

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: July 23, 2026

CALENDAR NO. 35,520

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MCCARRON

AN ORDINANCE to effect a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-B1A Historic Urban Neighborhood Business District and to grant a conditional use to permit a “Standard Restaurant” as defined in Section 26.6 of the Comprehensive Zoning Ordinance of the City of New Orleans in the HU-B1A Use Restriction Overlay District, on Square 187, Lots 1, 2, and 3, in the Sixth Municipal District, bounded by Octavia Street, Laurel Street, Constance Street, and Jefferson Avenue (Municipal Addresses: 5433 Laurel Street and 509-515 Octavia Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 30/26 was initiated by Octavia-Laurel, 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 zoning change and conditional use in its report to the City Council dated May 29, 2026, presented in **Zoning Docket Number 30/26**; and

WHEREAS, the recommendation of the City Planning Commission was upheld, the changes were deemed necessary and in the best interest of the City of New Orleans and the request was approved with modification by the City Council, subject to twelve (12) provisos, as stated in Motion Number M-26-253 of the Council of the City of New Orleans on June 24, 2026.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS** That the Executive Director of the City Planning Commission be and is hereby

3 directed to change the appropriate zoning district maps together with all the notations, references,
4 and other information shown thereon, together with the lot line zoning districts maps referred to
5 in Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26413 M.C.S., as amended, the
6 Comprehensive Zoning Ordinance of the City of New Orleans, for a zoning change from an HU-
7 RD2 Historic Urban Two-Family Residential District to an HU-B1A Historic Urban
8 Neighborhood Business District, on Square 187, Lots 1, 2, and 3, in the Sixth Municipal District,
9 bounded by Octavia Street, Laurel Street, Constance Street, and Jefferson Avenue (Municipal
10 Addresses: 5433 Laurel Street and 509-515 Octavia Street); in accordance with Motion Number
11 M-26-253 of the Council of the City of New Orleans, approved on June 24, 2026.

1 **SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That a conditional use to permit a “Standard Restaurant” as defined in Section 26.6
3 of the Comprehensive Zoning Ordinance of the City of New Orleans in the HU-B1A Use
4 Restriction Overlay District, on Square 187, Lots 1, 2, and 3, in the Sixth Municipal District,
5 bounded by Octavia Street, Laurel Street, Constance Street, and Jefferson Avenue (Municipal
6 Addresses: 5433 Laurel Street and 509-515 Octavia Street); is hereby authorized and approved,
7 subject to the following provisos, as specifically set forth herein:

- 8 1. The Department of Safety and Permits shall issue no building permits or licenses for this
9 project until final development plans are approved by the City Planning Commission and
10 recorded with the Orleans Parish Clerk of Court Land Records Division. Failure to
11 complete the conditional use process within one year or failure to request an administrative
12 extension as provided for in **Article 4, Section 4.3.H.2** of the Comprehensive Zoning
13 Ordinance will void the conditional use approval.

2. In accordance with **Article 20, Section 20.3.ZZ** of the Comprehensive Zoning Ordinance, the applicant shall meet the following standards:
- a. The Standard Restaurant shall submit a security and operation plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies, with the following added:
 - i. For restaurants with an outdoor component, the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.
 - ii. All restaurants serving alcoholic beverages shall provide exterior security cameras.
 - b. The Standard Restaurant shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies.
 - c. If the Standard Restaurant contains a brewing, distilling or winemaking facility on-site, a floor plan indicating the area reserved for brewing, distilling or winemaking and a description of the facility and capacity. On-site micro-brewing, micro-distillery and winery facilities are only allowed in standard restaurants.
 - d. The Standard Restaurant shall submit a summary of the number and location of places of worship, educational facilities, and parks and playgrounds within three-hundred (300) feet of the proposed location.
 - e. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited.

f. Hours of operation shall be posted on or near the restaurant's entrance visible to the public.

g. Live entertainment-secondary use and outdoor live entertainment-secondary use are separate uses and subject to separate approval. Additionally, the Standard Restaurant must remain open with full food service while any live entertainment takes place.

h. If the restaurant use plans an increase in intensity, such as an expansion of floor area or increase in permitted occupancy, the security and operation plans shall be updated and resubmitted for approval. The revised security and operation plan shall be approved prior to the issuance of any permits.

i. Security and operation plans may be revised by the property owner or person authorized in writing by the owner. New plans shall be resubmitted for approval.

j. Restaurants with drive-through facilities are subject to the standards of this Article. Standard restaurants with live entertainment – secondary uses are also subject to the standards of this Article. Drive-through facilities and live entertainment – secondary uses are considered separate principal uses and subject to separate approval.

k. There shall be no cover charge to enter the Standard Restaurant.

