

**MOTION**

**NO. M-22-449**

**CITY HALL: October 6, 2022**

**BY: COUNCILMEMBERS GIARRUSSO AND HARRIS**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is directed to conduct a public hearing to amend and reordain Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to amend Article 19 to re-establish the *University Area Off-Street Parking Interim Zoning District (IZD)*, the intent of which is to require off-street vehicular parking for any increase in the number of existing bedrooms, on all lots bounded by: Cecil Street, a straight line connecting Cecil Street to Monticello Avenue, Monticello Avenue, to Leake Avenue, to River Drive, to Riverview Drive, to East Drive, to Tchoupitoulas Street, turning north on Jefferson Avenue, turning east on South Claiborne Avenue, turning north on Toledano Street, connecting to Washington Avenue, turning east on Earhart Boulevard, turning north on South Carrollton Avenue, turning east on Tulane Avenue/Airline Highway connecting to Palmetto Street, to Northline Street, to Monticello Avenue, to Cecil Street; the off-street vehicular parking requirements shall be as follows:

1. Any increase in the number of existing “bedrooms” in a dwelling or dwelling unit, as determined by the Department of Safety and Permits, shall require one off-street parking space for each additional bedroom.
2. For purposes of this IZD, the one parking space per additional bedroom applies to:
  - a. new construction of any residential dwelling or dwelling unit. (For example, construction of a new dwelling with two bedrooms will require the creation of one, off-street parking space); or

- b. any substantial renovation of a residential dwelling or dwelling unit. (For example, an existing tri-plex (with no off-street parking) that is being renovated to create two additional bedrooms will require two off-street parking spaces).
  - c. For purposes of this IZD:
    - i. “Bedroom” shall be defined as an enclosed room designed for and outfitted to be used for sleeping. A bedroom shall not be a shared space, or a space designed for or outfitted to be used for any purpose other than sleeping of guests (e.g., kitchens, dining rooms, living rooms, parlors, attics, offices, game rooms, or utility rooms). In the event such space is utilized as a bedroom, as determined by the Department of Safety and Permits, the off-street parking requirements provided in subpart 1 herein shall apply. (For example, if a dwelling converts or retrofits an office or an attic to a bedroom, as defined herein, the off-street parking requirements established by this IZD must be met).
    - ii. “Substantial renovation” shall be defined as the removal, erection, or reconfiguration of interior walls in a dwelling or dwelling unit to increase the number of existing bedrooms, as verified by the Department of Safety and Permits.
3. These increased parking requirements shall not be waivable. The applicable Exemptions and Flexibilities provided in Section 22.5 of the Comprehensive Zoning Ordinance shall not be applicable or available to dwellings and dwelling units within

the boundaries of this IZD if the dwelling/dwelling unit is being substantially renovated or newly constructed as contemplated herein.

4. These increased parking requirements may be appealed to the City Council in accordance with applicable law.

**BE IT FURTHER MOVED,** That in accordance with Article 19, Section 19.3.C.4 of the Comprehensive Zoning Ordinance, all appropriate agencies of City Government shall not accept any applications for permits or license that are in conflict with the intent and provisions of the proposed *University Area Off-Street Parking Interim Zoning District* for the properties contained within the aforesaid area during consideration of this matter. Applications to appeal this Interim Zoning District shall be consistent with the application and approval procedures provided in Article 4, and all applicable notice and hearing procedures provided in Article 3 of the Comprehensive Zoning Ordinance, as amended, shall be complied with.

**BE IT FURTHER MOVED,** That in the process of reviewing this request the City Planning Commission staff is directed and granted the flexibility to make all appropriate changes to the proposed regulations and any existing corresponding regulations in the Comprehensive Zoning Ordinance, as amended, to establish consistency and continuity with the format of the existing zoning code, to add references wherever references are customary, needed, and/or appropriate, to make the appropriate adjustments to clarify any ambiguities or mistakes, and to make adjustments deemed necessary in light of public testimony resulting from this review.

**THE FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE MOTION WAS ADOPTED.**