

On motion of Councilmember Black 1, seconded by Councilmember Branigan, the following ordinance was introduced:

SUMMARY NO. 10,302 ORDINANCE NO. 9414

AN ORDINANCE AMENDING ORDINANCE NO. 2427, ADOPTED BY THE CITY OF KENNER ON DECEMBER 4, 1978, ENTITLED COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF KENNER, LOUISIANA, MORE PARTICULARLY BY AMENDING SECTION 20.07 TO DELETE ANY REFERENCE TO MODULAR HOMES; AMENDING SECTION 3.02 FOR THE PURPOSE OF DEFINING MANUFACTURED AND MODULAR HOMES; AND AMENDING SUBSECTION 6.02(a) BY ADDING NEW SUBSECTION 6.02(a)(1)(a) FOR THE PURPOSE OF PERMITTING MODULAR HOMES IN SINGLE-FAMILY RESIDENTIAL DISTRICTS UNDER THE PROVISIONS OF A CONDITIONAL USE.

WHEREAS, the Comprehensive Zoning Ordinance currently permits modular homes only as a conditional use in zoning districts R2, R1-P, C1-PO, RT-C1-PO and RT-R1-PO; and

WHEREAS, modular home industry has made great strides since the time of the adoption of the Comprehensive Zoning Ordinance, by improving the esthetics and integrity of the modular homes being constructed, while at the same time providing significant savings over housing which is constructed on site; and

WHEREAS, there is no need to limit modular housing to particular zoning districts or to require a conditional use permit because modular housing must meet all requirements of the building, electrical, plumbing and similar codes; and

WHEREAS, the Planning Director of the City has caused a public hearing to be held as required by law for the amendment of the zoning ordinance; and

WHEREAS, public hearing was held by the City of Kenner Planning and Zoning Commission on October 25, 2006 to consider and hear all parties of the interest in connection herewith, and the Kenner Planning and Zoning Commission has submitted its report and recommendations to the Council of the City of Kenner, all in accordance with law.

THE COUNCIL FOR THE CITY OF KENNER HEREBY ORDAINS:

SECTION ONE: That Section 20.07 of the Comprehensive Zoning Ordinance is amended so that the caption reads as follows:

Section 20.07. Special regulations for trailer and mobile home parks and individual sites for mobile ~~and modular~~ homes.

SECTION TWO: That Section 20.07(c) of the Comprehensive Zoning Ordinance is amended to read as follows:

Section 20.07(c) Provisions and regulations for permitting a mobile home ~~or modular unit~~ as a single-family detached residence in R-2 (Two-Family) and Planned Option Zoning Districts including R1-P, C1-PO, RT-C1-PO, and RT-R1-PO Districts on individual lots of record.

SECTION THREE: That Section 20.07(c)(2) of the Comprehensive Zoning Ordinance is amended to read as follows:

Section 20.07(c)(2) *Permitted Use*. The only use allowed under this provision shall be single-family detached residential. All accessory and supplementary regulations as provided and allowed in the Single-Family Zoning District of RR-1 shall apply.

This subsection specifically allows the following to be used as single family detached residences:

- a. Mobile homes (as defined elsewhere herein).
- b. ~~Modular units (as defined elsewhere herein).~~

Travel trailers and motorized homes, as defined elsewhere herein, and similar vehicles shall not be deemed eligible for this use under this provision.

SECTION FOUR: That Section 3.02 of the Comprehensive Zoning Ordinance is amended by adding a new subsection 76(a) to read as follows:

Section 3.02 .76(a) Manufactured home: A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing the seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code.

SECTION FIVE: That Section 3.02.78(a) of the Comprehensive Zoning Ordinance is amended to read as follows:

Section 3.02 .78(a) Modular unit home: A factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees and other prefabricated supplements which are to be incorporated into a structure at the site. A dwelling constructed on-site in accordance with the (state or municipal) code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

SECTION SIX: That Section 6.02(a) of the Comprehensive Zoning Ordinance is amended by adding new subsection 6.02(a)(1)(a) to read as follows:

Section 6.02(a)

(1)(a) Modular Homes. Upon City Council approval, in accordance with the provisions of Article V(A). Conditional Uses and Permitted Procedures.

The following criteria shall be used in determining the merits of the proposal:

1. Modular homes shall only be sold by a licensed seller. The modular home shall be constructed in accordance with the state and municipal code.
2. Modular homes shall be governed by and conform with the respective zoning district regulations as for existing detached single-family dwellings in said district.
3. The modular home shall be compatible with the existing detached single-family dwellings on the street block in terms of

mass and scale.

4. The materials used for the exterior finish shall be similar in texture, color, and materials to detached single-family dwellings on the street block in which the structure is to be located and are applied in such a manner as to make the structure similar in appearance with surrounding residences.
5. The skirting located along the front portion of the structure shall be made of brick or concrete and shall be similar in color to surrounding single-family dwellings.
6. The roofing material used shall be similar in texture, color and appearance to that of surrounding residences.
7. All transportation equipment must be removed from the structure. Placement of the structure shall be on a permanent foundation and properly anchored.

SECTION SEVEN: That the Planning Director for the City of Kenner, Louisiana be and is hereby empowered, authorized and directed to make the necessary and appropriate changes and amendments to Ordinance No. 2427 of the City of Kenner, Louisiana.

SECTION EIGHT: That the Council President be and hereby is empowered, authorized and directed to sign and execute all acts and documents necessary and proper in the premises to give full force and effect to this Ordinance.

SECTION NINE: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed and rescinded, but only insofar as they conflict with the provisions of this Ordinance, and no further.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:	7
NAYS:	0
ABSENT:	0
ABSTAINED:	0

This ordinance was declared adopted on this, the 7th day of December, 2006.


CLERK OF THE COUNCIL


PRESIDENT OF THE COUNCIL


MAYOR

DESIGNATED AREA: Citywide