3. The Property shall not be permitted to operate as a “Bar”, as defined in **Article 26** of the Comprehensive Zoning Ordinance.

4. The floor area within the Standard Restaurant shall not be permitted to have a “holding bar”, as described in **Section 20.3.ZZ** in Article 20 of the Comprehensive Zoning

Ordinance.

5. The Standard Restaurant shall be limited to the current tenant size and configuration at municipal address 5433 Laurel Street, which is approximately 1,250 square feet interior space and 200 square feet of outdoor seating space. Alcohol sales shall be limited exclusively to this space. The Standard Restaurant shall separately obtain the necessary permits/licenses for any outside seating on the public right-of-way. No expansion or adjacent standard restaurant use in the remainder of the property shall be permitted under any circumstances.
6. All alcoholic beverages served in the Standard Restaurant shall only be served to seated guests only occupying tables for food service. The use of “Go-Cups” shall be prohibited.
7. The Standard Restaurant shall not be permitted to have video poker.
8. Notwithstanding the hours of operation set forth in **Table 20-2** of the Comprehensive Zoning Ordinance, the Standard Restaurant shall only be permitted to operate daily between the hours of 7:00 a.m. to 3:00 p.m., seven (7) days a week.
9. Employee parking for the Standard Restaurant shall not be allowed in front of residential property within a 3-block radius of the property and actively enforced by management, including recording all employee license plate numbers for identification.
10. Management shall designate and continually maintain a designated contact person and phone number for neighbor complaints and inform the immediate neighbors and the Audubon Riverside Neighborhood Association (“ARNA”) Audubon of any changes of this information.
11. The Standard Restaurant shall be limited to fifteen (15) special events per year occurring outside of the restricted operating hours of 7:00 a.m. to 3:00 p.m. daily. All special event

permits shall be approved through the District A City Council Office.

12. The applicant and property owner will request that the City remove the “15 minute parking” zone on Laurel Street, directly adjacent to the Property, to allow for patron parking at this location.

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

SECTION 4. This Ordinance shall have the legal force and effect of authorizing this conditional use after: (1) all proviso(s) listed in Section 2, which impose a one-time obligation have been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 2, which impose a continuing or ongoing obligation have begun to be fulfilled. Fulfillment of a continuing or ongoing obligation is based on the City Planning Commission’s approval of the final site plan, which shall be submitted within one year of adoption of this Ordinance by the City Council, unless extended as authorized by the Comprehensive Zoning Ordinance. The Executive Director of the City Planning Commission shall verify that the development plan incorporates all conditions set forth in this Ordinance and shall sign the plan to indicate final plan approval. The final approved plan shall be recorded in the Office of the Clerk of Court for the Parish of Orleans, within 30 days of the date of final approval, and evidence of such recordation shall be submitted to the City Planning Commission. No use or occupancy certificates or permits, other than the building permits needed to fulfill the proviso(s), shall be issued until the final approved plan is recorded and evidence of recordation is submitted to the City Planning Commission. If the development plan is not approved and recorded, within the timeframes provided in the Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal force or binding effect.

17 Furthermore, if the requirements of Article 4, Section 4.3.H.1 of the Comprehensive Zoning
18 Ordinance are not satisfied within the timeframe allotted by Article 4, Sections 4.3.H.1 and 4.3.H.2
19 of the Comprehensive Zoning Ordinance, the conditional use will expire, and this Ordinance will
20 be null and void. The preceding deadlines may be extended via motion in accordance with the
21 Comprehensive Zoning 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-26-253

CITY HALL: June 18, 2026

BY: COUNCILMEMBER MCCARRON

SECONDED BY: COUNCILMEMBER HUGHES

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission's report and recommendation for **approval**, subject to ten provisos, for **ZONING DOCKET 30/26 – Octavia-Laurel, LLC**, requesting a zoning change from an HU-RD2 Historic Urban Two-Family Residential District to an HU-B1A Historic Urban Neighborhood Business District and conditional use to permit a "Standard Restaurant," as defined in Section 26.6 of the Comprehensive Zoning Ordinance of the City of New Orleans in the HU-B1A Use Restriction Overlay, on Square 187, Lots 1, 2, and 3, in the Sixth Municipal District, bounded by Octavia Street, Laurel Street, Constance Street, and Jefferson Avenue (Municipal Address: **5433 Laurel Street and 509-515 Octavia Street**), is received, and the request is hereby **approved**, subject to the ten provisos recommended by the City Planning Commission, with the following modifications to said ten provisos, and the addition of two provisos added by the City Council, all of which shall read as follows:

