

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: March 12, 2026

CALENDAR NO. 35,388

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS

AN ORDINANCE to establish a conditional use to permit a reception facility with outdoor live entertainment (secondary use) in an HU-B1 Historic Neighborhood Business District, on Square 327 or 328, Lots 4, 5, 6, and A, in the Fourth Municipal District, bounded by Philip Street, Simon Bolivar Avenue, and Reverend John Raphael Jr. Way (Municipal Address: 2300 Philip Street); and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 1/26 was initiated by Earl Myers Jr. 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 January 23, 2026, presented in **Zoning Docket Number 1/26**; 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 four (4) provisos, as stated in Motion Number M-26-94 of the Council of the City of New Orleans on February 26, 2026.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY

ORDAINS, That a conditional use to permit a reception facility with outdoor live entertainment (secondary use) in an HU-B1 Historic Neighborhood Business District, on Square 327 or 328, Lots

4, 5, 6, and A, in the Fourth Municipal District, bounded by Philip Street, Simon Bolivar Avenue, and Reverend John Raphael Jr. Way (Municipal Address: 2300 Philip Street); is hereby authorized and approved, subject to the following provisos, as specifically set forth herein:

PROVISOS:

1. The developer shall update the site plan to indicate a 30-foot buffer between the outdoor live entertainment area and a residential district or use.
2. Reception facilities in all zoning and overlay districts are subject to the use standards set forth at **Article 20, Section 20.3.WW** and copied below.
 - 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 facility 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.
3. The Outdoor live entertainment – secondary use shall operate in accordance with the following use standards contained in **Article 20, Section 20.3.WWW** and copied below.
 - 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, sfrom 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;

- 50 outdoor live entertainment is ancillary to these uses, with restrictions provided in
51 the respective use standards.
- 52 e. Outdoor live entertainment shall be limited to three (3) days per week, unless
53 otherwise specified in the conditional use.
- 54 f. Outdoor speakers and instruments shall be directed away from adjacent residences
55 to the greatest extent possible.
- 56 g. Compliance with the New Orleans Sound/Noise Ordinance is required.
- 57 h. A 30-foot buffer area shall be maintained between the outdoor live entertainment
58 area as indicated on a site plan and a residential district or use.
- 59 i. In the Vieux Carré Districts, outdoor live entertainment – second use shall be
60 prohibited.
- 61 j. No outdoor live entertainment is permitted upon balconies or galleries.
- 62 k. All granted Outdoor Live Entertainment conditional uses shall be published on a
63 dedicated City website/URL by municipal address with accompanying provisions
64 or any other addendums.
- 65 4. The Department of Safety and Permits shall issue no building permits or licenses for this
66 project until final development plans are approved by the City Planning Commission and
67 recorded with the Office of Conveyances. Failure to complete the conditional use process
68 by properly recording plans within a one-year time period or failure to request an
69 administrative extension as provided for in **Article 4, Section 4.3.H** of the Comprehensive
70 Zoning Ordinance will void the conditional use approval.

71 **SECTION 2.** Whoever does anything prohibited by this Ordinance or fails to do anything
72 required to be done by this Ordinance shall be subject to whatever civil liabilities, penalties, or
73 remedies the law prescribes.

1 **SECTION 3.** This Ordinance shall have the legal force and effect of authorizing this
2 conditional use after: (1) all proviso(s) listed in Section 1, which impose a one-time obligation
3 have been completely fulfilled and complied with; and (2) all proviso(s) listed in Section 1, which
4 impose a continuing or ongoing obligation have begun to be fulfilled. Fulfilment of a continuing
5 or ongoing obligation is based on the City Planning Commission's approval of the final site plan,
6 which shall be submitted within one year of adoption of this Ordinance by the City Council, unless
7 extended as authorized by the Comprehensive Zoning Ordinance. The Executive Director of the
8 City Planning Commission shall verify that the development plan incorporate all conditions set
9 forth in this Ordinance and shall sign the plan to indicate final plan approval. The final approved
10 plan shall be recorded in the Office of the Clerk of Civil District Court for the Parish of Orleans,
11 within 30 days of the date of final approval, and evidence of such recordation shall be submitted
12 to the City Planning Commission. No use or occupancy certificates or permits, other than the
13 building permits needed to fulfill the proviso(s), shall be issued until the final approved plan is
14 recorded and evidence of recordation is submitted to the City Planning Commission. If the
15 development plan is not approved and recorded, within the timeframes provided in the
16 Comprehensive Zoning Ordinance, then this Ordinance shall be null and void with no legal force
17 or binding effect. Furthermore, if the requirements of Section 4.3.H.1 of the Comprehensive
18 Zoning Ordinance are not satisfied within the timeframe allotted by Sections 4.3.H.1 and 4.3.H.2
19 of the Comprehensive Zoning Ordinance, the conditional use will expire, and this Ordinance will

- 20 be null and void. The preceding deadlines may be extended via motion in accordance with the
- 21 Comprehensive Zoning Ordinance.

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-26-94**

CITY HALL: February 26, 2026

BY: COUNCILMEMBERS HARRIS

SECONDED BY: COUNCILMEMBER MCCARRON

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 four (4) provisos**, related to **ZONING DOCKET 1/26**, initiated by Earl Myers, Jr., requesting consideration of a conditional use to permit a Reception facility with outdoor live entertainment (secondary use), an HU-B1 Historic Urban Neighborhood Business District, on Square 327 or 328, Lots 4, 5, 6, and A, in the Fourth Municipal District, bounded by Philip Street, Simon Bolivar Avenue, and Reverend John Raphael Jr. Way (**Municipal Address: 2300 Philip Street**), is hereby **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 Law Department, which 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: Green, Harris, Hughes, King, McCarron, Morrell, Willard - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

**THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY**



CLERK OF COUNCIL