City Planning Commission Staff Report

Executive Summary

Zoning Docket 070/19

**Applicant:** Nicole Webre

**Request:** Request by Nicole Webre for a text amendment to Articles 15, 20, and 26 of the Comprehensive Zoning Ordinance to define outdoor live entertainment, provide use standards, to amend Section 20.3JJ, to amend Table 15-1 under Section 15.2.A, and to provide any modifications as deemed appropriate by the staff of the City Planning Commission.

The specific amendments to the text are as follows:

1. Define outdoor live entertainment – secondary use under Article 26 as follows:

   “Outdoor Live Entertainment – Secondary Use. Any one (1) or more of the following live performances, performed live by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: musical act, theatrical play or act, including stand-up comedy, magic, and disc jockey performances using vinyl records, compact discs, computers, or digital music players when the disc jockey is in verbal communication with the clientele of the establishment. Outdoor Live Entertainment – secondary use shall be part of a standard restaurant, indoor amusement facility, or outdoor amusement facility, and shall be approved separately. Outdoor Live Entertainment may be approved as a secondary use only when the zoning district indicates that it is a permitted use or conditional use for the zoning district, otherwise it is not permitted. A standard restaurant, indoor amusement facility, or outdoor amusement facility may be open to the public when no live performances are scheduled. Outdoor Live Entertainment – Secondary Use does not include:

   A. Any such activity performed for the practice or private enjoyment of the residents of a dwelling and their guests.
   B. Any adult uses.
C. Periodic entertainment at educational facilities or places of worship, performances at cultural facilities, performances at reception facilities, performances that would otherwise require a special event permit, the playing of recorded music over speakers without a disc jockey, poetry readings, or spoken word performances.

2. To provide use standards and amend Section 20.3.JJ as follows:

“2. Live entertainment – secondary use and live performances venues shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other appropriate City agencies, which shall address the intended use of amplification, noise levels, and need for soundproofing. Outdoor live entertainment areas located within thirty (30) feet of a residential district shall be a conditional use.

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9. The standards set forth in this section apply for outdoor live entertainment – secondary use except outdoor live entertainment may only be established when allowed within a zoning district and in conjunction with a standard restaurant, indoor amusement facility, or outdoor amusement facility.”

3. To amend Table 15-1 under Section 15.2.A to add “Outdoor Live Entertainment – Secondary Use” as a permitted use under Commercial Uses in the MU-2 High Intensity Mixed-Use District.

4. To provide any modifications as deemed appropriate by the staff of City Planning Commission.

Location: The proposed text amendment would have the potential to impact all properties in or adjacent to an MU-2 District.

Summary of Proposal:

Zoning Docket 070/19 considers a text amendment to the Comprehensive Zoning Ordinance to define outdoor live entertainment – secondary use under Article 26, to amend the use standards of Article 20, Section 20.3.JJ – Live Entertainment – Secondary Use and Live Performance Venue, and to allow outdoor live entertainment – secondary use as a permitted use at any standard restaurant, indoor amusement facility, or outdoor amusement facility in the MU-2 High Intensity Mixed-Use District. While the Comprehensive Zoning Ordinance contemplates live entertainment – secondary use, the Department of Safety and Permits has interpreted this to refer only to indoor live entertainment – secondary use and that outdoor live entertainment – secondary use is not permitted in any zoning district. The subject text amendment seeks to address this interpretation, particularly as it relates to Central City BBQ.
**Article 21, Section 21.8.C.7** allows for temporary outdoor live entertainment events limited to eight (8) events per calendar year and a maximum duration of three (3) days per event. **Article 15, Section 15.2.A (Table 15-1)** permits (indoor) live entertainment – secondary use by right at bars, standard restaurants, and indoor amusement facilities in the MU-2 District. Staff believes that the proposed text change is unwarranted as the existing regulations strike a balance between the needs of both residents and applicable businesses in this mixed-use district, which is designed for residential uses commingled with supportive commercial uses. A loosening of regulations to permit outdoor live entertainment – secondary use in the MU-2 District could have significant impacts on nearby residents.

**Master Plan:** The proposal is not consistent with the Master Plan.

**Recommendation:**

The staff recommends **DENIAL** of Zoning Docket 070/19.

