



City Planning Commission



Date	_____
Tracking Number	_____

MASTER PLAN APPLICATION

APPLICATION FOR AMENDMENT TO THE PLAN FOR THE 21ST CENTURY

Complete Application Required: Use this form for all requests to amend Plan for the 21st Century: New Orleans 2030 (the Master Plan). The City will not process an application that does not have all the required items. To accept your application, all of the information requested below must be provided.

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Square Number(s) _____ Lot Number(s) _____

Tax Bill Number(s) _____

Square footage of area _____

Future Land Use Map Designation (current status) _____

Proposed Future Land Use Map Designation _____

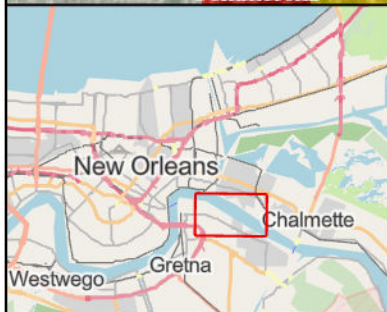
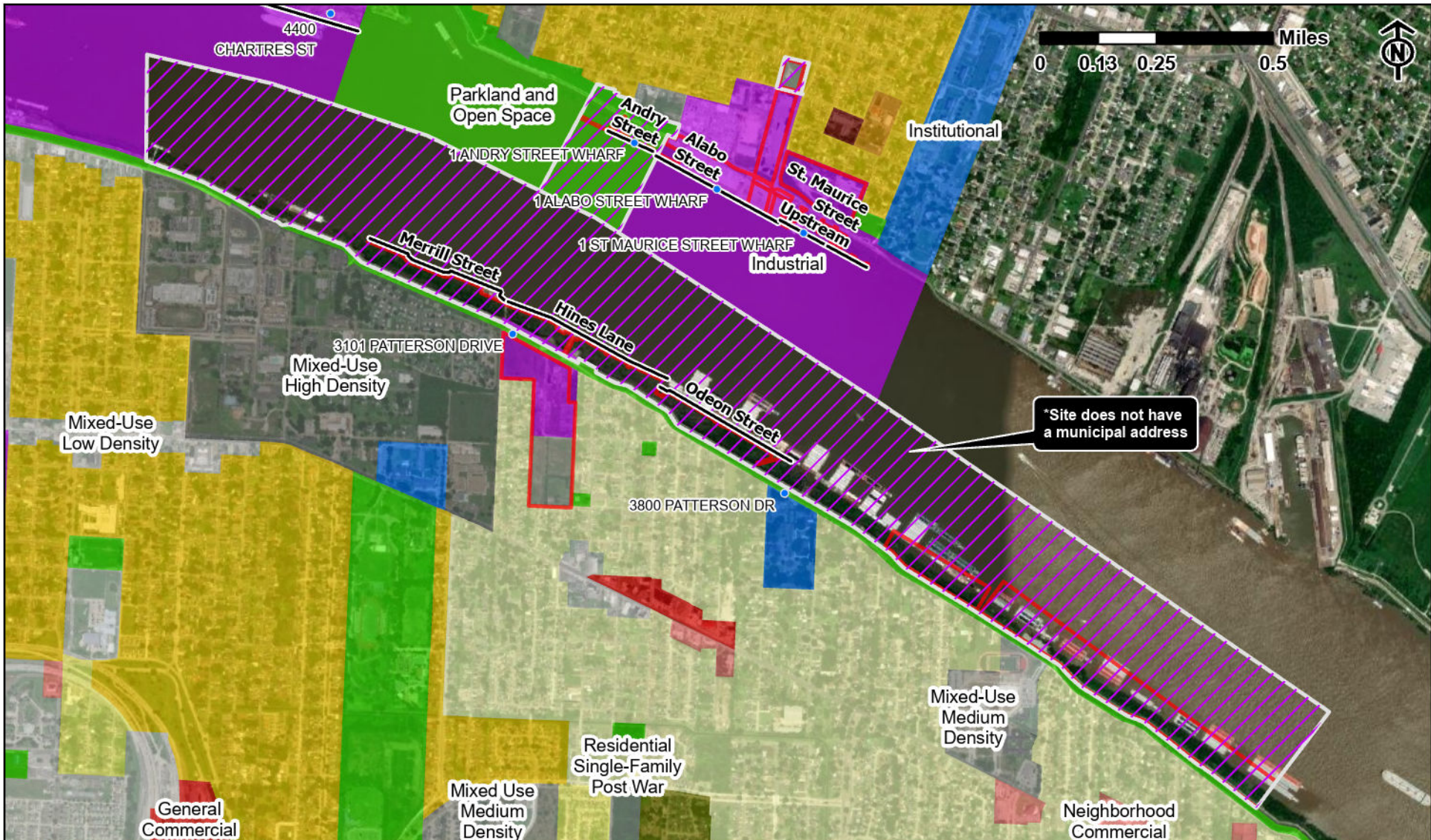
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Port NOLA Request for Change to Future Land Use Map Algiers Fleeting Areas

Legend	
• Port Addresses	Industrial Land Use Change Request
— Wharf Face	Port Property

Sources: Port of New Orleans, City of New Orleans, Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri, Maxar

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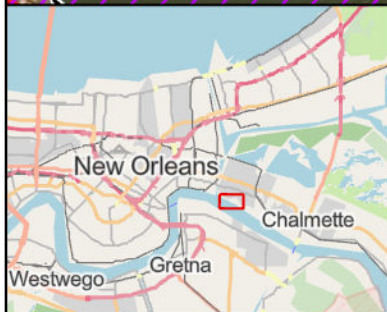
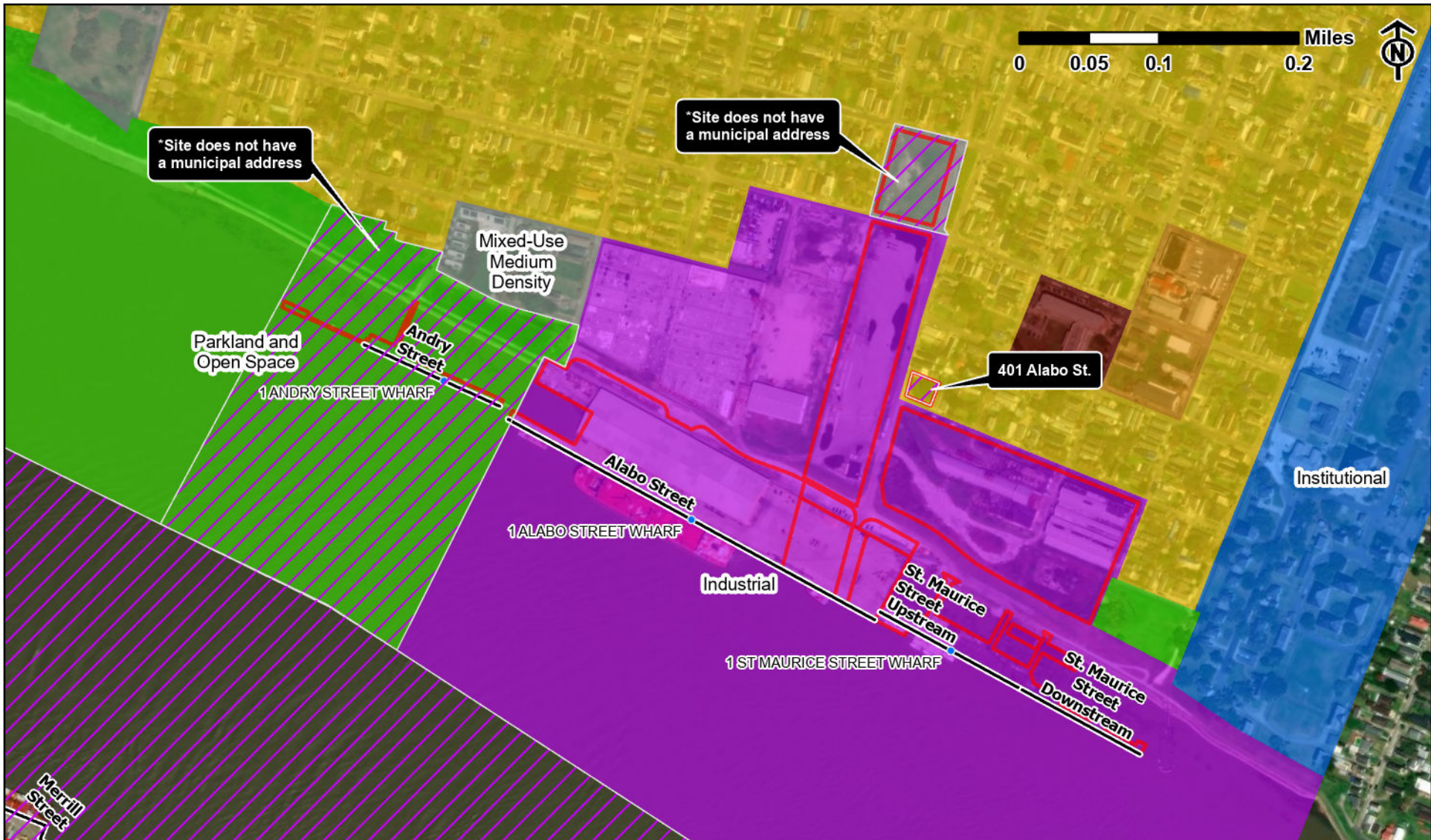
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Port NOLA Request for Change to Future Land Use Map Andry St. Wharf & Alabo St. Complex

