

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: February 12, 2026**

**CALENDAR NO. 35,338**

**NO. \_\_\_\_\_ MAYOR COUNCIL SERIES**

**BY: COUNCILMEMBER MCCARRON**

**AN ORDINANCE** to amend and reordain Articles 3, 4 and 19 of the Comprehensive Zoning Ordinance (Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to streamline administrative processes; clarify unclear provisions; codify evolving practices; and otherwise to provide thereto.

**WHEREAS, Zoning Docket Number 49/25** was initiated by Council Motion M-25-380 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 a text amendment in its report to the City Council dated November 12, 2025, presented in **Zoning Docket Number 49/25**; and

**WHEREAS,** the recommendation of the City Planning Commission was approved with modifications, and the changes were deemed necessary and in the best interests of the City of New Orleans and were granted approval, as stated in Motion Number M-25-662 of the Council of the City of New Orleans on January 8, 2026.

1           **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**  
2           **ORDAINS,** That Article 3 of the Comprehensive Zoning Ordinance (Ordinance No. 4624 M.C.S.,  
3 as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) be, and hereby is  
4 amended and reordained to read as follows:

5 **“ARTICLE 3. ADMINISTRATIVE PROCEDURES**

6 \* \* \*

7 **3.2 APPLICATION**

8 \* \* \*

9 **3.2.E. RESUBMITTAL OF DENIED APPLICATIONS**

10 1. An application for a zoning text or map amendment, conditional use, planned development,  
11 variance, or zoning appeal that has been denied will not be reviewed or heard within two  
12 (2) years of the date of denial unless substantial new evidence is available or a significant  
13 mistake of law or of fact affected the prior denial. The official charged with receiving  
14 applications in Table 3-1 shall decide whether the subsequent application is appropriate for  
15 resubmittal before expiration of the two (2) year wait requirement.

16 \* \* \*

17 **3.5 NEIGHBORHOOD PARTICIPATION PLAN**

18 **3.5.A. PURPOSE**

19 Pursuant to Sec. 5-411 of the City Charter, the Neighborhood Participation Plan (NPP) is intended  
20 to provide timely initial notification to a neighborhood of any proposed land use action affecting  
21 the neighborhood and provide the opportunity for meaningful neighborhood review of and  
22 comment on such proposals.

23 **3.5.B. APPLICABILITY**

24 NPPs are required for the following types of applications:

- 25 1. Zoning Text and Map Amendments
- 26 2. Conditional Uses
- 27 3. Planned Developments

28 4. Variances (except variances for single- and two-family dwelling units)

29 5. Major Subdivisions

30 NPPs are also required for changes to the Master Plan. These Master Plan NPPs shall be facilitated  
31 by the City Planning Commission staff and are not subject to the procedural rules of this Section.

32 **3.5.C. NPP PROCEDURE**

33 1. Applicants begin the NPP process by applying with the CPC staff, who will provide a list  
34 of required parties to be noticed as well as a Neighborhood Participation Program Guide.

35 2. Applicants must provide CPC staff with a copy of the NPP meeting notice. CPC staff will  
36 ensure that the NPP meeting notice is sent through the City's electronic verification system  
37 to interested parties. The failure of CPC to publish notice through the City's electronic  
38 verification system or the unavailability of the electronic verification system shall not be  
39 grounds for deeming a NPP to be insufficient.

40 3. Applicants must send the required notice to all parties listed by CPC staff. Proof of actual  
41 delivery is not required. For notice sent through the U.S. mail, an attestation of mailing  
42 alongside a copy of the notice is sufficient. For notice sent through e-mail, a copy of the  
43 email including addresses the email was sent to with the notice embedded in the body or  
44 attached as a pdf is sufficient.

45 4. Applicants must hold the required NPP meeting at the date, time, and location included in  
46 the notice, and must keep the necessary records for submission of the NPP Report. If the  
47 NPP meeting is rescheduled, notice of the rescheduling must be sent by the same means as  
48 the original notice and CPC staff must be notified by email.

49 5. Applicants must submit the NPP Report as part of their application for the types of  
50 applications set forth in 3.5.B. This application will not be considered complete until a  
51 satisfactory NPP Report has been received by CPC staff.

52 6. Applicants must provide CPC staff with notice of the date, time, and location of NPP  
53 meetings. CPC staff shall maintain a publicly available list of all NPP meetings.

54 **3.5.D. PARTIES TO RECEIVE NOTICE**

55 1. Applications affecting up to one city square or its equivalent must provide notice to all  
56 properties within a 300' radius for properties up to 25,000 square feet in area and a 600'  
57 for properties that are 25,000+ square feet of the relevant property, as well as to any  
58 neighborhood associations registered with the city representing the area encompassing the  
59 city square. CPC staff will, upon request, provide a list of these properties as well as  
60 relevant neighborhood associations and their designated contact information. Notice to  
61 neighboring properties must be sent by U.S. Mail or hand-delivered, while notice to  
62 neighborhood associations registered with the city may be sent by e-mail. Notice to other  
63 interested parties may be sent through the City's electronic notification system.

64 2. Applications affecting more than one city square or its equivalent must provide notice to  
65 all neighborhood associations registered with the city by e-mail. Other interested parties  
66 may receive notice through the City's electronic notification system.

67 **3.5.E. CONTENTS OF REQUIRED NOTICE**

68 Notice of the NPP must include the following information, at a minimum:

69 1. The date, time, and location of a meeting to be held to receive review and comment on the  
70 proposal. NPPs affecting more than one city square or its equivalent may hold their meeting  
71 virtually, through a commercially accepted virtual meeting service, such as Zoom, Teams,

72 or WebEx. Virtual meetings must have the option for participants to call in without  
73 requiring video services. The meeting must be held within 14-30 days of mailing or  
74 emailing of the required notice.

75 2. A brief description of the proposal:

76 a. Map amendment applications shall include the type of land use request, the name  
77 of the existing and proposed zoning district, and the article of the Comprehensive  
78 Zoning Ordinance for the proposed zoning district. Map amendment applications  
79 shall also include an outlined area map.

80 b. Text amendment applications shall include the citation and existing language of the  
81 Comprehensive Zoning Ordinance, if applicable, the proposed changes or additions  
82 to the language of the Comprehensive Zoning Ordinance and which zoning  
83 district(s) the amendment would affect, or a statement that the changes would be  
84 effective citywide.

85 c. Conditional use applications shall include a brief description of the proposal,  
86 including the type of land use request, and known needed variances.

87 d. Planned development applications shall include a brief description of the proposal,  
88 including known needed variances.

89 e. Variance applications shall include a brief description of the proposal, including  
90 known needed variances.

91 f. Major subdivision applications shall include a description of how the lots are being  
92 subdivided (ex: Resubdivision of Lot(s) x into Lot(s) y).

93 g. All parties should recognize that the proposal may change as part of the usual  
94 review process and that failure to notice every possible permutation of the proposal  
95 shall not render the NPP insufficient.

96 3. Contact information for the applicants, including at a minimum a telephone number and  
97 email address, so that parties who may not attend the NPP meeting due to time constraints  
98 can participate in the process.

99 **3.5.F. NPP MEETING**

100 1. NPP meetings must be held in accessible public locations at reasonable times and should  
101 be sufficiently large to accommodate all attendees with seating. These meetings should be  
102 held in locations which are not susceptible to weather or climate concerns, generally  
103 temperate, and should generally allow for robust participation by neighbors of varying  
104 abilities and schedules.

105 2. Virtual NPP meetings may require pre-registration to facilitate a “webinar” style  
106 presentation with the ability to mute participants, provided that there is a dedicated period  
107 of time for participants to provide comment with the technical ability for them to do so.

108 3. Meetings may end at a specified time, even if all participants have not yet had a chance to  
109 speak, provided that there is at least 30 minutes provided for public comment and that the  
110 set end time is included in the notice for the NPP.

111 4. The Executive Director of the City Planning Commission shall promulgate rules setting  
112 forth what materials should be provided as part of the NPP Meeting and what information  
113 should be presented.

114 **3.5.G. NPP REPORT**

115 The applicant shall submit a NPP Report with the application. The report shall provide the  
116 following information:

- 117 1. The names of the individuals and entities that were notified.
- 118 2. A summary of the information that was presented.
- 119 3. A list of the concerns, issues, and problems expressed by the participants.
- 120 4. A statement as to how each concern, issue, and problem is addressed and how the applicant  
121 intends to continue to address them. If the concern, issue, or problem is not being  
122 addressed, the applicant should state the reasons.
- 123 5. Copies of emails, letters, communications affidavits, meeting invitations, newsletters,  
124 publications, and petitions requesting additional information related to the project, received  
125 in support of or in opposition to the proposed project, and any other materials pertaining to  
126 the notification process.
- 127 6. The date, time, and location of all meetings held with interested parties, or a statement  
128 indicating the reasons if no meeting was held. No information pertaining to any meeting  
129 held more than one hundred eighty (180) days prior to the submittal of the application shall  
130 be accepted as part of the NPP Report, except where subsequent meetings with interested  
131 parties have occurred within the one hundred eighty (180) days preceding the submittal of  
132 the NPP Report.
- 133 7. A completed sign-in sheet that includes the names, addresses, and contact information for  
134 meeting attendees. A list of participants prepared by the virtual meeting service is  
135 acceptable for virtual meetings.
- 136 8. The NPP Report must include a signed attestation that the information contained therein is  
137 true and correct to the best of the applicant's knowledge. A signed attestation on the

138 application form to this effect accompanying the NPP Report shall be deemed to satisfy  
139 this requirement provided that the language of the attestation includes the contents of the  
140 NPP Report.

141 **3.5.H. EVALUATION OF NPP**

- 142 1. The Executive Director of the CPC will ensure that the written NPP Report meets all the  
143 minimum requirements regarding meeting date, time, and location set forth herein when  
144 evaluating the completeness of the application.
- 145 2. The City Planning Commission or Board of Zoning Adjustments, as applicable, may  
146 evaluate the sufficiency of the NPP as part of its public hearing process on the application  
147 for which the NPP was conducted. In so doing, they may consider whether the applicant  
148 endeavored to provide meaningful notice to neighbors and whether any deficiencies in such  
149 notice notably affected the provision of this notice. If the Commission or Board determines  
150 that, in its judgment, the NPP process did not provide meaningful notice, it may defer the  
151 matter to require the applicant to engage in additional notice efforts.

152 **3.6 ELECTRONIC NOTIFICATION SYSTEM**

153 City Planning Commission staff shall maintain an electronic notification system capable of  
154 providing notice of all land use actions specified in the Comprehensive Zoning Ordinance to  
155 interested parties. This system may require participants to sign up and to indicate which notices  
156 they are interested in receiving. The City's NoticeMe system shall be deemed to fulfill this  
157 requirement, or the City Planning Commission may designate an alternative system if NoticeMe  
158 becomes unavailable for a considerable length of time or otherwise does not meet the requirements  
159 herein. The unavailability or failure of such a system shall not be reason to invalidate any



21 The City Council may take formal action on requests for zoning text or map amendments after  
22 receiving a recommendation from the City Planning Commission, in accordance with Sections  
23 5-406 and 5-407 of the City Charter. The City Council shall receive the Commission's  
24 recommendation related to requests for zoning text or map amendments and shall calendar said  
25 requests for hearing in accordance with Section 4.2.D.4.

26 **4.2.D PROCEDURE**

27 \* \* \*

28 **4.2.D.3 ACTION BY CITY PLANNING COMMISSION**

- 29 a. The City Planning Commission shall conduct a public hearing on a proposed zoning  
30 amendment in accordance with Section 3.4 fifty (50) days from the date the  
31 application is docketed. Notice of the public hearing is required in accordance  
32 with Section 3.3.
- 33 b. After the close of the public hearing, the City Planning Commission shall make a  
34 recommendation. Based upon the evidence presented at the public hearing, the City  
35 Planning Commission shall evaluate the application against the applicable  
36 standards in Paragraph E below.
- 37 c. The City Planning Commission shall recommend approval, modified approval, or  
38 denial sixty (60) days from the opening of the public hearing. For amendments  
39 initiated by Council motion, the City Council may provide for a longer period than  
40 sixty (60) days for good cause. The City Planning Commission may also vote to  
41 defer action within City Charter required timeframes in cases where it discovers  
42 applicants have not submitted complete and accurate information, including but not  
43 limited to errors or omissions in following the Project NPP. The failure to resolve

44 a finding of incomplete or inaccurate information may be grounds for  
45 recommending denial. If the City Planning Commission fails to act by a vote of  
46 the majority of the Commission members, the application will be forwarded to the  
47 City Council with a recommendation of effective denial for lack of legal majority.  
48 The City Planning Commission's written recommendations, together with the staff  
49 report and recommendation, if any, shall be filed with the Clerk of the City Council.

