

CITY PLANNING COMMISSION
CITY OF NEW ORLEANS

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EXECUTIVE DIRECTOR

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DEPUTY DIRECTOR

City Planning Commission
Staff Report
Tuesday, March 24, 2026

Zoning Docket 035-26

Prepared by: Mitchell S. Kogan

Date: March 25, 2026

Deadline for CPC action: May 23, 2026

CC Deadline: 60 Days from Receipt

City Council District: C – King III

Applicant: City Council Motion No. M-26-54

Request: Text amendment to amend Article 19 of the Comprehensive Zoning Ordinance to create an interim zoning district called the Behrman Mixed-Use Integrity Interim Zoning District, the intent of which is to temporarily prohibit the use of multi-family dwellings within the S-MU Suburban Neighborhood Mixed-Use District and the MU-1 Medium Intensity Mixed-Use District, bounded by Wall Boulevard, Holiday Drive, and General De Gaulle Drive, that do not incorporate non-residential uses occupying at least 50% of the ground-floor area until the CPC has considered the implementation of an overlay zoning district that ensures any proposed developments within the affected area align with the mixed-use goal of those districts.

Property Description: As described in the motion, the application affects properties within the S-MU Suburban Neighborhood Mixed-Use District and the MU-1 Medium Intensity Mixed-Use District, bounded by Wall Boulevard, Holiday Drive, and General De Gaulle Drive. They are as follows:

- 3010 Sandra Drive
- 2000 Cypress Acres Drive
- 44 Westpark Drive
- 2200 Westbend Parkway
- 2646 Westbend Parkway
- 9999 Cypress Acres Drive

Description

Zoning Docket 035/26 is a proposed text amendment of Article 19 of the Comprehensive Zoning Ordinance to create Interim Zoning District that would pause the existing allowances for purely multi-family development in the affected S-MU and MU-1 Districts. The Interim Zoning District is to act as a temporary measure that would be in effect while the City Planning Commission and City Council considers creating a new overlay district to be named the “Behrman Mixed-Use Integrity Overlay District”. The Behrman Mixed-Use Overlay District would restrict properties in the above-referenced mixed-use districts to no longer allow a structure to be occupied with solely a multi-family dwelling. Instead, the proposed IZD and subsequent overlay district would affect properties by requiring commercial use of at least 50% occupancy on the first floor in addition to the multi-family, which would provide the mixed-use structures that have not been lacking in the area. The Interim Zoning District would serve as a temporary measure until the final “Behrman Mixed-Use Overlay District” is adopted by City Council.

Reason for Commission Review

The establishment of an interim zoning district constitutes an amendment of the text of the Comprehensive Zoning Ordinance. The City Planning Commission is required to make a recommendation on all amendments to the text of the Comprehensive Zoning Ordinance prior to City Council action, in accordance with Article 4, Section 4.2.D.3 Action by City Planning Commission of the Comprehensive Zoning Ordinance. In making their recommendation and decision, the City Planning Commission and the City Council are to consider the standards in Article 4, Section 4.2.E (Table 4-1: Standards for Zoning Amendments) which are addressed in this report.

Analysis

Reason for Interim Zoning District

City Council Motion M-25-54 was written with the intent to pause the future development of multi-family dwellings until the Behrman Mixed-Use Overlay District has been implemented. The purpose of both the Interim Zoning District and the overlay is to ensure that future construction and substantial renovations uphold the established goals and vision of the existing mixed-use zoning on these properties. In essence, the motion seeks to prevent additional stand-alone residential developments and instead require that any new multi-family use incorporate a non-residential component, with at least 50 percent of the first floor dedicated to commercial activity. This approach is intended to reinforce the mixed-use character of the corridor and ensure that future development contributes to a more balanced and sustainable area that allows for future housing, but also adds commercial uses to support existing and new residences in the area.