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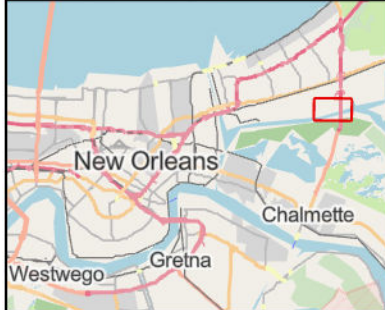


*Site does not have a municipal address

Planned Development Area

Industrial

Natural Areas



Port NOLA Request for Change to Future Land Use Map Aurora Property

Legend

- Port Addresses
- Wharf Face
- Port Property
- ▨ FLUM Change Request

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PORT NOLA
THE PORT OF NEW ORLEANS

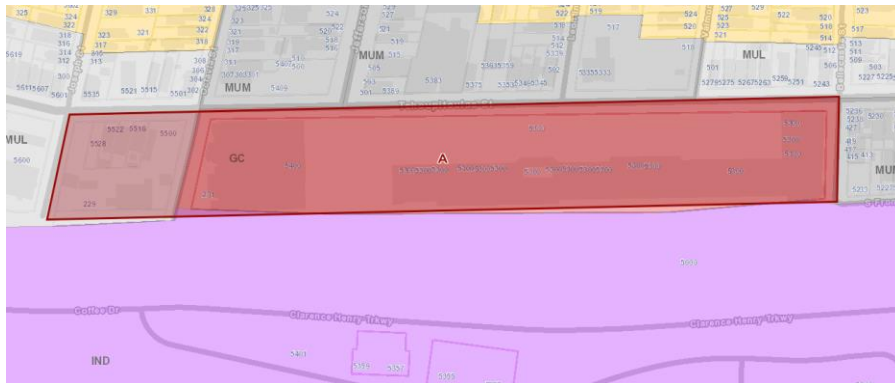
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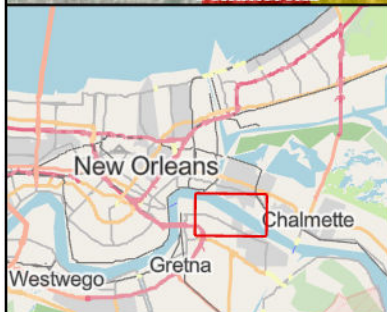
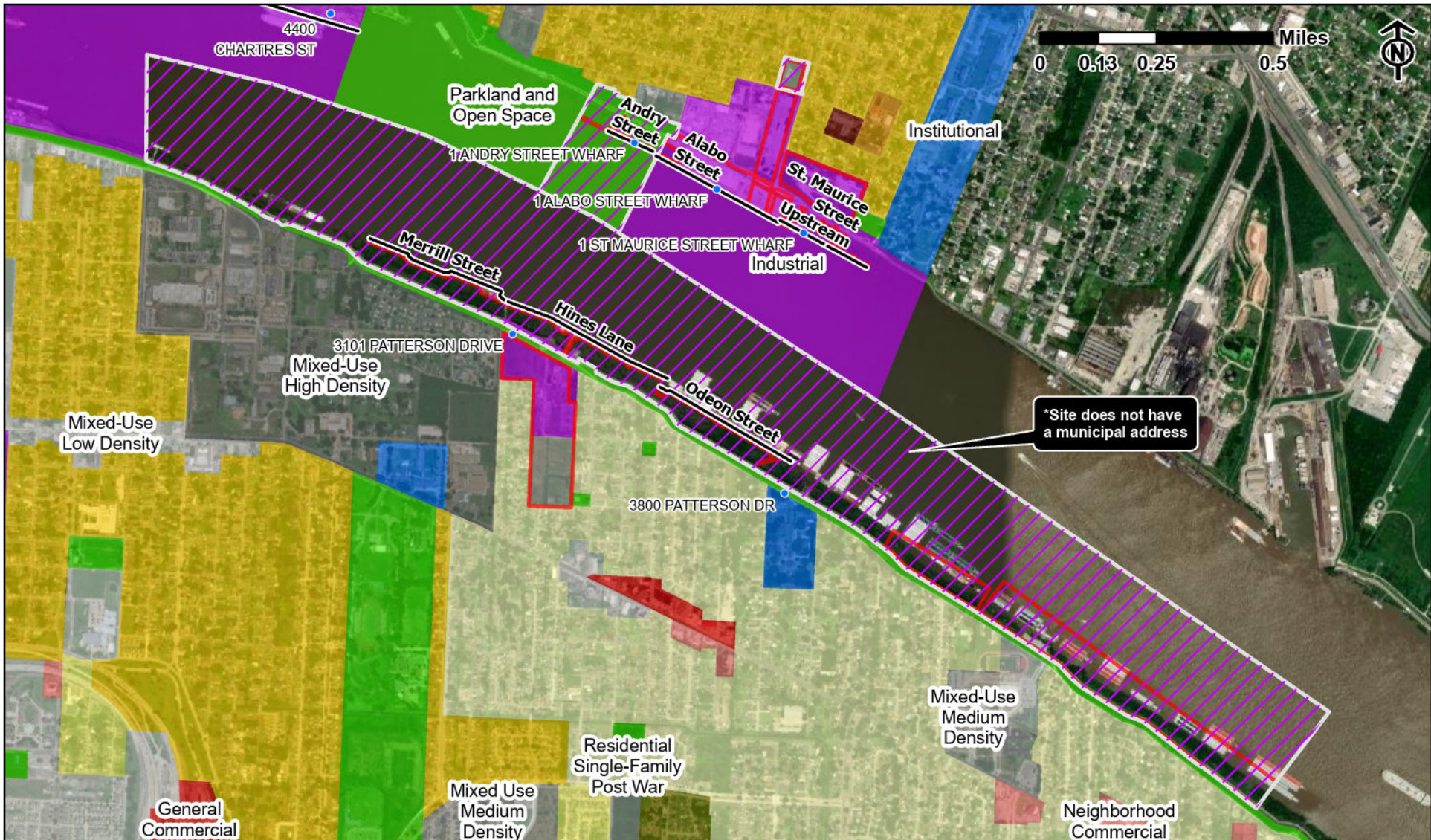
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Port NOLA Request for Change to Future Land Use Map Algiers Fleeting Areas