50 **4.2.D.4 ACTION BY CITY COUNCIL**

- 51 a. The City Council shall hold a public hearing and determine by motion whether the  
52 zoning docket should be heard as an ordinance within sixty (60) days from receipt  
53 of a City Planning Commission recommendation. This motion shall direct the  
54 preparation of an ordinance effectuating the zoning change, specifying any changes  
55 to be made from the requested amendment, or shall deny the amendment  
56 application. The City Council may not take official action upon any application  
57 requiring a recommendation of the City Planning Commission until the report of  
58 the Commission has been received.
- 59 b. If the City Council fails to take action by motion sixty (60) days from receipt of the  
60 City Planning Commission recommendation, the application is denied.
- 61 c. The City Council's adoption of a motion under 4.2.D.4.a shall not be construed as  
62 an approval of a zoning matter unless and until an ordinance is introduced and  
63 adopted in accordance with the Charter; introduction of an ordinance does not  
64 indicate the City Council's approval of a zoning matter. Should a Council office  
65 elect not to introduce an ordinance despite passage of a motion directing the  
66 preparation of an ordinance, they shall notify the Clerk of Council of this intention

67 in writing within sixty (60) days of the passage of the motion. Failure by the City  
 68 Council to take action on a zoning ordinance within ninety (90) days of the date the  
 69 City Council passed the motion shall mean that the application is denied.

70 **4.2.E APPROVAL STANDARDS**

71 \* \* \*

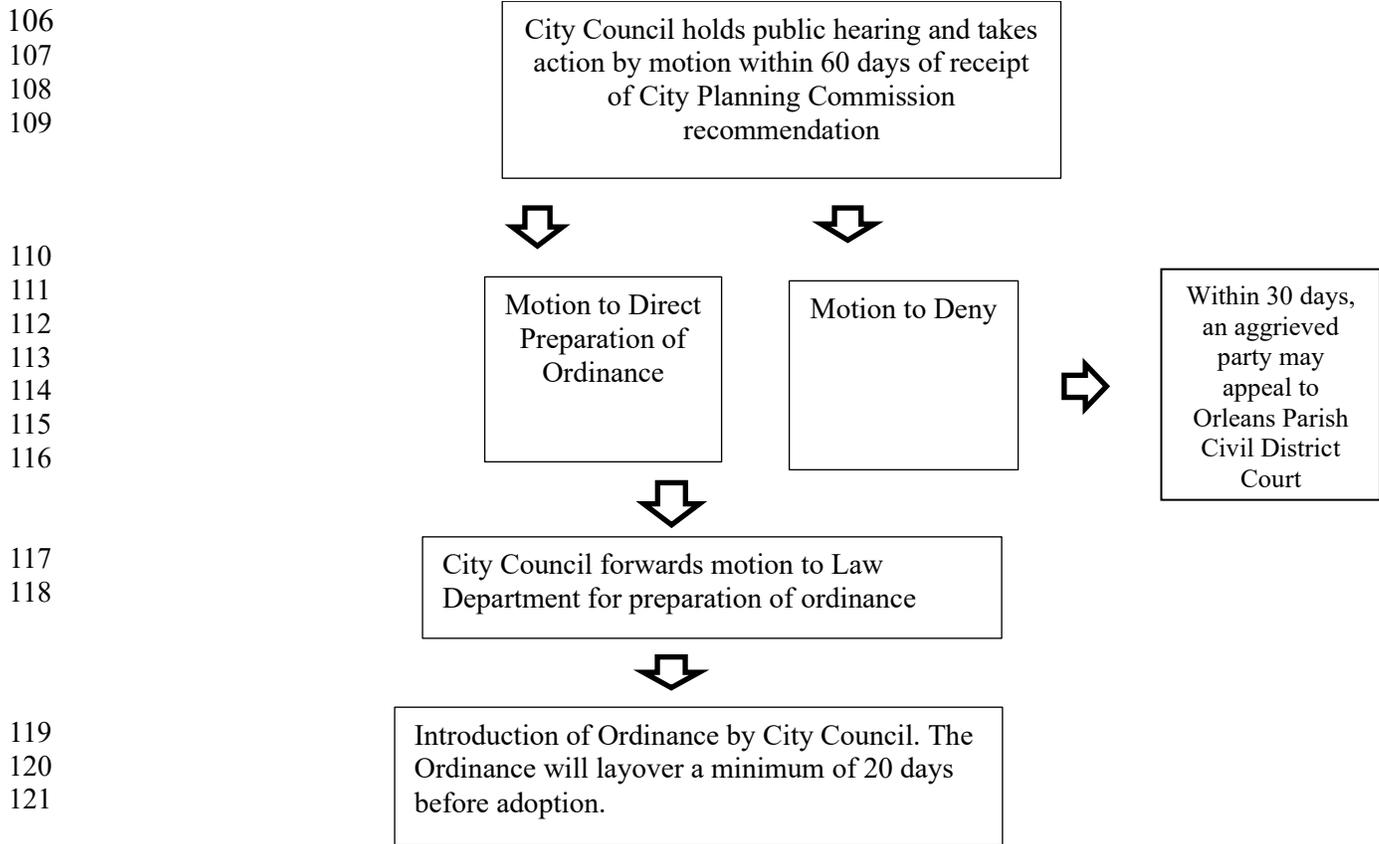
72 **Table 4-1: Standards for Zoning Amendments**

73 Standards	74 Map Amendments	75 Text Amendments
76 1. The proposed amendment is compatible with the Master Plan and Future Land Use Map.	X	X
77 2. The proposed amendment is compatible with existing use and zoning of nearby property.	X	
78 3. The proposed amendment promotes the public health, safety, and welfare of the City.	X	X
79 4. The proposed amendment is a more suitable zoning classification for the property than the current classification.	X	
80 5. Based upon the length of time that the property in question has been vacant, the proposed amendment is a more suitable zoning classification for the property than the current classification considered in the context of development in the area where the property is located.	X	
81 6. The proposed amendment is compatible with the intent and general regulations of this Ordinance.		X
82 7. The proposed amendment corrects an error or omission, adds clarification to existing requirements or reflects a change in policy.	X	X
83 8. The proposed amendment benefits the citizens of the City as a whole.	X	X
84 9. The proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Master Plan.	X	X
85 10. The proposed amendment does not create a significant number of nonconformities.	X	X
86 11. The proposed amendment is compatible with the trend of development, if any, in the general area of the property in question.	X	

103 \* \* \*

104 **4.2. Chart ZONING AMENDMENT PROCESS**

105 \* \* \*



122 \* \* \*

123 **4.2.G ADMINISTRATIVE AMENDMENTS**

124 By June 1 of each year, the City Planning Commission shall transmit a report to the City Council  
125 containing recommended administrative amendments to the Comprehensive Zoning Ordinance.  
126 These recommended amendments shall not reflect policy changes, but may consist of amendments  
127 to achieve one of the following goals, as well as a statement of the necessity for each change: (i)  
128 provide clarity to existing text of the Comprehensive Zoning Ordinance; (ii) correct an error or  
129 address a conflict in the existing text of the Comprehensive Zoning Ordinance; or (iii) codify an  
130 interpretation of the Department of Safety and Permits.

131 **4.3 CONDITIONAL USES**

132 **4.3.A PURPOSE**

133 Within each zoning district, the use of land and structures are substantially uniform. However there  
134 are certain uses that, because of their unique characteristics, cannot be properly classified in certain  
135 districts without consideration, in each case, of the impact of those uses upon neighboring land, as  
136 well as the public benefit or need for the particular use at the particular location. These uses are  
137 allowed as conditional uses within the zoning districts. This section sets forth the standards used  
138 to evaluate proposed conditional uses and the procedures for approving conditional uses. The  
139 designation of a use in a zoning district as a conditional use does not constitute an authorization or  
140 assurance that such use will be approved. No conditional use may be established and no building  
141 permit may be issued for any use designated as a conditional use within a zoning district until a  
142 conditional use ordinance is adopted by the City Council and final drawings are submitted to and  
143 approved by the Executive Director of the City Planning Commission.

144 \* \* \*

145 **4.3.C AUTHORITY**

146 The City Council may take formal action on requests for conditional uses after receiving a  
147 recommendation from the City Planning Commission, in accordance with Sections 5-406 and  
148 5-407 of the City Charter. The City Council shall receive the Commission's recommendation  
149 related to requests for conditional uses and shall calendar said requests for hearing in accordance  
150 with Section 4.3.D.4.

151 **4.3.D PROCEDURE**

152 \* \* \*

153 **4.3.D.4 ACTION BY THE CITY COUNCIL**

- 154 a. The City Council shall hold a public hearing and determine by motion whether the  
155 zoning docket should be heard as an ordinance within sixty (60) days from receipt  
156 of a City Planning Commission recommendation. This motion shall direct the  
157 preparation of an ordinance effectuating the zoning change, specifying any changes  
158 to be made from the requested conditional use as well as any needed provisos or  
159 waivers, or shall deny the conditional use application. The City Council may not  
160 take official action upon any application requiring a recommendation of the City  
161 Planning Commission until the report of the Commission has been received.
- 162 b. If the City Council fails to take action by motion sixty (60) days from receipt of the  
163 City Planning Commission recommendation, the application is denied.
- 164 c. The City Council's adoption of a motion under 4.3.D.4.a shall not be construed as  
165 an approval of a zoning matter unless and until an ordinance is introduced and  
166 adopted in accordance with the Charter; introduction of an ordinance does not  
167 indicate the City Council's approval of a zoning matter. Should a Council office  
168 elect not to introduce an ordinance despite passage of a motion directing the  
169 preparation of an ordinance, they shall notify the Clerk of Council of this intention  
170 in writing within sixty (60) days of the passage of the motion. Failure by the City  
171 Council to take action on a zoning ordinance within ninety (90) days of the date the  
172 City Council passed the motion shall mean that the application is denied.

173 **4.3.E CONDITIONS**

- 174 1. The City Planning Commission may recommend and the City Council may impose such  
175 conditions and restrictions upon the establishment, location, design, construction,

176 maintenance, and operation of the conditional use as deemed necessary for the protection  
177 of the public health, safety, and welfare.

178 2. When the application for a conditional use does not fully demonstrate compliance with all  
179 general zoning requirements but the City Planning Commission wishes to make clear to  
180 the applicant that such compliance will be necessary in order to approve the site plan and  
181 associated permits, these conditions may be included as 'Approval Conditions.' These  
182 conditions may restate the zoning ordinance without modification and will be deemed to  
183 automatically update if the underlying ordinance provision is amended before final  
184 approval and permitting.

185 3. The applicant shall record the signed development plan in the Office of the Clerk of the  
186 Civil District Court for the Parish of Orleans within thirty (30) days of the date of final  
187 approval and shall submit evidence of such recordation to the Executive Director of the  
188 City Planning Commission. If the applicant fails to record the signed development plan  
189 within this period, the ordinance approving the conditional use is deemed null. No permits  
190 or licenses for the conditional use may be issued until the development plan has been  
191 recorded and evidence of the recording has been provided to the Executive Director of the  
192 City Planning Commission. The City Planning Commission shall maintain a record of such  
193 approved conditional uses, the development plans, and any conditions attached thereto.

194 4. The City Council may grant a waiver from specific zoning standards otherwise applicable  
195 to the use by this Ordinance to secure the general objectives of this section, provided  
196 however that any such shall be based on a finding that the case meets the approval standards  
197 of Section 4.6.F. However, the City Council cannot waive or modify any approval  
198 standards of this section or any other section for which variances may not be granted under

199 the terms of this Ordinance. Any waiver which was not considered by the City Planning  
200 Commission must be included in the motion directing the preparation of an ordinance  
201 described in 4.3.D.4.a.

202 \* \* \*

### 203 **4.3.H EXPIRATION AND EXTENSION OF TIME**

204 \* \* \*

#### 205 **4.3.H.1 EXPIRATION**

206 a. Plans Deadline. For all conditional uses, plans stamped as approved by the City  
207 Planning Commission must be recorded in the Conveyance Records of Orleans  
208 Parish within two (2) years of the effective date of the ordinance granting the  
209 conditional use.

210 b. Construction/Use Deadline.

211 i. For new construction, the conditional use approval will expire within five  
212 (5) years from the date the Executive Director of the City Planning  
213 Commission approves the final drawings for a conditional use if a building  
214 permit has not been issued and substantial construction has not been  
215 commenced, and no request for an extension of time is pending.

