

**City Planning Commission Meeting**  
**Tuesday, July 10, 2018**

**Public Hearing Deadline:** 07/23/18  
**CPC Deadline:** 09/21/18  
**CC Deadline:** None  
**City Council Districts:** All

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**2018 SHORT TERM RENTAL STUDY PUBLIC HEARING REPORT**

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**To:** City Planning Commission

**From:** Robert Rivers, Executive Director  
Paul Cramer, Planning Administrator

**Prepared by:** Nicholas Kindel

**Date:** July 2, 2018

**I. GENERAL INFORMATION:**

**Applicant:** City Council Motion M-18-194

**Request:** The motion requests the City Planning Commission to conduct a public hearing and study on the existing Short Term Rental regulations in the Comprehensive Zoning Ordinance, and the correlating requirements in the City Code, to determine if any modifications are warranted. In the course of study and review, the CPC should analyze similarly situated cities' regulations, including on platform accountability, to guide potential amendments.

**Location:** The 2018 Short Term Rental Study would apply to properties citywide.

**Description:** Motion M-18-194 directs the City Planning Commission to conduct a study on the existing Short Term Rental regulations in the Comprehensive Zoning Ordinance, and the correlating requirements in City Code, to determine if modifications are warranted. The City Planning Commission was directed to conduct the public hearing within sixty (60) days of the passage of the motion, and to complete the study within one hundred twenty (120) days of the passage of the motion. In addition, Motion M-18-194 rescinded Motion M-18-86, which was the previous motion directing CPC to conduct a study on Short Term Rental. The new Motion M-18-194 restarted the Short Term Rental Study timeline and required an additional public hearing.

**Why is this Public Hearing required?**

City Council Motion M-18-194 requires the City Planning Commission conduct a public hearing within 60 days of the passage of the motion.

## **II. BACKGROUND INFORMATION**

### **A. What is the scope of work for the Short Term Rental Study from City Council Motion M-18-194?**

City Council adopted Motion M-18-194 on May 24, 2018. Motion M-18-194 rescinded the previous Short Term Rental Study motion, Motion M-18-86, and outlined an updated scope for the Short Term Rental Study. In Motion M-18-194, the City Council directed the City Planning Commission to conduct a public hearing and a study on the existing Short Term Rental regulations in the Comprehensive Zoning Ordinance, and the correlating requirements in the City Code, to determine if any modifications are warranted. The CPC should analyze similarly situated cities' regulation, including on platform accountability, to guide potential amendments, including but not limited to:

- The City of Charleston, which utilized the creation of a “Short Term Rental Overlay Zone” to limit the locations and neighborhood whereby an STR license can be obtained;
- The City of Nashville, which has only two categories of STR, STR-owner-occupied and STR-not-owner-occupied, and limits STR-not-owner-occupied to commercial areas;
- The City of Austin, which is phasing out “type 2” licenses (i.e. not owner occupied and not associated with an owner-occupied principal residential unit) by April 1, 2022; and
- The City of Savannah, which limits STR to mixed-use zoning districts.

Upon a review of similarly situated cities and New Orleans' STR data (including on the administration, use, and impacts of the STR program, both city-wide and by neighborhood) the Council desires a study/review of the City's existing codes to receive recommendations if any amendments to these codes are needed, including but not limited to:

- changes to the categories (definitions);
- revisions to permissible/prohibited zoning categories;
- updates to the fee structure to more adequately address housing affordability;
- possible remedies to the illegal operation of STRs;
- adopting the use of parcels, as opposed to municipal addresses, in issuing permits and licenses;
- modifications to Commercial STR licensing regulations that would encourage the development of multi-story commercial buildings containing retail or other commercial uses on the first floor and residential uses, including Commercial STR, on subsequent floors;
- additional/new prohibitions, if needed, including capping measures (such as limiting the number of licenses or creating restrictions based on block-face, spacing or census tract), compliance standards, the use of homestead exemptions in issuing permits and licenses, data collection, enforcement mechanisms, and any

applicable regulations that may be available relative to the internet platforms that provide STR listings.

City Council Motion M-18-194 grants the City Planning Commission and its staff the flexibility to expand the scope of the study to make any and all legal and appropriate recommendations deemed necessary in light of the study, review, and public testimony resulting from the motion.

