

Short-Term Rental Committee
New Orleans, Louisiana

March 27, 2018

MEMORANDUM

TO: Robert Rivers
Executive Director, City Planning Commission

FROM: Brian R. Furness
Chair, Short-Term Rental Committee (STRC)

SUBJECT: Short-Term Rentals (STRs): Response to Council Motion M-16-166

The City Council directed on March 22 that the City Planning Commission “conduct a follow-up study (to that of January 19, 2016) of any short-term rental regulations.”

In preparing the 2016 Short-Term Rental Study, CPC staff made an exemplary effort to ensure that stakeholders had access to staff, made it easy to contribute suggestions, and kept the public informed of developments and comments. A similar effort is important to the credibility and comprehensiveness of the follow-up study. The STRC accordingly recommends that preparation of the study directed by the Council include:

- *Hold Stakeholder-Staff Meetings.* Informal meetings between stakeholders and staff made for a better dialogue on STR ideas and issues. A STRC panel participated in such a meeting, which proved useful for us to present our ideas and recommendations and for us to better understand and respond to staff thinking. The STRC urges that such be scheduled and stands ready to participate. The impact of STRs on particular neighborhoods, especially the Marigny, Bywater, Tremé, and the Garden District, further suggests special efforts to include community organizations representative of these neighborhoods.
- *Create a “Major Studies and Projects” Website.* We urge that the 2018 study update benefit from a website that makes it easy for stakeholders and others to contribute materials. This proved, we believe, useful in 2016 and would do so again.
- *Post All Submissions to the Web.* Important to public and Commission understanding is timely access to submissions from stakeholders and others regarding the purposes, developments, and issues involved in the study. This proved useful in 2016, and we urge that the staff post submissions as received to the website as in the past.

The Short-Term Rental Committee is composed of people from across New Orleans who advocate for the protection of neighborhoods from the intrusion of illegal short-term rentals, which introduce commercial uses into residential areas, displace actual residents, and undermine the very building blocks of our city.

- *Facilitate public presentations at the Public Hearing.* The usual CPC public hearing rules so limit presentations to — essentially — talking points and thus impeding the ability of those testifying to provide context and specificity. This would be especially marked if the public hearing called for by the Council is held in conjunction with a regular meeting. Further, the usual division between proponents and opponents is inadequate to reflect the complexity of the issue, to say nothing of the difficulties of coordination within the presenters. Accordingly we recommend (1) holding a special session limited solely to the short-term rental issues; (2) removing the artificial distinction between proponents and opponents; and (3) providing substantially more time each side and for each speaker.
- *Draw on City Experts.* A presentation by One Stop Shop Director Jennifer Cecil and staff would usefully illuminate enforcement and other issues relevant to following up on STR issues. Law Department representatives could illuminate legal issues that the study should address. We suggest that separate public meeting devoted to enforcement could focus on issues relevant to the Council mandate.

The above recommendations deal only with the process for preparing the work directed by the Council. As in the past, the STRC also looks forward to providing thoughts and recommendations on the substance of this important work.

Your comments would be welcomed.

Respectfully submitted,

Brian R. Furness

Chair, Short-Term Rental Committee

cc: Honorable Members of the City Council
City Council members-elect
Royce Duplessis, Chair, City Planning Commission
Jared Munster, PhD, Director, Office of Safety and Permits
Jennifer Cecil, Director, One-Stop Shop
Short-Term Rental Committee (bcc)

Contact information:

Brian R. Furness
1031 Saint Ann Street
New Orleans, LA 70116
Cell: 202-374-8905

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Larry W. Massey Jr.

From: CPCinfo
Sent: Wednesday, April 4, 2018 12:01 PM
To: Nicholas J. Kindel; Kelly G. Butler; Brooke Perry
Subject: FW: Short term rentals

Didn't know if you wanted this for the Short Term Rental study...

Krista

From: Fred Lyon [mailto:vfl@lyonfirm.com]
Sent: Tuesday, April 3, 2018 1:04 PM
To: CPCinfo <CPCinfo@nola.gov>
Subject: Short term rentals

I applaud the Council's decision to revisit this important issue and look forward to a thorough vetting before the CPC.

The impact of the 2017 regulations illustrates the law of unintended consequences. We have a house on a quiet block of 4th Street between Magazine and Camp. As a result of the regulations implemented last April, an investor (not owner-occupied) is renting out both sides of a two story duplex on a whole house basis as short term rentals. 10 guests per side.

