

AMENDMENT TO ORDINANCE CALENDAR NUMBER 34,083

CITY HALL: March 23, 2023

BY: COUNCILMEMBER KING

SECONDED BY:

BRIEF DESCRIPTION:

An amendment to Calendar Number 34,083 to provide an application process wherein any property owner may request a special exception for an increase in the number of allowable non-commercial short-term rentals within the block in which the property owner owns property.

AMENDMENT:

1. In Section 11, on page 19, on line 65, delete the word “Only” and insert the words “Except as provided in Section 21.8.C.18.r, only” in lieu thereof.
2. In Section 11, on page 20, after line 87, insert the following:
 - r. Any property owner may request a special exception increasing the number of allowable non-commercial short-term rentals within the block in which the applicant owns property. Prior to submitting said request, the property owner shall provide written notice of the application, on a form developed by the Staff of the City Planning Commission, to all residents and property owners whose properties share a property line with the subject property, as well as the district Council office and any neighborhood organization that is registered with the Office of Neighborhood Engagement and whose geographical purview includes the property, as shown on the Office of Neighborhood Engagement website. Said request shall be submitted to the Executive Director of the City Planning Commission, who shall

review and make recommendations to the City Council relative to the special exception request. The City Planning Commission staff shall render its recommendations within sixty days of receipt, using the following review standards:

- i. Is the requested increase compatible with the surrounding land use and structures?
- ii. Are there unique geographic considerations which would mitigate the impact of an additional non-commercial short term rental use within the block?
- iii. Are there unique use conditions in the surrounding areas which would be well-served by or mitigate the impact of an additional non-commercial short term rental use within the block?
- iv. Will the additional non-commercial short term rental use increase traffic and safety hazards?
- v. Will the additional non-commercial short term rental use create parking issues around the block or in the surrounding areas?
- vi. Will the additional non-commercial short term rental use impair the health, safety and welfare of the neighboring properties?

The Council shall have sixty (60) days from receipt of the recommendation to approve, deny, or modify the special exception request by motion. The granting of a special exception shall not entitle the applicant to a short-term rental permit. Additional permits within blocks subject to a special exception shall be awarded in

accordance with the provisions set forth in the City Code. In the event the Council denies a request for a special exception within a particular block, no new request for a special exception in said block shall be accepted for a period of two years.

ENGROSSED VERSION

The following engrossed version shows how the proposed amendment would modify Calendar Number 34,083, as originally introduced. Additions are **underlined**. Deletions are shown as ~~strikethroughs~~.

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SECTION 11. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 21 of the Comprehensive Zoning Ordinance (Ordinance No. 4264 M.C.S., as amended by Ordinance No. 26,413 M.C.S. and subsequent amendments), be, and is hereby amended and reordained to read as follows:

“ARTICLE 21. ON-SITE DEVELOPMENT STANDARDS

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21.8.C PERMITTED TEMPORARY USES

* * *

21.8.C.18 SHORT TERM RENTAL, NON-COMMERCIAL

* * *

m. **Except as provided in Section 21.8.C.18.r, only** ~~Only~~ one (1) non-commercial short term rental permit may be issued within each city block, inclusive of all lots fronting any exterior boundary of said block and all interior lots not fronting the public right of way.

**Amendment No. 4 (Cm. King)
Cal. No. 34083**

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r. Any property owner may request a special exception increasing in the number of allowable non-commercial short-term rentals within the block in which the applicant owns property. Prior to submitting said request, the property owner shall provide written notice of the application, on a form developed by the Staff of the City Planning Commission, to all residents and property owners whose properties share a property line with the subject property, as well as the district Council office and any neighborhood organization that is registered with the Office of Neighborhood Engagement and whose geographical purview includes the property, as shown on the Office of Neighborhood Engagement website. Said request shall be submitted to the Executive Director of the City Planning Commission, who shall review and make recommendations to the City Council relative to the special exception request. The City Planning Commission staff shall render its recommendations within sixty days of receipt, using the following review standards:

- i. Is the requested increase compatible with the surrounding land use and structures?
- ii. Are there unique geographic considerations which would mitigate the impact of an additional non-commercial short term rental use within the block?
- iii. Are there unique use conditions in the surrounding areas which would be well-served by or mitigate the impact of an additional non-commercial short term rental use within the block?

iv. Will the additional non-commercial short term rental use increase traffic and safety hazards?

v. Will the additional non-commercial short term rental use create parking issues around the block or in the surrounding areas?

vi. Will the additional non-commercial short term rental use impair the health, safety and welfare of the neighboring properties?

The Council shall have sixty (60) days from receipt of the recommendation to approve, deny, or modify the special exception request by motion. The granting of a special exception shall not entitle the applicant to a short-term rental permit. Additional permits within blocks subject to a special exception shall be awarded in accordance with the provisions set forth in the City Code. In the event the Council denies a request for a special exception within a particular block, no new request for a special exception in said square shall be accepted for a period of four years.

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