**B. What are the current regulations for Short Term Rentals in the Comprehensive Zoning Ordinance?**

The Comprehensive Zoning Ordinance (CZO) provides land use regulations for short term rentals. The Short Term Rental regulations in the CZO were adopted by City Council in Ordinance No. 27,209 MCS (ZD 061/16) on December 7, 2016, and the regulations went into effect on April 1, 2017. There are the following three different types of short term rentals:

- Accessory Short Term Rentals are for owner-occupied dwellings, where either the property owner rents out up to three bedrooms in his or her dwelling unit or rents out the other half of a two-family dwelling.
- Temporary Short Term Rentals are any dwelling unit that can be rented out on a short term basis up to 90 days per year.
- Commercial Short Term Rentals are dwelling units in nonresidential districts where there is a limit of 5 guest rooms but no limit on the number of nights per year.

There have been a couple minor modifications to the CZO regulations since they went into effect, including prohibiting Short Term Rentals in the Marigny and Bywater portions of the Riverfront Overly District, and placing a “soft cap” on Commercial Short Term Rentals in the HU-B1 and HU-MU Districts.

In addition to the changes above, right after City Council adopted this new Short Term Rental Study motion, City Council adopted Motion M-18-145 which created the Short Term Rental Interim Zoning District (IZD). This IZD prohibits the following uses in the Historic Core Districts, Historic Urban Districts, Central Business Districts, the MU-1 District, and the MU-2 District:

- Any issuance or renewal of a Temporary Short Term Rental permit or license.
- Any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story building that can or may contain residential uses on subsequent floors.

The definitions, use standards, and permitted and conditional zoning districts for short term rentals in the Comprehensive Zoning Ordinance are below:

### *Definitions (Article 26)*

Here are the definitions for short term rentals and the three specific types of short term rentals from the Comprehensive Zoning Ordinance:

**Short Term Rental.** Rental of all or any portion thereof of a residential dwelling unit for dwelling, lodging or sleeping purposes to one party with duration of occupancy of less than thirty (30) consecutive days. 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. Common bathroom facilities may be provided rather than private baths for each room. A short term rental is further defined as follows:

- A. Short Term Rental, Accessory.** Either (i) an owner occupied dwelling with a principal use as a permanent dwelling unit and which rents no more than three (3) guest rooms and six (6) total guests for overnight paid occupancy as an accessory use, or (ii) an owner-occupied two-family dwelling in which one unit of the two-family dwelling is occupied by the owner with a principal use as the owner's permanent residential dwelling unit and which the other unit of the two-family dwelling is rented with no more than three (3) guest rooms and six (6) total guests as an accessory use. Only one accessory short term rental shall be permitted in any two-family dwelling. For either type of accessory short term rental, the owner shall occupy the unit and be present during the guest's stay.
- B. Short Term Rental, Temporary.** A residential dwelling which rents the entire unit with no more than five (5) guest rooms for overnight paid occupancy as a temporary use not to exceed ninety (90) days per year, except in the Vieux Carre, the area generally bounded by: Iberville St., N. Rampart St., Esplanade Ave., and the Mississippi River, where Temporary Short Term Rentals shall be prohibited. No owner or resident is required to be present during the guest's stay.
- C. Short Term Rental, Commercial.** An entire dwelling unit in a non-residential district that rents no more than five (5) guest rooms for overnight paid occupancy.

### *Use Standards (Article 20)*

The use standards for Commercial Short Term Rentals are found in **Article 20** and listed below. The use standards for Accessory Short Term Rentals are in found in **Article 21, Section 21.6 Accessory Structures and Uses** and the use standards for Temporary Short Term Rentals are found in in **Article 21, Section 21.8 Temporary Uses**, both of which are in **Article 21**. The Commercial Short Term Rental use standards are listed below:

#### **20.3.LLL SHORT TERM RENTALS**

##### **20.3.LLL.1 SHORT TERM RENTALS GENERAL STANDARDS**

- a. In addition to the regulations below, all short term rentals shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
- b. All short term rentals shall require a license. The license shall be prominently displayed on the front facade of the property in a location clearly visible from the street during all period of occupancy and contain the license number, the contact information for the owner or in-town property manager, the license type (Temporary, Accessory, or Commercial) and the bedroom and occupancy limit.
- c. Short term rentals shall not be operated outdoors, in an accessory structure, or in a recreational vehicle.
- d. Only one party of guests shall be permitted per short term rental unit.
- e. There shall be an in-town property manager if the owner or operator is out of town during the time of the rental.
- f. Short term rentals shall be considered dwelling units for density purposes and subject to the minimum lot area per dwelling unit requirement of the applicable zoning district.

