

The following Ordinance was introduced by _____ and seconded by _____, to-wit:

ORDINANCE NO. _____ OF 2024

AN ORDINANCE AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF NATCHITOCHEES BY ADOPTING ARTICLE IX, WHICH IS TITLED "SHORT-TERM RENTALS", AND PROVIDING FOR PERMITTING AND REGULATION OF SHORT-TERM RENTALS IN THE CITY OF NATCHITOCHEES, PROVIDING FOR APPLICATION FOR SAME AND FEES, FURTHER PROVIDING FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF NATCHITOCHEES TO PROVIDE FOR ZONING OF SHORT-TERM RENTALS, PROVIDING FOR A SAVINGS CLAUSE, A REPEALER CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, there has been an increase in practice of renting homes for short terms within the City of Natchitoches, and the City does not currently have an ordinance in place that specifically provides for the permitting and regulation of the rental of homes for short terms; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that it is in the interest of the City of Natchitoches and its citizens to provide for the permitting and regulation of short term rentals in the City; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to adopt an ordinance that will allow for the permitting and regulation of short term rentals, and further provide for an application process and fees for same; and

WHEREAS FURTHER, the City Council desires to amend Chapter 19 of the Code of Ordinances to add an Article that will provide for the permitting and regulation of short term rentals; and

WHEREAS FURTHER, The City Council of the City of Natchitoches desires to amend the Code of Ordinances to add Article IX, "Short-Term Rentals" which shall provide as follows, to-wit:

"Article IX. Short-Term Rentals

Sec. 19-300. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner means the person who possesses ownership of the real property containing a residential dwelling unit subject to a short-term rental as evidenced by a deed.

Short-term rental means a residential dwelling unit for the purpose of overnight lodging for less than 30 consecutive days. Accessory structures

shall not be subject to short-term rental.

Sec. 19-301. Applicability.

No person shall use or maintain, nor shall any person advertise the use of any residential dwelling unit on any parcel in this city for short-term rental without a short-term rental permit.

Short-term rentals shall be allowed in the historic district of the City of Natchitoches; any short-term rentals outside the perimeters of the historic district that were approved before the adoption of this ordinance shall be grandfathered in.

Sec. 300-302. Short-term rental regulations.

(a) The short-term rental permit shall be in the name of the owner, who shall be an owner of the real property upon which the short-term rental use is to be permitted.

(b) One person may hold no more than three short-term rental permits within the city limits of Natchitoches. The permit shall not be transferable. NO LLC or corporations should be allowed to own short-term rentals.

(c) Short-term rental uses shall be limited to residential dwelling units existing and constructed as of the date of application for the short-term rental permit.

(d) The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than four. The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms or a maximum of eight persons. Language suggests that the lodging is not that for short-term rentals but of an B and B. Short-term rentals provides that an entire structure is rented not one room. The language would infuriate the B and B owners.

(e) Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department, for a nominal fee, before any short-term rental activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide detector. This lanugae again is for B an B's not short-term rentals.

(f) A minimum of two on-site parking spaces shall be provided for use by the short-term rental occupants.

(g) The owner shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available 24 hours a day to accept telephone calls and respond physically to the short-term rental within 30 minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each short-term rental on the city's webpage.

(h) The owner shall post "house policies" within each guest bedroom. This should state structure. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner or the owner's designated contact person. The house policies at a minimum shall include the following provisions:

(1) Quiet hours shall be maintained from 10:00 p.m. to 7:00 a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.

(2) Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.

(3) Except as permitted by the planning, vehicles shall be parked in the designated on-site parking area and there shall not be parking on the street overnight.

(4) Parties or group gatherings which exceed the maximum number of guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

(i) Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

(j) The owner shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.

(k) The

owner, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the excessive consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.(l)All advertising for any short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.(m)The owner shall maintain a city occupational license and pay all occupancy taxes required by law.(n)No exterior signage or other exterior evidence the property is used for short-term rental is permitted.(o)No food service shall be provided by the owner or anyone on his behalf.(p)The owner may not enter into a short-term rental with more than one party at any time.(q)The city-issued short-term rental permit shall be displayed on the premises.

Sec. 300--303. Short-term rental permit.