Legend	<ul style="list-style-type: none"> ● Port Addresses Wharf Face Port Property Industrial Land Use Change Request
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PORT NOLA
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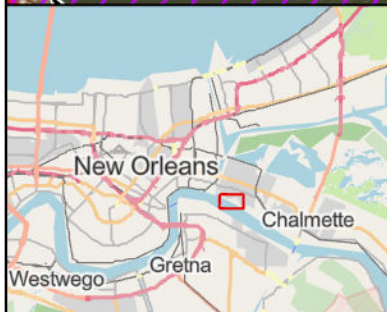
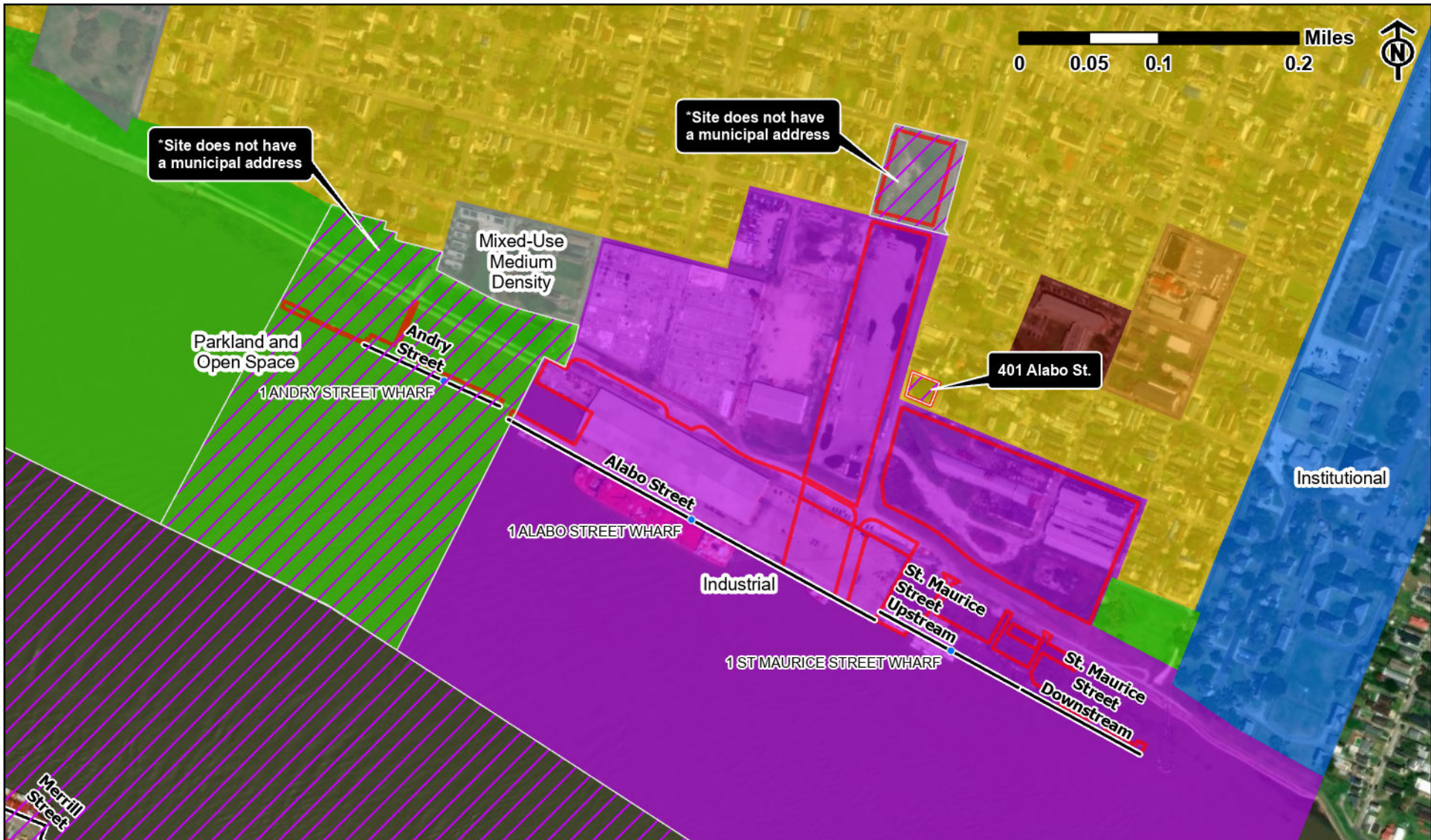
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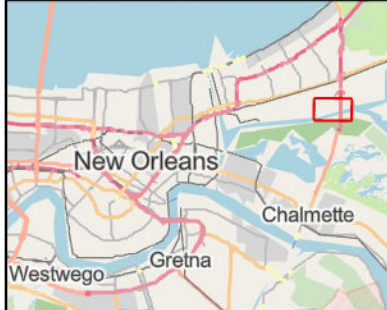
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Planned Development Area

Industrial

Natural Areas

0 0.05 0.1 0.2 Miles



Port NOLA Request for Change to Future Land Use Map Aurora Property

Legend

- Port Addresses
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- Port Property
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PORT NOLA
THE PORT OF NEW ORLEANS

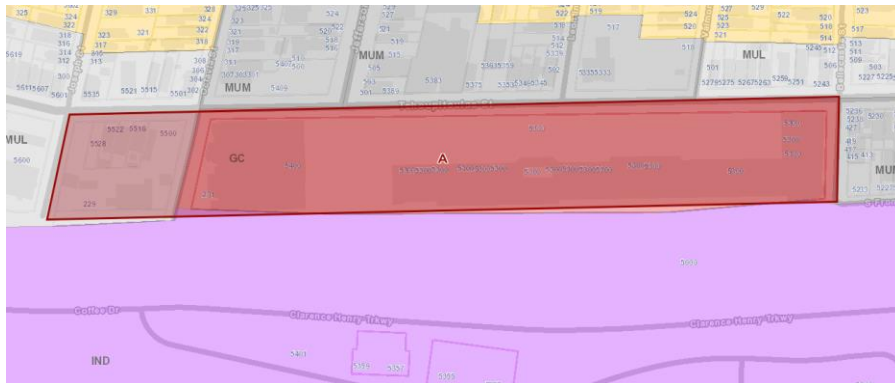
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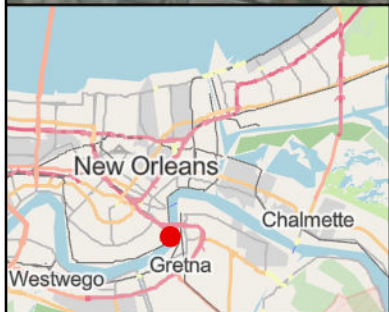
Port NOLA Request for Change to Future Land Use Map Orange Street Wharf

Legend

- Port Addresses
- Wharf Face
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- Port Property

