

Garden District Association  
Short-Term Rental and Bed & Breakfast  
Zoning Summary

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## Short-Term Rentals and Bed & Breakfast Zoning Summary

For over two years the GDA researched, prepared and put up a very strong, well thought out fight against each element of the proposal to allow Short Term Rentals and keep the prohibition in place for additional Bed and Breakfasts in the neighborhood. After building coalitions with other neighborhood and preservation groups, hoteliers, housing advocates and neighbors across the city, the proposal from the City Council was modified slightly but not enough to heed the major concerns of those opposing the measures. The City Council voted 5-2 in favor of Short Term Rentals throughout the city except for the French Quarter.

In addition to mapping analyses illustrating the potential impacts of STRs, impacts on the Garden District neighborhood as a visitor destination were also considered. The mapping analysis illustrated the potential land use impacts including the fact that over 65% of the total properties would become either STR and/or Bed and Breakfast eligible and could forever alter the character, fabric and historic significance of the neighborhood.

Data were obtained from the New Orleans Tourism Marketing Corporation (TMC) and the New Orleans Convention and Visitors Bureau (CVB) to develop estimates of the number of visitors to the neighborhood. The analysis determined that the Garden District neighborhood hosted 4.85 million and 4.93 million visitors in 2014 and 2015, respectively. The number of visitors to the Garden District is over 50% of the total number of visitors to New Orleans in each year. Further, the percentage increase in visitors was higher than the percentage increase in visitors to the French Quarter: 1.52% in the Garden District compared to 1.44% in the French Quarter. Thus, illustrating that the Garden District neighborhood is laden with visitors everyday just like the French Quarter.

Further, hundreds of Garden District residents voiced their opinion via a petition to prohibit STRs and maintain the prohibition on Bed and Breakfast uses. On December 1, 2016, the City Council adopted a series of ordinances, which amended both the City's Comprehensive Zoning Ordinance (CZO) and the City Code to define and permit STRs in zoning districts throughout the city (excluding the French Quarter) and to create a licensing process for these uses. These ordinances became effective on April 1, 2017.

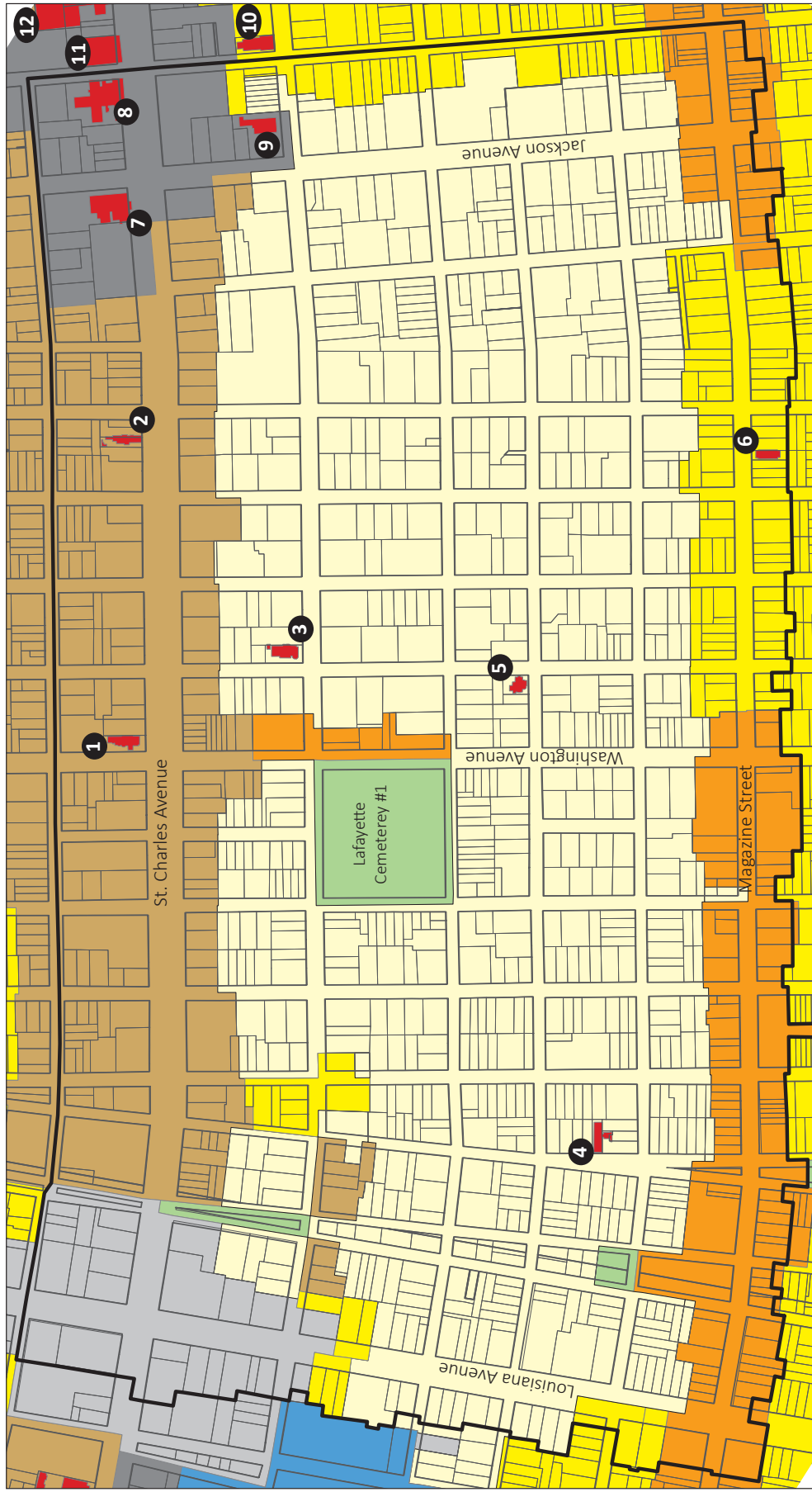
This summary provides information specific to the Garden District neighborhood including types of STRs allowed as well as information on how to report a violation and the number of licenses currently issued for properties in the neighborhood. Additionally, information on the types of Bed and Breakfast uses is also provided. Map 1 on the following page provides the current zoning in the Garden District neighborhood and illustrates where STRs and Bed and Breakfast uses are permitted or conditional uses.

