

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: October 23, 2025

CALENDAR NO. 35,278

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER KING

AN ORDINANCE to establish a conditional use to permit a reception facility with outdoor live entertainment (secondary use) in an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 86, Lots 20 through 23, in the Fifth Municipal District, bounded by Powder Street, Alix Street, Bouny Street, and Eliza Street (Municipal Address: 530 Powder Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 47/25 was initiated by 530 Powder, 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 conditional use in its report to the City Council dated September 18, 2025, presented in **Zoning Docket Number 47/25**; and

WHEREAS, the changes were deemed necessary and in the best interest of the City of New Orleans and the request was approved by the City Council, subject to three (3) provisos, as stated in Motion Number M-25-528 of the Council of the City of New Orleans on October 9, 2025.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,** That
2 a conditional use to permit a reception facility with outdoor live entertainment (secondary use) in an HU-MU
3 Historic Urban Neighborhood Mixed-Use District, on Square 86, Lots 20 through 23, in the Fifth Municipal
4 District, bounded by Powder Street, Alix Street, Bouny Street, and Eliza Street (Municipal Address: 530
5 Powder Street); is hereby authorized and approved, subject to the following provisos, as specifically set forth
6 herein:

7 **PROVISOS:**

8 1. The Department of Safety and Permits shall issue no building permits or licenses for this project until
9 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.WW**, the reception facility is subject to the below use standards:

- a. A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, or educational facilities.
- b. Outdoor live entertainment-secondary use is a separate use and subject to separate approval. Additionally, the reception must remain open while any live entertainment takes place. Indoor live entertainment is subject to a closed-doors-and-windows policy.
- c. Outdoor lighting shall be directed away from adjacent residentially zoned property.
- d. Indoor hours of operation are restricted to 10:00 a.m. to 12:00 a.m. (midnight) Sunday through Thursday and 10:00 a.m. to 4:00 a.m. Friday through Saturday.

The reception facility is also subject to the following standards:

- e. The reception facility shall submit a security and operation plan, which includes the provision of exterior security cameras, to the Department of Safety and Permits.
- f. The reception facility shall provide its own license for the service of alcoholic beverages.

3. In accordance with **Article 20, Section 20.3.WWW**, the outdoor live entertainment is subject to the below use standards:

- a. Outdoor live entertainment – secondary use may only be established when allowed within a zoning district and in conjunction with a bar, standard restaurant, indoor or outdoor amusement facility, winery, micro-distillery, distillery, micro-brewery, brewery, reception facility, cultural facility, or for the common outdoor areas of a hotel. All outdoor live entertainment at these establishments requires an outdoor live entertainment-secondary use

approval. The establishment serving as the primary use must remain open while any live entertainment takes place.

b. Outdoor live entertainment – secondary use establishments 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.

c. Because outdoor live entertainment – secondary use is only allowed with a bar, standard restaurant, indoor or outdoor amusement facility, winery, micro-distillery, distillery, micro-brewery, brewery, reception facility, cultural facility, and the common outdoor areas of a hotel, when the submittal requirements of live entertainment – secondary use and the underlying primary use of the establishment are duplicated, only one (1) set of submittal requirements is required to be submitted and updated.

d. For all uses except a hotel, public market, and outdoor amphitheater, outdoor live entertainment is limited to the hours of 11:00 a.m. to 9:00 p.m. on Sunday through Thursday, and from 11:00 a.m. to 10:00 p.m. on Friday and Saturday. For a hotel, outdoor live entertainment is limited to the hours of 4:00 p.m. to 9:00 p.m. on Monday through Thursday; from 11:00 a.m. to 10:00 p.m. on Friday and Saturday; and 11:00 a.m. to 9:00 p.m. on Sunday. For a public market and outdoor amphitheater, no outdoor live entertainment - secondary use approval is required; outdoor live entertainment is ancillary to these uses, with restrictions provided in the respective use standards.

e. Outdoor live entertainment shall be limited to three (3) days per week, unless otherwise specified in the conditional use.

f. Outdoor speakers and instruments shall be directed away from adjacent residences to the greatest extent possible.

g. Compliance with the New Orleans Sound/Noise Ordinance is required.

- h. A 30-foot buffer area shall be maintained between the outdoor live entertainment area as indicated on a site plan and a residential district or use.
- i. In the Vieux Carré Districts, outdoor live entertainment – second use shall be prohibited.
- j. No outdoor live entertainment is permitted upon balconies or galleries.
- k. All granted Outdoor Live Entertainment conditional uses shall be published on a dedicated City website/URL by municipal address with accompanying provisions or any other addendums.

SECTION 2. Whoever does anything prohibited by this Ordinance or fails to do anything required to be done by this Ordinance shall be guilty of a misdemeanor. Upon conviction of such a misdemeanor, the individual shall be subject to a fine, imprisonment, or both, in accordance with Section 1-13 of the Code of the City of New Orleans. Such a conviction shall be cause for immediate cancellation of the Use and Occupancy Permit for the premises. Alternatively, the individual shall be subject to whatever civil liabilities, penalties, or remedies the law prescribes.

SECTION 3. This Ordinance shall have the legal force and effect of authorizing this conditional use after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation have been completely fulfilled and complied with and (2) all proviso(s) listed in Section 1, which impose a continuing or ongoing obligation have begun to be fulfilled. Fulfilment 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 the effective date of this Ordinance, 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 Civil District 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

14 in the Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal force or
15 binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive Zoning Ordinance
16 are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2 of the Comprehensive Zoning
17 Ordinance, the conditional use will expire, and this Ordinance will be null and void.

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-25-528**

CITY HALL: October 9, 2025

BY: COUNCILMEMBER KING

SECONDED BY: COUNCILMEMBER GIARRUSSO

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission's report and recommendation of **APPROVAL**, subject to three provisos, related to **ZONING DOCKET 47/25**, initiated by **530 POWDER, LLC**, requesting consideration of a conditional use to permit a reception facility with outdoor live entertainment (secondary use) in an HU-MU Historic Urban Neighborhood Mixed-Use District, on Square 86, Lots 20 through 23, in the Fifth Municipal District, bounded by Powder Street, Alix Street, Bouny Street, and Eliza Street. (Municipal Address: 530 Powder Street), is hereby received and the request is **approved**.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the Clerk of Council is directed to forward copies of this motion to the Council Land Use Officer, who is directed to prepare an ordinance to effectuate this motion and is granted 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: Giarrusso, Green, King, Morrell, Thomas - 5

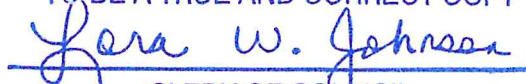
NAYS: 0

ABSENT: Harris, Moreno - 2

RECUSED: 0

AND THE MOTION WAS ADOPTED.

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY


CLERK OF COUNCIL