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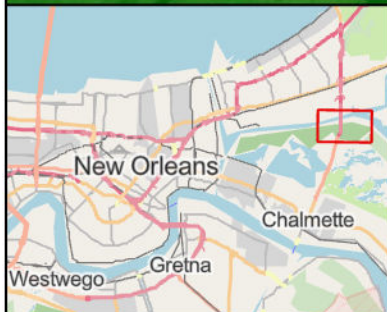
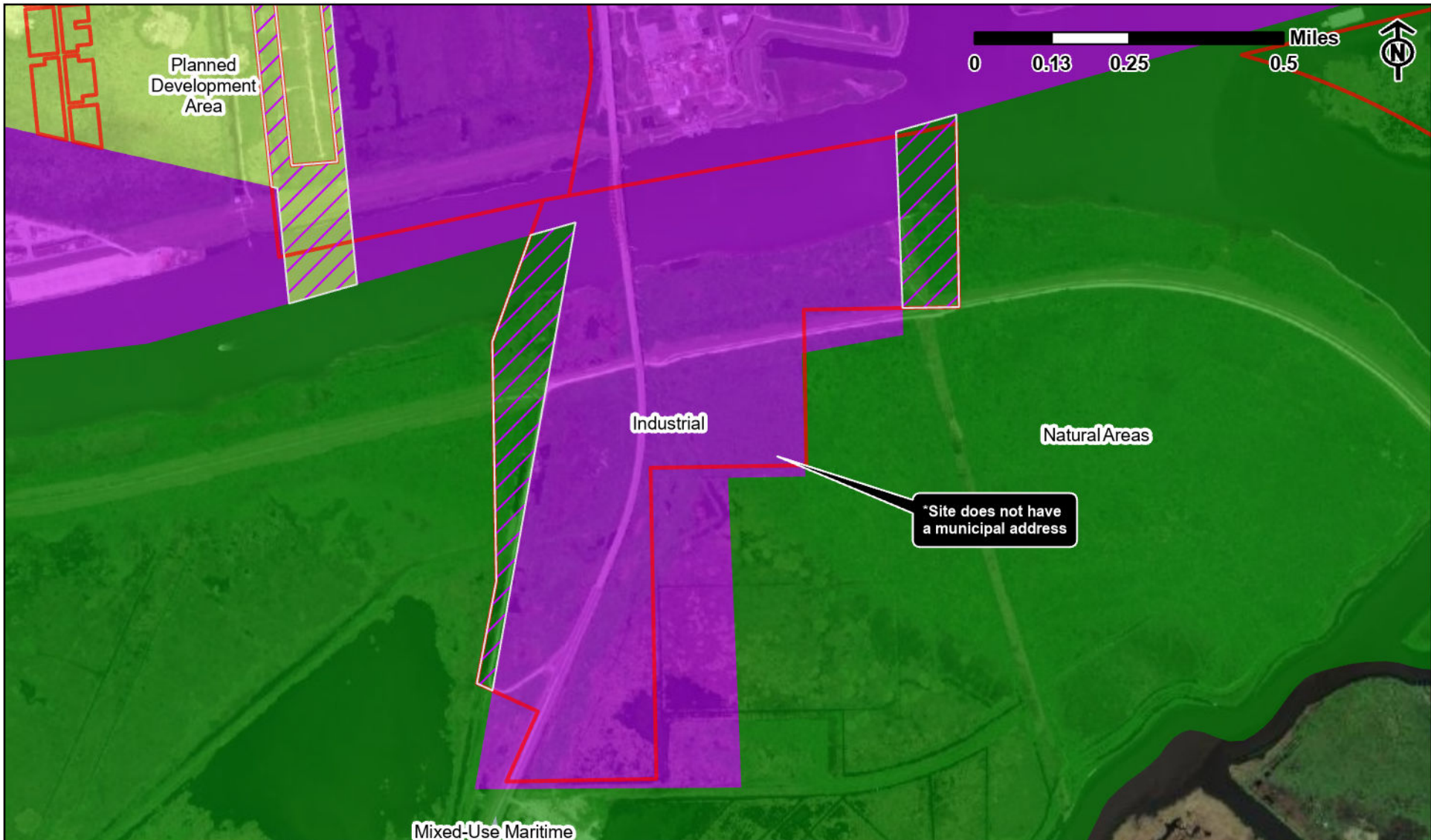
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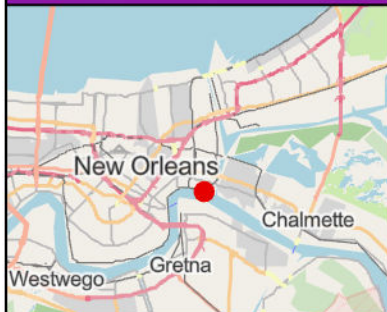
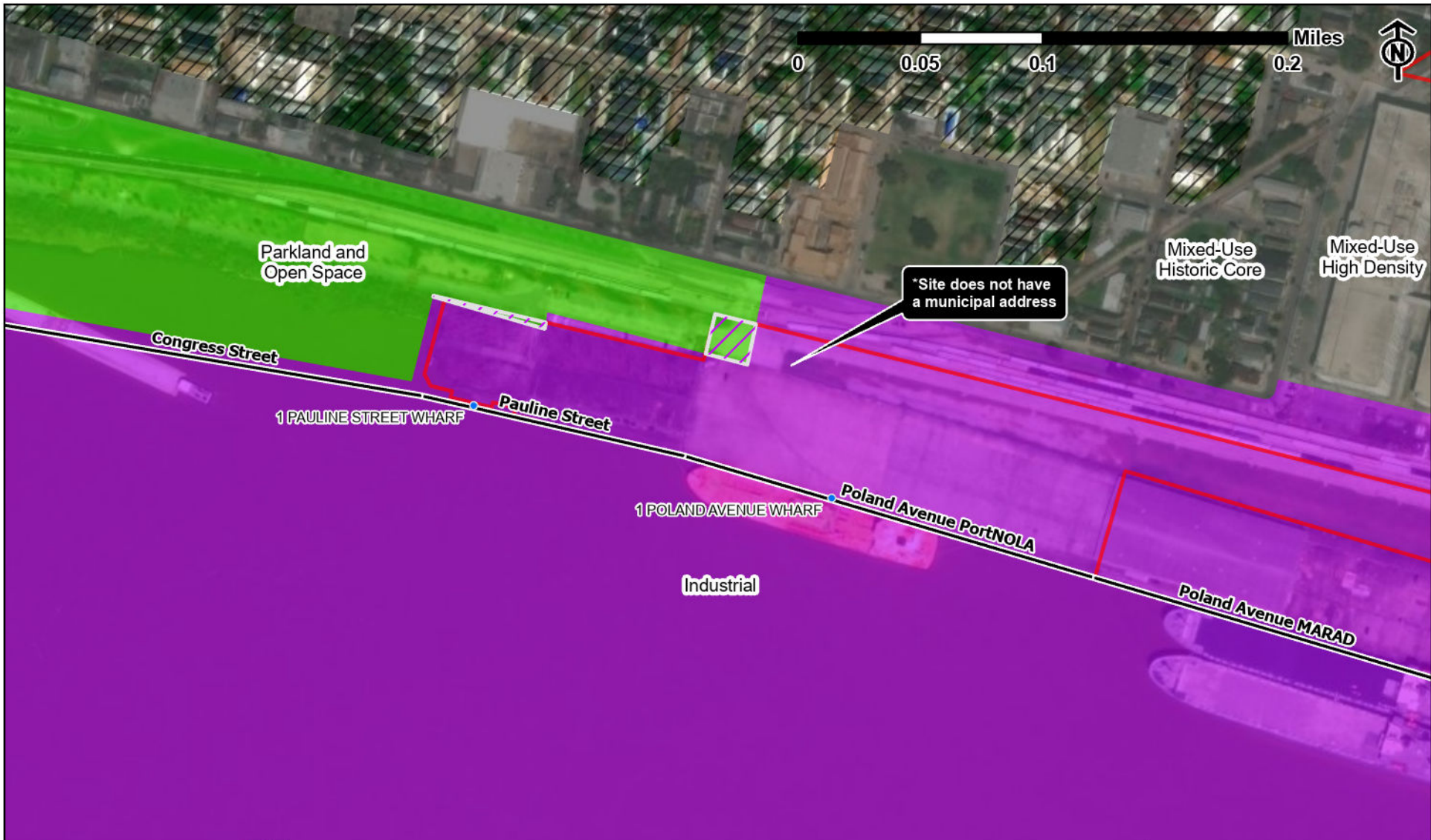
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Port NOLA Request for Change to Future Land Use Map Pauline Street Wharf

Legend

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JEAN-PAUL A. ESCUDIER
Executive Counsel

PORT OF NEW ORLEANS
1350 Port of New Orleans Place
New Orleans, LA 70130
O: 504.528.3231
jp.escudier@portnola.com

October 13, 2022

Via E-Mail

New Orleans City Council
Attn: Paul Harang, Chief of Staff
1300 Perdido Street, 2nd Floor West
New Orleans, Louisiana 70112

Via E-Mail

Robert D. Rivers, Executive Director
City Planning Commission
City of New Orleans
1300 Perdido Street #7
New Orleans, Louisiana 70112

RE: Comments to Proposed 2022-2023 Master Plan Amendment
Proposed Amendments to Future Land Use Map Designations

Dear Councilmembers and Mr. Rivers:

We submit this letter on behalf of the Board of Commissioner of the Port of New Orleans (the "Board") and the New Orleans Public Belt Railroad Commission for the Port of New Orleans ("NOPB") in conjunction with the comment period for proposed amendments to the Future Land Use Map ("FLUM") designations during the current 2022-2023 review of the City of New Orleans Master Plan. We appreciate the efforts the City and all involved parties are undertaking to update the FLUM designations to accurately reflect the current and anticipated uses of certain properties throughout Orleans Parish.

As a preliminary matter, we submit that any participation in this process by the Board and NOPB is purely voluntary and that, as set forth more fully hereinbelow, local ordinances are not applicable to them as political subdivisions of the State acting within their core functions. That being said, in an effort to prevent any potential confusion by public officials or the general public that may result from inconsistencies between formal designations and Board or NOPB uses, we submit the enclosed applications for changes to certain specific property designations.

As you are aware, both the Board and NOPB are political subdivisions of the State of Louisiana, legislatively affiliated and sharing a common board of commissioners and a common Chief Executive Officer in Ms. Brandy Christian. The rights and powers of the Board and NOPB are set forth in Louisiana Revised Statute 34:1, *et seq.*, and Revised Statute 33:4530, *et seq.*, respectively, which charge them with responsibility for promoting and regulating maritime and rail commerce through the Port of New Orleans. These rights and duties are necessary to serve a vital interest of the State, the region and the nation; and thus, each entity is afforded the powers and protections of the State in the accomplishment of its legislatively-mandated mission.

