

## MEMORANDUM

FROM: ASHLEY J. BECNEL, CHIEF ZONING OFFICIAL  
DEPARTMENT OF SAFETY AND PERMITS

DATE: JUNE 8, 2023

RE: CSTR PERMIT STATUS AND PROCESSES AS OF JUNE 8, 2023

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Given the recent developments in the law related to commercial short-term rental permits (CSTRs), the Department is issuing this updated memorandum to provide its interpretation of the current situation for CSTR permits in order to provide clarity for Departmental staff, council offices, and the general public. Questions that are not answered by this memorandum may be directed to [str@nola.gov](mailto:str@nola.gov) for additional review.

On June 8, 2023, the City Council adopted Motion M-23-208 which created an Interim Zoning District that prohibited commercial short term rental use citywide, among other things.

To avoid confusion, the Department hereby clarifies its interpretation of the current state of the law as it pertains to CSTRs:

1. The Department will not accept any new applications for licenses or permits for CSTRs in accordance with the terms of M-23-208.
2. Existing permitholders may apply as a legally non-conforming use for renewal of their licenses provided that they meet the qualifications for legally non-conforming uses as set forth in the CZO. The burden of proof for such determinations rests on the applicant (CZO 25.2.D.). In accordance with Department practice, uses will be presumed to be legally non-conforming if all of the following criteria are met:
  - a. The dwelling unit was properly licensed as a commercial short-term rental before June 8, 2023, the date of M-23-208;
  - b. All dwelling units used as commercial short-term rentals have maintained valid CSTR licenses, or, if there has been any lapse in licensure, the lapse lasted no longer than 180 days; and
  - c. There are no outstanding STR violations for any STR use located on the lot.Properties which do not meet all of these criteria may apply for individual consideration as a legal non-conforming use by emailing [str@nola.gov](mailto:str@nola.gov).
3. The IZD may be appealed by application to the City Council.

This memorandum will be updated if the law changes in any way that affects the above. Any changes to the law, whether through Council action or court ruling, may change the interpretation of this Department.