

DEPARTMENT OF SAFETY AND PERMITS
CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU
MAYOR

JARED E. MUNSTER, PH.D.
DIRECTOR

ZONING INTERPRETATION MEMORANDUM

Memorandum Z-13-03

DATE: August 9, 2013

FROM: Jared E. Munster, Ph.D., Director

TO: RLH Investments, LLC, c/o Justin B. Schmidt, Esq.

RE: Interpretation of Section 7.3.3 of the CZO with Respect to a Cement Batching Plant as a Permitted Use within the LI- Light Industrial Zoning District

Upon your request, Safety and Permits has evaluated whether a cement batching plant falls within those uses which are permitted by right under the provisions of Section 7.3.3 of the Comprehensive Zoning Ordinance (Ord. 4,264 MCS, as amended) (CZO). It is the interpretation of the Director of Safety and Permits that a cement batching plant is permitted by right within an LI, Light Industrial Zoning District.

Section 7.3.3 of the CZO provides a non-exhaustive list of one hundred eleven (111) "Permitted Uses" (those uses which are permitted by right without the need of further governmental approvals beyond permitting), within the LI, Light Industrial Zoning District. In addition to the illustrative list contained therein, Section 7.3.3 states that the following uses are also permitted by right in the LI, Light Industrial Zoning District:

“[t]hose uses and other similar uses contained in the list below including wholesale establishments, service industries, and light industries that manufacture, process, store, and distribute material refined elsewhere, as well as the manufacturing , compounding, processing, packaging or treatment, unless otherwise stipulated, of the products or similar product contained in the list below.”

Of the enumerated Permitted Uses of Section 7.3.3, No. 58 of this list permits “[o]pen storage of building materials, cement or lime in bags or containers, sand, gravel, shell, lumber, structural or reinforcing steel, and the like, storage and sales, but not steel fabrication or junk storage.”

Batching of cement is merely the combining of materials that are clearly permitted to be stored within an LI, Light Industrial Zoning District, coupled with the fact that the inherent properties of cement mandate that these batching plants be in relatively close proximity to their final destination, it is the opinion of the Director of Safety and Permits that a cement batching plant is a Permitted Use within the provisions of Section 7.3.3 of the CZO.