(a) Prospective owner-applicants of a short-term rental use shall apply for a permit with the planning director in accordance with the provisions of this chapter and on a form provided by the city. (b) The application shall be accompanied by the short-term rental permit fee as set forth herein to cover the administrative costs of issuing a short-term rental permit and, but not limited to, inspecting the short-term rental dwelling. (c) The application shall include the following information: (1) The name, address and phone number of the applicant, and verification that the applicant is the owner of the property. (2) The assessor's parcel number of the lot on which the short-term rental use is proposed. (3) Certification that the permit will be nontransferable. (4) Certification that the local contact person is available 24 hours a day to accept telephone calls and respond physically to the short-term rental within 30 minutes when the short-term rental is rented and occupied. (5) A site and floor plan identifying the location of parking on the site (if required) and the location of any bedrooms to be used for short-term rental use. (6) Acknowledgment of receipt and inspection of a copy of all regulations pertaining to the operation of a short-term rental use. (7) Evidence of a minimum of \$500,000.00 liability insurance coverage on the premises subject to the short-term rental. (8) Additional information as may be requested by the planning director to determine impact and mitigation measures. (d) The permit term for all short-term rental permits shall run from November 1 to October 31 of each year, regardless of when issued. All

permits must be renewed annually. (e) Short-term rental permit fee: The annual permit fee for a short-term rental permit shall be \$400.00.

Sec. 300-304. Violation.

Any violation of this section is subject to the civil and criminal procedures as provided in section 1-9 of this Code and shall result in a revocation of the short-term rental permit of the violator. Each day of violation shall be considered a separate offense."

WHEREAS FURTHER, The City Council of the City of Natchitoches desires to amend the Zoning Regulations of the City of Natchitoches in order to amend the definition of Bed & Breakfast, to adopt a definitions for Short-Term Rental and to provide for zoning of short-term rentals; and

WHEREAS FURTHER, The City Council of the City of Natchitoches desires to amend Section I. Definitions, of the Zoning Regulations to amend the definition of Bed & Breakfast and to add a definition of Short-Term Rental, as follows:

"Bed & Breakfast. A building where, for compensation, a bedroom and/or bedrooms, are rented for temporary residential tourist lodging. This use in no way shall allow for the occupancy of an entire residence or occupancy of a residence by permanent boarders.

Short-Term Rental. A residential dwelling unit for the purpose of overnight lodging for less than 30 consecutive days or a calendar month. Accessory structures shall not be subject to short-term rental."

WHEREAS FURTHER, The City Council of the City of Natchitoches desires to amend Section II. Districts, Subsection B.1. R-1 Districts: One family residence districts, of the Zoning Regulations to provide for zoning of Short-Term Rentals as follows:

"1. R-1 Districts: One-family residence districts. These districts are composed mainly of areas containing one-family dwellings and open areas where similar residential development seems likely to occur; few two-family and multiple-family dwellings are found in these areas. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches, and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

a. Permitted uses. In R-1 Districts only the following uses are permitted:(1)Uses by right. The uses listed below are permitted subject to the conditions specified:

Accessory Use

Dwelling, One-Family

Farming and Truck Gardening; need not be enclosed within structure

Golf Course, but not including commercial miniature course or commercial driving range; need not be enclosed within structure.

Home Occupation

Modular Homes

Name Plate, not exceeding one square foot in area, need not be enclosed within structure.

Park or Playground (public), including Recreation Center; need not be enclosed within structure.

(2) Uses requiring planning commission approval. The uses listed below are permitted upon approval of the location and site plan thereof by the Planning Commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as not causing undue traffic congestion or creating a traffic hazard, and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Fire Station

Livestock and Poultry Raising, including Dairy; need not be enclosed within structure

Outdoor General Advertising Structure; need not be enclosed within structure

Pipe Line or Electric Transmission Line; need not be enclosed within structure

Railroad Right-of-way, but not including shops, yards, and team tracks; need not be enclosed within structure

School, Elementary and/or Secondary, meeting all requirements of the compulsory education laws of the State of Louisiana

University or College (non-profit)

Water Storage; need not be enclosed within structure

Water or Sewage Pumping Station

(3) Special exception uses. These uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the City Commission after a Public Hearing and recommendation by the Planning Commission:

Airport; need not be enclosed within structure

Airport and Dusting Service; need not be enclosed within structure

Bed & Breakfast

Cemetery; need not be enclosed within structure

Church, including Parish House, Community House, and Educational Buildings

Correctional, Detention, or Penal Institution

Electric Substation; need not be enclosed within structure but must be enclosed within a wall or fence at least ten feet high

Radio and Television Broadcasting Transmitter, but not including studio

Short-Term Rental

Revival Church (temporary); as a temporary use on permit issued by the Zoning Administrator; such permit to be good for a period not exceeding one week and renewal for not more than three such periods.

b. Building site area. Except as provided in Section III, the minimum building site area shall be:

For a one family dwelling7,200 sq. ft.