Moreover, the Board has been given additional constitutional protection by Article VI, Section 43 of the Constitution of the State of Louisiana of 1974, which provides that “[a]ll deep-water port commissions and all deep-water port, harbor, and terminal districts as organized and constituted on January 1, 1974, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist.” La. Const. Art. VI, Sec. 43. The Constitution further states that “[o]nly by law enacted by the favorable vote of two-thirds of the elected members of each house may the legislature consolidate or abolish any such commission or district or diminish, reduce, or withdraw from any such commission or district any of its powers and functions and affect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including additions to or reductions of its territorial jurisdiction.” *Id.*

Further, both the Board and NOPB are beneficiaries of Article VI, Section 9(B) of the Louisiana Constitution which states, “Notwithstanding any provision of this Article, the police power of the state shall never be abridged.” We note the well-established jurisprudence that interprets this Article to state that local ordinances may not infringe upon state entities, such as the Board and NOPB, when exercising their core functions, which are deemed to be of vital interest to the State as a whole. *See City of New Orleans v. Bd. of Dirs. of the La. State Museum*, 98-1170 (La. 03/02/99), 739 So.2d 748. This has specifically been applied to zoning ordinances both by Louisiana courts and in Louisiana Attorney General opinions. *See City v. La. State Museum*, *supra*; *Lake Charles Harbor & Terminal Dist. v. Calcasieu Pr. Police Jury* (La. App. 3 Cir. 1993), 613 So.2d 1031; *In re: Dept. of Culture, Recreation & Tourism*, La. Atty. Gen. Op. No. 97-197.

Nevertheless, we recognize that inconsistent designations on the FLUM as related to Board and NOPB uses, both present and as may occur in the future, may result in confusion to both public officials and the general public. Accordingly, in an effort to forestall any such potential confusion, we submit the enclosed Applications for Amendment to the Plan for the 21st Century on behalf of the Board and NOPB, requesting changes to specific designations to the following properties (please note, NOPB properties are included as part of some area maps listed below):

1. Certain “Aurora Properties”;
2. Areas near Pauline Street;
3. Certain “Paris Road Properties”
4. Area including Andry and Alabo Wharves
5. Area referred to as “Algiers Fleeting Area”
6. Area near Orange Street Wharf
7. Area near Powder Street Wharf

Notwithstanding the foregoing, the Board and NOPB specifically reserve any and all rights and powers afforded to them under the Louisiana Constitution, applicable law and/or jurisprudence.

For all of the reasons set forth above, we request your most favorable consideration of the requests to change the specific property designations submitted herewith. Should you have any questions or concerns or would like any additional information, please do not hesitate to contact us.

Sincerely,



Jean-Paul A. Escudier
Executive Counsel

JPAE/
Enclosures

cc: Paul Cramer (via email)
Brandy Christian (via email)
Laura Mellem (via email)
Tomeka Bryant (via email)
Rose LeBreton, Esq. (via email)
Zach Smith (via email)



City Planning
Commission



Date	_____
Tracking Number	_____

MASTER PLAN APPLICATION

APPLICATION FOR AMENDMENT TO THE PLAN FOR THE 21ST CENTURY

Complete Application Required: Use this form for all requests to amend Plan for the 21st Century: New Orleans 2030 (the Master Plan). The City will not process an application that does not have all the required items. To accept your application, all of the information requested below must be provided.

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Boundaries of Area (A separate applicaton is needed for each non-contiguous property) _____

Municipal Address(es) _____

Square Number(s) _____ Lot Number(s) _____

Tax Bill Number(s) _____

Square footage of area _____

Future Land Use Map Designation (current status) _____

Proposed Future Land Use Map Designation _____

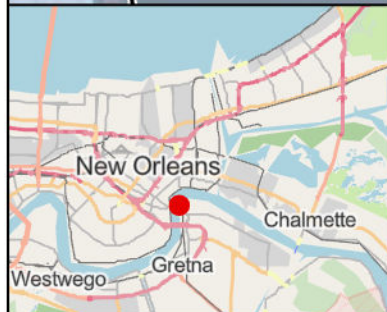
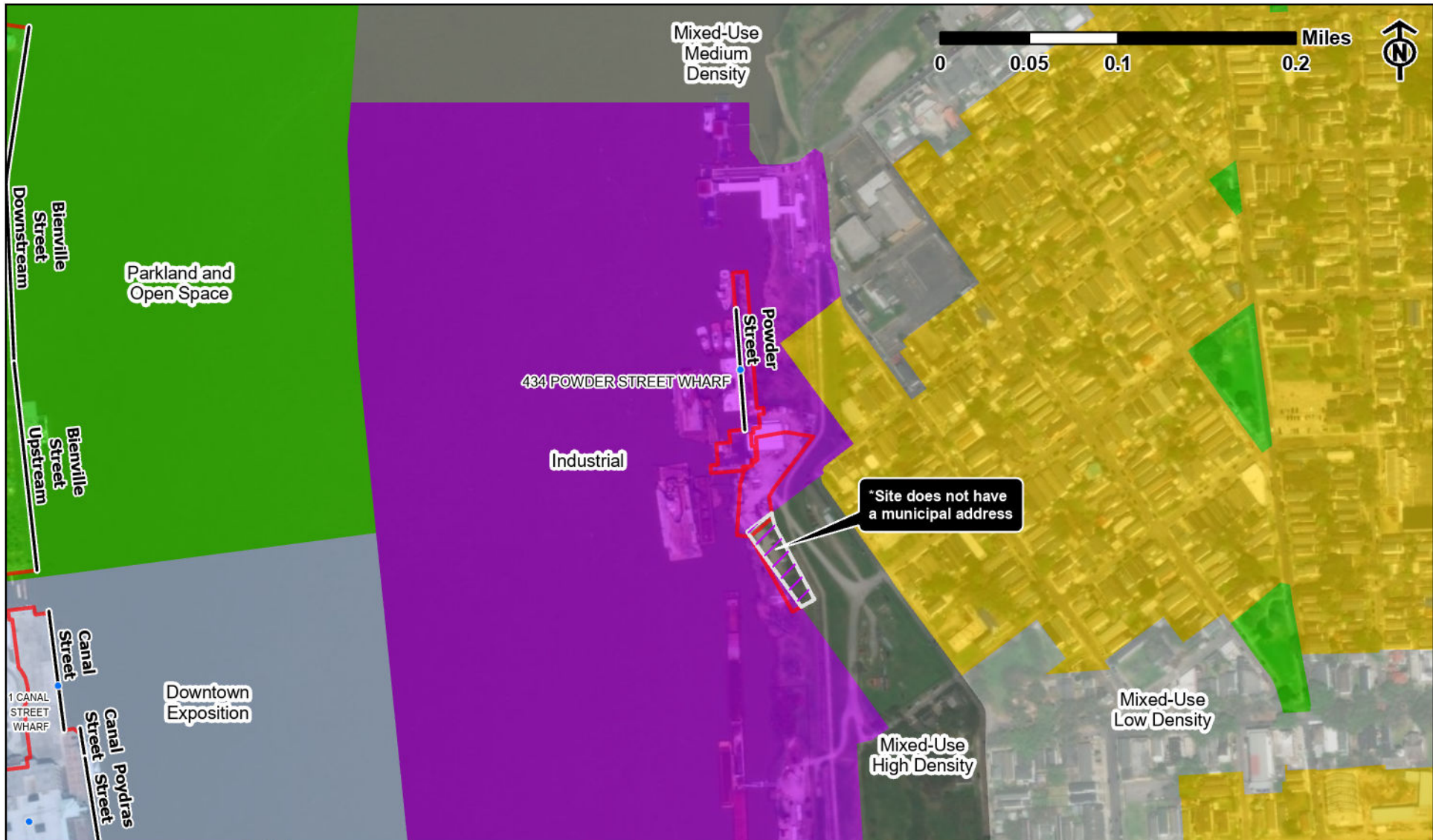
MASTER PLAN APPLICATION SUBMITTAL

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Port NOLA Request for Change to Future Land Use Map Powder Street Wharf

Legend	
• Port Addresses	Industrial Land Use Change Request
— Wharf Face	Port Property
Sources: Port of New Orleans, City of New Orleans, Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri, Maxar	
Date: 10/12/22	
Coordinate System: NAD 1983 StatePlane Louisiana South FIPS 1702 Feet	





