

On motion of Mr. Conley, seconded by Ms. Lee-Sheng, the following ordinance was offered:

SUMMARY NO. 25228 ORDINANCE NO. 25794

An ordinance to amend Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of the Parish of Jefferson, to evaluate zoning districts and development and use standards to determine any changes needed to promote the redevelopment of the property commonly referred to as the Avondale Shipyard, and provide for related matters. (Parishwide)

WHEREAS, the property commonly referred to as the Avondale Shipyard first developed in 1938; and

WHEREAS, with about 26,000 employees at its peak, Avondale Shipyard became the largest single-site employer and one of the largest economic development engines for Jefferson Parish and the State of Louisiana; and

WHEREAS, although closed in 2014, Avondale Shipyard is strategically located in the heart of the largest intermodal transportation system in the South with direct access to the Mississippi River, major roadways, and multiple rail lines, and remains a critical asset for the parish, the region, and the state; and

WHEREAS, the area around the Avondale Shipyard is physically bounded by the elevated portions of U.S. Highway 90 on the east and by River Road and multi-track railroad to the south, and includes the western portion of the Bridge City community; and

WHEREAS, the Avondale Shipyard is mostly zoned M-2 Industrial, with some portions zoned R-1A Single-Family Residential District, R-2 Two-Family Residential District, and M-1 Industrial District, though these are being considered for rezoning to M-2 as part of a concurrent area study (ASW-1-19); and

WHEREAS, upon the Avondale Shipyard's announcement of closure, the State of Louisiana, Jefferson Parish, and the Jefferson Parish Economic Development and Port District (JEDCO) prioritized the redevelopment and sale of the site to bring the regional asset back into commerce and to create jobs, investment, and opportunities in the region; and

WHEREAS, redevelopment of Avondale Shipyard will reinvigorate the West Bank of Jefferson Parish and create additional employment opportunities for residents of the parish and the surrounding area, will enhance the tax base of the parish, and will provide other public benefits generated through the economic development of the area, which will add to the welfare and prosperity of the parish and its inhabitants; and

WHEREAS, on September 19, 2018, the Parish Council authorized the Planning Department and the Planning Advisory Board to conduct a text study of Chapter 33 Unified Development Code and Chapter 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 commonly referred to as the Avondale Shipyard; and

WHEREAS, some communities across the United States are emerging as centers of manufacturing by protecting prime industrial real estate, embracing a more contemporary view of industry, and supporting the development of logistics hubs, especially ones located near or as a part of major ports; and

WHEREAS, the M-2 industrial base zoning district does not sufficiently address use regulations and development procedures necessary to preserve the unique characteristics of Avondale and accomplish its redevelopment as a strongly performing, value-added logistics and distribution hub; and

WHEREAS, some manufacturing-aware communities have established special overlay districts and applied other land use controls to support logistics hubs and prime historical industrial sites; and

WHEREAS, this recommendation supports the *Envision Jefferson 2020* goal of providing suitable and adequate opportunities for commercial and industrial development that is convenient, visually pleasing and environmentally sound; and

WHEREAS, a public hearing was held by the Planning Advisory Board, in accordance with law, under Planning Department Docket No. TXT-2-19.

NOW, THEREFORE, THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

SECTION 1. That Chapter 33 *Unified Development Code*, Sec. 33-3.3.2. *Overlay zoning districts*, is hereby amended to add the *FOD Fairfield Overlay District* and *AIM Avondale Industrial Marine District*, to read as follows:

* * *

(5) FOD Fairfield Overlay District is an overlay zoning district with boundaries defined in Sec. 33-3.69. *Fairfield Overlay District (FOD)* of this UDC.

(6) AIM Avondale Industrial Marine District is an overlay zoning district with boundaries defined by the ordinance that maps the district.

SECTION 2. That Chapter 33 *Unified Development Code*, Sec. 33-3.70. *Reserved*, is hereby amended to add the *Avondale Industrial Marine (AIM) District*, to read as follows:

Sec. 33_3.70. Avondale Industrial Marine (AIM) 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.

SECTION 3. That Chapter 40 *Zoning*, Article II. *District and Land Use Regulations*, Sec. 40-33. *Overlay zoning districts*, is hereby amended to add the *AIM Avondale Industrial Marine District*, to read as follows:

* * *

- (6) AIM Avondale Industrial Marine District is an overlay zoning district with boundaries defined by the ordinance that maps the district.


