

DEPARTMENT OF SAFETY AND PERMITS  
**CITY OF NEW ORLEANS**

LATOYA CANTRELL  
MAYOR

TAMMIE JACKSON  
DIRECTOR

**ZONING INTERPRETATION MEMORANDUM**  
Memorandum Z-22-05

DATE: **August 5, 2022**

FROM: **Tammie Jackson, Director**

BY: Ashley Becnel, Chief Zoning Official  
Nicholas Kindel, Zoning Administrator

RE: Revision of Commercial STR Permitting pursuant to Z-22-03 as a result of BZA 047-22

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On April 1, 2022, the Department of Safety and Permits issued Z-22-03 as a result of BZA 008-22. In that case, the BZA ruled that commercial STRs are a commercial use under the CZO and that all laws pertaining to commercial use apply to commercial STRs. The Department had previously treated commercial STRs as a fundamentally residential use in a commercial area. Z-22-03 was subsequently appealed to the BZA in BZA 047-22. The BZA upheld the appeal, finding that the Department had erred in issuing Z-22-03 as it was overbroad in light of the BZA's earlier decision. This memorandum set forth the rules and policies for the permitting of Commercial STRs given the BZA decisions.

The Department will review Commercial STR applications based on the number of dwelling units in the structure to be used as a Commercial STR. Single- and two-family dwelling units containing Commercial STRs shall be reviewed as residential uses under the CZO, while three- or more-family dwelling units containing Commercial STRs shall be reviewed as commercial uses under the CZO. The Department will evaluate the number of dwelling units in accordance with the building code, such that, for example, a firewalled townhouse with four units would be considered to be four single-family dwellings.

Going forward, licensing new Commercial STRs in a three- or more-family dwelling unit shall first require a change of use permit. Assuming no structural changes are being made to the premises as part of the change of use to a Commercial STR, a non-structural renovation permit will suffice. No commercial STR *license* may be issued until a change of use or new construction *permit* has been issued and has received a certificate of occupancy.

Licensing new Commercial STRs in a one- or two- family dwelling unit will not require a change of use permit or a building permit unless work requiring a permit is being done to the structure. All applications for licenses or permits for these Commercial STRs will be viewed as a residential use, including but not limited to parking regulations and setbacks.

