

Short Term Rentals in Single Family Zoned Neighborhoods

Consistent with the Comprehensive Zoning Ordinance short term rentals have never been a permitted use in any zoning district.

While short term rentals may be appropriate in certain commercial, mixed use and permitted rural overlay areas they are not compatible with residentially zoned areas, especially subdivisions zoned for single family residential use.

Short term rentals are business operations whereby there is a flow of temporary stays by visitors for revenue akin to the operation of a hotel and as such should be subject to the same plot development standards such as parking, building setbacks, construction standards, etc.

Problems with short term rentals:

Reality of the short term rental:

Because of the lack of supervision associated with short term rentals and because there are 2 or more rooms in a home, they draw groups that routinely have more of an impact than the typical hotel occupant which is in itself obviously commercial.

They are visitors mostly coming to party and use the property as a cheap event venue hosting many more people than a home would typically support. Sometimes it turns into an "Animal House" - boisterous public behavior, live bands or DJ, outdoor drunkenness, cursing, drug use, karaoke, sexually suggestive behavior, use of watercraft with no experience, trespass upon and invading the privacy of neighboring property, block access to parking and strange people giving neighbors that creepy feeling.

Community:

Short term rentals are occupied by visitors that have no vested interest in the community and because their stay is temporary are not typically concerned with the impact they have on neighboring homes. For the same reasons they cannot register to vote. In the end "visitor" and "resident" are and will always remain different words legally and otherwise.

Crime:

Short term rental occupants are visitors and therefore local law enforcement does not have a "heads up" of possible incoming criminal activity.

Sometimes short term rentals are booked by a "clean party" that passes credit and other background checks only to turn around and invite more in mass to join in. It is impossible for the booking agent to know the character of these additional guests that seem to just show up.

Short term rentals are magnets for illegal and unwanted activities. There could be off-site gambling, drug dealers, addicts, prostitutes, sexual predators, criminals on the run, etc. Under the short term rental atmosphere Sex Offenders skirt the lawfully required notice to the community as required by Louisiana law yet they are staying maybe 10 feet from your bedroom window with no on-site supervision at all.

Traffic:

Traffic is substantially impacted by Short Term Rentals. Because the occupant's stay is temporary they are running here and there to different attractions and to pick up last minute items. Multiply this by the rush mentality and number of occupants and the amount and nature of the traffic suffers.

Property values:

No family is going to knowingly buy a family home next door to a short term rental, it destroys the single family home atmosphere. Those wishing to sell after a neighboring home goes "short term rental" will find that only another short term rental will purchase their home. This spreads like a slow moving cancer destroying a neighborhood.

Intended Use and Enforcement by the parish:

Single family residential construction most often occurs in high density subdivisions whereby homes are often separated by as little as 10 - 12 feet. Such close spacing precludes parking facilities supportive of gatherings typically associated with the short term vacationing, partying or event atmospheres. These same types of gatherings often damage the peaceful family oriented atmosphere protected by zoning ordinance.

Why are the zoning laws not being enforced right now? There is nothing more important or personal to a resident than his home. Not respecting the zoning already in place is not only a violation of law but also a violation of public trust in our elected officials. Some have said that enforcement is difficult. I think not.

Structures are permitted, inspected and purpose built. When construction is completed a Certificate of Occupancy is issued before occupancy can take place. Construction specifications as well as its intended purpose both affect the Certificate of Occupancy. If a structure is subsequently used for a different purpose its Certificate of Occupancy can be pulled until the structure comes into compliance. If all else fails this is a tool that may be used to force compliance.

If a property zoned as "single family residence" is advertised as a "Short Term Rental", or any other non-conforming use, or a complaint is confirmed then code enforcement simply places a "Cease and Desist" notice on the property. If that is ignored then a summons to appear in court is issued whereby a fine per occurrence is issued along with the warning that if the violation is repeated then the "Certificate of Occupancy" will be withdrawn and that the power company will be notified to discontinue electrical service until the court is satisfied with a plan that ensures future violations will not occur.

In summary, Hotels are not only taxed and regulated but have on-site management and security. Hotels are where visitors belong, not roaming in and out of single family neighborhoods where people are raising their families.

submitted by
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