

Preliminary Short Term Rental Study

Public Hearing Planning and Special Projects Committee Meeting

September 29, 2015

5pm – 8pm

City Council Chamber



City of New Orleans

City Planning Commission

Meeting and Public Hearing Agenda

- Brief Presentation on scope of Short Term Rental Study, current short term rental regulations in the Comprehensive Zoning Ordinance (CZO), and study timeline with comment deadline
- Consideration of Public Hearing Rules
- Public Comments

Scope of Short Term Rental Study

- On August 20, 2015, the City Council passed Motion M-15-391 directing the CPC to conduct a Short Term Rental Study
 - Public Hearing within 60 days
 - Complete Study within 120 days
- The Motion directs CPC to consider the following subject matter:
 1. Amending the current Comprehensive Zoning Ordinance definition of “Short Term Rentals”
 2. Whether Short Term Rentals should be limited in size, such as a limitation on the number of bedrooms or dwelling units per lot;
 3. Where “Short Term Rentals” should be prohibited, a conditional use, or a permitted use;
 4. If any supplemental use standards are necessary to regulate “Short Term Rentals”;
 5. If it is appropriate to create a temporary use standards for “Short Term Rentals”;
 6. The national best practices for regulating “Short Term Rentals”; and
 7. Whether to amend bed and breakfast regulations with the “Short Term Rental” regulations.

Current Short Term Rental Regulations in CZO

- Definitions (Article 26)
- Use Standards (Article 20)
- Temporary Use Standards (Article 21)
- Permitted, Conditional, and Prohibited Locations (Articles 7-17)

Definitions (Article 26)

- **Short Term Rentals.** Rentals of a premises or any portion thereof for dwelling, lodging or sleeping purposes with duration of occupancy of less than sixty (60) consecutive days in the Vieux Carré and less than thirty (30) consecutive days outside the Vieux Carré. Hotels, motels, bed and breakfasts, and other land uses explicitly defined and regulated in this ordinance separately from short term rentals are not considered to be short term rentals.
- **Bed and Breakfast.** A residential structure that provides sleeping rooms for overnight paid occupancy. Bed and breakfast is further defined as follows:
 - **A. Bed and Breakfast, Accessory.** An owner-occupied building designed as either a single- family or a two-family dwelling that has been converted to a single-family dwelling, which provides no more than four (4) guest rooms for overnight paid occupancy of up to fourteen (14) nights. Common bathroom facilities may be provided rather than private baths for each room.
 - **B. Bed and Breakfast, Principal.** An owner- or operator-occupied residential structure that provides no more than nine (9) guest rooms for overnight paid occupancy of up to fourteen (14) nights. Common bathroom facilities may be provided rather than private baths for each room.

Definitions (Article 26)

- **Hostel.** An establishment providing sleeping accommodations for a fee in a sociable accommodation where guests can rent a bed in a dormitory and share bathroom, lounge, and kitchen facilities.
- **Hotel/Motel.** An establishment providing a room for sleeping accommodations for a fee with private bathroom facilities and customary lodging services. Related ancillary uses may include, but are not limited to, conference and meeting rooms, restaurants, sale of convenience items, bars, and recreational facilities.
- **Timeshare Building.** A building containing condominium units, rooms or suites of rooms, with or without culinary facilities and subject to a timeshare plan. The construction of or conversion to timeshare buildings must be registered with the Department of Safety and Permits by applying for a Certificate of Use and Occupancy.

Use Standards (Article 20)

20.3.I Bed and Breakfast

In addition to the regulations below, all bed and breakfasts shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.

20.3.I.1 Bed and Breakfast General Standards (Accessory or Principal)

- a. In any residential district, only one (1) bed and breakfast, whether accessory or principal, is permitted per blockface.
- b. Bed and breakfasts are prohibited within the following areas:
 - i. The area bounded by the centerlines of Prytania Street, Pontchartrain Expressway, Magazine Street, and the downside street of Felicity Street from Coliseum Street to Prytania Street.
 - ii. The area referred to as the Garden District....
 - iii. In all Vieux Carré Districts.

