ORDINANCE

CITY OF NEW ORLEANS

CITY HALL:     September 11, 2025

CALENDAR NO. 35,232

NO. _____ MAYOR COUNCIL SERIES

BY:     COUNCILMEMBER HARRIS

AN ORDINANCE to grant an Affordable Housing Planned Development in an MU-2 High Intensity Mixed Use District, on Lots 2, 3 and 4, and a portion of original Lot 9, on Square 254, in the First Municipal District, bounded by Oretha Castle Haley Boulevard, Calliope Street, Baronne Street, and Clio Street (Municipal Address: 1122 Oretha Castle Haley Boulevard); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 36/25 was initiated by 1122 OCH, LLC 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 affordable housing planned development in its report to the City Council dated July 28, 2025, presented in Zoning Docket Number 36/25; 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 two (2) exceptions and four (4) provisos, as stated in Motion Number M-25-445 of the Council of the City of New Orleans on August 21, 2025.

1    SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,

2    That an Affordable Housing Planned Development in an MU-2 High Intensity Mixed Use District, on

3    Lots 2, 3 and 4, and a portion of original Lot 9, on Square 254, in the First Municipal District, bounded

4    by Oretha Castle Haley Boulevard, Calliope Street, Baronne Street, and Clio Street (Municipal Address:

5    1122 Oretha Castle Haley Boulevard); is hereby authorized and approved, subject to the following

6    exceptions and provisos, as specifically set forth herein:

7    **EXCEPTIONS:**

8    1.    This development shall be granted an exception of **Article 22, Section 22.15** and **Article 5,**

9          **Section 5.10** of the Comprehensive Zoning Ordinance to permit a reduced number of off-street

10         parking due to the public benefit component providing affordable housing units.

11   2.    This development shall be granted an exception of **Article 22, Section 22.7.C** of the

12         Comprehensive Zoning Ordinance, which requires one off-street loading space.

13   **PROVISOS:**

14   1.    The Department of Safety and Permits shall issue no building permits or licenses for this project

15         until final development plans are approved by the City Planning Commission and recorded with

16         Clerk of Civil District Court's Land Records Division. Failure to complete the planned

17         development process by properly recording plans within one year or failure to request an

18         administrative extension as provided for in Article 4, Section 4.4.I.2 of the Comprehensive

19         Zoning Ordinance will void the planned development approval.

20   2.    The developer shall secure the approval of the Department of Public Works for any

21         improvements to the adjacent public right-of-way, including sidewalks, curbing, and curb cuts,

22         and any other modifications to the surrounding public rights-of-way. When submitting plans to

23         the City Planning Commission for final approval, the developer shall provide documentation of

24         all required approvals by the Department of Public Works.

25   3.    The plans submitted to the City Planning Commission for final approval shall include a

26         landscaping plan that complies with **Article 23, Section 23.3.B** of the Comprehensive Zoning

27         Ordinance. The landscape plan shall be prepared by a licensed Louisiana landscape architect.

28         This landscape plan shall indicate the following:

| 29 | | a. | the genus, species, size, location, quantity, and irrigation of all existing and proposed |
| 30 | | | plant materials within both the common areas and the street rights of-way within the |
| 31 | | | site, with applicable remarks and details; |
| 32 | | b. | compliance with all applicable landscape regulations in **Article 23** and elsewhere in the |
| 33 | | | Comprehensive Zoning Ordinance including parking lot landscaping in **Article 23,** |
| 34 | | | **Section 23.7** and buffer yard landscaping in **Article 23, Section 23.8;** |
| 35 | | c. | building foundation planting; and |
| 36 | | d. | planting of trees in the public right-of-way at the equivalent of one (1) tree for every |
| 37 | | | forty (40) linear feet for shade trees and every twenty-five (25) linear feet for |
| 38 | | | ornamental trees, subject to the approval of the Department of Parks and Parkways. |
| 39 | 4. | | The development shall be in accordance with, and submit evidence of, all affordable housing |
| 40 | | | requirements outlined in **Article 5, Section 5.10** of the Comprehensive Zoning Ordinance, |
| 41 | | | including: |
| 42 | | a. | Affordable housing units shall be either rental affordable housing or homeownership |
| 43 | | | affordable housing. |
| 44 | | b. | The development shall contain ten percent (10%) of units up to the sixty percent (60%) |
| 45 | | | Area Median Income level. |
| 46 | | c. | The affordable housing units shall be located on-site within the same structure as the |
| 47 | | | market rate dwelling units. The affordable units shall be spread throughout the |
| 48 | | | development and not clustered on one floor or in one area of the development. |
| 49 | | d. | The affordable housing units shall be comparable to the market-rate housing units in |
| 50 | | | terms floor area and exterior finishes. Interior finishes or appliances may be different |
| 51 | | | as long as functionality and longevity are retained. |

