

MOTION

(AS AMENDED)

NO. M-20-80

CITY HALL: March 5, 2020

BY: COUNCILMEMBER GIARRUSSO

SECONDED BY: COUNCILMEMBER NGUYEN

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 establish a new Interim Zoning District (IZD) to be named the *University Area Interim Off-Street Parking Zoning District*, 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: lakeside of Saint Charles Avenue, downtown side of South Carrollton Avenue, riverside of South Claiborne Avenue, and both sides of Audubon Street (excluding the portion between Plum Street and Zimpel Street that exists solely within Tulane's campus); 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 two, 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 space).
- 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 (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" for purposes of this IZD, 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 CZO 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.

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 issue any permits or licenses that are in conflict with the intent and provisions of the proposed IZD for the properties contained within the aforesaid area during consideration of this matter. The IZD is to be in effect for one year, and is subject to extension as provided by Section 3-126 of the City Charter. Applicants to appeal this IZD shall be submitted to the Executive Director of the City Planning Commission, whose staff shall review and make recommendations relative to the appeal within sixty (60) days of receipt, utilizing the following standards and criteria:

- 1) The number of existing bedrooms and if off-street parking currently provided.

- 2) The proposed increase in bedrooms (the reconfiguration of the interior), and if off-street parking can be created on the lot of record.
- 3) Whether the increase in bedrooms is to support affordable housing?
- 4) If off-street parking can be created on the lot of record, is it a permissible parking layout (per the CZO), or are variances required to effectuate off-street parking. If variances are needed, are the standards for variance met as provided in Article 4 of the CZO?
- 5) Will granting the appeal increase community environmental impacts, for example, the extent on-street parking will be impacted/eliminated with a new, off-street parking curb-cut?
- 6) Whether, after consultation with the Department of Public Works, the off-street parking configuration is permissible pursuant to the applicable provisions of the Code of the City of New Orleans?

The Council shall have sixty (60) days from receipt of staff's recommendation to approve, deny, or modify the appeal recommendation by motion.

BE IT FURTHER MOVED, That in the process of reviewing this request, and the correlating study authorized via M-20-79, that 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: Banks, Brossett, Giarrusso, Gisleson Palmer, Moreno, Nguyen, Williams - 7

NAYS: 0

ABSENT: 0

AND THE MOTION WAS ADOPTED.

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