

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: March 26, 2026

CALENDAR NO. 35,392

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MCCARRON

AN ORDINANCE to grant an amendment to Ordinance No. 27,971 MCS (Zoning Docket 126/18) to permit the expansion of a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 445, Lots D and E, in the Second Municipal District, bounded by Orleans Avenue, North Rendon Street, Hagan Avenue, and Saint Ann Street (Municipal Address: 3201 Orleans Avenue); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 3/26 was initiated by 3201 Orleans Ave., LLC and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended approval of the requested amendment in its report to the City Council dated February 23, 2026, presented in **Zoning Docket Number 3/26**; and

WHEREAS, the changes were deemed necessary and in the best interest of the City of New Orleans and the request was approved by the City Council, subject to two (2) waivers and nine (9) provisos, as stated in Motion Number M-26-100 of the Council of the City of New Orleans on March 12, 2026.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS,** That Ordinance No. 27,971 MCS (Zoning Docket 126/18) to permit the expansion of a
3 neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential
4 District, on Square 445, Lots D and E, in the Second Municipal District, bounded by Orleans Avenue,

5 North Rendon Street, Hagan Avenue, and Saint Ann Street (Municipal Address: 3201 Orleans
6 Avenue); is hereby amended, authorized and approved, subject to the following waivers and provisos,
7 as specifically set forth herein:

8 **WAIVERS:**

- 9 1. The developer shall be granted a waiver of **Section 20.3.NN.3**, which limits commercial use
10 to the structure’s ground floor and limits commercial use to 3,000 square feet, to permit
11 commercial use of both floors and to permit over 3,000 square feet of commercial space.
- 12 2. The developer shall be granted a waiver of **Section 20.3.NN.5**, which limits commercial use
13 to the existing building footprint and intensity, to allow the commercial use of the recently-
14 constructed addition.

15 **PROVISOS:**

- 16 1. The Department of Safety and Permits shall issue no building permits or licenses for this
17 project until final development plans are approved by the City Planning Commission and
18 recorded with the Office of Conveyances. Failure to complete the conditional use process by
19 properly recording plans within a one-year time period or failure to request an administrative
20 extension as provided for in **Article 4, Section 4.3.H.2** of the Comprehensive Zoning
21 Ordinance will void the conditional use approval.
- 22 2. The developer shall consolidate the lots associated with the site into a single lot of record
23 through the City Planning Commission. The developer shall submit a complete application for
24 the resubdivision prior to City Planning Commission staff sign-off on final plans. The approved
25 subdivision shall be recorded with the Office of Conveyances prior to the issuance of a
26 Certificate of Occupancy by the Department of Safety and Permits.
- 27 3. If required, the developer shall obtain a Certificate of Review for the modification to the
28 structure from the Historic District Landmarks Commission.

- 29 4. The plans submitted to the City Planning Commission for final approval shall indicate the type,
30 locations, and height of any and all exterior lighting. Any proposed exterior lighting shall
31 comply with standards of **Article 21, Section 21.5** of the Comprehensive Zoning Ordinance.
- 32 5. The developer shall obtain permits for any proposed signage and proposed signs shall be in
33 compliance with the regulations of Article 24 of the Comprehensive Zoning Ordinance.
- 34 6. The developer shall remove the existing non-conforming sign in the Orleans Avenue public
35 right-of-way as per **Article 25, Section 25.6** of the Comprehensive Zoning Ordinance.
- 36 7. In accordance with **Article 23, Section 23.13.C.1** of the Comprehensive Zoning Ordinance,
37 the plans submitted to the City Planning Commission for final approval shall indicate the
38 location of the trash receptacle which may be within an enclosed structure or screened by a
39 seven foot (7') opaque fence with latching gates. At no time, excepting trash collection days,
40 shall trash be stored as to be visible from the public rights-of-way.
- 41 8. The developer shall obtain a lease of servitude from the Department of Property Management's
42 Division of Real Estate and Records for all encroachments into a public right-of-way adjacent
43 to the site.
- 44 9. The developer shall comply with the applicable standards of **Article 20, Section 20.3.NN**:
- 45 a. The existing structure is non-residential in its construction and original use.
- 46 b. The existing structure and the proposed use shall be pedestrian-oriented in design,
47 including public entrances oriented to the street and storefront windows along the first
48 floor.
- 49 c. The following uses are permitted within a neighborhood commercial establishment:
- 50 i. Art Gallery
- 51 ii. Arts Studio
- 52 iii. Day Care Center, Adult or Child
- 53 iv. Office