**Note:** the applicant has requested deferral until the CPC’s August 13, 2019 meeting.

**Reasons for Recommendation:**

1. The proposed text amendment is not consistent with the purpose of the MU-2 High Intensity Mixed-Use District and could negatively impact surrounding residential uses.

2. The proposed text amendment does not meet several approval standards for text amendments.

3. Outdoor live entertainment is allowed as a temporary use limited to eight (8) events per calendar year and a maximum duration of three (3) days per event, and live entertainment – secondary use is a permitted use in the MU-2 District. Staff believes this is an appropriate balance in the subject mixed-use district.
I. GENERAL INFORMATION

Applicant: Nicole Webre

Request: Request by Nicole Webre for a text amendment to Articles 15, 20, and 26 of the Comprehensive Zoning Ordinance to define outdoor live entertainment, provide use standards, to amend Section 20.3.JJ, to amend Table 15-1 under Section 15.2.A, and to provide any modifications as deemed appropriate by the staff of the City Planning Commission.

The specific amendments to the text are as follows:

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Location: The proposed text amendment would have the potential to impact all properties in or adjacent to an MU-2 District.

Description: Zoning Docket 070/19 considers a text amendment to the Comprehensive Zoning Ordinance to define outdoor live entertainment – secondary use under Article 26, to amend the use standards of Article 20, Section 20.3.JJ – Live Entertainment – Secondary Use and Live Performance Venue, and to allow outdoor live entertainment – secondary use as a permitted use at any standard restaurant, indoor amusement facility, or outdoor amusement facility in the MU-2 High Intensity Mixed-Use District. While the Comprehensive Zoning Ordinance contemplates live entertainment – secondary use, the Department of Safety and
Permits has interpreted this to refer only to *indoor* live entertainment – secondary use and that *outdoor* live entertainment – secondary use is not permitted in any zoning district. The subject text amendment seeks to address this interpretation, particularly as it relates to Central City BBQ.

**Why is City Planning Commission action required?**

The City Planning Commission is required to make a recommendation on all amendments to the text of the Comprehensive Zoning Ordinance prior to City Council action, in accordance with Article 4, Section 4.2.D.3 – Action by the City Planning Commission of the Comprehensive Zoning Ordinance. In making their recommendation and decision, the City Planning Commission and the City Council consider the standards in Article 4, Section 4.2.E (Table 4-1) – Approval Standards of the CZO, which are addressed in this report.

**II. ANALYSIS**

**A. What is the reason for the text amendment? What area would be affected by the text amendment?**

*Reason for text amendment*

The proposed text amendment is intended to create and define outdoor live entertainment as a secondary use and allow it as a permitted use in the MU-2 High Intensity Mixed Use District. In addition, the request would clarify existing ambiguities in Article 20, Section 20.3.JJ that reference outdoor live entertainment. This request is specifically designed to allow outdoor live entertainment – secondary use at Central City BBQ at 1201 S. Rampart Street.

*Affected area*

If approved as proposed, the text amendment would allow outdoor live entertainment – secondary use as a permitted use within the MU-2 High Intensity Mixed-Use District. In addition to areas located with MU-2 Districts, this text amendment would also impact locations adjacent to or nearby MU-2 Districts.

MU-2 High Intensity Mixed-Use Districts are typically located adjacent to interstate highways but are also found around the Mississippi River:

- The area roughly bounded by Leake Avenue, Lowerline Street, the Mississippi River, and Burdette Street,
- The area generally bounded by S. Carrollton Avenue, Tulane Avenue, S. Dupre Street, Perdido Street, S. Jefferson Davis Parkway, and the Pontchartrain Expressway,
- The area bounded by S. Broad Street, Tulane Avenue, S. Galvez Street, the Pontchartrain Expressway, S. Rocheblave Street, and Euphosine Street,
The area generally bounded by N. Claiborne Avenue, Lemann Playground, N. Claiborne Avenue, Basin Street, St. Louis Street, N. Villere Street, Conti Street, N. Robertson Street, and St. Louis Street,
Figure 1. MU-2 Districts in New Orleans
[List of areas and boundaries]

B. What is the existing language of the Comprehensive Zoning Ordinance?

The applicant is proposing changes to Article 20, Section 20.3.JJ – Live Entertainment – Secondary Use and Live Performance Venue, which references outdoor live entertainment. The existing language of Article 20, Section 20.3.JJ appears on the following page.

