



## Portland Leisure Entertainment District (LED) FAQs & Answers

### Why does this area need alcohol sales?

In 2019, the City hired a development consulting firm to study how best to help property owners redevelop their properties. Their recommendation, based on the successes of other communities facing the same challenges, was to permit limited alcohol sales and to invest in infrastructure and public spaces to help catalyze private development.

### Could a concert venue be located in the LED?

Under our new [Ordinance 2257](#), a concert venue could exist, but its hours of operations would be limited to 10:00 p.m. weekdays and 12:00 midnight on Fridays and Saturdays. Loud music would also be controlled by our existing noise ordinance in [Sec. 11-181](#).

### Will the noise ordinance still be in effect?

Yes. Our existing ordinances in [Sec. 11-181](#) governs noise nuisances in all parts of the city.

### Will the current zoning change?

No, Old Town 2 (OT-2) has been and will continue to be a mixed-use zoning district which allows for a variety of business, commercial and residential uses.

### How will current businesses or homes be affected?

That would be up to the owner. There is no requirement for changes to any individual property. The district simply gives owners the option to make use of the new ability, should they want to participate.



### **Will current businesses be required to somehow upgrade their property?**

No, current businesses can continue to operate as-is if they choose.

### **Will the city use eminent domain to acquire properties in the LED?**

The City may acquire parcels in the LED to create a common public space. That space would be designed to act as a catalyst to spur private investment and attract visitors and residents. Cities can use eminent domain to acquire land for public benefit, but invoking that process is a last-resort action. In a vast majority of cases, cities and owners agree on a fair price and complete the sale like any other real estate transaction.

### **Who will build and operate the businesses?**

New businesses or upgrading of existing businesses would be done by private owners, developers and investors. The City's goal is to create an environment in the LED that will help existing owners and attract new investors to create new opportunities or improve existing businesses.

### **What happens if a business says it's not a bar, but then operates like a typical bar?**

Businesses that want to serve alcohol within the LED and do not qualify under existing TABC Food and Beverage Holder guidelines will be required to obtain a Special Use Permit to operate. The Special Use Permit process is outlined in [Ordinance 2257](#). It requires the owner to submit detailed plans about how the business will be developed and operated. The application is vetted by city staff, approved by the Planning & Zoning Commission, and then presented to the City Council for final approval. Once a Special Use Permit is issued, the business must conform to the original plans and requirements of the permit. Any deviation would constitute a violation and the owner would risk losing the Special Permit.



### How is a winery or craft house different from a bar?

Most businesses in the LED will be required to obtain a Special Use Permit to sell alcoholic beverages. The Planning & Zoning Commission and the City Council will consider a number of factors to determine if the proposed use is consistent with the vision and intent of the LED.

The preamble of [Resolution 853](#), which creates the Leisure and Entertainment District, would be considered by those bodies when determining whether a use was consistent with the legislative intent:

*WHEREAS Portland desires to promote the development of a district where persons of all ages can safely enjoy and be enriched by age-appropriate entertainment, shopping, and leisure activities; and*

*WHEREAS such an area should be inviting to citizens, visitors and tourists alike...*

### Won't this mean higher taxes in Old Town?

Increasing property values in Old Town is one of the main goals of this effort. Higher property values can mean higher taxes for those property owners. But the LED will also provide expanded opportunities for personal and business profit.

### Could there be topless-type businesses there?

No, Portland has a sexually oriented business ordinance in [Sec. 2.5-18](#) that prohibits such establishments.

### Can a restaurant sell alcohol in the LED?

Yes, the owner of a restaurant would have the option of applying for their TABC alcohol permit as a traditional Food and Beverage Certificate Holder (i.e. Chili's, Pep's, etc.) or through the City's Special Use Permit process for alcohol sales.



### **What if I wanted to open a business without the sale of alcohol?**

The Special Use Permit for alcohol sales is only necessary if the business wishes to sell alcohol. Other businesses would not need any special permitting unless that use has existing special requirements. Please see [the Permitted Use Table in Section 406](#) for more information.

**To see the full Unified Development Code of Ordinances  
for the City of Portland, Texas, please visit  
[library.municode.com/tx/portland/codes\\_of\\_ordinances](http://library.municode.com/tx/portland/codes_of_ordinances).**