SECTION 4. That the Municipal Code Corporation is hereby authorized and directed to correct any cross-references within the code that are affected by the renumbering of sections or subparagraphs via this ordinance.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 7 NAYS: None ABSENT: None

This ordinance was declared to be adopted on the 19th day of June 2019, and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption, thereafter, upon signature by the Parish President or, if not signed by the Parish President, upon expiration of the time of ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY


EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL



Planning
Department

Teresa A. Wilkinson, AICP
Director

STAFF REPORT Text Study

Docket No. TXT-2-19

Summary No. 25228

Avondale Industrial Marine (AIM) Overlay District

PARISH COUNCIL
A: Keith A. Conley
B: Cynthia Lee-Sheng
1: Ricky J. Temple
2: Paul D. Johnston
3: Mark D. Spears, Jr.
4: Dominick F. Impastato, III
5: Jennifer Van Vrancken

Michael S. Yenni
Parish President

504-736-6320 | Yenni Building, 1221 Elmwood Park Blvd, Ste 601, Jefferson, LA 70123 | jpplanning@jeffparish.net

Study Intent: Rezone to the most appropriate zoning district and change the Future Land Use category to the most appropriate FLU category; evaluate zoning districts and development and use standards to determine any changes needed to promote the redevelopment of the property commonly referred to as the Avondale Shipyard

Council District: Parish-wide
PAB Hearing: 5/23/2019
Last Meeting Date for Council Action: 9/18/2019
Authorization: Res. No. 132224 (9/19/2018)

OVERVIEW

Large historically productive industrial sites that are located near major waterways with access to rail and roadway systems represent indispensable nodes for the global economic network and are ideal locations for multi-modal logistics hubs. Local and state agencies and organizations have prioritized the logistics and transportation sector, and in particular, the redevelopment of the site commonly known as the “Avondale Shipyard”, as a logistics hub that will stimulate the local and regional economy and create new jobs.

The Avondale Shipyard has a rich history as an anchor industrial employer and manufacturer for Jefferson Parish and the State of Louisiana. Due to its size, location and access to the Mississippi River, active rail, and major roadways, it is a prime industrial site for revitalization as a multi-modal logistics hub.

This report only pertains to zoning district and development and use standards. The portion of the study related to rezoning and change of FLU will be the subject of a separate report.

STAFF RECOMMENDATION

Create a new overlay zoning district – AIM Avondale Industrial Marine Overlay District – to recognize and protect the historically productive industrial site commonly known as the Avondale Shipyard; promote it as a center of production, distribution, and repair activities; and utilize its size, location, and access to transportation networks by:

- Restricting unrelated commercial and other non-industrial uses;
- Facilitating land uses related to a multi-modal valued-added logistics hub; and

- Clarifying that most land uses are permitted uses by right to facilitate development review and help bring the regional asset back into commerce.

PLANNING ADVISORY BOARD RECOMMENDATION

On June 6, 2019, the PAB recommended approval (see PAB minutes).

CONTENTS

Background.....	2
Analysis.....	7
Conclusion and Staff Recommendation.....	15
Amended Ordinance.....	16

BACKGROUND

Industry trends

Some communities across the United States are emerging as centers of manufacturing by protecting prime industrial real estate, embracing a more contemporary view of industry, and supporting the development of logistics hubs, especially those located near or part of major ports.

“Manufacturing-aware” cities

The decades long decline in industry is starting to reverse with the emergence of “manufacturing-aware cities”.¹ “Manufacturing-aware” cities have developed local policies that support and aim to strengthen the manufacturing sector.¹ They are located in all of the US major regions, with some having growing economies like Seattle, San Jose, Atlanta or shrinking economies like Detroit, Cleveland, and Philadelphia.¹ These cities recognize opportunities for the US to have a competitive advantage in certain areas of manufacturing.

These cities also recognize that prime industrial land is a significant asset in a diverse economy and should be protected from rezoning to support competing non-industrial uses. Rezoning of industrial land is usually made at the local level, even though it could have regional impacts.¹ Once historical industrial sites are rezoned they are nearly impossible to reclaim.¹ Manufacturing-aware cities have developed certain land use controls to protect prime industrial land from the encroachment of commercial, residential, and other non-industrial uses. “Planning, zoning, and policy are critical for ensuring that industrial land is preserved in a way that suits contemporary industrial needs (Green Leigh, Hoelzel, Kraft, and Scott Dempwolf, 35).”¹

Contemporary view of industry

One contemporary view of industry is that it is more diverse and should no longer be viewed strictly in terms of manufacturing, but rather as a mix of production, distribution, and repair.¹ San Francisco is one city that has replaced the term industrial with this production, distribution, and repair (PDR) concept.¹

¹ Green Leigh, Hoelzel, Kraft, and Scott Dempwolf .*Sustainable Urban Industrial Development*. PAS Report 577. Chicago, IL: APA, October 2014.

¹ Ibid.

¹ Ibid.

¹ Ibid.

¹ Ibid.

¹ Ibid.

¹ Ibid.

¹ Ibid.

Of the three categories, production is most related to manufacturing. It is constantly evolving with technological advances and shifts in how products are made. Production needs strong distribution and repair support to thrive.¹ With shifts in consumer behavior and growth in online shopping, the demand for distribution is also increasing. Distribution includes warehousing, and wholesaling which are space intensive, and shipping which requires access to air, water, rail, and roadways.¹ Though repair activities are service –related, they have land uses that are similar to production. This PDR model has helped promote the growth of logistic hubs.