In addition, the applicant is proposing to modify the use table in Article 15, Section 15.2.A – Permitted and Conditional Uses to allow outdoor live entertainment – secondary use as a permitted use; therefore, the existing language of this table is shown below.

Article 20, Section 20.3.JJ – Live Entertainment – Secondary Use and Live Performance Venue

1. Live entertainment - secondary use is considered a separate principal use. Live entertainment – secondary use may only be established when allowed within a zoning district and in conjunction with a bar, standard restaurant, or indoor amusement facility.

2. Live entertainment – secondary use and live performance venues shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and
all other appropriate City agencies, which shall address the intended use of amplification, noise levels, and need for soundproofing. Outdoor live entertainment areas located within thirty (30) feet of a residential district shall be a conditional use.

3. Live entertainment - secondary use and live performance venues shall submit a security and operation plan, with the following added:

   a. For live entertainment – secondary use, the days and hours of operation for the establishment’s general operations as a standard restaurant or bar, and the days and hours of operation for the live entertainment component.

   b. The configuration of the live entertainment area within the establishment.

   c. Loading areas.

   d. All live entertainment – secondary use and live performance shall provide exterior security cameras.

4. Live entertainment – secondary use and live performance venues 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.

5. Windows and doors shall be closed during live entertainment performances and compliance with the City of New Orleans Noise Ordinance is required. In the Vieux Carré Districts, music of any kind is prohibited outside the building, unless authorized through the conditional use process.

6. If the live entertainment - secondary use and live performance venues use plans an increase in intensity, such as an expansion of floor area, increase in live performance area or increase in permitted occupancy, a security and operation plan shall be updated and resubmitted for approval. Revised security and operation plans shall be approved prior to the issuance of any permits.

7. 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.

8. Because live entertainment – secondary use is only allowed with a bar, standard restaurant, or indoor amusement facility, when the submittal requirements of live entertainment – secondary use and standard restaurant or bar are duplicated, only one (1) set of submittal requirements is required to be submitted and updated.
Article 15, Section 15.2.A – Permitted and Conditional Uses\(^1\)

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C. What is the proposed language for amendment?

Proposed deletions are shown below in strikethrough text while proposed insertions are shown below with new language shown in underlined text.

Article 26, Section 26.6 – Definitions

“Outdoor Live Entertainment – Secondary Use. Any one (1) or more of the following live performances, performed live by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: musical act, theatrical play or act, including stand-up comedy, magic, and disc jockey performances using vinyl records, compact discs, computers, or digital music players when the disc jockey is in verbal communication with the clientele of the establishment. Outdoor Live Entertainment – secondary use shall be part of a standard restaurant, indoor amusement facility, or outdoor amusement facility, and shall be approved separately. Outdoor Live Entertainment may be approved as a secondary use only when the zoning district indicates that it is a permitted use or conditional use for the zoning district, otherwise it is not permitted. A standard restaurant, indoor amusement facility, or outdoor amusement facility may be open to the public when no live performances are scheduled. Outdoor Live Entertainment – Secondary Use does not include:

A. Any such activity performed for the practice or private enjoyment of the residents of a dwelling and their guests.

\(^1\) Permitted and conditional uses are listed in alphabetical order.
B. Any adult uses.
C. Periodic entertainment at educational facilities or places of worship, performances at cultural facilities, performances at reception facilities, performances that would otherwise require a special event permit, the playing of recorded music over speakers without a disc jockey, poetry readings, or spoken word performances.

**Article 20, Section 20.3.JJ – Live Entertainment – Secondary Use and Live Performance Venue**

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2. Live entertainment – secondary use and live performance venues shall submit a noise abatement plan, to be reviewed by the Director of Safety and Permits, and all other appropriate City agencies, which shall address the intended use of amplification, noise levels, and need for soundproofing. Outdoor live entertainment areas located within thirty (30) feet of a residential district shall be a conditional use.

3. Live entertainment - secondary use and live performance venues shall submit a security and operation plan, with the following added:
   
   a. For live entertainment – secondary use, the days and hours of operation for the establishment’s general operations as a standard restaurant or bar, and the days and hours of operation for the live entertainment component.
   
   b. The configuration of the live entertainment area within the establishment.
   
   c. Loading areas.
   
   d. All live entertainment – secondary use and live performance shall provide exterior security cameras.