216 ii. For conditional uses approved for existing structures or for a parcel of land  
217 where no structure is planned, if the use has not been established within a  
218 period of five (5) years from the date the Executive Director of the City  
219 Planning Commission approves the final drawings for a conditional use,  
220 then the conditional use will expire.

#### 221 **4.3.H.2 EXTENSION OF TIME**

- 222 a. Unless otherwise prohibited, the Executive Director of the City Planning  
223 Commission may extend the time for expiration of the deadline established in  
224 Section 4.3.E.2 for a period not to exceed one (1) year upon a showing of good  
225 cause by the applicant. Additionally, unless otherwise prohibited, the Executive  
226 Director of the City Planning Commission may extend the time for expiration of  
227 the deadlines established in Section 4.3.H.1 for a period not to exceed one (1) year  
228 upon a showing of good cause by the applicant. When granting the request, the  
229 Executive Director shall articulate in writing the good cause justifying the  
230 extension. A request for extension shall be made in writing within the original  
231 period of validity. A request made after the original period of validity but within  
232 one (1) year of the original period of validity must be considered by the City  
233 Planning Commission. Any extension for a period in excess of one (1) year may be  
234 granted only by the City Council in accordance with Paragraph b below. Any  
235 extension that does not meet all of these conditions may only be granted by the City  
236 Council in accordance with Paragraph b below.
- 237 b. The holder of a conditional use may petition the City Council for an extension of  
238 time longer than the Executive Director of the City Planning Commission may  
239 authorize. The holder of a conditional use may also petition the City Council for a  
240 second extension of either or both the plans deadline and the construction/use  
241 deadline. A request for extension shall be made in writing within the original period  
242 of validity. The City Council shall hold a public hearing and decide whether to  
243 extend the time period. Notice for the public hearing is required in accordance with  
244 Section 3.3. The applicant and the owner of record of the property shall be notified

245 of a public hearing to be conducted by the City Council. Following the public  
246 hearing, the City Council shall render its decision whether to terminate or extend  
247 the approval, taking into account hardship to the applicant or property owner,  
248 changes in surrounding circumstances that have occurred since the original  
249 approval, and the likelihood that substantial construction will occur during any  
250 period of extension by motion within sixty (60) days of receipt of the request.

251 \* \* \*

#### 252 **4.3.J OFFICIAL ZONING MAP AMENDMENTS**

253 Within thirty (30) days of receiving evidence of the recording of an approved conditional use or  
254 planned development, or within thirty (30) days of receiving approval of a zoning map amendment  
255 or minor map adjustment, the official Zoning Map shall be modified to reflect such change.  
256 Additionally, within thirty (30) days of receiving determination that a conditional use/planned  
257 development has been rescinded by the City Council, the official Zoning Map shall be modified  
258 to reflect such change.

259 \* \* \*

#### 260 **4.3. Chart CONDITIONAL USE PROCESS**

261 *See Exhibit B, attached, for amendments to this Chart.*

262 \* \* \*

#### 263 **4.4 PLANNED DEVELOPMENTS**

264 \* \* \*

#### 265 **4.4.C AUTHORITY**

266 The City may take formal action on requests for planned developments after receiving a  
267 recommendation from the City Planning Commission, in accordance with Sections 5-406 and 5-

268 407 of the City Charter. The City Council shall receive the Commission's recommendation related  
269 to requests for planned developments and shall calendar said requests for hearing in accordance  
270 with Section 4.4.E.4.

271 \* \* \*

272 **4.4.E PROCEDURE**

273 \* \* \*

274 **4.4.E.4 ACTION BY THE CITY COUNCIL**

275 a. The City Council shall hold a public hearing and determine by motion whether the  
276 zoning docket should be heard as an ordinance within sixty (60) days from receipt  
277 of a City Planning Commission recommendation. This motion shall direct the  
278 preparation of an ordinance effectuating the zoning change, specifying any changes  
279 to be made from the requested amendment, or shall deny the amendment  
280 application. The City Council may not take official action upon any application  
281 requiring a recommendation of the City Planning Commission until the report of  
282 the Commission has been received.

283 b. If the City Council fails to take action by motion sixty (60) days from receipt of the  
284 City Planning Commission recommendation, the application is denied.

285 c. The City Council's adoption of a motion under 4.4.E.4.a shall not be construed as  
286 an approval of a zoning matter unless and until an ordinance is introduced and  
287 adopted in accordance with the Charter; introduction of an ordinance does not  
288 indicate the City Council's approval of a zoning matter. Should a Council office  
289 elect not to introduce an ordinance despite passage of a motion directing the  
290 preparation of an ordinance, they shall notify the Clerk of Council of this intention

291 in writing within sixty (60) days of the passage of the motion. Failure by the City  
292 Council to take action on a zoning ordinance within ninety (90) days of the date the  
293 City Council passed the motion shall mean that the application is denied.

294 \* \* \*

#### 295 **4.4.I EXPIRATION AND EXTENSION OF TIME**

296 \* \* \*

##### 297 **4.4.I.1 EXPIRATION**

###### 298 a. Plans Deadline.

299 For all planned developments, plans stamped as approved by the City Planning Commission  
300 must be recorded in the Conveyance Records of Orleans Parish within two (2) years of the  
301 effective date of the ordinance granting the planned development.

###### 302 b. Construction/Use Deadline.

303 i. For new construction, the planned development approval will expire  
304 within five (5) years from the date the Executive Director of the City  
305 Planning Commission approves the final drawings for a planned  
306 development if a building permit has not been issued and substantial  
307 construction has not been commenced, and no request for an extension  
308 of time is pending.

309 ii. For planned developments approved for existing structures or for a parcel  
310 of land where no structure is planned, if the planned development has not  
311 been established within a period of five (5) years from the date the  
312 Executive Director of the City Planning Commission approves the final

313 drawings for a planned development, then the planned development will  
314 expire.

315 **4.4.I.2 EXTENSION OF TIME**

316 a. Unless otherwise prohibited, the Executive Director of the City Planning  
317 Commission may extend the time for expiration of either the plans deadline or the  
318 construction/use deadline for a planned development approval for a period not to  
319 exceed one (1) year upon a showing of good cause by the applicant. A request for  
320 extension shall be made in writing within the original period of validity Any  
321 extension that does not meet all of these conditions may only be granted by the City  
322 Council in accordance with Paragraph b below.

323 b. The holder of a planned development may petition the City Council for an extension  
324 of time longer than the Executive Director of the City Planning Commission may  
325 authorize. The holder of a planned development may also petition the City Council  
326 for a second extension of either or both the plans deadline or the construction/use  
327 deadline. A request for extension shall be made in writing within the original period  
328 of validity. The City Council shall hold a public hearing and decide whether to  
329 extend the time period. Notice for the public hearing is required in accordance with  
330 Section 3.3. The applicant and the owner of record of the property shall be notified  
331 of a public hearing to be conducted by the City Council. Following the public  
332 hearing, the City Council shall render its decision whether to terminate or extend  
333 the approval, taking into account hardship to the applicant or property owner,  
334 changes in surrounding circumstances that have occurred since the original

335 approval, and the likelihood that substantial construction will occur during any  
336 period of extension by motion within sixty (60) days of receipt of the request.

337 \* \* \*

338 **4.4. Chart PLANNED DEVELOPMENT PROCESS**

339 *See image attached as Exhibit C for amendments to Chart.*

340 \* \* \*

341 **4.5 DEVELOPMENT PLAN AND DESIGN REVIEW**

342 \* \* \*

343 **4.5.B APPLICABILITY**

344 \* \* \*

345 2. Additions or Enlargements Unless otherwise required by this section or this Ordinance,  
346 applications for additions or enlargements as follows are reviewed by the Executive  
347 Director of the City Planning Commission and the Design Advisory Committee.  
348 Developments or portions of a development that are located in an industrial or institutional  
349 zoning district and that are not visible from the public right-of-way shall be exempt.

350 a. Additions or enlargements to multi-family developments, or townhouse  
351 developments, or a non-residential or mixed-use developments that bring the total  
352 gross floor area to forty-thousand (40,000) square feet or more. If the total square  
353 footage of the development is already over forty-thousand (40,000) square feet,  
354 then review is only required if there is a total increase of ten percent (10%) or more.

355 b. Substantial improvements to any non-residential or mixed-use structure, or group  
356 of structures on the same lot, where the total gross floor area is forty-thousand  
357 (40,000) square feet or more. Substantial improvements are defined as demolition

358 and reconstruction of existing buildings valued at fifty percent (50%) or more of  
359 the initial value of the existing building.

360 3. Unless otherwise required by this section or this Ordinance, applications for any size  
361 development within the areas described as follows are reviewed by the Executive Director  
362 of the City Planning Commission and the Design Advisory Committee. Except in the UAD  
363 Overlay District, single and two-family dwellings and any development or portion of a  
364 development that is located in an industrial or institutional zoning district that is not visible  
365 from the public right-of-way are exempt.

366 a. CPC Character Preservation Corridor Design Overlay District

367 b. Development with one-hundred (100) feet or more of lot frontage in an identified  
368 design overlay districts of Article 18

369 c. UAD University Area Design Overlay District

370 4. In the RIV Riverfront District, EC Enhancement Corridor, CT Corridor Transformation,  
371 GC Greenway, and UAD University Area Design Overlay Districts, applications are  
372 reviewed solely by the Executive Director. Review is limited to applications for new  
373 construction, substantial improvement, and exterior re-design that substantially alters the  
374 architecture of a principal structure. Anything that is not visible from the public right-of-  
375 way is exempt from design review. Except in the UAD University Area Design Overlay  
376 District, single- and two-family residences are exempt from design review. The City  
377 Planning Commission may determine that no review is necessary based on the nature and  
378 scope of a proposal.

379 \* \* \*

380 10. When a property is located within the Vieux Carré Historic District, developments upon  
381 the property are exempt from site plan and design review by the City Planning  
382 Commission. However, such developments are subject to the site plan and design review  
383 procedures of the Vieux Carré Commission.

384 11. When a property is located within the Historic Districts Landmark Commission’s full  
385 control Historic Districts, development is exempt from site plan and design review by the  
386 City Planning Commission. However, such developments are subject to the site plan and  
387 the design review procedures of the Historic Districts Landmark Commission. When a  
388 property is located within the Historic Districts Landmark Commission’s partial control  
389 local Historic Districts, developments upon the property are subject to site plan and design  
390 review procedures established by the City Planning Commission. When a property is  
391 located within the RIV Riverfront Design Overlay District, developments upon the  
392 property are subject to site plan and design review procedures established by the City  
393 Planning Commission.

394 \* \* \*

395 **4.5.C SUBMITTAL REQUIREMENTS**

396 \* \* \*

397 7. Architectural elevations or perspectives that convey the visual character of the  
398 development. Contextual drawings that are drawn to scale and show the streetscape,  
399 including the proposed structure and adjacent structures. Label the height of the adjacent  
400 structures. A materials sheet that identifies all proposed exterior materials, finishes, and  
401 colors.

402 8. General location of parking and site circulation.

- 403 9. General location, height, and material of all fences, walls, screening, and landscape.
- 404 10. A tabulation of the total gross area in square feet or acres of the project site and the floor  
405 area in square feet of any building(s) in the proposed development.
- 406 11. Landscape and stormwater management plan, where applicable.
- 407 12. Such other information as may be required in order to meet standards in the district in  
408 which the use is to be located.
- 409 13. A narrative description of how the proposed development addresses the design goals,  
410 including compatibility with adjacent property, landscape and open space, circulation  
411 systems, and building design strategies. Reference published design guides and principles  
412 and how they informed the design concept in terms of sustainability, transit-oriented  
413 design, architectural, landscape architectural, and urban design, etc.
- 414 14. A color-rendered site plan and landscape plan that clearly illustrates the design concept and  
415 spatial relationships.
- 416 15. Site context plans that highlight opportunities and constraints.
- 417 16. Images or specifications of proposed fixtures, furnishings, and lighting elements.
- 418 17. Design precedent images to show architectural styles or urban design strategies.

419 **4.5.D PROCEDURE**

420 \* \* \*

421 **4.5.D.3. DEADLINES**

422 The applicant shall have a maximum of one (1) year from the date of the application submittal to  
423 meet the stated conditions for approval in 4.5.E. At the written request of the applicant, the  
424 Executive Director may grant an extension not to exceed one (1) year. If the stated conditions have  
425 not been met by the expiration of this period, the application will be deemed denied.