### **20.3.LLL.2 SHORT TERM RENTAL, COMMERCIAL STANDARDS**

- a. A short term rental license shall be secured prior to operation; and short term rental operators shall comply with all applicable license requirements provided in the Code of the City of New Orleans.
- b. The license shall be prominently displayed on the front facade of the property in a location clearly visible from the street during all period of occupancy and contain the license number, the contact information for the owner or in-town property manager, the license type (Temporary, Accessory, or Commercial) and the bedroom and occupancy limit.
- c. Up to five (5) bedrooms may be rented to guests and occupancy shall be limited to two (2) guests per bedroom with a maximum ten (10) guests.
- d. No signs are allowed for a Commercial Short Term Rental.

#### ***Accessory and Temporary Use Standards (Article 21)***

The use standards for Accessory Short Term Rentals are in found in **Article 21, Section 21.6 Accessory Structures and Uses** and the use standards for Temporary Short Term Rentals are found in in **Article 21, Section 21.8 Temporary Uses**

### **21.6.II ACCESSORY SHORT TERM RENTALS**

#### **21.6.II.1 SHORT TERM RENTALS GENERAL STANDARDS**

- a. In addition to the use standards below, all short term rentals shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
- b. All short term rentals shall require a license. The license shall be prominently displayed on the front facade of the property in a location clearly visible from the

street during all period of occupancy and contain the license number, the contact information for the owner or in-town property manager, the license type (Temporary, Accessory, or Commercial) and the bedroom and occupancy limit. But in no event shall any Accessory Short Term Rental license be issued in the Vieux Carre, the area generally bounded by: Iberville St., N. Rampart St., Esplanade Ave., and the Mississippi River.

- c. Short term rentals shall not be operated outdoors, in an accessory structure, or in a recreational vehicle.
- d. Only one party of guests shall be permitted per short term rental unit.
- e. The short term rental shall appear outwardly to be a residential dwelling.
- f. Use of the short term rentals for commercial or social events shall be prohibited.
- g. The short term rental shall not adversely affect the residential character of the neighborhood.
- h. The short term rental shall not generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her residence.
- i. Proof of ownership shall be required via a valid homestead exemption.

**21.6.II.2 SHORT TERM RENTAL, ACCESSORY STANDARDS**

- a. A short term rental license shall be secured prior to operation; and short term rental operators shall comply with all applicable license requirements provided in the Code of the City of New Orleans.
- b. For partial unit accessory short term rentals, only a portion of the dwelling shall be rented, which shall be limited to three (3) guest bedrooms, and occupancy shall be limited to two (2) guests per bedroom or six (6) guests total. There shall be at least one bedroom for the fulltime owner-occupant.
- c. For partial unit accessory short term rentals, the owner shall occupy the unit and be present during the party's stay.
- d. For all Accessory Short Term Rentals, proof of owner occupancy shall be required with a homestead exemption.
- e. Where the accessory short term rental occupies one unit of a two-family dwelling, occupancy shall be limited to two (2) guests per bedroom for a total of up to six (6) guests.
- f. No signs are allowed for an Accessory Short Term Rental.

[...]

**21.8.C PERMITTED TEMPORARY USES**

**Table 21-3: Permitted Temporary Uses**

Permitted Temporary Use	District	Timeframe	Hours of Operation	Temporary Use Standards
[...]				
Short Term Rental,	Any Zoning District	Rentals shall be limited to a maximum of ninety (90) days per year, except in		Section 21.8.C.14

Temporary	where dwelling units are permitted*	the Vieux Carre, the area generally bounded by: Iberville Street, N. Rampart Street, Esplanade Avenue, and the Mississippi River, where Temporary Short Term rentals shall be prohibited.		
[...]				

[...]

**21.8.C.14 SHORT TERM RENTAL, TEMPORARY\***

**21.8.C.14.a SHORT TERM RENTAL GENERAL STANDARDS**

1. In addition to the use standards below, all short term rentals shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
2. All short term rentals shall require a license.
3. The license shall be prominently displayed on the front facade of the property in a location clearly visible from the street during all periods of occupancy and contain the license number, the contact information for the owner or in-town property manager, the license type (Temporary, Accessory, or Commercial) and the bedroom and occupancy limit.
4. Short term rentals shall not be operated outdoors, in an accessory structure, or in a recreational vehicle.
5. Only one party of guests shall be permitted per short term rental unit.
6. The short term rental shall appear outwardly to be a residential dwelling.
7. For temporary short term rentals, there shall be an in-town property manager available at all times if the owner or operator is out of town during the time of the rental.
8. Use of the short term rentals for commercial or social events shall be prohibited.
9. The short term rental shall not adversely affect the residential character of the neighborhood.
10. The short term rental shall not generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her residence.
11. If renter occupied and operated, proof of the property owner's consent and signature on the license application shall be required.
12. If renter occupied, the operator shall provide a current rental lease.