PROVISOS:

1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Orleans Parish Clerk of Court Land Records Division. Failure to complete the conditional use process within one year or failure to request an administrative extension as provided for in Article 4, Section 4.3.H.2 of the Comprehensive Zoning Ordinance will void the conditional use approval.
2. In accordance with **Article 20, Section 20.3.ZZ** of the Comprehensive Zoning Ordinance, the applicant shall meet the following standards:
 - a. The Standard Restaurant shall submit a security and operation plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies, with the following added:
 - i. For restaurants with an outdoor component, the plan shall include provisions regarding how the facility will control the sales of alcoholic beverages to ensure consumption on-premises.

- ii. All restaurants serving alcoholic beverages shall provide exterior security cameras.
 - b. The Standard Restaurant shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other relevant City agencies.
 - c. If the Standard Restaurant contains a brewing, distilling or winemaking facility on-site, a floor plan indicating the area reserved for brewing, distilling or winemaking and a description of the facility and capacity. On-site micro-brewing, micro-distillery and winery facilities are only allowed in standard restaurants.
 - d. The Standard Restaurant shall submit a summary of the number and location of places of worship, educational facilities, and parks and playgrounds within three-hundred (300) feet of the proposed location.
 - e. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited.
 - g. Hours of operation shall be posted on or near the restaurant's entrance visible to the public.
 - h. Live entertainment-secondary use and outdoor live entertainment-secondary use are separate uses and subject to separate approval. Additionally, the Standard Restaurant must remain open with full food service while any live entertainment takes place.
 - i. If the restaurant use plans an increase in intensity, such as an expansion of floor area or increase in permitted occupancy, the security and operation plans shall be updated and resubmitted for approval. The revised security and operation plan shall be approved prior to the issuance of any permits.
 - j. Security and operation plans may be revised by the property owner or person authorized in writing by the owner. New plans shall be resubmitted for approval.
 - k. Restaurants with drive-through facilities are subject to the standards of this Article. Standard restaurants with live entertainment – secondary uses are also subject to the standards of this Article. Drive-through facilities and live entertainment – secondary uses are considered separate principal uses and subject to separate approval.
 - l. There shall be no cover charge to enter the Standard Restaurant.
3. The Property shall not be permitted to operate as a "Bar", as defined in Article 26 of the Comprehensive Zoning Ordinance.
 4. The floor area within the Standard Restaurant shall not be permitted to have a "holding bar", as described in Section 20.3.ZZ in Article 20 of the Comprehensive Zoning Ordinance.
 5. The Standard Restaurant shall be limited to the current tenant size and configuration at municipal address 5433 Laurel Street, which is approximately 1,250 square feet interior space and 200 square feet of outdoor seating space. Alcohol sales shall be limited exclusively to this space. The Standard Restaurant shall separately obtain the necessary permits/licenses for any outside seating on the public right-of-way. No expansion or adjacent standard restaurant use in the remainder of the property shall be permitted under any circumstances.

6. All alcoholic beverages served in the Standard Restaurant shall only be served to seated guests only occupying tables for food service. The use of "Go-Cups" shall be prohibited.
7. The Standard Restaurant shall not be permitted to have video poker.
8. Notwithstanding the hours of operation set forth in Table 20-2 of the Comprehensive Zoning Ordinance, the Standard Restaurant shall only be permitted to operate daily between the hours of 7:00 a.m. to 3:00 p.m., seven (7) days a week.
9. Employee parking for the Standard Restaurant shall not be allowed in front of residential property within a 3-block radius of the property and actively enforced by management, including recording all employee license plate numbers for identification.
10. Management shall designate and continually maintain a designated contact person and phone number for neighbor complaints and inform the immediate neighbors and the Audubon Riverside Neighborhood Association ("ARNA") Audubon of any changes of this information.
11. The Standard Restaurant shall be limited to fifteen (15) special events per year occurring outside of the restricted operating hours of 7:00 a.m. to 3:00 p.m. daily. All special event permits shall be approved through the District A City Council Office.
12. The applicant and property owner will request that the City remove the "15 minute parking" zone on Laurel Street, directly adjacent to the Property, to allow for patron parking at this location.

BE IT FURTHER MOVED, that the Clerk of Council shall forward copies of this motion to the Law Department, which is directed to prepare an ordinance to effectuate this motion and is granted the 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

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