

# **CITY PLANNING COMMISSION MEETING AGENDA**

**TUESDAY, MARCH 12, 2019  
1:30 P.M.**

**CITY COUNCIL CHAMBER  
(CITY HALL 1E07)**

## **PUBLIC HEARING:**

**THE CITY PLANNING COMMISSION, IN ACCORDANCE WITH PROVISIONS OF ARTICLE 4 OF THE COMPREHENSIVE ZONING ORDINANCE NUMBER 4,264 M.C.S., AS AMENDED, AND IN ACCORDANCE WITH PROVISIONS OF THE REVISED STATUTES OF THE STATE OF LOUISIANA AND THE CITY CHARTER REGARDING PROPERTY DISPOSITIONS AND SUBDIVISIONS, WILL HOLD PUBLIC HEARINGS ON TUESDAY, MARCH 12, 2019 ON THE FOLLOWING PROPOSED AMENDMENTS TO THE COMPREHENSIVE ZONING LAW, PROPERTY DISPOSITIONS AND SUBDIVISIONS. THE COMMISSION WILL TAKE ACTION OR MAKE A RECOMMENDATION AT THE CONCLUSION OF EACH PUBLIC HEARING.**

### **A. NEW BUSINESS:**

- 1. ZONING DOCKET 028/19** – Request by City Council Motion M-19-9 for a text amendment to the Comprehensive Zoning Ordinance to amend Article 21, Section 21.5.C *Light Pole and Building-Mounted Lighting Heights* so as to add a standard for industrial uses regulating the maximum height of light poles. (TM)
- 2. ZONING DOCKET 029/19** – Request by Bui’s Properties, LLC for a conditional use to permit a minor motor vehicle service and repair facility in an S-B1 Suburban Neighborhood Business District, an ENORC Eastern New Orleans Renaissance Corridor Use Restriction Overlay District, and a CT Corridor Transformation Design Overlay District, on Square 9, Jackson Subdivision, Lots 1 and 2, in the Third Municipal District, bounded by Downman Road, Selma Street, Alost Street, and Flite Street. The municipal address is 4101 Downman Road. (PD 9) (EH)
- 3. ZONING DOCKET 030/19** – Request by Joseph A. Di Franco and August A. Di Franco for a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 617, Lot A, in

the Third Municipal District, bounded by Elysian Fields Avenue, North Villere Street, North Robertson Street, and Marigny Street. The municipal addresses are 1401-1405 Elysian Fields Avenue and 2207-2209 North Villere Street. (PD 7) (RJ)

4. **ZONING DOCKET 031/19** – Request by the Housing Authority of New Orleans for a zoning change from an HMC-2 Historic Marigny/Tremé/Bywater Commercial District and an HMR-3 Historic Marigny/Tremé/Bywater Residential District to an HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District, on the entirety of Square 131, in the Third Municipal District, bounded by Chartres Street, France Street, Mazant Street, and Royal Street. The municipal addresses are 4100-4114 Royal Street, 601-621 Mazant Street, and 600-620 France Street. (PD 7) (AW)
5. **ZONING DOCKET 032/19** – Request by Park Place Shopping Center, LLC for a conditional use to permit an office over 5,000 square feet in floor area in an HU-MU Historic Urban Neighborhood Mixed-Use District and a GC Greenway Corridor Design Overlay District, on an undesignated lot on Square 617, in the Second Municipal District, bounded by City Park Avenue, Toulouse Street, North Anthony Street, North Bernadotte Street, and Saint Louis Street. The municipal address is 514 City Park Avenue. (PD 4) (AN)
6. **ZONING DOCKET 033/19** – Request by Joseph B. Dugas, Jr., Terrence M. Dugas, Kim A. Dugas-Glass, and Joseph B. Dugas, III for a conditional use to permit a neighborhood commercial establishment in an HU-RD2 Historic Urban Two-Family Residential District, on Square 1507, Lot 1 or Lots 1 through 3, in the Third Municipal District, bounded by Hope Street, George Nick Conner Drive, Law Street, and Republic Street. The municipal addresses are 1874 Hope Street and 2624 George Nick Conner Drive. (PD 4) (HD)
7. **ZONING DOCKET 034/19** – Request by Timothy McDonald for a conditional use to permit a hotel over 5,000 square feet in floor area in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District, on Square 377, Lot 4-A, in the Third Municipal District, bounded by McShane Place, Saint Anthony Street, North Rampart Street, and Pauger Street. The municipal addresses are 1800-1814 McShane Place and 1119-1123 Saint Anthony Street. (PD 7) (SL)

