

MOTION

(AS AMENDED)

NO. M-18-195

CITY HALL: May 24, 2018

**BY: COUNCILMEMBERS GISLESON PALMER, GIARRUSSO, BANKS,
BROSSETT, WILLIAMS AND MORENO**

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, pursuant to M-18-194, has directed the City Planning Commission (CPC) to 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, in light of this pending study and review, the Council desires temporary zoning regulations within specified boundaries that impose temporary prohibitions on certain short term rental classifications to protect the public health, safety, or welfare for a temporary period, while this study is underway.

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the City Planning Commission is directed to conduct a public hearing to amend and reordain Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the

Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 19 to establish a new Interim Zoning District (IZD) to be named the *Short Term Rental Interim Zoning District*, the intent of which is to prohibit certain uses, as provided herein, for all lots that are located within the Historic Core and Historic Urban zoning districts, both residential and non-residential, Central Business District zoning districts, MU-1 Medium Intensity Mixed-Use Zoning Districts and MU-2 High Intensity Mixed-Use Zoning District as indicated in the official zoning maps of the City. The prohibited uses are:

- a. Any issuance or renewal of a Temporary Short Term Rental permit or license.
- b. 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.

BE IT FURTHER MOVED, That in accordance with Article 19, Section 19.3.C.4 of the Comprehensive Zoning Ordinance, all appropriate agencies of City Government shall not accept any applications for permits or licenses or issue any permits or licenses that are in conflict with the intent and provisions of the proposed Interim Zoning District for the properties contained within the aforesaid area during consideration of this matter. The Interim Zoning District is to be in effect for a period of nine (9) months and is subject to extension as provided by Section 3-126 of the City Charter. Applications to appeal this IZD shall be submitted to the Executive Director of the City Planning Commission, whose staff shall review and make recommendations relative to the appeal within sixty (60) days of receipt, utilizing the following review standards:

1. Is the requested appeal compatible with the surrounding land uses and structures?
2. Does the requested appeal provide for an efficient use of land?
3. Will granting the requested appeal increase traffic and safety hazards?

4. Does the requested appeal provide for an efficient parking layout?

5. Will the requested appeal increase community environmental impacts?

The Council shall have sixty (60) days from receipt of recommendation to approve, deny, or modify the appeal recommendation by motion.

BE IT FURTHER MOVED, That in the process of reviewing this request, the City Planning Commission staff is directed and granted the flexibility to make all appropriate changes to the proposed regulations and any existing corresponding regulations in the Comprehensive Zoning Ordinance, as amended, to establish consistency and continuity with the format of the existing zoning code, to add references wherever references are customary, needed and/or appropriate, to make the appropriate adjustments to clarify any ambiguities or mistakes, and to make adjustments deemed necessary in light of public testimony resulting from this review.

THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION 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
Lera W. Johnson
CLERK OF COUNCIL