| | | |
|---|---|---|
| 52 | e. | The bedroom mix (i.e. the number of bedrooms) of the affordable housing units shall |
| 53 | | be proportional to the market-rate housing units. |
| 54 | f. | The obligation to provide and maintain a specified amount of affordable housing in a |
| 55 | | development shall run with planned development designation containing such site for |
| 56 | | not less than ninety-nine (99) years. |
| 57 | g. | The residents of the affordable housing units shall have access to the same amenities as |
| 58 | | the residents of the market-rate housing units. |

1   **SECTION 2**. Whoever does anything prohibited by this Ordinance or fails to do anything

2   required to be done by this Ordinance shall be guilty of a misdemeanor. Upon conviction of such a

3   misdemeanor, the individual shall be subject to a fine, imprisonment, or both, in accordance with Section

4   1-13 of the Code of the City of New Orleans. Such a conviction shall be cause for immediate cancellation

5   of the Use and Occupancy Permit for the premises. Alternatively, the individual shall be subject to

6   whatever civil liabilities, penalties, or remedies the law prescribes.

1   **SECTION 3**. This Ordinance shall have the legal force and effect of authorizing this affordable

2   housing planned development after: (1) all proviso(s) listed in Section 1, which impose a one-time

3   obligation 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. Fulfilment of a continuing

5   or ongoing obligation is based on the City Planning Commission's approval of the final site plan, which

6   shall be submitted within one year of the effective date of this Ordinance, unless extended as authorized

7   by the Comprehensive Zoning Ordinance. The Executive Director of the City Planning Commission

8   shall verify that the development plan incorporate all conditions set forth in this Ordinance and shall

9   sign the plan to indicate final plan approval. The final approved plan shall be recorded in the Office of

10   the Clerk of Civil District Court for the Parish of Orleans, within 30 days of the date of final approval,

11   and evidence of such recordation shall be submitted to the City Planning Commission. No use or

12 occupancy certificates or permits, other than the building permits needed to fulfill the proviso(s), shall

13 be issued until the final approved plan is recorded and evidence of recordation is submitted to the City

14 Planning Commission. If the development plan is not approved and recorded, within the timeframes

15 provided in the Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no

16 legal force or binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive

17 Zoning Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the

18 Comprehensive Zoning Ordinance, the affordable housing planned development will expire, and this

19 Ordinance will be null and void.

**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 _____**


**_____**
**ASSISTANT CLERK OF COUNCIL**
**ROLL CALL VOTE:**

**YEAS:**

**NAYS:**

**ABSENT:**

**RECUSED:**

## MOTION
## NO. M-25-445

**CITY HALL:**  **August 21, 2025**

**BY:   COUNCILMEMBER HARRIS**

**SECONDED BY:   COUNCILMEMBER GIARRUSSO**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission's report and recommendation of **approval** subject to 4 provisos and 2 exceptions, related to **ZONING DOCKET 036/25** related to property located on Lots 2, 3, 4, and a portion of original Lot 9 on Square 254, in the First Municipal District, bounded by Oretha Castle Haley Boulevard, Calliope Street, Baronne Street, and Clio Street, bearing municipal address 1122 Oretha Castle Haley Boulevard, initiated by 1122 OCH, LLC, Mission Properties Foundation to permit an Affordable Housing Planned Development in an MU-2 High Intensity Mixed Use District, is received and the request is hereby **APPROVED.**

**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:**      Giarrusso, Green, Harris, Morrell, Thomas - 5

**NAYS:**      0

**ABSENT:**   King, Moreno - 2

**AND THE MOTION WAS ADOPTED.**

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THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY

*Aisha Collier*

ASSISTANT CLERK OF COUNCIL