Thus subject to the calendar limitations, we effectively can have a 20 guest mini hotel operating 90 days a year. Or 180 days of 10 person hotels.

There are only 21 people who live on this block as residents. Introducing a mini-hotel with 20 guest is inconsistent with the character of the neighborhood. It would never be allowed by zoning laws.

The STR industry argues that all they are doing is helping the widowed nurse rent out a room to make ends meet. Nothing could be further from the truth in this city and indeed nationally as other cities are fighting the destructive scourge of STRs.

A required homestead exemption in order to qualify as an STR is the best solution. It preserves the right of the widowed nurse and is the most easily enforceable of all the proposed restrictions.

Please help save our city and its neighborhoods. Thank you for your attention.

Fred Lyon
1128 4th Street
504-644-834

Larry W. Massey Jr.

From: CPCinfo
Sent: Friday, April 6, 2018 12:05 PM
To: Paul Cramer
Subject: FW: Short term rentals

From: Fred Lyon [mailto:vfl@lyonfirm.com]
Sent: Tuesday, April 03, 2018 1:04 PM
To: CPCinfo
Subject: Short term rentals

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Fred Lyon
1128 4th Street
504-644-834

Larry W. Massey Jr.

From: CPCinfo
Sent: Tuesday, April 10, 2018 3:06 PM
To: Paul Cramer
Subject: FW: Short term rentals

-----Original Message-----

From: Marco Rasi [mailto:marcorasi1960@yahoo.com]
Sent: Wednesday, April 04, 2018 10:17 AM
To: CPCinfo
Subject: Short term rentals

I would like to thank the Council for revisiting this important matter and to express my view that the best solution is requiring a homestead exemption. In fact, I believe it is the only way to save the character of our neighborhoods while allowing property owners to rent out their own home, or part of it.

What we need to combat is the greedy investors that purchase properties to transform them into illegal hotels in residential neighborhoods. I would like to share what is happening in the block where we live, on 4th street between Magazine and Camp. An investor, who lives elsewhere, is renting out a duplex with 10 guests on each side, thus adding almost every weekend, for most of the year, 20 people to a block that has about 20 residents. Not only does this double the block's population, but it changes its character entirely, because many of the guests are noisy partying and drinking groups that have no regard for the quiet or the decor of the block. I am seriously considering leaving New Orleans if the regulations implemented last year are not reversed by implementing and enforcing a homestead exemption requirement that returns our residential neighborhood to the quiet place it used to be.

I appreciate your efforts to study this matter and I am available to provide any additional information if it can be useful to the Council.

Sincerely,

Marco Rasi
1133 4th street
713-454-3439

Larry W. Massey Jr.

From: CPCinfo
Sent: Wednesday, April 11, 2018 4:29 PM
To: Paul Cramer
Subject: FW: STR hearing

From: Crista Rock [mailto:crista.rock@gmail.com]
Sent: Wednesday, April 11, 2018 2:02 PM
To: CPCinfo <CPCinfo@nola.gov>
Subject: STR hearing

Hello!

I'm a homeowner in the Irish Channel. I have rented the other half of my double for 11 years well below the going rental rates (\$700 to be exact). Last year after my long term tenet moved out (he bought a house on the west bank) I decided to Airbnb. I think as a homeowner that lives on the property I can keep my eyes and ears on things. It's the perfect scenario. When we let folks STR their homes and no one is there to watch or listen, it unleashes a HUGE can of worms. I don't think we should give out permits to homeowners that don't live full time on the property. I also think giving permits to year round STR's to corporations and commercial properties is a HUGE mistake. This actually is the worst case scenario. This means no one watches and no one is responsible for these very large groups of people coming in and out and (pretty much) destroying the neighborhood. If they want to be a hotel then they should have to follow the rules set in place to become hotel. Not to mention they pay less in tax than hotels by 10%! We have to stop this train in its tracks now before we loose our city.

Much love for everything y'all do!
Crista

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Crista Rock
www.cristaphoto.com
504-717-5912

Short-Term Rental Committee
New Orleans, Louisiana

March 31, 2018

MEMORANDUM

TO: Robert Rivers
Executive Director, City Planning Commission

FROM: Brian R. Furness
Chair, Short-Term Rental Committee (STRC)

SUBJECT: Short-Term Rentals (STRs): Submissions Website

Our March 27 Memorandum regarding the City Council's March 22 motion directing the City Planning Commission "conduct a follow-up study (to that of January 19, 2016) of any short-term rental regulations" recommended that the CPC create a "Major Projects and Studies" website, similar to that created for the CPC's 2016 study.