Use Standards (Article 20)

20.3.I.2 Bed and Breakfast Accessory Standards

- a. Proof of owner occupancy shall be established by submission of proof of a homestead exemption submitted to the Department of Safety and Permits. The owner-occupant's ownership interest must be at least fifty percent (50%).
- b. If more than one (1) principal building exists on a lot, or two (2) or more contiguous lots have been historically acquired together and the second building was originally constructed and has been used for habitable space, as defined by the Building Code, at least five (5) years prior to the establishment of the bed and breakfast, then it may be included in the operation of the bed and breakfast.
- c. The bed and breakfast shall appear outwardly to be a single-family dwelling, giving no appearance of a business use other than a permitted sign.
- d. The bed and breakfast may have one (1) attached projecting sign not to exceed four (4) square feet in area. The sign shall complement the architecture of the structure.
- e. The bed and breakfast is limited to a maximum of four (4) units for overnight accommodation.
- f. Bedroom rental units are limited to no more than twenty-five percent (25%) of the total habitable space of the gross floor area of the structure.
- g. Cooking facilities are prohibited in individual guest rooms.
- h. If meals are provided, only registered guests may be served.
- i. Leasing of a common dining area for social events is prohibited.

20.3.I.3 Bed and Breakfast Principal Standards

- a. Proof of owner or operator occupancy shall be established by submission of proof of a homestead exemption (owner) or legal leasing agreement (operator) submitted to the Department of Safety and Permits.
- b. If more than one (1) principal building exists on a lot, or two (2) or more contiguous lots have been historically used together and the second building was originally constructed and has been used for habitable space, as defined by the Building Code, for at least five (5) years prior to the establishment of the bed and breakfast, then it may be included in the operation of the bed and breakfast.
- c. All signs shall comply with applicable sign regulations for the zoning district.
- d. The bed and breakfast is limited to a maximum of nine (9) units for overnight accommodation.
- e. Cooking facilities are prohibited in individual guest rooms.
- f. If the zoning district allows restaurants, meals may be served to guests other than those registered with the bed and breakfast, provided the facility meets all other applicable city and state codes for food service.
- g. Leasing of common areas for social events is allowed, provided the facility meets all applicable off-street parking requirements and complies with the noise ordinance and all other provisions of the City Code.

Temporary Use Standards (Article 21)