For any other permitted use 10,000 sq. ft.

c. Building height limit. Except as provided in Section III, no structure shall be designed, erected, or altered to exceed thirty-five (35) feet.

d. Yards required. Except as provided in Section III, the minimum dimensions of yards shall be:

Front Yard25 ft.

Side Yard5 ft.

Rear Yard25 ft.”

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, as follows:

SECTION I. Chapter 19 (entitled “Licenses, Permits and Miscellaneous Business Regulations”) of the Code of Ordinances is hereby amended to add Article IX, entitled “Short-Term Rental”, which shall read as follows:

“Article IX. Short-Term Rentals

Sec. 19-300. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner means the person who possesses ownership of the real property containing a residential dwelling unit subject to a short-term rental as evidenced by a deed.

Short-term rental means a residential dwelling unit for the purpose of overnight lodging for less than 30 consecutive days. Accessory structures shall not be subject to short-term rental.

Sec. 19-301. Applicability.

No person shall use or maintain, nor shall any person advertise the use of any residential dwelling unit on any parcel in this city for short-term rental without a short-term rental permit.

Short-term rentals shall be allowed in the historic district of the City of Natchitoches; any short-term rentals outside the perimeters of the historic district that were approved before the adoption of this ordinance shall be grandfathered in.

Sec. 300-302. Short-term rental regulations.

(a) The short-term rental permit shall be in the name of the owner, who shall be an owner of the real property upon which the short-term rental use is to be permitted.

(b) One person may hold no more than three short-term rental permits within the city limits of Natchitoches. The permit shall not be transferable. NO LLC or corporations should be allowed to own short-term rentals.

(c) Short-term rental uses shall be limited to residential dwelling units existing and constructed as of the date of application for the short-term rental permit.

(d) The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than four. The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms or a maximum of eight persons. Language suggests that the lodging is not that for short-term rentals but of an B and B. Short-term rentals provides that an entire structure is rented not one room. The language would infuriate the B and B owners.

(e) Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department, for a nominal fee, before any short-term rental activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide detector. This lanugae again is for B an B's not short-term rentals.

(f) A minimum of two on-site parking spaces shall be provided for use by the short-term rental occupants.

(g) The owner shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available 24 hours a day to accept telephone calls and respond physically to the short-term rental within 30 minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each

short-term rental on the city's webpage.

(h) The owner shall post "house policies" within each guest bedroom. This should state structure. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner or the owner's designated contact person. The house policies at a minimum shall include the following provisions:

(1) Quiet hours shall be maintained from 10:00 p.m. to 7:00 a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.

(2) Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.

(3) Except as permitted by the planning, vehicles shall be parked in the designated on-site parking area and there shall not be parking on the street overnight.

(4) Parties or group gatherings which exceed the maximum number of guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

(i) Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

(j) The owner shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.

(k) The owner, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the excessive consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.

(l) All advertising for any

short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.(m)The owner shall maintain a city occupational license and pay all occupancy taxes required by law.(n)No exterior signage or other exterior evidence the property is used for short-term rental is permitted.(o)No food service shall be provided by the owner or anyone on his behalf.(p)The owner may not enter into a short-term rental with more than one party at any time.(q)The city-issued short-term rental permit shall be displayed on the premises.

Sec. 300--303. Short-term rental permit.

