ORDINANCE (AS CORRECTED) CITY OF NEW ORLEANS

CITY HALL: June 4, 2015 CALENDAR NO. 30,794

NO. 26485 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER RAMSEY

AN ORDINANCE to amend and reordain Ordinance No. 4264 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 2, Section 2.2, Definitions, to create a new definition of "cigar bar", and to amend Article 8, Section 8.5.5, Conditional Uses - VCC-2 Vieux Carre' Commercial District, to classify "cigar bar" as a conditional use.

WHEREAS, Zoning Docket Number 31/15 was initiated by City Council Motion M-15-85 and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended denial of Zoning Docket Number 31/15, in its report dated April 20, 2015 to the City Council; and

WHEREAS, the recommendation of the City Planning Commission was overruled and the changes were deemed to be advisable and necessary and in the best interest of the City and were granted approval as stated in Motion Number M-15-239 of the Council of the City of New Orleans on June 4, 2015.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS that Section 2.2 of Article 2 of Ordinance No. 4264 M.C.S., the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

"ARTICLE 2. DEFINITIONS

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Section 2.2 - Definitions of the Comprehensive Zoning Ordinance

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45A. Cigar Bar. An establishment whose principal business is the sale of cigars and cigar related products (for on or off-premise consumption) where the sales of cigars and cigar related products produces thirty-five (35) percent or more of the gross revenue for said establishment, where food products may be served for consumption on premises as an ancillary use and where alcoholic beverages may be served, where at least twenty-five (25) percent or more of the useable space of the

establishment is used to display cigars and cigar related products for retail sale, where the operator 13 maintains a minimum of \$5,000 in inventory of cigar and cigar related products on site for retail sale, 14 where the establishment provides a minimum of twenty (20) humidor lockers on-site for patron use 15 or rent, but where neither live entertainment nor gambling are provided, and where cigarettes are not 16 **17** sold or permitted for consumption on-site." SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY 1 ORDAINS that Section 8.5.5 of Article 8 of Ordinance No. 4264 M.C.S., as amended, the 2 Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and 3 reordained to read as follows: 4 "ARTICLE 8. - VIEUX CARRÉ HISTORIC DISTRICTS 5 6 Section 8.5. - VCC-2 Vieux Carré Commercial District. 7 8 9 8.5.5. Conditional Uses. 10 7. Cigar Bar."

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS JULY 9, 2015

JASON ROGERS WILLIAMS PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON JULY 10, 2015

APPROVED:

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DISAPPROVED: JULY 15, 2015

MITCHELL J. LANDRIEU MAYOR

RETURNED BY THE MAYOR ON JULY 16, 2015 AT 11:25A.M.

LORA W. JOHNSON CLERK OF COUNCIL

ROLL CALL VOTE:

BROSSETT, CANTRELL, HEAD, RAMSEY, WILLIAMS - 5 YEAS:

NAYS: GUIDRY - 1 ABSENT: GRAY-1

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THE FOREGOING IS CERTIFIED