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**4.5.F CHANGES TO APPROVED PLANS**

\* \* \*

**4.5.F.2 CHANGES APPROVED BY THE CITY PLANNING COMMISSION**

The City Planning Commission, upon recommendation of other applicable City departments or commissions, may approve the following changes

- a. Any increase in floor area of structures beyond twenty percent (20%) that does not exceed the bulk regulations of the underlying zoning district.
- b. Increases in height of any individual structure beyond ten percent (10%) and up to twenty percent (20%) of the approved height of said structure, provided that the requested height does not exceed the height limit established in the district.
- c. Increases in the number of structures permitted in any part of the development plan.

All applications for amendments to approved Conditional Use plans requiring City Planning Commission approval shall include a Project Neighborhood Participation Program (Project NPP) in accordance with Article 4, Section 4.3.D.2 Pre-Application Meeting and Project Neighborhood Participation Program.

\* \* \*

**4.6 VARIANCES**

\* \* \*

**4.6.C AUTHORITY**

\* \* \*

- 6. The additional design review approval standards of Article 18 shall not be subject to variances by the Board of Zoning Adjustments.

449 **4.6.D PROCEDURE**

450 \* \* \*

451 **4.6.D.2 PRE-APPLICATION MEETING AND NEIGHBORHOOD PARTICIPATION**  
452 **PROGRAM**

453 All applications for variances, with the exception of applications for variances involving a  
454 residential development with less than five (5) dwelling units, shall include a Project  
455 Neighborhood Participation Program (Project NPP). During a time of declared emergency by the  
456 Governor or Mayor, when in-person meetings are not an available option, the City Planning  
457 Commission Director shall be authorized to require teleconferencing, virtual, or other remote  
458 meeting formats to satisfy NPP requirements.

459 \* \* \*

460 **4.6.D.3 ACTION BY THE BOARD OF ZONING ADJUSTMENTS**

461 \* \* \*

462 c. The Board of Zoning Adjustments may approve, approve with modifications, deny, or defer. No  
463 application may be deferred for longer than a total of 180 days, including all individual deferrals  
464 of shorter time periods. Any item deferred for longer than 180 days will be deemed denied for  
465 deferral past deadline. The failure to resolve a finding of incomplete or inaccurate information may  
466 be grounds for denial at any time.

467 \* \* \*

468 **4.6.F APPROVAL STANDARDS**

469 The Board of Zoning Adjustments may authorize a variance only when the evidence presented  
470 supports a finding that each case indicates all of the following:

471 A. The basic elements for a variance exist because the below standards have been met:

- 472 1. Special conditions and circumstances exist that are peculiar to the land or  
473 structure involved and are not generally applicable to other land or  
474 structures in the same zoning district.
- 475 2. The special conditions and circumstances do not result from the actions  
476 of the applicant or any other person who may have had an interest in the  
477 property.
- 478 3. Literal interpretation of this Ordinance would deprive the applicant of  
479 rights commonly enjoyed by other properties in the same district under  
480 the terms of this Ordinance.
- 481 4. The request for the variance is not based primarily upon a desire to serve  
482 the convenience or profit of the property owner or other interested party.
- 483 5. Strict adherence to the regulation by the owner or their agent would result  
484 in a demonstrable hardship upon the owner, as distinguished from mere  
485 inconvenience.

486 B. The impacts of granting a variance are acceptable because the below standards are  
487 met:

- 488 1. Granting the variance requested will not confer on the applicant any  
489 special privilege which is denied by this Ordinance to other lands or  
490 structures in the same district or otherwise similarly situated.
- 491 2. The variance, if granted, will not alter the essential character of the  
492 locality.

493 3. The granting of the variance will not be detrimental to the public welfare  
494 or injurious to other property or improvements in the neighborhood where  
495 the property is located.

496 4. The proposed variance will not impair an adequate supply of light and air  
497 to adjacent property, increase substantially the congestion of nearby  
498 streets, increase the danger of fire, or otherwise endanger the public  
499 safety.

500 **4.6.G EXPIRATION OF APPROVALS AND EXTENSION OF TIME**

501 Termination of approval of a variance for failure to obtain final approval, a building permit or to  
502 commence the use, or an extension of the time is governed as follows:

503 **4.6.G.1 EXPIRATION**

504 a. The Board of Zoning Adjustments' approval of a variance is valid for one (1) year  
505 from the resolution "Filed" date. If the Executive Director of the City Planning  
506 Commission, or their designee, has not signed the development plan indicating final  
507 approval, or has not authorized an extension of time submitted by such date by the  
508 holder of the variance , in accordance with Article 4, Section 4.6.G.2, the variance  
509 approval will expire.

510 b. A variance expires if a building permit is not obtained and substantial construction  
511 started, or the use is commenced within two (2) years of the final approval of the  
512 Executive Director of the City Planning Commission, or their designee, unless an  
513 extension of time at the holder of the variance 's request, submitted by such date,  
514 is authorized in accordance with Article 4, Section 4.6.G.2.b.

515 **4.6.G.2 EXTENSION OF TIME**

- 516 a. Unless otherwise prohibited, the Executive Director of the City Planning  
517 Commission may extend the time for expiration of a variance in accordance with  
518 the provisions of this section upon a showing of good cause by the applicant. A  
519 request for extension shall be made in writing within the original period of validity.  
520 An extension for a period in excess of either of the below may be granted only by  
521 the Board of Zoning Adjustments in accordance with Paragraph b below. i. One (1)  
522 year from the Board of Zoning Adjustments' approval as indicated by the resolution  
523 "Filed" date; or ii. Two (2) years from the final approval of the Executive Director  
524 of the City Planning Commission, or their designee.
- 525 b. The holder of a variance may petition the Board of Zoning Adjustments for a longer  
526 extension of time not to exceed two (2) additional years from the date of the final  
527 approval of the Executive Director of the City Planning Commission, or their  
528 designee. A request for extension shall be made in writing within the period of  
529 validity. The Board shall hold a public hearing and decide whether to extend the  
530 time period. Notice for the public hearing is required in accordance with Article 3,  
531 Section 3.3. The applicant and the owner of record of the property shall be notified  
532 of a public hearing to be conducted by the Board of Zoning Adjustments. Following  
533 the public hearing, the Board shall render its decision whether to grant an extension  
534 of such period with good cause shown, subject to verification that the approval  
535 standards of Paragraph F above are still met.

536 **4.6.H APPEALS**

537 An aggrieved party may appeal the Board of Zoning Adjustments' decisions on variance  
538 applications to the Orleans Parish Civil District Court within thirty (30) days of the filing of the  
539 decision in the office of the Board of Zoning Adjustments.

540 \* \* \*

541 **4.7 MINOR MAP ADJUSTMENTS**

542 \* \* \*

543 **4.7.B INITIATION**

544 Applications for minor map adjustments may be initiated by a property owner in the city, a person  
545 expressly authorized in writing by a property owner, the City Planning Commission, Director of  
546 the Department of Safety and Permits, or the City Council in the following instances, provided  
547 that the adjustment results in a change to no more than 15% of the total area of the lots affected by  
548 the adjustment:

- 549 1. Where subdivisions or resubdivisions would create a lot line that no longer coincides with  
550 an existing zoning district boundary on the Official Zoning Map or land use boundary on  
551 the Future Land Use Map.
- 552 2. Where split-lot zoning classification or split-lot land use designation occurs on the Official  
553 Zoning Map or land use boundary on the Future Land Use Map. Split-lot zoning or split-  
554 lot and use is defined as two (2) or more zoning classifications or land use designations  
555 applied to one (1) lot.
- 556 3. Where such minor map adjustment would result in uniform boundary lines.

557 \* \* \*

558 **4.7.D PROCEDURE**

559 \* \* \*

560 **4.7.D.2 ACTION ON APPLICATION**

561 \* \* \*

562 c. The decision on an application for a minor map adjustment shall be communicated to the  
563 applicant in writing and shall be made available on OneStop and the City's electronic notification  
564 system for any interested parties.

565 \* \* \*

566 **4.8 ZONING APPEALS**

567 \* \* \*

568 **4.8.B APPLICABILITY**

- 569 1. Appeals are authorized by the Board of Zoning Adjustments in accordance with Article 2,  
570 Section 2.6, Louisiana Revised Statute 33:4780.46, and Section 5-408 of the City Charter.
- 571 2. Appeals may be filed concerning any decision of the Director of the Department of Safety  
572 and Permits in the enforcement of the zoning ordinance of the City on the following  
573 applications of this Ordinance:
- 574 a. The decision of the Director of the Department of Safety and Permits on zoning  
575 verifications.
  - 576 b. The decision of the Director of the Department of Safety and Permits on Zoning  
577 Ordinance interpretations.
  - 578 c. The decision of the Director of the Department of Safety and Permits on permits  
579 issued under the Comprehensive Zoning Ordinance.
- 580 3. These decisions need not be formal, and any written communication of such a decision,  
581 including but not limited to an email or LAMA approval or disapproval, shall be considered  
582 appealable.

583 4. For purposes of this Section, a decision made "in the enforcement of the zoning ordinance  
584 of the City" shall be those decisions that specifically apply the provisions of the zoning  
585 ordinance. Appeals made pursuant to this Section must therefore allege an error in the  
586 application of a provision of the zoning ordinance.

587 \* \* \*

588 **4.8.D PROCEDURE**

589 1. Applications for appeal of the decision of the Director of the Department of Safety and  
590 Permits or Executive Director of the City Planning Commission shall be made in writing  
591 to the Board of Zoning Adjustments within forty-five (45) days of the decision.

592 2. All applications shall be filed with the Executive Director of the City Planning Commission  
593 in accordance with the requirements of Section 3.2 and reviewed for completeness by the  
594 Executive Director who shall determine whether the application is ripe for review by the  
595 Board, not moot, or otherwise unable to be heard in accordance with Section 4.8.B.

596 a. If the application is determined to be incomplete, unripe, moot, or otherwise  
597 unhearable, this determination will be conveyed to the applicant by the Board of  
598 Zoning Adjustments in writing.

599 b. Notwithstanding this determination, the Department of Safety and Permits or other  
600 interested parties may present arguments to the Board that an application is  
601 incomplete, unripe, moot, or otherwise unhearable and the Board may make a  
602 finding in accordance with this argument rather than rule on the merits of the  
603 appeal.

604 **4.8.E STANDARD OF REVIEW**

605 The Board shall owe no deference to interpretations by the Director of the Department of Safety  
606 and Permits. In reviewing factual determinations by the Director, the Board must determine, based  
607 upon the totality of the record evidence, that the Director committed clear error and that the error  
608 was material to the Director's determination.

609 **4.8.F STAY OF PROCEEDINGS**

610 An appeal stays all administrative enforcement proceedings in furtherance of the action appealed  
611 from, unless the Director of the Department of Safety and Permits certifies to the Board of Zoning  
612 Adjustments, after the notice of appeal is filed, by reason of facts stated in the certificate, that a  
613 stay would, in the Director's opinion, cause imminent peril of life or property. In such case,  
614 proceedings may not be stayed after application to the Board or to the Civil District Court and  
615 notice to the Director of the Department of Safety and Permits, for due cause shown thereon, unless  
616 a restraining order is issued.

617 **4.8.G APPEALS**

618 An aggrieved party may appeal the Board of Zoning Adjustments' decisions on zoning appeals to  
619 the Orleans Parish Civil District Court within thirty (30) days of the Board's decision.

620 **4.9 ZONING VERIFICATION**

621 \* \* \*

622 **4.9.D PROCESS**

- 623 1. An interested party may request a zoning verification.
- 624 2. The Director of the Department of Safety and Permits issues a zoning verification as part  
625 of a building permit, certificate of occupancy, or business license. These verifications may  
626 take the form of an approval or denial in the City's permit review system (LAMA).

- 627 3. When a zoning verification is issued in conjunction with a building permit, certificate of  
628 occupancy, or business license, no separate application is required.
- 629 4. The interested party shall submit an application containing the following, unless waived  
630 by the Director of the Department of Safety and Permits:
- 631 a. A completed application containing the applicant's names, address, and interest in  
632 the subject property.
  - 633 b. The street address and legal description of the subject property.
  - 634 c. The proposed use or uses of the subject property and a brief description of the  
635 construction, reconstruction, remodeling, or alteration requiring the issuance of a  
636 zoning verification.
  - 637 d. Such other and further information or documentation as the Zoning Administrator  
638 may deem necessary or appropriate for a full and proper consideration and  
639 deposition of the particular application.
  - 640 e. Required application fees, if any. Application fees may not be waived by the  
641 Director of the Department of Safety and Permits.

642 **4.9.E APPEALS**

643 An interested party may appeal the zoning verification decision by the Department of Safety and  
644 Permits to the Board of Zoning Adjustments within forty-five (45) days of the decision. All  
645 verifications issued by the Director of the Department of Safety and Permits must contain a  
646 statement explaining that there is a right to appeal to the Board of Zoning Adjustments and the  
647 deadline to do so.