### Types of STRs

The table below summarizes restrictions for the three types of STRs including Accessory, Temporary and Commercial, as approved by the City Council.

Restrictions	Accessory STR	Temporary STR	Commercial STR
Type of License	<ul style="list-style-type: none"><li>Owner occupancy w/ Homestead Exemption Required</li><li>Owner must be present during STR bookings</li></ul>	<ul style="list-style-type: none"><li>Owner occupancy not required. Can be renter/lessee</li><li>Must have an in-town property manager available at all times</li></ul>	<ul style="list-style-type: none"><li>Property owners or operators in non-residential zoning districts</li></ul>
Rent what?	<ul style="list-style-type: none"><li>Half a double or spare bedrooms may be rented out</li></ul>	<ul style="list-style-type: none"><li>An entire dwelling</li></ul>	<ul style="list-style-type: none"><li>Part of a dwelling or entire dwelling</li></ul>
# of rooms	<ul style="list-style-type: none"><li>Up to three (3) bedrooms</li></ul>	<ul style="list-style-type: none"><li>Up to five (5) bedrooms</li></ul>	<ul style="list-style-type: none"><li>Up to five (5) bedrooms</li></ul>
# of guests	<ul style="list-style-type: none"><li>Up to six (6) guests</li></ul>	<ul style="list-style-type: none"><li>Up to ten (10) guests</li></ul>	<ul style="list-style-type: none"><li>Up to ten (10) guests</li></ul>
License Duration	<ul style="list-style-type: none"><li>One (1) year</li></ul>	<ul style="list-style-type: none"><li>One (1) year</li></ul>	<ul style="list-style-type: none"><li>One (1) year</li></ul>
Booking Limitation	<ul style="list-style-type: none"><li>Unlimited</li><li>No single booking can exceed thirty (30) days</li></ul>	<ul style="list-style-type: none"><li>Maximum of 90-rental nights per year</li><li>Continuous 90-day duration or separate periods (requires new license application)</li></ul>	<ul style="list-style-type: none"><li>Unlimited</li><li>No single booking can exceed thirty (30) days</li></ul>
Booking Duration	<ul style="list-style-type: none"><li>Unlimited</li></ul>	<ul style="list-style-type: none"><li>90-rental nights per year</li></ul>	<ul style="list-style-type: none"><li>Unlimited</li></ul>

Map 1. Garden District Neighborhood: Short-Term Rentals & Bed and Breakfast Zoning