**21.8.C.14.b SHORT TERM RENTAL, TEMPORARY STANDARDS\***

1. A short term rental license shall be secured prior to operation; and short term rental operators shall comply with all applicable license requirements provided in the Code of the City of New Orleans.
2. Rentals shall be limited to a maximum of ninety (90) days per year, except in the Vieux Carre, the area generally bounded by: Iberville Street, N. Rampart Street,

Esplanade Avenue, and the Mississippi River, where Temporary Short Term rentals shall be prohibited.\*

3. Up to five (5) bedrooms may be rented to guests.
4. Occupancy shall be limited to two (2) guests per bedroom or ten (10) guests, whichever is less.
5. The entire dwelling can be rented and the permanent resident is not required to be present during the party's stay.
6. No signs are allowed for a Temporary Short Term Rental.

\* In accordance with City Council Motion M-18-195, any issuance or renewal of a Temporary Short Term Rental permit or license is prohibited in the Historic Core Districts, Historic Urban Districts, Central Business Districts, the MU-1 District, and the MU-2 District.

***Off-Street Parking and Loading (Article 22)***

The parking requirements for short term rentals depend on the type. As a temporary use, Temporary Short Term Rentals do not have any parking requirements. Accessory Short Term Rentals are required to have the same number of parking spaces as the dwelling unit. Commercial Short Term Rentals are required to have one parking space per 2 guest rooms, which is equivalent to the parking requirement for a bed and breakfast.

**22.4 Required Off-Street Vehicle Parking Spaces**

**22.4.A General Requirements**

[...]

<b>Table 22-1: Off-Street Vehicle and Bicycle Parking Requirements</b>			
<b>Use</b>	<b>Minimum Required Vehicle Spaces</b>	<b>Minimum Required Bicycle Spaces</b>	
		<b>Required Short-Term Bicycle Spaces</b>	<b>Percentage of Long-Term Bicycle Spaces</b>
[...]			
Short Term Rental, Accessory	see applicable dwelling type		
Short Term Rental, Commercial	1 space per 2 guestrooms	1 per 5 rooms	25%
[...]			

***Permitted and Conditional Uses (Articles 7 to 17)***

Below are the use tables that show the zoning districts where Commercial Short Term Rentals are permitted (“P”), conditional (“C”), and prohibited uses (blank space). Accessory and Temporary Short Term Rentals do not appear in these use tables below because these short term rental types are permitted in a dwelling unit in any zoning district, subject to the definition and use standards for each type. Commercial short term



rentals are not currently permitted in Open Space Districts (Article 7), Historic Core Neighborhoods Residential Districts (Article 9), Historic Urban Neighborhoods Residential Districts (Article 11), and Suburban Neighborhoods Residential Districts (Article 13), and thus the use tables for these districts are not shown below.

<b>Use Table: Rural Development Districts (Article 8)</b>		
Uses	District	
	R-RE	M-MU
[...]		
Short Term Rental, Commercial		P
[...]		

<b>Use Table: Historic Core Neighborhoods Non-Residential Districts (Article 10)</b>										
Uses	District									
	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU
[...]										
Short Term Rental, Commercial			P*					P*	P*	P*
[...]										

\* In accordance with City Council Motion M-18-195, any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story building that can or may contain residential uses on subsequent floors is prohibited.

<b>Use Table: Historic Urban Neighborhoods Non-Residential Districts (Article 12)</b>			
Uses	District		
	HU-B1A	HU-B1	HU-MU
[...]			
Short Term Rental, Commercial	C*	P, C <sup>9*</sup>	P, C <sup>9*</sup>
[...]			

[...]

Table 12-1 Footnotes

[...]

<sup>9</sup> Permitted Commercial Short Term Rentals are limited to two (2) on one property; any Commercial STR use greater than two is a conditional use.

[...]

\* In accordance with City Council Motion M-18-195, any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story building that can or may contain residential uses on subsequent floors is prohibited.