648 **4.10 INTERPRETATION**

649 \* \* \*

650 **4.10.E PROCEDURE**

651 1. All applications for a zoning text interpretation shall be filed with the  
652 Director of the Department of Safety and Permits in accordance with the  
653 requirements in Section 3.2. The Director of the Department of Safety and  
654 Permits shall review a request for an interpretation and render the written  
655 interpretation within forty-five (45) days of receipt of a complete  
656 application. The Director of the Department of Safety and Permits has the  
657 authority to request additional information prior to rendering an  
658 interpretation. The Director of the Department of Safety and Permits shall  
659 maintain a written record of all interpretations and shall make all  
660 interpretations available on their publicly-accessible website. The  
661 Director of the Department of Safety and Permits shall also provide notice  
662 of interpretations to interested parties through the City's electronic  
663 notification system. All interpretations issued by the Director of the  
664 Department of Safety and Permits must contain a statement explaining  
665 that there is a right to appeal to the Board of Zoning Adjustments and the  
666 deadline to do so.

667 2. All applications for a zoning map or Future Land Use Map interpretation  
668 shall be filed with the Executive Director of the City Planning  
669 Commission in accordance with the requirements in Section 3.2. The  
670 Executive Director of the City Planning Commission shall review a  
671 request for an interpretation and render the written interpretation within  
672 forty-five (45) days of receipt of a complete application. The Executive

673 Director of the City Planning Commission has the ability to request  
 674 additional information prior to rendering an interpretation. The Executive  
 675 Director of the City Planning Commission shall maintain a written record  
 676 of all interpretations.

677 **4.10.F APPEALS**

- 678 1. An aggrieved party may appeal a zoning text interpretation decision by  
 679 the Director of the Department of Safety and Permits to the Board of  
 680 Zoning Adjustments within forty-five (45) days of the decision.
- 681 2. An aggrieved party may appeal a zoning map or Future Land Use Map  
 682 interpretation decision by the Executive Director of the City Planning  
 683 Commission to the City Planning Commission within forty-five (45) days  
 684 of the decision.
- 685 3. All formal interpretation decisions by the Department of Safety and  
 686 Permits must contain a statement explaining that there is a right to appeal  
 687 to the Board of Zoning Adjustments and the deadline to do so.

688 \* \* \*

689 **4.Table TABLE 4-2 ADMINISTRATIVE SUMMARY TABLE**

690		* * *	Zoning Appeal	* * *
691	* * *	* * *	* * *	* * *
692	Application Filing & Completeness Determination	* * *	Executive Director of the City Planning Commission	* * *
693				
694	* * *	* * *	* * *	* * *

695 \* \* \*”



- 24 d. Limitations on uses.
- 25 e. Land use intensity, yard, lot area, and similar requirements.
- 26 f. Special provisions necessary to the accomplishment of the intended intent and
- 27 purpose of the district (i.e. landscape requirements, site plan review, etc.).
- 28 g. Submittal requirements, if any.
- 29 h. Appeal procedure

30 4. Upon adoption of the City Council’s motion authorizing the City Planning Commission to  
 31 conduct a public hearing to consider an amendment to this Ordinance to create an interim  
 32 zoning district or moratorium, all appropriate agencies shall refuse to accept any new  
 33 applications for permits that are in conflict with the intent and provisions of the proposed  
 34 interim zoning district or moratorium. However, applications determined to be complete and  
 35 received prior to adoption of such motion, may be reviewed and processed under existing  
 36 regulations.

37 \* \* \*

**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  
(LYING OVER)  
(AS AMENDED)  
NO. M-25-662**

**CITY HALL: December 18, 2025**

**BY: COUNCILMEMBER GIARRUSSO**

**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 **modified approval** for **ZONING DOCKET 49/25**, initiated by Council Motion No. M-25-280, requesting consideration of amendments to the text of Articles 1, 2, 3, 4, 19, and 26 of the Comprehensive Zoning Ordinance in order to streamline administrative processes, clarify unclear provisions, and codify evolving practices, is received and is hereby **APPROVED WITH MODIFICATIONS** as set forth in Exhibit A, which is attached hereto and made a part hereof.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the amendments to the text of the Comprehensive Zoning Ordinance contemplated herein and as set forth in Exhibit A shall be effective February 13, 2026.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the Clerk of Council is directed to forward copies of this motion to the Council Land Use Officer, who 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.

**JANUARY 8, 2026**

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

**YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7**

**NAYS: 0**

**ABSENT: 0**

**RECUSED: 0**

**AND THE MOTION, AS AMENDED, WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Lara W. Johnson*  
CLERK OF COUNCIL

## EXHIBIT A TO M-25-662

### **Amendments to the Comprehensive Zoning Ordinance in Chapters 1, 2, 3, 4, 19, and 26**

For clarity, given the size and complexity of this zoning docket, each change will be numbered with a reference to the section number of the CZO, and will include the full amendment even where the recommendations of the City Planning Commission are being adopted without modification.

1. Section 3.2.E.1

CPC's recommendation is approved.

An application for a zoning text or map amendment, conditional use, planned development, ~~or variance,~~ **or zoning appeal** that has been denied will not be reviewed or heard within two (2) years of the date of denial unless substantial new evidence is available or a significant mistake of law or of fact affected the prior denial. The official charged with receiving applications in Table 3-1 shall decide whether the subsequent application is appropriate for resubmittal before expiration of the two (2) year wait requirement.

2. Section 3.5

CPC's recommendation is approved with modifications to read as follows:

**3.5 Neighborhood Participation Plans**

**3.5.A. Purpose.**

**Pursuant to Sec. 5-411 of the City Charter, the Neighborhood Participation Plan (NPP) is intended to provide timely initial notification to a neighborhood of any proposed land use action affecting the neighborhood and provide the opportunity for meaningful neighborhood review of and comment on such proposals.**

**3.5.B. Applicability.**

**NPPs are required for the following types of applications:**

- 1. Zoning Text and Map Amendments**
- 2. Conditional Uses**
- 3. Planned Developments**
- 4. Variances (except variances for single- and two-family dwelling units)**
- 5. Major Subdivisions**

**NPPs are also required for changes to the Master Plan. These Master Plan NPPs shall be facilitated by the City Planning Commission staff and are not subject to the procedural rules of this Section.**

**3.5.C. NPP Procedure.**

**1. Applicants begin the NPP process by applying with the CPC staff, who will provide a list of required parties to be noticed as well as a Neighborhood Participation Program Guide.**

**2. Applicants must provide CPC staff with a copy of the NPP meeting notice. CPC staff will ensure that the NPP meeting notice is sent through the City's electronic verification system to interested parties. The failure of CPC to publish notice through the City's electronic verification system or the unavailability of the electronic verification system shall not be grounds for deeming a NPP to be insufficient.**

**3. Applicants must send the required notice to all parties listed by CPC staff. Proof of actual delivery is not required. For notice sent through the U.S. mail, an attestation of mailing alongside a copy of the notice is sufficient. For notice sent through e-mail, a copy of the email including addresses the email was sent to with the notice embedded in the body or attached as a pdf is sufficient.**

4. Applicants must hold the required NPP meeting at the date, time, and location included in the notice, and must keep the necessary records for submission of the NPP Report. If the NPP meeting is rescheduled, notice of the rescheduling must be sent by the same means as the original notice and CPC staff must be notified by email.

5. Applicants must submit the NPP Report as part of their application for the types of applications set forth in 3.5.B. This application will not be considered complete until a satisfactory NPP Report has been received by CPC staff.

6. Applicants must provide CPC staff with notice of the date, time, and location of NPP meetings. CPC staff shall maintain a publicly available list of all NPP meetings.

#### 3.5.D. Parties to Receive Notice.

1. Applications affecting up to one city square or its equivalent must provide notice to all properties within a 300' radius for properties up to 25,000 square feet in area and a 600' for properties that are 25,000+ square feet of the relevant property, as well as to any neighborhood associations registered with the city representing the area encompassing the city square. CPC staff will, upon request, provide a list of these properties as well as relevant neighborhood associations and their designated contact information. Notice to neighboring properties must be sent by U.S. Mail or hand-delivered, while notice to neighborhood associations registered with the city may be sent by e-mail. Notice to other interested parties may be sent through the City's electronic notification system.

2. Applications affecting more than one city square or its equivalent must provide notice to all neighborhood associations registered with the city by e-mail. Other interested parties may receive notice through the City's electronic notification system.

#### 3.5.E. Contents of Required Notice.

Notice of the NPP must include the following information, at a minimum:

1. The date, time, and location of a meeting to be held to receive review and comment on the proposal. NPPs affecting more than one city square or its equivalent may hold their meeting virtually, through a commercially accepted virtual meeting service, such as Zoom, Teams, or WebEx. Virtual meetings must have the option for participants to call in without requiring video services. The meeting must be held within 14-30 days of mailing or emailing of the required notice.
2. A brief description of the proposal:
  - a. Map amendment applications shall include the type of land use request, the name of the existing and proposed zoning district, and the article of the Comprehensive Zoning Ordinance for the proposed zoning district. Map amendment applications shall also include an outlined area map.
  - b. Text amendment applications shall include the citation and existing language of the Comprehensive Zoning Ordinance, if applicable, the proposed changes or additions to the language of the Comprehensive Zoning Ordinance and which zoning district(s) the amendment would affect, or a statement that the changes would be effective citywide.
  - c. Conditional use applications shall include a brief description of the proposal, including the type of land use request, and known needed variances.
  - d. Planned development applications shall include a brief description of the proposal, including known needed variances.
  - e. Variance applications shall include a brief description of the proposal, including known needed variances.
  - f. Major subdivision applications shall include a description of how the lots are being subdivided (ex: Resubdivision of Lot(s) x into Lot(s) y).

- g. All parties should recognize that the proposal may change as part of the usual review process and that failure to notice every possible permutation of the proposal shall not render the NPP insufficient.

6. Contact information for the applicants, including at a minimum a telephone number and email address, so that parties who may not attend the NPP meeting due to time constraints can participate in the process.

#### 3.5.F. NPP Meeting.

1. NPP meetings must be held in accessible public locations at reasonable times and should be sufficiently large to accommodate all attendees with seating. These meetings should be held in locations which are not susceptible to weather or climate concerns, generally temperate, and should generally allow for robust participation by neighbors of varying abilities and schedules.

2. Virtual NPP meetings may require pre-registration to facilitate a “webinar” style presentation with the ability to mute participants, provided that there is a dedicated period of time for participants to provide comment with the technical ability for them to do so.

3. Meetings may end at a specified time, even if all participants have not yet had a chance to speak, provided that there is at least 30 minutes provided for public comment and that the set end time is included in the notice for the NPP.

4. The Executive Director of the City Planning Commission shall promulgate rules setting forth what materials should be provided as part of the NPP Meeting and what information should be presented.

#### 3.5.G. NPP Report.

The applicant shall submit a Project NPP report with the application. The report shall provide the following information:

1. The names of the individuals and entities that were notified.

2. A summary of the information that was presented.

3. A list of the concerns, issues, and problems expressed by the participants.

4. A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them. If the concern, issue, or problem is not being addressed, the applicant should state the reasons.

5. Copies of emails, letters, communications affidavits, meeting invitations, newsletters, publications, and petitions requesting additional information related to the project, received in support of or in opposition to the proposed project, and any other materials pertaining to the notification process.

6. The date, time, and location of all meetings held with interested parties, or a statement indicating the reasons if no meeting was held. No information pertaining to any meeting held more than one hundred eighty (180) days prior to the submittal of the application shall be accepted as part of the Project NPP report, except where subsequent meetings with interested parties have occurred within the one hundred eighty (180) days preceding the submittal of the Project NPP report.

7. A completed sign-in sheet that includes the names, addresses, and contact information for meeting attendees. A list of participants prepared by the virtual meeting service is acceptable for virtual meetings.

7. NPP reports must include a signed attestation that the information contained therein is true and correct to the best of the applicant’s knowledge. A signed attestation on the application form to this effect accompanying the NPP report shall be deemed to satisfy this requirement provided that the language of the attestation includes the contents of the NPP report.

#### 3.5.H. Evaluation of NPP.

1. The Executive Director of the CPC will ensure that the written NPP Report meets all the minimum requirements regarding meeting date, time, and location set forth herein when evaluating the completeness of the application.

2. The City Planning Commission or Board of Zoning Adjustments, as applicable, may evaluate the sufficiency of the NPP as part of its public hearing process on the application for which the NPP was conducted. In so doing, they may consider whether the applicant endeavored to provide meaningful notice to neighbors and whether any deficiencies in such notice notably affected the provision of this notice. If the Commission or Board determines that, in its judgment, the NPP process did not provide meaningful notice, it may defer the matter to require the applicant to engage in additional notice efforts.