City Planning
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Proposed Future Land Use Map Designation _____

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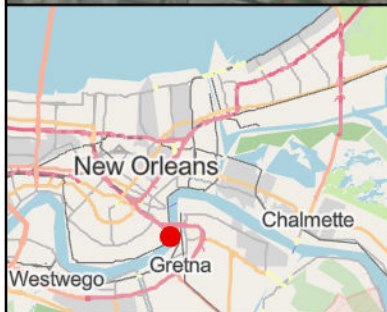
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*Site does not have a municipal address



Port NOLA Request for Change to Future Land Use Map Orange Street Wharf

Legend

- Port Addresses
- Wharf Face
- Industrial Land Use Change Request
- Port Property

Sources: Port of New Orleans, City of New Orleans, Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri, Maxar

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Proposed Future Land Use Map Designation _____

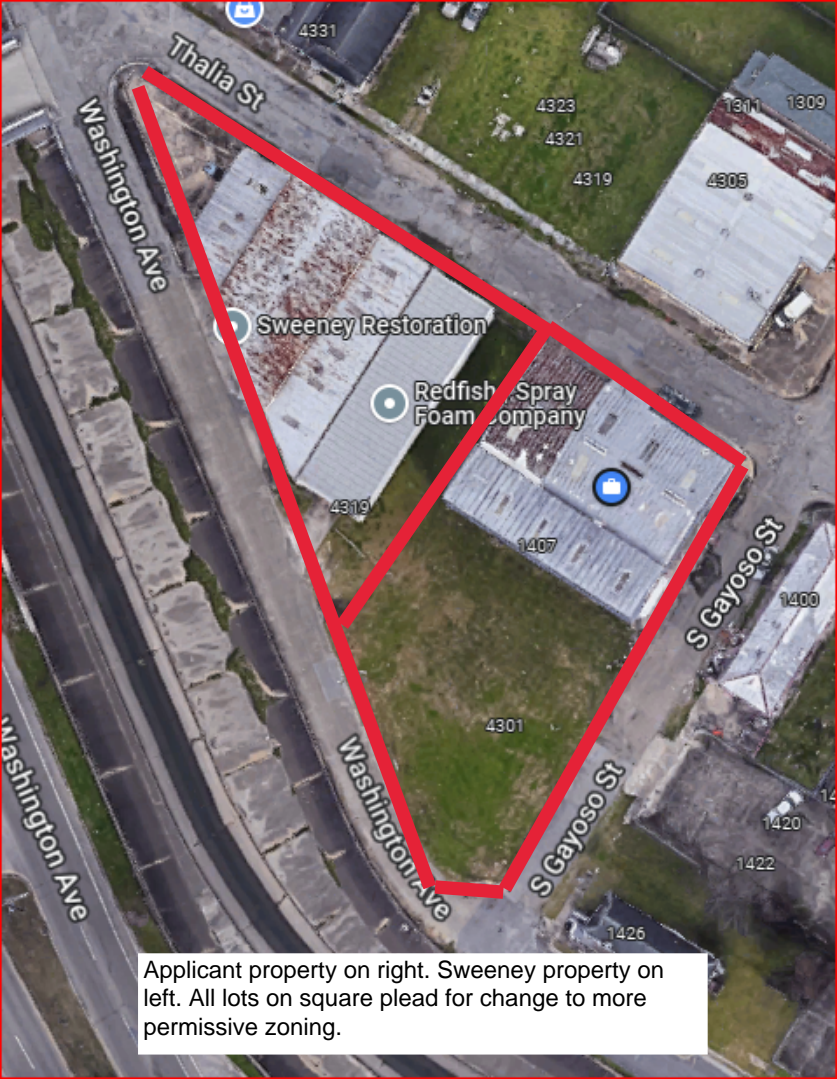
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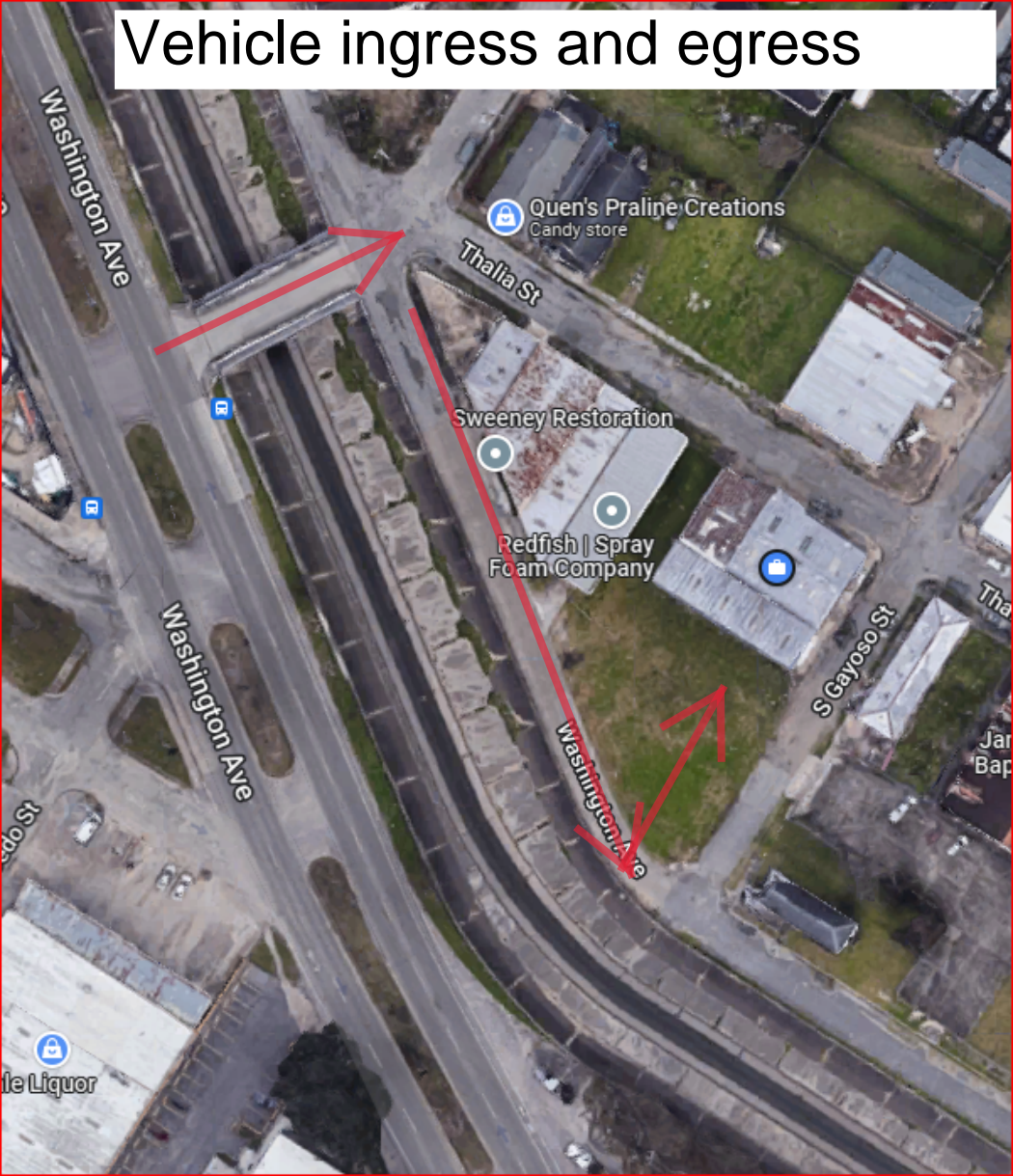
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Applicant property on right. Sweeney property on left. All lots on square plead for change to more permissive zoning.