## **B. 2019 SHORT TERM RENTAL ITEMS**

8. **ZONING DOCKET 026/19** – Request by City Council Motion M-19-4 for a text amendment to the Comprehensive Zoning Ordinance to incorporate certain recommendations and initiatives contained in the 2018 “Short Term Rental Study,” to specifically provide desired CZO text amendments as follows:
  - Establish only two categories for short term rental permitting/licensure and land use – “Residential” and “Commercial”.
    - Residential Short Term Rental License – one type – which is valid in

residential zoning districts, subject to the following requirements:

1. A valid, homestead exemption for the licensed property;
  2. Up to three licenses per lot of record or parcel (appropriate terminology to be recommended by the City Planning Commission); and
  3. Limit rentals to up to three rooms and six total guests per unit.
- Commercial Short Term Rental Licenses – four types - which are valid in mixed-use and commercial zoning districts, subject to the following requirements:
- a. Commercial License – Single Unit
    1. A valid, homestead exemption for the licensed unit; and
    2. Limit rentals to up to three rooms and six total guests per unit.
  - b. Commercial License – Small Scale
    1. Less than five total licensed units; and
    2. Limit rentals for up to five rooms and ten guests per unit.
  - c. Commercial License – Large Scale Commercial Type 1
    1. Five (5) to forty-nine (49) residential units on one lot of record or parcel; and
    2. Up to five rooms and ten guests per unit.
  - d. Commercial License – Large Scale Commercial Type 2
    1. Fifty (50) or more residential units on one lot of record or parcel; and
    2. Up to five rooms and ten guests per unit.
- For “small scale commercial” and “large scale commercial” short term rentals, using research that includes the forthcoming inclusionary zoning financial feasibility study, recommend provisions to create affordable housing.
  - For “small scale commercial” and “large scale commercial” short term rentals, recommend spacing restrictions in the mixed-use land use districts, including the possibility of one short term rental permit per block face.
  - For “large scale commercial type 1” short term rentals, establish security requirements that include provisions for cameras, lighting, and landscaping.
  - For “large scale commercial type 2” short term rentals, establish security requirements that include provisions for cameras, lighting, landscaping, 24/7 on-site security guard(s), and a front desk to be staffed at all times.

- For “large scale commercial” short term rentals, establish additional life safety requirements for units within high rise structures.
    - This includes adequate protection for life safety in every structure as defined in La. R.S. 40:1573, via compliance with applicable rules and regulations contained in the Life Safety Code of the National Fire Protection Association, and Section 518 – Special Provisions for High Rise, of Chapter IV of the Southern Standard Building Code, that are applicable to high rise structures. (Similar to Louisiana Revised Statutes 40:1578.6.)
  - For “large scale commercial” short term rentals, mandate the placement on the back of the main entry door to the unit a map indicating where the exits are located in case of fire or other emergency. (Similar to Louisiana Revised Statutes 40:1580.)
  - For all short term rental units, establish requirements that all sleeping rooms be equipped with a fire/smoke alarm detection system.
  - For all short term rental units, establish bed linen requirements, whereby each short term rental unit shall furnish clean and fresh bed linens, unused by any other person since the last laundering thereof, on all beds assigned to the use of any guest or patron. (Similar to Louisiana Revised Statutes 21:1 Bed Linens.)
  - For all short term rental units, establish bathroom and toilet facility sanitation requirements, whereby every owner, manager, or person in charge of the conduct of any short term rental unit shall keep the closets, bathrooms, and toilet facilities provided for the use of its guests and patrons cleaned and maintained in a sanitary condition.
  - For all short term rental units, establish anti-discrimination provisions, prohibiting any discrimination based on race, religion, national origin, age, sex, gender identity, sexual orientation, HIV/AIDS, or physical/mental disability. Any such violation shall terminate a STR license.
  - Reconcile CZO provisions and regulations for uniformity regarding lodging and similar uses, such as bed and breakfasts, in light of this review. **(BP/LM/KB)**
- 9. ZONING DOCKET 027/19** – Request by City Council Motion M-19-4 for a text amendment to the Comprehensive Zoning Ordinance to incorporate certain recommendations and initiatives contained in the 2018 “Short Term Rental Study,” to specifically provide desired CZO text amendments as follows:
- Establish an outright prohibition in the French Quarter, except for the VCE zoning district.
  - Establish an outright prohibition in the Garden District. **(RB)**

**OTHER MATTERS:**

- A. Adoption of the minutes of the February 26, 2019 meeting.
- B. Committee reports.
- C. Announcements.

Robert D. Rivers  
Executive Director

RDR/skk