- 54 v. Personal Services Establishment
- 55 vi. Restaurant, Specialty
- 56 vii. Retail Goods Establishment
- 57 d. The principal entrance shall be a direct entry from the street the property abuts.
- 58 e. No off-street parking is required.
- 59 f. Drive-through facilities are prohibited.
- 60 g. Outside storage or display is prohibited. All business, servicing, processing, and
- 61 storage operations shall be located within the structure.
- 62 h. Any signs are subject to the requirements of the HU-B1A District.
- 63 i. Hours of operation are limited to 6am through 10pm.

1 **SECTION 2.** Whoever does anything prohibited by this Ordinance or fails to do anything
2 required to be done by this Ordinance shall be subject to whatever civil liabilities, penalties, or
3 remedies the law prescribes.

1 **SECTION 3.** This Ordinance shall have the legal force and effect of authorizing this
2 conditional use after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation have
3 been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1, which impose a
4 continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a continuing or ongoing
5 obligation is based on the City Planning Commission’s approval of the final site plan, which shall be
6 submitted within one year of adoption of this Ordinance by the City Council, unless extended as
7 authorized by the Comprehensive Zoning Ordinance. The Executive Director of the City Planning
8 Commission shall verify that the development plan incorporate all conditions set forth in this
9 Ordinance and shall sign the plan to indicate final plan approval. The final approved plan shall be
10 recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans, within 30 days of
11 the date of final approval, and evidence of such recordation shall be submitted to the City Planning
12 Commission. No use or occupancy certificates or permits, other than the building permits needed to

13 fulfill the proviso(s), shall be issued until the final approved plan is recorded and evidence of
14 recordation is submitted to the City Planning Commission. If the development plan is not approved
15 and recorded, within the timeframes provided in the Comprehensive Zoning Ordinance, then this
16 Ordinance shall be null and void with no legal force or binding effect. Furthermore, if the requirements
17 of Section 4.3.H.1 of the Comprehensive Zoning Ordinance are not satisfied within the timeframe
18 allotted by Sections 4.3.H.1 and 4.3.H.2 of the Comprehensive Zoning Ordinance, the conditional use
19 will expire, and this Ordinance will be null and void. The preceding deadlines may be extended via
20 motion in accordance with the Comprehensive Zoning Ordinance.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED:

MOTION
NO. M-26-100

CITY HALL: March 12, 2026

BY: COUNCILMEMBER MCCARRON

SECONDED BY: COUNCILMEMBER HUGHES

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission's report and **favorable recommendation**, subject to two waivers and nine provisos, for **ZONING DOCKET 03/26 – 3201 Orleans Ave., LLC**, requesting an amendment of Ordinance No. 27,971 MCS (Zoning Docket 126/18) to permit the expansion of a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 445, Lots D and E, in the Second Municipal District, bounded by Orleans Avenue, North Rendon Street, Hagan Avenue, and Saint Ann Street (Municipal Address: **3201 Orleans Avenue**), is approved and the request is **granted**, subject to the two waivers and nine provisos contained within the City Planning staff report.

BE IT FURTHER MOVED, That the Clerk of Council shall forward copies of this motion and the report of the City Planning Commission to the Law Department, which is directed to prepare an ordinance to effectuate this motion and is granted the flexibility to make any changes necessary to achieve the will of the Council as set forth in this motion.

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

YEAS: Green, Harris, Hughes, King, McCarron, Morrell, Willard - 7

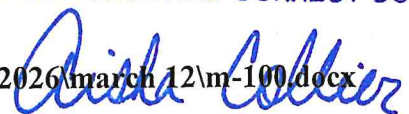
NAYS: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION WAS ADOPTED.

**THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY**



CLERK OF COUNCIL

h:\clerk_of_council\docs\joycelyn\council\motions-resolutions\2026\march 12\m-100.docx