Area(s) affected

The proposed interim zoning district would affect the following properties:

- 3010 Sandra Drive
- 2000 Cypress Acres Drive
- 44 Westpark Drive

- 2200 Westbend Parkway
- 2646 Westbend Parkway
- 9999 Cypress Acres Drive

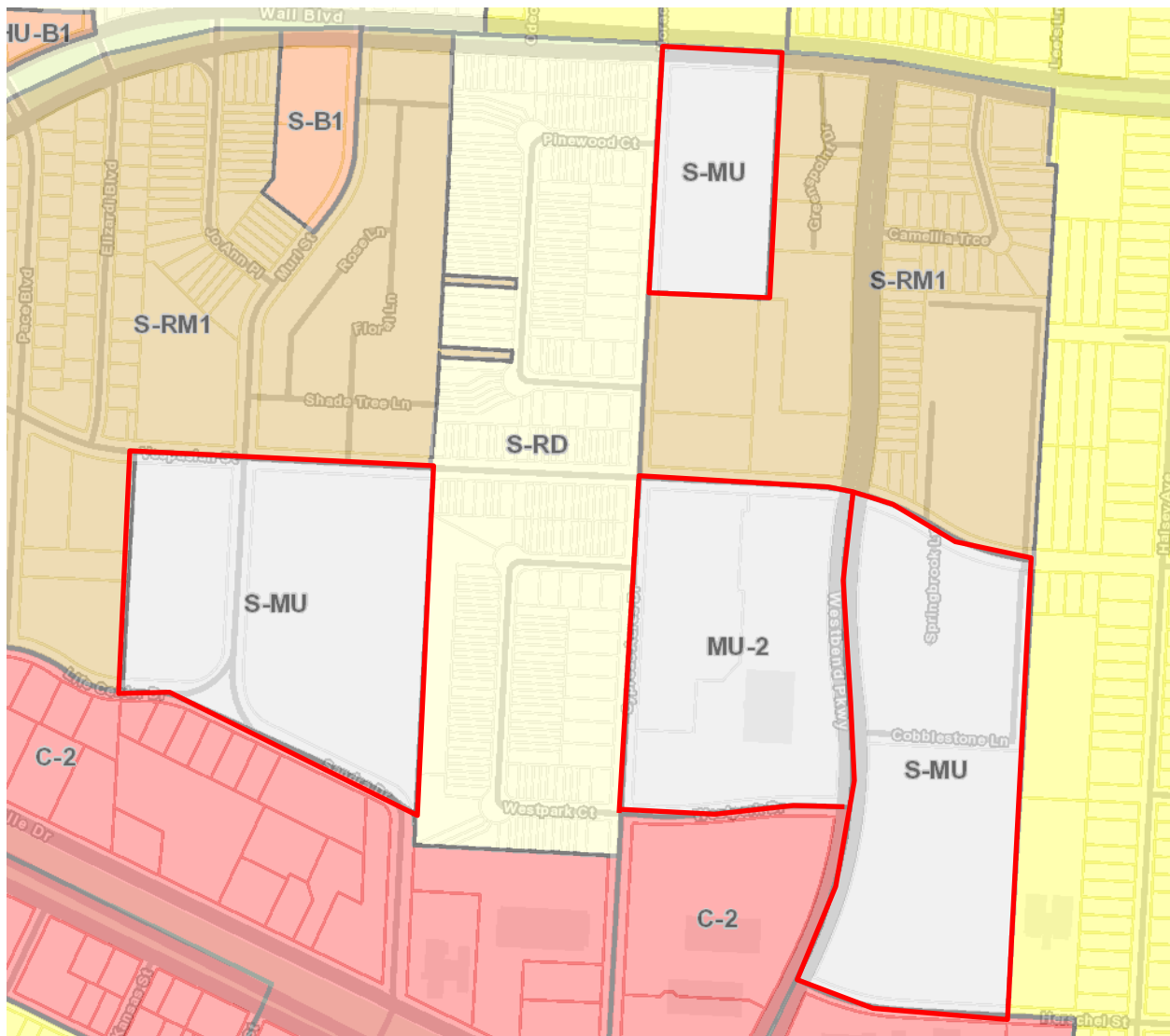


Figure 1. Proposed Boundary (Map View)

Existing Regulations and Changes Proposed by Applicant

Existing regulations

The Comprehensive Zoning Ordinance speaks to the overall intent of the existing zoning designations for the affected properties of the Interim Zoning District as well as the Overlay District. Per Section 14.1.H, “The S-MU Suburban Neighborhood Mixed-Use District is intended for areas of multi-family residential development to be developed as mixed-use areas, with ground floor neighbor-serving commercial uses and residential uses above. This district also allows higher residential densities when a project is providing

significant public benefits such as long-term affordable housing. Commercial uses that primarily serve nearby residential surroundings are encouraged.” Per Section 15.1.D, “The MU-1 Medium Intensity Mixed-Use District is intended to encourage walkable neighborhood centers and corridors, with a mix of residential and commercial uses. Buildings may contain vertical mixed-use as well as single purpose uses designed to provide transitions to adjacent lower density residential areas.” While mixed-use development is highly specified and encouraged in both zoning districts, the districts do not require individual developments to be mixed use. New development can be solely residential or solely commercial. The Council motion identifies this as a flaw and seeks to rectify it by requiring new multi-family residential development to have a substantial non-residential component.