3. Section 3.6

CPC's recommendation is approved with modifications to read as follows:

**3.6 Electronic Notification System. City Planning Commission staff will maintain an electronic notification system capable of providing notice of all land use actions specified in the Comprehensive Zoning Ordinance to interested parties. This system may require participants to sign up and to indicate which notices they are interested in receiving. The City's NoticeMe system shall be deemed to fulfill this requirement, or the City Planning Commission may designate an alternative system if NoticeMe becomes unavailable for a considerable length of time or otherwise does not meet the requirements herein. The unavailability or failure of such a system shall not be reason to invalidate any application or action taken under this ordinance, but may be considered by the Commission when considering such application.**

4. Section 4.2.B.4

CPC's recommendation is approved with modifications to read as follows:

**4. The City Planning Commission may initiate zoning map and text amendments in connection with Master Plan revisions, including changes to the Future Land Use Map, or as otherwise required by this Ordinance.**

5. Section 4.2.C

CPC's recommendation is denied and the language originally proposed in Motion M-25-280 is adopted.

The City Council shall ~~may~~ take formal action on requests for zoning text or map amendments after receiving a recommendation from the City Planning Commission, in accordance with Sections 5-406 and 5-407 of the City Charter. **The City Council shall receive the Commission's recommendation related to requests for zoning text or map amendments and shall calendar said requests for hearing in accordance with Section 4.2.D.4.**

6. Section 4.2.Chart

CPC's recommendation is approved.

Introduction of Ordinance by City Council. The Ordinance will lay over a minimum of ~~21~~ **20** days before adoption.

7. Section 4.2.Chart

CPC's recommendation is approved.

Motion to Approve Direct **the Preparation of an Ordinance** / Motion to Approve with Modifications / Motion to Deny

8. Section 4.2.D.3.c

CPC's recommendation is approved.

The City Planning Commission shall recommend approval, modified approval, or denial sixty (60) days from the opening of the public hearing. **For amendments initiated by Council motion, the City Council may provide for a longer period than sixty (60) days for good cause.** The City Planning Commission may also

vote to defer action within City Charter required timeframes in cases where it discovers applicants have not submitted complete and accurate information, including but not limited to errors or omissions in following the Project NPP. The failure to resolve a finding of incomplete or inaccurate information may be grounds for recommending denial. If the City Planning Commission fails to act by a vote of the majority of the Commission members, the application will be forwarded to the City Council without recommendation of no legal majority. The City Planning Commission's written recommendations, together with the staff report and recommendation, if any, shall be filed with the Clerk of the City Council.

9. Section 4.2.D.4.a

CPC's recommendation is approved.

a. The City Council shall hold a public hearing ~~in accordance with its rules and take action by motion of approval, modified approval, or denial~~ **determine by motion whether the zoning docket should be heard as an ordinance within** sixty (60) days from receipt of a City Planning Commission recommendation. **This motion shall direct the preparation of an ordinance effectuating the zoning change, specifying any changes to be made from the requested amendment, or shall deny the amendment application.** The City Council may not take official action upon any application requiring a recommendation of the City Planning Commission until the report of the Commission has been received, ~~or, if the City Planning Commission has failed to act by a vote of the majority of the Commission members, once the application has been forwarded to the City Council without recommendation.~~

10. Section 4.2.D.4.b

CPC's recommendation is approved.

b. If the City Council fails to take action by motion sixty (60) days from receipt of the City Planning Commission recommendation, the application is denied. ~~If the application is forwarded to the City Council without recommendation from the City Planning Commission and the City Council fails to take action by motion sixty (60) days from the date it received the application, the application is denied.~~

11. Section 4.2.D.4.c

CPC's recommendation is approved.

~~If the City Council takes action by motion of approval or modified approval, the City Council may forward the motion to the City Law Department for preparation of an ordinance. If the ordinance is introduced by the City Council, the ordinance shall lay over for a minimum of twenty (20) days following introduction before the Council may adopt it. The City Council's adoption of a motion under 4.2.D.4.a shall not be construed as an approval of a zoning matter unless and until an ordinance is introduced and adopted in accordance with the Charter; introduction of an ordinance does not indicate the City Council's approval of a zoning matter. **Should a Council office elect not to introduce an ordinance despite passage of a motion directing the preparation of an ordinance, they shall notify the Clerk of Council of this intention in writing within sixty (60) days of the passage of the motion.** Failure by the City Council to take action on a zoning ordinance within ninety (90) days of the date the City Council ~~took action by~~ **passed the** motion shall mean that the application is denied.~~

12. Section 4.2.E (Table 4-1)

CPC's recommendation is approved.

~~2. The proposed amendment is compatible with the place designations of this Ordinance.~~

13. Section 4.2.G

CPC's recommendation is approved.

**4.2.G Administrative Amendments** By June 1 of each year, the City Planning Commission will transmit a report to the City Council containing recommended administrative amendments to the Comprehensive Zoning Ordinance. These recommended amendments shall not reflect policy changes, but shall consist of amendments which would achieve one of the following goals, as well as a statement of the necessity for each change. **1. Provide clarity to existing text of the Comprehensive Zoning Ordinance; 2. Correct an error or address a conflict in the existing text of the Comprehensive Zoning Ordinance; or 3. Codify an interpretation of the Department of Safety and Permits.**

14. Section 4.3.A

CPC's recommendation is approved.

However there are certain uses that, because of their unique characteristics, cannot be properly classified in certain districts without consideration, in each case, of the impact of those uses upon neighboring land, and of **as well as** the public **benefit or** need for the particular use at the particular location.

15. Section 4.3.C

CPC's recommendation is approved.

The City Council, ~~after receiving a recommendation from the City Planning Commission, shall~~ **may** take formal action on requests for conditional uses after receiving a recommendation from the City Planning Commission, in accordance with Sections 5-406 and 5-407 of the City Charter. **The City Council shall receive the Commission's recommendation related to requests for conditional uses and shall calendar said requests for hearing in accordance with Section 4.3.D.4.**

16. Section 4.3.Chart

CPC's recommendation is approved.

Introduction of Ordinance by City Council. The Ordinance will lay over a minimum of ~~21~~ **20** days before adoption.

17. Section 4.3.Chart

CPC's recommendation is approved.

Motion to Approve **Direct the Preparation of an Ordinance** / Motion to Approve with Modifications / Motion to Deny

18. Section 4.3.D.4.a

CPC's recommendation is approved.

a. The City Council shall hold a public hearing in accordance with its rules and take action by motion of approval, modified approval, or denial **determine by motion whether the zoning docket should be heard as an ordinance within** sixty (60) days from receipt of a City Planning Commission recommendation. **This motion shall direct the preparation of an ordinance effectuating the zoning change, specifying any changes to be made from the requested conditional use as well as any needed provisos or waivers, or shall deny the conditional use application.** The City Council may not take official action upon any application requiring a recommendation of the City Planning Commission until the report of the Commission has been received, or, if the City Planning Commission has failed to act by a vote of the majority of the Commission members, once the application has been forwarded to the City Council without recommendation:

19. Section 4.3.D.4.b

CPC's recommendation is approved.

b. If the City Council fails to take action by motion sixty (60) days from receipt of the City Planning Commission recommendation, the application is denied. ~~If the application is forwarded to the City Council without recommendation from the City Planning Commission and the City Council fails to take action by motion sixty (60) days from the date it received the application, the application is denied.~~

20. Section 4.3.D.4.c

CPC's recommendation is approved.

~~If the City Council takes action by motion of approval or modified approval, the City Council may forward the motion to the City Law Department for preparation of an ordinance. If the ordinance is introduced by the City Council, the ordinance shall lay over for a minimum of twenty (20) days following introduction before the Council may adopt it. The City Council's adoption of a motion under 4.3.D.4.a shall not be construed as an approval of a zoning matter unless and until an ordinance is introduced and adopted in accordance with the Charter; introduction of an ordinance does not indicate the City Council's approval of a zoning matter. **Should a Council office elect not to introduce an ordinance despite passage of a motion directing the preparation of an ordinance, they shall notify the Clerk of Council of this intention in writing within sixty (60) days of the passage of the motion.** Failure by the City Council to take action on a zoning ordinance within ninety (90) days of the date the City Council ~~took action by~~ **passed the** motion shall mean that the application is denied.~~

21. Section 4.3.E.1

CPC's recommendation is approved with modifications to read as follows:

1. The City Planning Commission may recommend and the City Council may impose such conditions and restrictions upon the establishment, location, design, construction, maintenance, and operation of the conditional use as deemed necessary for the protection of the public health, safety, and welfare. 2. **When the application for a conditional use does not fully demonstrate compliance with all general zoning requirements but the City Planning Commission wishes to make clear to the applicant that such compliance will be necessary in order to approve the site plan and associated permits, these conditions may be included as 'Approval Conditions.' These conditions may restate the zoning ordinance without modification and will be deemed to automatically update if the underlying ordinance provision is amended before final approval and permitting.**

22. Section 4.3.E.4

CPC's recommendation is approved.

The City Council may grant a variance **waiver** from specific zoning standards otherwise applicable to the use by this Ordinance to secure the general objectives of this section, provided however that any such shall be based on a finding that the case meets the approval standards of Section 4.6.F. However, the City Council cannot waive or modify any approval standards of this section **or any other section for which variances may not be granted under the terms of this Ordinance. Any waiver which was not considered by the City Planning Commission must be included in the motion directing the preparation of an ordinance described in 4.3.D.4.a.**

23. Section 4.3.H.1

CPC's recommendation is approved.

a. **Plans Deadline. For all conditional uses, plans stamped as approved by the City Planning Commission must be recorded in the Conveyance Records of Orleans Parish within two (2) years of the effective date of the ordinance granting the conditional use.** b. **Construction/Use Deadline. (i)** For new construction, the conditional use approval will expire within ~~three (3)~~ **five (5)** years from the date the Executive Director of the City Planning Commission approves the final drawings for a conditional use if a building permit has not been issued and substantial construction has not been commenced, and no request for an extension of time is pending. ~~b.~~ **(ii)** For conditional uses approved for existing structures or for a parcel of land where no structure is planned, if the use has not been established within a period of ~~three (3)~~ **five (5)** years from the date the Executive Director of the City Planning Commission approves the final drawings for a conditional use, then the conditional use will expire.

24. Section 4.3.H.2.a

CPC's recommendation is approved with modifications to read as follows:  
Unless otherwise prohibited, the Executive Director of the City Planning Commission may extend the time for expiration of **the deadline established in Section 4.3.E.2** for a period not to exceed one (1) year upon a showing of good cause by the applicant. **Additionally, unless otherwise prohibited, the Executive Director of the City Planning Commission may extend the time for expiration of the deadlines established in Section 4.3.H.1 for a period not to exceed one (1) year upon a showing of good cause by the applicant. When granting the request, the Executive Director shall articulate in writing the good cause justifying the extension.** A request for extension shall be made in writing within the original period of validity. A request made after the original period of validity but within one (1) year of the original period of validity must be considered by the City Planning Commission. Any extension for a period in excess of one (1) year may be granted only by the City Council in accordance with Paragraph b below. Any extension that does not meet all of these conditions may only be granted by the City Council in accordance with Paragraph b below.

25. Section 4.3.H.2.b

CPC's recommendation is approved with modifications to read as follows:  
The holder of a conditional use may petition the City Council **for an extension of time longer than the Executive Director of the City Planning Commission may authorize. The holder of a conditional use may also petition the City Council for a second extension of either or both the plans deadline and the construction/use deadline.** A request for extension shall be made in writing within the original period of validity. The City Council shall hold a public hearing and decide whether to extend the time period. Notice for the public hearing is required in accordance with Section 3.3. The applicant and the owner of record of the property shall be notified of a public hearing to be conducted by the City Council. Following the public hearing, the City Council shall render its decision whether to terminate or extend the approval, taking into account hardship to the applicant or property owner, changes in surrounding circumstances that have occurred since the original approval, and the likelihood that substantial construction will occur during any period of extension **by motion within sixty (60) days of receipt of the request.**

26. Section 4.3.J

CPC's recommendation is approved with modifications to read as follows:  
**3.5 Official Zoning Map Amendments Within thirty (30) days of receiving evidence of the recording of an approved conditional use or planned development, or within thirty (30) days of receiving approval of a zoning map amendment or minor map adjustment, the official Zoning Map shall be modified to reflect such change. Additionally, within thirty (30) days of receiving determination that a conditional use/planned development has been rescinded by the City Council, the official Zoning Map shall be modified to reflect such change.**

27. Section 4.4.C

CPC's recommendation is approved.