Logistics hubs

As industry evolves, the role logistics hubs play in the supply chain does as well. Logistic hubs, clusters, and zones function as transshipment points or linking points for the flow of goods and play an important role in the supply chain of contemporary manufacturing.¹ They include grouping of activities related to freight distribution, such as distribution centers and transportation and supporting services within a defined and often planned area.¹

Logistics hubs, clusters, and zones are developed at strategic locations to facilitate intermodal and complex freight distribution.¹ They often involve large complexes to support large-scale operations and movement of cargo.¹

Complexes often have:

- Direct access to a port, active rail lines, or both;
- A mix of manufacturing or production and distribution; and
- Supporting office and commercial uses onsite (Figure 1).

They can include “value-added services” like advanced manufacturing, assembly, processing, logistics, and other freight-based services that will help grow the regional freight-based economy.¹

According to GNO, Inc., the regional transportation and logistics sector has grown by more than 6% since 2007, and is expected to continue to grow at a rate of 4% over the next decade. Driving development of logistic hubs will help grow the local freight-based economy.¹ Logistic clusters are expected to grow within the Gulf States with carrier

¹ Ibid

¹ Ibid

¹ Huber, S. “Consideration of transport logistics hubs in freight transport”. European Transport Research Review 7:32. 2015. <https://link.springer.com/article/10.1007/s12544-015-0181-5>

¹ Rodrigue, Dr., Jean-Paul. The Geography of Transport Systems (New York: Routledge, 2017) Chapter 11: Applications and Case Studies. Freight Distribution Clusters (Logistic Zones). https://transportgeography.org/?page_id=8133

¹ Ibid.

¹ Ibid.

¹ Port of New Orleans. *Port Nola Forward: A Strategic Master Plan to Exceed the Needs of Tomorrow (Draft)*. Accessed April 4, 2019. <https://portnola.com/info/master-plan>

consolidation, bigger ships, demand for more decentralized distribution; and fulfillment centers expected to grow.¹ Growth in export of goods by businesses in the region and an increase in cruise and cargo traffic and number of air passengers have contributed to the expansion of this industry in the region.¹

“Logistic zones are usually created within the framework of regional development policies as joint initiatives by firms, intermodal operators, regional and local authorities, the central government or chambers of commerce (Rodrigue, 2017)”.¹ Logistics can be classified according to modal orientation, including port logistics hubs.¹

Role of Ports

Port hubs function as gateways to international trade, facilitating the movement of imports and exports.¹ Ports and rails represent important nodes for the global economic network.¹ A large portion of the world’s consumers are located outside of North America. The Port of New Orleans is considered a major port hub.¹

The Port of New Orleans was officially incorporated in 1896, but has been a center of international trade since the city of New Orleans was founded in 1718.¹ In addition to the port being one of the largest in the U.S. based on tonnage¹, it is the only U.S. deep water port with access to six Class I railroads.¹ Utilizing waterfront industrial real estate is a facet of the goals Port NOLA has for the future.¹

In 2017, Port NOLA and New Orleans Public Belt Railroad (NOPB) “became strategically aligned” under Port NOLA. The multimodal transportation network is an important asset for promoting growth in logistics and transportation industry sector in the region. According to Port NOLA Draft Strategic Master Plan, “logistics clusters are a prime opportunity for the region and part of the Port’s action plan”.¹

Jefferson Parish is poised to benefit from this Port NOLA goal because it has frontage on the river, is a major conduit for the NOPB railroad with the Huey P. Long Bridge, and

¹ Ibid.

¹ GNO, Inc. *State of the Sector: Transportation & Logistics* (2018). <http://gnoinc.org/wp-content/uploads/TL-State-of-the-Sector.pdf>. Accessed April 5, 2019.

¹ Ibid.

¹ Rodrigue, Dr. Jean-Paul. *The Geography of Transport Systems* (New York: Routledge, 2017) Chapter 11: Applications and Case Studies. Freight Distribution Clusters (Logistic Zones). https://transportgeography.org/?page_id=8133

¹ Luttrell, B. “Freight Corridors & logistics Hubs Shape the Location Decision”. *Area Development*. <http://www.areadevelopment.com/logisticsInfrastructure/Intermodal-Sites-Q1-2015/site-selection-process-supplychain-optimization-linked-74421.shtml>. Accessed April 5, 2019.

¹ Ibid.

¹ Green Leigh, Hoelzel, Kraft, and Scott Dempwolf. *Sustainable Urban Industrial Development. PAS Report 577*. Chicago, IL: APA, October 2014.

¹ Luttrell, B. “Freight Corridors & logistics Hubs Shape the Location Decision”. *Area Development*. <http://www.areadevelopment.com/logisticsInfrastructure/Intermodal-Sites-Q1-2015/site-selection-process-supplychain-optimization-linked-74421.shtml>. Accessed April 5, 2019.

¹ Port of New Orleans. *Port Nola Forward: A Strategic Master Plan to Exceed the Needs of Tomorrow (Draft)*. Accessed April 4, 2019. <https://portnola.com/info/master-plan>

¹ Bureau of Transportation Statistics. National Transportation Statistics. <https://www.bts.gov/content/tonnage-top-50-us-water-ports-ranked-total-tons>

¹ Port of New Orleans. *Rail*. <https://www.portnola.com/business/cargo/rail>. Accessed April 5, 2019

¹ Ibid.