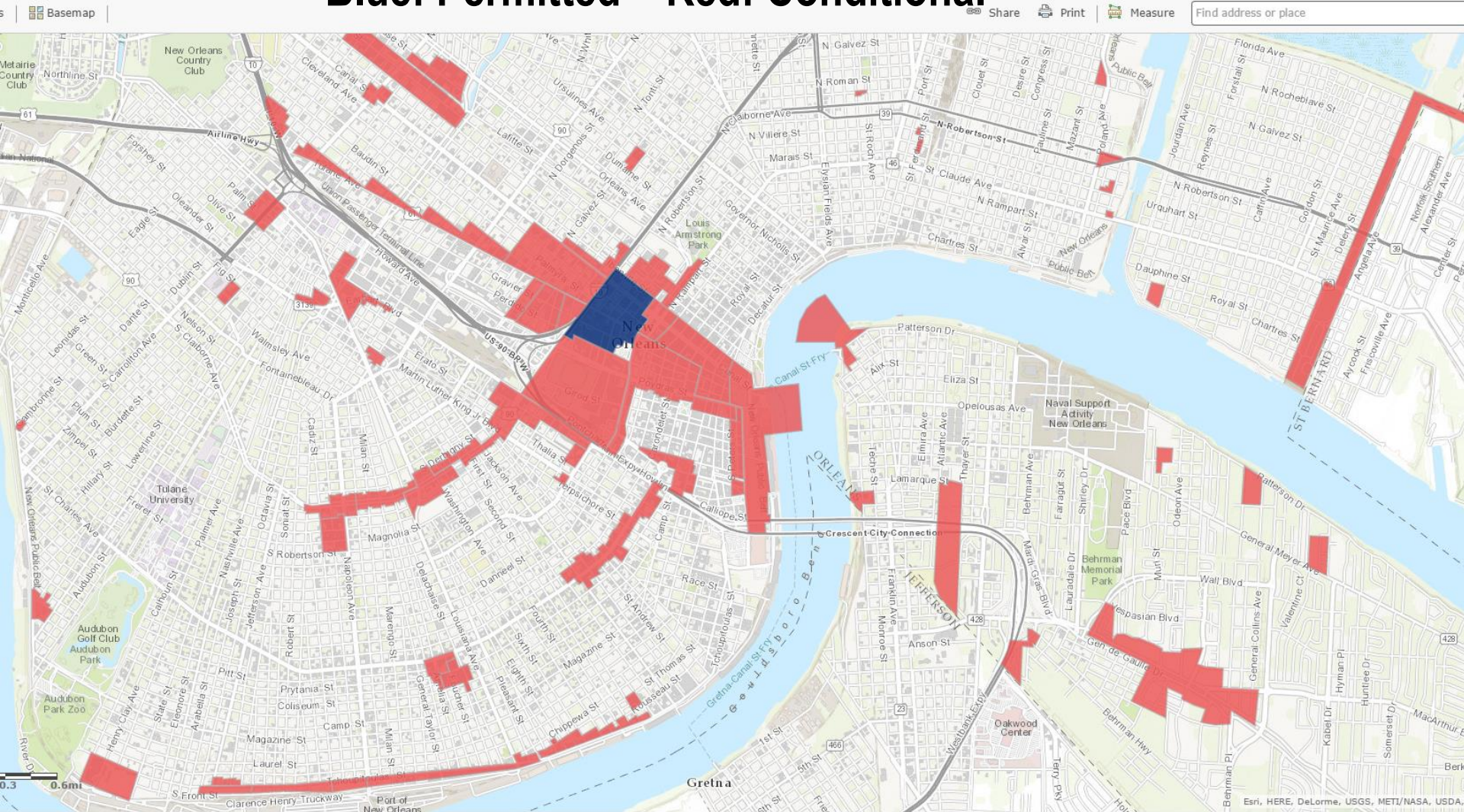
- Currently None

Permitted, Conditional, and Prohibited Locations

Short Term Rentals - Updated

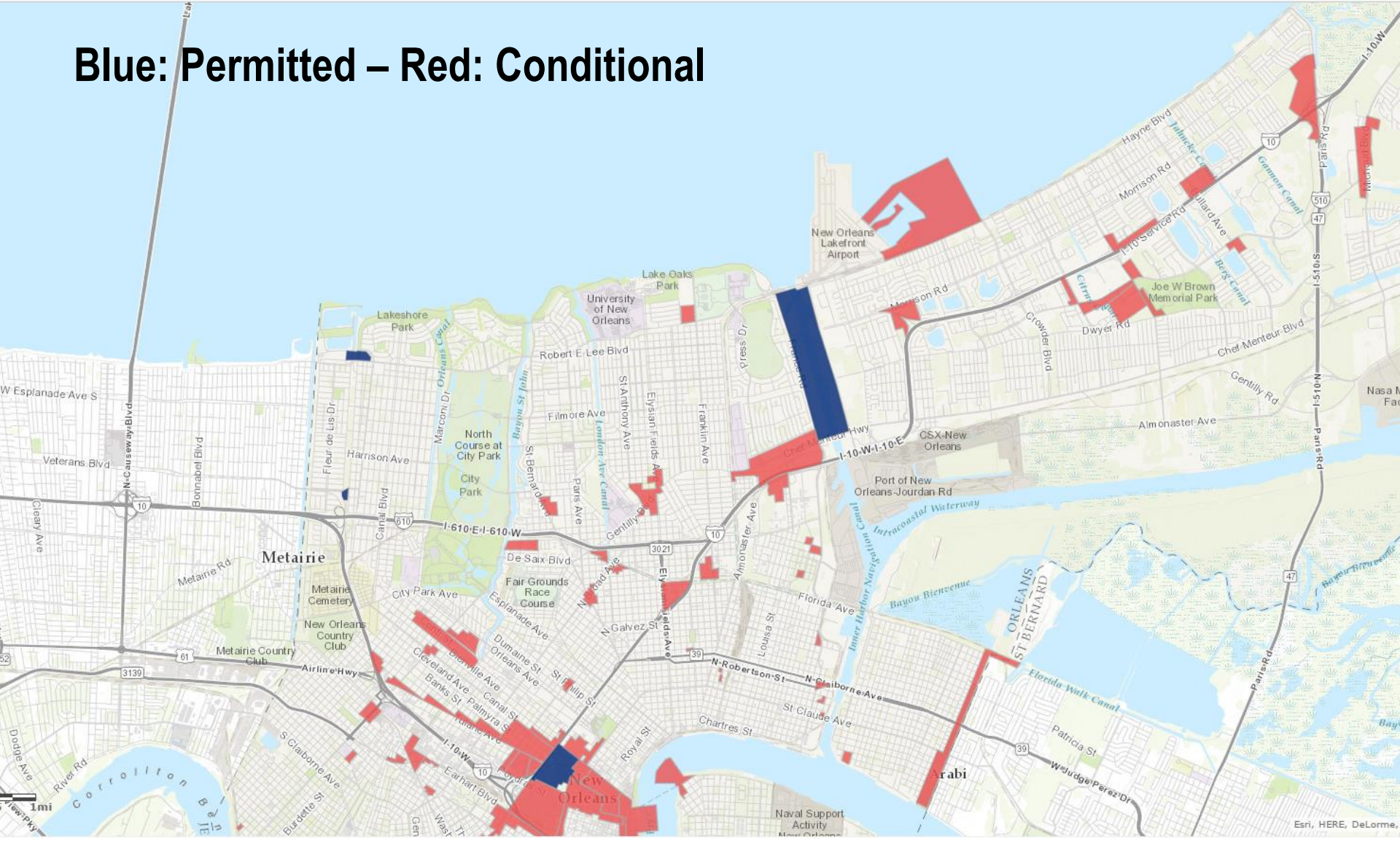
Blue: Permitted – Red: Conditional

Modify Map



Permitted, Conditional, and Prohibited Locations

Blue: Permitted – Red: Conditional

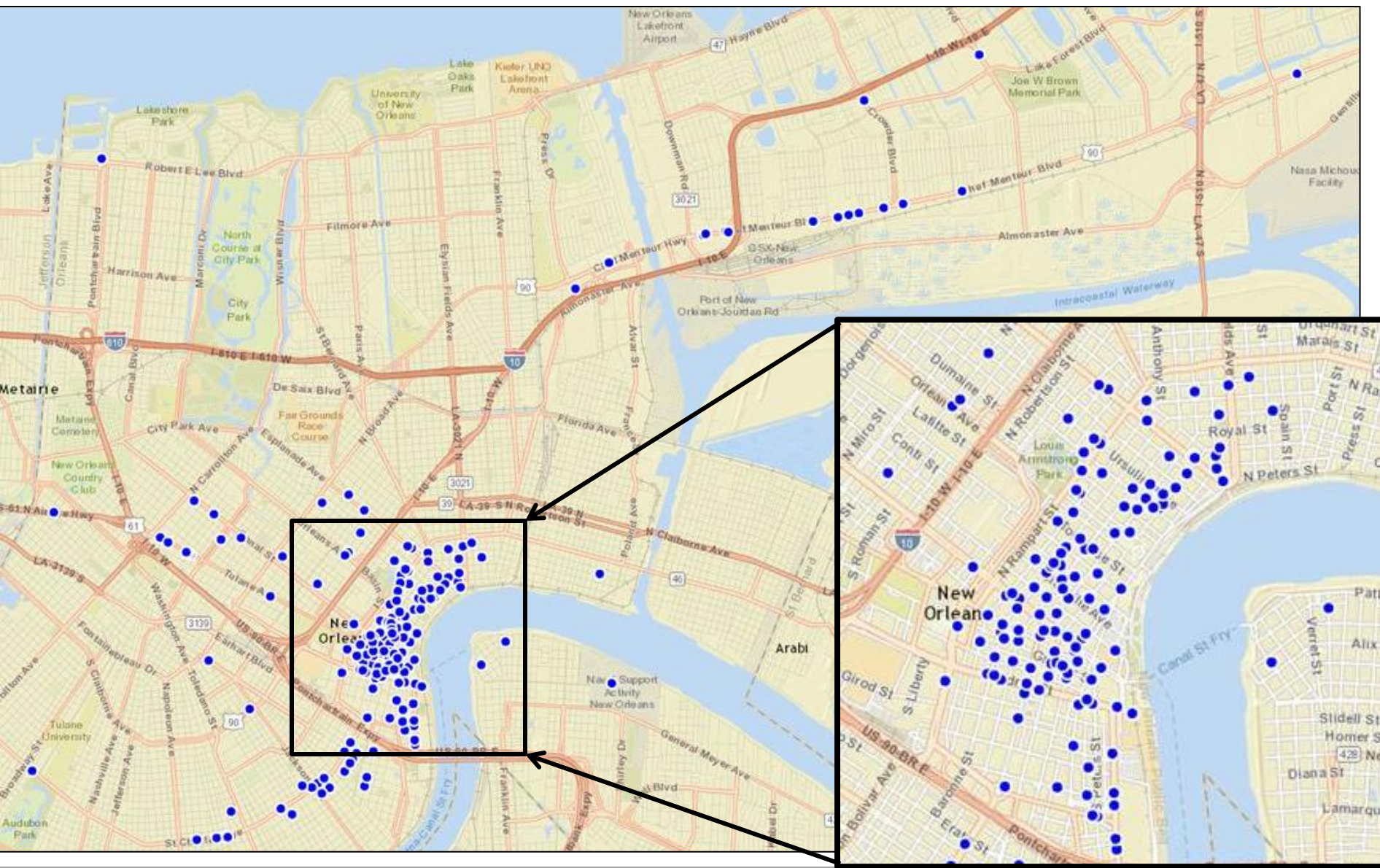


Use Tables

Uses	Historic Core Neighborhoods						Historic Urban Neighborhoods								Suburban Neighborhoods									
