

**SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT**

**ZOTA 2012-4: AMEND THE DEFINITION OF “BANQUET FACILITIES”**

Since the staff originally drafted the report for this text amendment and brought up the issue of live entertainment related to the use, the petitioner has informed the staff that they do not wish to actively pursue this amendment any further; however they are also aware of the greater community need and desire by others to modify the definition of “banquet facilities.” Thus, they have opted not to withdraw this application.

In addition, the staff had originally proposed to address the live entertainment issue through another Planning Commission-initiated text amendment to Article 8, primarily for the Neighborhood Business (B-1) zone (ZOTA 2012-9), where banquet facilities are first permitted. However, the Planning Commission has chosen to delay the public hearing of the B-1 text amendment; therefore, the staff now suggests addressing the live entertainment collectively with the definition change for banquet facilities. The staff alternative text, copied from the staff report for ZOTA 2012-9, appears below and should be considered by the Planning Commission.

**Applicant’s Requested Text:**

Note: Underlined text indicates an addition, ~~text dashed through~~ indicates a deletion to the current Zoning Ordinance.

**ARTICLE 1: GENERAL PROVISIONS AND DEFINITIONS**

**1-11 DEFINITIONS**

**BANQUET FACILITY** - A building ~~currently or formerly used as a residence,~~ made available to the public for holding meetings and social events. This use may include the sale of alcoholic beverages; indoor live entertainment; and may also include, as an accessory use, events conducted outside the main building in tents or other temporary facilities, subject to the issuance of a permit by the Division of Building Inspection.

**Staff Alternative Text in addition to the definition change:**

**ARTICLE 8: SCHEDULE OF ZONES**

**8-16 NEIGHBORHOOD BUSINESS (B-1) ZONE**

**8-16(c) Accessory Uses**

10. Indoor live entertainment and/or dancing, when accessory to a restaurant or banquet facility, but only when located more than one hundred (100) feet from a residential zone.

**8-16(d) Conditional Uses**

- ~~5. Restaurants offering live entertainment and/or dancing, Outdoor live entertainment, cocktail lounges, brew-pubs or nightclubs [unless prohibited under Sections 8-16(e)(14) and (15)]. Such uses shall be located at least one hundred (100) feet from any residential zone and shall be sound-proofed to the maximum extent feasible by using existing technology, with noise or other emissions not creating a nuisance to the surrounding neighborhood.~~
6. Indoor live entertainment and/or dancing, when accessory to a restaurant or banquet facility, but only when located closer than one hundred (100) feet from a residential zone.

*Re-number remaining sections*