub-District	Minimum Lot Area Requirement	Affordable Housing Unit Threshold	Set Aside Requirement %	Area Medium Income (AMI) Rental Units (%)	Area Medium Income (AMI) Homeownership (%)
VCR-1-IZ	900 sf/du	10	10	60	60
VCR-2-IZ	600 sf/du	10	10	60	60
HMR-1-IZ	900 sf/du	10	5	60	60
HMR-2-IZ	600 sf/du	10	5	60	60

TABLE 9-3 FOOTNOTE

<sup>1</sup>The terms for the Mandatory Inclusionary Zoning Sub-Districts in this section are outlined in Article 28.

## Historic Core Neighborhoods - Multi-Family (Vieux Carré Districts)



*Illustration of site development standards*



### ***Range of potential building forms (not all development outcomes represented)***

*Photographs may be substituted at the discretion of the Executive Director of the City Planning Commission with the approval of the City Planning Commission.*



Adopted by Ord. No. 26,726, §1, December 7, 2015, Zoning Docket 081/15; Ord. No. 27,722, §2, April 11, 2018, Zoning Docket 113/17; Ord. No. 28036, §1, March 28, 2019, Zoning Docket 112/18; Ord. No. 28,911, §1, January 6, 2022, Zoning Docket 084/21

### **9.3.B OPEN SPACE RATIO**

1. In the Vieux Carré Districts, all yards and courts may be included as open space when computing the open space ratio. However, this open space shall be unobstructed from grade level to the sky. Where balconies, roof overhangs, galleries, stairways, storage area or similar projections are located in a yard or court, the area of the projection cannot be counted as open space for the open space ratio calculation. Above-grade courtyards or other rooftop uses, including but not limited to gardens and recreation areas, shall not be considered as open space.

2. For residential uses in the Historic Core Neighborhood Districts, heating, ventilation, and air conditioning (HVAC) equipment is excluded from the open space ratio calculation (i.e., it will be considered qualifying open space) when it meets the following standards:

- a. The equipment is ground-mounted.
- b. The equipment is a single-condenser unit.
- c. The equipment is located and screened according to the requirements of Section 21.6.T (Mechanical Equipment).

### **9.3.C OPEN SPACE**

All required open space shall be permeable.

Adopted by Ord. No. 27,722, §2, April 11, 2018, Zoning Docket 113/17;

### **9.3.C ENCROACHMENT INTO PUBLIC RIGHT-OF-WAY**

Within the Historic Core Neighborhood Districts, new construction is encouraged to include common architectural features that encroach into the public right-of-way, such as galleries, stoops, and balconies, in keeping with the established development pattern. A long-term grant of servitude from the Department of Property Management is required for this type of encroachment.

## **9.4 PERMITTED RESIDENTIAL CONVERSIONS IN THE VIEUX CARRÉ DISTRICTS**

A. In the Vieux Carré Districts, upon approval of the Vieux Carré Commission and the Board of Zoning Adjustments, an existing structure with a floor area ratio that equals or exceeds three (3), may be converted to a multi-family dwelling provided that the minimum lot area is four hundred (400) square feet per dwelling unit.

B. When a proposed conversion scheme provides verification that the exterior building envelope will not be increased, except for minor expansions necessary to allow compliance with applicable building codes, such as exterior stairwells or similar means of access, the following additional standards shall be met:

1. The minimum dwelling unit size is eight-hundred (800) square feet.
2. The minimum lot area is three-hundred forty (340) square feet per dwelling unit.

## 9.5 DESIGN STANDARDS FOR VIEUX CARRÉ DISTRICTS

The Vieux Carré Commission's Design Guidelines contain the procedures and compatible architectural details for properties located in the Vieux Carré Historic District.

## 9.6 DESIGN STANDARDS FOR HISTORIC MARIGNY/TREMÉ/BYWATER DISTRICTS

The following standards shall apply to all sites, except for single and two-family residential dwellings:

- A. For new construction, ADA accessible ramps and lifts shall be visually unobtrusive, preferably through internalized ramps or sloped walkways.
- B. All buildings shall be oriented towards a public or private street in terms of architectural interest and building access.

## 9.7 GENERAL STANDARDS OF APPLICABILITY

All Historic Core Neighborhood Districts are subject to the following standards:

### 9.7.A ACCESSORY STRUCTURES AND USES

See Section 21.6 for standards governing accessory structures and uses.

### 9.7.B TEMPORARY USES

See Section 21.8 for standards governing temporary uses.

### 9.7.C SITE DEVELOPMENT STANDARDS

See Article 21 for additional site development standards such as exterior lighting, environmental performance standards, and permitted encroachments.

### 9.7.D OFF-STREET PARKING AND LOADING

See Article 22 for standards governing off-street parking and loading.

## 9.7.E LANDSCAPE, STORMWATER MANAGEMENT, AND SCREENING

See Article 23 for standards governing landscape, stormwater management, and screening.

## 9.7.F SIGNS

See Article 24 for standards governing signs.

## 9.7.G OVERLAY DISTRICTS

See Article 18 for additional overlay district regulations, when applicable.

## 9.7.H NONCONFORMITIES

See Article 25 for regulations governing nonconformities.

# 9.8 VOLUNTARY INCLUSIONARY ZONING FOR HISTORIC CORE RESIDENTIAL NEIGHBORHOODS – VCR-1, VCR-2, HMR-1, AND HMR-2

Properties not included in the Mandatory Inclusionary Zoning sub-districts or mapped for inclusion within the Mandatory Inclusionary Zoning sub-districts, may avail themselves to the provisions provided herein.

In order to incentivize the construction of multi-family housing with the inclusion of affordable dwelling units, in the Historic Core Residential Districts, VCR-1 and VCR-2 Vieux Carré Residential Districts and the HMR-1 and HMR-2 Historic Marigny/Tremé /Bywater Residential Districts, density bonus and parking reductions shall be granted in exchange for the voluntary provision of affordable dwelling units. Developments containing ten (10) or more dwelling units that set aside at least 5% of units at a 60% Area Median Income level shall be awarded a maximum of thirty percent (30%) reduction in the minimum lot area per dwelling unit requirements and a thirty percent (30%) increase in the floor area ratio (FAR). Multi-family developments providing affordable housing units subject to the off-street parking requirements of Article 22 shall be granted a minimum of ten percent (10%) and up to a maximum of thirty percent (30%) reduction of the required parking.

Developments opting to participate in the voluntary IZ program shall be developed in accordance with Article 28, Section 28.3-Affordable Housing Development Use Standards and Guidelines and shall be subject to the regulatory and monitoring requirements outlined in Article 28, Section 28.8.

1. All applications requesting a development bonus for providing affordable housing shall include an Affordable Housing Impact Statement (AHIS) with the application. The AHIS shall provide the following information:

- a. The number of units added at the Area Medium Income Levels (AMI) at or below 80%, 50%, and 30%.
- b. The number of units removed at the Area Medium Income Levels at or below 80%, 50%, and 30%.
- c. The bedroom mix of the unit to be added or removed (1, 2, 3, 4, etc. bedrooms).

d. The total number of units added and total number of units removed.

Adopted by Ord. 26,570 MCS, Sept. 9, 2015, Zoning Docket 054-15; Ord. 27,377 MCS, §2, April 28, 2017, Zoning Docket 007-17; Ord 28178, 9-5-19, ZD 49/19