	HMR-1	HMR-2	HMR-3	HMC-1	HMC-2	HM-MU	HU-RS	HU-RD1	HU-RD2	HU-RM1	HU-RM2	HU-B1A	HU-B1	HU-MU	S-RD	S-RM1	S-RM2	S-LRD2	S-LRM1	S-LRM2	S-LB1	S-LB2	S-LC	S-LM
Short Term Rental																								P
Bed and Breakfast – Accessory	P	P	P	P	P	P	C	C	C	C	C	P	P	P	C	C	C	C	C	C	P	P	P	
Bed and Breakfast – Principal	C	C	C	P	P	P				C	C	P	P	P							P	P	P	
Hostel					P									C									C	
Hotel/Motel					P	C								C									C	C
Timeshare Building																							P	

Uses	Commercial Center and Institutional Campus									Centers for Industry				Central Business Districts							Rural Development		
	C-1	C-2	C-3	MU-1	MU-2	EC	MC	MS	LS	LI	HI	MI	BIP	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7	R-RE	M-MU	
Short Term Rental		C		C			C	C	C			P		C	C	C	C				P		
Bed and Breakfast – Accessory				P	P									P	P	P		P	P			C	P
Bed and Breakfast – Principal				P	P									P	P	P		P	P				P
Hostel	P	P	P	P	P	P	P		P				P	P	P	P	P				P		
Hotel/Motel	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	C	P	P			
Timeshare Building		C		C			C	C	C			P		C	C	C	C				P		

Existing Locations of STRs, Hotels, B&Bs, etc.



