

## City of Yes for Dancing

In 2021, ONL's report highlighted the “unfinished business” of the broad, grassroots efforts to repeal the antiquated Cabaret Law. New York City has a long history of discriminatory practices regulating dancing and nightlife. That law had banned nightlife establishments from hosting “musical entertainment, singing, dancing, and other forms of amusement,” without a formal license.

In 2017, while the City Council repealed the provisions of that law that required venues to obtain a Cabaret License, it was not able to address the confusing and complicated restrictions on nightlife that remained in the city's zoning, which limited social dancing and other kinds of live performance only to select districts. Zoning is a relic of that history and continued to restrict music, comedy, and dancing in many locations.

Beginning in 2023, ONL worked with City Planning to advance the **City of Yes for Economic Opportunity** (COYEO) rezoning initiative, which updated many aspects of the city's zoning code to support small business growth. One provision finally removed the outdated restrictions on social dancing in many commercial districts and established a new category for eating and drinking establishments with ticketed, scheduled entertainment.

ONL supported efforts to gather feedback on the plan by convening meetings with industry leaders, co-hosting a panel discussion with researchers from the Pratt Center for Community Development, providing testimony at the City Planning Commission and City Council hearings, working with advocacy organizations like Dance Parade and other groups to build public support through rallies and other engagement campaigns, and promoting the initiative at other numerous public meetings and presentations.

In June 2024, Mayor Adams and New York City Council Speaker Adrienne Adams announced the passage of COYEO, which reformed the way zoning addresses nightlife establishments.



**Above:** City of Yes social media campaign graphics.

Now performance venues are regulated according to size, instead of the city specifying which kinds of entertainment can or cannot take place. Neighborhood corridors can have smaller venues up to 200 capacity, with larger venues limited to central business districts and industrial areas. Such reforms are improving consistency for business operators.

This proposal was a targeted effort to remove outdated, often discriminatory limits on social dancing. However, other public safety and licensing processes will continue to remain in place. Place of Assembly rules continue to ensure compliance with Building and Fire Code for spaces where 75 or more gather indoors. Community boards and the State Liquor Authority can still place considerations that address sound, traffic, and other concerns as part of their stipulations on liquor licenses. The NYC Noise Code continues to give DEP authority to review complaints about elevated sound and issue violations.



**Above:** ONL and SBS team members attend the 'City of Yes for Economic Opportunity' rally on the City Hall steps on April 8, 2024.

#### Component 9

### Nightlife: New Zoning

For an **Eating or Drinking Establishment** in a C1 or C2 overlay district



**Permitted:**  
No change



**Permitted:**  
No change



**Permitted:**  
Clarify that incidental dancing is permitted in any business type



**Permitted:**  
Dancing as a common activity in a bar or restaurant

- Permit non-musical entertainment with posted showtimes or cover charges in bars or restaurants up to 200-person capacity in C1-C3. Discretionary process available to consider capacity increases in certain circumstances.
- Over 200-person capacity businesses allowed in C4-C8, M1-M3, subject to additional regulations in certain C4-C6 districts.

## Recommendations and Status Updates



The following table is a status update on progress toward implementation of recommendations to elevate nightlife culture in ONL's 2021 report.

4.0 ELEVATE NIGHTLIFE CULTURE			
#	2021 Recommendation	Description	2024 Status Update
4.1	<b>Establish alternative temporary use process for small or “do-it-yourself” (DIY) cultural events</b>	Develop a program to help facilitate temporary cultural uses and performances	ONL is working with city agency partners to review potential and proposed additions to the temporary use permitting process.
4.2	<b>Ensure safety and compliance in cultural spaces</b>	Help unpermitted nightlife spaces become compliant with necessary permitting to protect health and safety	The city launched the <a href="#">MyCity Business</a> site to serve as an easily accessible, all-in-one resource for applications, permits, licenses, and related information needed to open and operate a business in New York City.
4.3	<b>Improve affordability for DIY spaces and promoters to host safe, legal events</b>	Create a pool of low-cost, pre-approved professionals to expedite permitting processes and explore new financing mechanisms for physical improvements	Action toward implementing this recommendation is currently on hold.
4.4	<b>Explore changes to zoning language to support and expand live music and social dancing uses</b>	Explore changes to the Zoning Resolution and Building Code language to improve consistency in enforcement for venues that host live music and social dancing	The Adams administration and NYC Council passed the <a href="#">City of Yes for Economic Opportunity</a> zoning text amendments in June 2024. That package included a provision that reformed the zoning code's outdated restrictions on dancing.
4.5	<b>24-hour use in select neighborhoods</b>	Evaluate opportunities to expand 24-hour nightlife activity in appropriate locations	ONL is continuing to assess parameters for evaluating different potential areas where additional 24-hour activity might be encouraged.
4.6	<b>Explore dedicating city assets for new cultural venues</b>	Explore use of underutilized sites to develop legal and code-compliant spaces that can be used to support a variety of short and long-term cultural programming	ONL is evaluating the feasibility of releasing a call for concepts to explore the utilization of underused buildings as nightlife cultural centers.
4.7	<b>Promote and preserve New York nightlife's cultural history</b>	Explore the development of an archive cultural institution or museum for New York nightlife memorabilia, to highlight a diverse history and re-frame nightlife as a cultural driver for the city	ONL is evaluating the feasibility of a potential program to highlight NYC nightlife's historic sites.