

**MOTION**

**NO. M-20-279**

**CITY HALL: September 3, 2020**

**BY: COUNCILMEMBERS BANKS, GIARRUSSO, GISLESON PALMER, NGUYEN  
AND BROSSETT**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That the City Planning Commission is hereby directed to conduct a public hearing to consider amendments to 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 clarify and amend the definitions and uses of "*Dwelling, Established Multi-Family*" and "*Dwelling, Established Two-Family*," along with the following, additional conditions:

1. distinguish these "established" uses from other non-conforming uses; and
2. create factors and requirements for the re-establishment of "established" multi-family and two-family dwellings; and
3. determine if these "established" dwellings should be permitted by-right in all residential zoning districts where multi-family use is currently prohibited or requires a conditional use; and
4. recommend whether conditional uses, overlays, or other standards should govern the redevelopment of "established" dwellings within residential areas of the city near institutional uses, such as universities, to ensure that the encroachment of student housing into surrounding neighborhoods does not diminish affordable housing stock.

**BE IT FURTHER MOVED**, That the City Planning Commission shall consider the following factors for the re-establishment of previous multi-family dwellings in single/two-family residential districts:

1. Only properties with a "documented legal history" as a two or multi-family dwelling, as verified by the Department of Safety and Permits, the qualifications of which shall be

- clarified and/or defined, shall be eligible; and
2. Re-establishment by right shall be limited to structures containing no more than four units; and
  3. There shall be no increase of the footprint nor intensity of the structure. Any expansions of the use, such as the addition of bedrooms via substantial renovation or increases to the total floor area, shall remain a conditional use; and
  4. If the history of the multi-family dwelling includes more than four units, a conditional use shall be required; and
  5. No additional conversions that would increase the number of dwelling units from that which historically existed shall be permitted; and

**BE IT FURTHER MOVED**, That in the process of studying and reviewing this request, the City Planning Commission staff is granted the flexibility to make appropriate changes to proposed regulations and any existing, corresponding regulation in the CZO, as amended, to establish consistency and continuity with the existing code, to add references when they are necessary, to make adjustments to clarify ambiguities or mistakes, or to make adjustments consistent with the intent of this motion that result from CPC's review.

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

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE MOTION WAS ADOPTED.**