

DEPARTMENT OF SAFETY AND PERMITS
CITY OF NEW ORLEANS

LATOYA CANTRELL
MAYOR

ZACHARY SMITH
DIRECTOR

ZONING INTERPRETATION MEMORANDUM

Memorandum Z-18-04

DATE: November 9, 2018

FROM: Zachary Smith, AIA, Director

RE: Principal Bed and Breakfasts in Multi-Family Dwellings

Bed and Breakfasts are defined in the Comprehensive Zoning Ordinance (CZO) as “a residential structure that provides sleeping rooms for overnight paid occupancy.” CZO 26.6. Accessory Bed and Breakfasts are owner-occupied single-family dwellings providing no more than four guest rooms. CZO 26.6. Principal Bed and Breakfasts, however, may be operator-occupied, rather than owner-occupied, and may provide up to nine guest rooms. CZO 26.6.

It is the interpretation of the Director that only single-family dwellings may serve as Bed and Breakfasts, whether principal or accessory. This will include two-family and multi-family dwellings which have been properly and legally converted to single-family use. Multi-family dwellings which rent rooms for periods of less than thirty days are more properly classified as either short term rentals or hotels/motels, depending on the specific features of each property. Because each unit in a multi-family dwelling is a separate dwelling unit, each may be separately owned and operated, rendering them unsuited for bed and breakfast use, wherein many individual rooms within a larger single-family home are rented to guests. Guest rooms and/or suites may include sitting areas and bathroom facilities, but may not include kitchens or cooking facilities. CZO 20.3.I.3.e.

Furthermore, it is the determination of the Director that the structure housing a Bed and Breakfast, whether principal or accessory, must be solely used as a Bed and Breakfast. Multi-use structures are not eligible for Bed and Breakfast use. The CZO clearly requires that the Bed and Breakfast be located in a “residential structure,” and therefore mixed-use buildings may not be licensed for Bed and Breakfast use.