Key Dates

August 20, 2015: Motion M-15-391 passed by City Council

September 29, 2015: City Planning Commission Public Hearing

November 30, 2015: Deadline for written comments (5pm)

December 1, 2015: Staff Report for the Short Term Rental Study will be made available to the public by this date

TBD: Planning and Special Projects Committee consideration of the study

December 8, 2015: City Planning Commission consideration of the study

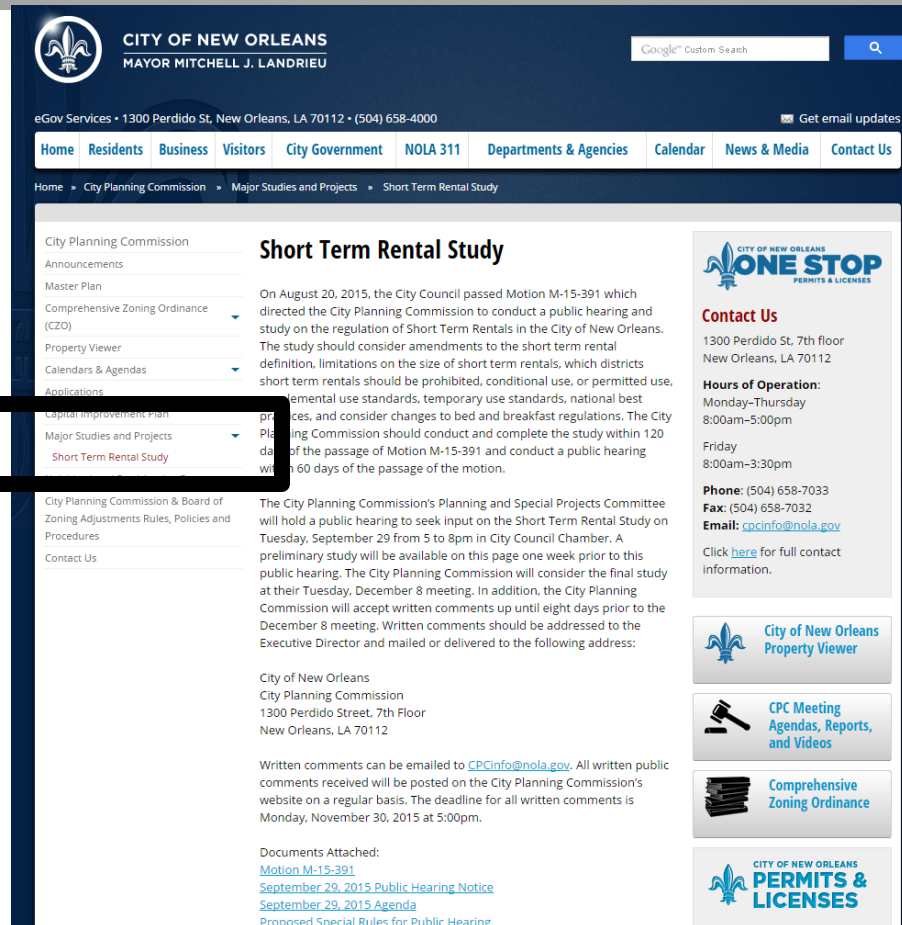
December 18, 2015: Study completion deadline. Recommendation forwarded to City Council

How to Provide Input

November 30, 2015 at 5pm is the deadline for written comments.

Comments can be emailed to CPCinfo@nola.gov or mailed to

City of New Orleans
City Planning Commission
1300 Perdido Street, 7th Floor
New Orleans, LA 70112



The screenshot shows the City of New Orleans website for the Short Term Rental Study. The header includes the city logo, name, and mayor's name. A navigation bar contains links for Home, Residents, Business, Visitors, City Government, NOLA 311, Departments & Agencies, Calendar, News & Media, and Contact Us. The main content area is titled 'Short Term Rental Study' and contains text about a public hearing and comment deadline. A red box highlights the 'Short Term Rental Study' link in the left navigation menu. The right sidebar contains contact information for the City of New Orleans, including the address, phone, fax, and email, as well as links to the City of New Orleans Property Viewer, CPC Meeting Agendas, Reports, and Videos, and Comprehensive Zoning Ordinance.

All public comments will be posted on CPC's Short Term Rental Study website:
<http://nola.gov/city-planning/major-studies-and-projects/short-term-rental-study/>