¹ Ibid.

contains the Avondale Shipyard site with substantial and unique production facilities in place. The Avondale Shipyard site helped inspire Port NOLA to broaden its thinking about freight-based possibilities and its strategic planning efforts to expand beyond port-owned property to other sites within its jurisdiction. The Avondale Shipyard has value-added services that can help the state, region, and parish recapture certain cargo services, and enhance their global reputation as a gateway for international trade.¹

Avondale

The Avondale Shipyard is located on the West Bank of the Mississippi River, bounded by the Mississippi River, LA Highway 541, and LA Highway 18 (Figure 4). The site has a rich history as an anchor industrial employer and manufacturer for Jefferson Parish, the New Orleans region, and the State of Louisiana. Due to its size, location, and access to the Mississippi River, active rail lines, and major roadways, it is a critical asset to Jefferson Parish, the region, and the state.

The Avondale Shipyard was originally founded in 1938 by James Grinstead Viavant, Harry Koch, and Perry Ellis to build and repair boats and barges for the Mississippi River.¹ Avondale Marine Ways built boats, ships, and rigs for the oil industry, and eventually expanded to include the design and construction of new steel tugs, barges, derricks, cutters, and ships, including U.S. Navy ships.¹

During World War II, the company was awarded a U.S. government contract to build tugboats. The initial government contract was a gateway to more government contracts to build destroyers and destroyer escorts (Figure 2).¹ The Shipyard continued to build Navy vessels during the Korean War and Vietnam War. At its peak, the Shipyard employed over 26,000 employees and was the largest manufacturer and employer of the State of Louisiana.

The site has changed ownership numerous times from the late 1950s to the present. In 1959, the Ogden Corporation purchased Avondale Marine Ways and renamed it as Avondale Shipyard, Inc. In 1985, Avondale was sold to its employees, and in 1988 it became a publicly-traded company.¹ The shipyard began to experience decline in the 1990s and in 2010, then owner Northrop Grumman announced plans to close the shipyard in 2013. On February 3, 2014, the last ship built at the facility, the USS Somerset, left the dock of Avondale. On October 3, 2018, Avondale Marine LLC acquired the property from Huntington Ingalls Industries.

Upon the announcement of its closure, various state and local agencies including the State of Louisiana, Jefferson Parish, the Jefferson Parish Economic Development and

¹Letters to the Editor, Nola.com. "Bringing life back to Avondale site is vital to the region" *Nola.com. Times-Picayune*.

Posted August 17, 2018. https://www.nola.com/opinions/2018/08/avondale_shipyard_renewal.html. Accessed April 8, 2019.

¹ Brooks, A. and Michael Mizell-Nelson, "Avondale Marine Ways, Inc.," *New Orleans Historical*, <https://neworleanshistorical.org/items/show/210>. Accessed April 10, 2019.

¹ Broach, D. "From 200 workers to 26,000, Avondale Shipyard history traced in new report". *Nola.com. Times-Picayune*. Posted May 10, 2018. https://www.nola.com/business/2018/05/avondale_shipyard_history.html

¹ Avondale Shipyard Collection (MSS 336), Louisiana and Special Collections Department, Earl K. Long Library, University of New Orleans. <https://libguides.uno.edu/mss336>

¹ Ibid.

Port District (JEDCO), Port NOLA, and the NOPB railroad collaboratively prioritized the redevelopment and sale of the site. They are committed to bringing the regional asset back into commerce and creating jobs, investment, and opportunities in the region.

In September 2018, the Jefferson Parish Council, the Port NOLA, and the NOPB Railroad passed resolutions in support of the revitalization of the old Avondale Shipyard.¹ Port NOLA also issued a jurisdictional permit to Avondale Marine for the use and development of a port and intermodal facility within the Port's jurisdiction.¹ In January 2019, the first international vessel in five years docked at Avondale as testament to the beginning of its rebirth.¹

ANALYSIS

Staff reviewed the Parish's land use and zoning regulations, and regulations of other communities, industry publications, and planning literature. This analysis addresses the following issues:

- Need for special overlay district to support multi-modal logistic hubs;
- Avondale as a prime industrial site for revitalization; and
- Overlay and use provisions.

Need for special overlay district

In general

An overlay district imposes requirements in addition to those of the underlying base zoning district. One type of overlay is a neighborhood preservation (NP) district, which can apply to distinctive neighborhoods that contribute to the overall character and identity of a community.¹ Some purposes of a NP district, may include, but are not limited to, the following:

- "Protect and strengthen desirable and unique characteristics;
- Promote and provide for economic revitalization;
- Protect and enhance the livability of the community;
- Stabilize property values;
- Provide residents and property owners with a planning tool for future development;
- Encourage and strengthen civic pride; and
- Ensure the harmonious, orderly, and efficient growth and redevelopment of the city (Freilich, White, Murray, 92-93)."

