

DEPARTMENT OF SAFETY AND PERMITS
CITY OF NEW ORLEANS

LATOYA CANTRELL
MAYOR

TAMMIE JACKSON
DIRECTOR

ZONING INTERPRETATION MEMORANDUM

Memorandum Z-21-01

DATE: April 1, 2021

FROM: Tammie Jackson, Director

RE: Applying CZO Requirements for “Debulking” a Tax Parcel into Two of More Lots

There are two methods where a property can be divided into developable lots. The most common way is through a subdivision, which is where a lot is divided into multiple lots. This is done in accordance with the Comprehensive Zoning Ordinance (CZO) requirements and under the City Planning Commission’s Subdivision Regulations.

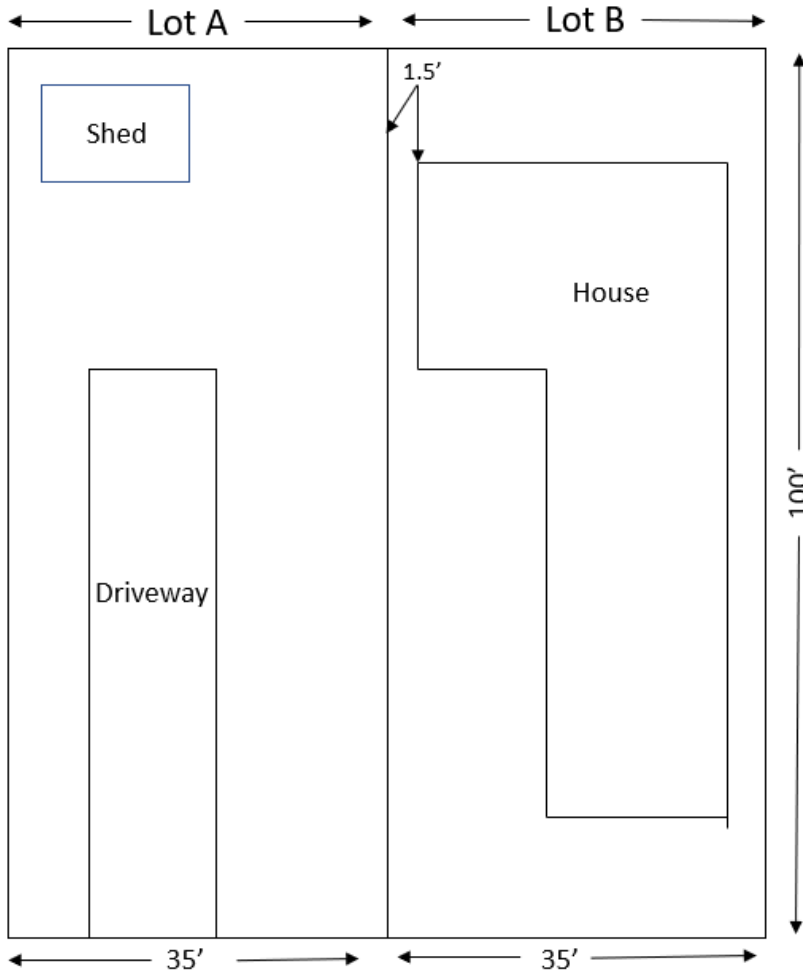
The other way to divide property is through a “debulking” request with the Orleans Parish Tax Assessor’s Office. Debulking occurs where there are two or more existing lots that are currently part of a single tax parcel, and the property owner wants to create separate tax parcels for each of the individual lots. A subdivision is not required because the lots already exist. A debulking request is made to the Assessor’s Office; however, it requires review by Safety and Permits to confirm that the lots will be assigned addresses and comply with the building and zoning code requirements once debulked.

When the Zoning Division receives a debulking request, it reviews a current survey to verify that the individual lots comply with the minimum lot standards in the zoning district. In addition, CZO Section 25.5 identifies circumstances where non-conforming lots (those that do not meet the zoning district’s minimum lot standards) can or cannot be developed separately, and therefore, whether the lots can be debulked or not.

The CZO, however, does not provide any guidance on how to treat other non-conformities that do not relate to the lot size and dimensions once a lot is debulked. There are many circumstances where a structure meets the setback, accessory structure, and parking requirements for the entire tax parcel, but once the tax parcel is debulked, the structure is deficient in one or more of those areas. In these cases where the tax parcel has been used as a single development site, the debulking request shall be treated as a subdivision for all other zoning requirements except for CZO Section 25.5. Therefore, the debulking request can only be approved once the site remedies any deficiencies that result from the debulking request. Examples of this would include a deficient setback, loss of required off-street parking spaces, an accessory structure on a lot without a principal structure, and any other zoning deficiency that results from the debulking request.



For instance, Lot A and B have historically been one tax parcel and used as single development site. A single-family dwelling is located on Lot B, and there is a shed and driveway on Lot A. However, the house is only 1.5 feet from lot line between Lot A & B. Since this tax parcel has been historically treated as a single property, this property is compliant with the CZO. However, a debulking request will result in a structure that no longer meets the interior side yard setback, an accessory structure (the shed) on a lot without a principal structure, and the loss of a required off-street parking space. The request to debulk Lots A & B cannot be approved until these issues are addressed (such as a variance is granted for the deficient setback, the shed is demolished, and off-street parking is provided on Lot B).



This zoning interpretation is similar to how debulking request are handled under the building code. In a companion memo to this zoning interpretation memo, the Chief Building Official has clarified that when a parcel is debulked, it is essentially treated as a subdivision and that the new parcel boundaries shall be reviewed for fire safety purposes from this new boundary.

In conclusion, any request to debulk a tax parcel into multiple existing lots will viewed similar to a subdivision if the lot was historically used a single development site. The resulting lots will have to comply with the CZO and applicable building code requirements before it can be approved by the Department of Safety and Permits.