Use Table: Suburban Neighborhoods Non-Residential Districts (Article 14)								
Uses	District							
	S-B1	S-B2	S-LB1	S-LB2	S-LC	S-LP	S-LM	S-MU
[...]								
Short Term Rental, Commercial	P	P	P	P	P	P	P	
[...]								

Use Table: Commercial Center & Institutional Campus Districts (Article 15)									
Uses	District								
	C-1	C-2	C-3	MU-1	MU-2	EC	MC	MS	LS
[...]									
Short Term Rental, Commercial	P	P	P	P*	P*	P	P		P
[...]									

\* In accordance with City Council Motion M-18-195, any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story building that can or may contain residential uses on subsequent floors is prohibited.

Use Table: Centers for Industry (Article 16)				
Uses	District			
	LI	HI	MI	BIP
[...]				
Short Term Rental, Commercial			P*	
[...]				

\* Please note that Commercial Short Term Rentals are only permitted in the MI District's Commercial and Recreational Sub-District.

Use Table: Central Business Districts (Article 17)							
Uses	District						
	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7
[...]							
Short Term Rental, Commercial	P*	P*	P*	P*	P*	P*	P*
[...]							

\* In accordance with City Council Motion M-18-195, any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story building that can or may contain residential uses on subsequent floors is prohibited.

## **18.13 RIV RIVERFRONT DESIGN OVERLAY DISTRICT**

The recently-approved Riverfront Overlay District prohibits Commercial Short-Term Rentals in Sections 18.13.H.3 – RIV-3 Bywater Sub-District Use Standards and Use Restrictions, and 18.13.I.4 – RIV-4 Marigny Sub-District Use Standards and Use Restrictions.

### **ARTICLE 19 – TEMPORARY PROVISIONS**

City Council Motion M-18-195 adopted an IZD that placed limitation of Temporary and Commercial STRs in certain districts, which went into effect when the motion was adopted. The City Planning Commission is considering this IZD in Zoning Docket 086-18, which if approved by City Council would result in a text amendment to **Article 19** of the CZO. Currently, the IZD as approved in Motion M-18-195 is in effect, which prohibits the following uses in the Historic Core Districts, Historic Urban Districts, Central Business Districts, the MU-1 District, and the MU-2 District:

- Any issuance or renewal of a Temporary Short Term Rental permit or license.
- Any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story building that can or may contain residential uses on subsequent floors.

#### **C. What is the timeline for the Short Term Rental Study?**

City Council Motion M-18-86 required the City Planning Commission to hold a public hearing within 60 days of the passage of the motion and to complete the study within 120 days of the passage of the motion. On May 24, 2018, the City Council adopted Motion M-18-194 which rescinded the previous motion and restarted the study timeline requiring another public hearing with 60 days and completion of the study within 120 days. The significant dates and deadlines for the 2018 Short Term Rental Study are listed below (please note that these date are subject to change):

**March 22, 2018:** Motion M-18-86 was adopted by City Council

**April 24, 2018:** City Planning Commission Public Hearing

**May 24, 2018:** Motion M-18-146 was adopted by City Council which rescinded Motion M-18-86 and restarted the study timeline and required another public hearing

**July 10, 2018:** City Planning Commission Public Hearing

**August 20, 2018:** Deadline for written comments

**August 21, 2018:** Staff report for the study will be made available to the public

**August 28, 2018:** City Planning Commission consideration of the study

**September 11, 2018:** Last available City Planning Commission meeting prior to the study deadline

**September 21, 2018:** Deadline for the study and CPC recommendation to be forwarded to City Council

After the recommendation is forwarded to City Council, the next steps are at the discretion of City Council. Changes to the Comprehensive Zoning Ordinance (CZO) are typically proposed through a City Council motion directing the CPC to consider a text amendment to the CZO. If such a motion is passed by the City Council, the CPC will prepare a staff report, hold a public hearing, and make a recommendation to the City Council. To approve any CZO changes, the City Council will have to hold its own public hearing and approve an ordinance. Any changes to City Code will require a separate ordinance by the City Council.

### **III. How can the public provide input for the Short Term Rental Study?**

Written comments should be addressed to the Executive Director of the City Planning Commission. Written comments can be made on City Planning Commission's website (<https://nola.gov/cpc>) at the following link: <https://nola.gov/city-planning/major-studies-and-projects/2018-short-term-rental-study/public-comment/>

Written comments can also be emailed to [cpcinfo@nola.gov](mailto:cpcinfo@nola.gov) or mailed or hand delivered to the following address:

City of New Orleans  
City Planning Commission  
c/o Executive Director Robert Rivers  
1300 Perdido Street, 7<sup>th</sup> Floor  
New Orleans, LA 70112

All written public comments received will be posted on the City Planning Commission's website on a regular basis. The deadline for all written comments is Monday, August 20, 2018 at 5:00pm.