Though overlay districts are often applied to residential and commercial uses, they can

¹ Roberts, F. "Proposed Avondale redevelopment Ok'd by Jefferson Parish Council; see plan details" September 19, 2018. https://www.theadvocate.com/new-orleans/news/article_49ccd9a4-bc33-11e8-8162-17ad101ac216.html

¹Port NOLA. "Port of New Orleans and New Orleans Public Belt Boards Move Avondale Revitalization Forward" <https://portnola.com/info/news-media/press-releases/port-of-new-orleans-and-new-orleans-public-belt-boards-move-avondale-revitalization-forward-1>

¹Broach, D. "Former Avondale Shipyard stirs to life with first sign of commerce in five years". *Nola.com. Times-Picayune*. January 8, 2019. <https://www.nola.com/business/2019/01/former-avondale-shipyard-stirs-to-life-with-first-sign-of-commerce-in-five-years.html>

¹ Freilich, R., S. Mark White, and Katie Murray. *21st Century Land Development Code*. American Planning Association, 2008.

also be applied to industrially zoned land in need of preservation and promotion. In 2004, the city of Baltimore established the Maritime Industrial Zoning Overlay District (MIZOD), reserving deep water areas in industrial districts for industrial uses (Ordinance 04-804) and extended in 2009 (Ordinance 09-154).¹ The catalyst for the development of this district and its valuable industrial use was an increased pressure to convert waterfront industrial property to mixed-use with residential.¹

The city of Portland has a similar overlay district, the Prime Industrial Overlay Zone. The purposes of the Prime Industrial Overlay Zone are to protect prime industrial land and prioritize designated areas for long-term retention. The overlay district includes the seaport, rail and airport, and its regulations require an offset for conversion of the land to another zone or use that would reduce industrial development capacity.¹

Adding an overlay district similar to those mentioned above in the Jefferson Parish Code is necessary because the M-2 industrial base zoning district does not sufficiently address use regulations and development procedures necessary to preserve the unique characteristics of Avondale and accomplish its redevelopment as a strongly performing, value-added logistics and distribution hub. The establishment of the new AIM overlay district will accomplish this goal, similar in purpose to the neighborhood preservation district referenced above.

Purpose

The AIM district is intended to recognize and protect the historically productive industrial site commonly known as the “Avondale Shipyard” and the infrastructure and services necessary to support it. The district encompasses multi-modal transportation infrastructure that provides direct access to ports, rail, and roadway systems and impetus to develop into a strongly performing, value-added logistics and distribution hub.

To achieve this goal, the district discourages an inappropriate level of non-industrial uses and encourages appropriate commercial activity that could improve employment opportunities and the physical condition of the district without conflicting with production, distribution, and repair activities.

The AIM district aims to protect and promote active or prime industrial land along the Mississippi River and take advantage of port and rail facilities and services that represent indispensable nodes in the global economic network. The district facilitates a wide variety of uses and activities and modern and state-of-the-art processes, controls, buildings, and equipment for production, distribution, and repair that should also promote strong distribution and repair infrastructure with efficient freight and warehousing networks. This district promotes employment diversity, the quality of jobs, and wages in Jefferson Parish and the general welfare of residents and businesses.

¹ The City of Baltimore Department of Planning and Baltimore Development Corporation. *Maritime Industrial Zoning Overlay District (MIZOD): Summary & Evaluation* (2009-2010). https://planning.baltimorecity.gov/sites/default/files/MIZODREPORT2010_1.pdf

¹ Ibid.

¹Portland, (Oregon), The City of. *Title 33, Planning and Zoning (Zoning Code)*. <https://www.portlandoregon.gov/bps/article/685538>

Prime Industrial Site for Revitalization

Multi-modal logistic hubs tend to be industrially intensive in land use, large in size, and strategically located in close proximity to ports, rail and roadway systems. The Avondale Shipyard's size, location, and access to vital transportation networks make it a prime industrial site for revitalization as a multi-modal logistics hub.¹

The Avondale Shipyard is historically industrial and at least 75% of the land area in the district was zoned and improved for industrial uses at least 25 years ago. Old industrial style buildings, cranes, docks, and other remnants of the site are visible today (Figure 3).

Logistic hubs often involve large complexes, strategic location, and direct access to transportation networks. The Avondale Shipyard is one of the largest industrial development sites in Jefferson Parish comprising at least 200 contiguous acres (Figure 4).

The Avondale Shipyard is also strategically located in the heart of the largest intermodal transportation system in the South with direct access to the Mississippi River, multiple rail lines, and major roadways.¹ The Avondale site has over one mile of deep water access along the Mississippi River. The site is also within 300 feet of active rail lines with plans underway to connect the site to six Class I railroads (Figure 4).¹

The Avondale Shipyard fronts LA 541 and LA Highway 18, both classified as minor arterial thoroughfares in the Jefferson Parish Thoroughfare Plan. The Shipyard is also located in close proximity to U.S. Highway 90, which is classified as a major arterial thoroughfare that connects to the Huey P. Long Bridge, a major vehicular roadway and one of the few rail bridges in the country that crosses the Mississippi River (Figure 4).

In summary, the Avondale site is suitable for the AIM district by having the following characteristics:

- At least 75% of the land area in the district was zoned and improved for industrial uses at least 25 years ago; and
- It is at least 200 contiguous acres, has a minimum frontage on the Mississippi River of one mile, and contains or is within 300 feet of an active rail line measured from the property line of the site.

