

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: May 7, 2026

CALENDAR NO. 35,446

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER KING

AN ORDINANCE to establish a conditional use to permit a single-family residence in a GPD General Planned Development District, on Square 128, Lots 20 through 23 and 32 through 35 (proposed Lot 21A), Orleans Tract, in the Fifth Municipal District, bounded by Van Buren Street, Jackson Street, Woodland Highway, and Maumas Avenue (Municipal Addresses: 3803-3909 Van Buren Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 33/26 was initiated by Gabrielle Nguyen and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended approval of the requested conditional use in its report to the City Council dated April 1, 2026, presented in **Zoning Docket Number 33/26**; and

WHEREAS, the changes were deemed necessary and in the best interest of the City of New Orleans and the request was approved by the City Council, subject to three (3) provisos, as stated in Motion Number M-26-169 of the Council of the City of New Orleans on April 23, 2026.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS,** That a conditional use to permit a single-family residence in a GPD General
3 Planned Development District, on Square 128, Lots 20 through 23 and 32 through 35 (proposed

4 Lot 21A), Orleans Tract, in the Fifth Municipal District, bounded by Van Buren Street, Jackson
5 Street, Woodland Highway, and Maumas Avenue (Municipal Addresses: 3803-3909 Van
6 Buren Street); is hereby authorized and approved, subject to the following provisos, as
7 specifically set forth herein:

8 **PROVISOS:**

- 9 1. The Department of Safety and Permits shall issue no building permits or licenses for
10 this project until final development plans are approved by the City Planning
11 Commission and recorded with the Clerk of Civil District Court's Land Records
12 Division. Failure to complete the conditional use process by properly recording plans
13 within one year or failure to request an administrative extension as provided for in
14 **Article 4, Section 4.3.H.2** of the Comprehensive Zoning Ordinance will void the
15 conditional use approval.
- 16 2. The developer shall consolidate the lots associated with the site into a single lot of record
17 through the City Planning Commission. The developer shall submit a complete
18 application for the resubdivision prior to City Planning Commission sign-off on final
19 plans. The approved subdivision shall be recorded with the Clerk of Civil District
20 Court's Land Records Division prior to the issuance of a Certificate of Occupancy by
21 the Department of Safety and Permits.
- 22 3. The plans submitted to the City Planning Commission for final approval shall indicate
23 a compliant side yard setback of 10% of the lot width, as set forth in **Article 13, Section**
24 **13.3.A.1 (Table 13-2)** of the Comprehensive Zoning Ordinance.

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

1 **SECTION 3.** This Ordinance shall have the legal force and effect of authorizing this
2 conditional use after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation
3 have been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1,
4 which impose a continuing or ongoing obligation have begun to be fulfilled. Fulfillment of a
5 continuing or ongoing obligation is based on the City Planning Commission's approval of the
6 final site plan, which shall be submitted within one year of adoption of this Ordinance by the
7 City Council, unless extended as authorized by the Comprehensive Zoning Ordinance. The
8 Executive Director of the City Planning Commission shall verify that the development plan
9 incorporate all conditions set forth in this Ordinance and shall sign the plan to indicate final
10 plan approval. The final approved plan shall be recorded in the Office of the Clerk of Civil
11 District Court for the Parish of Orleans, within 30 days of the date of final approval, and
12 evidence of such recordation shall be submitted to the City Planning Commission. No use or
13 occupancy certificates or permits, other than the building permits needed to fulfill the
14 proviso(s), shall be issued until the final approved plan is recorded and evidence of recordation
15 is submitted to the City Planning Commission. If the development plan is not approved and
16 recorded, within the timeframes provided in the Comprehensive Zoning Ordinance, then this
17 Ordinance shall be null and void with no legal force or binding effect. Furthermore, if the
18 requirements of Section 4.3.H.1 of the Comprehensive Zoning Ordinance are not satisfied
19 within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the Comprehensive Zoning

20 Ordinance, the conditional use will expire, and this Ordinance will be null and void. The
21 preceding deadlines may be extended via motion in accordance with the Comprehensive Zoning
22 Ordinance.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

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

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED:

MOTION
NO. M-26-169

CITY HALL: April 23, 2026

BY: COUNCILMEMBER KING

SECONDED BY: COUNCILMEMBER MCCARRON

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the report and recommendation of approval, subject to three provisos, by the City Planning Commission on **ZONING DOCKET NO. 33/26** initiated by **GABRIELLE NGUYEN**, requesting a conditional use to permit a single-family residence in a GPD General Planned Development District, on Square 128, Lots 20 through 23 and 32 through 25 (proposed Lot 21A), Orleans Tract, in the Fifth Municipal District, bounded by Van Buren Street, Jackson Street, Woodland Highway, and Maumas Avenue (**Municipal Address(es): 3803-3909 Van Buren Street**), is hereby received and the request is approved subject to the three recommended provisos.

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 Law Department, which is directed to prepare an ordinance to effectuate this motion and is granted flexibility to make any changes necessary to achieve the will of the Council as set forth in this motion.

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

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

NAYS: 0

ABSENT: 0

RECUSED: 0

AND THE MOTION WAS ADOPTED.

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



CLERK OF COUNCIL