4. Live entertainment – secondary use and live performance venues 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.

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an increase in intensity, such as an expansion of floor area, increase in live performance area or increase in permitted occupancy, a security and operation plan shall be updated and resubmitted for approval. Revised security and operation plans shall be approved prior to the issuance of any permits.

7. 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.

8. Because live entertainment – secondary use is only allowed with a bar, standard restaurant, or indoor amusement facility, when the submittal requirements of live entertainment – secondary use and standard restaurant or bar are duplicated, only one (1) set of submittal requirements is required to be submitted and updated.

9. The standards set forth in this section apply for outdoor live entertainment – secondary use except outdoor live entertainment may only be established when allowed within a zoning district and in conjunction with a standard restaurant, indoor amusement facility, or outdoor amusement facility.

Article 15, Section 15.2.A – Permitted and Conditional Uses

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D. Does the text amendment adequately answer the problem that is being addressed; if not, are other modifications necessary?

The problem that the applicant is attempting to address with the proposed text amendment is that outdoor live entertainment – secondary use is not permitted in the MU-2 District due to ambiguous language in Article 20, Section 20.3.JJ – Live
Entertainment – Secondary Use and Live Performance Venue:

- **Article 20, Section 20.3.JJ (2):** “…Outdoor live entertainment areas located within thirty (30) feet of a residential district shall be a conditional use.”
- **Article 20, Section 20.3.JJ (5):** “Windows and doors shall be closed during live entertainment performances and compliance with the City of New Orleans Noise Ordinance is required. In the Vieux Carré Districts, music of any kind is prohibited outside the building, unless authorized through the conditional use process.”

Due to the requirement that windows and doors are closed, the Department of Safety & Permits has made an interpretation that outdoor live entertainment – secondary use is not permitted or conditional in any zoning district.

The proposed text amendment seeks to address the issue for this specific zoning district, but outdoor live entertainment – secondary use would remain a prohibited use in other zoning districts across the city. If this text amendment is approved, outdoor live entertainment would only be authorized in the MU-2 High Intensity Mixed Use District.

It should be noted that outdoor live performance is allowed as a temporary use pursuant to **Article 21, Section 21.8.C.7.** These events are limited to eight (8) events per calendar year and a maximum duration of three (3) days per event. The temporary nature of this use makes it more compatible with surrounding residential and better protects these uses.

**Potential Unintended Consequences**

Live entertainment – secondary use is a permitted use in the MU-2 District. However, outdoor live entertainment – secondary use is greater in intensity and impact because it does not take place within a building. The approval of this request to allow outdoor live entertainment – secondary use within any standard restaurant, indoor amusement facility, or outdoor amusement facility in the MU-2 District could have unintended repercussions on nearby residential uses, which are permitted in this district.

The MU-2 High-Intensity Mixed-Use District is intended to encourage a mixed-use development pattern of residential uses intermingled with supportive commercial uses. Due to the fact that the MU-2 District includes residential uses, allowing outdoor live entertainment as a permitted use 365 days a year may pose notable impacts that are difficult to mediate and enforce, particularly for residential uses that abut any existing or future standard restaurant, indoor amusement facility, or outdoor amusement facility.

In general, this text amendment report is insufficient to assess the full impacts of outdoor live entertainment. This is a much broader issue that should be evaluated at a citywide level in terms of appropriateness and health and noise impacts.

Overall, allowing outdoor live entertainment – secondary use as a permitted use in the MU-2 District would create an environment with little protection for impacted residents nearby.
Figure 2. Residential Uses in an HU-MU Historic Urban Neighborhood Mixed-Use District abut an MU-2 District in Algiers

Figure 3. Residential Uses in an MU-2 District (1823-33 Martin Luther King Jr. Blvd)
E. Compliance with approval standards

The City Planning Commission recommendation and the City Council decision on any zoning text amendment are matters of legislative discretion. In making their recommendation and decision, the City Planning Commission and the City Council are required to consider the standards in Article 4, Section 4.2.E (Table 4-1) – Standards for Zoning Amendments of the Comprehensive Zoning Ordinance. In this section, the staff evaluates the application using those standards.

The proposed amendment is compatible with the Master Plan and Future Land Use Map.

A land use action is consistent with the Plan for the 21st Century (commonly referred to as the Master Plan) if it furthers, or at least does not interfere with, the goals, policies, and guidelines, including design guidelines, in the Land Use Element of the Master Plan. The Master Plan uses a Future Land Use Map to identify which land uses should fall in each area of the City. Those areas allow certain zones that conform to the future land use designation of the area.

