

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: April 9, 2026

CALENDAR NO. 35,417

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to establish a conditional use to permit a Community Center in an HU-RM1 Historic Urban Multi-Family Residential District, on Square 303, Lot 1, in the Fourth Municipal District, bounded by Third Street, Simon Bolivar Avenue, South Saratoga Street, and Fourth Street (Municipal Addresses: 2134-2138 Third Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 16/26 was initiated by Third Rose of Sharon Baptist Church 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 conditional use in its report to the City Council dated March 9, 2026, presented in **Zoning Docket Number 16/26**; 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 four (4) waivers and one (1) proviso, as stated in Motion Number M-26-136 of the Council of the City of New Orleans on March 26, 2026.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That
a conditional use to permit a Community Center in an HU-RM1 Historic Urban Multi-Family Residential District, on Square 303, Lot 1, in the Fourth Municipal District, bounded by Third Street, Simon Bolivar Avenue, South Saratoga Street, and Fourth Street (Municipal Addresses: 2134-2138 Third Street); is hereby authorized and approved, subject to the following waivers and proviso, as specifically set forth herein:

WAIVERS:

1. The developer shall be granted a waiver of **Article 11, Section 11.3.A.1 Table 11-2A** of the Comprehensive Zoning Ordinance, which requires a 5' interior yard setback, to permit a 2' 11" setback.

2. The developer shall be granted a waiver of **Article 11, Section 11.3.A.1 Table 11-2A** of the Comprehensive Zoning Ordinance, which requires a 10' corner yard setback, to permit a 5' 1-1/4" setback.

3. The developer shall be granted a waiver of **Article 11, Section 11.3.A.1 Table 11-2A** of the Comprehensive Zoning Ordinance, which requires a 10,000 square foot minimum lot area, to permit a 3,842 sf lot area.

4. The developer shall be granted a waiver of **Article 11, Section 11.3.A.1 Table 11-2A** of the Comprehensive Zoning Ordinance, which requires a 50' minimum lot width, to permit a 30' lot width.

PROVISO:

1. The plans submitted to the City Planning Commission for final approval shall indicate the installation of at least 7 bicycle spaces, as set forth in **Article 22, Section 22.5.E** of the Comprehensive Zoning Ordinance.

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

SECTION 3. This Ordinance shall have the legal force and effect of authorizing this conditional use after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation have been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1, which impose a continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a continuing or ongoing obligation is based on the City Planning Commission's approval of the final site plan, which shall be submitted within one year of adoption of this Ordinance by the City Council, unless extended as authorized by the Comprehensive Zoning Ordinance. The Executive Director of the City Planning Commission shall verify that the development plan incorporate all conditions set forth in this Ordinance and shall sign the plan to indicate final plan approval. The final approved plan shall be recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans, within 30 days of the date of final approval, and evidence of such recordation shall be submitted to the City Planning

11 Commission. No use or occupancy certificates or permits, other than the building permits needed to fulfill the
12 proviso(s), shall be issued until the final approved plan is recorded and evidence of recordation is submitted to
13 the City Planning Commission. If the development plan is not approved and recorded, within the timeframes
14 provided in the Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal
15 force or binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive Zoning
16 Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the Comprehensive
17 Zoning Ordinance, the conditional use will expire, and this Ordinance will be null and void. The preceding
18 deadlines may be extended via 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-26-136

CITY HALL: March 26, 2026

BY: COUNCILMEMBER HARRIS

SECONDED BY: COUNCILMEMBER MORRELL

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the City Planning Commission's report and recommendation of **approval, subject to four waivers and one proviso**, related to **ZONING DOCKET 16/26**, initiated by Third Rose of Sharon Baptist Church, requesting consideration of a conditional use to permit a Community Center in an HU-MU Historic Urban Neighborhood Mixed-Use District, for Square 303, Lot 1, in the Fourth Municipal District, bounded by Third Street, Simon Bolivar Avenue, South Saratoga Street, and Fourth Street (**Municipal Addresses: 2134-2138 Third Street**), is hereby received and the request is **APPROVED** as recommended by the City Planning Commission.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that the Clerk of Council shall forward copies of this motion to the Law Department, which is directed to prepare an ordinance to effectuate this motion and is granted 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, King, Morrell, Willard - 5

NAYS: 0

ABSENT: Hughes, McCarron - 2

RECUSED: 0

AND THE MOTION WAS ADOPTED

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



CLERK OF COUNCIL