

**CITY PLANNING COMMISSION PUBLIC HEARING NOTICE**

**TUESDAY, JANUARY 10, 2023, 1:30 P.M.**

**PUBLIC HEARING**

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

**The City Planning Commission, in accordance with the provisions of Article 4 of the Comprehensive Zoning Ordinance, Ordinance No. 4,264 M.C.S., as amended, will hold a public hearing on January 10, 2023 at 1:30 pm. The public hearing will consider the following proposed amendments to the Comprehensive Zoning Ordinance of the City of New Orleans, the disposition and acquisition of City to property, and subdivision applications.**

**Materials for these items may be viewed via <https://onestopapp.nola.gov/>**

**Zoning Docket 001/23**

**Applicant:** Robert Schoppe and Constance Schoppe

**Request:** Zoning change from an HU-RD1 Historic Urban Two-Family Residential District to an HU-MU Historic Urban Mixed-Use District and a conditional use to permit an reception facility in an HU-MU District

**Property description:** Square 897, Lot E, in the Third Municipal District, bounded by Esplanade Avenue, North Prieur Street, North Roman Street, and Kerlerec Street

**Municipal address(es):** 1819 Esplanade Ave

**Zoning Docket 002/23**

**Applicant(s):** City Council Motion No. M-22-485

**Request:** Amendment to the text of the Comprehensive Zoning Ordinance to update any and all relevant Articles governing the zoning and use standards for short-term rentals (both commercial and residential) in a manner that is both compliant with the holding of the U.S Court of Appeals for the Fifth Circuit in *Hignell-Stark v. City of New Orleans*, Case No. 21-30643, and continues to safeguard the City's health, safety, and welfare. In the course of considering this text amendment, the City Planning Commission is directed to consider the Council's desire to continue its efforts to prevent nuisances, promote affordable housing, and protect neighborhoods' residential character, while removing any distinctions regarding the ability to operate an STR based on a property's homestead exemption status.

The motion further instructs the consideration of:

- Additional/new prohibitions, including capping measures such as limiting the number of licenses held by a property owner, limiting the number of STRs an operator can operate, or creating restrictions based on block-face and/or neighborhood caps, spacing, or census tract;
- Adjusting oversight responsibilities currently applicable to owners and operators, including the possible shift to an on-site host requirement or allowance for an on-site operator in lieu of owner;

- Applicable regulations that may be available relative to the internet platforms that provide STR listings, including platform accountability;
- Changes to the existing STR categories and license types;
- Compliance standards;
- Requiring platforms to collect data;
- Enforcement mechanisms and penalties including the revocation of licenses and prevention of applicants' ability to apply for new licenses due to historical quality of life violations;
- Mechanisms to leverage STRs to produce and/or maintain affordable housing units;
- Possible remedies to the illegal operation of STRs;
- Removal of all references to a homestead exemption requirement for STRs
- Whether or not all owners and/or operators be natural persons at least 18 years of age;
- Revisions to zoning standards, definitions, use permissions, and standards applicable to traditional bed and breakfasts for consistency with STRs;
- Revisions to definitions, use permissions, and standards, applicable to all transient lodging for consistency with applicable zoning interpretation memoranda of the Director of the Department of Safety and Permits;
- Updates to the fee structure, including those fees applicable to guests and those applicable to STR owners and operators;
- Whether STRs are fundamentally a commercial use and should be treated in zoning as such; and
- Zoning districts where STR use is appropriate, and its designation as a prohibited, permitted or conditional use, including the possibility of adopting total bans by zoning district, by neighborhood, or citywide.

### **Zoning Docket 003/23**

**Applicant:** 604 Julia Street Project, LLC

**Request:** Conditional use to permit a hotel in a CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District

**Property description:** Square 181, Lot 2 or 39, in the First Municipal District, bounded by Julia Street, Camp Street, Saint Charles Avenue, and Saint Joseph Street

**Municipal address(es):** 604 Julia Street

### **Zoning Docket 004/23**

**Applicant:** Canseco Properties Filmore, LLC

**Request:** Conditional use to permit the retail sales of packaged alcoholic beverages in an S-B2 Suburban Pedestrian-Oriented Corridor Business District and the rescission of Ordinance No. 26,413 MCS (Zoning Docket 092/19)

**Property description:** Square 4056, Lots 1, 2, 3, and 4, in the Third Municipal District, bounded by Filmore Avenue, Marigny Street, Mithra Street, and Elysian Fields Avenue

**Municipal address(es):** 2221 Filmore Avenue and 5300 Marigny Street

### **Zoning Docket 005/23**

**Applicant:** City Council Motion No. M-22-447

**Request:** Affordable Housing Planned Development in an HU-RD2 Historic Urban Two-Family Residential District

**Overlay zoning district(s):** HUC Historic Urban Corridor Use Restriction Overlay District

**Property description:** Square 682, Lots 16 through 19, in the First Municipal District, bounded by South Rendon Street, Cleveland Avenue, Palmyra Street, and South Norman C. Francis Parkway

**Municipal address(es):** 217 South Rendon Street and 3300 Cleveland Avenue

**Zoning Docket 006/23**

**Applicant:** CCW Properties, LLC

**Request:** Conditional use to permit live entertainment (secondary use) in a brewery in an MU-1 Medium Intensity Mixed-Use District

**Property description:** Square 21, Lot X, in the Fourth Municipal District, bounded by Tchoupitoulas, Eighth, Saint Thomas and Seventh Streets

**Municipal address(es):** 3033 Tchoupitoulas Street

**The City Planning Commission, in accordance with Article 4 of the Comprehensive Zoning Ordinance, Ordinance No. 4,264 M.C.S., as amended, will hear proponents and opponents to the above proposed changes to the Comprehensive Zoning Law of the City of New Orleans. All interested parties are encouraged to attend and all relevant comments concerning the proposed changes are encouraged. The CPC has established public hearing rules within its Administrative Rules, Policies, & Procedures, which are available on the CPC website ([www.nola.gov/cpc](http://www.nola.gov/cpc)). You may also submit written comments to the Executive Director in advance by mail (1300 Perdido Street, 7<sup>th</sup> floor, New Orleans LA 70112) or email ([CPCinfo@nola.gov](mailto:CPCinfo@nola.gov)). All written comments must be received by 5 p.m. on the Monday eight days prior to the hearing date.**

December 21, December 28, and January 4, 2022

Robert Rivers, Executive Director