Vehicle ingress and egress





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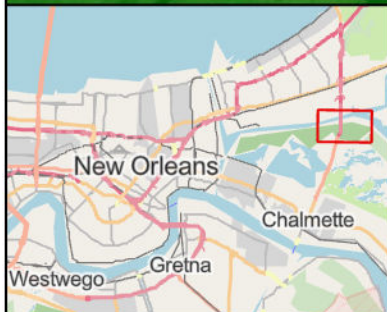
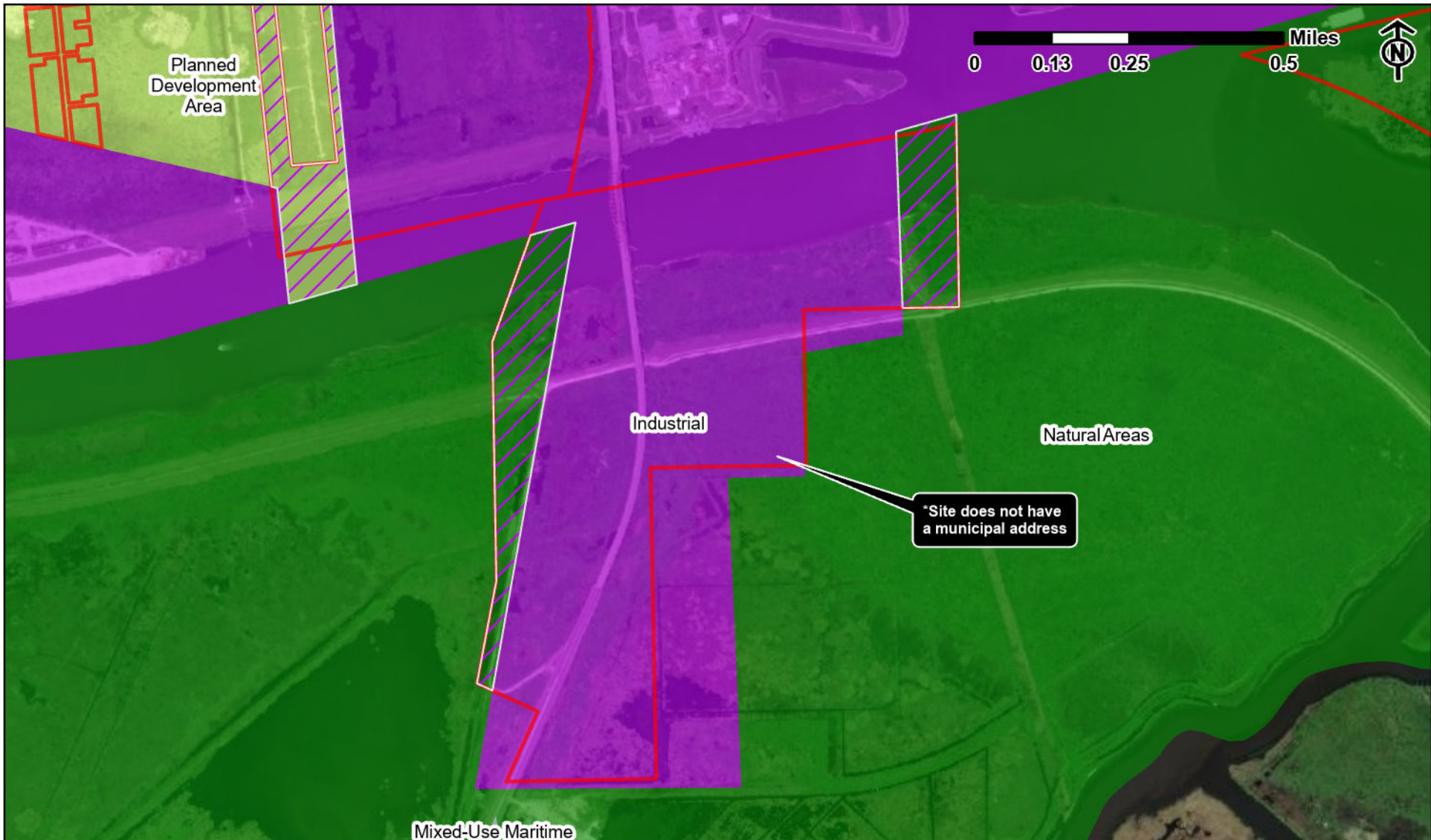
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Port NOLA Request for Change to Future Land Use Map Paris Road Property

Legend	
• Port Addresses	□ Port Property
— Wharf Face	▨ FLUM Change Request

Sources: Port of New Orleans, City of New Orleans, Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri, Maxar

Date: 10/13/22

Coordinate System: NAD 1983 StatePlane Louisiana South FIPS 1702 Feet





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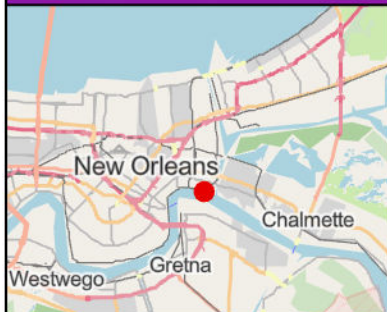
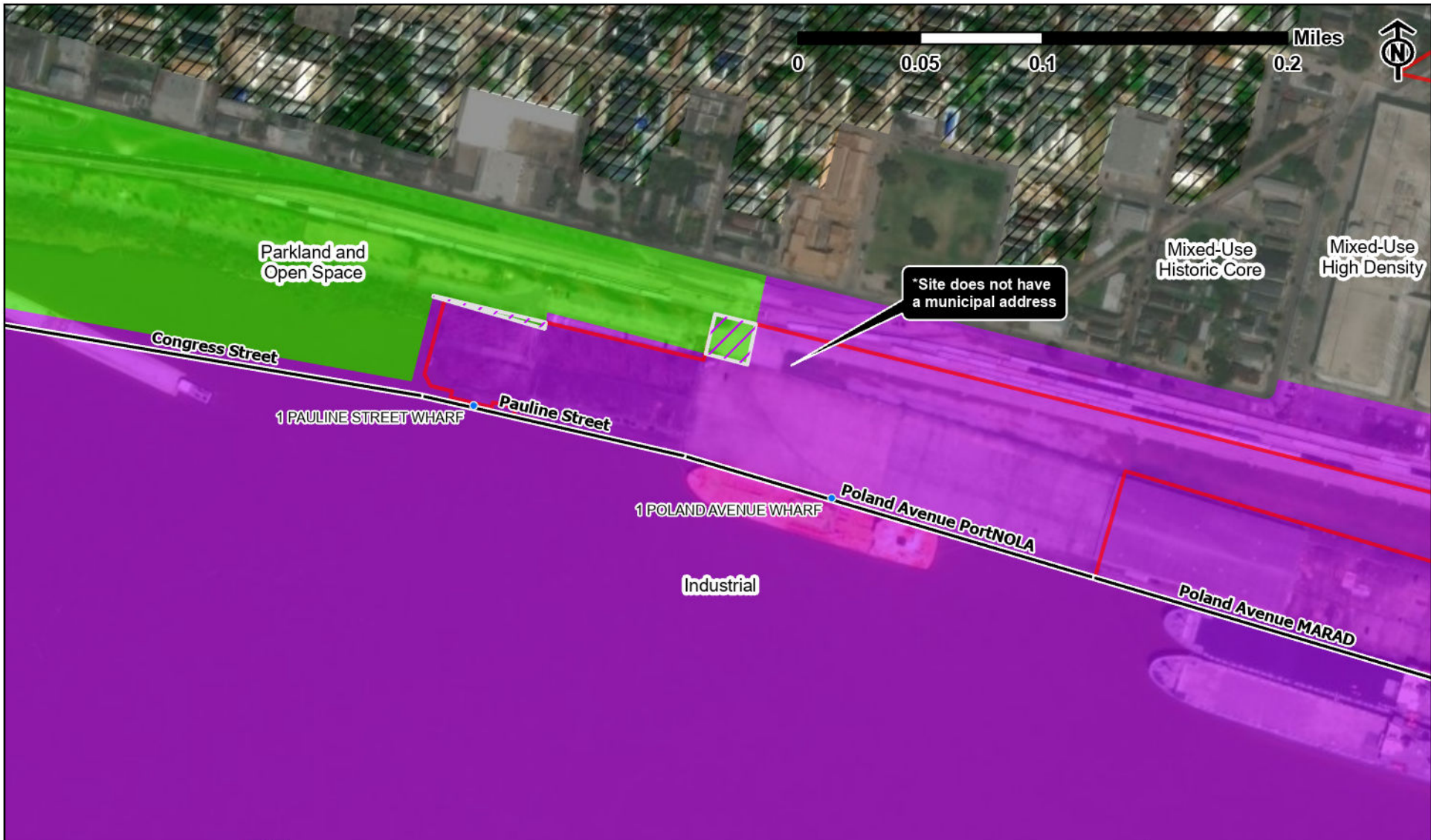
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Port NOLA Request for Change to Future Land Use Map Pauline Street Wharf