The proposed text amendment requests that outdoor live entertainment – secondary use be added as a permitted use for all standard restaurants, indoor amusement facilities, and outdoor amusement facilities in the MU-2 District. Generally, the MU-2 High Intensity Mixed Use District is within Mixed Use High Density Future Land Use Map designation. The goals, range of uses, and development character this designation are provided below:

**MIXED-USE HIGH DENSITY**

**Goal:** Encourage compact, walkable, transit-oriented (or transit-ready) neighborhood centers with medium-to-high density multifamily residential, office, and commercial services at key, underutilized, centrally located parcels within neighborhoods and along edges.

**Range of Uses:** Medium- to high-density multifamily residential, office, hotel and commercial retail. Limited light industrial uses (small food manufacturers, craft and value added industry and passive warehousing and storage) may be allowed in some areas. Agricultural, stormwater management, and supporting public recreational and community facilities are allowed. Transit and transportation facilities are allowed.

**Development Character:** These areas will provide proper transitions to surrounding areas with lower densities/heights. Many structures will require ground-floor retail with residences or offices or both on upper floors. Allow the adaptive reuse of historic nonresidential structures with densities higher than the surrounding neighborhood through the planned development process. Allow higher residential densities when a project is providing significant public benefits such as long-term affordable housing. Incorporate risk reduction and adaptation strategies in the built environment.
This standard is not met. Regular outdoor live entertainment is not compatible with other land uses described in the Mixed Use High Density designation – especially high density residential uses.

**The proposed amendment is compatible with the place designations of this Ordinance.**

This standard is not met. The MU-2 High Intensity Mixed-Use District is intended encourage walkable neighborhood centers and corridors conducive to transit, with a mix of residential and supportive commercial and office uses. Outdoor live entertainment, which takes place outside of a building envelope, is more impactful than indoor live entertainment. Because of the mixed-use nature of the MU-2 District and the impacts that outdoor live entertainment – secondary use could have on adjacent residential uses, the proposed text amendment is not compatible with the place designations of the ordinance.

**The proposed amendment promotes the public health, safety and welfare of the City.**

This standard is not met. The proposed amendment would open the door for any existing or future standard restaurant, indoor amusement facility, and outdoor amusement facility in the MU-2 District to have outdoor live entertainment as a secondary use by right. As noted, the MU-2 District is a mixed-use district that includes residential uses commingled with supportive residential uses. Noise impacts on the public, particularly nearby residents, health, safety, and welfare would be difficult to mitigate and enforce.

**The proposed amendment is compatible with the intent and general regulations of this Ordinance.**

This standard is not met. The proposed amendment is not compatible with the intent of the Comprehensive Zoning Ordinance in that the proposed use is not suitable for the subject zoning district, does not encourage and promote the health, safety, and welfare of the citizens of New Orleans, and—broadly, as a use permitted by right— would not be an appropriate use of the land because of the variety of uses including highly dense residential development this district is intended to support.

**The proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**

This standard is partially met. The proposed text amendment would clarify ambiguity in the existing regulations as they relate to whether outdoor live entertainment – secondary use is permitted or conditional—or prohibited, per the Department of Safety and Permits’ recent interpretation. However, as proposed, it would create a scenario by which any existing or future standard restaurant, indoor amusement facility, and outdoor amusement facility in the MU-2 District could have outdoor live entertainment as a secondary use by right. The correction of this ambiguity should not also open the door for a use
inappropriate in this district, or that should, at the very least, receive evaluation on a case-by-case basis.

**The proposed amendment benefits the citizens of the City as a whole.**

This standard is *not* met. The proposed text amendment would not benefit the citizens of the City as a whole. Music, theater, and other performance are critical platforms of expression, beauty, and entertainment that help create vibrant cities. The MU-2 District already allows both live performance venues and live entertainment – secondary use as permitted by right. Allowing for outdoor live entertainment – secondary use is an unnecessary stretch that would not benefit the citizens of New Orleans as a whole and could create impacts on residences nearby outdoor live entertainment areas. Outdoor live entertainment events may still occur through the issuance of special events permits which have a limited time frame, do not vest a land use right, and can be discontinued by the City if problems arise.