The City Council, ~~after receiving a recommendation from the City Planning Commission, shall may take formal action on requests for planned developments after receiving a recommendation from the City Planning Commission, in accordance with Sections 5-406 and 5-407 of the City Charter. **The City Council shall receive the Commission's recommendation related to requests for planned developments and shall calendar said requests for hearing in accordance with Section 4.4.E.4.**~~

28. Section 4.4.Chart

CPC's recommendation is approved.

Introduction of Ordinance by City Council. The Ordinance will lay over a minimum of ~~21~~ **20** days before adoption.

29. Section 4.4.Chart

CPC's recommendation is approved.

Motion to Approve **Direct the Preparation of an Ordinance** / Motion to Approve with Modifications / Motion to Deny

30. Section 4.4.E.4.a

CPC's recommendation is approved.

~~a. The City Council shall hold a public hearing in accordance with Section 3.4 and take action by motion of approval, modified approval, or denial **determine by motion whether the zoning docket should be heard as an ordinance within** sixty (60) days from receipt of a City Planning Commission recommendation. **This motion shall direct the preparation of an ordinance effectuating the zoning change, specifying any changes to be made from the requested amendment, or shall deny the amendment application.** The City Council may not take official action upon any application requiring a recommendation of the City Planning Commission until the report of the Commission has been received, or, if the City Planning Commission has failed to act by a vote of the majority of the Commission members, once the application has been forwarded to the City Council without recommendation.~~

31. Section 4.4.E.4.b

CPC's recommendation is approved.

~~b. If the City Council fails to take action by motion sixty (60) days from receipt of the City Planning Commission recommendation, the application is denied. If the application is forwarded to the City Council without recommendation from the City Planning Commission and the City Council fails to take action by motion sixty (60) days from the date it received the application, the application is denied.~~

32. Section 4.4.E.4.c

CPC's recommendation is approved.

~~If the City Council takes action by motion of approval or modified approval, the City Council may forward the motion to the City Law Department for preparation of an ordinance. If the ordinance is introduced by the City Council, the ordinance shall lay over for a minimum of twenty (20) days following introduction before the Council may adopt it. The City Council's adoption of a motion **under 4.4.E.4.a** shall not be construed as an approval of a zoning matter unless and until an ordinance is introduced and adopted in accordance with the Charter; introduction of an ordinance does not indicate the City Council's approval of a zoning matter. **Should a Council office elect not to introduce an ordinance despite passage of a motion**~~

**directing the preparation of an ordinance, they shall notify the Clerk of Council of this intention in writing within sixty (60) days of the passage of the motion.** Failure by the City Council to take action on a zoning ordinance within ninety (90) days of the date the City Council ~~took action by~~ **passed the** motion shall mean that the application is denied.

33. Section 4.4.I.1

CPC's recommendation is approved.

a. **Plans Deadline. For all planned developments, plans stamped as approved by the City Planning Commission must be recorded in the Conveyance Records of Orleans Parish within two (2) years of the effective date of the ordinance granting the planned development.** **b. Construction/Use Deadline. (i) For new construction,** the planned development **approval** will expire within ~~three (3)~~ **five (5)** years from the date the Executive Director of the City Planning Commission approves the final drawings for a planned development if a building permit has not been issued and substantial construction has not been commenced, and no request for an extension of time is pending. ~~b. (ii)~~ **(ii) For planned developments approved for existing structures or for a parcel of land where no structure is planned,** if the planned development has not been established within a period of ~~three (3)~~ **five (5)** years from the date the Executive Director of the City Planning Commission approves the final drawings for a planned development, then the planned development will expire.

34. Section 4.4.I.2.a

CPC's recommendation is approved.

Unless otherwise prohibited, the Executive Director of the City Planning Commission may extend the time for expiration of **either the plans deadline or the construction/use deadline for** a planned development approval for a period not to exceed one (1) year upon a showing of good cause by the applicant. A request for extension shall be made in writing within the original period of validity. ~~A request made after the original period of validity but within one (1) year of the original period of validity must be considered by the City Planning Commission. An extension for a period in excess of one (1) year may be granted only by the City Council in accordance with Paragraph b below.~~ Any extension that does not meet all of these conditions may only be granted by the City Council in accordance with Paragraph b below.

35. Section 4.4.I.2.b

CPC's recommendation is approved with modifications to read as follows:

The holder of a planned development may petition the City Council for ~~a longer extension of time~~ **an extension of time longer than the Executive Director of the City Planning Commission may authorize.** **The holder of a planned development may also petition the City Council for a second extension of either or both the plans deadline or the construction/use deadline.** A request for extension shall be made in writing within the original period of validity. The City Council shall hold a public hearing and decide whether to extend the time period. Notice for the public hearing is required in accordance with Section 3.3. The applicant and the owner of record of the property shall be notified of a public hearing to be conducted by the City Council. Following the public hearing, the City Council shall render its decision whether to terminate or extend the approval, taking into account hardship to the applicant or property owner, changes in surrounding circumstances that have occurred since the original approval, and the likelihood that substantial construction will occur during any period of extension **by motion within sixty (60) days of receipt of the request.**

36. Section 4.5.B.2

CPC's recommendation is approved with modifications to read as follows:

a. Additions or enlargements to multi-family dwellings **developments**, or townhouse developments, **or a non-residential or mixed-use developments** that bring the total gross floor area to forty-thousand (40,000) square feet or more. **If the total square footage of the development is already over forty-thousand (40,000) square feet, then review is only required if there is a total increase of ten percent (10%) or more.** b. Enlargement to a non-residential or mixed-use structure that brings the total gross floor area to forty-thousand (40,000) square feet or more. c. Additions of new structure(s) to non-residential or mixed-use development on a lot that bring the total gross floor area of all structures on the lot to forty-thousand (40,000) square feet or more. d. Substantial improvements to any non-residential or mixed-use structure, or group of structures on the same lot, where the total gross floor area is forty-thousand (40,000) square feet or more. Substantial improvements are defined as demolition and reconstruction of existing buildings valued at fifty percent (50%) or more of the initial value of the existing building.

37. Section 4.5.3.b

CPC's recommendation is approved.

~~b. Developments on lots within the entirety of each block located at the major intersections along a design overlay district identified in Article 18:~~

38. Section 4.5.B.3

CPC's recommendation is approved with modifications to read as follows:

~~e. Development on a through lot in a design overlay district identified in Article 18. d. c. Development within one-hundred (100) feet or more of lot frontage in a design overlay district identified in Article 18-e. d. UAD University Area Design Overlay District~~

39. Section 4.5.B.4

CPC's recommendation is approved with modifications to read as follows:

~~Unless otherwise required by this section or this Ordinance, applications for any development, new building construction, substantial improvement, and exterior redesign which implicates the design requirements of the base zoning or design overlay district and site plan modifications that implicate the standards of the overlay district that does not meet the thresholds of Paragraphs 1, 2, and 3 above, and sign applications, as applicable, within the following overlay districts (Article 18), are reviewed solely by the Executive Director of the City Planning Commission. Except in the UAD Overlay District, single-family dwellings, two-family dwellings, and any development or portions of a development that are located in an industrial or institutional district and that are not visible from a public right-of-way are exempt. In the RIV Riverfront District, EC Enhancement Corridor, CT Corridor Transformation, GC Greenway, and UAD University Area Design Overlay Districts, applications are reviewed solely by the Executive Director. Review is limited to applications for new construction, substantial improvement, and exterior re-design that substantially alters the architecture of a principal structure. Anything that is not visible from the public right-of-way is exempt from design review. Except in the UAD University Area Design Overlay District, single- and two-family residences are exempt from design review. The City Planning Commission may determine that no review is necessary based on the nature and scope of a proposal.~~

40. Section 4.5.B.10

CPC's recommendation is approved.

~~All essential services described in Section 6.4. Unless otherwise required by this section or this Ordinance, such applications are reviewed solely by the Executive Director of the City Planning Commission. However, the Executive Director of the City Planning Commission may waive this requirement. 11:~~

41. Section 4.5.B.11

CPC's recommendation is approved.

~~When a property is located within the Vieux Carré Historic District or within the Historic Districts Landmark Commission's full control Historic Districts, those developments are exempt from site plan and design review, but are subject to the review procedures of the Vieux Carré Commission or Historic Districts Landmark Commission, as applicable. Properties within full control local historic districts are not exempt from design review of site design by the City Planning Commission Executive Director or Design Advisory Committee. Properties within partial control local historic districts are not exempt from design review. Properties with the RIV Riverfront Design Overlay District are not exempt. **When a property is located within the Vieux Carré Historic District, developments upon the property are exempt from site plan and design review by the City Planning Commission. However, such developments are subject to the site plan and design review procedures of the Vieux Carré Commission.**~~

**When a property is located within the Historic Districts Landmark Commission's full control Historic Districts, development is exempt from site plan and design review by the City Planning Commission. However, such developments are subject to the site plan and the design review procedures of the Historic Districts Landmark Commission. When a property is located within the Historic Districts Landmark Commission's partial control local Historic Districts, developments upon the property are subject to site plan and design review procedures established by the City Planning Commission. When a property is located within the RIV Riverfront Design Overlay District, developments upon the property are subject to site plan and design review procedures established by the City Planning Commission.**

42. Section 4.5.C

CPC's recommendation is approved.

**7. Architectural elevations or perspectives that convey the visual character of the development.**

~~Building elevations, locations, and dimensions. **Contextual drawings that are drawn to scale and show the streetscape, including the proposed structure and adjacent structures. Label the height of the adjacent structures. A materials sheet that identifies all proposed exterior materials, finishes, and colors.**~~ 8.

General location of parking and site circulation. 9. General location, height, and material of all fences, walls, screening, and landscape. 10. A tabulation of the total gross area in square feet or acres of the project site and the floor area in square feet of any building(s) in the proposed development. 11. Landscape and stormwater management plan, where applicable. Such other information as may be required in order to meet standards in the district in which the use is to be located. 13. A narrative description of how the proposed development addresses the design goals, **including compatibility with adjacent property, landscape and open space, circulation systems, and building design strategies. Reference published design guides and principles and how they informed the design concept in terms of sustainability, transit-oriented design, architectural, landscape architectural, and urban design, etc.** 14. **A color-rendered site plan and landscape plan that clearly illustrates the design concept and spatial relationships.** 15. **Site context plans that highlight opportunities and constraints.** 16. **Images or specifications of proposed fixtures, furnishings, and lighting elements.** 17. **Design precedent images to show architectural styles or urban design strategies.**

43. Section 4.5.D.3

CPC's recommendation is approved.

**4.5.D.3 The applicant shall have a maximum of one (1) year from the date of the application submittal to meet the stated conditions for approval in 4.5.E. At the written request of the applicant, the Executive Director may grant an extension not to exceed one (1) year. If the stated conditions have not been met by the expiration of this period, the application will be deemed denied.**

44. Section 4.5.F.2

CPC's recommendation is approved.

The City Planning Commission, upon recommendation of other applicable City departments or commissions, may approve the following changes: ~~a. Increases in total building coverage of any structure beyond twenty percent (20%) in any part of the development plan.~~ **a. Any increase in floor area of structures beyond 20% that does not exceed the bulk regulations of the underlying zoning district.** b. Increases in height of any individual structure beyond ten percent (10%) and up to twenty percent (20%) of the approved height of said structure, provided that the requested height does not exceed the height limit established in the district. c. Increases in the number of structures permitted in any part of the development plan. All applications for amendments to approved Conditional Use plans requiring City Planning Commission approval shall include a Project Neighborhood Participation Program (Project NPP) in accordance with Article 4, Section 4.3.D.2 Pre-Application Meeting and Project Neighborhood Participation Program.

45. Section 4.6.C.6

CPC's recommendation is denied and no change shall be made to existing text.

46. Section 4.6.C.7

CPC's recommendation is approved.

**4.6.C.7 The additional design review approval standards of Article 18 shall not be subject to variances by the Board of Zoning Adjustments.**

47. Section 4.6.D.2

CPC's recommendation is approved.

All applications for variances, with the exception of applications for variances involving a ~~single-family or two-family dwelling~~ **residential development with less than five (5) dwelling units**, shall include a Project Neighborhood Participation Program (Project NPP). During a time of declared emergency by the Governor or Mayor, when in-person meetings are not an available option, the City Planning Commission Director shall be authorized to require teleconferencing, virtual, or other remote meeting formats to satisfy NPP requirements.