As deemed necessary to complete the study, the City Planning Commission staff will hold meetings with various individuals and groups to receive additional information. A list of these meetings will be included in the final Short Term Rental Study.

There will also be an opportunity for public comments at the Regular City Planning Commission meeting on Tuesday, August 28, 2018 at 1:30pm. The City Planning Commission will take action on the Short Term Rental Study at that meeting.

**MOTION**

**(AS AMENDED)**

**NO. M- 18-194**

**CITY HALL: May 24, 2018**

**BY: COUNCILMEMBERS GISLESON PALMER, GIARRUSSO, BANKS,**

**WILLIAMS, MORENO AND BROSSETT**

**WHEREAS**, the Council of the City of New Orleans has adopted a series of ordinances to define, categorize, and regulate Short Term Rentals (STR), which became effective April 1, 2017; and

**WHEREAS**, over a year has passed since these initial regulations have become effective, providing sufficient data to analyze STR laws to determine community impact; and

**WHEREAS**, this Council desires to have the City Planning Commission (CPC) further study the impact of STRs, utilizing the City's existing regulations and STR data, to determine if amendments to existing laws are warranted or necessary, and if existing regulations should be modified to reduce any unintended secondary effects of STRs relative to the residential fabric of the City; and

**WHEREAS**, the prior City Council submitted a motion for a Short Term Rental Study, via M-18-86, which has led the CPC to undertake a thorough study, but the existing Council desires to provide additional guidance to the CPC and tailor the study scope prior to the finalization of a complete STR study; **NOW THEREFORE**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That M-18-86 is hereby rescinded.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed to conduct a study on the existing Short Term Rental regulations in the Comprehensive Zoning Ordinance, and the correlating requirements in the City Code, to determine if modifications are warranted. In the course of study and review, the CPC should analyze similarly situated cities' regulations, including on platform accountability, to guide potential amendments, including but not limited to:

- The City of Charleston, which utilized the creation of a “Short Term Rental Overlay Zone” to limit the locations and neighborhoods whereby an STR license can be obtained;
- The City of Nashville, which has only two categories of STR, STR-owner-occupied and STR-not-owner-occupied, and limits STR-not-owner-occupied to commercial areas;
- The City of Austin, which is phasing out “type 2” licenses (i.e. not owner occupied and not associated with an owner-occupied principal residential unit) by April 1, 2022; and
- The City of Savannah, which limits STR to mixed-use zoning districts.

Upon a review of similarly situated cities and New Orleans' STR data – including on the administration, use, and impacts of the STR program, both city-wide and by neighborhood – the Council desires a study/review of the City's existing codes to receive recommendations if any amendments to these codes are needed, including but not limited to: changes to the STR categories (definitions); revisions to permissible/prohibited zoning categories; updates to the fee structure to more adequately address housing affordability; possible remedies to the illegal operation of STRs; adopting the use of parcels, as opposed to municipal addresses, in issuing permits and licenses; modifications to Commercial STR licensing regulations that would encourage the development of multi-story commercial buildings containing retail or other commercial uses on the first floor and residential uses, including Commercial STR, on subsequent floors; and additional/new

prohibitions, if needed, including capping measures (such as limiting the number of licenses or creating restrictions based on block-face, spacing, or census tract), compliance standards, the use of homestead exemptions in issuing permits and licenses data collection, enforcement mechanisms, and any applicable regulations that may be available relative to the internet platforms that provide STR listings.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed to conduct and complete the study within 120 days of the passage of this motion and conduct the public hearing within 60 days of the passage of this motion.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That in the process of conducting a public hearing and study on the regulation of Short Term Rental in the City of New Orleans as provided herein, the City Planning Commission and staff are directed and granted the flexibility to expand the scope of the study and make any and all legal and appropriate recommendations deemed necessary in light of study, review, and public testimony resulting from this motion.

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION OF THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS: Banks, Brossett, Giarrusso, Gisleson Palmer, Moreno, Nguyen, Williams - 7**

**NAYS: 0**

**ABSENT: 0**

**AND THE MOTION, AS AMENDED, WAS ADOPTED.**

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THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY

*Lara W. Johnson*  
CLERK OF COUNCIL