¹Moore, H. GNO, Inc., "JEDCO Celebrate New Ownership of Iconic Avondale Shipyard Site". October 4, 2018. <http://gnoinc.org/news/publications/press-release/gno-inc-jedco-celebrate-new-ownership-of-iconic-avondale-shipyard-site/>

¹ Ibid.

¹ Port NOLA. "Port of New Orleans and New Orleans Public Belt Boards Move Avondale Revitalization Forward". <https://portnola.com/info/news-media/press-releases/port-of-new-orleans-and-new-orleans-public-belt-boards-move-avondale-revitalization-forward-1>

Overlay and uses

The Avondale Shipyard, a prime industrial site, is mostly zoned M-2 Industrial. Per Sec. 40-582, *Permitted Uses*, the M-2 Industrial District allows any use not otherwise prohibited by law, except for:

- Article XXXIV, Unrestricted Rural District U-1R, Sec. 40-642 *Permitted uses*;
- Hazardous, nuclear, or radioactive waste treatment and disposal facilities; and
- Residential uses, except for temporary living quarters for industrial related personnel.

In general, the M-2 base zoning is appropriate for multi-modal logistic hubs because it allows a wide variety of land uses and activities by right; however, additional provisions, suitable for an overlay district, are necessary to:

- Protect industrial uses associated with logistics hub activity from unrelated non-industrial uses allowed in the base zoning district;
- Facilitate land uses related to multi-modal logistics hubs; and
- Clarify development review to provide the Avondale site more certainty in its ability to remain and prosper.

Restrictions on non-industrial uses

Some “manufacturing-aware” communities have applied restrictions on unrelated non-industrial uses. When the City of Baltimore established the MIZOD in 2004, one of the important components of the ordinance was the prohibition of the following land uses:

- Hotels and motels;
- Business and professional offices, other than accessory;
- Planned unit developments;
- Restaurants and lunch rooms, other than accessory without live entertainment or dancing;
- Taverns; and
- Any other use that is not expressly allowed by this article for an industrial district.¹

In the PDR-2 District in San Francisco, the most intense of the four production, distribution, and repair zoning districts does not allow residential, hotels, motels, and other accommodations, and certain retail sales, services, and institutions.¹ In the PDR-2, non-accessory retail and offices uses are limited to a cumulative size limit of either 2,500 or 5,000 square feet, in order to preserve land and building space for industrial activities.¹

The Prime Industrial Overlay Zone in Portland also restricts or limits self-storage,

¹ The City of Baltimore Department of Planning and Baltimore Development Corporation. *Maritime Industrial Zoning Overlay District (MIZOD): Summary & Evaluation* (2009-2010). https://planning.baltimorecity.gov/sites/default/files/MIZODREPORT2010_1.pdf

¹San Francisco (California), The City of. *Planning Code*. Sec. 210.3 PDR districts. [http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$sync=1](http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1)

¹ Ibid.

recreation, entertainment, and parks and open space uses.¹

In Baltimore County, the jurisdiction that regulates Tradepoint Atlantic, a 3,100-acre logistics hub site, commercial uses not typically permitted in industrial districts are limited to no more than 5% of the site area.¹

Similar restrictions should be applied in the proposed AIM district: the following uses are accessory or ancillary limited to 30% of the total site area, and required to meet the same area requirements of the base zoning district:

- Hotels, Motels, or Other Accommodation Services (LBCS Code 1300);
- General Sales or Services (LBCS Code 2000)
- Arts, Entertainment, and Recreation (LBCS Code 5000);
- Education, Public Administration, Health Care, and Other Institutions (LBCS Code 6000); and
- Agriculture, Forestry, Fishing, and Hunting (LBCS Code 9000).

Facilitate land uses related to multi-modal logistics

Most of the permitted uses listed in the M-2 have not been updated since the district was added to the Jefferson Parish Code of Ordinances in the mid-1960s. The M-2 district has some outdated language, such as “All uses not otherwise prohibited by law” that lacks clarity. The list of permitted uses does not reference multi-modal logistics hub-related uses specifically. To facilitate land uses related to multi-modal logistic hubs, the following should be specified as permitted uses by right in the AIM district:

- Logistics cluster or hub and logistics facilities; and
- Establishments, or activities comprised of or engaged in one or more of the following:
 - Manufacturing, production, product finishing, value-added services;
 - Packaging, labeling, assembly, distribution;
 - Freight handling, transshipment, wholesaling, warehousing; or
 - Recycling, repair, marketing, or information technologies.

Exceptions

Two exceptions are principal processing, refining, or bulk storage of flammable or combustible liquids and gaming establishments, M-2 uses that currently require Council approval through the special permitted use (SPU) procedure.

