

MOTION
NO. M-26-7

CITY HALL: January 8, 2026

BY: COUNCILMEMBER KING

SECONDED BY:

WHEREAS, Adult live performance venues can produce undesirable secondary effects when rapidly proliferating in high-density, historic areas like the VCE Vieux Carré Entertainment District, including increased noise levels disrupting residential peace, heightened traffic congestion exacerbating pedestrian safety risks, amplified public intoxication and disorderly conduct straining law enforcement resources, and environmental impacts such as litter and strain on public infrastructure; and

WHEREAS, Motion Number M-26-8 directs the City Planning Commission to consider amending the Comprehensive Zoning Ordinance to shift Adult Live Performance Venues to a conditional or prohibited use in the VCE district, while also considering provisions to allow existing venues to relocate within the district under strict criteria that prevent expansion or intensification, in order to mitigate these secondary effects while preserving options for existing operations; **NOW THEREFORE**

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to conduct a public hearing to consider an amendment to Ordinance No. 4264 M.C.S., as amended, the Comprehensive Zoning Ordinance (“CZO”), to amend Article 19 to establish a new Interim Zoning District to be named the *VCE Adult Live Performance Venue Interim Zoning District* (“IZD”), the intent of which is to require the approval of a conditional use by ordinance for Adult Live Performance Venues where Adult Use is designated as a permitted use (“P”) in the VCE Vieux Carre Entertainment District of the Comprehensive Zoning Ordinance. Adult Live Performance Venues shall be subject to all provisions in the CZO related to conditional uses, including but not limited to Section 4.3. All other regulations in the CZO that may relate to Adult Live Performance Venues, including but not limited to use permissions in other zoning districts, use standards, bulk and yard standards, parking requirements, and stormwater management, shall continue to apply to the use if approved under the terms of this IZD, unless expressly waived by the ordinance approving the conditional use. Where Adult Use is prohibited in the CZO, it shall remain prohibited under this IZD.

BE IT FURTHER MOVED, That this IZD shall not apply to any Adult Use other than Adult Live Performance Venues.

BE IT FURTHER MOVED, That this IZD shall be limited to the VCE Vieux Carre Entertainment District.

BE IT FURTHER MOVED, That this IZD shall be in effect for a period of one year and may be extended as provided in Section 3-126 of the City Charter.

BE IT FURTHER MOVED, That, in accordance with Article 19, Section 19.3.C.5 of the CZO, all appropriate agencies of the City shall neither accept any new application for a license or permit for an Adult Live Performance Venue, nor issue any permit or license that conflicts with the intent and provisions of this IZD for any applicable property while this IZD is in effect. Except for properties where the relevant use has been deemed discontinued or abandoned for a continuous period of 180 days, this IZD shall not operate to require a conditional use ordinance for any property which has already received a permit or license for an Adult Live Performance Venue, including any property which has received a building permit but has not yet received a license to operate.

BE IT FURTHER MOVED, That appeals of this IZD shall be made to the Executive Director of the City Planning Commission. Every application for appeal shall be made on forms provided by the City and shall be accompanied by the payment of a filing fee in the amount of \$750.00. Every application shall also include a written statement explaining why the appellant should be exempted from the conditional use requirement imposed by this IZD. The Executive Director shall not accept any appeal application that is not submitted and completed on the forms provided by the City, does not include all information required by this IZD and CZO Section 4.3, or does not include complete payment of the filing fee. The Executive Director or his or her staff shall review the accepted appeal application and shall make a recommendation to the Council of approval, modified approval, or denial based on the following standards:

1. Is the use requested in the appeal compatible with the surrounding land uses and structures?
2. Does the use requested in the appeal provide for an efficient use of land?
3. Will granting the use requested in the appeal increase traffic congestion, pedestrian safety hazards, public intoxication, or disorderly conduct, thereby straining law enforcement resources?

4. Will the use requested in the appeal increase community environmental impacts, such as noise disturbances to residential peace, litter, or strain on public infrastructure?
5. Is the use requested in the appeal consistent with all applicable zoning regulatory provisions except this Interim Zoning District, as found in the Comprehensive Zoning Ordinance and the City Code?
6. Do special circumstances exist that would justify granting the appeal and bypassing the conditional use process set forth herein rather than requiring the applicant to adhere to the terms of this Interim Zoning District?

In conducting this review, the Executive Director may request that the applicant provide additional information, beyond that required by the official appeal application forms, as is necessary for the Executive Director to provide a recommendation. The Executive Director shall transmit the recommendation to the City Council within 60 days of receipt of the completed application to appeal and payment of the filing fee. The Council shall have 60 days from receipt of the Executive Director's recommendation to act by motion directing the drafting of an ordinance to grant the appeal (with or without modifications) or to deny the appeal. If the Council fails to act within 60 days from receipt of the recommendation, the appeal shall be deemed to be denied.

BE IT FURTHER MOVED, That the requirement to conduct a Neighborhood Participation Program pursuant to Comprehensive Zoning Ordinance Section 4.2.D.1 is hereby waived to expedite the review and implementation of this Interim Zoning District pending the City Planning Commission's consideration of text amendments to the CZO as outlined in M-26.8.

BE IT FURTHER MOVED, That in the process of reviewing this amendment, the City Planning Commission staff is directed and granted the flexibility to make all appropriate changes to the proposed regulations and any existing corresponding regulations in the Comprehensive Zoning Ordinance, as amended, to establish consistency and continuity with the format of the existing zoning code, to add references wherever references are customary, needed, or appropriate, to make the appropriate adjustments to clarify any ambiguities or mistakes, and to make adjustments deemed necessary in light of public testimony resulting from this review.

THE FOREGOING MOTION WAS READ IN FULL; THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS:

NAYS:

ABSENT:

RECUSED:

AND THE MOTION WAS ADOPTED.