Regulations proposed by the Council motion

The Council motion for the Interim Zoning District proposes to halt any further development of multi-family dwellings *without* an associated commercial use of at least 50% of the first floor in order to promote the overall intent of the mixed-use zoning designation.

Evaluation of approval standards

The City Planning Commission recommendation and the City Council decision on any zoning text amendment are matters of legislative discretion. In making their recommendation and decision, the City Planning Commission and the City Council are required to consider the standards in **Table 4-1: Standards for Zoning Amendments** of the Comprehensive Zoning Ordinance. In this section, the staff evaluates the application using those standards.

The proposed amendment is compatible with the Master Plan and Future Land Use Map.

This standard is met. The Home Rule Charter of the City of New Orleans requires all land use actions to be consistent with the Master Plan. A land use action is consistent with the Master Plan if it furthers, or at least does not interfere with, the goals, policies, and guidelines in the Chapter 13: Land Use Plan of the Master Plan and is compatible with the uses, densities, and intensities of the designation of its site on the future land use map. “Chapter 13: Land Use Plan” of the Master Plan designates on the Future Land Use Map (FLUM) of the petitioned site as “Mixed Use Medium Density” and a “Business Center.” The goal, range of uses, and development character for both designations are copied below:

MIXED-USE MEDIUM DENSITY

Goal: Create medium-density neighborhood centers to enhance walkability and serve as focal points within neighborhoods. Proximity to transit encouraged.

Range of Uses: Medium-density single-family, two-family and multifamily residential and commercial uses. Limited light industrial uses (small food manufacturers, craft and value added industry and passive warehousing and storage) may be allowed in some areas. Agricultural, stormwater management, and supporting public recreational and community facilities are allowed. Transit and transportation facilities are allowed.

Development Character: Height, mass and density of new development varied to ensure proper transitions to surrounding lower density residential neighborhoods. Many structures will feature ground floor retail with residences on upper floors. Allow the adaptive reuse of historic non-

residential structures with densities higher than the surrounding neighborhood through the planned development process. Allow higher residential densities when a project is providing significant public benefits such as long-term affordable housing. Incorporate risk reduction and adaptation strategies in the built environment.

BUSINESS CENTER

Goal: Provide areas to serve as regional employment centers outside of the Central Business District.

Range of Uses: Professional office and/or light industrial parks (warehouse, distribution and storage centers). Large retail centers are not permitted but supportive retail and services are allowed. Transit and transportation facilities, agricultural, and stormwater management uses are allowed.

Development Character: Structures often in “business park” settings, typically with surface parking. Landscaping and buffers required, particularly when proximate to residential areas. Incorporate risk reduction and adaptation strategies in the built environment.

These future land use map (FLUM) classifications are at the core of staff’s analysis. Any zoning ordinance that affects this site, be it a base zoning district or overlay district, must be consistent with the FLUM classification. To be consistent, it must further or not interfere with the classification’s development goals. The staff finds the Interim Zoning District to be consistent with the FLUM classifications because both FLUM classifications allow commercial development. The proposed requirement that there be a commercial or other non-residential component as part of a multi-family residential development does not interfere with the FLUM’s allowances for commercial development.

The proposed amendment is compatible with the place designations of this Ordinance.

This standard is met. The Interim Zoning District would not alter the place designation of the zoning district(s).

The proposed amendment promotes the public health, safety and welfare of the City.

This standard is met. By establishing a requirement to have mixed-uses in lieu of exclusively multi-family developments, existing and future residents could potentially have access to more commercial establishments that could promote future infrastructure such as grocery stores, medical clinics, etc.

The proposed amendment is compatible with the intent and general regulations of this Ordinance.

This standard is met. The City Council motion for the IZD and companion overlay district is written with the intent to require mixed-uses in zoning districts where said uses are the overall goal.

The proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

This standard is met. The Interim Zoning District reflects a change in policy to require mixed-use development in a mixed-use district, rather than simply allowing it.

The proposed amendment benefits the citizens of the City as a whole.

This standard is met. As previously stated, the Council proposed this amendment as a mechanism to promote mixed-use development within an area that has historically been exclusively multi-family. This would be consistent with the intent of the Master Plan's Future Land Use Map, which was developed to benefit the city as a whole.

The proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Master Plan.

This standard is met. The Ordinance and Master Plan specifically call out mixed-uses in order to create more established and self-sufficient neighborhoods to create an environment where residents can live, work, and play. With mixed-uses being established, the ability to in-turn create more diverse housing and more commercial establishments could lead to higher economic growth due in part to the neighborhood being more attractive to prospective residents and business owners.

The proposed amendment does not create a significant number of nonconformities.

The standard is met. This overlay district would not create non-conformities as it allows current land uses to continue.

Staff Recommendation

Staff recommend **APPROVAL** of Zoning Docket 035/26.

City Planning Commission Meeting (March 24, 2026)

The staff summarized the proposed IZD and presented its recommendation for approval. Commissioner Flick made a motion to approve the request, with a second by Commissioner Kepper.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 035/26 IS HEREBY RECOMMENDED FOR APPROVAL. BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

YEAS: Witry, Poche, Kepper, Joshi-Gupta, Flick, Jordan
NAYS: N/A
ABSENT: Steeg

MOTION
NO. M-26-54

CITY HALL: January 27, 2026

BY: COUNCILMEMBER KING

SECONDED BY:

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 an amendment to Article 19 of the Comprehensive Zoning Ordinance (Ordinance No. 4,264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to establish a new Interim Zoning District to be named the *Behrman Mixed-Use Integrity Interim Zoning District* (“IZD”), the intent of which is to temporarily prohibit the use of Multi-Family Dwellings within the S-MU Suburban Neighborhood Mixed-Use District and the MU-1 Medium Intensity Mixed-Use District, bounded by Wall Boulevard, Holiday Drive, and General De Gaulle Drive, that do not incorporate non-residential uses occupying at least 50% of the ground-floor area until the CPC has considered the implementation of an overlay zoning district that ensures any proposed developments within the affected area align with the mixed-use goal of those districts.

BE IT FURTHER MOVED, That this IZD shall be in effect for a period of one year and may be extended as provided in Section 3-126 of the City Charter.

BE IT FURTHER MOVED, That, in accordance with Article 19, Section 19.3.C.5 of the CZO, all appropriate agencies of the City shall neither accept any new application for a license or permit, nor issue any license or permit that conflicts with the intent and provisions of this IZD for any applicable property while this IZD is in effect.

BE IT FURTHER MOVED, That appeals of this IZD shall be made to the Executive Director of the City Planning Commission. Every application for appeal shall be made on forms provided by the City and shall be accompanied by the payment of a filing fee in the amount of \$750.00. Every application shall also include a written statement explaining why the appellant should be exempted from the prohibition imposed by this IZD. The Executive Director shall not accept any appeal application that is not submitted and completed on the forms provided by the City or does not include complete payment of the filing fee. The Executive Director or his or her staff shall review the accepted appeal application and shall make a recommendation to the Council of approval, modified approval, or denial based on the following standards:

1. Is the use requested in the appeal compatible with the surrounding land uses and structures?

2. Does the use requested in the appeal provide for an efficient use of land?
3. Will granting the requested appeal increase traffic and safety hazards?
4. Does the requested appeal provide for an efficient parking layout?
5. Will the requested appeal increase community environmental impacts?
6. Does the appellant show past use that is consistent with all applicable zoning regulatory provisions, as found in the Comprehensive Zoning Ordinance and the City Code?
7. Does the proposed development incorporate ground-floor commercial uses consistent with the mixed-use district's purpose, as outlined in the CZO?

In conducting this review, the Executive Director may request that the applicant provide additional information, beyond that required by the official appeal application forms, as is necessary for the Executive Director to provide a recommendation. The Executive Director shall transmit the recommendation to the City Council within 60 days of receipt of the completed application to appeal and payment of the filing fee. The Council shall have 60 days from receipt of the Executive Director's recommendation to act by motion directing the drafting of an ordinance to grant the appeal (with or without modifications) or to deny the appeal. If the Council fails to act within 60 days from receipt of the recommendation, the appeal shall be deemed to be denied.

BE IT FURTHER MOVED, That the requirement to conduct a Neighborhood Participation Program pursuant to Comprehensive Zoning Ordinance Section 4.2.D.1 is hereby waived to expedite the review and implementation of this Interim Zoning District pending the City Planning Commission's consideration of a corresponding text amendment to the CZO.

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 establish 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.