

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: February 16, 2023

CALENDAR NO. 34,065

NO. 29365 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER KING

AN ORDINANCE to amend and reordain Article 19 of the Comprehensive Zoning Ordinance (Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments) to establish a new Interim Zoning District (IZD) called the Lower Algiers Rural Protection Interim Zoning District, the intent of which is to temporarily prohibit the development of multi-family residences in S-RM1 Multiple-Family Residential Districts and commercial development in S-B2 Pedestrian Oriented Corridor Business Districts to allow for appropriate impact studies regarding drainage, road and utility infrastructure, municipal services for fire, police, emergency response services, and other public safety considerations, and an environmental impact analysis, in the area generally bounded by the Intercoastal Waterway, the Mississippi River, the Donner Canal, and Delacroix Road; and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 98/22 was initiated by City Council Motion M-22-447 and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended denial of a text amendment in its report to the City Council dated December 28, 2022 presented in **Zoning Docket Number 98/22**; and

WHEREAS, the recommendation of the City Planning Commission was overruled and the changes were deemed necessary and in the best interest of the City of New Orleans and were granted approval, as stated in Motion Number M-23-57 (as amended) of the Council of the City of New Orleans on February 2, 2023.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,** That
2 Article 19 of the Comprehensive Zoning Ordinance (Ordinance No. 4264 M.C.S., as amended by Ordinance No.
3 26,413 M.C.S. and subsequent amendments) be, and is hereby amended and reordained to read as follows:

4 **“ARTICLE 19. TEMPORARY PROHIBITIONS**

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19.4.A INTERIM ZONING DISTRICT(S) (IZD)

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19.4.A.2.i LOWER ALGIERS RURAL PROTECTION INTERIM ZONING DISTRICT

A. Intent of the District

The intent of the IZD is to temporarily prohibit the development of multi-family residential homes in S-RM1 Multi-Family Zoning Districts and commercial development in S-B2 Pedestrian-Oriented Corridor Business District in order to allow for appropriate impact studies regarding drainage, road and utility infrastructure, municipal services for fire, police, emergency response services, and other public safety considerations and an environmental impact analysis. The intent of the IZD is to ZD 098/22 7 utilize these studies to allow for the appropriate development within the district and the adoption of appropriate building design standards to promote the general health, safety, and welfare of the community.

B. Location

The IZD applies to all properties currently zoned S-RM1 Multi-Family Residential District and S-B2 Pedestrian-Oriented Corridor Business District generally bounded by the Intercoastal Waterway, the Mississippi River, the Donner Canal, and Delacroix Road.

C. Prohibited Uses

The following uses are prohibited:

- a. Multi-family residential dwellings.
- b. Commercial Uses.

D. Appeal Procedure

Appeals shall be submitted to the Executive Director of the City Planning commission, whose staff shall review and make recommendations relative to the appeal within sixty (60) days of receipt, utilizing the following standards and criteria:

- 1. Is the requested appeal compatible with the surrounding land uses and structures?
- 2. Does the requested appeal provide for an efficient use of land?

- 31 3. Will granting the requested appeal increase traffic and safety hazards?
32 4. Does the requested appeal provide for an efficient parking layout?
33 5. Will the requested appeal increase community environmental impacts?
34 6. Does the requested appeal preserve maximum tree canopy?

35 * * *"

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS MARCH 9, 2023

JP MORRELL
PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON MARCH 10, 2023

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON MARCH 17, 2023 AT 1:45 PM

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS: Giarrusso, Green, King, Moreno, Morrell, Thomas - 6

NAYS: 0

ABSENT: Harris - 1

RECUSED: 0

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY
Lera W. Johnson
CLERK OF COUNCIL

THIS ORDINANCE WAS RETURNED BY THE MAYOR ON MARCH 17, 2023, AT 1:45 P.M. AND THE SAME WAS NEITHER APPROVED NOR DISAPPROVED BY THE MAYOR. THEREFORE, SAID ORDINANCE BECAME LAW AT 12:00 NOON ON MARCH 19, 2023, AS REQUIRED BY LAW.