GIS Mapping Data Source: data.nola.gov

### Existing Hotel & Bed and Breakfast Uses (prior to STR ordinance approval)

- 1 Grand Victorian Bed & Breakfast
- 2 The Mansion on St. Charles Bed & Breakfast
- 3 Sully Mansion Bed & Breakfast
- 4 Maison Lafayette Bed & Breakfast
- 5 Parks Bowman House Bed & Breakfast
- 6 Garden District Bed & Breakfast
- 7 Hotel Indigo
- 8 Wyndam Avenue Plaza Resort Hotel
- 9 Magnolia Mansion (licensed as a Hotel)
- 10 Henry Howard Hotel
- 11 The Pontchartrain Hotel
- 12 Clarion Hotel

Zoning	Short-Term Rental Type			Bed and Breakfast Type	
	Accessory	Temporary	Commercial	Accessory	Principal
HU-RD1 Single-Family Residential	P	P		C	
HU-RD2 Two-Family Residential	P	P		C	
HU-RM1 Multi-Family Residential	P	P		C	C
HU-B1 Neighborhood Commercial	P	P	P	P	P
HU-MU Neighborhood Mixed-Use	P	P	P	P	P
MU-1 Medium Intensity Mixed-Use	P	P	P	P	

Currently, the following licenses have been issued in the Garden District neighborhood for STRs:

- 1131 Fourth Street: Temporary STR, 5-bedroom limit, guest occupancy limit of 10
- 1422 Jackson Avenue: Accessory STR, 1-bedroom limit, guest occupancy limit of 2
- 2360 Magazine Street: Accessory STR, 2-bedroom limit, guest occupancy limit of 4
- 2616 Magazine Street: Accessory STR, 3-bedroom limit, guest occupancy limit of 6
- 1427 Louisiana Avenue: Temporary STR, 2-bedroom limit, guest occupancy limit of 4
- 1442 Louisiana Avenue: Temporary STR, 1-bedroom limit, guest occupancy limit of 2

## Types of Bed and Breakfasts

The new CZO defines two types of Bed and Breakfasts uses, Accessory and Principal, as follows:

**Bed and Breakfast** - A residential structure that provides sleeping rooms for overnight paid occupancy. Bed and breakfast is further defined as follows:

- *Bed and Breakfast, Accessory:* An owner-occupied building designed as either a single-family or a two-family dwelling that has been converted to a single-family dwelling, which provides no more than four (4) guest rooms for overnight paid occupancy of up to thirty (30) nights. Common bathroom facilities may be provided rather than private baths for each room.
- *Bed and Breakfast, Principal:* An owner- or operator-occupied residential structure that provides no more than nine (9) guest rooms for overnight paid occupancy of up to thirty (30) nights. Common bathroom facilities may be provided rather than private baths for each room.

The CZO provides certain “use standards” or restrictions for Bed and Breakfast uses:

### *Accessory Bed and Breakfast Use Standards*

- Proof of owner occupancy shall be established by submission of proof of a homestead exemption submitted to the Department of Safety and Permits. The owner-occupant’s ownership interest must be at least fifty percent (50%).
- If more than one (1) principal building exists on a lot, or two (2) or more contiguous lots have been historically acquired together and the second building was originally constructed and has been used for habitable space, as defined by the Building Code, at least five (5) years prior to the establishment of the bed and breakfast, it may be included in the operation of the bed and breakfast.
- The bed and breakfast shall appear outwardly to be a single-family dwelling, giving no appearance of a business use other than a permitted sign.
- The bed and breakfast may have one (1) attached projecting sign not to exceed four (4) square feet in area. The sign shall complement the architecture of the structure.
- The bed and breakfast is limited to a maximum of four (4) units for overnight accommodation.
- Cooking facilities are prohibited in individual guest rooms.
- If meals are provided, only registered guests may be served.
- Leasing of a common dining area for social events is prohibited.

### *Principal Bed and Breakfast Use Standards*

- Proof of owner or operator occupancy shall be established by submission of proof of a homestead exemption (owner) or legal leasing agreement (operator) submitted to the Department of Safety and Permits.
- If more than one (1) principal building exists on a lot, or two (2) or more contiguous lots have been historically used together and the second building was originally constructed and has been used for habitable space, as defined by the Building Code, for at least five (5) years prior to the establishment of the bed and breakfast, then it may be included in the operation of the bed and breakfast.
- All signs shall comply with applicable sign regulations for the zoning district.
- The bed and breakfast is limited to a maximum of nine (9) units for overnight accommodation.



