

MOTION

NO. M-26-272

CITY HALL: July 9, 2026

BY: COUNCILMEMBER MCCARRON

SECONDED BY:

A **MOTION** directing the City Planning Commission to conduct a public hearing to consider amendments to Ordinance No. 4264 M.C.S., as amended, the Comprehensive Zoning Ordinance, to implement, with the certain modifications, the Commission's recommendations of as reported in its *Cannabis, Tobacco, and Nicotine Study*.

WHEREAS, on September 11, 2025, the City Council adopted Motion No. M-25-470, directing the City Planning Commission to conduct a public hearing and prepare a comprehensive study to identify the impacts of retail establishments that sell cannabis, tobacco and nicotine products and to provide recommendations regarding updated regulation of these uses, including, but not limited to, the definition of new uses, use standards, signage regulations, and density restrictions, as applicable; and

WHEREAS, the Council received the Commission's *Cannabis, Tobacco, and Nicotine Study* on May 9, 2026, and now desires to proceed with the implementation of the Commission's recommendations;

NOW, THEREFORE

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to conduct a public hearing to consider amendments to Ordinance No. 4264 M.C.S., as amended, the Comprehensive Zoning Ordinance ("CZO"), to implement changes to use permissions, use standards, and definitions as informed by the Commission's *Cannabis, Tobacco, and Nicotine Study* and as established in this motion.

BE IT FURTHER MOVED, That the City Planning Commission shall consider a use standards requirement prohibiting the operation of a marijuana retailer, tobacco retailer, or smoke shop within 750 feet of any operating school, childcare center, place of worship, public library, public park, or public recreational facility, and within residential and park districts.

BE IT FURTHER MOVED, That the City Planning Commission shall consider a use standards requirement prohibiting the operation of a marijuana retailer or smoke shop within 750 feet of another marijuana retailer or smoke shop.

BE IT FURTHER MOVED, That due to the already extensive and ongoing public engagement conducted for the *Cannabis, Tobacco, and Nicotine Study*, the Neighborhood Participation Plan requirement of the CZO is hereby waived, and the application fee in the amount of \$1,500.00 is hereby waived.

BE IT FURTHER MOVED, That, in accordance with CZO Section 4.2.D.3.C, the Council finds that there is good cause to provide for a period of 120 days for the City Planning Commission to provide its recommendation given the extensive and complex nature of the changes contemplated and the intense public interest in the subject matter of the changes.

BE IT FURTHER MOVED, That in the process of reviewing this amendment, the City Planning Commission staff is directed and granted the flexibility to make all appropriate changes to the proposed regulations and any existing corresponding regulations in the Comprehensive Zoning Ordinance, as amended, to ensure consistency and continuity with the format of the existing zoning code, to add references wherever references are customary, needed or appropriate, to make the appropriate adjustments to clarify any ambiguities or mistakes, and to make adjustments deemed necessary in light of public testimony resulting from this review.

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED
ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

YEAS:

NAYS:

ABSENT:

RECUSED:

AND THE MOTION WAS ADOPTED.