(a) Prospective owner-applicants of a short-term rental use shall apply for a permit with the planning director in accordance with the provisions of this chapter and on a form provided by the city. (b) The application shall be accompanied by the short-term rental permit fee as set forth herein to cover the administrative costs of issuing a short-term rental permit and, but not limited to, inspecting the short-term rental dwelling. (c) The application shall include the following information: (1) The name, address and phone number of the applicant, and verification that the applicant is the owner of the property. (2) The assessor's parcel number of the lot on which the short-term rental use is proposed. (3) Certification that the permit will be nontransferable. (4) Certification that the local contact person is available 24 hours a day to accept telephone calls and respond physically to the short-term rental within 30 minutes when the short-term rental is rented and occupied. (5) A site and floor plan identifying the location of parking on the site (if required) and the location of any bedrooms to be used for short-term rental use. (6) Acknowledgment of receipt and inspection of a copy of all regulations pertaining to the operation of a short-term rental use. (7) Evidence of a minimum of \$500,000.00 liability insurance coverage on the premises subject to the short-term rental. (8) Additional information as may be requested by the planning director to determine impact and mitigation measures. (d) The permit term for all short-term rental permits shall run from November 1 to October 31 of each year, regardless of when issued. All permits must be renewed annually. (e) Short-term rental permit fee: The annual permit fee for a short-term rental permit shall be \$400.00.

Sec. 300-304. Violation.

Any violation of this section is subject to the civil and criminal procedures as provided in section 1-9 of this Code and shall result in a revocation of the

short-term rental permit of the violator. Each day of violation shall be considered a separate offense."

SECTION II. Section II. Districts, Subsection B.1. R-1 Districts: One family residence districts, of the Zoning Regulations is hereby amended to provide as follows:

"1. R-1 Districts: One-family residence districts. These districts are composed mainly of areas containing one-family dwellings and open areas where similar residential development seems likely to occur; few two-family and multiple-family dwellings are found in these areas. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches, and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

a. Permitted uses. In R-1 Districts only the following uses are permitted:(1)Uses by right. The uses listed below are permitted subject to the conditions specified:

Accessory Use

Dwelling, One-Family

Farming and Truck Gardening; need not be enclosed within structure

Golf Course, but not including commercial miniature course or commercial driving range; need not be enclosed within structure.

Home Occupation

Modular Homes

Name Plate, not exceeding one square foot in area, need not be enclosed within structure.

Park or Playground (public), including Recreation Center; need not be enclosed within structure.

(2) Uses requiring planning commission approval. The uses listed below are permitted upon approval of the location and site plan thereof by the Planning Commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as not causing undue traffic congestion or creating a traffic hazard, and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Fire Station

Livestock and Poultry Raising, including Dairy; need not be enclosed within structure

Outdoor General Advertising Structure; need not be enclosed within structure

Pipe Line or Electric Transmission Line; need not be enclosed within structure

Railroad Right-of-way, but not including shops, yards, and team tracks; need not be enclosed within structure

School, Elementary and/or Secondary, meeting all requirements of the compulsory education laws of the State of Louisiana

University or College (non-profit)

Water Storage; need not be enclosed within structure

Water or Sewage Pumping Station

(3) Special exception uses. These uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the City Commission after a Public Hearing and recommendation by the Planning Commission:

Airport; need not be enclosed within structure

Airport and Dusting Service; need not be enclosed within structure

Bed & Breakfast

Cemetery; need not be enclosed within structure

Church, including Parish House, Community House, and Educational Buildings

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Electric Substation; need not be enclosed within structure but must be enclosed within a wall or fence at least ten feet high

Radio and Television Broadcasting Transmitter, but not including studio

Short-Term Rental

Revival Church (temporary); as a temporary use on permit issued by the Zoning Administrator; such permit to be good for a period not exceeding one week and renewal for not more than three such periods.

b. Building site area. Except as provided in Section III, the minimum building site area shall be:

For a one family dwelling7,200 sq. ft.

For any other permitted use 10,000 sq. ft.

c. Building height limit. Except as provided in Section III, no structure shall be designed, erected, or altered to exceed thirty-five (35) feet.

d. Yards required. Except as provided in Section III, the minimum dimensions of yards shall be:

Front Yard25 ft.

Side Yard5 ft.

Rear Yard25 ft.”

SECTION III. BE IT FURTHER ORDAINED that if any part of this Ordinance is for any reason held to be unconstitutional or invalid, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance, and the invalidity shall be limited to that specific portion so declared to be invalid.

SECTION IV. BE IT FURTHER ORDAINED that this ordinance shall go into effect immediately after due publication according to law.