- Cooking facilities are prohibited in individual guest rooms.
- If the zoning district allows restaurants, meals may be served to guests other than those registered with the bed and breakfast, provided the facility meets all other applicable city and state codes for food service.
- Leasing of common areas for social events shall be allowed, provided the facility meets all applicable off-street parking requirements and complies with the noise ordinance and all other provisions of the City Code.

In general, Accessory Bed and Breakfast uses are Permitted (P) Uses in the residential (single, two and multi-family) areas of the Garden District. Principal Bed and Breakfast uses are not allowed in the single and two-family residential areas of the Garden District but are Conditional (C) Uses in the multi-family areas. Accessory and Principal Bed and Breakfast uses are Permitted (P) in the commercial areas (Magazine Street) and mixed-use zoning districts found on the periphery of the neighborhood.

Map 1 illustrates the currently licensed Bed and Breakfast as well as hotel establishments in the Garden District. It should be noted that some Bed and Breakfast have been able to obtain a hotel license (Magnolia Mansion) based upon the number of rooms affording them more commercial activities. It is recommended that the GDA pursue a CZO amendment to tighten the regulations.

## How to Confirm a License and Report Violations

The city's data portal (<https://data.nola.gov/>) allows anyone access to confirm a STR license. Once at the data site, search for "short term rentals" and the database and map will become available. Once in the database, a search by address can be performed. The database currently has just over 1,400 STR licenses that can be searched by address. Additionally, the city's One Stop website (<https://onestopapp.nola.gov/>) can be utilized to search by address.

The city's website (<https://www.nola.gov/safety-and-permits/report-a-violation/>) has a "violation report" form that includes short-term rentals in the list of complaints. Additionally, the STR Administration can be contacted via email using [STR@nola.gov](mailto:STR@nola.gov) or by phone at (504) 658-7144.

The screenshot shows the 'Report a Violation' form on the City of New Orleans One Stop website. The form includes a sidebar with navigation links such as 'Safety and Permits', 'Administrative Rules', 'Report a Violation', 'Floodplain Management', 'Zoning Administration', 'Development Regulations', 'Pile Load Capacity Maps', 'Neighborhood Conservation District Advisory Committee', 'Board of Building Standards and Appeals', 'Contractor Licenses', 'Short Term Rentals', 'Taxicab & For Hire Bureau', 'Brake tags', 'About Us', and 'Contact Us'. The main content area is titled 'Report a Violation' and contains a 'Reporting a possible violation' section with instructions to submit complaints through the web-form. It includes a checkbox for 'Would you like to be contacted regarding this violation?' and a 'Date of Violation' field. Below this is a 'Time of Violation' field and a 'House Number' field. The 'Street Name' field has a dropdown menu to 'Select street name'. The 'Type' section has radio buttons for 'Short Term Rental', 'Zoning', 'Work without a Permit', 'Junk Vehicle (on private property)', and 'Construction Dumpster in the Street'. A 'Description' field with a text area is provided for 'Describe the violation using details'. There is also an 'Upload Document/Photo' section with a 'Browse...' button and a 'No file selected.' message. A 'Submit' button is at the bottom right. On the far right, there is a 'Contact Us' section with the address '1300 Perdido St, 7th floor New Orleans, LA 70112', 'Hours of Operation: Monday-Thursday 8am-5pm Friday 8am-3:30pm', 'Phone: (504) 658-7100', and 'Jared E. Munster, Ph.D., AICP Director'.

The screenshot shows the City of New Orleans Open Data portal. The header includes the 'CITY OF NEW ORLEANS OPEN DATA' logo and navigation links: 'Browse Catalog', 'User Guide', 'Site Analytics', 'DataDriven', and a 'Sign In' button. A search bar contains the text 'short term rentals'. Below the search bar, there are 'Categories' and 'View Types' dropdown menus. The main content area displays '3 Results' and lists three datasets: 'Short-Term Rental Licenses', 'Map of Short-Term Rental Licenses', and 'Occupancy Limit by License Type - Based on Short-Term Rental Licenses'. Each dataset entry includes a brief description, tags, and metadata such as 'Updated May 23, 2017' and 'Views 113'. The bottom of the page indicates 'Showing 1-3 of 3 results'.