Legend

- Port Addresses
- Wharf Face
- Industrial Land Use Change Request
- Port Property

Sources: Port of New Orleans, City of New Orleans, Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri, Maxar

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JEAN-PAUL A. ESCUDIER
Executive Counsel

PORT OF NEW ORLEANS
1350 Port of New Orleans Place
New Orleans, LA 70130
O: 504.528.3231
jp.escudier@portnola.com

October 13, 2022

Via E-Mail

New Orleans City Council
Attn: Paul Harang, Chief of Staff
1300 Perdido Street, 2nd Floor West
New Orleans, Louisiana 70112

Via E-Mail

Robert D. Rivers, Executive Director
City Planning Commission
City of New Orleans
1300 Perdido Street #7
New Orleans, Louisiana 70112

RE: Comments to Proposed 2022-2023 Master Plan Amendment
Proposed Amendments to Future Land Use Map Designations

Dear Councilmembers and Mr. Rivers:

We submit this letter on behalf of the Board of Commissioner of the Port of New Orleans (the “Board”) and the New Orleans Public Belt Railroad Commission for the Port of New Orleans (“NOPB”) in conjunction with the comment period for proposed amendments to the Future Land Use Map (“FLUM”) designations during the current 2022-2023 review of the City of New Orleans Master Plan. We appreciate the efforts the City and all involved parties are undertaking to update the FLUM designations to accurately reflect the current and anticipated uses of certain properties throughout Orleans Parish.

As a preliminary matter, we submit that any participation in this process by the Board and NOPB is purely voluntary and that, as set forth more fully hereinbelow, local ordinances are not applicable to them as political subdivisions of the State acting within their core functions. That being said, in an effort to prevent any potential confusion by public officials or the general public that may result from inconsistencies between formal designations and Board or NOPB uses, we submit the enclosed applications for changes to certain specific property designations.

As you are aware, both the Board and NOPB are political subdivisions of the State of Louisiana, legislatively affiliated and sharing a common board of commissioners and a common Chief Executive Officer in Ms. Brandy Christian. The rights and powers of the Board and NOPB are set forth in Louisiana Revised Statute 34:1, *et seq.*, and Revised Statute 33:4530, *et seq.*, respectively, which charge them with responsibility for promoting and regulating maritime and rail commerce through the Port of New Orleans. These rights and duties are necessary to serve a vital interest of the State, the region and the nation; and thus, each entity is afforded the powers and protections of the State in the accomplishment of its legislatively-mandated mission.

Moreover, the Board has been given additional constitutional protection by Article VI, Section 43 of the Constitution of the State of Louisiana of 1974, which provides that “[a]ll deep-water port commissions and all deep-water port, harbor, and terminal districts as organized and constituted on January 1, 1974, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist.” La. Const. Art. VI, Sec. 43. The Constitution further states that “[o]nly by law enacted by the favorable vote of two-thirds of the elected members of each house may the legislature consolidate or abolish any such commission or district or diminish, reduce, or withdraw from any such commission or district any of its powers and functions and affect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including additions to or reductions of its territorial jurisdiction.” *Id.*

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Nevertheless, we recognize that inconsistent designations on the FLUM as related to Board and NOPB uses, both present and as may occur in the future, may result in confusion to both public officials and the general public. Accordingly, in an effort to forestall any such potential confusion, we submit the enclosed Applications for Amendment to the Plan for the 21st Century on behalf of the Board and NOPB, requesting changes to specific designations to the following properties (please note, NOPB properties are included as part of some area maps listed below):

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For all of the reasons set forth above, we request your most favorable consideration of the requests to change the specific property designations submitted herewith. Should you have any questions or concerns or would like any additional information, please do not hesitate to contact us.

Sincerely,



Jean-Paul A. Escudier
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JPAE/
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cc: Paul Cramer (via email)
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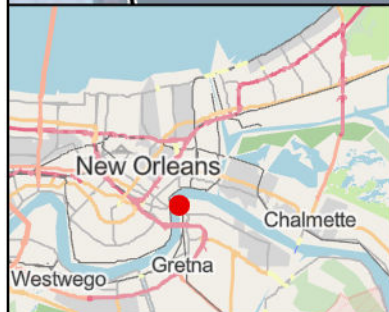
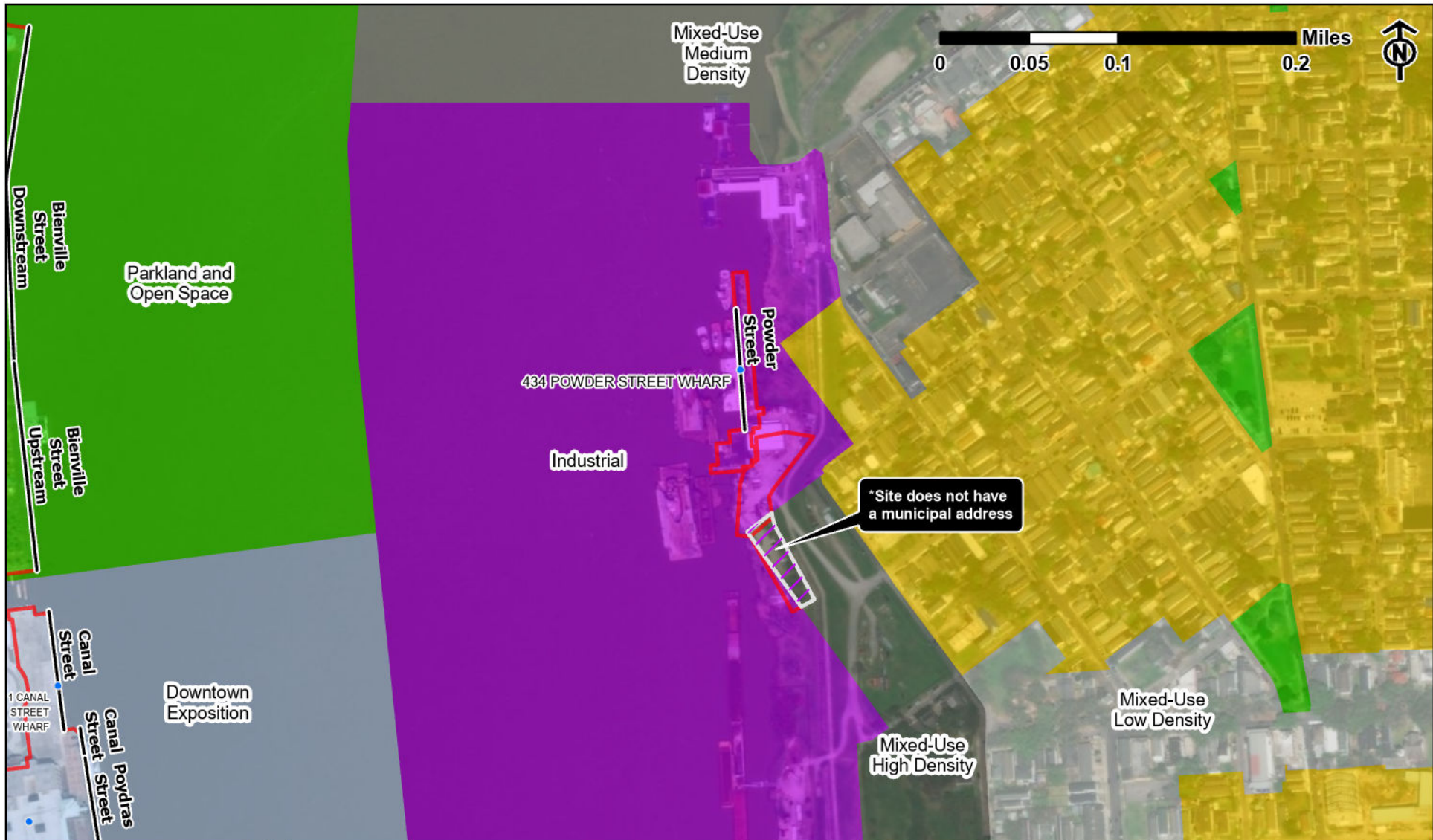
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Port NOLA Request for Change to Future Land Use Map Powder Street Wharf

Legend

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PORT NOLA
THE PORT OF NEW ORLEANS