**The proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Master Plan.**

This standard is *not* met. **Article 21, Section 21.8.C.7** allows for temporary outdoor live entertainment events limited to eight (8) events per calendar year and a maximum duration of three (3) days per event. While businesses may desire the ability to provide additional outdoor live entertainment, the Comprehensive Zoning Ordinance has a reasonable alternative in place that would be less impactful to surrounding residents. The proposed text amendment to allow outdoor live entertainment—secondary use year-round is not a more workable or reasonable way to achieve the intent and purposes of this Ordinance and the Master Plan.

**The proposed amendment does not create a significant number of nonconformities.**

The proposed text amendment is to add a use to the list of permitted uses in the MU-2 District, not to remove a use. This would not create any nonconformities.

**III. SUMMARY**

Zoning Docket 070/19 considers a text amendment to the Comprehensive Zoning Ordinance to define outdoor live entertainment – secondary use under Article 26, to amend the use standards of **Article 20, Section 20.3.JJ – Live Entertainment – Secondary Use and Live Performance Venue**, and to allow outdoor live entertainment – secondary use as a permitted use at any standard restaurant, indoor amusement facility, or outdoor amusement facility in the MU-2 High Intensity Mixed-Use District. While the Comprehensive Zoning Ordinance contemplates live entertainment – secondary use, the Department of Safety and Permits has interpreted this to refer only to *indoor* live entertainment – secondary use and that *outdoor* live entertainment – secondary use is not permitted in any zoning district. The subject text amendment seeks to address this interpretation, particularly as it relates to Central City BBQ.
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IV. PRELIMINARY STAFF RECOMMENDATION

The staff recommends DENIAL of Zoning Docket 070/19.

Note: the applicant has requested deferral until the CPC’s August 13, 2019 meeting.

V. REASONS FOR RECOMMENDATION

1. The proposed text amendment is not consistent with the purpose of the MU-2 High Intensity Mixed-Use District and could negatively impact surrounding residential uses.

2. The proposed text amendment does not meet several approval standards for text amendments.

3. Outdoor live entertainment is allowed as a temporary use limited to eight (8) events per calendar year and a maximum duration of three (3) days per event, and live entertainment – secondary use is a permitted use in the MU-2 District. Staff believes this is an appropriate balance in the subject mixed-use district.
July 15, 2019

New Orleans City Planning Commission
Mr. Robert D. Rivers, Executive Director
1300 Perdido Street, City Hall, 7th Floor
New Orleans, LA 70112

RE: ZD 070/19 Proposed CZO Text Amendment
Outdoor Live Entertainment

Dear Mr. Rivers and CPC Members,

On behalf of the Garden District Association (the “GDA”) Board and members, please accept our comments regarding the subject Zoning Docket. We are opposed to the CZO text amendment for the following reasons:

1. As currently written and if approved the text amendment seems to allow outdoor live entertainment at all standard and specialty restaurants as well as indoor and outdoor amusement facilities. If it does allow such a use we are adamantly opposed to this text amendment.

2. As proposed, the text amendment will remove the Conditional Use process required for Live Entertainment areas located within 30 feet of residential districts. We are adamantly opposed to this text amendment.

3. Further, the proposed text amendment will provide opportunities and standards for the current “musical accompaniment for patrons at restaurants” (Article 26) to possibly morph into outdoor areas of restaurants. While the CZO as currently written does not allow for live entertainment in outdoor seating areas of restaurants, the proposed amendment could possibly provide a loophole to allow such activities.

We strongly urge you consider our opposition in your deliberations.

Very truly yours,

Shelley Landrieu
Executive Director

c: New Orleans City Council
GDA Board of Directors
Sent from my iPhone

Begin forwarded message:

From: Julie Jones <jones1@uno.edu>
Date: July 15, 2019 at 11:30:20 AM CDT
To: "rdrivers@nola.gov" <rdrivers@nola.gov>
Subject: Neighbors First for Bywater on ZD 070/19

EMAIL FROM EXTERNAL SENDER

R.D. Rivers, Executive Director
City Planning Commission

Re: ZD 070/19

Dear Bob,

Following the vote of our Board, I am writing on behalf of Neighbors First for Bywater to oppose the text amendment that would allow outdoor live entertainment in HU-2 districts in close proximity to residential districts. We believe that anyone who lives less than 30 feet from such a venue would suffer from the night-time noise and activity that would be generated.

Thank you for your attention and best wishes,

Julie
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