

MOTION

NO. M-25-470

CITY HALL: September 11, 2025

BY: COUNCILMEMBERS GIARRUSSO AND THOMAS

WHEREAS, the Comprehensive Zoning Ordinance does not contain regulations specific to the sale of products containing cannabis, tobacco, or nicotine; and

WHEREAS, purveyors of these products are currently evaluated as retail goods establishments; and

WHEREAS, these uses may create unique impacts on their neighbors; and

WHEREAS, sales of these products are regulated by state law in ways that other retail goods establishments are not; and

WHEREAS, cannabis uses are becoming more common in the wake of state law changes over the last decade since the adoption of the revised Comprehensive Zoning Ordinance in 2015 regarding cannabis sales; and

WHEREAS, research has found that increased baseline exposure to tobacco advertising, especially e-cigarette advertising, including point-of-sale advertising in stores, is linked to an increase in the subsequent reporting of nicotine use within the last 30 days among youth aged 13-20; and

WHEREAS, flavored tobacco and nicotine products sold at tobacco-nicotine businesses, including alternative products like vapes and pouches, have been shown to appeal particularly to youth and young adults, with 90% of middle and high school tobacco users reporting use of a flavored product; **NOW THEREFORE**

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to study the impacts of retail establishments which sell cannabis, tobacco, and nicotine products and to provide recommendations regarding updated regulation of these uses, including but not limited to the definition of new uses, use standards, signage regulations, and density restrictions, as applicable.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That because this request does not constitute an amendment to the zoning ordinance, no Neighborhood Participation Program is needed.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That in conducting this study, the City Planning Commission staff is directed to consult with other city departments and with any relevant representatives of the State of Louisiana to ensure that the recommendations align with relevant laws, regulations, and administrative processes, as well as best practices.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to conduct and complete this motion within 180 days of the passage of this motion, but may request a reasonable extension of this timeline in writing to the New Orleans City Council, through the author(s) of this motion or their successor(s) in office, as applicable, and said deadline may be modified by subsequent motion.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That this study is intended to supplant the study commissioned by the Council through motion M-25-379, and the study created in response to this motion shall be deemed to be the response to the study commissioned in M-25-379.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That in the process of conducting a public hearing and study as provided herein, the City Planning Commission and staff are directed and granted the flexibility to expand the scope of the study and make any and all legal and appropriate recommendations deemed necessary in light of study, review and public testimony resulting from this motion.

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

YEAS:

NAYS:

ABSENT:

AND THE MOTION WAS ADOPTED.