

Section 10.14. Freret Street Arts And Cultural Overlay District.

Purpose of the District. 10.14.1.

The purpose of the Freret Street Arts and Cultural Overlay District is to establish and sustain new arts and cultural uses on lots generally facing Freret Street between Napoleon and Jefferson Avenues. The Freret Street Arts and Cultural Overlay District seeks to preserve the area's small to medium-scale commercial uses, encourage a balance of daytime and nighttime uses, and foster development of arts-related uses.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

Areas of Applicability. 10.14.2.

This district is intended for application to lots generally facing Freret Street between Napoleon and Jefferson Avenues in the B-1A Neighborhood Business District. Lots facing Freret Street outside the B-1A Neighborhood Business District and lots that do not face Freret Street in the B-1A Neighborhood Business District are excluded.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

Regulations of the Underlying Zoning 10.14.3. District.

Unless otherwise noted in the Freret Street Arts and Cultural Overlay District regulations, the regulations of the underlying zoning district shall apply.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

Permitted Uses Authorized in the 10.14.4. District.

The following uses of land are authorized as permitted uses in the Freret Street Arts and Cultural Overlay District, subject to the standards of Section 10.14.7.

1. Any use authorized as a permitted use in the base B-1A Neighborhood Business District, except that package liquor stores shall be prohibited;
2. Art galleries and art studios without limitation as to size;
3. Coffee shops;
4. Museums;
5. Theaters for comedy acts, movies and/or theatrical productions up to 5,000 square feet in floor area which may sell alcohol for consumption on premises;
6. Green markets;
7. Multi-discipline arts centers;
8. Standard restaurants up to 5,000 square feet which may sell alcoholic beverages for consumption on premises in conjunction with meals.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

Conditional Uses Authorized in the 10.14.5. District.

The following uses of land are authorized as conditional uses in the Freret Street Arts and Cultural Overlay District upon approval of a conditional use permit under the standards and procedures contained in [Section 16.6](#) of these zoning regulations:

1. Any use authorized as a conditional use in the base district(s); and

2. Theaters for comedy acts, movies and/or theatrical productions over 5,000 and up to 10,000 square feet in floor area which may sell alcohol for consumption on premises.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

Live Entertainment as an Accessory Use 10.14.6. Authorized in the District.

Live entertainment is authorized as an accessory use to the following main uses within the Freret Street Arts and Cultural Overlay District, subject to the standards in Section 10.14.7:

1. Cocktail lounges; and
2. Theaters.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

General and Special Standards for Uses 10.14.7. Authorized to Provide Live Entertainment.

The standards set forth in this section apply to the designated uses whether such uses are authorized as permitted, conditional, or accessory uses in the underlying zoning district or Freret Street Arts and Cultural Overlay District.

For Conditional uses, the City Council may impose standards on a particular use in addition to standards contained in this article as conditions to approval of a conditional use permit under the procedures of [Section 16.6](#) of these zoning regulations. The City Council may also vary the standards contained in this section for a particular use according to such procedures, unless expressly prohibited by Article 16. When considering a conditional use application, the City Council shall consider the factors listed in Section 16.6.5, including consistency with the Master Plan, general purpose statement of the Freret Street Arts and Cultural District, and any Supplemental Regulations.

1. General Standards for All Uses Providing Live Entertainment:

- a. All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit (Mayoralty Permit).
- b. All establishments providing live entertainment shall be subject to a closed doors/windows policy during any performance.
- c. All establishments providing live entertainment shall be subject to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code.

2. Special Standards for Cocktail Lounges:

- a. A cocktail lounge may provide live entertainment, including a permanent area for dancing, but shall not provide live adult entertainment or music played solely by a disc jockey. All cocktail lounges shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment.
- b. Cocktail lounges shall contain noise to levels specified in the Noise Ordinance by soundproofing the live entertainment area.
- c. The hours of operation shall be restricted to between 10:00 a.m. and 12:00 Midnight, Sunday thru Thursday, and between 10:00 a.m. and 2:00 a.m., Friday and Saturday.
- d. "To-go" cups shall be prohibited.

3. Special Standards for Standard Restaurants:

- a. A licensed standard restaurant may provide non-amplified live entertainment, limited to a soloist or combos (up to three (3) members).

- b. Restaurants providing live entertainment shall hold a Live Entertainment Without Admission Permit. No fee shall be charged for any performance or for entrance into the facility.
- c. The full menu shall remain available during the performance.
- d. No performance shall continue after 11:00 p.m., Sunday thru Thursday, or 12:00 a.m., Friday and Saturday.
- e. No permanent stage shall be constructed.
- f. A Special Event Permit shall temporarily relieve a restaurant from standards a, b, c and d above. Special Event Permits shall be issued to a restaurant no more than ten (10) times per year for durations not to exceed a total of thirty (30) days per year.
- g. "To-go" cups shall be prohibited for those premises with alcoholic beverage permits.
- h. Restaurants shall close by 12:00 Midnight on all days of operation.

4.

Special Standards for Theaters:

- a. A theater may provide live entertainment, including theatrical productions, but shall not provide live adult entertainment, music played solely by a disc jockey, or karaoke. All theaters shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment;
- b. Theaters selling alcoholic beverages shall do so only one (1) hour prior to and during performances. Sale of alcoholic beverages after the end of a performance is strictly prohibited;
- c. "To-go" cups shall be prohibited for those premises with alcoholic beverage permits.
- d. Ticket sales shall not exceed the number of seats provided for the performance. Standing room only performances shall be prohibited.

(Ord. 22,921 § 1 (part), adopted 11/30/07)

FOOTNOTE(S):

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This formula is based on 80% of the patrons coming by private auto, 1.8 passengers per vehicle, and 100% overlap of arriving and departing passengers. [\(Back\)](#)