

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.