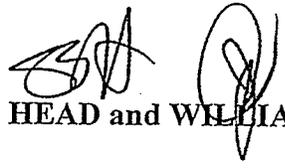


MOTION

NO. M-16-22



CITY HALL: January 7, 2016

BY: COUNCILMEMBERS HEAD and WILLIAMS

WHEREAS the Council of the City of New Orleans adopted Ordinance 26413 M.C.S. ("the new CZO") on May 14, 2015, which became effective on August 12, 2015; and

WHEREAS, an Adult Live Performance Venue is defined in Section 26.6 of the new CZO as:

"Adult Use. ...

B. Adult Live Performance Venue. An establishment that features dancers, go-go dancers, exotic dancers, or similar entertainers or live entertainment, where persons regularly appear in a state of nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities as defined below. Such establishments specifically exclude minors, or minors are specifically excluded by statute or ordinance, regardless of whether or not any such business is licensed to sell alcoholic beverages."

WHEREAS Adult Uses, as defined in the new CZO, are permitted uses in the VCE "Vieux Carré Entertainment District" zoning district (Section 10.2.A); and

WHEREAS, Adult Uses, as defined in the new CZO, are conditional uses in the LI "Light Industrial" and HI "Heavy Industrial" zoning districts (Section 16.4); and; and

WHEREAS, the Council desires further City Planning Commission (CPC) study into the regulation of Adult Uses, specifically Adult Live Performance Venues, in the new CZO from a

land-use perspective, in light of the governmental interest to address secondary effects of these uses on the surrounding community; and

WHEREAS, the Council intends to create an Adult Live Performance Venue Interim Zoning District for, at a minimum, the duration of the City Planning study; and

WHEREAS, the Council also intends to adopt amendments to the City Code to implement a permitting and enforcement scheme in conjunction with the land-use regulation of Adult Live Performance Venues in the CZO; and

WHEREAS, the Council desires comprehensive regulation of Adult Live Performance Venues in the City Code and the CZO, consistency between the two, and recommendations from the City Planning Commission as to what provisions should be included in or omitted from the CZO rather than the City Code, NOW THEREFORE,

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is hereby directed to conduct a public hearing and study on the use of Adult Live Performance Venues in the City of New Orleans as further provided herein.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is hereby directed to conduct and complete the study within 120 days of the passage of this motion and conduct the public hearing within 60 days of the passage of this motion.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is hereby directed to include the following subject matter in the study:

1. Whether the total number of Adult Live Performance Venues permitted by right in the VCE zoning district should be limited; and
2. Whether there are best practices that have been developed based on adult live performance venue regulations recently enacted by local governmental entities around the United States, or a set of recommendations to be made by the City Planning Commission based on its study of such recently enacted regulations;
3. Research should include input from industry representatives, as well as other businesses that will be impacted; and
4. What are the available and most appropriate land-use mechanisms to limit the total number of Adult Live Performance Venues; and
5. If the current supplemental use standards need to be amended, or if any additional supplemental use standards are necessary to further regulate said use.

BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That in the process of conducting a public hearing and study on the regulation of Adult Live Performance Venues in the City of New Orleans as provided herein, the City Planning Commission and staff are directed and granted the flexibility to expand the scope of the study and make any and all legal and appropriate recommendations deemed necessary in light of the study, review, and public testimony resulting from this motion.

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

YEAS:

NAYS:

ABSENT:

AND THE MOTION WAS ADOPTED.