The processing, refining or bulk storage of flammable and combustible liquids, if not managed properly, potentially can have negative impacts on the natural and human environments. Flammable and combustible liquids can impact adjacent or nearby land uses, and uses that deal with products in bulk typically are subject to conditional use, or special permitted use provisions that allow a community to more closely regulate and monitor them. The Jefferson Parish Code of Ordinances includes references to applicable state and federal regulations and operational standards, site criteria, zoning

¹ Portland, (Oregon), The City of. *Title 33, Planning and Zoning (Zoning Code)*. <https://www.portlandoregon.gov/bps/article/685538>

¹ Baltimore (Maryland), The County of. Bill No. 86-15. November 2, 2015. <http://resources.baltimorecountymd.gov/Documents/CountyCouncil/bills/bills%202015/b08615.pdf>

restrictions and required SPU approval, equivalent to conditional use permit (CUP), for this use.

Through the SPU approval process, the Parish Council approves the processing, refining, or bulk storage of flammable and combustible liquids so such use can be accommodated on certain properties and constructed in a manner that promotes compatibility and public health, safety, and the general welfare.

In the AIM district, the processing, refining or bulk storage of flammable and combustible liquids as a principal use, one that comprises 30% or more of the total area of the development site, should remain as a conditional or special permitted use because of its potential impacts.

Logistics hubs may include some accessory processing, refining, or bulk storage of flammable and combustible liquids. Since accessory processing, refining, or bulk storage of flammable and combustible liquids can be essential to manufacturing processing and other value-added services onsite, the AIM district allows it by right if it comprises less than 30% of the development site.

A gaming establishment should be a prohibited use in the AIM district because the use is not industrial in nature nor does it support the purposes of the AIM district.

Clarified development review

Potential developers and tenants take into consideration geographical and operational advantages when selecting a site for logistics hubs.¹ Planning and development regulations are considered operational advantages.¹ Many freight distribution clusters (FDC) are public-private partnerships that have the support of various levels of government.¹ Managed FDCs often have the capability for fast-track construction and operation of freight distribution activities.¹ Custom clearance in the form of a foreign trade zone (FTZ) and flexibility in the types of added service are important attributes a FDC can use to attract potential tenants.¹

Currently, the Port of New Orleans FTZ plays a significant role in the growth and development of the Port, which has more individual sites and warehouses under its jurisdiction than any other U.S. port-administered FTZ.¹ With its relationship with the Port of New Orleans, the Avondale Shipyard site can take advantage of the FTZ. Providing clarification in permitted land uses and development review fits the FTZ mold and supports a logistic hub.

On December 21, 2015, Baltimore County passed Bill 86-15, a text amendment to its

¹ Rodrigue, Dr. Jean-Paul. *The Geography of Transport Systems* (New York: Routledge, 2017) Chapter 11: Applications and Case Studies. Freight Distribution Clusters (Logistic Zones). https://transportgeography.org/?page_id=8133

¹ Ibid.

¹ Ibid.

¹ Ibid.

¹ Ibid.

¹ Port of New Orleans. *Port Nola Forward: A Strategic Master Plan to Exceed the Needs of Tomorrow*. Accessed April 4, 2019. <https://portnola.com/info/master-plan>

Manufacturing Heavy (MH) zone to provide special regulations for certain large industrial tracts.¹ One of the catalysts for the legislation was the development of Tradepoint Atlantic, a 3,100-acre logistic hub located at Sparrows Point (Figure 5). The purposes of the bill included:

- Permitting certain uses on certain large tracts by right or by special exception; and
- Providing streamlined development review for uses permitted by right on certain large tracts of land in the MH zone.

The Avondale Shipyard, a prime industrial site, is mostly zoned M-2 Industrial. The M-2 district has some outdated language, such as “All uses not otherwise prohibited by law” that lacks clarity. Certain uses allowed in the M-2 require Council approval as a SPU. A few other uses reference an “ordinance of no objection” without specifying procedures, another unclear and outdated provision from early editions of the zoning ordinance.

Most uses allowed in the M-2 district are allowed by right. Clarifying the by-right designation of most uses will aid review procedures and provide the Avondale site with greater ease and more certainty in its ability to remain and prosper.

As mentioned previously, the two exceptions are principal processing, refining, or bulk storage of flammable or combustible liquids and gaming establishments, M-2 uses that currently require Council approval through the SPU procedure. Given their potential impacts, principal processing, refining, or bulk storage of flammable or combustible liquids should remain as a conditional use in the AIM district, the equivalent of a SPU, subject to the procedures of Sec. 33-2.24 of the Code. Further, gaming establishments should be prohibited in the AIM district.

Related matters

Development standards of the base zoning district, including height, area, sign, and off-street parking and clear vision area requirements, are appropriate and should apply in the proposed AIM overlay district. As is often the case with overlay districts, the M-2 base zoning district and other provisions of Chapter 33 and 40 of the Code will provide these standards.

CONCLUSION AND STAFF RECOMMENDATION

(for the full Amended Ordinance, see page 16 of this report)

Some communities across the United States are emerging as centers of manufacturing by protecting prime industrial real estate, embracing a more contemporary view of industry, and supporting the development of logistics hubs, especially ones located near or as a part of major ports.