48. Section 4.6.D.3.c

CPC's recommendation is approved.

c. The Board of Zoning Adjustments may approve, approve with modifications, ~~or deny, or defer the application within forty-five (45) days of the close of the public hearing.~~ The Board of Zoning Adjustments may also vote to defer action within City Charter required timeframes in cases where it discovers applicants have not submitted complete and accurate information, including but not limited to errors or omissions in following the Project NPP. **No application may be deferred for longer than a total of 180 days, including all individual deferrals of shorter time periods. Any item deferred for longer than 180 days will be deemed denied for deferral past deadline.** The failure to resolve a finding of incomplete or inaccurate information may be grounds for denial **at any time.**

49. Section 4.6.F

CPC's recommendation is approved.

The Board of Zoning Adjustments may authorize a variance only when the evidence presented supports a finding that each case indicates all of the following:

1. ~~Special conditions and circumstances exist that are peculiar to the land or structure involved and are not generally applicable to other lands or structures in the same zoning district.~~

2. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

3. The special conditions and circumstances do not result from the actions of the applicant or any other person who may have had an interest in the property.

4. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands or structures in the same district or similarly situated.

5. The variance, if granted, will not alter the essential character of the locality.

6. Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.

7. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s).

8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

9. The proposed variance will not impair an adequate supply of light and air to adjacent property, increase substantially the congestion in the public street, increase the danger of fire, or endanger the public safety.

**The Board of Zoning Adjustments may authorize a variance only when the evidence presented supports a finding that each case indicates all of the following:**

**A. The basic elements for a variance exist because the below standards have been met:**

**1. Special conditions and circumstances exist that are peculiar to the land or structure involved and are not generally applicable to other land or structures in the same zoning district.**

**2. The special conditions and circumstances do not result from the actions of the applicant or any other person who may have had an interest in the property.**

**3. Literal interpretation of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.**

**4. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party.**

**5. Strict adherence to the regulation by the owner or their agent would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.**

**B. The impacts of granting a variance are acceptable because the below standards are met:**

**1. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands or structures in the same district or otherwise similarly situated.**

**2. The variance, if granted, will not alter the essential character of the locality.**

**3. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood where the property is located.**

**4. The proposed variance will not impair an adequate supply of light and air to adjacent property, increase substantially the congestion of nearby streets, increase the danger of fire, or otherwise endanger the public safety.**

50. Section 4.6.G

CPC's recommendation is approved.

**Termination of approval of a variance for failure to obtain final approval, a building permit or to commence the use, or an extension of the time is governed as follows:**

51. Section 4.6.G.1

CPC's recommendation is approved.

**4.6.G.1 EXPIRATION a. The Board of Zoning Adjustments' approval of a A variance is valid for expires one (1) year from the resolution "Filed" date. If the Executive Director of the City Planning Commission, or their designee, has not signed the development plan indicating final approval, or has not authorized an extension of time submitted by such date by the holder of the variance , in accordance with Article 4, Section 4.6.G.2, the variance approval will expire. b. A variance expires of approval unless if a building**

permit is **not** obtained within such period and substantial construction is started, or the use is commenced within such period **two (2) years of the final approval of the Executive Director of the City Planning Commission, or their designee, unless an extension of time at the holder of the variance's request, submitted by such date, is authorized in accordance with Article 4, Section 4.6.G.2.b.**

52. Section 4.6.G.2

CPC's recommendation is approved.

**4.6.G.2 EXTENSION OF TIME a. Unless otherwise prohibited, the Executive Director of the City Planning Commission may extend the time for expiration of a variance in accordance with the provisions of this section upon a showing of good cause by the applicant. A request for extension shall be made in writing within the original period of validity. An extension for a period in excess of either of the below may be granted only by the Board of Zoning Adjustments in accordance with Paragraph b below. i. One (1) year from the Board of Zoning Adjustments' approval as indicated by the resolution "Filed" date; or ii. Two (2) years from the final approval of the Executive Director of the City Planning Commission, or their designee. b.** The holder of a variance may petition the Board of Zoning Adjustments for a longer extension of time not to exceed two (2) additional years **from the date of the final approval of the Executive Director of the City Planning Commission, or their designee.** A request for extension shall be made in writing within the original period of validity. The Board shall hold a public hearing and decide whether to extend the time period. Notice for the public hearing is required in accordance with Article 3, Section 3.3. The applicant and the owner of record of the property shall be notified of a public hearing to be conducted by the Board of Zoning Adjustments. Following the public hearing, the Board shall render its decision whether to grant an extension of such period with good cause shown, subject to verification that the approval standards of Paragraph F above are still met.

53. Section 4.6.H

CPC's recommendation is approved.

An aggrieved party may appeal the Board of Zoning Adjustments' decisions on variance applications to the Orleans Parish Civil District Court within thirty (30) days of **the filing of the decision in the office of the Board of Zoning Adjustments' decision.**

54. Section 4.7.B

CPC's recommendation is approved.

Applications for minor map adjustments may be initiated by a property owner in the city, a person expressly authorized in writing by a property owner, the City Planning Commission, Director of the Department of Safety and Permits, or the City Council in the following instances, **provided that the adjustment results in a change to no more than 15% of the total area of the lots affected by the adjustment:**

55. Section 4.7.D.2.c

CPC's recommendation is approved.

**c. The decision on an application for a minor map adjustment shall be communicated to the applicant in writing and shall be made available on OneStop and the City's electronic notification system for any interested parties.**

56. Section 4.8.B

CPC's recommendation is approved with modifications to read as follows:

**1. Appeals are authorized by the Board of Zoning Adjustments in accordance with Article 2, Section 2.6, Louisiana Revised Statute 33:4780.46, and Section 5-408 of the City Charter. 2.** Appeals may be filed concerning any decision of the Director of the Department of Safety and Permits **in the enforcement of the**

**zoning ordinance of the City** on the following applications of this Ordinance: **a.** The decision of the Director of the Department of Safety and Permits on zoning verifications. **b.** The decision of the Director of the Department of Safety and Permits on Zoning Ordinance interpretations. **c.** The decision of the Director of the Department of Safety and Permits on permits issued under the Comprehensive Zoning Ordinance. **3.** **These decisions need not be formal, and any written communication of such a decision, including but not limited to an email or LAMA approval or disapproval, shall be considered appealable.** **4.** **For purposes of this Section, a decision made "in the enforcement of the zoning ordinance of the Ciity" shall be those decisions that specifically apply the provisions of the zoning ordinance. Appeals made pursuant to this Section must therefore allege an error in the application of a provision of the zoning ordinance.**

57. Section 4.8.D

CPC's recommendation is approved.

**1. Applications for appeal of the decision of the Director of the Department of Safety and Permits or Executive Director of the City Planning Commission shall be made in writing to the Board of Zoning Adjustments within forty-five (45) days of the decision.** **2. All applications shall be filed with the Executive Director of the City Planning Commission in accordance with the requirements of Section 3.2 and reviewed for completeness by the Executive Director who shall determine whether the application is ripe for review by the Board, not moot, or otherwise unable to be heard. If the application is determined to be incomplete, unripe, moot, or otherwise unable to be heard in accordance with Section 4.8.B. a. If the application is determined to be incomplete, unripe, moot, or otherwise unhearable, this determination will be conveyed to the applicant by the Board of Zoning Adjustments in writing. b. Notwithstanding this determination, the Department of Safety and Permits or other interested parties may present arguments to the Board that an application is incomplete, unripe, moot, or otherwise unhearable and the Board may make a finding in accordance with this argument rather than rule on the merits of the appeal.** Upon the filing of an application for an appeal of a Director of the Department of Safety and Permits or Executive Director of the City Planning Commission decision, the Board of Zoning Adjustments shall conduct a public hearing in accordance with Sections 3.4 and make a final decision within forty-five (45) days from the date the public hearing is closed. The Director of the Department of Safety and Permits or the Executive Director of the City Planning Commission shall produce all papers, correspondence, and records requested by the Board of Zoning Adjustments for any hearing or meeting held by the Board. The Board shall owe no deference to interpretations by the Director of the Department of Safety and Permits. In reviewing factual determinations by the Director, the Board must determine, based upon the totality of the record evidence, that the Director committed clear error and that the error was material to the Director's determination.

58. Section 4.8.E-4.8.G

CPC's recommendation is approved.

4.8.E **Standard of Review** Stay of Proceedings 4.8.F **Stay of Proceedings** Appeals 4.8.G **Appeals**

59. Section 4.8.E

CPC's recommendation is approved.

An appeal stays all administrative proceedings in furtherance of the action appealed from, unless the Director of the Department of Safety and Permits certifies to the Board of Zoning Adjustments, after the notice of appeal is filed, by reason of facts stated in the certificate, that a stay would, in the Director's opinion, cause imminent peril of life or property. In such case, proceedings may not be stayed after application to the Board or to the Civil District Court and notice to the Director of the Department of Safety and Permits, for due cause shown thereon, unless a restraining order is issued. **The Board shall owe no**

**deference to interpretations by the Director of the Department of Safety and Permits. In reviewing factual determinations by the Director, the Board must determine, based upon the totality of the record evidence, that the Director committed clear error and that the error was material to the Director's determination.**

60. Section 4.8.F

CPC's recommendation is approved.

**An aggrieved party may appeal the Board of Zoning Adjustments' decisions on zoning appeals to the Orleans Parish Civil District Court within thirty (30) days of the Board's decision. An appeal stays all administrative enforcement proceedings in furtherance of the action appealed from, unless the Director of the Department of Safety and Permits certifies to the Board of Zoning Adjustments, after the notice of appeal is filed, by reason of facts stated in the certificate, that a stay would, in the Director's opinion, cause imminent peril of life or property. In such case, proceedings may not be stayed after application to the Board or to the Civil District Court and notice to the Director of the Department of Safety and Permits, for due cause shown thereon, unless a restraining order is issued.**

61. Section 4.8.G

CPC's recommendation is approved.

**An aggrieved party may appeal the Board of Zoning Adjustments' decisions on zoning appeals to the Orleans Parish Civil District Court within thirty (30) days of the Board's decision.**

62. Section 4.9.D.2

CPC's recommendation is approved.

The Director of the Department of Safety and Permits issues a zoning verification as part of a building permit, certificate of occupancy, or business license. **These verifications may take the form of an approval or denial in the City's permit review system (LAMA).**

63. Section 4.9.D.4

CPC's recommendation is approved.

The interested party shall submit an application containing the following material, unless waived by the Director of the Department of Safety and Permits:

64. Section 4.9.D.4.e

CPC's recommendation is approved.

**e. Required application fees, if any. Application fees may not be waived by the Director of the Department of Safety and Permits.**

65. Section 4.9.E

CPC's recommendation is approved.

An interested party may appeal the zoning verification decision by the Director of the Department of Safety and Permits to the Board of Zoning Adjustments within forty-five (45) days of the decision. **All verifications issued by the Director of the Department of Safety and Permits must contain a statement explaining that there is a right to appeal to the Board of Zoning Adjustments and the deadline to do so.**

66. Section 4.10.E.1

CPC's recommendation is denied and the language originally proposed in Motion M-25-280 is adopted.

All applications for a zoning text interpretation shall be filed with the Director of the Department of Safety and Permits in accordance with the requirements in Section 3.2. The Director of the Department of Safety and Permits shall review a request for an interpretation and render the written interpretation within forty-five (45) days of receipt of a complete application. The Director of the Department of Safety and Permits has the authority to request additional information prior to rendering an interpretation. The Director of the Department of Safety and Permits shall maintain a written record of all interpretations **and shall make all interpretations available on their publicly-accessible website. The Director of the Department of Safety and Permits shall also provide notice of interpretations to interested parties through the City's electronic notification system. All interpretations issued by the Director of the Department of Safety and Permits must contain a statement explaining that there is a right to appeal to the Board of Zoning Adjustments and the deadline to do so.**

67. Section 4.10.F.3

CPC's recommendation is denied and the language originally proposed in Motion M-25-280 is adopted.

**3. All formal interpretation decisions by the Department of Safety and Permits must contain a statement explaining that there is a right to appeal to the Board of Zoning Adjustments and the deadline to do so.**

68. Section 4. Table

CPC's recommendation is approved.

Table 4-~~23~~: Administrative Summary Table \*\*\* Application Filing and Completeness Determination / Zoning Appeal: Director of the Department of Safety and Permits **Executive Director of the City Planning Commission**

69. Section 19.3.C.2

CPC's recommendation is approved.

Prior to the initiation of the City Council motion, the City Councilmember sponsoring the motion shall follow the procedure established in Section 4.2 for zoning map amendments. If the interim zoning district or moratorium is initiated "by request," the sponsoring City Councilmember may designate the requestor to fulfill the Project NPP requirements.