The purpose of this memorandum is to clarify that we propose creating a *new* website dedicated to submissions for the 2018 study, not simply adding new submissions to the 2016 study, which is still up. While many of the issues and comments remain relevant — and we do not recommend taking down the 2016 study website —, we believe it important to separate the two efforts. We further underline our recommendation that posting submissions be done on a timely, as received, basis, and that postings include relevant background material and other studies. In this connection, we note the Jane Place Neighborhood Sustainability Initiative report merits posting.

cc: Short-Term Rental Committee (bcc)

Contact information:

Brian R. Furness
1031 Saint Ann Street
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Larry W. Massey Jr.

From: David Krauss <david@noiseaware.io>
Sent: Friday, April 6, 2018 2:22 PM
To: Paul Cramer
Subject: Re: short term rentals

Hello Paul,

Thanks for the note.

Below is a bit of information on noise monitoring systems for short-term rentals and NoiseAware (the company I founded after having noise issues at my STR). I've also included info on legislation that is passed (La Quinta CA) and been proposed (El Dorado County CA) to address the STR noise issue with noise monitoring solutions.

I'm a firm believer in self-policing or self-monitoring for noise issues as the best solution such that neighbors are not relied on to police or monitor for nuisance issues. Hopefully, this info is helpful to you.

Best,
Dave Krauss

INFO ON NOISEAWARE, NOISE MONITORING, AND STR NOISE REG'S BELOW.

NoiseAware is a noise monitoring and nuisance prevention service for short-term rentals. Noise sensors are installed on site (takes 5 mins) that measure noise levels (no recordings are made to protect privacy). Once online (they use WiFi), the system is then programmed to notify the property owner/host/manager if the noise levels register above the selected threshold level for 3-5 minutes. NoiseAware also runs an optional after-hours Response Center from 6pm to 6am CST to automatically respond to customer's noise issues on their behalf. Check out the explainer video [here](#).

Other jurisdictions in California are considering noise monitoring as a solution. El Dorado County, home of South Lake Tahoe, has recently introduced the potential of requiring noise monitoring at all vacation homes to their debate as they look for solutions to noise issues. You can view the list of proposed solutions on the table in El Dorado County under "Chart of VHR Topics" found [here](#).

In La Quinta, California, there was a similar debate surrounding noise issues at short term rentals. Their ordinance ended up including the right to require permit holders to have noise monitoring at the City's request. See snippet below from the ordinance. You can view the whole ordinance [here](#).

N. The city manager, or designee, shall have the authority to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential secondary effects unique to the subject short-term vacation rental unit are avoided or adequately mitigated, including but not limited to a mitigating condition that would require the installation of a noise monitoring device to keep time-stamped noise level data from the property that will be made available to the city upon city's reasonable request.

Lastly, **we've studied the noise issue in short term rentals and the data shows a disproportionate number of complaint calls pertaining to noise issues.** A few stats below illustrate the point.

- In Palm Springs, 74% of complaints about STRs were noise related. [505 out of 687 complaints from June - December 2017]
- In South Lake Tahoe, 54% of complaints to the city hotline are reports of noise disturbances however only 40% of those complaints result in a citation [presumably because noise disappears and enforcement officers cannot respond to every call instantaneously]
- In Sonoma County, 72% of calls to the Sheriff were related to "noise, parties, music and disturbances."

On the other hand, **statistics also show that noise monitoring technology is effective. When a noise alert is generated and proactive outreach to guests takes place, 80% of the time noise levels are brought down to acceptable levels within 15 minutes.** Better than that, 96% of the time, noise issues are resolved within 60 minutes after noise alerts are triggered.

On Fri, Apr 6, 2018 at 1:45 PM, Paul Cramer <pcramer@nola.gov> wrote:

Mr. Krauss – please tell me more about what you would like to share with the City Planning Commission concerning short term rental regulations and means of enforcement.

Paul Cramer

Planning Administrator

New Orleans City Planning Commission

[1300 Perdido Street](#), 7th Floor

New Orleans, LA 70112

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David Krauss | Co-Founder

david@noiseaware.io

M: [\(617\) 359 8598](tel:(617)3598598)