Logistics hubs, clusters, and zones function as transshipment points or linking points for the flow of goods and play an important role in the supply chain of contemporary

¹ Baltimore (Maryland), The County of, Bill No. 86-15, November 2, 2015.
<http://resources.baltimorecountymd.gov/Documents/CountyCouncil/bills/bills%202015/b08615.pdf>

manufacturing.¹ They tend to be industrial in land use, large in size, and located in close proximity to ports, rail and roads. Some manufacturing-aware communities have established special overlay districts and applied other land use controls to support logistics hubs and prime historical industrial sites.

The old Avondale Shipyard site is prime for a value-added logistics hub and exhibits the typical characteristics of one. It has a rich history as an anchor industrial employer and manufacturer for Jefferson Parish, the New Orleans region, and the State of Louisiana, and Jefferson Parish should recognize and promote this legacy. Further, its size, location and access to the Mississippi River, active rail lines, and major roadways, facilitate its revitalization as a multi-modal logistics hub of the future.

The Planning Department recommends the creation of a new overlay zoning district, the AIM district to recognize, protect, and promote the historically productive industrial site commonly known as the Avondale Shipyard by restricting unrelated non-industrial uses, facilitating logistics-related land uses, and clarifying development review procedures.

This recommendation supports the following *Envision Jefferson 2020* goals, objectives, and policies:

- **Goal 4:** Provide suitable and adequate opportunities for commercial and industrial development that is convenient, visually pleasing and environmentally sound.
 - **Objective 4.2:** Provide infrastructure needed to facilitate business expansion and new businesses.
 - **Policy 4.2.1:** Provide for adequate transportation infrastructure to existing and future employment centers.
 - **Policy 4.2.4:** Capitalize on regional port activities connected to the Port of New Orleans, the Millennium Port project, and waterways opportunities in Jefferson Parish, as outlined in the Jefferson EDGE.
 - **Objective 4.3:** Ensure that adequate sites are available for existing business expansion and for business startups.
 - **Policy 4.3.3:** Maintain distinct business districts, including the Harvey Canal Industrial Area, Elmwood, Avondale and the Metairie CBD, within Jefferson Parish as a means of retaining and diversifying the parish's economic base through the development of sub-area plans.
 - **Policy 4.3.4:** Ensure that land development surrounding major employers, including Avondale, Ochsner, East and West Jefferson Medical Centers, and Cytotec Industries, allows for growth and expansion of business activities.
 - **Objective 4.4:** Promote the growth and development of industrial and commercial parks while protecting these areas from encroachment by incompatible adjacent land uses.
 - **Policy 4.4.1:** Ensure that zoning district regulations and development standards for industrial and commercial uses accommodate diverse industrial and commercial development consistent with business needs.

¹ Huber, S. "Consideration of transport logistics hubs in freight transport". European Transport Research Review 7:32. 2015. <https://link.springer.com/article/10.1007/s12544-015-0181-5>

- **Policy 4.4.4:** Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses.
- **Objective 4.5:** Encourage redevelopment and reuse of existing commercial and industrial facilities and sites.
- **Policy 4.5.1:** Provide opportunities for the adaptive re-use of older industrial land through zoning ordinances and flexible land use regulations.

To achieve this recommendation, the Planning Department recommends the following ordinance amendments:

- Create a new overlay zoning district – AIM Avondale Industrial Marine Overlay District – to recognize and protect the historically productive industrial site commonly known as the Avondale Shipyard; promote it as a center of production, distribution, and repair activities; and utilize its size, location, and access to transportation networks by:
 - Restricting unrelated commercial and other non-industrial uses;
 - Facilitating land uses related to a multi-modal valued-added logistics hub; and
 - Clarifying that most land uses are permitted uses by right to facilitate development review and help bring the regional asset back into commerce.
 - (#2, pg. 17).
- Add AIM district to list of overlay zoning districts:
 - In Chapter 33, Sec. 33-3.3.2 (#1, pg. 16); and
 - In Chapter 40, Sec. 40-33 (#3, pg. 18).

AMENDED ORDINANCE

Legend: [added text](#) ~~deleted text~~ moved text

Staff recommends the following ordinance amendments:

1. **Amend Chapter 33 *Unified Development Code*, Sec. 33-3.3.2. *Overlay zoning districts*, to add the *FOD Fairfield Overlay District* and *AIM Avondale Industrial Marine District*, to read as follows:**

* * *

(5) FOD Fairfield Overlay District is an overlay zoning district with boundaries defined in Sec. 33-3.69. *Fairfield Overlay District (FOD)* of this UDC.

(6) AIM Avondale Industrial Marine District is an overlay zoning district with boundaries defined by the ordinance that maps the district.

2. **Amend Chapter 33 *Unified Development Code*, Sec. 33-3.70. *Reserved*, to add the *Avondale Industrial Marine (AIM) District*, to read as follows:**

Sec. 33_3.70. *Reserved*. Avondale Industrial Marine (AIM) 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.

3. **Amend Chapter 40 Zoning, Article II. *District and Land Use Regulations*, Sec. 40-33. *Overlay zoning districts*, to add the *AIM Avondale Industrial Marine District*, to read as follows:**

* * *

(6) AIM Avondale Industrial Marine District is an overlay zoning district with boundaries defined by the ordinance that maps the district.